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MINUTES

1. Declaration of Opening and Announcement of Visitors

The President opened the meeting at 1.00 pm

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

Graham Harris	(President)
Jim Quadrio	(Deputy President)
Chris Webb	(Councillor)
Stacey Petterson	(Councillor)
Bernie Weller	(Councillor)

Tony Doust	(Chief Executive Officer)
Bruce Walker	(Acting Chief Executive Officer)
Glenn Deocampo	(Finance & Administration Manager)

Members of the Public (Gill Marchant & Melissa Reilly)

Apologies

Kim Ovens	(Councillor)
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3. Response to Previous Public Question Taken on Notice

Nil

4. Public Question Time

Nil

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

8.1. The Minutes of the Meeting held on 8th May 2013 be accepted as a true record of the meeting.

OCM 047/13 Council Decision

MOVED CR WEBB

SECONDED CR QUADRIO

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:	Tony Doust Chief Executive Officer
Date of Report:	12 th June 2013
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to receive the Chief Executive Officer's status report which will include items outstanding from previous meetings; and endorse the Chief Executive Officer's actions and recommendations.

Background

Section 3.6 of the Shire of Wiluna Local Law (Standing Orders) 1999 requires the Chief Executive Officer to submit a status report to each ordinary meeting of Council on any items that are incomplete.

Comments

Ordinary Council Meeting 27th June 2012

**Reserve 30771 Cnr Wall and Lennon Street Wiluna
File Ref: Lot 78**

Council considered a report on all the Shire controlled land at its last meeting. Other than the above lot Council resolved that all land be retained for future requirements.

The above reserve is on the eastern boundary of the Hotel and its purpose is "Children's Playground". The property on the northern boundary was owned by the Shire some time ago and the house on this lot has been extended onto part of the Reserve.

The Department of Lands have been advised and progressing with the requirements to change the land.

The department have contacted us recently to advise that they are liaising with the surveying industry to find someone working in the area in order to reduce the survey cost to the applicant and the Shire. We had agreed to pay half the survey cost.

Ordinary Council Meeting 22nd August 2012

Lot 1467 (Reserve 30708) Transfer to the Ngangganawili Aboriginal Health Service (NAHS)

File Ref: 00243

Advice has been received from the Lands Department, that the Management Order for lot 1467 is now vested in Ngangganwilli Aboriginal Health Services.

Ordinary Council Meeting 12th December 2012

Wiluna Cemetery Records

File Ref: 00396

The Chief Executive Officer Advised Council at its last meeting as follows:-

"The Acting Chief Executive Officer has discovered that the plans for the burials at the Wiluna Cemetery (as per Section 40 (2) of the Cemeteries Act 1986 have not been updated/completed during the period commencing April 2007 until 21st March 2012. During this time (35) deceased persons have been buried in the Wiluna Cemetery and the location of the graves have not been recorded on the plans held at the Shire Office. At this time it is not possible to determine the location of each of the deceased persons. Most of the deceased persons are indigenous.

The Shire has a significant problem as the Board responsible for the Wiluna Cemetery with regard to identifying who is buried where during this period. Other than digging up each of the graves that have been used for a burial that we have no record of the deceased person in that grave, and locating the plate on the coffin, there appears to be little else that can be done to rectify the oversight by the Chief Executive Officers during the period April 2007 to March 2012.

The requirement to certify that plans have been kept and maintained, showing the location of all burials, as per section 40 (2) of the Cemeteries Act 1986, has been included in the Annual Compliance Audit Return for the

years 2007, 2008, 2009 and 2010. A search of the minute book reveals that on each of these returns the officers have responded "yes" to the compliance with this requirement. Copies of the sections from the compliance return adopted by Council and sent to the Department are attached as appendix 12.1.

The Acting Chief Executive Officer recommends to Council that the public be made aware of this oversight, advise the Department of Local Government as the administration of the Cemeteries Act 1986 falls under the Minister for Local Government and seek legal advice on the matter."

Council resolved accordingly:

- 1. That the Council acknowledges the information provided by the Chief Executive Officer and would like more time to consider the matter.*
- 2. The item is included on the agenda for the Council Meeting in February 2013.*

The Chief Executive Officer recommended to Council on the 12th December 2012 of the action he believed need to be taken. It is now up to Council to determine the action required.

Council at its meeting on the 27th February 2013 adopted the CEO recommendation that the Department of Local Government be advised of the position and ask to provide advice on how to deal with the matter.

The Department was advised and have now contacted us by phone on a separate cemetery matter. The officer was not aware of our situation and was to follow-up on our original advice.

We are still however awaiting any official response.

OCM 048/13 Officer Recommendation & Council Decision

MOVED CR QUADRIO

SECONDED CR HARRIS

That Council receive this report and endorses the Chief Executive Officer's recommendations and actions that have not already been dealt with by a separate motion.

CARRIED 5/0

10.1.2. Subject/Applicant:	Doepel Marsh Architects
File:	0659
Reporting Officer:	Bruce Walker Acting CEO
Date of Report:	5 th June 2013
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to have Council consider the acceptance of one only quote [from Doepel Marsh] instead of seeking two quotes for an amount exceeding \$50,001- \$99,999 as per policy 2.6

Background

The 2012-13 budget has provided for the Canning Stock Route/Gunbarrel Highway Interpretative Centre at a cost of \$2,700,000 with funding from various sources. Doepel Marsh Architects were engaged to prepare an initial concept plan for an interpretive centre and this was included in the Business Case forwarded with the application for funding.

It is now needed to take the project from the initial concept plan through final concept design, schematic design, contract/construction documentation and to the tendering phase.

Comment

As Doepel Marsh already have local knowledge and have prepared the initial concept plan, it would seem appropriate to have them continue, provided the price is acceptable. If the price exceeded Local Government tender regulations, we would need to go to tender. However the price submitted from Doepel Marsh is \$84,000 plus GST. There may be some other consultant input needed but we will appoint them directly. This will give us control over those costs.

Policy is determined by Council in order to give direction to staff and allow them to proceed without having to wait for a Council meeting. Council may vary that policy if they wish according to Policy 1.1.

In this case, Council can simply accept the quote without any change of policy.

Consultation

N/A

Statutory Environment

Local Government Tender Regulations
Council Purchasing Policy

Policy Implications

Council policy 2.6 requires that staff seek at least two quotes for purchases over \$50,001 but below \$99,999.

According to Policy 1.1, any changes to policy can only be made by notice of motion or an agenda item clearly setting out details of the amended policy. No permanent change to policy is being requested.

Financial Implications

Within Budget

Strategic Implications

Progress toward much needed infrastructure included in Capital Works Program. The funding sources require expenditure to be completed within an acceptable time period.

Voting Requirements

Simple Majority to accept quote

OCM 049/13 Officer Recommendation & Council Decision

MOVED CR WELLER

SECONDED CR WEBB

That Council accepts the fee proposal from Doepel Marsh Architects of \$84,000 plus GST for the design of the Interpretive Centre through to tender phase.

CARRIED 5/0

10.1.3. Subject/Applicant:	Department of Indigenous Affairs
File:	
Reporting Officer:	Bruce Walker Acting CEO
Date of Report:	6 th June 2013
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to have Council consider the transfer of reserve 42002 [Cnr Woodley and Thompson] to Kutkububba Aboriginal Corporation.

Background

Reserve 42002 [lot 1570 Woodley] , 'for the use and benefit of Aboriginal inhabitants' is currently held by the Aboriginal Lands Trust and is unleased but occupied by Kutkububba Aboriginal Corporation (KAC). It is proposed to

transfer the Reserve Management Order to KAC under section 14 of the Land Administration Act 1997.

The transfer was meant to be done in 2003 but the documents were never finalised due to a technical issue with the KAC common seal.

Comment

The department suggest that the Shire was contacted in 2003 and we had no objection at that time. They have sought current comment by June 12, 2013 and as this was too early for Council, the CEO has advised that it is unlikely that Council would have any objection at this time.

Consultation

State Department of Indigenous Affairs

Statutory Environment

Land Administration Act 1997

Policy Implications

N/A

Financial Implications

N/A

Strategic Implications

N/A

Voting Requirements

Simple majority

OCM 050/13 Officer Recommendation & Council Decision

MOVED CR WELLER

SECONDED CR PETERSON

That Council has no objection to the transfer of the Management Order for Reserve 42002 being lot 1570 Woodley Street, from the Aboriginal Land Trust to Kutkububba Aboriginal Corporation.

CARRIED 5/0

10.1.4. Subject/Applicant:	Shire of Wiluna – Delegations Review
File:	00407
Reporting Officer:	Bruce Walker – Acting Chief Executive Officer
Date of Report:	6 th June 2013
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to formally consider and review the delegations to the Chief Executive Officer under Section 5.42 of the Local Government Act and adopt the delegations with any changes.

Background

The current delegations were adopted by Council at a meeting held June 27, 2012. The delegations had undergone a complete and extensive review and had been amended to be in keeping with the Local Government Operational Guidelines for Delegations.

Comment

Section 5.46 of the Local Government Act provides that any delegations made under section 5.42 are to be reviewed at least once every *financial* year. They are therefore ready for review in this current financial year ending June 30.

No changes are proposed to the Manual of Delegations as adopted on June 12th last financial year and now presented for review.

All delegations require Council approval by an absolute majority decision. Council at any time can withdraw a delegation.

The revised Delegation Register is not attached but will be tabled for the meeting.

Consultation

Informal with staff.

Statutory Environment

The review is in accordance with the provisions of sections 5.42 and 5.46 of the Local Government Act 1995. All Delegations are subject to the requirements of relevant legislation.

Policy Implications

No specific policy implications. Any policy which represents a delegation must be treated as per section 5.42 of the Act.

Financial Implications

No special costs in regards to the review.

All Delegations are subject to compliance with relative legislation and budget allocations.

Strategic Implications

Clear and precise delegation assists in the operational requirements of the Shire and allows decisions without having to obtain approval of Council.

Voting Requirements

Absolute Majority.

OCM 051/12 Officer Recommendation & Council Decision

MOVED CR WELLER

SECONDED CR WEBB

Council re-approves the delegations to the Chief Executive Officer as listed at the June 27 2012 meeting of Council and recorded in the Delegations Manual with that date.

ADMINISTRATION (1000)

- 1001 Liquor Licensing Act**
- 1002 Enforcement of Laws**
- 1003 Legal Representation**
- 1004 Local Laws Administration**
- 1005 Functions Outside Own District**
- 1006 Notices to Owners & Occupiers Land**
- 1007 Emergency Entry to Land**
- 1008 Remove and Impound Goods**
- 1009 Sale of Impounded Goods**
- 1010 Impounding Periods**
- 1011 Impounding Goods Cost Recovery**
- 1012 LSL Provisions and Leave Deferments**
- 1013 Variation of Tenders – Minors**
- 1014 Vehicles Use of**

WORKS (2000)

- 2001 Regulatory Signs**
- 2002 Temporary Road Closures**
- 2003 Disposal of Surplus Equipment**
- 2004 Events on Roads**
- 2005 Heavy Haulage Permits**
- 2006 Gates and Pipes across Thoroughfares**
- 2007 Dangerous Excavations**

- 2008 Cross-overs
- 2009 Notices to Repair Cross-overs
- 2010 Private Works on Roads or Public Places

FINANCE (3000)

- 3001 Payment of Accounts – Signatures
- 3002 Rate Book
- 3003 Investment of Surplus Funds
- 3004 Rates Payments Agreements
- 3005 Outstanding Rates Recovery
- 3006 Rates Objections – time extension
- 3007 Consideration of Rate Objection
- 3008 Notice of Rate Objection Decisions

BUSHFIRE CONTROL (4000)

- 4001 Firebreak Order-Variations and enforcement
- 4002 Burning on Roadsides
- 4003 Prohibited Burning Times – variations

PLANNING (5000)

- 5001 Response to Discretionary Decisions
- 5002 Subdivisions and Amalgamations
- 5003 WA Planning Commission authorities
- 5004 Land Admin Act and Native

HEALTH AND BUILDING (6000)

Health

(To be developed)

Building

(To be developed)

ANIMAL CONTROL (7000)

- 7001 Enforcement - Generally

CARRIED BY ABSOLUTE MAJORITY 5/0

10.1.5. Subject/Applicant:	Common Seal
File:	0021
Reporting Officer:	Bruce Walker Acting CEO
Date of Report:	5 th June 2013
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to have Council approve of the use of the common seal.

Background

At the February meeting, Council accepted the tender of McGrath Homes for the design, construction and supply of the new changerooms at the oval [Resolution 14/13]. The contract was signed by the Shire President and CEO on June 5, 2013 with the common seal affixed.

Comment

The Shire of Wiluna Local Law (Standing Orders) 1999 clause 19.1(2) requires that:

'The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the President and the CEO or an employee authorised by him or her'

The use of the seal has been noted in the register in accordance with clause 19(5).

Consultation

N/A

Statutory Environment

Shire of Wiluna Local Law (Standing Orders) 1999

Policy Implications

N/A

Financial Implications

N/A

Strategic Implications

N/A

Voting Requirements

Simple Majority

OCM 053/13 Officer Recommendation & Council Decision

MOVED CR WEBB

SECONDED CR QUADRIO

That Council approves the use of the common seal of the Shire of Wiluna on the contract with McGrath Homes for the design, construction and supply of the changerooms facility in accordance with

tender No.3- 2012/13 accepted by Council resolution 14/13 at the February 2013 meeting.

CARRIED 5/0

10.1.6. Subject/Applicant:	DFES
File:	
Reporting Officer:	Bruce Walker Acting CEO
Date of Report:	5 th June 2013
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to have Council consider the proposed changes to legislation which would give local governments the option to transfer the responsibility for local Bush Fire Brigades to the Department of Fire and Emergency Services. (DFES)

Background

Correspondence has been received from DFES seeking comment from all Councils as to whether they would support legislation which would give each Council the option of transferring the responsibility for the local volunteer brigades to DFES. The survey is being carried out by a legal firm for the department. A very short response time was given which was ignored by us and a number of other Councils as it did not fit in with our monthly meeting schedules. The deadline has now been extended in order to allow Councils time to consider the proposal.

Two officers from the department have visited us and they were also concerned with the short response time and the 'out of the blue' correspondence.

Very little detail has been given about the proposal and no discussion has been held with local brigades. It is understood that the proposal is a result of the bushfires experienced recently in the southern corridor and metro area and some of the problems between the various responsible agencies.

Comment

Without any detail it is difficult to make an informed decision about the proposal. However, after discussion with the department representative in charge of the survey, he assures us that they only require a general comment on whether this Council would see benefit in having the option to transfer responsibility at some later date. The intent is to give those Council's particularly in the southern corridor and metro area the option and in doing so extend the same option to any other local government which wishes to do so. Departmental officers are of course concerned in regard to funding as they have restrictions already. They do however see some advantage in centralising fire and emergency response coordination.

Any comment made now will not lock this or any other Council into any future action. It is simply an indication to gauge whether to continue with any legislation change or leave the status quo. A general in principle support to the proposal to give Councils in the more effected areas the option would not seem binding in any way at this stage.

Consultation

DFES

Statutory Environment

State Legislation and Local Laws

Policy Implications

Council Policy No. 2.11
CBFCO and brigade membership

Financial Implications

The transfer of responsibility to DFES would see that department also taking funding responsibility.

Strategic Implications

Council will have the option of transfer. Any strategic implications would need to be considered once the detail of the proposal is known.

Voting Requirements

Simple Majority

OCM 054/13 Officer Recommendation & Council Decision

MOVED CR WELLER

SECONDED CR PETTERSON

That this Council recognize that some local governments may benefit from the option to transfer responsibility of their volunteer bushfire brigades to the DFES but that this local government reserves the right to oppose any legislation change once more detail is available.

CARRIED 5/0

10.1.7. Subject/Applicant:	CLPM Heritage Restoration
File:	
Reporting Officer:	Bruce Walker Acting CEO
Date of Report:	18 th June 2013
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to have Council accept the quote of CLPM for the heritage restoration work on the railway goods shed.

Background

The Shire has received a grant of \$104,050 from the Lotteries Commission for conservation work to the Railway Goods Shed. Ms Annabel Wills, architect, has been working with CLPM, specialist in heritage restoration, to scope the works and do a quantum budget for the project.

As CLPM are specialists recommended by Ms Wills, we have asked them to submit a firm quote to complete the actual works. They have submitted a quote of \$89,050 which is of course within the amount that Council would by policy prefer two quotes.

Comment

Given the good reference from Ms Wills, our own dealings with CLPM and a desire to proceed quickly with these works, Council approval of the one quote is recommended.

CLPM are also quoting to restore the Mine Managers house and it is hoped that both jobs can be done at the same time and have benefits to both parties.

Council staff and plant will do levelling and debris clean-up work on the site. A significant amount of levelling is required to ensure that water does not affect the building. It may also be necessary to provide accommodation for two or three workers. A budget of \$ \$15,950 has been allowed for these other items.

The CLPM quote will be tabled at the meeting.

Consultation

Annabel Wills Architecture

Statutory Environment

Local Government Tender Regulations

Policy Implications

Council Policy 2.6 requires staff to seek two quotes for amounts from \$50,001 to \$99,999

Financial Implications

Within Lotteries Commission Grant and Council budget

Strategic Implications

The works will provide valuable restoration of a heritage building and provide better security.

Voting Requirements

Simple Majority

OCM 055/13 Officer Recommendation & Council Decision

MOVED CR WEBB

SECONDED CR QUADRIO

That Council accepts the quote of \$89,050 from CLMP for the restoration works to the Railway Goods Shed.

CARRIED 5/0

10.1.8. Subject/Applicant:	Goldfields Tourist Network
File:	
Reporting Officer:	Bruce Walker Acting CEO
Date of Report:	18th June 2013
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to have Council consider its membership of the Goldfields Tourist Network (GTNA)

Background

Council at its meeting on the 12th December 2012 considered a report on the future membership of the GTNA to determine on what basis this should be continued after the 30th June 2013. Council concluded that the membership subscription should be based on tourist activities within each local government area that have a much greater alignment with the tourist activity generated and number of visitors. Council resolved to advise the GTNA that the Shire of Wiluna is concerned about the inequitable basis of local government membership and will likely not review its membership in the year 2013/14 if the existing basis remains.

Comment

The GTNA Chairman wrote to us with the Board response to a number of the points raised in our letter to them. The response certainly gives a good outline of the Board's points of view but unfortunately it does not address the main concern raised by this Council – comparative visitor numbers. While it is true that it is difficult to measure visitor numbers through Wiluna, it is also fair to assume that such number would not be near the 100,776 recorded for Kalgoorlie in 2011.

If the board had chosen to make some sort of pro-rata adjustment to the annual membership based on numbers, then Council could have given further consideration to renewing membership after June 2013. In the absence of such an adjustment, future membership could not be recommended.

Consultation

GTNA and informal discussion with GVROC members.

Statutory Environment

N/A

Policy Implications

Council Policy 1.14 (2) & (3) -Council shall seek representation on appropriate tourist organisations which have the potential to develop tourism in the Wiluna Shire

Financial Implications

Annual membership for each local government is \$25,000. These funds could be re-directed to more appropriate endeavours to develop tourism in the Wiluna Shire.

Strategic Implications

Council is presently looking to prepare the town and Shire to cater and attract tourism. A considerable outlay is being made on such projects as the main street upgrade and the Interpretive Centre.

Voting Requirements

Simple Majority

OCM 056/13 Officer Recommendation & Council Decision

MOVED CR QUADRIO

SECONDED CR WELLER

That this Council not re-new membership with the GTNA while the current level of \$25,000 membership fee is maintained for this Shire.

CARRIED 5/0

10.1.9. Subject/Applicant:	Change of Use Application – Proposed Office Facility – Lot 64 Wotton Street, Wiluna
File:	Lot 64
Reporting Officer:	Bruce Walker Acting CEO
Date of Report:	14th June 2013
Disclosure of Interest:	Nil

Purpose

For Council to consider a 'Change of Use' application for a 'Shop' (café) use to an 'Office' use located at Lot 64 (No.42) Wotton Street, Wiluna. This report provides Council with the opportunity to determine whether to grant approval.

Background

Site Description and Location

The subject site is described as Lot 64 (No.42) Wotton Street, Wiluna, and is owned by Mid-West Employment and Economic Development Aboriginal Corporation (MEEDAC) Holdings Pty Ltd (MEEDAC).

In terms of surrounding land uses, the subject site is bound by town centre zoned land to the north and south, Wotton Street to the west and a right-of-way and low density residential development to the east. The site comprises an existing café and residential dwelling, and includes soft landscaping and gazebo structures within the front setback area.

A location plan depicting the subject site is provided overleaf:

FIGURE 1 – LOCATION PLAN



MEEDAC Holdings Pty Ltd

MEEDAC Holdings Pty Ltd was established in 2005, and is regarded primarily as a facilitator of the Community Development and Employment Projects (CDEP) provider in the Mid-West and Goldfields regions. MEEDAC is a non-for-profit organisation that specialises in placing and mentoring Aboriginal people, and works closely with the Wiluna community to deliver sustainable economic and employment outcomes.

It is understood MEEDAC are facilitating various recycled building projects in the Mid-West region, including a recent upgrade to a 'Club Hotel' building in Mullewa.

Discussion

Proposal

This change of use application proposes to redevelop the existing café to an office facility, which will comprise a Centrelink office as well as the Remote

Jobs and Communities Program (RJCP) office to service the local community, facilitated by MEEDAC. Specifically, the office facility comprises the following:

2x private offices.

1x general reception/preliminary interview room.

5x carparking bays (including 2x employee parking bays and 3x visitor parking bays, 1 of which is a disabled bay).

Associated landscaping.

The proposed office facility will operate during standard business hours; 9.00am to 5.00pm, Monday to Friday. The day-to-day management of the office facility will be undertaken by an on-site resident caretaker, who will continue to reside in the residential dwelling located to the rear of the lot. A maximum of two (2) employees will be working at any one time, and can accommodate up to two (2) Clients at any one time. Ongoing cleaning, gardening and maintenance will be undertaken by local contractors.

The application also proposes the retention of 3 gazebo structures to the west (front) of the lot, as well as existing and new soft landscaping. The existing caretakers dwelling to the rear of the lot will remain, with no alterations proposed to the building footprint or building façade of this dwelling. Accordingly, the caretakers dwelling does not form part of this application.

Primary access and parking will continue to be from Wotton Street, where employee vehicles will enter the site via an existing concrete ramp to the north-west of the lot and travel south to access parking. Parking on-site will be restricted to employees only (2 bays), with an additional 3 visitor bays provided within the Wotton Street road reserve, including 1 accessible bay in accordance with Australian Standards.

The application also proposes to retain the existing 1.2-1.8m high 'Blockwork' and 'Neetascreen' fencing around the perimeter of the lot.

A copy of the Development Application Plans (site plans, elevations, floor plans etc.) are included at attachment 10.1.9.

Shire of Wiluna Local Planning Scheme No.2 (LPS2)

The subject site is zoned 'Town Centre' under LPS 2. The key objectives of the Town Centre zone are as follows:

- *To zone adequate land for the continued development of a main commercial and community facility centre for the town;*
- *To prepare and implement overall Town Centre Design Guidelines to guide suitable forms of development; and*

- *To apply appropriate development and land use controls to ensure development is to a satisfactory standard'.*

It is the Officers view that the proposed office use is consistent with the above objectives for the 'Town Centre' zone. The Shire's Local Planning Strategy articulates that there is a need for a greater variety of shops and services within the town centre, to encourage the development of a clearly identifiable, functional, compact and vibrant Town Centre precinct.

The provision of an additional office use which provides employment and welfare services to the local community is believed to be of significant local benefit. Accordingly, the proposed office use is considered to be an appropriate use within the 'Town Centre' zone, and specifically Wotton Street.

In relation to objective 2, Officers note that there are currently no specific Town Centre Design Guidelines, to guide suitable forms of development within this zone.

The proposed use of the building is an 'office', which is classified as a permitted 'P' use within the Town Centre zone. In accordance with Clause 4.2.3 of LPS 2:

'A change in the use of land from one use to another is permitted if –

- ...(b) the change is to a use that is designated with the symbol 'P' in the cross-reference to that zone in the Zoning Table and the proposed use complies with all the relevant development standards and any requirements of the Scheme'.*

Note (2) under Clause 4.2.3 also states that the local government cannot refuse a permitted 'P' use because of the unsuitability of the use for the zone, however can impose conditions on the use of the land to comply with relevant development standards and requirements of the Scheme.

Notwithstanding this note, Officers consider the proposed 'office' use to be a suitable use of the subject land.

An assessment of each component of the proposal against key requirements of LPS 2 is provided below:

Setback Requirements

In assessing the office facility against the applicable setback requirements, it is noted that Table 2 of the Scheme provides for a minimum nil front and side setback within the Town Centre zone, to encourage active frontages to Wotton Street and other identified public spaces. Whilst the intent of the requirement is acknowledged, Officers note that the application relates to a change of use application only, and not new development, therefore the existing buildings setbacks are deemed to comply. The building currently achieves a front setback of 15m.

Further, the generous setbacks provided are considered to be consistent with the spacious nature of existing development throughout Wiluna.

Landscaping

With respect to landscaping, the site plan indicates that 1 canopy shade tree per 2 open carparking bays is proposed, which complies with the Scheme requirement of 1 per 4 bays. It is understood these trees will comprise low maintenance flame retardant species (such as Queensland Box), with screen landscaping proposed in the form of potted citrus trees.

Specific locations and species types, as well as reticulation and maintenance details, will be required to be confirmed by the Applicant, through the preparation of a detailed Landscaping Plan, recommended as a condition of planning approval.

Car Parking and Access

The existing café currently provides informal carparking within the Wotton Street verge. The application proposes the formalisation of these bays, including the provision of additional employee bays provided within the front setback area. Clause 5.4.1 of LPS 2 outlines that parking shall ordinarily be provided on-site. LPS 2 does not stipulate specific parking number requirements for office uses but requires consideration of:

- Access to parking and manoeuvrability within parking areas;
- The location of parking and its impact on amenity;
- The proportion of parking within setback areas;
- Pedestrian safety; and
- Landscaping and screening provided.

The site plan indicates the inclusion of five (5) carparking bays. Three (3) of the bays are provided within the Wotton Street verge, outside of the subject lot, and are available for visitor use only. This includes the provision of one (1) disabled bay. The other two (2) bays are dedicated employee bays, and can be accessed via an existing 2.75m wide ramp located to the north-west of the site. Two (2) employee bays are proposed on-site. In the context of the existing building/site configuration, the proposed split of on-site and off-site parking bays is considered appropriate.

Officers note that the proposed bays are intended to be reverse parking. Accordingly, it is recommended the Applicant demonstrate as part of construction drawings that the vehicles can safely access and egress in the site in a forward gear. This may necessitate the removal of an existing gazebo to provide a suitable turning area. It is also recommended that the Applicant be required to demonstrate that the existing ramp can easily accommodate persons with disabilities, to ensure safe and direct access is provided from the disabled parking bay to the entrance of the office.

Given the proposed office facility is intended to provide for a maximum of two (2) employees and two (2) Clients at any one time, the proposed carparking is considered adequate in the context of the intended use and nature of the operation. The proposed car parking bays are 2.8m x 5.5m, consistent with Scheme requirements. The disabled bay measures 2.4m x 5.5m, however adjoins an accessway which is consistent with Australian Standards.

The existing carparking bay to service the residential dwelling to the rear of the site will remain.

With respect to service delivery access, Clause 5.9.2 of the Scheme (Service Areas) requires the following:

'Where areas for the loading and unloading of vehicles carrying goods and commodities to and from the premises are to be provided they shall be constructed and maintained in accordance with an approved plan relating thereto and shall provide for on-site loading and unloading of a size not less than 10m² necessary for service vehicles. The design of such areas shall also require all entry and exit movements from and to the adjoining street or right-of-way system to be in a forward direction'.

Based on the site plan, service delivery vehicles will access the site via the right-of-way to the rear of the lot, via a 4.8m wide gated crossover. The proposed delivery bay measures 6.6m x 3m, totalling 19.8m² which is consistent with Scheme requirements. Ordinarily LPS 2 requires delivery vehicles to be able to exit a site in a forward gear. In the context of the existing site/building configuration, and a likely small number of deliveries, it is recommended that this requirement be varied.

Design Response

In undertaking a design assessment of the proposal, the following were considered to be key matters for consideration:

- Interface with Wotton Street.
- Landscaping Treatments.
- Access Arrangements and Parking.

Overall, whilst the building is setback from Wotton Street, the retention of the gazebo structures and inclusion of soft landscaping will encourage activation within this front setback area, which includes publicly accessible seating as well as retaining communal gathering space at various gazebos.

Whilst the visibility of the carparking area from Wotton Street may not be the most desirable outcome from a planning perspective, particularly within a town centre context, Officers again acknowledge that the building is existing and that this application relates to the use only, as well as minor improvements to the internal building, carparking and landscaping. Further, the proposal demonstrates an intent to improve the visual amenity and

community use of the site through landscaping and shade structures. The site also has the potential to be redeveloped in the future, given its central location within the town centre.

It is also understood new window treatments are proposed on the front building façade, which will provide an additional level of passive surveillance to the front setback area and street, as well as improve the architectural design of the building.

The Site Plan includes conceptual landscaping details, which will be required to be confirmed as part of a detailed Landscaping Plan as a condition of approval, including information regarding ongoing maintenance, reticulations and species. The Site Plan however demonstrates a commitment to providing adequate landscaping on site, to contribute positively to the overall amenity of the area. Officers will work further with the Applicant to ensure appropriate species types and to ensure trees are appropriately separated from the buildings for fire and building protection.

Officers also understand the Applicant proposes to refurbish the external façade of the building, including the addition of modern exterior cladding and finishes. In this regard, it is the Officers view that the refurbishment of the existing building should be subject to a schedule of materials, colours and finishes to ensure a desirable design outcome given its location within the town centre. This has been recommended as a condition of approval.

Overall, Officers consider the proposal will be of significant benefit to the local community and delivers a satisfactory urban design and streetscape outcome.

Conclusion

The proposed development is recommended for approval subject to appropriate conditions as listed in the staff recommendations for the following reasons:

- An office is a permitted ‘P’ use within the Town Centre zone, and is generally consistent the objectives and requirements for this zone within the Scheme.
- The proposed office facility will provide community and administrative services to assist residents within the town, diversifying the local economy.
- The proposal demonstrates an intent to improve the visual amenity and community use of the site through landscaping and the retention of publicly accessible seating/gathering spaces (gazebo structures);
- The site has the potential to be redeveloped in the future.
- Officers do not consider the proposed development will have a detrimental impact on the amenity of the surrounding residential areas.

Financial Implications

All costs associated with processing the development application are itemised within a fee schedule and payable by the proponent.

OCM 057/13 Officer Recommendation & Council Decision

MOVED CR WELLER

SECONDED CR PETERSON

That Council approve the application for the proposed change of use application from 'Shop' (café) to 'Office' and the associated uses at Lot 64 Wotton Street, Wiluna, subject to the following conditions and footnotes:

CONDITIONS

1 Development must be carried out in accordance with the terms of the application as approved herein and any the amended plan dated 27 May 2013.

2 The provision and maintenance of a total of (5) marked carparking bays on-site, including two (2) employee bays and three (3) visitors bays, and including provision of (1) marked disabled carparking bay.

3 The parking bay(s), driveway(s) and points of ingress and egress to be designed in accordance with the Australian Standard for Off-street Carparking (AS/NZ2890.1) unless otherwise specified by this approval and are to be constructed, sealed, kerbed, drained and marked in accordance with the design and specifications approved by the Council prior to issue of a Building Licence. The car park must be completed prior to the development being occupied and thereafter maintained to the satisfaction of Shire.

4 A minimum of one (1) disabled carparking bay(s) designed in accordance with Australian Standard 2890.1 - 2004 being provided in a location convenient to, and connected to a continuous accessible path to, the main entrance of the building or facility. Carparking bays for persons with disabilities must be clearly marked by elevated signage and signage on the pavement displaying the International Symbol for the Disabled. (Per the Standards Association of Australia AS1428.1 - 2001 Design for Access and Mobility, AS 2890.1 - 2004 Parking Facilities Part 1: Off Street Parking).

5 Construction drawings shall be submitted to, and approved by the Shire, for all earthworks and drainage infrastructure prior to the commencement of works on-site. All stormwater being diverted from downpipes to the proposed rainwater tanks, with excess capacity diverted to the Wotton Street road verge, to the Shire's satisfaction.

Construction drawings shall also demonstrate that vehicles can safely access and egress in the site in a forward gear and that the existing ramp can easily accommodate persons with disabilities, to ensure safe and direct access is provided from the disabled parking bay to the entrance of the office.

6 Visitor and employee parking bays are to be permanently marked and maintained at all times for use exclusively by visitors to the property.

7 All earthworks and/or associated drainage details shall be in accordance with plans and specifications to the satisfaction of the Shire.

8 Prior to an application being made for a building permit, a detailed Landscaping Plan shall be submitted to and approved by the Shire. The landscaping plan must include:-

- i. The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
- ii. Any lawns to be established;
- iii. Any natural landscape areas to be retained;
- iv. Those areas to be reticulated or irrigated; and
- v. Verge treatments.

9 The approved Landscaping Plan must be implemented and thereafter maintained.

10 All future advertising associated with the development, including signage painted on the building, must be to the satisfaction of the Shire and approved prior to erection or painting.

11 The proposed office development shall be clad or coloured to compliment the surroundings, and/or adjoining developments. A separate schedule of the buildings materials, colours and texture materials relating shall be submitted and approved to the satisfaction of the Shire prior to applying for a Building Permit.

12 All crossovers are to be designed and constructed to the satisfaction of Shire.

13 The disposal of wastewater via a septic waste system.

Footnotes to Applicant

1. The development must comply with the Environmental Protection Authority "Guideline for the Prevention of dust and smoke pollution from Land Development Sites in Western Australia 1996", to the satisfaction of Shire.

2. In relation to condition 8, the revised landscaping plan must acknowledge the separation distances required between trees and buildings for fire and building protection.

CARRIED 5/0

10.1.10. Subject/Applicant:	Development Application – Holiday Accommodation Facility Lots 38-40 Wotton Street, Wiluna
File:	Lot 38-40
Reporting Officer:	Bruce Walker – Acting Chief Executive Officer
Date of Report:	14 th June 2013
Disclosure of Interest:	Nil

Purpose

For Council to consider a Development Application for a Holiday Accommodation Facility at Lots 38-40 Wotton Street, Wiluna. The application is being presented to Council to determine whether approval should be granted.

Background

Site Description and Location

The subject site is 3,036m² and currently comprises an existing shop and post office facility, with street frontage to Wotton Street and Thompson Street. A café is also under construction within the northern portion of the existing shop facility, fronting Wotton Street to the east. Two (2) sea containers also exist within the southern portion of the site, visible from Wotton Street.

In terms of surrounding land uses, the subject site is bound by Thompson Street to the north, commercial development to the south, Wotton Street to the east and a right-of-way and light industrial development to the west.

All three (3) subject lots are owned by MEEDAC Holdings Pty Ltd. A copy of the Certificates of Title and Sketch relating to the subject properties is included as appendix 10.1.10.

A location plan depicting the subject site is shown overleaf in **Figure 1**.

FIGURE 1 – LOCATION PLAN



Officers understand an amalgamation application was recently approved by the Western Australian Planning Commission (WAPC) over Lots 38, 39 and 40 (WAPC No.147373, dated 27 March 2013), amalgamating the 3 lots into 1 lot. It is understood, however, records are not yet available to indicate the lodgement of a deposited plan with the WAPC. A copy of the WAPC approval is included in appendix 10.1.10.

MEEDAC Corporation

The Mid-West Employment and Economic Development Aboriginal Corporation (MEEDAC) was established in 2005, and is regarded primarily as a facilitator of the Community Development and Employment Projects (CDEP) provider in the Mid-West and Goldfields regions. MEEDAC is a non-for-profit organisation that specialises in placing and mentoring Aboriginal people, and works closely with the Wiluna community to deliver sustainable economic and employment outcomes.

It is understood MEEDAC are progressing with various recycled building projects in the Mid-West region, including a recent upgrade to a 'Club Hotel' building in Mullewa.

Discussion

Proposal

The Holiday Accommodation Facility comprises the following development:

- 7x single room double bed holiday accommodation units within 2 transportable accommodation buildings, including 1 accessible unit.
- 1x freestanding Ablutions Block, comprising 2 toilets and a shower.
- 7x carparking bays, including 1 disabled bay.
- 3x rainwater tanks.
- 1x septic tank system.
- A 1.8m high boundary fence along Thompson Street and the right-of-way.
- Associated landscaping.

It is understood the holiday accommodation units will be relocated transportable structures and will comprise 7x double bed bedrooms and toilet/shower facilities. Whilst the structures will be relocated, it is understood both buildings will be renovated inside and out to present as new condition. The structures will also be modified to include raised, covered verandah areas outside each unit, providing an element of shade relief and activation. Two units will be combined into one self-contained, wheelchair accessible unit, including accessible parking, a ramp and handrail facilities.

It is understood the day-to-day management of the proposed development will be undertaken by the management staff of the adjoining post office/shop, including ongoing cleaning and maintenance responsibilities. This will assist in establishing security and a consistent presence for enquiries. The holiday accommodation facility will operate 7 days per week, all year round. Typical check-out will be before 10am and check-in after 10am and before 8.30pm, consistent with the shop/café.

An ablutions block is also proposed centrally within the existing Lot 40, to service staff and patrons of the existing commercial facility. The ablutions block is 16.5m², and comprises 2x toilet facilities (including 1 disabled access facility) and 1x shower facility.

With respect to servicing, Officers note that additional septic tank pits are proposed to the rear south-western corner of the site, within the current Lot 38, to service the proposed holiday accommodation units and ablutions block. The existing septic tanks are located centrally within the subject lot (Lot 39), will remain to service the commercial facility. Given the septic tanks are likely to be visible from Wotton Street, Officers recommend that appropriate landscaping be installed to appropriately screen the tanks from public view. Officers recommend this be addressed as part of a detailed landscaping plan, recommended as a condition of approval.

Roof stormwater runoff will be diverted from downpipes to 3x new above-ground 20,000L rainwater tanks, which are proposed to be located within the south-western corner of the subject site. Excess capacity will then be diverted to Thompson Street via diversion pipes to the Shire's satisfaction.

New fencing is proposed in the form of 1.8m high Neetascreen colorbond steel panel fencing, in neutral colours, for security purposes. The fence is to be installed over a 0.8m high retaining wall to the north and west of the development. Existing mesh cyclone fencing will be retained. Officers consider the fencing proposed is consistent with the existing nature of fencing within the townsite, for security purposes.

The Development Application Plans (Site Plan, Floor Plans and Elevations), and justification letter are included in appendix 10.1.10.

Shire of Wiluna Local Planning Scheme No.2

The subject site is zoned 'Town Centre' under the Shire of Wiluna Local Planning Scheme No.2 (LPS 2). The key objectives of the 'Town Centre' zone are as follows:

'To zone adequate land for the continued development of a main commercial and community facility centre.

To prepare and implement overall Town Centre Design Guidelines to guide suitable forms of development.

To apply appropriate development and land uses controls to ensure development is to a satisfactory standard'.

Officers consider the proposed holiday accommodation facility to be generally in accordance with the above objectives. Whilst not a commercial or community land use, the proposed facility will contribute to the vitality of the public domain by encouraging the redevelopment of a prominent and under-utilised site within the town centre for accommodation purposes. The facility will also address severe accommodation shortages in town and diversify the accommodation on offer, appealing to a wider range of visitors. The ablutions block is considered to be an incidental use to the predominant commercial use on site (shop/post office/café), servicing visitors and staff.

The proposal is considered to be a 'holiday accommodation' use in accordance with LPS 2, which is defined as follows:

'Holiday Accommodation – means premises used for accommodation and recreation for holiday purposes but does not include a hotel or motel'.

Given this facility is intended to provide much needed accommodation for tourists and visitors to town, and is not fully contained to include cooking facilities or propose a liquor license, it is considered that a 'holiday accommodation' use class is appropriate in this instance, in place of a 'chalet' or 'hotel/motel' use.

Holiday Accommodation is an advertised 'A' use within the 'Town Centre' zone, meaning that the use is not permitted unless the Shire has exercised its discretion by granting planning approval after giving notice in accordance with Clause 8.4 of LPS 2. Accordingly, the application was advertised for public comment. A discussion regarding this process and the submissions received is detailed later in this report.

With respect to the ablutions block, Officers consider this use as incidental to the predominant commercial and tourist uses on-site, and therefore it is considered appropriate within the 'Town Centre' zone.

The holiday accommodation proposal has been assessed against the key development requirements of Part 5 of LPS 2 (General Development Requirements) in relation to setbacks, landscaping and carparking. A summary of this assessment is provided in the table below:

TABLE 1 – DEVELOPMENT REQUIREMENTS ASSESSMENT

Development Requirement	Assessment	Compliance
<u>Setbacks</u> <ul style="list-style-type: none"> - Street – nil. - Rear – At the discretion of Council - Side – nil. 	<p>The proposed holiday accommodation facility achieves the following setbacks:</p> <ul style="list-style-type: none"> - Street (Thompson Street) – 3m - Rear – 20m - Side – 1m. <p>The setbacks proposed are considered appropriate in this context</p>	✓
<u>Landscaping</u> <ul style="list-style-type: none"> - Canopy shade trees at a rate of 1 tree per 4 open air parking bays. 	<p>Canopy shade trees are provided at a rate of 1 tree per 2 open air parking bays, therefore the proposal is compliant with this requirement.</p>	✓
<ul style="list-style-type: none"> - Screen landscaping as required by Council. 	<p>The application proposes screen landscaping to Thompson Street and the rear of the site, to provide an amenable interface to the street and appropriately screen the development from the septic tanks to the rear of the lot.</p> <p>Specific locations, species and reticulation and maintenance details, will be required to be confirmed by the Applicant, through preparation of a Landscaping Plan.</p>	✓
<ul style="list-style-type: none"> - Paving and garden areas as required by Council. 	<p>A paved bitumen accessway is proposed internally, between the existing commercial facility and the proposed accommodation units. Garden areas are also proposed to the north and south of the accommodation buildings to improve the amenity of the site.</p>	✓
<u>Parking</u> <ul style="list-style-type: none"> - 1 bay per bedroom of accommodation. 	<p>The application proposes 7x carparking bays, including 1x disabled bay.</p>	✓
<ul style="list-style-type: none"> - Carbays to measure not less than 2.5m x 5.5m. 	<p>All proposed carparking bays measure 2.8m x 5.5m.</p>	✓

In relation to carparking, Shire Officers consider the location of parking appropriate in that it is partially screened from Thompson Street through the use of fencing and screen landscaping. Vehicular access from Thompson Street is considered to be legible and appropriately spaced to ensure adequate vehicular manoeuvrability and pedestrian safety.

Public Advertising

In accordance with LPS 2, the proposed Holiday Accommodation facility is an advertised 'A' use within the 'Town Centre' zone. Accordingly, the application was required to be advertised for a period of 14 days. In accordance with Clause 8.4 of LPS 2, a sign was placed on the subject property as well as a notice on the community noticeboard.

Further, the application was subject to public advertising in accordance with the Shire's 'Transportable Structures and Relocation of Buildings' Local Planning Policy, given the application proposes transportable and relocated structures.

One (1) submission was received by the Shire through the public advertising process. An outline of the content of the submission and the Shire Officer's response to each matter raised, is provided in the table below:

TABLE 2 – SUBMISSIONS SUMMARY

Submitter	Summary of Submission	Shire Officer Response
Submitter 1	1. What is the ablation proposal?	The ablation block is also proposed centrally within Lot 40, to service staff and patrons of the existing café/shop facility. The ablations block will comprise 2x toilet facilities (including 1 accessible facility) and 1x shower facility.
	2. What is the proposal for parking? There will not be enough room for truck parking.	Seven (7) carparking bays are proposed, including one (1) disabled access bay. The carparking proposed is in accordance with Scheme requirements. In relation to the access for truck parking, it is understood service deliveries will operate within the existing hardstand area servicing the shop facility, and not within the internal area between the proposed accommodation units and the shop.
	3. I disagree 100% with this development interfering with the carriage way from ramp. This has been there for many years and for the community.	Noted. Shire to clarify.
	4. This land is not zoned tourism, is there application for spot rezoning.	The subject land is zoned 'Town Centre'. Whilst this zone accommodates primarily commercial and community uses, some other uses, such as tourist, are permitted at Council's discretion. Accordingly, Council can contemplate the proposal under the current planning framework, and a scheme amendment for a rezoning is not required.

	5. Is this accommodation for tourism purposes or is it private. Not sure what the purpose of the development is.	The proposed holiday accommodation units will be used for accommodation and recreation for holiday purposes and will therefore provide a tourist function.
	6. The development will be interfering with business autonomy of the town.	Noted. The proposed units will provide an additional supply of holiday accommodation to cater for demand.
	<p>7. It is my understanding that all of these developments are from similar organisations as the post office/petrol station building/shed on the opposite corner. It is my observation that all these buildings do not contribute to any heritage, or beautification of the town.</p> <p>The shed should not be on the main street and if so, it should have some landscape that makes it more attractive to people of the town and visitors.</p> <p>The petrol station is too small and no attempt has been made to make it more attractive as a main street building.</p>	<p>Noted. The Applicant will be required to prepare coloured perspectives of the proposed structures and a schedule of materials, colours and finishes prior to the issuing of a built license, for approval by the Shire, to ensure the buildings are appropriate for a town centre environment.</p> <p>The Applicant will also be required to submit a detailed Landscaping Plan for approval by the Shire, to ensure the interface to Thompson Street is appropriately treated, as well as internal areas.</p> <p>With regard to the petrol station, Officers highlight that this existing development does not form part of this current application.</p>
	8. These corporations do not abide by the rules.	Noted, however there is no evidence to suggest this is the case. The Applicant will be required to submit a Management Plan prior to occupation of the facility.

Whilst the above comments are acknowledged and appreciated, Shire Officers are of the opinion that the proposed holiday accommodation units will provide much needed holiday accommodation within town to cater for demand, as well as diversify the type of accommodation on offer in town. Whilst not a commercial or community land use, the 'Town Centre' zone does allow for some tourist accommodation, at Council's discretion.

With respect to the issues raised by the submitter in relation to built form, design and landscaping, Officers again highlight that the Applicant will be required to submit coloured perspectives, a schedule of colours and materials and a detailed Landscaping Plan, prior to the for approval by the Shire prior to the issuing of a building permit, to ensure the proposed buildings and treatment of the site are to a high standard.

The Applicant will also be required to prepare and submit a Management Plan to the Shire for approval, to ensure the ongoing management and maintenance of the facility is to a high standard.

Local Planning Policy - Transportable Structures and Relocation of Buildings

The Council has a local planning policy to guide the assessment and determination of applications for sea containers, transportable buildings and the relocation of permanent buildings within specific areas and zones of the townsite. The two (2) holiday accommodation buildings proposed are

relocated, transportable buildings, which are proposed to be renovated to present as new condition.

Generally, this Policy requires the submission of the following as part of any planning application for relocated and/or transportable structures:

- A Site Plan.
- Details of proposed landscaping.
- Details of the purpose of the transportable structure, what it will be used for and the length of time that it will be on-site.
- Current colour photographs of the structure from all elevations.

The Applicant has provided the first three (3) items above, however in relation to the colour photographs, the Applicant has highlighted that the buildings will be extensively renovated and upgraded (both externally and internally), including the addition of verandah treatments, to essentially present as new condition. Accordingly, the Applicant was reluctant to provide photographs of the structures in their current form.

On this basis and in lieu of these photographs, the Applicant has provided photographic evidence of MEEDAC's recent upgrade of the 'Club Hotel' in Mullewa (refer appendix 10.1.10.). The Applicant has advised that the proposed holiday accommodation units will be built and renovated to a similar finish. Shire Officers acknowledge this justification, however recommend coloured perspective drawings are prepared and issued to the Shire for approval, prior to the issuing of a building permit, to ensure the buildings are built and renovated to a high design standard, appropriate for a Town Centre zone.

In relation to the length of time the structures will be on site, it is understood by Officers that the holiday accommodation units will be there for an indefinite period of time.

Based on the above, Shire Officers are of the opinion that the proposed holiday accommodation units generally meet the standards and objectives of both the Local Planning Policy and LPS 2, subject to submission of coloured perspective drawings prior to the issuing of a building permit.

Design Assessment

In undertaking a design assessment of the proposal, the following were considered by Officers to be key matters for consideration:

- Interface with Thompson Street.
- Landscaping Treatments.
- Access Arrangements.
- Design of the Holiday Accommodation Units.

These design elements are discussed in detail below.

The proposed holiday accommodation units have frontage to Thompson Street and have been designed to primarily address the internal area between the proposed units and the existing café/post office facility. Whilst the proposal incorporates verandah treatments to encourage activation of the internal area, it is the Officers view that the interface to Thompson Street could be improved from an amenity and passive surveillance perspective.

Accordingly, Officers recommend that a revised elevation plan be required prior to the commencement of works on-site, showing additional window and verandah features to the northern façade of the building, fronting Thompson Street, to provide an additional level of passive surveillance to this interface, as well as improve the architectural design of the building. This is recommended as a condition of approval.

Whilst Officers acknowledge that the holiday accommodation units are relocated, transportable structures, it is noted that the Applicant proposes to renovate both the interior and exterior of the structures to ensure they present as new condition, with modifications undertaken to provide suitable shade and design features.

It is also the Officers view that the design of the Holiday Accommodation units and Ablutions Block should be subject to the submission of a schedule of colours, materials and finishes to ensure a desirable design outcome given its location within the town centre. This has been recommended as a condition of approval.

The proposal demonstrates intent to develop a currently underutilised site within the Town Centre zone and improve visual amenity on this prominent corner. The site also has the potential to be redeveloped in the future, given its central location within the town centre.

Brief landscaping details have been provided to the Shire as part of the Site Plan. The details demonstrate a commitment to providing adequate landscaping on-site, including shade relief, which will contribute positively to the overall amenity of the area and respond to climatic conditions. Officers will further work with the Applicant to ensure an appropriate landscape and streetscape treatment to Thompson Street, as well as the internal area. This is recommended to be enforced through the requirement to prepare a detailed Landscaping Plan as a condition of approval.

Overall, officers consider the proposal will result in an appropriate built form and streetscape outcome for what is an important site in the context of the town centre, subject to satisfaction of the relevant conditions of planning approval.

Conclusion

The proposed development is recommended for approval subject to appropriate conditions as listed in the Officer recommendations for the following reasons:

- The proposal is generally compliant with the objectives and requirements of LPS 2.
- The facility will provide employment opportunities to the local community during the construction and maintenance phase, and will assist MEEDAC in continuing to operate and manage its CDEP initiative in Wiluna.
- The proposed Holiday Accommodation facility will deliver much needed tourist accommodation in town, and well as diversify the type of accommodation on offer.
- The site has the potential to be redeveloped in the future.
- Officers do not consider the proposed development will have a detrimental impact on the amenity of the town centre.

Financial Implications

All costs associated with processing the development application are itemised within a fee schedule and payable by the proponent.

<i>OCM 058/13 Officer Recommendation & Council Decision</i>

MOVED CR HARRIS

SECONDED CR WELLER

That Council approve the application for proposed Holiday Accommodation facility and ancillary uses at Lots 38 to 40 Wotton Street, Wiluna, subject to the following conditions and footnotes:

Conditions

1 Prior to an application being made for a building permit, a deposited plan shall be lodged by the Applicant with the Western Australian Planning Commission for the amalgamation of the subject lots.

2 Development must be carried out in accordance with the terms of the application as approved herein and any approved plan, including the amended plan dated 8 April 2013, subject to the following modification:

(a) A window treatment to Thompson Street, to provide an element of passive surveillance.

A revised plan shall be submitted to the Shire for approval prior to an application being made for a building permit.

3 The proposed development shall be completed within a 6 month period from the date of commencement of works on-site

4 The provision and maintenance of a total of seven (7) marked carparking bays on-site, including one (1) disabled bay prior to occupation.

5 The parking bay(s), driveway(s) and points of ingress and egress to be designed in accordance with the Australian Standard for Off-street Carparking (AS/NZ2890.1) unless otherwise specified by this approval and are to be constructed, sealed, kerbed, drained and marked in accordance with the design and specifications approved by the Council prior to issue of a Building Licence. The car park must be completed prior to the development being occupied and thereafter maintained to the satisfaction of Shire.

6 A minimum of one (1) disabled carparking bay(s) designed in accordance with Australian Standard 2890.1 - 2004 being provided in a location convenient to, and connected to a continuous accessible path to, the main entrance of the building or facility. Carparking bays for persons with disabilities must be clearly marked by elevated signage and signage on the pavement displaying the International Symbol for the Disabled. (Per the Standards Association of Australia AS1428.1 - 2001 Design for Access and Mobility, AS 2890.1 - 2004 Parking Facilities Part 1: Off Street Parking).

7 Construction drawings shall be submitted to, and approved by the Shire, for all earthworks and drainage infrastructure prior to the commencement of works on-site. All stormwater being diverted from downpipes to the proposed rainwater tanks, with excess capacity diverted to the Thompson Street road verge, via covered diversion pipes, to the Shire's satisfaction.

8 Earthworks over the site shall be stabilised to prevent sand blowing and dust nuisance.

9 The site, including batters, shall be graded and stabilised to the Shire's specifications and satisfaction.

10 All permanent and temporary stormwater drainage basins being designed, constructed and maintained to the specifications and satisfaction of the Shire to control the breeding of mosquitoes.

11 Prior to an application being made for a building permit, a detailed Landscaping Plan shall be submitted to and approved by the Shire. The landscaping plan must include:-

- i. The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area.
- ii. Any lawns to be established.
- iii. Any natural landscape areas to be retained.
- iv. Those areas to be reticulated or irrigated.
- v. Verge treatments.

vi. The inclusion of soft landscaping treatments to appropriately screen the proposed septic tanks from public view.

12 The approved Landscaping Plan must be implemented and thereafter maintained.

13 Prior to any occupation of the development, the works, landscaping and reticulation shown on the approved landscaping plan shall be completed, to the satisfaction of the Shire, and being maintained thereafter by the owner/occupier to the satisfaction of the Shire.

14 The preparation of an Operational Management Plan, which details the ongoing management responsibility of the facility, including maintenance arrangements.

15 The Applicant is to provide coloured perspectives of the holiday accommodation structures from all elevations and submit to the Shire for approval, prior to the issuing of a building permit.

16 Any future advertising associated with the development, including signage painted on the building, must be submitted to the Shire for approval prior to erection or painting.

17 The proposed development shall be clad or coloured to compliment the surroundings, and/or adjoining developments. A separate schedule of materials, colours and texture of the building materials shall be submitted and approved to the satisfaction of the Shire prior to applying for a Building Permit.

18 The disposal of wastewater via a septic waste system.

19 The receipt of a cash deposit bond (value determined by Council at \$5000) is required prior the issue of a Building Licence for the Caretaker's Dwelling.

Footnotes to Applicant

1. The development must comply with the Environmental Protection Authority "Guideline for the Prevention of dust and smoke pollution from Land Development Sites in Western Australia 1996", to the satisfaction of Shire.

2. In relation to condition 19, the Applicant is reminded that, in accordance with Council Policy, the cash bond shall be held by Council until such time as:

a) the relocated building is brought to a standard acceptable to the Council; or

b) the specifies period expires.

In the event the Applicant fails to complete the required works to bring the building to a standard acceptable to the Council within the specified period, Council may apply the cash deposit, bond or irrevocable guarantee, or such other security to carry out the required work.

3. The Applicant is advised that any retaining wall(s) must be constructed in accordance with a suitably qualified Structural Engineer's design and a Building Permit being obtained prior to construction.

4. The development may require approval under the provisions of the Aboriginal Heritage Act. You are advised to contact the Department of Aboriginal Sites for further information related to this development.

5. The applicant is encouraged to liaise with Horizon Power to determine whether special provisions exist for the connection of electricity supplies to the proposed development.

CARRIED 5/0

10.2. Principal Environmental Health Officer and Building Surveyor Report

Nil

10.3. Manager of Corporate Services Reports

Nil

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 th June 2013
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 periods ending 30th April 2013 and 31st May 2013 are listed as Appendix 10.4.1. (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 059/13 Officer Recommendation & Council Decision

MOVED CR WEBB

SECONDED CR PETERSON

That the accounts paid by authority for the period ending 30th April 2013 totalling \$1,044,842.15 and for the period ending 31st May 2013 totalling \$1,135,128.47 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:	
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to seek Council's adoption of the Financial Reports for the periods ending 30th April 2013 and 31st May 2013.

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 periods ending 30th April 2013 and 31st May 2013 are listed as Appendix 10.4.2. (green pages).

Comment

Nil

Consultation

Nil

Statutory Environment

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

Voting Requirement

Simple majority

OCM 060/13 Officer Recommendation & Council Decision

MOVED CR WELLER

SECONDED CR PETERSON

That Council adopt the Financial Reports for the periods ending 30th April 2013 and 31st May 2013 as presented.

CARRIED 5/0

10.5. Works Manager Report

Nil

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

Q. Melissa Reilly

As a person who made a submission (referring to Item 10.1.10.) why wasn't my name included in the agenda? As a local resident Council should be aware of her submission.

A. CEO

The Council has to address the issues raised and not taken in consideration the person that has raised them.

The response to the submission is clearly outlined in the agenda.

14. Matters Behind Closed Doors

14.1. Subject/Applicant:	CEO Appointment
File:	Personnel
Reporting Officer:	Bruce Walker – Acting Chief Executive Officer
Date of Report:	17 th June 2013
Disclosure of Interest:	Nil

Purpose

For Council to formally appoint a CEO to replace Mr Tony Doust.

Background

At the April 9 meeting of Council, it was resolved that:

2. Council adopts the package provided (as attached as appendix 12.1), for the recruitment of a CEO, which includes a copy of the proposed advertisement, job description (incorporating the selection criteria) and remuneration package.

3. Council appoints the President and Deputy President to proceed with all the requirements and negotiations with Workplace Solutions, including interviews, and make a recommendation to Council of the applicant to be appointed as Chief Executive Officer and the remuneration package.

Comment

The President will make recommendation of the appointment of a CEO as determined by the President and the Deputy President after interview arranged through Workplace Solutions.

Statutory Environment

Local Government Act - sects. 5.36, 5.39, 5.40

Local Government Administration Regulations - Part 4

Determination of the Salaries and Allowances Tribunal – Salaries and Allowances Act 1975

Voting Requirements

Absolute Majority

OCM 061/13 Council Decision – MEETING CLOSED TO PUBLIC

MOVED CR QUADRIO

SECONDED CR WELLER

That the meeting be closed to the public to deal with a confidential report in regard to the appointment of a CEO.

CARRIED 5/0

OCM 062/13 Council Decision – MEETING OPEN TO PUBLIC

MOVED CR WELLER

SECONDED CR WEBB

That the meeting be re-opened to the public

CARRIED 5/0

Resolution While Closed to the Public

OCM 063/13 Council Decision

MOVED CR QUADRIO

SECONDED CR HARRIS

That Andrea Nunan be appointed to the position of Chief Executive Officer for a 3 year term under the terms and conditions set out in the employment contract as presented by the Shire President.

CARRIED BY ABSOLUTE MAJORITY 5/0

15. Closure

The President declared the meeting closed at 2.50 pm.