Town of Port Hedland



SPECIAL COUNCIL MEETING MINUTES

WEDNESDAY 28 JANUARY 2015 AT 5:30PM

COUNCIL CHAMBERS, MCGREGOR STREET, PORT HEDLAND

Agenda Items:

1. Industry Noxious – Waste Handling Facility Lot 1413 Wilson Street, Port Hedland

2. 8 Multiple Dwelling – Lot 235 (8) Smith Street, South Hedland

3. Request to Excise Portion of Lot 550 Hedditch Street, South Hedland from Reserve 37820 for the Purpose of a Lease Agreement

4. Request to Amend Purpose of Reserve 40652 located on Lot 5863 Butler Way, Port Hedland

5. Plant Replacement Schedule Review

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Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in a Council Meeting does so at their own risk. The Town of Port Hedland advises that any person or legal entity should only rely on formal confirmation or notification of Council resolutions.

"A nationally significant, friendly city that people are proud to call home"

M.J. (Mal) Osborne Chief Executive Officer

SPECIAL COUNCIL MEETING MINUTES

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ITEM 1 OPENING OF MEETING

The Mayor declared the meeting open at 5:34pm.

ITEM 2 ACKNOWLEDGMENT OF TRADITIONAL OWNERS

Mayor acknowledged the traditional owners, the Kariyarra people.

ITEM 3 RECORDING OF ATTENDANCE

3.1 Attendance

Elected Members Mayor Kelly Howlett Councillor Gloria Jacob Councillor George Daccache Councillor Jan Gillingham Councillor David Hooper Councillor Julie Hunt Councillor Lorraine Butson Councillor Troy Melville

<i>Officers</i> Mal Osborne	Chief Executive Officer
Peter Kocian	Acting Director Corporate Services
Eber Butron	Director Community and Development Services
Grace Waugh	Minute Taker/ Governance Officer

Members of the public	1
Town of Port Hedland Officers	4

3.2 Apologies

Nil

3.3 Approved Leave of Absence

Nil

ITEM 4 PUBLIC TIME

Important note:

'This meeting is being recorded on audio tape as an additional record of the meeting and to assist with minute-taking purposes which may be released upon request to third parties. If you do not give permission for recording your participation please indicate this at the meeting. The public is also reminded that in accordance with Section 6.16 of the Town of Port Hedland Local Law on Standing Orders nobody shall use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by the presiding member to do so."

Mayor opened Public Question Time at 5:35pm.

4.1 Public Question Time

4.1.1 Mr Camilo Blanco, Harwell Way, Wedgefield

My questions are in relation to item 7.2.1 'Plant Replacement Program'. My understanding of the incident is that the bobcat was driven off the end of the Finucane Island boat ramp and was almost submerged. Has there been a safety enquiry into this incident considering this could quite easily have turned into a fatality?

Chief Executive Officer advised that a complete inquiry has been completed internally and the incident was reported to WorkSafe. The draft report is ready for review and Chief Executive Officer sign off.

Can I get a copy of the report or do I need to lodge a Freedom of Information request?

Chief Executive Officer advised that the report is a draft until it is approved however is happy to share information from the report with Mr Blanco.

Has a process been put in place to prevent a repeat of this incident?

Chief Executive Officer advised in the affirmative. Job Safety Analysis' (JSA's) have been produced for the tasks that involve relocating plant from the Town's Depot to Finucane Island and how the Finucane Island boat ramp will be cleaned in the future.

At the time of the incident was there adequate senior supervision?

Chief Executive Officer advised that there was supervision on how the job was instructed to be undertaken and there was a spotter on site. The cleaning of the boat ramp was not in accordance with the instructions that were allegedly provided by a senior officer.

The item states the machine is subject to insurance claim, has this claim been submitted?

Chief Executive Officer advised that the claim has been submitted and the Town has been advised by Local Government Insurance Services that they have accepted the claim and are making a payout on the written value of the plant.

How much is the payout for the plant?

Chief Executive Officer advised that the payout is approximately \$78,000.

Mayor closed Public Question Time at 5:38pm.

Mayor opened Public Statement Time at 5:38pm.

4.2 Public Statement Time

Nil

Mayor closed Public Statement Time at 5:39pm.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

ITEM 6 DECLARATION OF ALL MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER BEFORE THE MEETING

Mayor Howlett	Councillor Hooper
Councillor Jacob	Councillor Hunt
Councillor Daccache	Councillor Butson
Councillor Gillingham	Councillor Melville

Disclaimer

Members of the public are cautioned against taking any action on Council decisions, on items on this evening's Agenda in which they may have an interest, until formal notification in writing by the Town has been received. Decisions made at this meeting can be revoked, pursuant to the Local Government Act 1995.

ITEM 7 REPORTS OF OFFICERS

7.1 Community and Development Services

7.1.1 Industry Noxious – Waste Handling Facility Lot 1413 Wilson Street, Port Hedland

Note: This item has been withdrawn and will be presented at a future Council meeting.

7.1.2 8 Multiple Dwelling – Lot 235 (8) Smith Street, South Hedland

Ben McKay, Statutory Planning Officer File No. 405590G

DISCLOSURE OF INTEREST BY OFFICER Nil

RECOMMENDATION

That Council approve the application submitted by Andrew Rowe on behalf of the owner, Zatezalo Pty Ltd, to construct Eight (8) Multiple Dwellings on Lot 235 (8) Smith Street, South Hedland, subject to the following conditions:

- 1. This approval relates only to the proposed "Eight (8) Multiple Dwellings", as indicated on the approved plans (DRG2014/345/1 DRG2014/345/7). It does not relate to any other development on this lot;
- 2. If the development referred to in (1) above is not substantially commenced within a period of two years from the date of approval, the approval shall lapse and be of no further effect;
- 3. A minimum of ten (10) car parking bays shall be provided as indicated on the approved site plan;
- 4. No car parking bays shall be obstructed in any way or used for any other purpose than car parking;
- 5. Car parking bays shall be covered by shade structures to the satisfaction of the Town's Manager Development Services;
- 6. Front walls and fences within the primary street setback area shall be no higher than 1.8m measured from natural ground level and be visually permeable above 1.2m;
- 7. Fences shall be reduced to no higher than 0.75m from the natural ground level when within 1.5m of where the Vehicle Access Point (driveway) meets a street and where two (2) streets intersect;
- 8. All stormwater must be retained onsite. Disposal to be designed in accordance with the Town's Engineering Services Guidelines, and to the satisfaction of the Manager Development Services;
- 9. Roof mounted or freestanding plant or equipment such as air conditioning units and hot water systems shall be located and / or screened to the satisfaction of the Town's Manager Development Services;

- 10. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the landowner's cost to the satisfaction of the Town's Manager Development Services;
- 11. The landowner shall ensure all activities related to the construction of the development (such as but not limited to, storage of building materials and contractor vehicles) be contained wholly within the lot boundaries;
- 12. The landowner shall ensure sediment control barriers are placed and maintained along all boundaries during the construction period to the satisfaction of the Town's Manager Development Services;
- 13. Dust and sand both during and after construction shall be contained on site with the use of suitable dust suppression techniques;

Prior to the issuing of a Building Permit the following conditions shall be cleared by the Town's Manager Development Services.

- 14. Prior to the issuing of a Building Permit, the land owner shall pay a refundable bond of \$1,886.00 to the Town as security for repairing any damage to the road verge and / or adjoining infrastructure during construction;
- 15. Prior to the issuing of a Building Permit, a detailed landscaping and reticulation plan including the Smith Street verge, shall be submitted and approved by the Town's Manager Development Services. The plan shall include:
 - a. location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001; and
 - b. shade trees provided at a ratio of one (1) tree per six (6) consecutive external parking spaces.

The following conditions shall be cleared prior to the issuing of an Occupancy Permit for the development.

- 16. Prior to the issuing of an Occupancy Permit, the development shall be connected to a reticulated main sewer system;
- 17. Prior to the issuing of an Occupancy Permit, aged/disabled access to the existing footpath in accordance with "Austroads Part 13 Pedestrians" standards;
- 18. Prior to the issuing of an Occupancy Permit, the landscaping and reticulation shall be completed as per the approved landscaping and reticulation plan, and thereafter shall be maintained to the satisfaction of the Town's Manager Development Services;

- 19. Prior to the issuing of an Occupancy Permit, lighting shall be installed along all driveway(s), access way(s), parking area(s), turning area(s) and pedestrian pathways by the landowner. Design and construction standards shall be in accordance with Australian Standard AS 1158;
- 20. Prior to the issuing of an Occupancy Permit, access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface by the landowner in accordance with Australian Standard AS 2890 Parts 1 and 2;
- 21. Prior to the issuing of an Occupancy Permit, the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005; and
- 22. Prior to the issuing of an Occupancy Permit, the landowner shall ensure any damage to road pavements / kerbing / footpaths or other Town assets caused by any activity associated with the construction of the development, including but not limited to vehicle movements, shall be repaired to the satisfaction of the Town's Manager Development Services.

ADVICE NOTES:

- 1. The landowner is reminded this is a Planning Approval only and does not obviate the responsibility of the landowner to comply with all relevant building, health and engineering requirements;
- 2. In regard to Condition 14, the bond has been calculated at \$78.60 linear metre for reinstatement of kerbing, in accordance with the Town's Engineering Services Fees and Charges 2014 2015:

Length of road reserve = 24m Reinstatement of kerbing = \$78.60 x 24 Total bond required = \$1,886.00

- 3. This approval should not be construed that the Town will support a survey strata or green title subdivision application for the development. Assessment has been based on a 'Grouped Dwelling' containing common property. A subdivision application for Survey Strata without common property or green title subdivision will need to meet the minimum and average site areas for the dwelling type, as prescribed in the Residential Design Codes;
- 4. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of the Town's Health Local Laws 1999 and to the satisfaction of Manager Development Services;
- 5. Waste disposal and storage is to be carried out in accordance with the Town's Health Local Laws 1999;

- 6. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times;
- 7. Be advised that as per the Environmental Protection (Noise) Regulations 1997, construction noise, that does not comply with the AS 2436-1981, is not permitted outside of 0700-1900 Mondays-Saturdays and not on Sundays or Public Holidays; and
- 8. Prior to the issuing of a Building Permit and Occupancy Permit, the landowner is to obtain a clearance certificate confirming all relevant planning conditions have been complied with. In this regard contact the Town's Development Compliance Officer to obtain the necessary application form and fee.

201415/162 AMENDED RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR JACOB

That Council:

- A. Approve the application submitted by Andrew Rowe on behalf of the owner, Zatezalo Pty Ltd, to construct Eight (8) Multiple Dwellings on Lot 235 (8) Smith Street, South Hedland, subject to the following conditions:
 - This approval relates only to the proposed "Eight (8) Multiple Dwellings", as indicated on the approved plans (DRG2014/345/1 – DRG2014/345/7). It does not relate to any other development on this lot;
 - 2. If the development referred to in (1) above is not substantially commenced within a period of two years from the date of approval, the approval shall lapse and be of no further effect;
 - 3. A minimum of ten (10) car parking bays shall be provided as indicated on the approved site plan;
 - 4. No car parking bays shall be obstructed in any way or used for any other purpose than car parking;
 - 5. Car parking bays shall be covered by shade structures to the satisfaction of the Town's Manager Development Services;
 - 6. Front walls and fences within the primary street setback area shall be no higher than 1.8m measured from natural ground level and be visually permeable above 1.2m;
 - 7. Fences shall be reduced to no higher than 0.75m from the natural ground level when within 1.5m of where the Vehicle Access Point (driveway) meets a street and where two (2) streets intersect;

- 8. All stormwater must be retained onsite. Disposal to be designed in accordance with the Town's Engineering Services Guidelines, and to the satisfaction of the Manager Development Services;
- Roof mounted or freestanding plant or equipment such as air conditioning units and hot water systems shall be located and / or screened to the satisfaction of the Town's Manager Development Services;
- 10. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the landowner's cost to the satisfaction of the Town's Manager Development Services;
- 11. The landowner shall ensure all activities related to the construction of the development (such as but not limited to, storage of building materials and contractor vehicles) be contained wholly within the lot boundaries;
- 12. The landowner shall ensure sediment control barriers are placed and maintained along all boundaries during the construction period to the satisfaction of the Town's Manager Development Services;
- 13. Dust and sand both during and after construction shall be contained on site with the use of suitable dust suppression techniques;

Prior to the issuing of a Building Permit the following conditions shall be cleared by the Town's Manager Development Services.

- 14. Prior to the issuing of a Building Permit, the land owner shall pay a refundable bond of \$1,886.00 to the Town as security for repairing any damage to the road verge and / or adjoining infrastructure during construction;
- 15. Prior to the issuing of a Building Permit, a detailed landscaping and reticulation plan including the Smith Street verge, shall be submitted and approved by the Town's Manager Development Services. The plan shall include:
 - a. location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001; and
 - b. shade trees provided at a ratio of one (1) tree per six (6) consecutive external parking spaces.
 - c. Any existing Pundal trees on the site are to be relocated and incorporated into the proposed landscaping.

The following conditions shall be cleared prior to the issuing of an Occupancy Permit for the development.

- 16. Prior to the issuing of an Occupancy Permit, the development shall be connected to a reticulated main sewer system;
- 17. Prior to the issuing of an Occupancy Permit, aged/disabled access to the existing footpath in accordance with "Austroads Part 13 Pedestrians" standards;
- 18. Prior to the issuing of an Occupancy Permit, the landscaping and reticulation shall be completed as per the approved landscaping and reticulation plan, and thereafter shall be maintained to the satisfaction of the Town's Manager Development Services;
- 19. Prior to the issuing of an Occupancy Permit, lighting shall be installed along all driveway(s), access way(s), parking area(s), turning area(s) and pedestrian pathways by the landowner. Design and construction standards shall be in accordance with Australian Standard AS 1158;
- 20. Prior to the issuing of an Occupancy Permit, access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface by the landowner in accordance with Australian Standard AS 2890 Parts 1 and 2;
- 21. Prior to the issuing of an Occupancy Permit, the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005; and
- 22. Prior to the issuing of an Occupancy Permit, the landowner shall ensure any damage to road pavements / kerbing / footpaths or other Town assets caused by any activity associated with the construction of the development, including but not limited to vehicle movements, shall be repaired to the satisfaction of the Town's Manager Development Services.

ADVICE NOTES:

- 1. The landowner is reminded this is a Planning Approval only and does not obviate the responsibility of the landowner to comply with all relevant building, health and engineering requirements;
- 2. In regard to condition 2, substantially commenced is deemed to have occurred where there has been physical 'on site' development that comprises more than the mere preparation of the site and the placing of footings and slabs;
- In regard to Condition 14, the bond has been calculated at \$78.60 linear metre for reinstatement of kerbing, in accordance with the Town's Engineering Services Fees and Charges 2014 – 2015:

Length of road reserve = 24m

Reinstatement of kerbing = \$78.60 x 24 Total bond required = \$1,886.00

- 4. This approval should not be construed that the Town will support a survey strata or green title subdivision application for the development. Assessment has been based on a 'Grouped Dwelling' containing common property. A subdivision application for Survey Strata without common property or green title subdivision will need to meet the minimum and average site areas for the dwelling type, as prescribed in the Residential Design Codes;
- 5. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of the Town's Health Local Laws 1999 and to the satisfaction of Manager Development Services;
- 6. Waste disposal and storage is to be carried out in accordance with the Town's Health Local Laws 1999;
- 7. The development must comply with the *Environmental Protection (Noise) Regulations 1997* at all times;
- 8. Be advised that as per the *Environmental Protection (Noise) Regulations 1997*, construction noise, that does not comply with the AS 2436-1981, is not permitted outside of 0700-1900 Mondays-Saturdays and not on Sundays or Public Holidays; and
- 9. Prior to the issuing of a Building Permit and Occupancy Permit, the landowner is to obtain a clearance certificate confirming all relevant planning conditions have been complied with. In this regard contact the Town's Development Compliance Officer to obtain the necessary application form and fee.
- B. Request the Chief Executive Officer to budget in 2015/16 for the preparation of a Road Safety Audit and Traffic Impact Statement on Smith Street, South Hedland, taking into account the potential future higher residential density within this area.

CARRIED 8/0

EXECUTIVE SUMMARY

The Town received an application from Andrew Rowe on behalf of Zatezalo Pty Ltd. Council is asked to consider this application for Planning Approval for a proposed Eight (8) Multiple Dwellings on Lot 235 (8) Smith Street, South Hedland (subject site).

During the advertising period one (1) submission was received and, as such, the proposed development has been referred to Council to determine the application.

The application is supported by the Town's Officers. Council is requested to approve the application with conditions.

DETAILED REPORT

Site Description (Attachment 1)

The subject site is generally rectangular in shape, achieves access via Smith Street and has an area of 1006m².

In terms of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5) the subject site is zoned "Residential R30".

Proposal

The applicant is proposing to construct Eight (8) two-bedroom Multiple Dwelling units. Eight (8) under cover car parking bays and two (2) visitor car parking bays will be provided onsite.

Related developments

The proposed development does not differ significantly from those already approved / developed within the area.

Consultation

The application was circulated as follows:

Internally:

- Infrastructure development
- Building Services
- Environmental Health Services
- Engineering Services

Externally:

- Department of Water
- Telstra
- Optus
- Horizon Power

The comments raised by the internal and external agencies have been captured within the report.

Neighbour Consultation:

The application was advertised in accordance with Clause 4.3.3 of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5) by advertising to adjoining landowners and the placement of onsite signage providing 14 days to comment. A copy of the application was made available for viewing on the Town's website.

As a result of the consultation process one (1) submission was received.

The objection raised issues regarding concerns the impact the development would have on the surrounding neighbourhood.

()bloction						
Objection	Applicants response					
Increased vehicular traffic causing	The proposed design increases					
risk of risk of conflict with	safety by removing the existing					
pedestrians – in particular children	2m high solid fence and replacing					
commuting to school	it with a low level fence, which will					
	improve visibility of foot traffic and					
	those on the driveway					
	Having increased accommodation					
	closer to schools and shops					
	decreases car usage and					
	dependency.					
Planning response:						
The Western Australia Planning Co	mmission Transport Assessment					
Guidelines for Developments deter	nines the level of transport					
assessment that is required based						
proposed development is considered	ed to be low impact and therefore a					
transport assessment is not require	d. The applicant has however					
provided a brief traffic assessment						
Infrastructure Development.	,					
	rge and the proposed development					
•						
provides a further 5m until any building impedes vision. The result will be over 10m of vision along the driveway for both pedestrian and						
be over 10m of vision along the driv	eway for both pedestrian and					
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vehicle movement. It is not anticipa detrimental impact.	ted the development will have any					
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Residential Design Codes of Western Australia (R-Codes)

One variation to the deemed-to-comply requirements of the R Codes has been sought and is of a minor nature. The proponent has provided justification identifying design consideration and how the design principles have been achieved. It is considered the justification provided and the outcome achieved is appropriate for the site.

Clause 7.1.1	Clause 7.1.1 Plot Ratio (Table 4 and if applicable Scheme/Policy)							
Total Site Area (m ²)	Gross Floor Area (m ²)	Complies?						
1006m ²	536m ² 0.5 (503m2) 0.53 (536m2) No							
Comments	indicated in the with the existin It is considered minor with the high level of ar exceed the ma will not adverse contribute to th	ent of the buildin local planning f g or future desir the proposed v bulk and scale of ticulation. Whilst ximum allowable ely affect the nei le local streetsca	g is at a bulk and ramework and is ed built form of t ariation to the pl of the development the development plot ratio, the d ghbouring ament ape in terms of its and passive sur-	s consistent he locality." ot ratio is ent offset by the nt may be levelopment ity, rather will s visual				

FINANCIAL IMPLICATIONS

Immediate:

A fee of \$6,592.30 has been received as per the prescribed fees approved by Council.

STATUTORY AND POLICY IMPLICATIONS

In accordance with the *Planning and Development Act 2005*, the proposed development is subject to the provisions of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

Strategic Planning Implications

The following section of Council's Strategic Community Plan 2014-2024 is considered relevant to the amendment:

2 Supporting a diverse economy2.1 A thriving, resilient and diverse economy: Facilitate provision of affordable housing.

Planning Comment

The subject site is part of an area that was originally zoned R20 but was rezoned R30 via Scheme Amendment No. 47, gazetted on 4 December 2012. The proposed development is the result of Council's planning for this precinct to be a medium density residential area.

Due to a lack of affordable housing throughout the Town, Council has focused on encouraging urban infill and redevelopment. This was achieved by increasing the densification of various areas within the Town. Policy Implications

10/001 – Existing Trees

"Pundal trees shall not be removed without prior consent of Council".

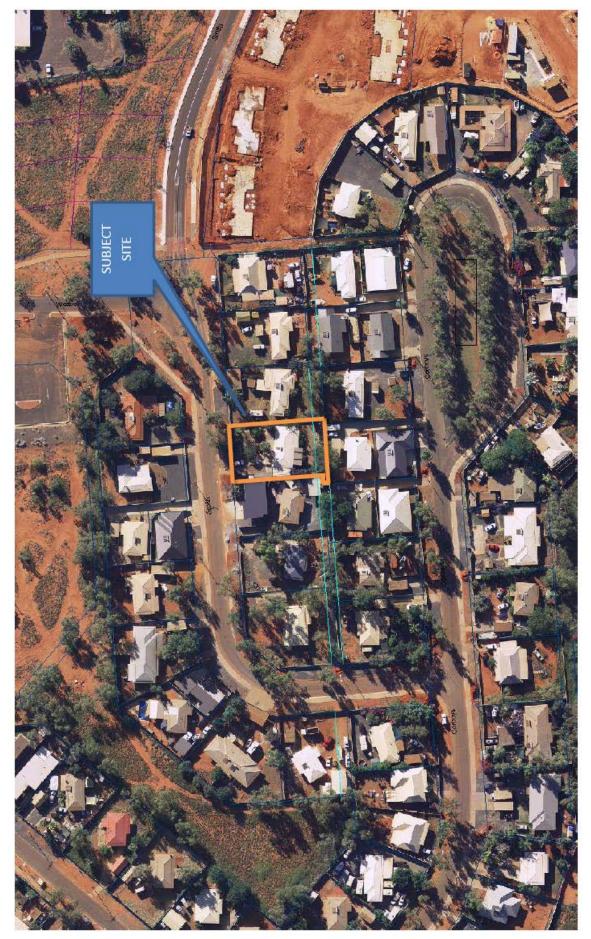
A visit to the site has revealed there are no Pundal Trees located on the site.

ATTACHMENTS

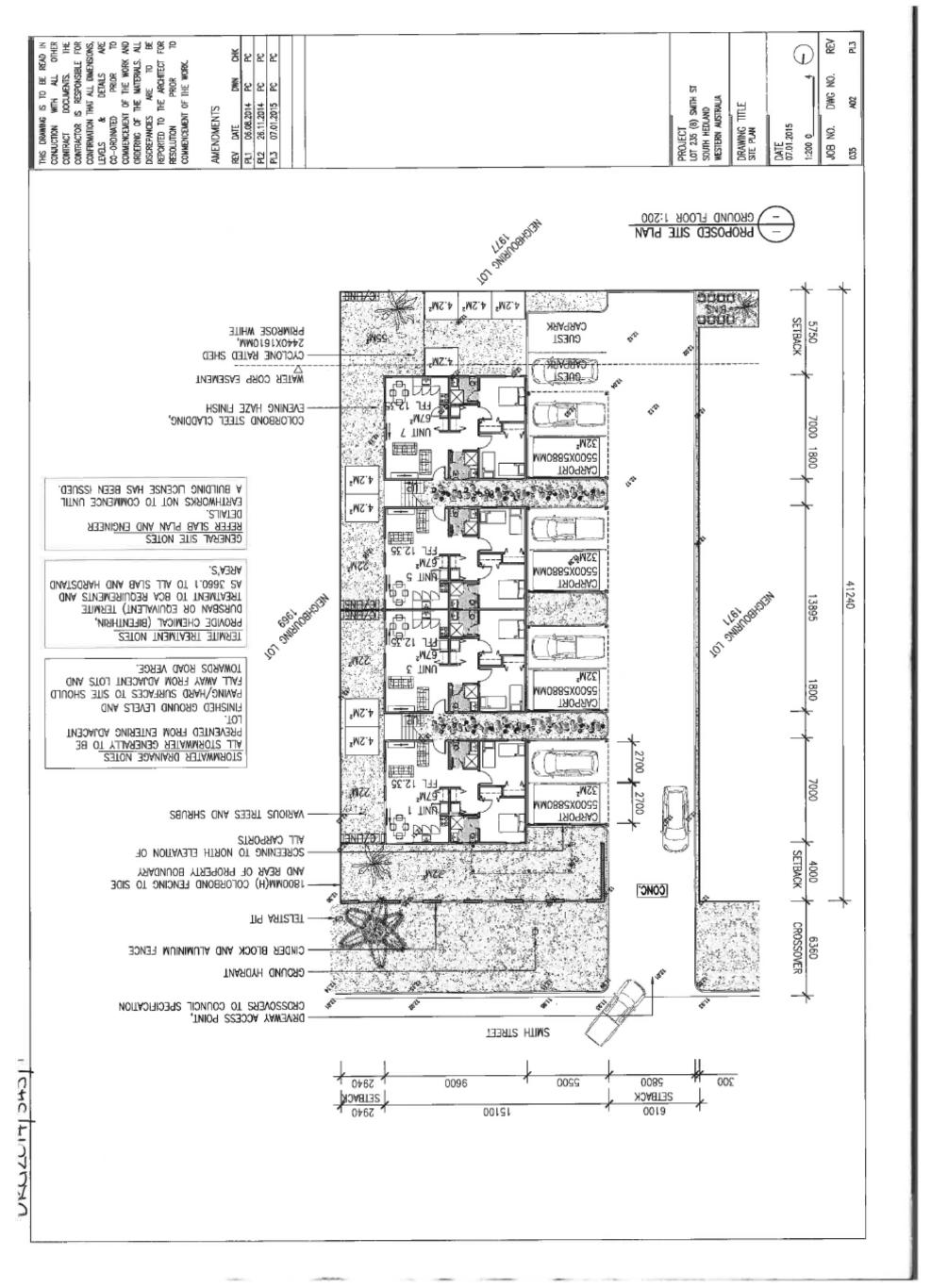
- 1. Locality Plan
- 2. Development Plans

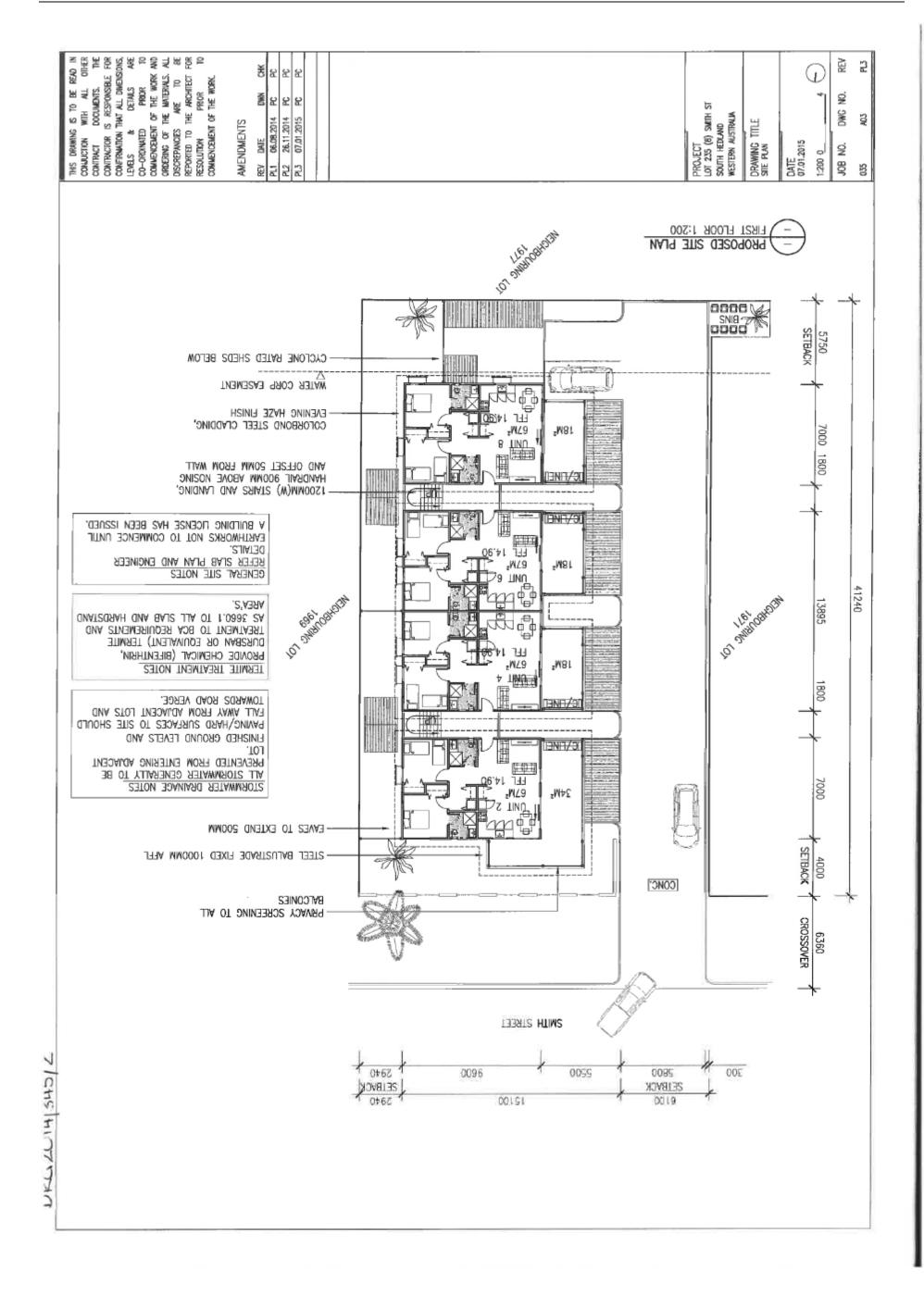
9 January 2015

ATTACHMENT 1 TO ITEM 7.1.2

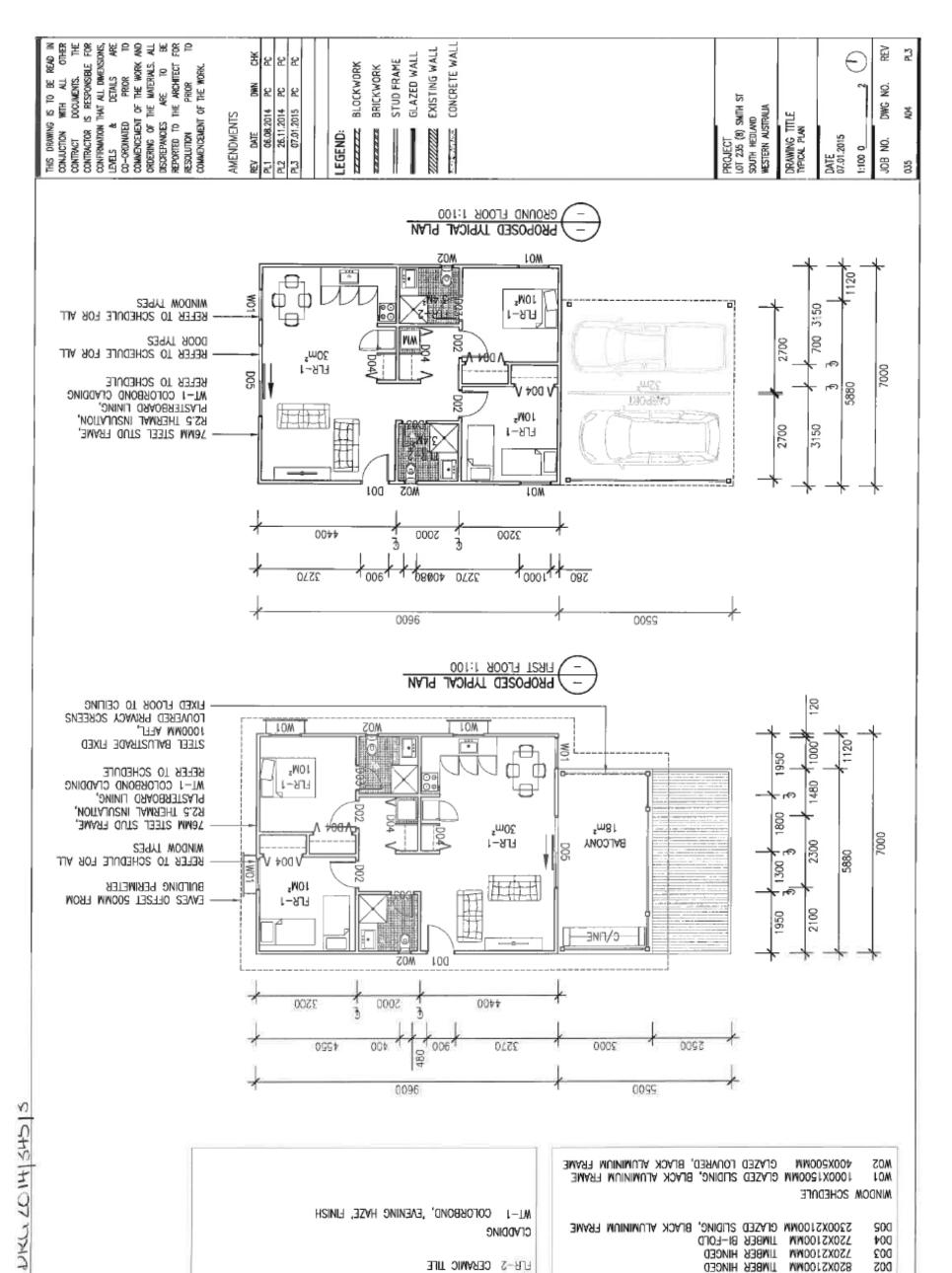


ATTACHMENT 2 TO ITEM 7.1.2









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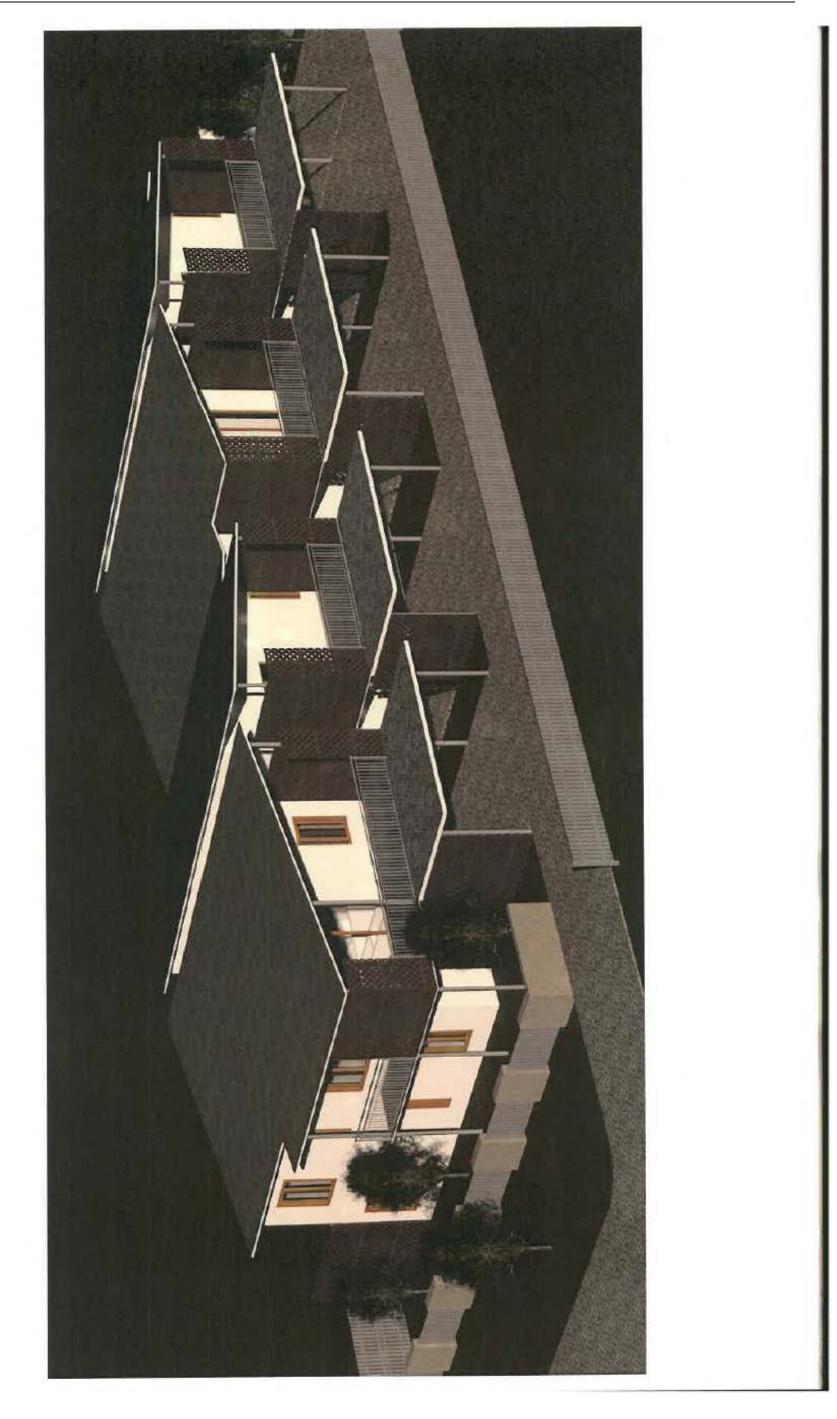
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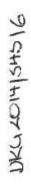
SPECIAL COUNCIL MEETING MINUTES

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Louvered Privacy Screening to All Ballonies and Clothes Drying Facilities 1800mm(H) Colorbond Fencing To Property Boundary Driveway Access Point CINDER BLOCK AND STEEL FENCE		1 2/20 Y	1 1 1800 7000 1 5750 1 SETBACK						
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DPC2014/345/7

7.1.3 Request to Excise Portion of Lot 550 Hedditch Street, South Hedland from Reserve 37820 for the Purpose of a Lease Agreement

David Westbury, Manager Economic Development and Strategy Katherine Shaw, Lands and Technical Officer File No. 130158G

DISCLOSURE OF INTEREST BY OFFICER Nil

201415/163 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR DACCACHE

SECONDED: CR HOOPER

That Council:

- 1. Resolve to request the Department of Lands to excise a portion of Reserve 37820 located on Lot 550 Hedditch Street, South Hedland on Deposited Plan 61032, as per Attachment 1;
- 2. Resolve to request the Department of Lands to revoke the Management Order over the excised portion of Reserve 37820 located on Lot 550 Hedditch Street, South Hedland on Deposited Plan 61032, as shown of Attachment 1; and
- 3. Request the Chief Executive, or his delegate(s), to negotiate a lease with the Department of Lands for the excised portion of Reserve 37820 located on Lot 550 Hedditch Street, South Hedland on Deposited Plan 61032.

CARRIED 8/0

EXECUTIVE SUMMARY

The Town of Port Hedland requests that a portion of Reserve 37820 located on Lot 550 Hedditch Street, South Hedland be excised from the Reserve and the Management Order be revoked. These processes will form the basis for negotiations between the State of WA and the Town, to enter into a lease agreement for the eventual development of commercial businesses on the property.

The Town recommends that Council supports the request.

DETAILED REPORT

The Town of Port Hedland holds the Management Order over Reserve 37820 for the purpose of "Child Care, Recreation and Club Premises". Reserve 37820 currently accommodates the South Hedland Bowling Club, Returned Services League (RSL) and is also approved for Childcare. The Reserve is zoned "Community" under Town Planning Scheme No 5 (TPS 5).

The Town and the Department of Lands have had previous discussions on land development projects to facilitate commercial investment within the Town of Port Hedland. Reserve 37820 has been the subject of more recent discussions and has been identified as a suitable option for commercial development. Please refer to Attachment 1 – location plan.

Profitable commercial developments are not permitted to be established on a Reserve, only developments that provide community benefit are permitted.

Under this new policy State Lands will not allow an arrangement similar to the vesting used to accommodate Dome Coffee nor an acquisition via Clause 25 of the "Government Land Policy Manual-Policy No. 04.0105" which is colloquially known as the "5% policy".

By excising the portion of crown land from Reserve 37820, the Town will be able to commence negotiations with the State of WA to enter into a Lease agreement. Once a lease is formed with the State, the Town will sub-lease the lot for commercial purposes.

The availability of more commercial premises will help diversify the local economy making Port Hedland a more economically sustainable place where people want to live and are proud to call home.

FINANCIAL IMPLICATIONS

The Town will endeavour to undertake negotiations with the State of WA that will deliver the best possible financial benefit to the Town. The actual leasing and land development costs will be reported back to Council for future budget considerations after negotiations with State Lands and potential commercial businesses have taken place.

STATUTORY AND POLICY IMPLICATIONS

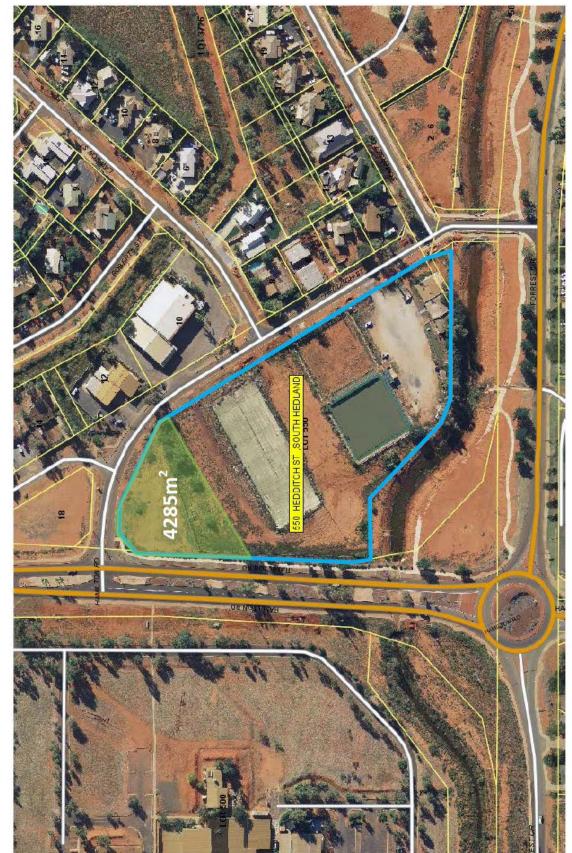
The leasing of crown land is regulated under Section 79 of the Land Administration Act 1997 and the cancellation of reserves is regulated through Section 51 of the Land Administration Act 1997.

<u>Strategic Community Plan 2014-2014</u> 2 Supporting a diverse economy 2.1 A thriving, resilient and diverse economy Facilitate commercial, industry and town growth

ATTACHMENTS

1. Location Plan

6 January 2015



Reserve 37820 (Lot 550 on Deposited Plan 61032) Hedditch Street, South Hedland

ATTACHMENT 1 TO ITEM 7.1.3

Portion to be excised (4285m²)

Page 29

7.1.4 Request to Amend Purpose of Reserve 40652 located on Lot 5863 Butler Way, Port Hedland

David Westbury, Manager Economic Services Katherine Shaw, Lands and Technical Officer File No. 802201G

DISCLOSURE OF INTEREST BY OFFICER Nil

201415/164 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR DACCACHE

SECONDED: CR MELVILLE

That Council:

- 1. Support the amendment of the purpose of Reserve 40652 located on Lot 5863 Butler Way, Port Hedland on Deposited Plan 191022, from 'Recreation' to 'Staff Housing'; and
- 2. Request the Chief Executive Officer, or his delegate(s), to request the Department of Lands to amend the purpose of Reserve 40652 located on Lot 5863 Butler Way, Port Hedland on Deposited Plan 191022, from 'Recreation' to 'Staff Housing'.

CARRIED 8/0

EXECUTIVE SUMMARY

The Town of Port Hedland requests the purpose of Reserve 40652 located on Lot 5863 Butler Way, Port Hedland be amended from 'Recreation' to 'Staff Housing'.

It is recommended that Council supports the Town's request.

DETAILED REPORT

The Town currently holds the management order over Reserve 40652 for the purpose of 'Recreation'. Reserve 40652 is currently vacant land and is approximately 2,156m². The Reserve is zoned "Parks and Recreation" under Town Planning Scheme No 5 (TPS 5).

The Town and the Department of Lands have had discussions on land development projects to facilitate staff housing with the Town of Port Hedland. Reserve 40652 has been identified as a suitable option for staff housing. Reserve 40652 also forms part of the Lazy Lands Project, which identified certain Recreational Reserves within the Town as having potential for residential infill.

Please refer to Attachment 1 – locality plan.

The Department of Lands granted the Town of Port Hedland a development lease over the Reserve. The intention of the development lease was for the Town to investigate different development scenarios until the actual purchase of the property. The Department of Lands has since advised the Town that they will no longer allow the Reserve to be purchased via Clause 25 of the *"Government Land Policy Manual-Policy No. 04.0105"*, also known as the "5% policy".

The Town wishes to go forward with the development of staff housing on the lot. An alternative opportunity to ensure development of lot will continue, is for the land to remain a Reserve and the purpose of the Reserve be amended from "Recreational" to "Staff Housing".

The amendment of the Reserve purpose will form the basis for negotiations to commence with Department of Lands regarding the development of the Reserve for staff housing.

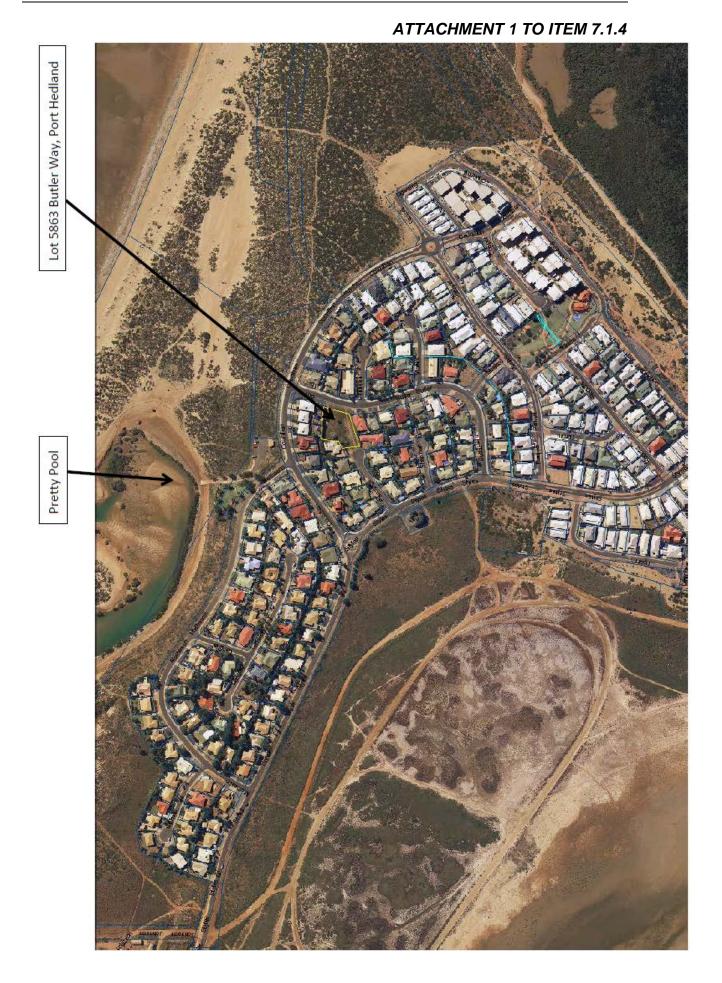
FINANCIAL IMPLICATIONS

The changing of the vesting from recreation reserve to staff housing will not incur any costs. The construction of houses on the property will require a substantial investment. This will need to be allocated in the 2015/2016 Budget and the item will be brought back to Council separately during that process.

ATTACHMENTS

1. Locality plan.

8 January 2015



7.2 Works and Services

7.2.1 2014/15 Plant Replacement Program

Anthony Rintala, Manager Engineering Operations File No. 23/10/0001

DISCLOSURE OF INTEREST BY OFFICER Nil

201415/165 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR JACOB

SECONDED: CR HUNT

That Council:

1. Resolve to approve the proposed amendments to the 2014/15 Plant Replacement Program illustrated as follows:

Description of Plant	Purchase Price (A) GL 1208440	Sale Price of Trade-In (B) GL 1208396	Change over Cost (A-B)	Net Book Value of Trade- In (C)	Profit Loss on Sale (D) GL 1208397
	Amended	Amended	Amended	Amended	Amended
	Budget	Budget	Budget	Budget	Budget
Motorised Scrubbing Machine	150,000	0	150,000	0	0
Reel Mower	35,000	0	35,000	0	0
Bobcat VEHO45 (P12080808)	120,000	20,000	100,000	25,200	-5,200
Patching Truck VEH017 (P12081208)	0	0	0	0	0
DAF Water Cart VEH020 (P12083010)	319,079	15,000	304,079	145,800	-130,800
Road Sweeper VEH031 (P12082509)	384,634	80,000	304,634	66,000	14,000
HINO Tipper VEH044 (P12080508)	153,563	69,000	84,563	51,000	18,000
DAF Tipper VEH047 (P12081408)	357,260	61,600	295,660	85,800	-24,200
Sign Truck VEH097 (P10040312)	173,422	0	173,422	47,926	-47,926
4x Box Trailers	0	0	0	0	0
	1,692,957	245,600	1,447,357	421,726	-176,126

- 2. Authorise the purchase of a motorized scrubbing machine at a cost of \$150,000 ex GST, to be funded from a reallocation of expenditure from GL 1111285 Graffiti Removal (\$120,000) and GL1005278 Litter Collection (\$30,000);
- 3. Authorise the purchase of a near new reel mower at a cost of \$35,000 ex GST, to be funded from a reallocation of expenditure from GL1110277 Effluent Pump Facilities (\$35,000);
- 4. Bring forward the replacement of VEH045, a Bobcat S205 Skid Steer from the 2015/16 financial year to the 2014/15 financial year, and change the type of machine from a Skid Steer to a Posi Track for the amount of \$120,000 ex GST; and

5. Bring forward the ordering of a replacement for VEH017, a Hino 300 Patching Truck and commit to budgeting the funds in the 2015/16 financial year for the amount of \$290,000 ex GST.

CARRIED BY ABSOLUTE MAJORITY 8/0

EXECUTIVE SUMMARY

This report seeks Council support for mid-year changes to the 10 year Plant Replacement Program for reasons as justified within this report.

DETAILED REPORT

The proposed changes to the 10 year Plant Replacement Program are required not only to maintain the level of service that the Engineering Operations Department provides to the ratepayers of the Town, but also to improve the level of service currently being provided.

Motorised Scrubbing Machine

Reallocate operational funds from the *Sanitisation* account GL 1111285 for the amount of \$120,000 ex GST and from the *Litter Collection* account GL 1005278 for the amount of \$30,000 ex GST to *Heavy Plant Replacement* account GL 1208440 for the purchase of a motorised scrubbing machine.

This amendment is required to improve the Towns level of service particularly within the South Hedland CBD. The funds which are proposed to be reallocated were originally budgeted for traffic control, contractor cleaning, and the purchase of additional pressure cleaning equipment. However it is now evident that this area requires a considerably higher level of service which can be achieved by the use of a mechanical scrubber, it is expected that the utilisation on this new machine will be in the order of 35 hours per week, with the potential to increase this to 70 hours per week if a night shift is required.

It should be noted that the Town's Youth Space Project and South Hedland CBD Stage 2 is due for completion on the 28 February 2015 and will become the responsibility of the Town. This will increase the area maintained within the South Hedland CBD area, which may require additional resources to be allocated in the 2015/16 financial year's budget.

Town officers have arranged a WALGA preferred supplier to bring a mechanical scrubbing machine on the 28 January through to the 30 January 2015 for a trial period. This particular make and model being trialed has been recommended by six (6) other Local Governments that operate in similar conditions to Port Hedland. If the machine proves satisfactory and the budget amendment is approved by Council, the Town may be in a position to purchase the machine directly, thus saving on freight back to Perth.

Should Elected Members be interested in witnessing the capabilities of this machine, officers will organise a time to meet onsite and discuss.

It is also noteworthy that on average one bag of litter costs Town Officers \$31.50 to collect, therefore it may be prudent to investigate the opportunities to re-establish the community litter collection program.

Reel Mower

Reallocate operational funds from *Effluent Pump Facilities* account for the amount of \$35,000 ex GST to *Heavy Plant Replacement* account GL 1208440 for the purchase of a near new Reel Mower.

This change is required to improve the level of service delivered to the two active playing fields being Kevin Scott Oval in South Hedland and Colin Mathieson Oval in Port Hedland. The Town has had on hire, a Reel Mower for the previous two (2) months as a 'try before you buy' deal. This mower has proven very successful and we have received positive feedback from the local clubs. See attached letters from the Cricket Association, Port Cricket Club and South Cricket Club.

The reason a near new Reel Mower is proposed, as opposed to brand new, is that the price is significantly discounted, and the utilisation on the machine is in the order of only 16 hours per week, which is quite low and does not warrant the purchase of a new machine.

Bobcat

Bringing forward the replacement of VEH045 Bobcat S205 Skid Steer from the 2015/16 financial year to the 2014/15 financial year, and change the type of machine from a Skid Steer to a Posi Track for the amount of \$120,000 ex GST.

This change is required as VEH115, a Bobcat T630 Posi Track, has been written-off in an incident at the Finucane Island Boat Ramp, and the Posi Track is an integral machine in providing engineering services. Currently a replacement machine is on hire at a cost of \$900 ex GST per week.

The incident noted above is subject to an insurance claim and the Town may receive a settlement amount which will partially offset the purchase of the replacement item.

Patching Truck

Authorise officers to order a new Patching truck in the 2014/15 financial year, and allocate funds in the 2015/16 financial year to pay the invoice.

This change is required due to a quoted 48 week lead time on a new truck, and given that the current Patching truck is in poor condition officers wish to get the order placed as soon as possible to enable delivery in late 2015 for operational needs in 2016.

FINANCIAL IMPLICATIONS

As per the Schedule of Budget Variations in the Officers Recommendation.

STATUTORY AND POLICY IMPLICATIONS

The proposed changes to the 10 year Plant Replacement Program schedule, links to the Strategic Community Plan in section 3.1.2 "Develop and maintain our infrastructure to ensure the long-term sustainability of our built and natural environment".

ATTACHMENTS

- 1. Email from the Cricket Association and Port Hedland Cricket Club;
- 2. Email from the South Hedland Cricket Club; and
- 3. Letter from T-Quip.

12 January 2015

ATTACHMENT 1 TO ITEM 7.2.1

From:	Phil Hayman
To:	Grant Voss; Lucas Wimmer
Cc:	Michael Sheridan; nathan.debeer@gmail.com; Scott Gaebler
Subject:	Re: Ground condition
Date:	Sunday, 2 November 2014 5:19:08 PM

Hi Grant, here is some feedback from two of our teams in the cricket association, we are all very pleased with the ground condition and hopefully we continue to have a great oval to play on.

Regards Phil Hayman President Onsite PHCA 0418948828

I think the ground is in terrific condition. Well done to the council Flamin

Michael Sheridan Wanderers captain

We think the ground is in better condition than last season due to regular mowing and this is preferred as guys are getting value for shots. We are please to see an improvement in ground conditions.

Cheers Nathan Debeer South Hedland captain

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ATTACHMENT 2 TO ITEM 7.2.1

From:	Phil Hayman
To:	Grant Voss
Cc:	Lucas Wimmer; Michael Sheridan; Samuel D Mason; Raj Lapham, (dealap@hotmail.com); taurean.williams@metso.com; Graeme Hall
Subject:	Kevin scott oval grass
Date:	Monday, 24 November 2014 5:59:57 PM

Hi Grant, just some more good feedback to you around the grass at the oval. All teams are commenting on how great the level and condition of the grass is. Thank you, this is equal to or if not better than alot of grounds we play on in Perth during country week. Thanks for the great work

Regards Phil Hayman President Onsite PHCA 0418948828

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ATTACHMENT 3 TO ITEM 7.2.1

36 Abernethy Road Belmont WA 6104 Ph: 08 9478 7000 Fax: 9478 6667 ABN: 87 009 106 138

16 January 2015

Grant Voss Town of Port Hedland

Dear Grant

The Toro Reelmaster 5610 that you currently have on hire was owned by a local inner City Council and used on their Public golf course.

It has been fastidiously maintained to manufactures specifications by their own workshop and T-Quip and currently has 1928 working hrs accumulated .

Before going out on hire the machine was fully serviced by our technicians, sharpened and set, had new blades fitted and any faults were rectified using genuine Toro parts.

The cost of this pre hire service was \$4,863.95. We had cause to replace the lap sash seat belt as it would not retract properly after the machine was on site. This repair was done by your staff and T-Quip supplied the part at no cost.

Kind regards,

Billy Kilmurray

Sales Consultant



36 Abernethy Road Belmont Western Australia 6104 t: (08) 9478 7000 | f: (08) 9478 6667 | m: 0418 488 434 e: bill@tquip.com.au w: www.tquip.com.au

ITEM 8 CONFIDENTIAL ITEMS

Nil

ITEM 9 CLOSURE

9.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 25 February 2015, commencing at 5:30pm, with the Public Agenda Briefing being held on Wednesday 18 February 2015, commencing at 5:30pm.

9.2 Closure

There being no further business, the Mayor declared the meeting closed at 5:43pm.