



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 23 JANUARY 2013

AT 5.30 PM

**IN COUNCIL CHAMBERS
McGREGOR STREET, PORT HEDLAND**

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*M.J. (Mal) Osborne
Chief Executive Officer*

OUR COMMITMENT

To enhance social, environmental and economic well-being through leadership and working in partnership with the Community.

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ITEM 1 OPENING OF MEETING**1.1 Opening**

The Deputy Mayor declared the meeting open at 5:30pm and acknowledged the traditional owners, the Kariyarra people.

ITEM 2 RECORDING OF ATTENDANCE AND APOLOGIES**2.1 Attendance**

Councillor George J Daccache - Deputy Mayor
Councillor Arnold A Carter
Councillor David W Hooper
Councillor Michael (Bill) Dziombak
Councillor Julie E Hunt
Councillor Penny M Taylor

2.2 Apologies

Mayor Kelly A Howlett - Mayor

2.3 Approved Leave of Absence

Councillor Jan M Gillingham
Councillor Gloria A Jacob

2.4 Elect Presiding Member**201213/229 Council Decision**

Moved Cr Hunt

Seconded Cr Hooper

That Council nominate Cr Carter as Presiding Member during this meeting for any occasion when Deputy Mayor Daccache may need to leave the Chambers due to his declaration of financial interest.

CARRIED 6/0

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 12 December 2012**

Nil

3.2 Questions from Elected Members at Ordinary Council Meeting 12 December 2012

3.2.1 Councillor Gillingham

The iron ore stock pile seems to be getting bigger and if it does it will create more dust in residential areas. Could the Town find out if it is going to increase?

Acting Director Planning Services advised that BHP Billiton has been contacted in regards to this matter and the Town is currently waiting on their response, which will be circulated to all Elected Members as soon as it becomes available.

3.2.2 Councillor Hooper

Who needs to be contacted to install a reflective arrow sign at the sharp corner of Buttweid Road?

Director Engineering Services advised that the sign has now been installed.

ITEM 4 PUBLIC TIME

Deputy Mayor opened Public Question time at 5:32pm

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 20.3 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 chairperson to do so.'

4.1 Public Question Time**4.1.1 Mr Chris Whalley**

Do painters have the right to deposit empty or half empty paint cans at the South Hedland rubbish dump and if not where can painters deposit their empty paint cans?

Director Engineering advised that this question is taken on notice.

Could Council get parks and gardens staff to change the time of reticulation of the lawns at Koombana park in South Hedland to the middle of the night rather than the current time of 6:15pm when the park is full of people?

Chief Executive Officer advised he will take this matter on board.

Director Engineering advised that the Town is not responsible for the management of this park but the Town can contact the company that is responsible for its maintenance and suggest that the reticulation be changed to a more suitable time.

Cyclone George came through this Town six years ago and damaged a lot of high metal sign posts outside businesses; these same signs are still damaged today. Can Council contact the businesses with damaged signs out the front and possibly have them removed? I have a list of the those businesses in which these metal post signs are out the front.

Chief Executive Officer advised that this matter will be taken on board.

4.1.2 David Pennington

Why are there three caravans in the car park at 'The Lodge' and people living in them? A maintenance person has been living there for eighteen months. If 'The Lodge' wants people to work for them they should put them in their rooms. There are backpackers living in their cars at Cooke Point Village and working for the Village. Why are they allowed to live there? What do they do for toilets? What is the Town doing about this? Further, according to legislation smoke alarms are to be installed in dongers and these establishments don't have them. What happens in the event of a fire? Another two caravans arrived in a Wedgefield yard last week and now a shed has also been put up, has this been approved? Three years ago I wanted to erect 10 dongers on my block in Sanders Street and I received three letters from the Town saying I will be prosecuted and fined \$500 per day and it will go to court. None of these people have received letters.

Chief Executive Officer advised the ongoing issue of non compliant activity in the Town of Port Hedland is a major problem. The Town's staff is addressing these issues in a systematic way as best as it can. The Town does not have the resources to police every site every day. If the Town is provided with specific addresses officers will follow up these matters at the earliest opportunity.

Deputy Mayor closed Public Question time at 5:38pm

Deputy Mayor opened Public Statement time at 5:39pm

4.2 Public Statement Time

Nil

Deputy Mayor closed Public Statement time at 5:39pm

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

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

Deputy Mayor Daccache	Cr Carter
Cr Taylor	Cr Hunt
Cr Hooper	Cr Dziombak

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 12 December 2012**

201213/230 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Hunt

That the Minutes of the Ordinary Meeting of Council held on Wednesday 12 December 2012 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

7.2 Confirmation of Minutes of Special Meeting of Council held on Sunday 16 December 2012

201213/231 Officer's Recommendation/Council Decision

Moved: Cr Hunt

Seconded: Cr Taylor

That the Minutes of the Special Meeting of Council held on Sunday 16 December 2012 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

ITEM 8 ANNOUNCEMENTS BY CHAIRPERSON WITHOUT DISCUSSION**8.1 *Mayor Howlett's Activity Report for the December 2012 and January 2013 period to date is as follows:***

Wednesday, 12th December

- Meeting Department Housing Pilbara Region A/Manager + CEO
- Meeting With Local Residents Regarding Redbank Conflict – Planning Dispute + Cr Gillingham + CEO + Manager Planning
- Executive Coaching Session
- Meeting With Resident (Mady Jones) Review Of Finished Book
- Weekly CEO & Mayor Catch-up Meeting
- TOPH Concept and Planning Forum Session
- Agenda Briefing Session
- Chair Ordinary Council Meeting

Thursday, 13th December

- Attended Port Hedland Primary School End Of Year Concert
- Attended Baler Primary School Community Presentation Evening

Friday, 14th December

- MC and Host TOPH Sports and Volunteer Awards 2012

Sunday, 16th December

- Swearing In Of New Councillor
- Attended 2012 Hedland Carols By Candlelight Event

Monday, 17th December

- Priorities and Protocols Workshop With Ian Taylor
- TOPH Bus Tour With Elected Members and Executive Team

Tuesday, 18th December

- Weekly Mayor Chat Spirit Radio
- Meeting With Resident (Steve Palmer)
- Meeting With Deputy Mayor
- Meeting Regarding Investments + CEO + DCORP
- Meeting With MCCD

Friday, 4th January

- Weekly Mayor CEO Catch-up

Monday, 7th January

- Meeting with Local Resident (Tony Woods)

Tuesday, 8th January

- Weekly Spirit Radio 1026am Mayor Chat
- Meeting With Resident (Morag Lowe)
- Meeting With Resident (Bob Neville)

Wednesday, 9th January

- Weekly CEO and Elected Member Chat

8.2 *Presentation of Certificates of Appreciation*

- From C3 and other Hedland Churches for Council's support of Carols by Candlelight
- From Hedland BMX in recognition of Council's support and contribution
- From Hedland Senior High School presented to Town of Port Hedland staff for their support of the High School's Work Place Learning program

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 *Councillor Carter*

Attended Cassia School's presentation of airport competition and presented trophies to the winners. It was a good exercise and the children had some magnificent ideas of what should go into the airport.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil.

Disclaimer

IMPORTANT NOTE:

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 Council has been received. Decisions made at this meeting can be revoked, pursuant to the Local Government Act 1995.

ITEM 11 REPORTS OF OFFICERS**11.1 Planning and Development Services****11.1.1 *Abandonment of Scheme Amendment No. 32 to rezone Lot 126 Great Northern Highway from "Rural" and "Other Purposes – Infrastructure" to "Rural", "Rural Residential" and "State and Regional Road". (File No.: 18/09/0039)***

Officer	Ryan Djanegara Planning Officer
Date of Report	29 November 2012
Application No.	2011/410
Disclosure of Interest by Officer	Nil

Summary

At the Ordinary Council Meeting held on 11 August 2010, Council resolved to initiate Scheme Amendment No. 32, to rezone Lot 126 Great Northern Highway (hereafter referred to as the site) from "Rural" and "Other Purposes – Infrastructure" to "Rural", "Rural Residential" and "State and Regional Road".

The scheme amendment has been forwarded to the Environmental Protection Authority (EPA) and advertised in accordance with the *Town Planning Regulations 1967*.

During the advertisement process two submissions were received from government agencies requesting further information and studies to be conducted.

As a result of a change of ownership the scheme amendment is no longer being pursued, Council is requested to abandon Scheme Amendment No. 32.

Background*Scheme Amendment Initiation*

The proposed Scheme Amendment for the site was first submitted for Councils consideration at its Ordinary Meeting on 28 April 2010, where Council resolved to lay the item on the table pending a site visit. A site visit was then conducted and the amendment resubmitted to following the Ordinary Council Meeting on 26 May 2010.

At that meeting, Council resolved to refuse the initiation of the amendment citing a structure plan would be required beforehand, which would outline the implications and information required from Council in terms of developing the site and broader surrounding area.

The item was resubmitted again to Council on the 11 August 2010 to reconsider the request to initiate the amendment and the requirements for a structure plan. At that meeting Council resolved to revoke its previous decision to refuse the amendment and require a structure plan given investigations identifying the limitability for the surrounding area to be developed. Subsequent to the above, Council resolved to initiate the Scheme Amendment and was then forwarded to the Environmental Protection Agency.

Consultation

In accordance with the *Town Planning Regulations 1967*, the proposed scheme amendment has been advertised and circulated as follows:

North West Telegraph:
7 September 2011 – 19 October 2011

Written Notification to:

- Department of Regional Development and Lands;
- Department of Indigenous Affairs;
- Department of Water;
- Horizon Power;
- Optus;
- Telstra; and
- Water Corporation (Perth and Karratha),

The Department of Indigenous Affairs has raised concerns advising the Kariyarra people may still have some cultural ties to the site. DIA have therefore requested a detailed Aboriginal Heritage Study is conducted for the site, including consultation with the Kariyarra Elders.

The Department of Water (DoW) has requested a Local Water Management Strategy is provided addressing issues such as flood and storm water management and groundwater management.

Statutory Implications

The *Planning and Development Act 2005* and the *Town Planning Regulations 1967* provide Council the authority to amend its Local Planning Scheme and establish the procedure required to make this amendment.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

The applicant has paid the prescribed fee of \$1,711.

Officer's Comment

During the consultation period, the Department of Indigenous Affairs and Department of Water have requested additional information with regards to Aboriginal Heritage and storm water management.

Given the applicant has requested to abandon the Scheme Amendment and will subsequently not be providing the information required, it is recommended Council not proceed with Scheme Amendment No. 32.

Options

Council has the following options when considering the matter:

1. Abandon the amendment

Should Council seek to abandon amendment No. 32, the proposed site will remain unchanged.

2. Proceed with the amendment

Proceeding with the amendment, will require Council to fund and prepare the required studies requested by various government departments.

Option 1 is recommended.

Attachments

1. Locality Map
2. Letter from Applicant requesting abandonment of the Scheme Amendment

201213/232 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Hooper

That Council:

1. **Abandons Scheme Amendment No. 32; and**
2. **Advises the applicant and WAPC of its decision.**

CARRIED 6/0



ATTACHMENT 2 TO ITEM 11.1.1



Our ref: 11885-19
10 September 2012

Chief Executive Officer
Town of Port Hedland
PO Box 41
PORT HEDLAND WA 6721

Attention: Planning

Dear Sir/Madam,

**WITHDRAWAL OF PROPOSED TOWN PLANNING SCHEME AMENDMENT 32
LOT 126 GREAT NORTHERN HIGHWAY, PORT HEDLAND**

Whelans Town Planning act on behalf of the previous landowner, Kevin Stubbs, in relation to the Proposed Scheme Amendment 32 over Lot 126 Great Northern Highway, Port Hedland.

We confirm that the amendment should be withdrawn as the land has been sold and our client does not wish to proceed with the amendment.

It is not known whether the new landowners wish to continue with the amendment.

If you require clarification regarding any of the above, please do not hesitate to contact myself on 9443 1511.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Keith Williams".

Keith Williams
Senior Town Planner
Town Planning

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WHELANS (WA) PTY LTD ACN 874 363 741

ASSOCIATED OFFICES: ADELAIDE | MELBOURNE | SYDNEY | BRISBANE

SURVEYING

MAPPING

TOWN PLANNING

5:45pm Deputy Mayor Daccache declared a financial interest in agenda item 11.1.2 'Transient Workforce Accommodation – Mining Camp at Lot 202 Plan 220387 Great Northern Highway, Pippingarra' as he owns Mineral Resources shares above the threshold.

Deputy Mayor Daccache left the room.

Councillor Carter assumed the Deputy Mayor's Chair.

11.1.2 *Transient Workforce Accommodation – Mining Camp at Lot 202 Plan 220387 Great Northern Highway, Pippingarra (File No.: 805145G)*

Officer Luke Cervi
Senior Planning Officer

Date of Report 7 January 2013

Disclosure of Interest by Officer Nil

Summary

The Town received an application from Crushing Services International Pty Ltd on behalf of Polaris Metals Pty Ltd being the lessee of part Lot 202 Plan 220387 Great Northern Highway, Pippingarra (site), for a Transient Workforce Accommodation – Mining Camp.

The application is not supported by the Town's officers and has been recommended for refusal.

Background

Location and description (ATTACHMENT 1)

The proposed development is located within Mining Tenement L 45/219 being a Miscellaneous Licence issued by the Department of Mines and Petroleum for the purpose of:

“Minesite accommodation facility Minesite Administration facility Workshop and Storage facility Communications facility Power generation and Transmission facility Power Line Taking Water Bore Borefield Water Management Facility Pipeline Road.”

The Miscellaneous Licence covers part of Lot 202 Plan 220387 Great Northern Highway, Pippingarra.

Current Zoning and Use

In terms of the Port Hedland Town Planning Scheme No. 5 (TPS5) the subject site is zoned “Rural” and is developed with the Poondana Mine site.

The permissibility of the proposed “Transient Workforce Accommodation - Mining Camp” is “SA”. In terms of this permissibility the use is not permitted unless planning approval has been obtained after giving notice in terms of the Town Planning Scheme.

The Proposal (ATTACHMENT 2)

The applicant is seeking approval of a “Transient Workforce Accommodation - Mining Camp” consisting of 67 person accommodation (18 transportable accommodation buildings), dry and wet messes, office and amenities.

Consultation

The application has not been circulated as the development is exempt from planning approval and not supported from a planning perspective.

Statutory Implications

In accordance with section 120(1) of the *Mining Act 1978*, the development is exempt from the need to obtain planning approval.

Policy Implications

Nil

Strategic Planning Implications

The following section of Council’s Strategic Community Plan 2012-2022 is considered relevant:

- 6.1 Community
- 6.1.1 Unified
The Town of Port Hedland is an integrated community functionally, physically and culturally.

- 6.2 Economic
- 6.2.1 Diverse Economy
Facilitate commercial, industry and town growth.

- 6.3 Environment
- 6.3.1 Housing
Address housing shortage and affordability through using Council held land, providing high quality modular construction, providing incentives and other forms of inducement to deliver housing by 2013.

- 6.3 Environment
- 6.3.4 Environment
The Town has strong working relationships with the mining industry, achieving sustainable outcomes for the local community, while minimising negative impacts.

Budget Implications

An application fee of \$7,248.53 has been received as per the prescribed fees approved by Council.

Officer's Comment

Crushing Services International Pty Ltd and Polaris Metals Pty Ltd are both subsidiary companies of Mineral Resources. Mineral Resources have been having difficulties with accommodation for a long period of time and have wanted to build a camp on the subject site for a number of years. Due to concerns relating to the location of the site, this has been opposed by the Planning Unit. These concerns have in part led to Mineral Resources seeking and gaining access to Airport land for Transient Workforce Accommodation (TWA) purposes.

On 31 October 2012, Mineral Resources (through Crushing Services International) obtained planning approval from the Pilbara Development Assessment Panel for a 506 person TWA on Airport land.

It was originally understood the "Mining Camp" was in fact a "Fly camp" to facilitate the construction of the approved airport TWA. Concerns with the proposal were highlighted with the applicant and further information was sought.

Confirmation was received by Polaris Metals advising they were exempt from the need to obtain planning approval and would therefore be withdrawing the application. As Crushing Services International Pty Ltd (CSI) was the applicant, confirmation of withdrawal of the application was sought from them. CSI responded that despite being exempt from the need for planning approval they wished to have the matter considered. They provided the necessary additional information which included confirmation that the "Mining Camp" was to be used by personnel involved in the operations of the Poondana Mine and would not be used in relation to the construction of the approved TWA on airport land.

Guidance note for potential developers of Transient Workforce Accommodation (TWA) – August 2008

This guidance note identifies 5 styles of TWA and 5 Key Principles for TWA. Mining/Rail camp is identified as having the following characteristics:

Short term construction camps for infrastructure such as rail and/or mining operations that are being built outside of the Township

Possible/preferred locations:

Greater than 50kms from Port Hedland otherwise other 'in-town' accommodation should be sought.

The proposed location is only 10kms from Town. Furthermore, the proponent has been successful in obtaining access to airport land for the purposes of a 506 person TWA. This provides an in-town option and a far better outcome.

Key Principles

Town Centre Development Focus

The proposed "Mining Camp" provides no Town Centre Development focus.

Community Benefit

It has not been demonstrated that the community as a whole will benefit from the development of the "Mining Camp".

Integration

The proposed "Mining Camp" fails to integrate with the existing community.

Quality

The quality of the development is considered appropriate for the location. The "Mining Camp" would not be visible from public land.

Safety

The safety of the "Mining Camp" is considered to be appropriate having regard to its size and location.

Options

Council has the following options when considering this application:

1. Refuse the Application

Council is encouraged to take this option as the proposed location of the TWA is inappropriate and has no community benefit.

2. Approve the Application

The approval of the application may lead to a precedent being created. TWA's have always been intended to be temporary in nature and the approval would limit Council ability to ensure they remain temporary.

Given the close proximity to Town and the operational nature of the "Mining Camp", the application has been recommended for refusal.

Attachments

1. Locality Map
2. Site Plan, Floor Plan and Elevations

201213/233 Officer's Recommendation/Council Decision

Moved: Cr Hunt

Seconded: Cr Hooper

That Council:

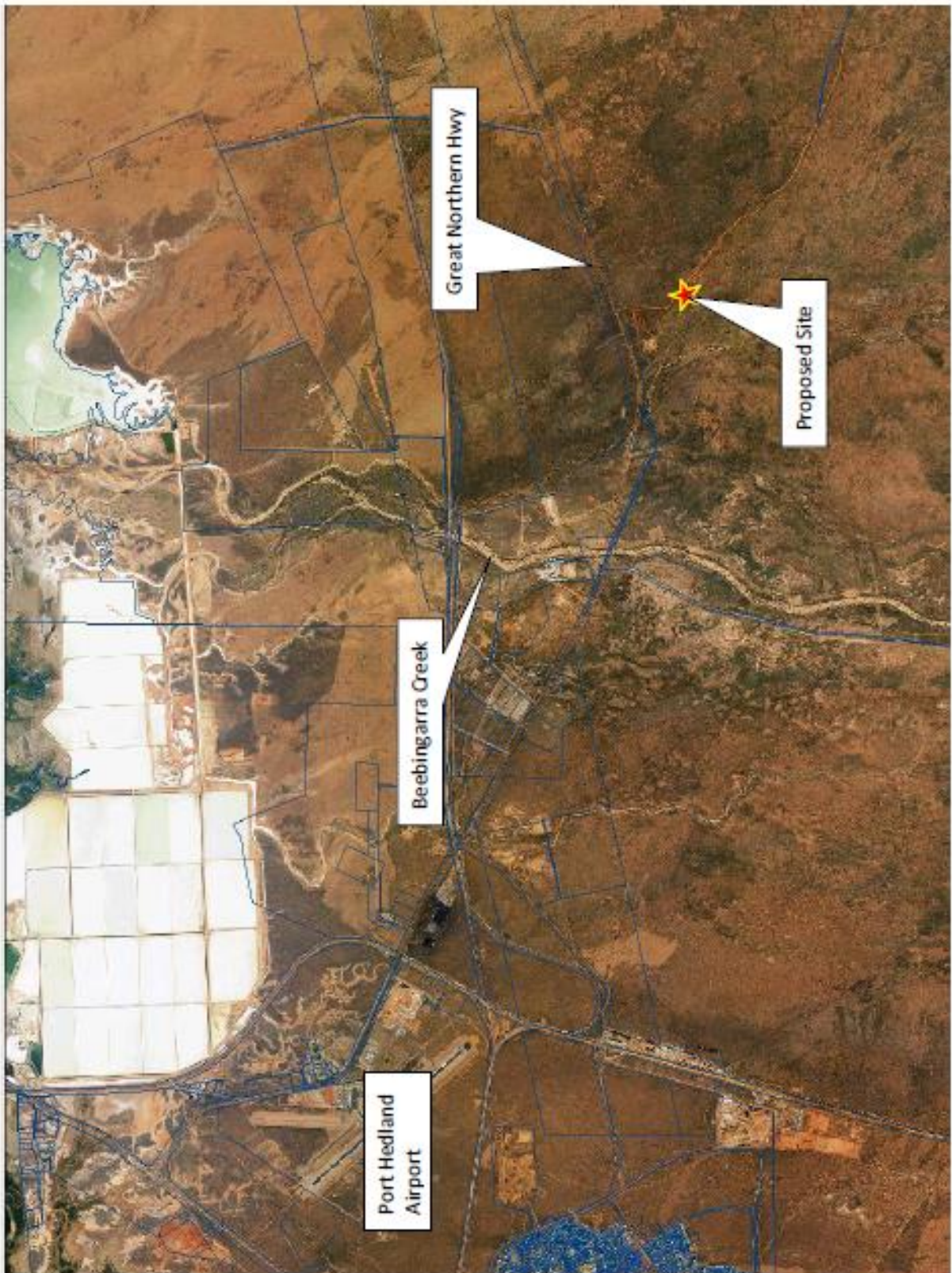
- i. **Refuses the application submitted by Crushing Services International Pty Ltd on behalf of Polaris Metals Pty Ltd for a "Transient Workforce Accommodation - Mining Camp" at Lot 202 Plan 220387 Great Northern Highway, Pippingarra for the following reason:**
 1. **The proposal does not adequately address the key principles specified in Council's "Guidance note for potential developers of Transient Workforce Accommodation (TWA) – August 2008".**
 2. **The proposal would be contrary to proper and orderly planning.**
- ii. **Encourages Crushing Services International Pty Ltd to seek alternative options.**
- iii. **Advise Crushing Services International Pty Ltd, Council would be willing to consider an increase to the number of beds/rooms permitted at the Mineral Resources Airport lease site subject to servicing requirements being met.**

CARRIED 5/0

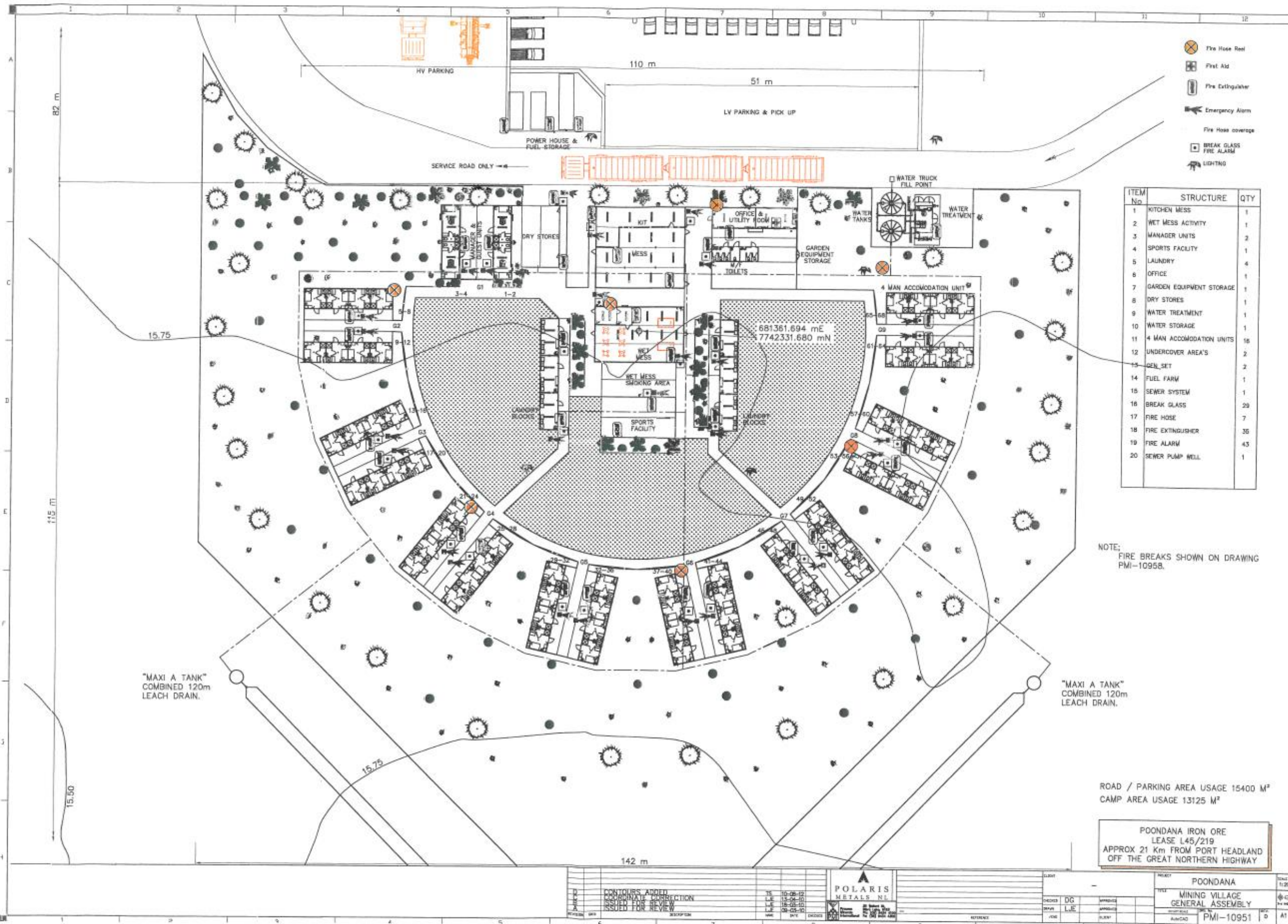
5:46pm Deputy Mayor Daccache re-entered room and resumed his chair.

Councillor Carter advised Deputy Mayor Daccache of Council's decision.

ATTACHMENT 1 TO ITEM 11.1.2



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Site Aerial 1



Site Aerial 2





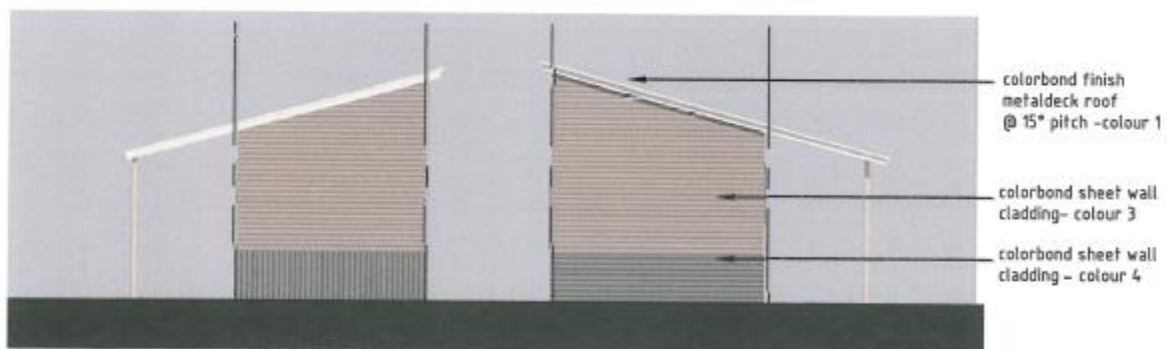
Office + First Aid + Ablution Floor Plan
Scale 1:200



Office + First Aid Perspective
n.t.s



Office + First Aid Front Elevation



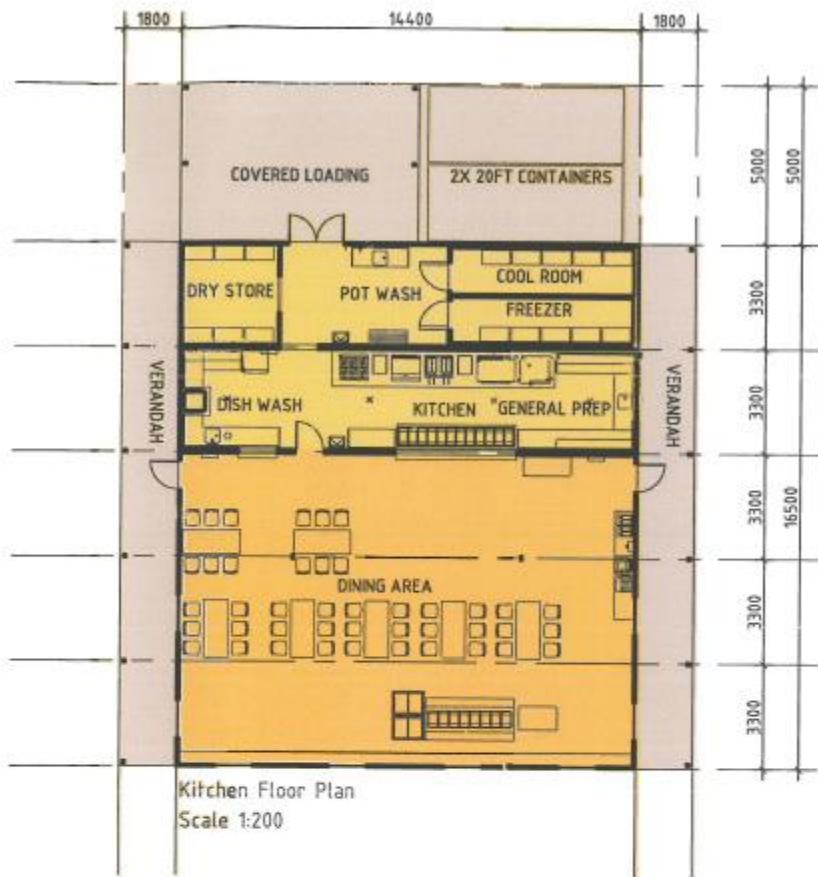
Side Elevation



Ablution Block + Cleaners Front Elevation



1:100 @ A3



Dry Mess Perspective
n.t.s.



Dry Mess Street Elevation
1:100

- colorbond finish metaldeck roof @ 3° pitch - colour 1
- colorbond sheet wall cladding - colour 2
- colorbond sheet wall cladding - colour 3



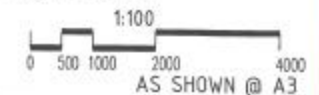
Dry Mess Street Elevation
1:100

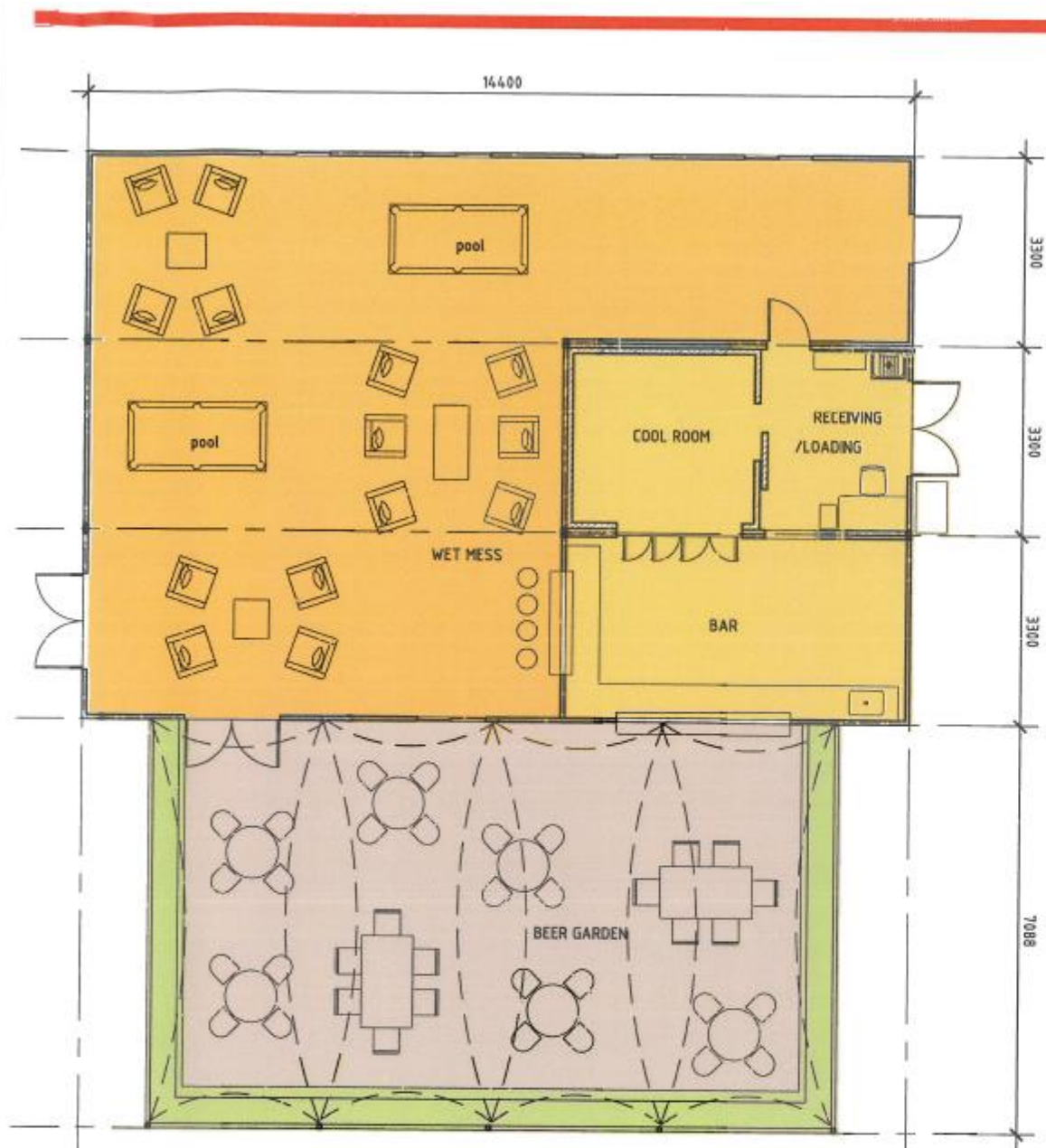
- colorbond finish metaldeck roof @ 3° pitch - colour 1
- colorbond sheet wall cladding - colour 2
- colorbond sheet wall cladding - colour 3



Dry Mess Front Elevation
1:100

- colorbond finish metaldeck roof @ 3° pitch - colour 1
- colorbond sheet wall cladding - colour 2
- colorbond sheet wall cladding - colour 3





Wet Mess Floor Plan
Scale 1:100



Wet Mess Perspective
n.f.s.



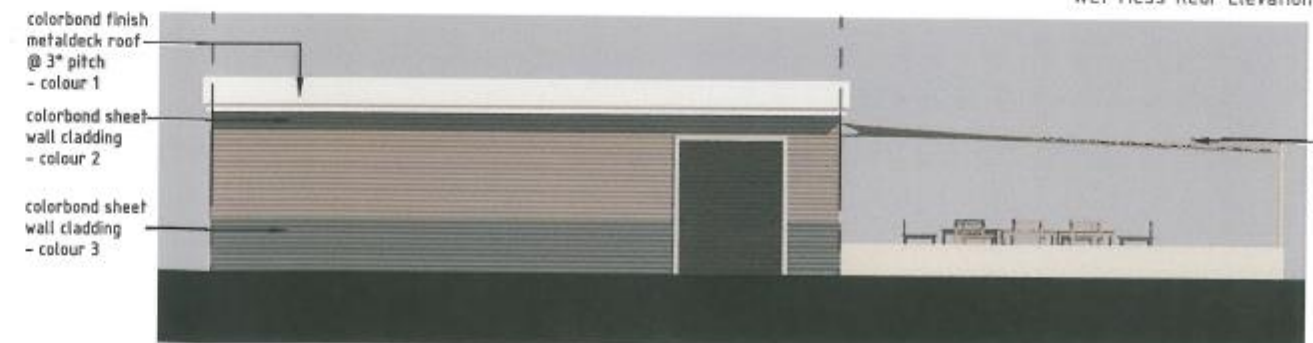
Wet Mess Front Elevation

- colorbond finish metaldeck roof @ 3° pitch - colour 1
- colorbond sheet wall cladding - colour 2
- colorbond sheet wall cladding - colour 3



Wet Mess Rear Elevation

- colorbond finish metaldeck roof @ 3° pitch - colour 1
- colorbond sheet wall cladding - colour 2
- colorbond sheet wall cladding - colour 3



Wet Mess Side Elevation

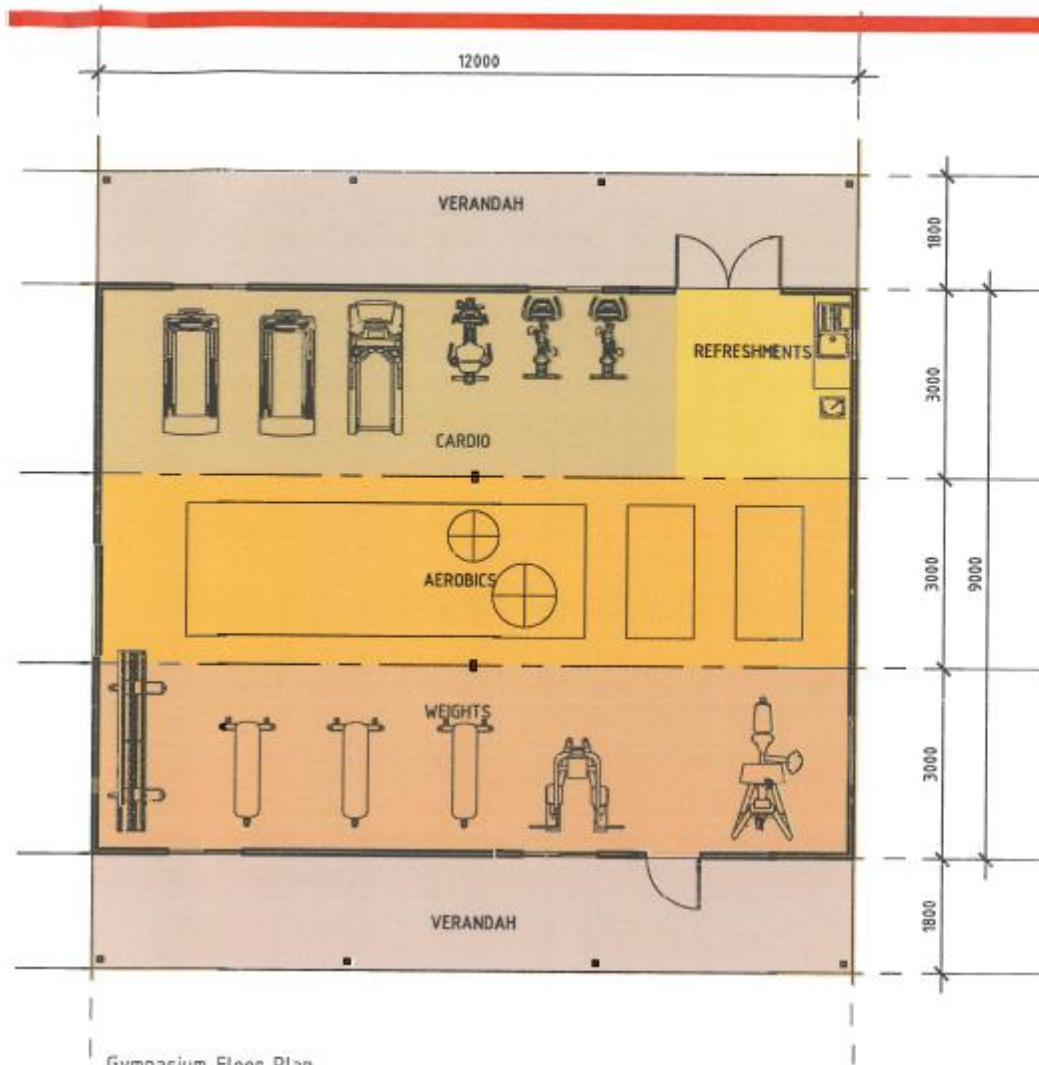
- colorbond finish metaldeck roof @ 3° pitch - colour 1
- colorbond sheet wall cladding - colour 2
- colorbond sheet wall cladding - colour 3

- structural steel columns with shadesails over outdoor area



1:100 @ A3



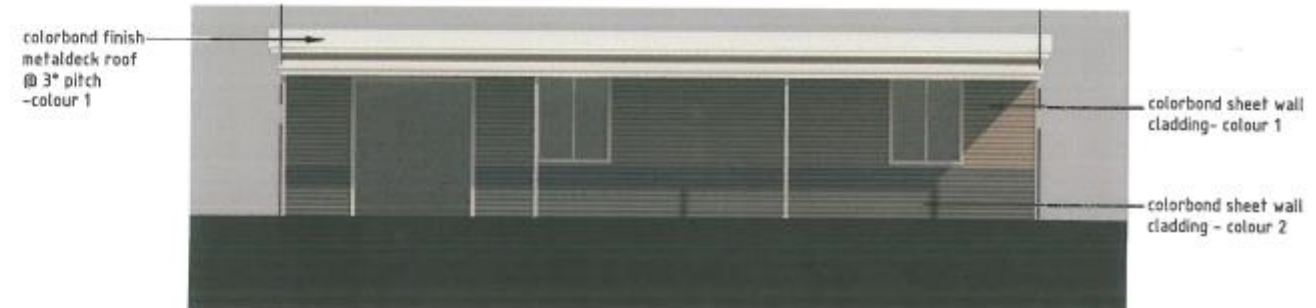


Gymnasium Floor Plan
Scale 1:100

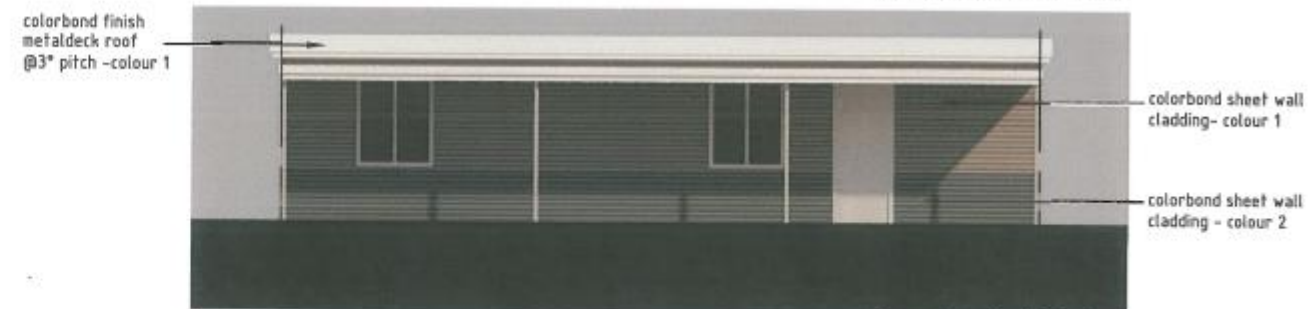
colour legend	
	colour 1 colourbond 'surfmist'
	colour 2 colourbond 'windspray'
	colour 3 colourbond 'deep ocean'



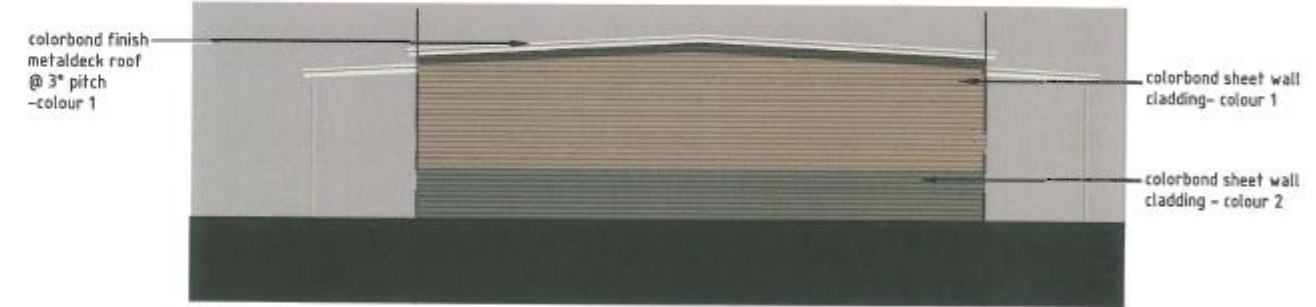
Gymnasium Perspective
n.f.s.



Gymnasium Front Elevation



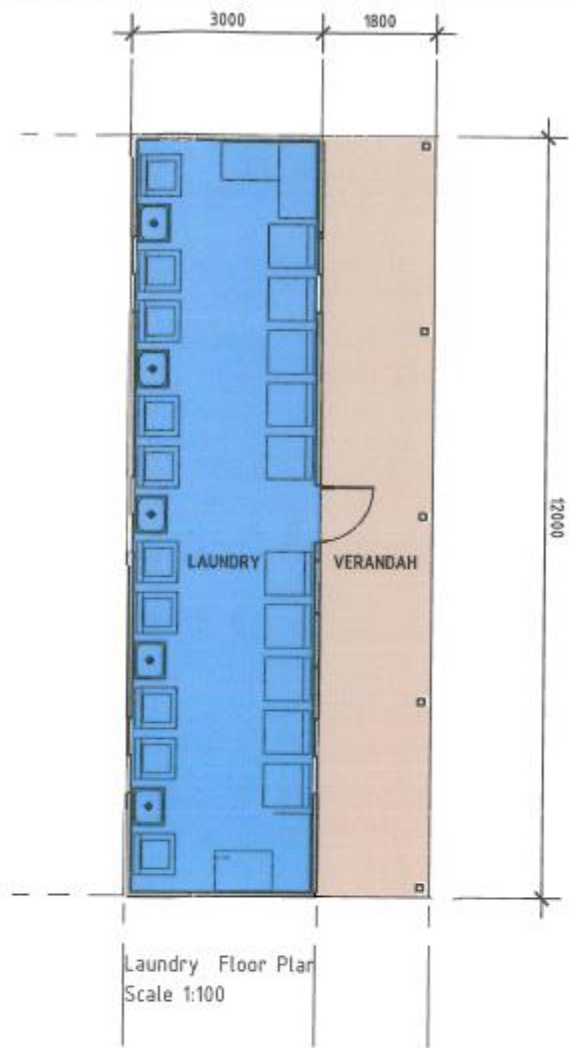
Gymnasium Back Elevation



Gymnasium Side Elevations



1:100 @ A3



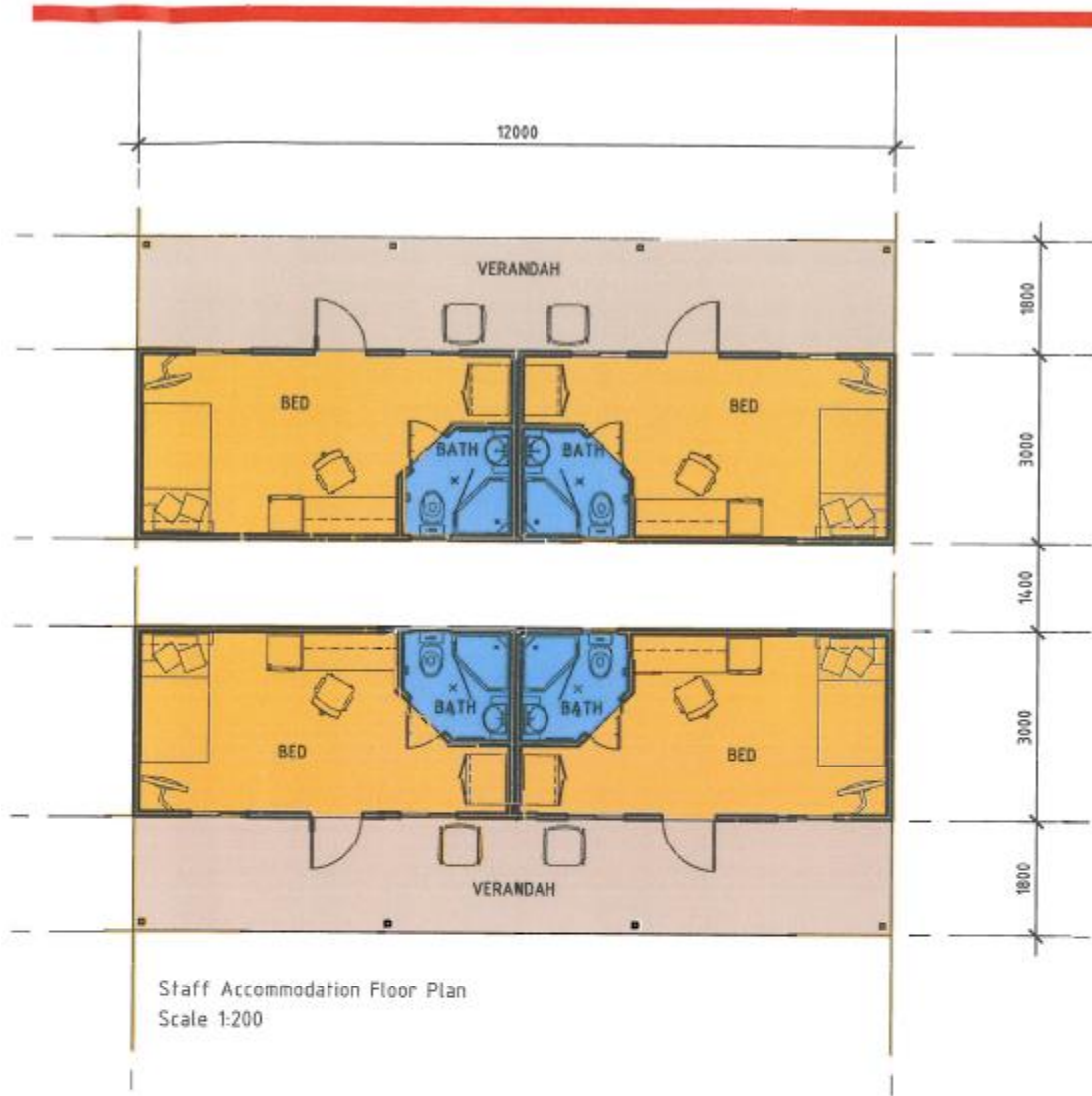
colour legend

- colour 1
colourbond 'surfmist'
- colour 2
colourbond 'windspray'
- colour 3
colourbond 'deep ocean'



1:100 @ A3

CP08-A



Staff Accommodation Floor Plan
Scale 1:200

colour legend

- colour 1
colourbond 'surfmist'
- colour 2
colourbond 'windspray'
- colour 3
colourbond 'deep ocean'



Staff Accommodation Perspective
n.t.s.



Staff Accommodation Outside Elevation



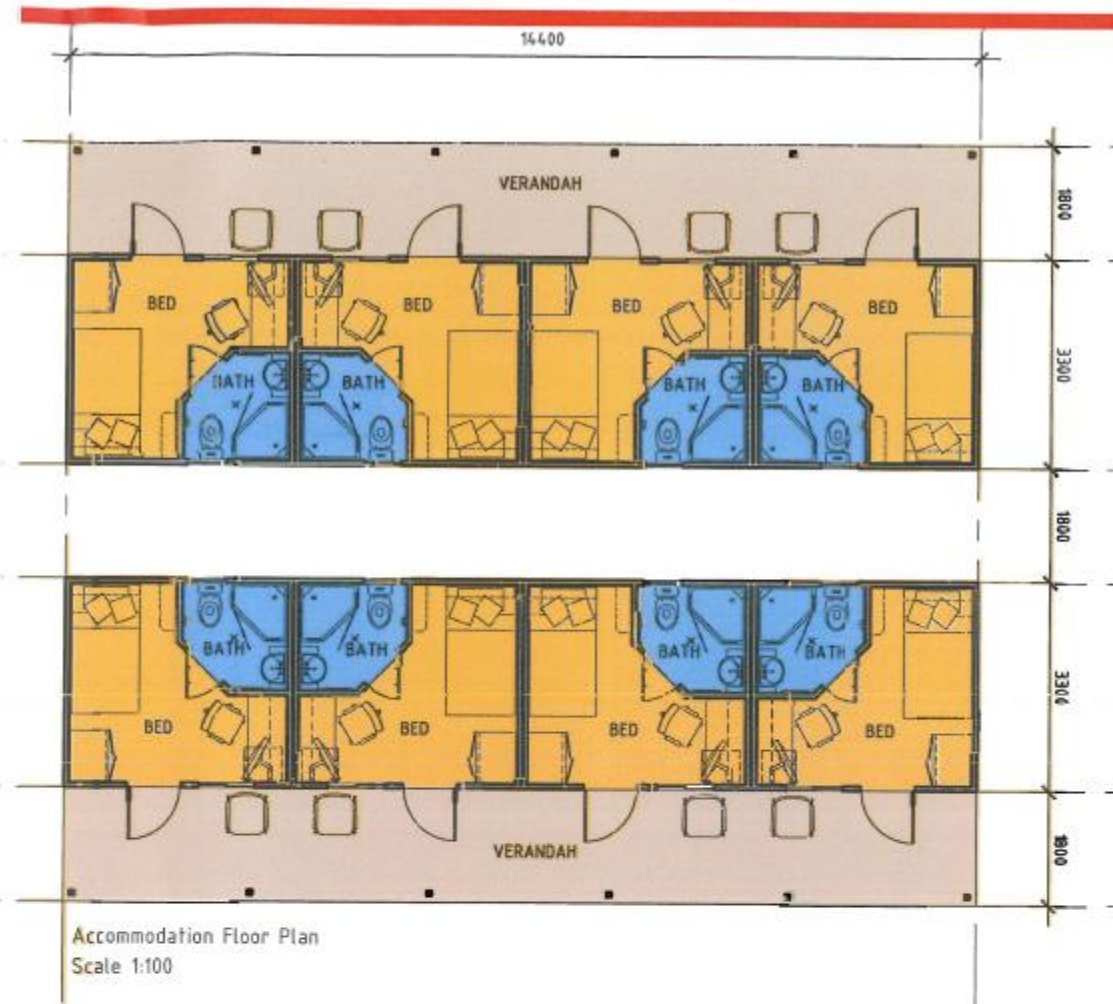
Staff Accommodation End Elevation



Staff Accommodation Inside Elevation



1:100 @ A3



Accommodation Floor Plan
Scale 1:100

colour legend

- colour 1
colourbond 'surfmist'
- colour 2
colourbond 'windspray'
- colour 3
colourbond 'deep ocean'



Accommodation Perspective
n.f.s.



Accommodation Front Elevation

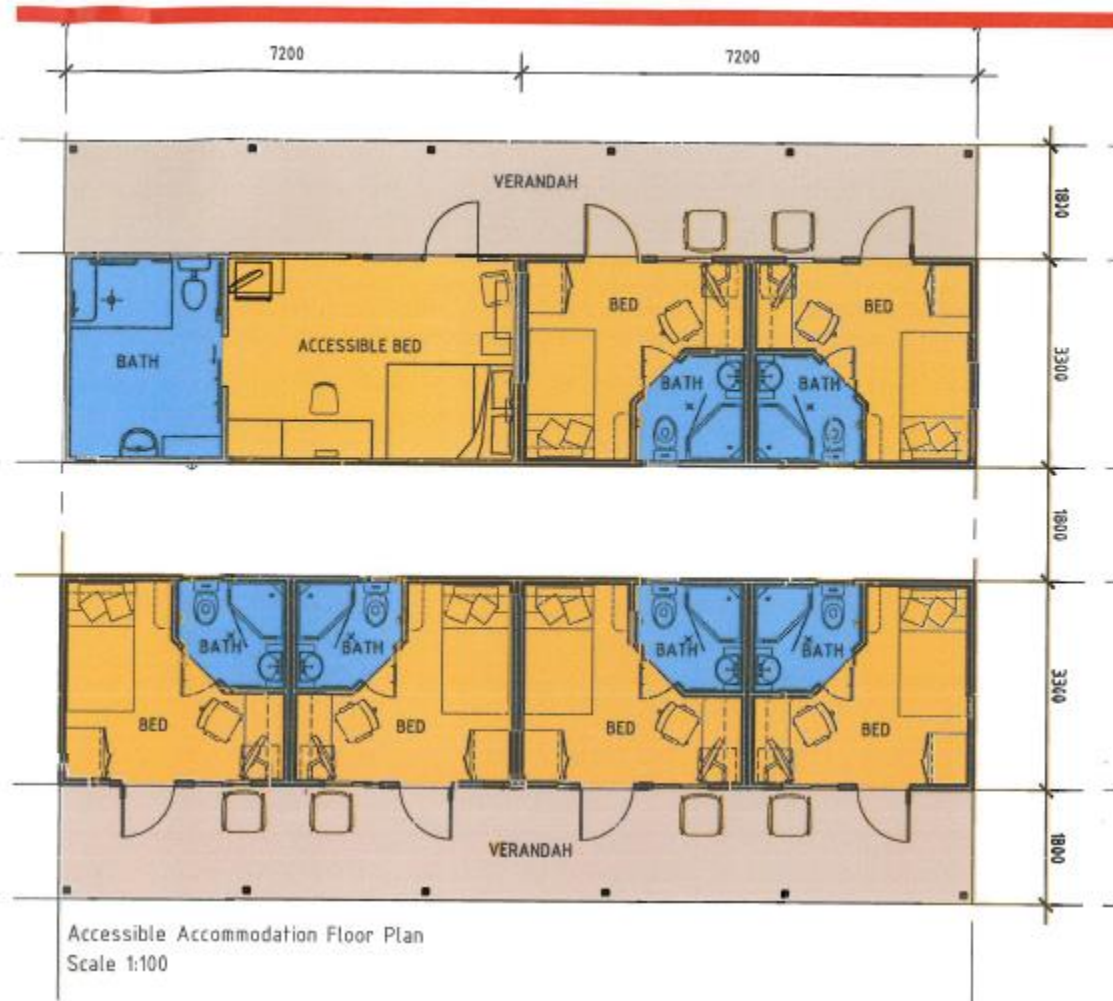


Accommodation End Elevation



Accommodation Rear Elevation





Accessible Accommodation Floor Plan
Scale 1:100

colour legend

	colour 1 colourbond 'surfmist'
	colour 2 colourbond 'windspray'
	colour 3 colourbond 'deep ocean'



Accommodation Perspective
n.t.s.



Accommodation Front Elevation



Accommodation End Elevation



Accommodation Rear Elevation



11.1.3 *Proposed Mixed Use Development consisting of Three (3) Offices and Six (6) Multiple Dwellings on Lot 190 (45) Kingsmill Street Port Hedland (File No.: 401820G)*

Officer Luke Cervi
Senior Planning Officer

Date of Report 9 January 2013

Disclosure of Interest by Officer Nil

Summary

The Town received an application from Hightower Planning and Development on behalf of Bimornin Pty Ltd being the owners of Lot 190 (45) Kingsmill Street Port Hedland (site), for a Mixed Use Development consisting of Three (3) "Offices" and Six (6) "Multiple Dwellings".

The proposed development is located within the West End Residential Zone. The proposal has been referred to Council to determine as the design differs from what is required by clause 6.3.8 of the Town Planning Scheme.

The application is supported by the Town's officers, and Council is requested to consider the application favorably.

Background

Location and description (ATTACHMENT 1)

The subject site is located on the north eastern corner of Kingsmill and Darlot Street. Access to the residential component is proposed from Darlot Street and access to the offices from Kingsmill Street (Attachment 1). The site is rectangular in shape and covers an area of approximately 1,330m².

Current Zoning and Use

In terms of the Port Hedland Town Planning Scheme No. 5 (TPS5) the subject site is zoned "West End Residential" and has recently been developed with 9 multiple dwellings on the northern portion of the land. The newly completed development was regarded as phase one with the subject application being phase 2 and located on the southern portion of the land.

The permissibility of the proposed "Offices" is a "SA" use and "Multiple Dwellings" is an "AA" use.

The Proposal (ATTACHMENT 2)

The applicant is seeking approval of three (3) "Offices" and Six (6) "Multiple Dwellings". The offices are proposed to be located on the ground floor with access from Kingsmill Street and the dwellings located on level 2 and 3. Two (2) one bedroom dwellings and four (4) two bedroom dwellings are proposed.

Consultation

The application was circulated to the following units / organisations:

Internally:

- Manager Technical Services
- Manager Building Services
- Manager Environmental Health Services
- Manager Investment and Business Development Services

Externally:

- Department of Environment and Conservation (DEC)
- Department of State Development – Dust Taskforce (DSD)
- Environmental Protection Authority (EPA)
- Department of Health
- Department of Planning
- Telstra
- Optus
- Horizon Power
- Water Corporation

A number of the external referral authorities did not respond and those that did offered no objections. Noteworthy comments received are:

1. Development within the "West End Residential" zone must comply with the design requirements outlined in Town of Port Hedland Town Planning Scheme Amendment 22. (DSD)
2. The development application includes a report from a private consultant, assessing the development's adherence to the design requirements of Scheme Amendment 22. Although the Town of Port Hedland has access to specialist advice from third parties, the Town is ultimately responsible for assessing development applications against the design requirements of Scheme Amendment 22. (DSD)
3. DEC notes that this site is located in the area west of Taplin St which is in an area considered to be sensitive to dust generated by local industrial activities. DEC recommends that the Port Hedland Air Quality and Noise Management Plan be referred to for advice with regards to planning in this area. (DEC)

Planning response to comments received:

The proposed development has been assessed in accordance with both Scheme Amendment 22 and the Residential Design Codes and found to comply with clause 6.3.10.

- a. Complies with the minimum and maximum density coding,
- b. Internal floor area is below 110m²,
- c. Comprise of two bedrooms or less, and

The application was advertised for a period of 14 days to adjoining landowners and in the North West Telegraph.

No submissions were received.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

The following section of Council's Strategic Community Plan 2012-2022 is considered relevant:

- | | |
|-------|--|
| 6.2 | Economic |
| 6.2.1 | Diverse Economy
Facilitate commercial, industry and town growth. |
| 6.3 | Environment |
| 6.3.1 | Housing
Address housing shortage & affordability through using Council held land, providing high quality modular construction, providing incentives and other forms of inducement to deliver housing by 2013. |

The following section of the Pilbara's Port City Growth Plan is considered relevant.

5.7.1 Precinct 1 – West End

Summary of influences

Noise and dust emissions particularly in proximity to existing developed urban areas.

Budget Implications

An application fee of \$13,920.20 has been received as per the prescribed fees approved by Council.

Officer's Comment

The site is located in the West End Residential zone with office use, car parking, dust and building design being the matters of most relevance. The matters are expanded on below.

Office Use

The site is isolated from other commercial uses being over 500m from the Town Centre and 250m from other commercial development existing in the "Mixed Business" zone. Due to this isolation, justification on the appropriateness of the site for office use was sought from the applicant. Justification was provided and included:

- Supporting mixed use development along Kingsmill Street will achieve continued activation along Kingsmill Street between the existing Town Centre and future node around the Old Hospital site and Marina.
- Proliferation of non-residential uses throughout the West End will further discourage occupancy of young families and elderly who may not be amenable to the various impacts on residential amenity which can occur internally within a mixed use development.
- There is a continued shortage of office accommodation in the Port Hedland which is resulting in the proliferation of office uses into retail and industrial areas further impacting on the supply of commercial land. Encouraging offices in the West End of Port Hedland is consistent with the broader intent of the West End and will contribute to consolidating the West End as a CBD of the Town of Port Hedland.
- The site is located in close proximity to the existing "Mixed Business" zone and "Town Centre" zone in the West End of Port Hedland.
- Council has previously endorsed mixed use developments along Kingsmill Street which include "Offices".

Council has previously approved "Offices" within the West End Residential area. The Towns Officers are satisfied with the applicant's further justification to support the "Office" use, and are of the opinion the approval will lead to achieving what is envisaged by the Town Planning Scheme No. 5.

The purpose of the West End Residential zone is stated as:

“The purpose of the West End Residential Zone is to establish a residential zone in which dwellings are designed and constructed in such a way as to discourage occupation by families with children or by elderly persons.”

Car parking

The development requires 32 (31.15) car bays under TPS5. Of these bays 14 (13.55) are required for the offices and visitors. Although the development proposes 25 on site car bays, none would be available for the offices and visitor parking. As a result, a 14 bays shortfall exists. It has been proposed that these 14 bays would be located in the Darlot Street Road Reserve (3 to be accessed from Kingsmill Street and 11 from Darlot Street) with the applicant paying for their construction to Council standards. These on street bays have been supported by Technical Services.

Dust

A primary objective of Scheme Amendment 22 is to address concerns relating to elevated dust levels and facilitate development that mitigates the impacts of elevated dust levels in the West End. The amendment included the following Clause:

“Residential development within the West End Residential Zone and within the area bounded by Withnell, McKay and Anderson Streets, and the Esplanade, Port Hedland shall be in accordance with a local planning policy, development plan or design guideline adopted by Council that incorporates building design and performance standards to reduce exposure to dust, and to include but not necessarily be limited to -

- filtration of incoming air into the building designed to utilise coarse disposable pre-filtration (i.e. G3 or G4 rated) and then a finer filter (i.e. F4 rated);
- location of operable windows and doors on the western and southern building facades only;
- use of deflection screens on the northern and eastern edges of operable windows;
- use of eaves;
- orientation of buildings to avoid wind tunnelling effects; and
- protective screens and porticos at building entrances to reduce the direct impact of wind onto the opening.”

In the absence of a Council adopted local planning policy, development plan or design guideline, state government stakeholders have expressed concerns regarding suitable design requirements for residential development in the “West End Residential”.

Clause 6.3.8 of the scheme is prescriptive and does not allow for innovative design solutions which are able to achieve the same outcome as intended by the clause. Consequently, legal advice was obtained from Council's Solicitors and further advice requested from the Department of Planning. As a result of the various advice received, all residential applications within this area are to be accompanied by a report prepared by a suitably qualified Mechanical Engineer, certifying the design of the proposed development will mitigate dust exposure and achieves the same intent as the provision within Clause 6.3.9 of TPS5.

The applicant has submitted a report by C.A. and M.J. Lommers who has confirmed the proposal will mitigate dust and addresses the requirements under the TPS5. This report was forwarded to the relevant stakeholders for comment with no objections being received.

Building Design / Residential Design Codes of Western Australia (R Codes)

A number of variations to the Acceptable Development Standards of the R Codes have been sought and are generally of a minor nature. The proponent has provided justification that identifies design consideration and how the performance criteria has been achieved. It is considered the justification provided and the outcome achieved is appropriate for the site and the West End.

Options

Council has the following options when considering this application:

1. Approve the Application

The approval of the application would be in keeping with what has been envisaged for the area through the Pilbara Port City Growth Plan.

2. Refuse the Application

This may result in the abandonment of the proposed development.

Option 1 is recommended.

Attachments

1. Locality Map
2. Site Plan, Floor Plan and Elevations

201213/234 Officer's Recommendation/Council Decision

Moved: Cr Hunt

Seconded: Cr Hooper

That Council:

Approves the application submitted by Hightower Planning and Development on behalf of Bimornin Pty Ltd for a Mixed Use Development consisting of three (3) "Office" units and six (6) "Multiple Dwellings" at Lot 190 (45) Kingsmill Street Port Hedland subject to the following conditions:

At the Ordinary Council Meeting held on Wednesday 6 March 2013 Council amended the reference included in part 1 from (DRG2012/537/1 - DRG2012/537/3) to (DRG2012/555/1 - DRG2012/555/8).

1. This approval relates only to the proposed three (3) "Office" units and six (6) "Multiple Dwellings", as indicated on the approved plans (~~DRG2012/537/1 - (DRG2012/537/3)~~ (DRG2012/555/1 - DRG2012/555/8), 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. Car parking shall be provided as indicated on the approved site plan.
4. No parking bays shall be obstructed in any way or used for any other purpose than parking.
5. 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 except for the screen wall to the bin enclosure and letter box wall which shall be visually permeable above 1.5m.
6. 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.
7. Stormwater shall be retained on-site, in accordance with Council's Technical Services Guidelines.
8. Roof mounted or freestanding plant or equipment such as air conditioning units shall be located and / or screened to the satisfaction of the Manager Planning Services.
9. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the landowner's cost, to the specification and satisfaction of the Manager Technical Services.

10. All dust and sand to be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Planning Services.
11. Walls on the boundary shall be finished or rendered to match where practicable the colours and materials of the affected property to the satisfaction of the Manager Planning Services.
12. The Transformer within the Kingsmill Street road reserve shall be protected by steel bollards in accordance with relevant Australian Standards.

The following conditions are to be cleared by Planning Services prior to any works taking place on the lot.

13. Prior to the commencement of any works, the landowner shall submit civil engineering drawings for approval by the Manager Planning Services for the 14 off site car parking bays within the adjacent road reserves, to be constructed to the satisfaction of the Manager Technical Services at the expense of the landowner.
14. Prior to the commencement of any works, the landowner shall prepare a "Coastal Hazard Risk Management and Adaptation Management Plan" in accordance with Section 5.5 of Draft State Planning Policy 2.6 – State Coastal Planning, to the satisfaction of the Manager Planning Services.
15. The landowner shall ensure development and occupation of the site is in accordance with the approved "Coastal Hazard Risk Management and Adaptation Management Plan". Any deviation of the approved "Coastal Hazard Risk Management and Adaptation Management Plan" shall require approval from the Manager Planning Services.
16. Prior to the commencement of any works, the landowner shall prepare a notification under section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification shall be sufficient to alert prospective landowners or occupiers of the following:
 - a) Vulnerable Coastal Area - This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years.

- b) This land is located within an area identified as being impacted on or affected by dust from Port activities. The Department of Health advises children, the elderly and people with pre-existing respiratory and cardiovascular health conditions or predisposed to the same should not reside on this land other than on a temporary basis as they are at increased risk of worsening or developing respiratory and/or cardiovascular related health conditions. Further information can be obtained from the Department of Health.
17. Prior to the commencement of any works, a “Refuse Collection Strategy / Management Plan” shall be submitted and approved by the Manager Planning Services. The approved “Refuse Collection Strategy / Management Plan” shall be implemented to the satisfaction of the Manager Planning Services.
18. Prior to the commencement of any works, an “Erosion and Sediment Control Plan” shall be submitted and approved by the Manager Planning Services.
19. Prior to the commencement of any works, a “Construction Site Management Plan” shall be submitted and approved by the Manager Planning Services. The “Construction Site Management Plan” shall indicate how it is proposed to manage the following during construction:
- a) The delivery of materials and equipment to the site;
 - b) The storage of materials and equipment on the site;
 - c) The parking arrangements for the contractors and subcontractors;
 - d) Impact on traffic movement;
 - e) Operation times including delivery of materials; and
 - f) Other matters likely to impact on the surrounding residents / businesses;

Conditions to be cleared by Planning Services prior to the occupation of the development.

20. Prior to the occupation of the development the landowner shall enter into a binding agreement with Council to maintain the proposed carparking bays and proposed landscaping in the Kingsmill and Darlot Street verges for two summers to the satisfaction of the Manager Planning Services.
21. Prior to the occupation of the development landscaping and reticulation shall be established with the use of mature trees and shrubs in accordance with the approved plan and thereafter maintained to the satisfaction of the Manager Planning Services. (Refer to advice note 3)

22. Prior to the occupation of the development, 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 relevant Australian Standards to the satisfaction of the Manager Planning Services.
23. Prior to the occupation of the development, 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 Town Planning Scheme No. 5 and Australian Standards, to the satisfaction of the Manager Planning Services.
24. Prior to the occupation of the development the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, and approved by the Manager Planning Services.

ADVICE NOTES:

1. In terms of the Port Hedland Town Planning Scheme No 5, "Multiple Dwelling" is defined as follows:

"Multiple Dwelling,

a dwelling in a group of more than one where any part of a dwelling is vertically above part of any other."

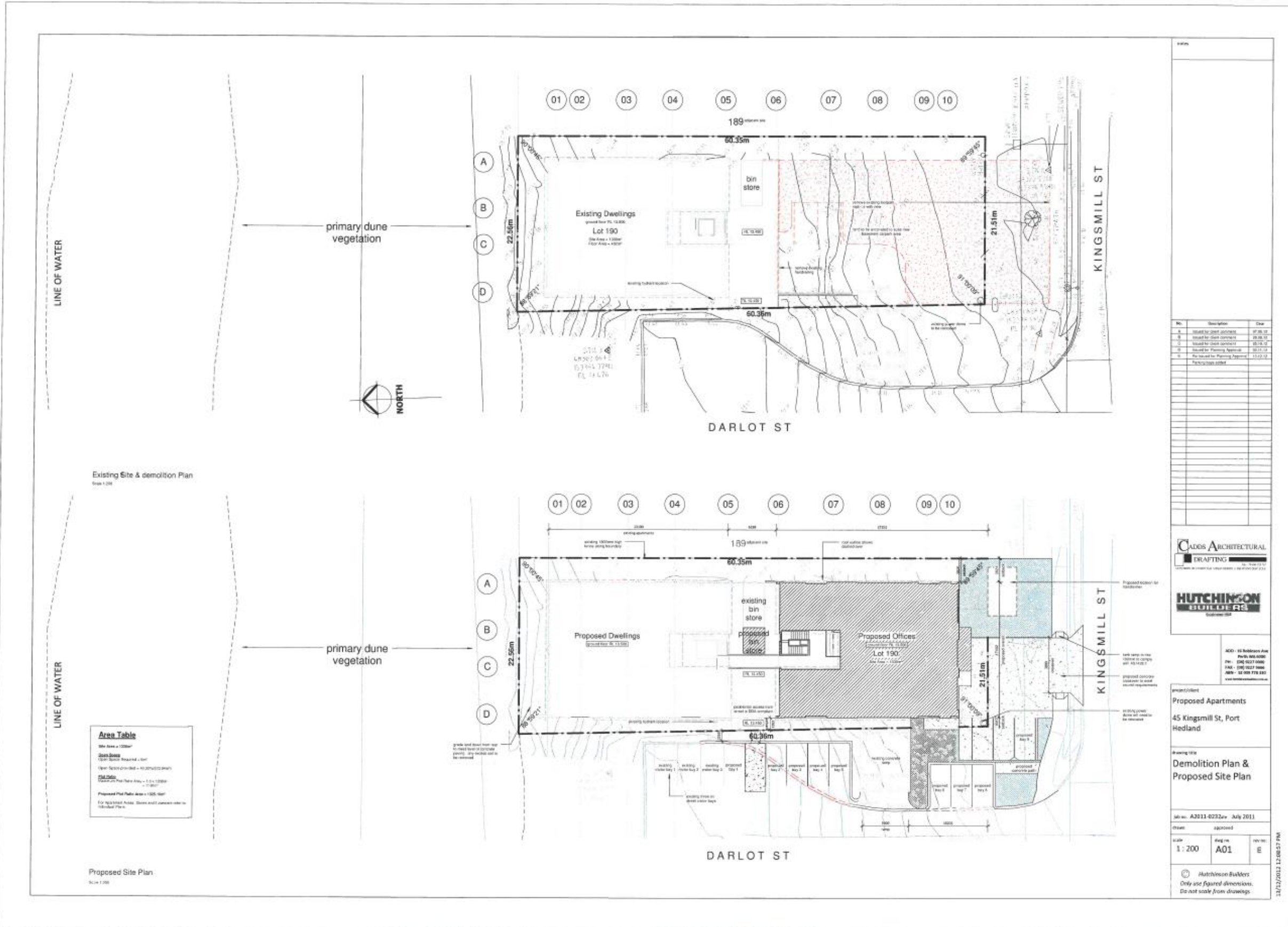
2. You are reminded this is a Planning Approval only and does not obviate the responsibility of the landowner to comply with all relevant building, health and engineering requirements.
3. In the absence of a clear definition of "mature trees and shrubs" within the Port Hedland Town Planning Scheme, No.5, for the purpose of this approval "mature trees and shrubs" shall mean trees of no less than 2m in height and shrubs of no less than 0.5m in height.
4. The landowner shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
5. To clear any conditions kindly contact the Towns Compliance Officer on (08) 9158 9300. Please note it may take up to 28 days to clear conditions.

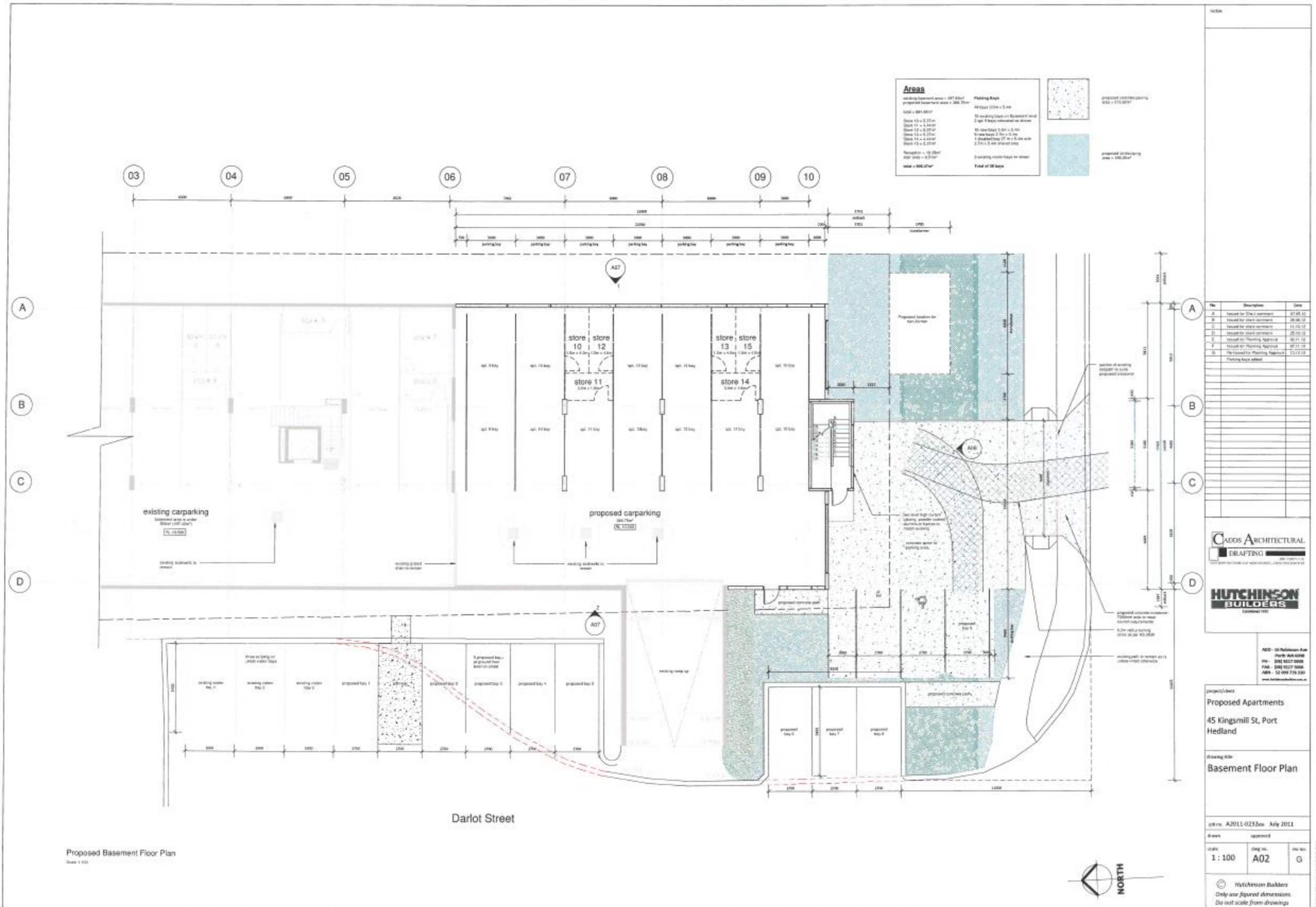
6. The local wastewater components will require a review by the developer's Consulting Engineer, and may require upgrading. Details are to be provided to the Water Corporation at the time of building application together with a water efficiency plan, for assessment and agreement.

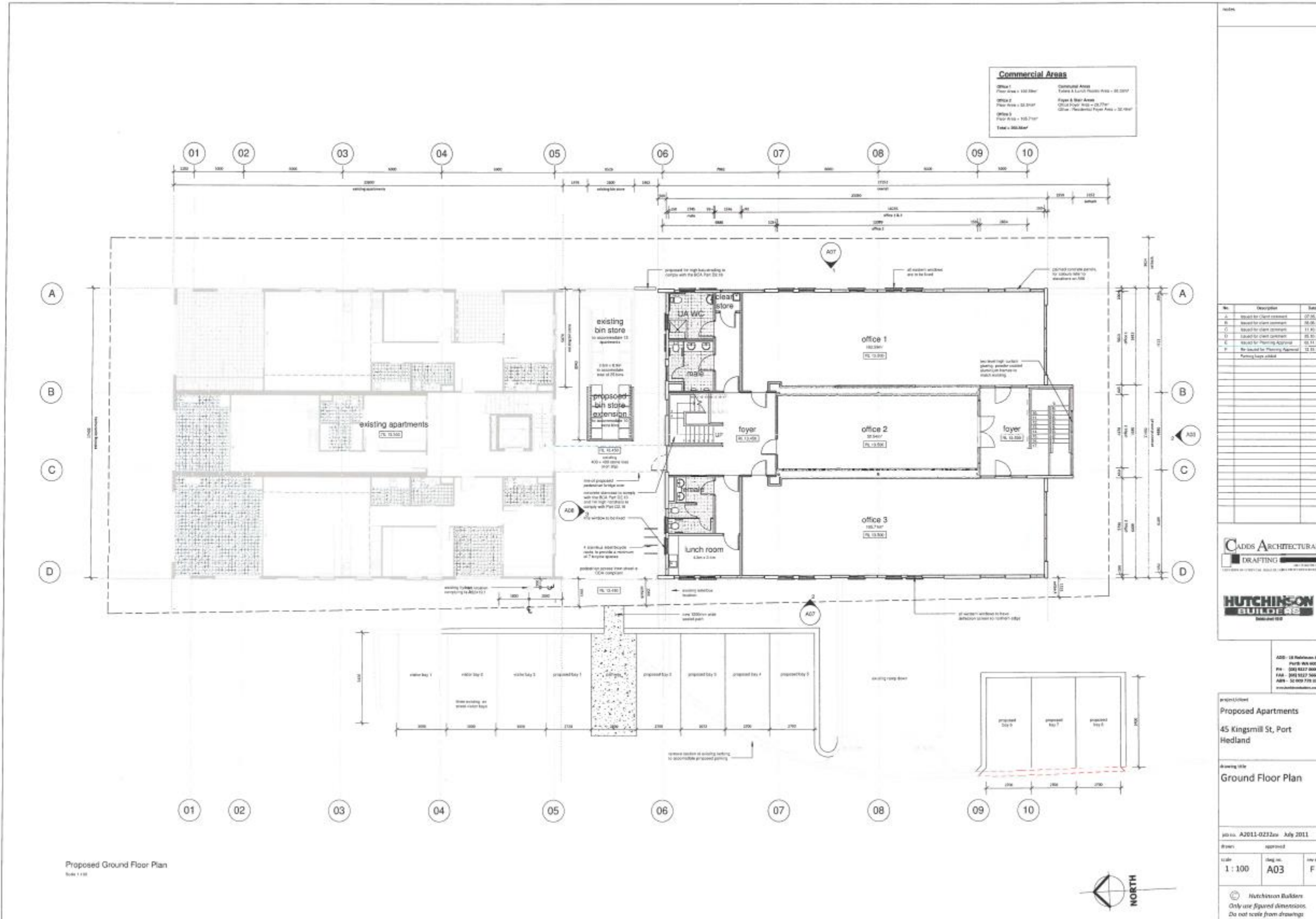
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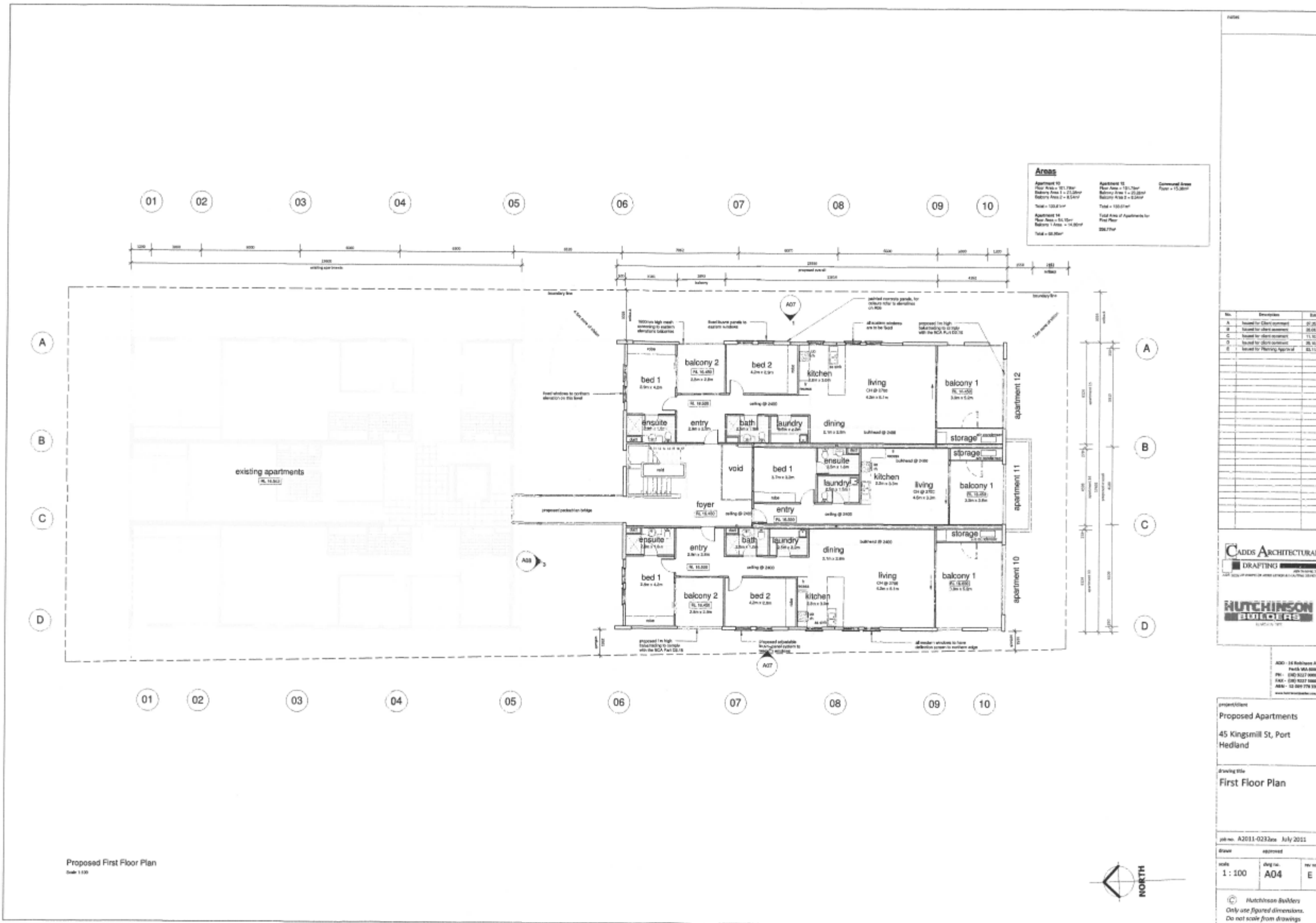
ATTACHMENT 1 TO ITEM 11.1.3











5:47pm Councillor Carter declared an impartiality interest in agenda item 11.1.4 'Proposed Ten (10) Multiple Dwellings on Lot 732 (58) Moore Street Port Hedland' as he has an association with the applicant.

Councillor Carter did not leave the room.

11.1.4 *Proposed Ten (10) Multiple Dwellings on Lot 732 (58) Moore Street Port Hedland (File No.: 109200G)*

Officer Luke Cervi
Senior Planning Officer

Date of Report 8 January 2013

Disclosure of Interest by Officer Nil

Summary

The Town received an application from Hightower Planning and Development on behalf of Lara and Timm Greipel being the owners of Lot 732 (58) Moore Street Port Hedland (site), for Ten (10) "Multiple Dwellings".

The proposed development is located within the "West End Residential" zone. The proposal has been referred to Council to determine as the design differs from what is required by clause 6.3.8 of the Town Planning Scheme, although still achieves the same outcome.

The application is supported by the Town's Officers, and Council is requested to consider the application favorably.

Background

Location and description (ATTACHMENT 1)

The subject site has access to Moore Street, (Attachment 1) is rectangular in shape and covers an area of approximately 1007m².

Current Zoning and Use

In terms of the Port Hedland Town Planning Scheme No. 5 (TPS5) the subject site is zoned "West End Residential" and is currently developed with a "Single Dwelling". The existing dwelling is proposed to be demolished.

The permissibility of the proposed "Multiple Dwellings" is an "AA" use.

The Proposal (ATTACHMENT 2)

The applicant is seeking approval of ten (10) "Multiple Dwellings" consisting of six (6) one bedroom dwellings and four (4) two bedroom dwellings.

Consultation

The application was circulated to the following units / organisations:

Internally:

- Manager Technical Services
- Manager Building Services
- Manager Environmental Health Services
- Manager Engineering Services

Externally:

- Department of Environment and Conservation (DEC)
- Department of State Development – Dust Taskforce (DSD)
- Environmental Protection Authority (EPA)
- Department of Health
- Telstra
- Optus
- Horizon Power
- Water Corporation

A number of the external referral authorities did not respond and those that did offered no objections. Noteworthy comments received are:

1. Development within the “West End Residential” zone must comply with the design requirements outlined in Town of Port Hedland Town Planning Scheme Amendment 22. (DSD)
2. The Town of Port Hedland is ultimately responsible for assessing development applications against the design requirements of Scheme Amendment 22. (DSD)
3. DEC notes that this site is located in the area west of Taplin St which is in an area considered to be sensitive to dust generated by local industrial activities. DEC recommends that the Port Hedland Air Quality and Noise Management Plan be referred to for advice with regards to planning in this area. (DEC)

Notwithstanding the Scheme does not require an “AA” use to be advertised, given the nature of the proposal and its locality the application was advertised for a period of 14 days to adjoining landowners.

No submissions were received.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

The following section of Council's Strategic Community Plan 2012 - 2022 is considered relevant:

6.3.1 Housing – Address housing shortage and affordability through using Council held land, providing high quality modular construction, providing incentives and other forms of inducement to deliver housing by 2013.

The following section of the Pilbara's Port City Growth Plan is considered relevant.

5.7.1 Precinct 1 – West End

Summary of influences

Noise and dust emissions particularly in proximity to existing developed urban areas.

Budget Implications

An application fee of \$5,455.00 has been received as per the prescribed fees approved by Council.

Officer's Comment

The site is located in the West End Residential zone with dust and building design being the matters of most relevance. The matters are expanded on below.

Dust

A primary objective of Scheme Amendment 22 was to address concerns relating to elevated dust levels and facilitate development that mitigates the impacts of elevated dust levels in the West End. The amendment included the following Clause:

“Residential development within the West End Residential Zone and within the area bounded by Withnell, McKay and Anderson Streets, and the Esplanade, Port Hedland shall be in accordance with a local planning policy, development plan or design guideline adopted by Council that incorporates building design and performance standards to reduce exposure to dust, and to include but not necessarily be limited to -

filtration of incoming air into the building designed to utilise coarse disposable pre-filtration (i.e. G3 or G4 rated) and then a finer filter (i.e. F4 rated);

location of operable windows and doors on the western and southern building facades only;

use of deflection screens on the northern and eastern edges of operable windows;

use of eaves;

orientation of buildings to avoid wind tunneling effects; and

protective screens and porticos at building entrances to reduce the direct impact of wind onto the opening.”

In the absence of a Council adopted local planning policy, development plan or design guideline, state government stakeholders have expressed concerns regarding suitable design requirements for residential development in the “west End Residential”.

Clause 6.3.8 of the scheme is prescriptive and does not allow for innovative design solutions which are able to achieve the same outcome as intended by the clause. Consequently, legal advice was obtained from Council’s Solicitors and further advice requested from the Department of Planning. As a result of the various advice received, all residential applications within this area are to be accompanied by a report prepared by a suitably qualified Mechanical Engineer, certifying the design of the proposed development will mitigate dust exposure and achieves the same intent as the provision within Clause 6.3.9 of TPS5.

The applicant has submitted a report by C.A. and M.J. Lommers who has confirmed that the proposal will mitigate dust and addresses the requirements under the TPS5. This report was forwarded to the relevant stakeholders for comment with no objections being received.

Building Design / Residential Design Codes of Western Australia (R Codes)

A number of variations to the Acceptable Development Standards of the R Codes have been proposed.

The variations being sought are generally of a minor nature and in part related to development constraints relating to dust. The proponent has provided justification that identifies design consideration and how the performance criterion has been achieved. It is considered that the justification provided and the outcome that would be achieved is appropriate for the site and the West End.

Options

Council has the following options when considering this application:

1. Approve the Application

Approval will ensure the site is developed in accordance with both statutory and strategic documents.

2. Refuse the Application

Should Council refuse the application, clear planning reasons will have to be provided.

Option 1 is recommended.

Attachments

1. Locality Map
2. Site Plan, Floor Plan and Elevations

201213/235 Officer's Recommendation/Council Decision

Moved: Cr Hunt

Seconded: Cr Carter

That Council:

- A. Requests the applicant to make the following amendments to application 2012/537 to the satisfaction of the Manager Planning Services.
 1. The north elevation to make use of full sized windows increasing the aesthetical appearance and enhancing the passive surveillance opportunities.
 2. Amend both north and south elevation designs to incorporate the staircase as an architectural feature.
 3. The landscaping proposal to be amended as follows:
 - a. Include a minimum of two additional trees as indicated in red on dwg 13.
 - b. Indicate the landscaping to be utilized on the ground, such landscaping should be appropriate for the climate.
- B. Subject to (A) above approves the application submitted by Hightower Planning and Development on behalf of Lara and Timm Greipel for ten (10) "Multiple Dwellings" at Lot 732 (58) Moore Street, Port Hedland subject to the following conditions:

- 1. This approval relates only to the proposed ten (10) “Multiple Dwellings”, as indicated on the approved plans (DRG2012/537/1 - DRG2012/537/3), 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 13 car bays shall be provided including 10 on site as indicated on the approved site plan.**
- 4. No parking bays shall be obstructed in any way or used for any other purpose than parking.**
- 5. 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 except for the screen wall to the bin enclosure and letter box wall which shall be visually permeable above 1.5m.**
- 6. 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.**
- 7. Stormwater shall be retained on-site, in accordance with Council’s Technical Services Guidelines.**
- 8. Roof mounted or freestanding plant or equipment such as air conditioning units shall be located and / or screened to the satisfaction of the Manager Planning Services.**
- 9. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the landowner’s cost, to the specification and satisfaction of the Manager Technical Services.**
- 10. All dust and sand to be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Planning Services.**
- 11. Walls on the boundary shall be finished or rendered to match where practicable the colours and materials of the affected property to the satisfaction of the Manager Planning Services.**

The following conditions are to be cleared by Planning Services prior to any works taking place on the lot.

12. Prior to the commencement of any works, the landowner shall submit civil engineering drawing for approval by the Manager Planning Services for the 3 off site car parking bays within the adjacent road reserves, to be constructed to the satisfaction of the Manager Technical Services at the expense of the landowner.
13. Prior to the commencement of any works, the landowner shall prepare a notification under section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification shall be sufficient to alert prospective landowners or occupiers of the following:
 - a. This lot is located in an area likely to be subject to inundation and flooding from rising sea levels, tidal storm surges and/or catchment flooding over the next 100 years.
 - b. This land is located within an area identified as being impacted on or affected by dust from Port activities. The Department of Health advises children, the elderly and people with pre-existing respiratory and cardiovascular health conditions or predisposed to the same should not reside on this land other than on a temporary basis as they are at increased risk of worsening or developing respiratory and/or cardiovascular related health conditions. Further information can be obtained from the Department of Health.
14. Prior to the commencement of any works, a “Refuse Collection Strategy / Management Plan” shall be submitted and approved by the Manager Planning Services. The approved “Refuse Collection Strategy / Management Plan” shall be implemented to the satisfaction of the Manager Planning Services.
15. Prior to the commencement of any works, an “Erosion and Sediment Control Plan” shall be submitted and approved by the Manager Planning Services.
16. Prior to the commencement of any works, a “Construction Site Management Plan” shall be submitted and approved by the Manager Planning Services. The “Construction Site Management Plan” shall indicate how it is proposed to manage the following during construction:
 - a) The delivery of materials and equipment to the site;
 - b) The storage of materials and equipment on the site;
 - c) The parking arrangements for the contractors and subcontractors;

- d) Impact on traffic movement;
- e) Operation times including delivery of materials; and
- f) Other matters likely to impact on the surrounding residents / businesses;

Conditions to be cleared by Planning Services prior to the occupation of the development.

17. Prior to the occupation of the development the landowner shall enter into a binding agreement with Council to maintain the proposed carparking bays and proposed landscaping in the Moore Street verges for two summers to the satisfaction of the Manager Planning Services.
18. Prior to the occupation of the development landscaping and reticulation shall be established with the use of mature trees and shrubs in accordance with the approved plan and thereafter maintained to the satisfaction of the Manager Planning Services. (Refer to advice note 3)
19. Prior to the occupation of the development, 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 relevant Australian Standards to the satisfaction of the Manager Planning Services.
20. Prior to the occupation of the development, 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 Town Planning Scheme No. 5 and Australian Standards, to the satisfaction of the Manager Planning Services.
21. Prior to the occupation of the development the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, and approved by the Manager Planning Services.

ADVICE NOTES:

1. In terms of the Port Hedland Town Planning Scheme No 5, "Multiple Dwelling" is defined as follows:

"Multiple Dwelling,

a dwelling in a group of more than one where any part of a dwelling is vertically above part of any other."

2. You are 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.
3. In the absence of a clear definition of "mature trees and shrubs" within the Port Hedland Town Planning Scheme, No.5, for the purpose of this approval "mature trees and shrubs" shall mean trees of no less than 2m in height and shrubs of no less than 0.5m in height.
4. The landowner shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
5. To clear any conditions kindly contact the Towns Compliance Officer on (08) 9158 9300. Please note it may take up to 28 days to clear conditions.
6. The local wastewater components will require a review by the developer's Consulting Engineer, and may require upgrading. Details are to be provided to the Water Corporation at the time of building application together with a water efficiency plan, for assessment and agreement.

CARRIED 6/0



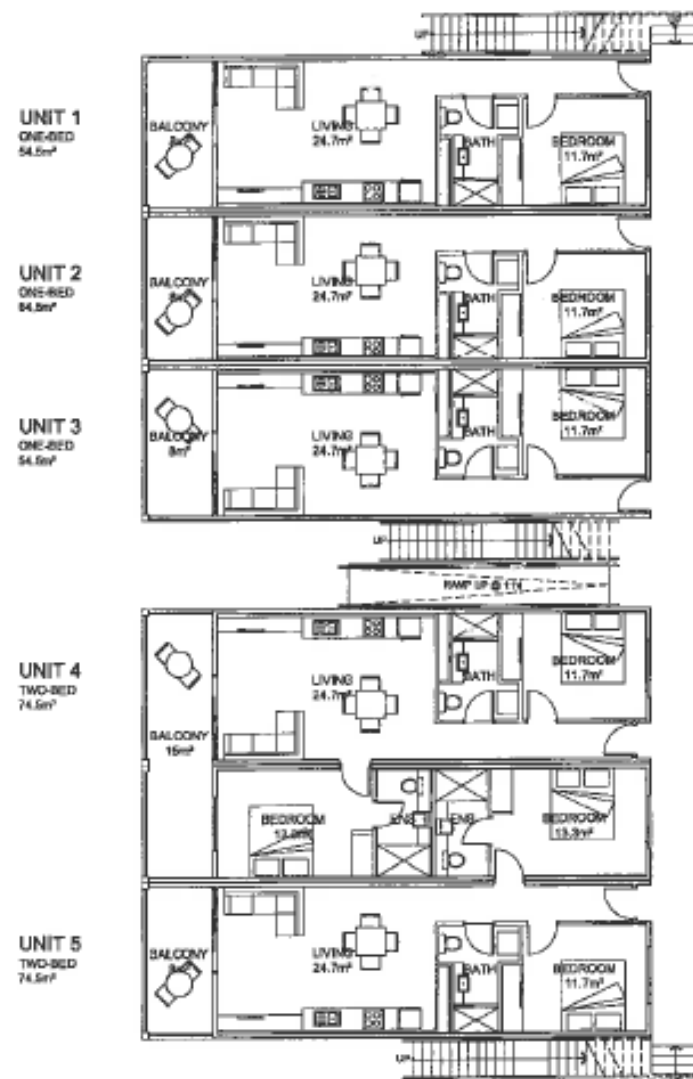


UNIT AREA SCHEDULE	
ONE-BED UNIT	54.5m ²
BALCONY	8m ²
TOTAL	62.5m²
TWO-BED UNIT	74.5m ²
BALCONY	15m ² / 8m ²
TOTAL	89.5m² / 82.5m²

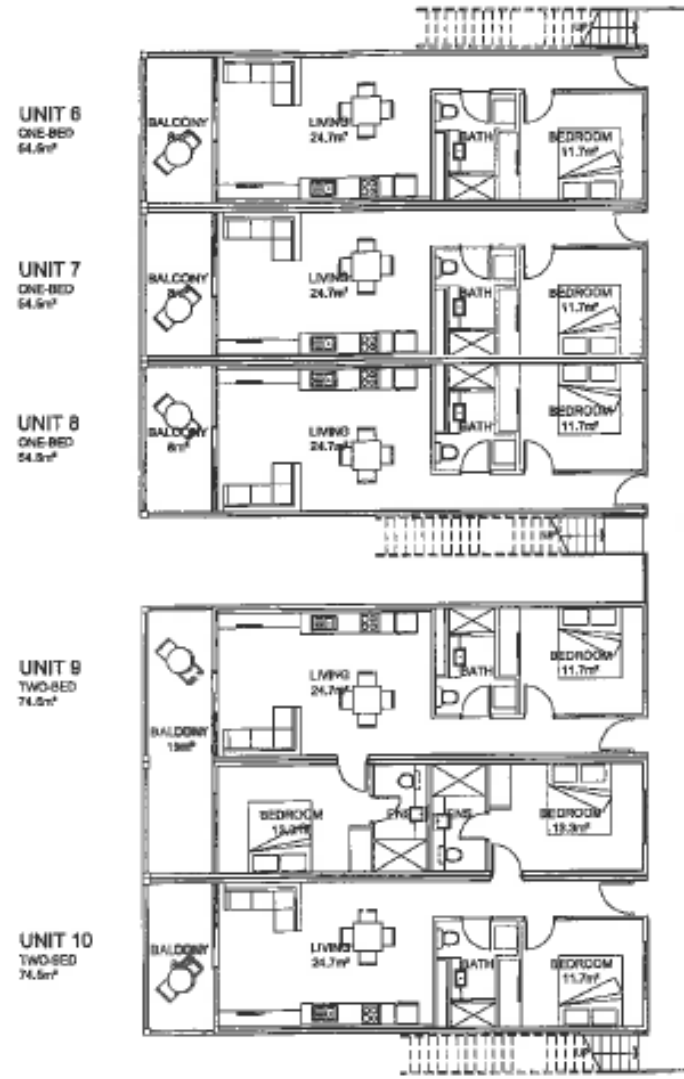
BUILDING DETAILS	
ZONING	R80
ALLOWED PLOT RATIO	1.0 = 1,006SQM
PROPOSED PLOT RATIO	0.62 = 625SQM
UNITS	6 x 1 BEDROOM UNITS
	4 x 2 BEDROOM UNITS
CAR PARKING	10 ONSITE, 3 OFFSITE

BUILDING DETAILS	
MODULE SIZE	4.4m x 15.8m
NUMBER OF MODULES	10
MODULE SIZE	3.3m x 15.8m
NUMBER OF MODULES	2

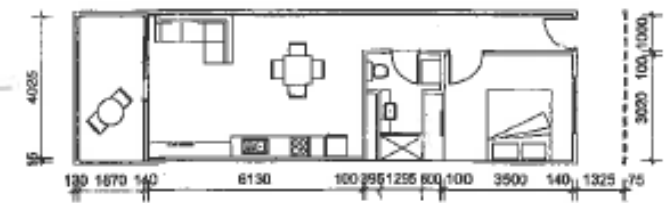
D	ISSUED FOR DEVELOPMENT APPROVAL	CS	MP	28.10.2012
F	ISSUED FOR DEVELOPMENT APPROVAL	CS	MP	28.10.2012
C	ISSUED FOR CLIENT REVIEW	CS	MP	26.10.2012
D	ISSUED FOR CLIENT REVIEW	SWP	MP	23.10.2012
G	ISSUED FOR CLIENT REVIEW	SWP	MP	17.10.2012
B	ISSUED FOR CLIENT REVIEW	SWP	MP	16.10.2012
A	ISSUED FOR CLIENT REVIEW	SWP	MP	11.10.2012
Project	RESIDENTIAL DEVELOPMENT	Drawn	SWP	PROPOSED SITE PLAN
Location	58 MOORE STREET, PORT HEDLAND	Checked	MP	
Scale	1:100	Date	10.10.2012	
Sheet	@ A1	Project no	113.12	ENG no
				SK13
				0



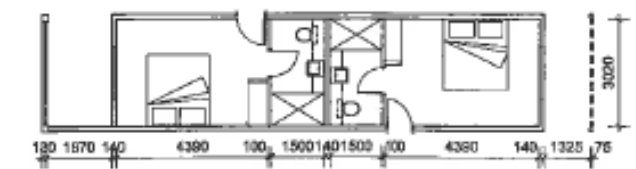
GROUND FLOOR UNITS



FIRST FLOOR UNITS



MODULE ONE DIMENSIONS



MODULE TWO DIMENSIONS

UNIT AREA SCHEDULE	
ONE-BED UNIT	54.5m ²
BALCONY	8m ²
TOTAL	62.5m²
TWO-BED UNIT	74.5m ²
BALCONY	10m ² / 13m ²
TOTAL	84.5m² / 87.5m²

ISSUED FOR DEVELOPMENT APPROVAL	CS	NP	30.10.2012
ISSUED FOR DEVELOPMENT APPROVAL	CS	NP	29.10.2012
revision / description	drawn	checked	date
project	description	drawn	checked
RESIDENTIAL DEVELOPMENT	CS	NP	PROPOSED FLOOR PLAN
5R MOORE STREET, PORT HEDLAND	CS	NP	
Hodge Collard Preston	scale	date	
1:100	29.10.2012	project no	113.12
		dwg no	SK15
		rev	B

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11.1.5 *Town of Port Hedland – Reserve Road Names Register (File No.: 18/07/0016)*

Officer Katherine Press
Acting Lands Officer

Date of Report 7 December 2012

Disclosure of Interest by Officer Nil

Summary

The Town is in receipt of a request from a member of the Community for a proposed road name to be included on the Reserve Road Names Register, for the naming of a new road in the future.

This report is presented to Council to approve the addition of a road name to the “Reserve Road Names Register”.

Background

The Geographic Names Department at Landgate has an approved list of Reserved Road Names for the Town of Port Hedland. The Reserved Road Names were approved by Council at the Special Council Meeting held on 10 October 2012.

Names selected to be used from the Reserved Road Names do not require any further Council resolution. Planning Officers have delegated authority to submit request for names, taken from the Reserved Road Names, directly to the Geographic Names Department.

The Geographic Names Department encourages that new road names should, in the first instance, be sourced from the Reserve Road Names Register.

The name request to be included on the Reserve Road Names Register is “Watkins”, after Laura Watkins (dec) who lived in Port Hedland from the early 1930’s until 1972. Laura Watkins was a cook and domestic cleaner at the Port Hedland Hospital and still has family residing in Port Hedland. Laura Watkins family feel that it is fitting she is recognised.

Consultation

Nil

Statutory Implications

The naming or renaming of roads must be dealt with as per Part 2, Division 3, Section 26A of the *Land Administration Act 1997*.

Policy Implications

The naming or renaming of roads is guided by Policy 12-004 Road Names and Street Numbering.

Strategic Planning Implications

Nil.

Budget Implications

Nil.

Officer's Comment

The current Reserved Road Names on the approved list consists of themes such as nautical, birds, historical Pilbara Stations, mining and deceased persons and families of significance in the Port Hedland area.

Laura Watkins was a valuable citizen in the community for over forty (40) years. It is found to be appropriate that Laura Watkins is recognised by having a future new road in the Port Hedland area named after her.

It is recommended that Council approve the following road name and its history to be included in the Reserve Road Names Register:

Watkins – Laura Watkins was a valuable citizen of Port Hedland from early 1930 to 1972. Laura worked at the Port Hedland Hospital as a cook and domestic cleaner.

Options

Council has the following options for responding to the request:

1. Support the road name "Watkins" to be included on the Reserve Road Names Register.

The addition of the road name to the Reserve Road Name Register will result in the name being used to name a new road in the future without the need for a further Council resolution.

2. Refuse the addition of road name “Watkins” on the Reserve Road Names Register.

Option 1 is supported by Council officers.

Attachments

Nil.

201213/236 Officer’s Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Hooper

That Council:

1. **Approve the following road name and its history to be included on the Town’s Reserve Road Name Register:**

Watkins – Laura Watkins was a valuable citizen of Port Hedland from early 1930 to 1972. Laura worked at the Port Hedland Hospital as a cook and domestic cleaner.

2. **Delegates the Manager of Planning Services to forward the road name to the Geographic Names to update the Geonoma Adhoc Report (Town’s Reserve Road Name Register) for the Town of Port Hedland.**

CARRIED 6/0

11.1.6 *Delegated Planning, Building and Environmental Health Approvals and Orders for October, November and December 2012 (File No.: 18/07/0002 and 07/02/0003)*

Officer Carly Thompson
Executive Assistant
Planning and
Development

Date of Report 11 January 2012

Disclosure of Interest by Officer Nil

Summary

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the months of October, November and December 2012.

Background

A listing of Planning, Building and Environmental Health approvals and Orders issued by Council's Planning, Building and Environmental Health Services under Delegated Authority for the months of October, November and December 2012 are attached to this report. Further to Council's request a listing of current legal actions is also attached to this report.

Consultation

Nil

Statutory Implications

Town of Port Hedland Delegation Register outlines the limitations of delegated authority and requires a list of approvals made under it to be provided to Council. This report is prepared to ensure Council is advised of the details of applications which have been dealt with under delegated authority.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

Nil

DELEGATED PLANNING APPROVALS FOR OCTOBER 2012

Application No.	Description	Lot	Property Address	Date Approved	Applicants name	Development Value
2012/316	STORAGE FACILTY/DEPOT/LAYDOWN AREA - WORKSHOP ADDITION	1647	16 MOORAMBINE STREET WEDGEFIELD 6724	2/10/2012	RPS	\$ 1,500,000.00
2012/328	TWO (2) GROUPE D DWELLINGS	235	8 SMITH STREET SOUTH HEDLAND 6722	26/10/2012	ANDREW ROWE	\$ 507,000.00
2012/329	SIX (6) SINGLE BEDROOM MULTIPLE DWELLINGS	545	14 BANKSIA STREET SOUTH HEDLAND 6722	24/10/2012	MEGARA FOUR PTY LTD	\$ 1,800,000.00
2012/335	MOTOR VEHICLE AND/OR MARINE REPAIR - STORAGE SHED ADDITION	1028	4 TAAFFEE STREET WEDGEFIELD 6724	1/10/2012	PERTH METRO PTY LTD	\$ 350,000.00
2012/339	INDUSTRY - SERVICE - SHED ADDITION	309	19 RIDLEY STREET WEDGEFIELD 6724	22/10/2012	NORTHWEST SHEDMASTERS PTY LTD	\$ 73,540.00
2012/340	HOTEL - MODIFICATIONS	100	2-4 ANDERSON STREET PORT HEDLAND 6721	22/10/2012	WHELANS	\$ 1,800,000.00
2012/343	TRANSIENT WORKFORCE ACCOMMODATION		UNIT M47/ 01449 MINING TENEMENT PORT HEDLAND 6721	8/10/2012	RESOLVE GROUP PTY LTD	\$ 3,500,000.00
2012/357	LIGHT INDUSTRY - DEVELOPMENT SIGN (SEA CONTAINER)	9000	L9000 PINGA STREET WEDGEFIELD 6721	15/10/2012	SIGN STRATEGY	\$ 10,000.00
2012/358	SINGLE DWELLING - BEDROOM ADDITION	4	2 DRAPER PLACE SOUTH HEDLAND 6722	1/10/2012	MARK TREVOR GILPIN	\$ 60,000.00
2012/365	LIGHT INDUSTRIAL WAREHOUSE	215	2 STEEL LOOP WEDGEFIELD 6721	2/10/2012	BARRY COLLINS MASTER BUILDERS PTY LTD	\$ 979,000.00
2012/427	'INDUSTRY - LIGHT' - ADDITIONAL WASHDOWN BAY AREA	111	L111 IRON ORE STREET WEDGEFIELD 6722	31/10/2012	NORTHWEST SHEDMASTERS PTY LTD	\$ 62,910.00

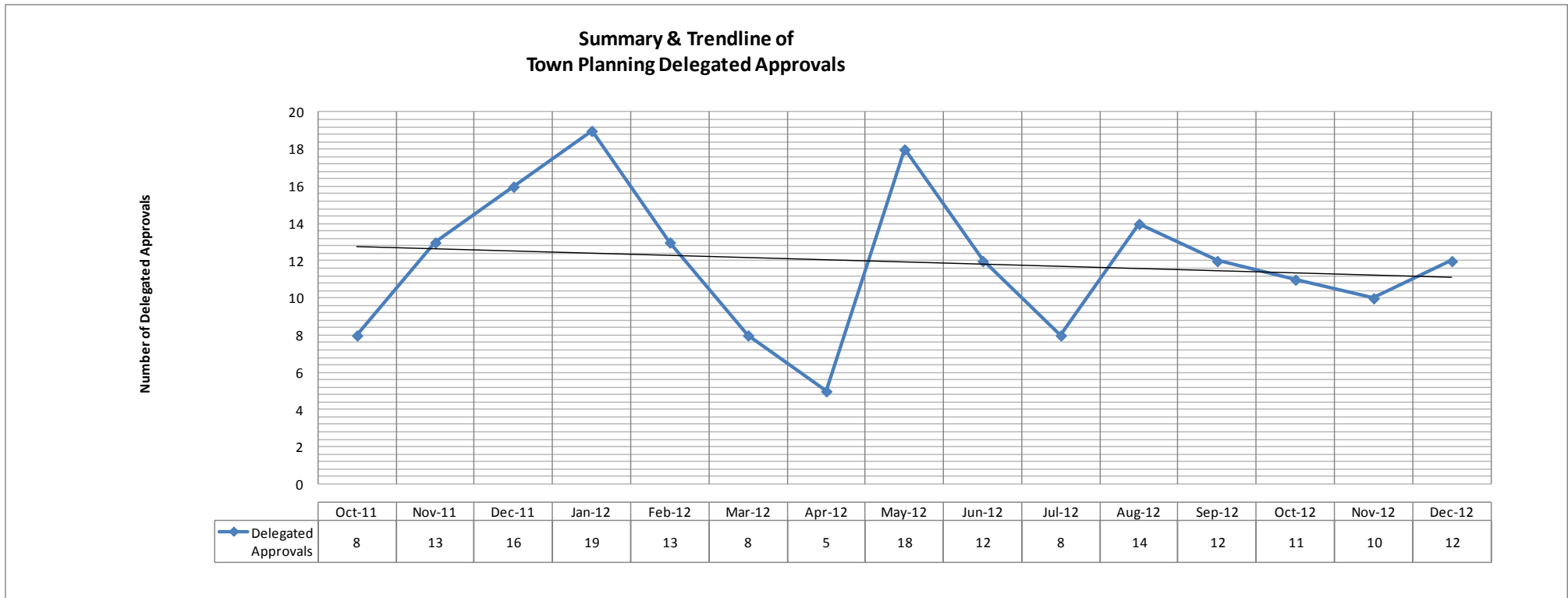
DELEGATED PLANNING APPROVALS FOR NOVEMBER 2012

Application No.	Description	Lot	Property Address	Date Approved	Applicants Name	Development Value
2012/318	STORAGE FACILITY/DEPOT/LAYDOWN AREA - WAREHOUSE AND ANCILLARY OFFICE	5895	20 MANGANESE STREET WEDGEFIELD 6721	9/11/2012	CHESCO	\$ 514,411.00
2012/334	TWO (2) GROUPED DWELLINGS	32	11 CATAMORE COURT SOUTH HEDLAND 6722	14/11/2012	T & R HOMES WA	\$ 382,363.00
2012/362	2 X LIGHT INDUSTRIAL UNITS AND 1 X WAREHOUSE	209	21 STEEL LOOP WEDGEFIELD WA 6721	14/11/2012	BARRY COLLINS MASTER BUILDERS PTY LTD	\$ 979,100.00
2012/384	HOLIDAY ACCOMMODATION - 48 UNITS & UPGRADE OF AMENITIES	208	UNIT LOC 208 PASTORAL LEASE PORT HEDLAND 6721	14/11/2012	IAN GRIEVE	\$ 1,200,000.00
2012/409	INDUSTRY LIGHT - WORKSHOP EXTENSION, CHANGE OF USE CARETAKERS DWELLINGTO OFFICE, NEW CARETAKERS DWELLING	3806	9 CARLINDIE WAY WEDGEFIELD 6724	14/11/2012	GDD DESIGN GROUP	\$ 450,000.00
2012/425	"TRANSPORT DEPOT" - STAGE 1 - HARDSTAND, LANDSCAPING AND CROSSEVERS	302	12 HEMATITE DRIVE WEDGEFIELD 6721	8/11/2012	T & Z ARCHITECTS	\$ 800,000.00
2012/430	INFRASTRUCTURE - MOBILE PHONE TOWER	989	3 PEAWAH STREET WEDGEFIELD 6724	13/11/2012	PLANNING SOLUTIONS	\$ 150,000.00
2012/473	TWO (2) GROUPED DWELLINGS	533	9 PILKINGTON STREET PORT HEDLAND 6721	14/11/2012	T & R HOMES WA	\$ 988,232.00
2012/488	STRATA PLAN APPLICATION AND ENDORSEMENT FOR LOT 101 PINNACLES STREET WEDGEFIELD	101	L101 PINNACLES STREET WEDGEFIELD 6722	13/11/2012	LAND SURVEYS	
2012/527	USE NOT LISTED - TEMPORARY FLY CAMP	556	L556 OSPREY DRIVE SOUTH HEDLAND 6721	16/11/2012	HOUSING AUTHORITY	\$ 1,300,000.00

DELEGATED PLANNING APPROVALS FOR DECEMBER 2012

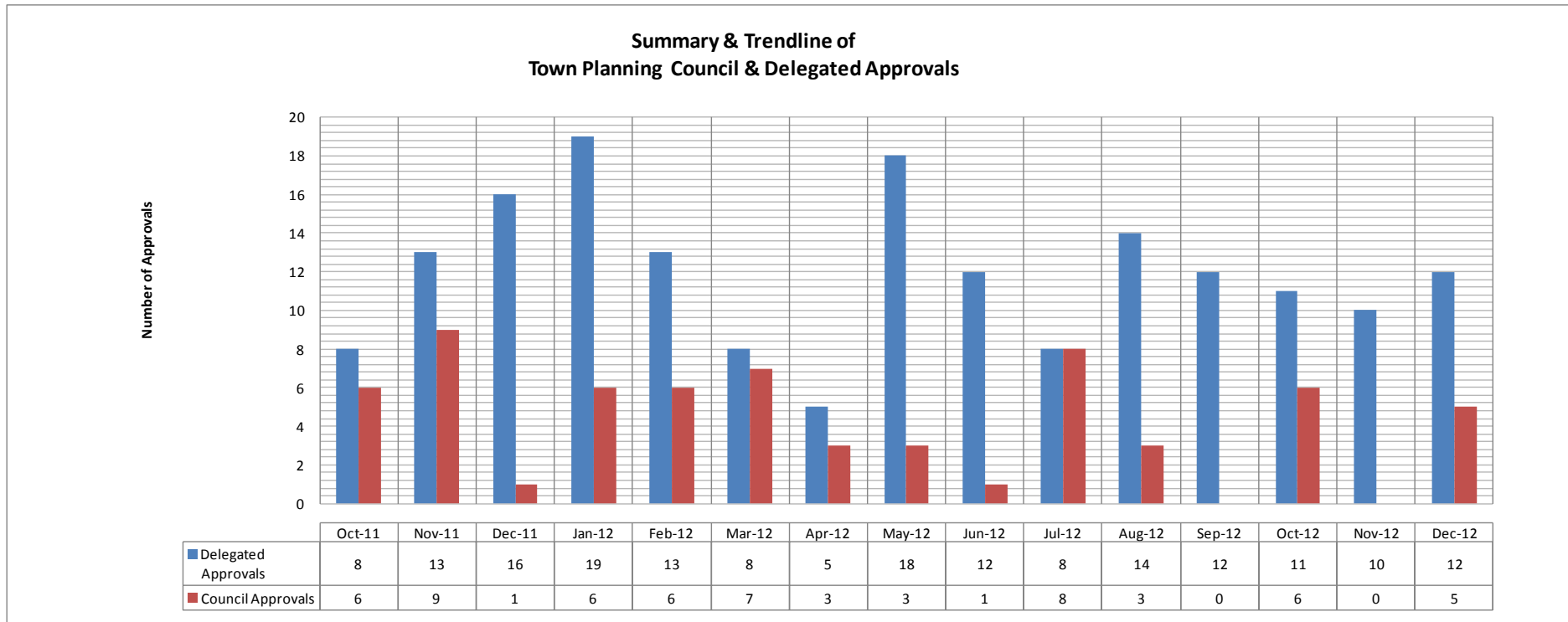
Application No.	Description	Lot	Property Address	Date Approved	Applicants Name	Development Value
2012/338	2 X RESIDENTIAL BUILDINGS	1898	48 ROBERTS STREET SOUTH HEDLAND 6722	7/12/2012	STEPHEN WAYNE SANDERS	\$ 3,500,000.00
2012/376	ANCILLARY ACCOMMODATION	680	79 DOWDING WAY PORT HEDLAND 6721	11/12/2012	PINDAN PTY LTD	\$ 97,169.65
2012/386	2 X GROUPED DWELLINGS	1563	10 BAYMAN STREET PORT HEDLAND 6721	6/12/2012	PIVOT WAY PTY LTD	\$ 1,020,126.00
2012/443	TWO GROUPED DWELLINGS - 1 X EXISTING DWELLING, 1 X NEW DWELLING	31	13 CATAMORE COURT SOUTH HEDLAND 6722	7/12/2012	PAUL ANTHONY ALKINS	\$ 400,000.00
2012/450	INFRASTRUCTURE - BULK EARTHWORKS	2	20 CLARK/CNR MCGREGOR STREETS PORT HEDLAND 6721	6/12/2012	JDSI CONSULTING ENGINEERS	\$ 100,000.00
2012/492	INDUSTRY - LIGHT - WORKSHOP AND INCIDENTAL OFFICE	11	5 PINGA STREET WEDGEFIELD 6724	6/12/2012	MODUS DESIGN PTY LTD	\$ 700,000.00
2012/515	EDUCATION ESTABLISHMENT - FIVE (5) ADDITIONAL GROUPED DWELLINGS	226	35 SUTHERLAND STREET PORT HEDLAND 6721	6/12/2012	T & R HOMES WA	\$ 2,024,692.20
2012/539	TWO (2) GROUPED DWELLINGS - ONE EXISTING AND ONE PROPOSED	2	34A&B ROBINSON STREET PORT HEDLAND 6721	19/12/2012	WILLCOX ARCHITECTS	\$ 525,000.00
2012/558	HIRE SERVICE (INDUSTRIAL) - WORKSHOP, OFFICE AND WASHDOWN BAY	104	L104 OXIDE WAY WEDGEFIELD 6722	11/12/2012	CAMPION DESIGN GROUP	\$ 1,000,000.00
2012/587	TWO (2) GROUPED DWELLINGS	1	UNIT A & B 2 RODOREDA STREET PORT HEDLAND 6721	17/12/2012	PILBARA CONSTRUCTIONS PTY LTD	\$ 1,651,000.00
2012/611	MOBILE BUSINESS - DISPLAY OF REPTILES FOR EDUCATIONAL PURPOSES	2795	84 BOTTLEBRUSH CRESCENT SOUTH HEDLAND 6722	6/12/2012	ANDREW HENDERSON	\$ -
2012/655	CHANGE OF USE FROM "SHOP" TO "OFFICE"	676	44 COUNIHAN CRESCENT PORT HEDLAND 6721	21/12/2012	OWEN HIGHTOWER	\$ -

DELEGATED PLANNING APPROVALS FOR OCTOBER, NOVEMBER AND DECEMBER 2012 Cont'd....

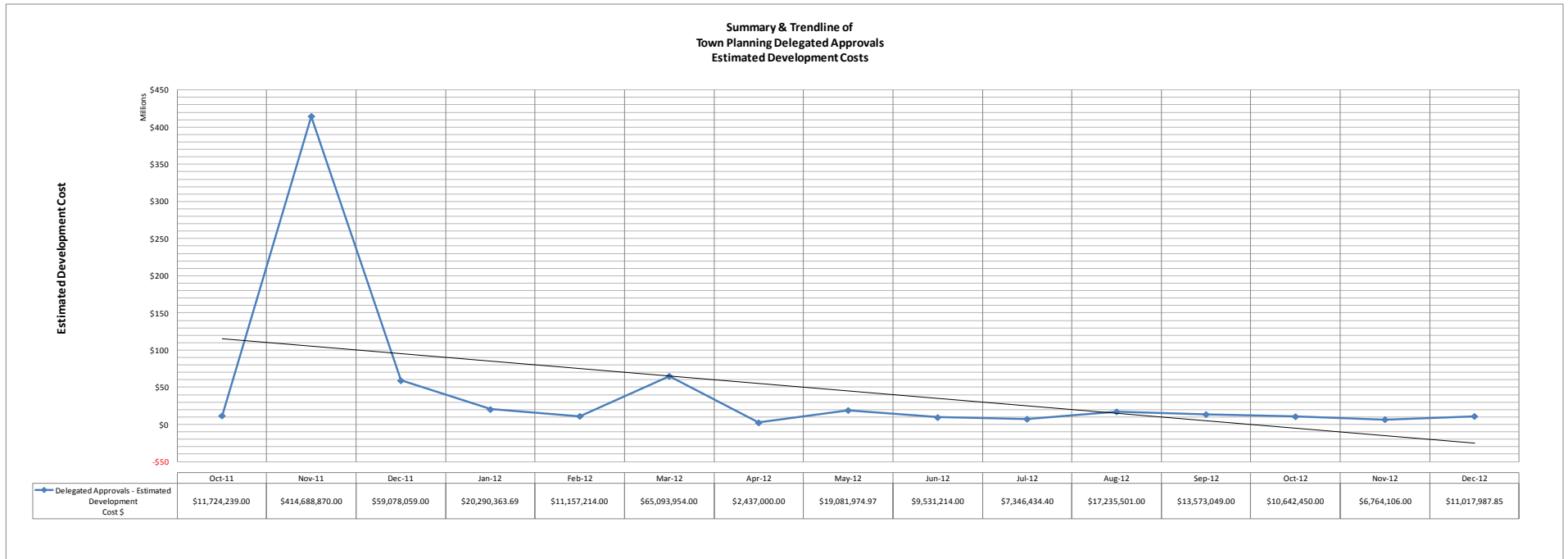


* STATISTICS FOR APRIL 2012 ARE LOW DUE TO 14 APPROVALS BEING GRANTED BY COUNCIL

DELEGATED PLANNING APPROVALS FOR OCTOBER, NOVEMBER AND DECEMBER 2012 Cont'd...



DELEGATED PLANNING APPROVALS FOR OCTOBER, NOVEMBER AND DECEMBER 2012 Cont'd...



DELEGATED BUILDING APPROVALS FOR OCTOBER 2012

Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
12-211	01.10.2012	SOUTH HEDLAND	1 x Patio	\$ 12,250.00	12	Class 10a
12-205	02.10.2012	SOUTH HEDLAND	Installation of the footings slab and s	\$ 1,501,996.00	0	Class 10a
12-215	03.10.2012	PORT HEDLAND	Garage	\$ 8,900.00	14	Class 10a
12-204	04.10.2012	SOUTH HEDLAND RURAL EST	Outbuilding & Fencing	\$ 16,804.00	49	Class 10a
12-209	04.10.2012	SOUTH HEDLAND	Shed	\$ 19,750.00	49	Class 10a
12-224	15.10.2012	PORT HEDLAND	Outbuilding	\$ 5,500.00	5	Class 10a
12-231	16.10.2012	PORT HEDLAND	Shed	\$ 63,170.00	104	Class 10a
12-232	30.10.2012	SOUTH HEDLAND	Patio	\$ 18,000.00	18	Class 10a
12-233	30.10.2012	SOUTH HEDLAND	Patio	\$ 18,000.00	18	Class 10a
12-248	31.10.2012	WEDGEFIELD	Shed	\$ 73,540.00	142	Class 10a
12-208	04.10.2012	SOUTH HEDLAND	Below Ground Swimming pool	\$ 30,000.00	16	Class 10b
12-225	15.10.2012	PORT HEDLAND	Installation of Solar Energy Power Syste	\$ 100,000.00	4	Class 10b
12-228	24.10.2012	SOUTH HEDLAND	Retaining Walls	\$ 1,345,000.00	0	Class 10b
12-246	26.10.2012	SOUTH HEDLAND	Above Ground Swimming Pool & Fencing	\$ 4,000.00	20	Class 10b
12-238	26.10.2012	SOUTH HEDLAND	Fence	\$ 8,500.00	0	Class 10b
12-241	31.10.2012	SOUTH HEDLAND	Fence & Sliding Gates	\$ 8,179.00	0	Class 10b
12-206	01.10.2012	PORT HEDLAND	Dwelling	\$ 206,000.00	55	Class 1a
12-202	02.10.2012	SOUTH HEDLAND	Housing extention with pitched roof	\$ 100,000.00	12	Class 1a
12-184	03.10.2012	PORT HEDLAND	Garage	\$ 7,900.00	20	Class 1a
12-218	04.10.2012	SOUTH HEDLAND	Dwelling & Garage	\$ 360,000.00	152	Class 1a
12-120	05.10.2012	SOUTH HEDLAND	x 2 Dwellings	\$ 804,806.00	252	Class 1a
12-219	16.10.2012	SOUTH HEDLAND	2 x Grouped Dwellings	\$ 740,690.00	242	Class 1a
12-194	01.10.2012	PORT HEDLAND-SHRE	New Dwelling & Outbuilding	\$ 700,000.00	400	Class 1a and 10a
12-222	16.10.2012	SOUTH HEDLAND	1 x Relocation of Dwelling	\$ 350,000.00	144	Class 1a and 10a
12-221	18.10.2012	SOUTH HEDLAND	Relocation of Existing Dwelling 2 x	\$ 350,000.00	96	Class 1a and 10a
12-207	03.10.2012	PORT HEDLAND	1 x 251 Person Accomodation Villiage	\$ 2,750,000.00	1200	Class 1b
12-242	26.10.2012	PORT HEDLAND	Transient Workers Accommodation	\$ 3,850,000.00	1500	Class 1b
12-174	05.10.2012	SOUTH HEDLAND	x 2 Dwellings	\$ 1,645,366.00	463	Class 2
12-227	23.10.2012	PORT HEDLAND	Stage 2 - Ground Floor Carparking Store	\$ 2,110,000.00	211	Class 2
12-230	18.10.2012	SOUTH HEDLAND	Footings Slabs and Screw Piles for 2 st	\$ 1,969,162.00	0	Class 3
12-189	08.10.2012	WEDGEFIELD	Workshop & Office	\$ 450,000.00	590	Class 5 and 7b
12-220	15.10.2012	SOUTH HEDLAND	Main Kitchen & Diner	\$ 15,500,000.00	4075	Class 6
12-213	08.10.2012	WEDGEFIELD	1 x Commercial Shed	\$ 1,523,500.00	1052	Class 7b
				\$ 36,954,813.00		

DEMOLITION LICENCES FOR OCTOBER 2012

DEMOLITION LICENCES						
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor Area	Classification
12-239	23.10.2012	SOUTH HEDLAND	Demolition of Dwelling Shed Carport &	\$ 60,000.00	335	Class 1a &10a
12-240	23.10.2012	SOUTH HEDLAND	Demolition of Dwelling & Shed	\$ 50,000.00	28	Class 1a &10a
12-201	04.10.2012	PORT HEDLAND	Demolition of House Carport and Outdoor	\$ 30,000.00	35	Class 1a and 10a
12-217	05.10.2012	SOUTH HEDLAND	Demolition of House	\$ 30,000.00	32	Class 1a and 10a
12-223	22.10.2012	SOUTH HEDLAND	Demolition of Sheds & Attached Carport	\$ 8,800.00	40	Class 10a
12-226	16.10.2012	PORT HEDLAND	Demolition of Fuel Tanks	\$ 125,000.00	10	Class 10a
Total 6		Demolition Licences Issued 6		303,800.00	480	

OVERVIEW SUMMARY FOR OCTOBER 2012

SUMMARY				
No of Licences	Licence Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
6	Demolitions	303,800.00	480	\$ 632.92
9	Dwellings	3,619,396.00	1,373	\$ 2,636.12
10	Class 10a	1,737,910.00	411	\$ 4,228.49
6	Class 10b	1,495,679.00	40	\$ 37,391.98
6	Commercial	23,198,028.00	6,391	\$ 3,629.80
2	Other	6,600,000.00	2700	\$ 2,444.44
39		36,954,813.00	11,395	

DELEGATED BUILDING APPROVALS FOR NOVEMBER 2012

Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
12-250	08.11.2012	SOUTH HEDLAND	1 x Existing Outbuilding	\$ 10,000.00	24	Class 10a
12-263	02.11.2012	PORT HEDLAND	Lightinig Ramp Toilet and Shade Struct	\$ 477,000.00	1	Class 10a
12-275	19.11.2012	PORT HEDLAND	STEEL FRAME PATIO	\$ 19,000.00	110	Class 10a
12-285	21.11.2012	PORT HEDLAND	DIVIDING FENCE	\$ 34,984.00	0	Class 10b
12-286	21.11.2012	PORT HEDLAND	FENCE	\$ 4,663.00	0	Class 10b
12-288	21.11.2012	PORT HEDLAND	Dividing Fence	\$ 10,262.00	0	Class 10b
12-289	21.11.2012	PORT HEDLAND	DIVIDING FENCE	\$ 12,848.00	0	Class 10b
12-287	21.11.2012	PORT HEDLAND	DIVIDING FENCE	\$ 30,087.00	0	Class 10b
12-294	22.11.2012	PORT HEDLAND	DIVIDING FENCE	\$ 10,262.00	0	Class 10b
12-295	22.11.2012	PORT HEDLAND	DIVIDING FENCE	\$ 10,262.00	0	Class 10b
12-299	22.11.2012	PORT HEDLAND	DIVIDING FENCE	\$ 34,330.00	0	Class 10b
12-296	22.11.2012	PORT HEDLAND	DIVIDING FENCE	\$ 10,258.00	0	Class 10b
12-300	22.11.2012	PORT HEDLAND	FENCING	\$ 58,988.00	0	Class 10b
12-297	22.11.2012	PORT HEDLAND	DIVIDING FENCE	\$ 17,985.00	0	Class 10b
12-212	13.11.2012	SOUTH HEDLAND	1 x Fibreglass swimming pool	\$ 34,000.00	20	Class 10b
12-262	15.11.2012	SOUTH HEDLAND	BELOW GROUND SWIMMING POOL	\$ 35,000.00	18	Class 10b
12-305	28.11.2012	SOUTH HEDLAND	SWIMMING POOL	\$ 12,000.00	20	Class 10b
12-264	16.11.2012	SOUTH HEDLAND	UPGRADE OF EXISTING FIREWALL	\$ 5,000.00	0	Class 1a
12-256	09.11.2012	PORT HEDLAND	Ancillary Accommodation	\$ 175,179.00	47	Class 1a
12-278	20.11.2012	SOUTH HEDLAND	UNIT 3 & 4 REFURBISHMENT	\$ 195,000.00	0	Class 1a
12-282	21.11.2012	SOUTH HEDLAND	NEW DWELLING	\$ 334,772.00	120	Class 1a
12-284	21.11.2012	SOUTH HEDLAND	NEW DWELLING	\$ 334,772.00	120	Class 1a
12-280	21.11.2012	SOUTH HEDLAND	NEW DWELLING	\$ 334,772.00	120	Class 1a
12-281	21.11.2012	SOUTH HEDLAND	Dwelling	\$ 334,772.00	120	Class 1a
12-279	21.11.2012	SOUTH HEDLAND	NEW DWELLING	\$ 334,772.00	120	Class 1a
12-290	22.11.2012	SOUTH HEDLAND WA	1 x NEW GROUPED DWELLING CARPORT PATIO	\$ 324,569.00	126	Class 1a
12-291	22.11.2012	SOUTH HEDLAND WA	1 x NEW DWELLING CARPORT AND PATIO	\$ 324,569.00	126	Class 1a
12-245	02.11.2012	SOUTH HEDLAND	Dwelling	\$ 500,000.00	257	Class 1a

DELEGATED BUILDING APPROVALS FOR NOVEMBER 2012 Cont'd...

12-229	06.11.2012	SOUTH HEDLAND	New Dwelling	\$ 307,000.00	179	Class 1a
12-265	09.11.2012	SOUTH HEDLAND	NEW RESIDENTIAL DWELLING	\$ 440,000.00	180	Class 1a
12-273	21.11.2012	SOUTH HEDLAND	2x2 Ancillary Accomodation Unit Garage	\$ 107,134.00	50	Class 1a
12-234	20.11.2012	SOUTH HEDLAND	Dwelling Carport Store & Fencing	\$ 412,777.00	124	Class 1a 10a and 10b
12-244	21.11.2012	PORT HEDLAND	Dwelling x4 Outbuildings x3 Sea Contai	\$ 341,000.00	0	Class 1a and 10a
12-259	01.11.2012	SOUTH HEDLAND	Dwelling Outbuilding Patio & Fencing	\$ 364,650.00	122	Class 1a and 10a
12-253	05.11.2012	SOUTH HEDLAND	Dwelling Outbuilding Patio & Fencing	\$ 364,650.00	122	Class 1a and 10a
12-254	06.11.2012	SOUTH HEDLAND	Dwelling Outbuilding Patio & Fencing	\$ 364,650.00	122	Class 1a and 10a
12-258	06.11.2012	SOUTH HEDLAND	Dwelling Outbuilding Patio & Fencing	\$ 364,650.00	122	Class 1a and 10a
12-235	19.11.2012	SOUTH HEDLAND	Dwelling Carport Store & Fencing	\$ 412,777.00	124	Class 1a and 10a
12-236	20.11.2012	SOUTH HEDLAND	Dwelling Carport Store & Fencing	\$ 412,777.00	124	Class 1a and 10a
12-283	21.11.2012	SOUTH HEDLAND	NEW DWELLING	\$ 334,772.00	120	Class 1a and 10a
12-257	06.11.2012	SOUTH HEDLAND	Dwelling Outbuilding Patio and Fencing	\$ 364,650.00	122	Class 1a and 10b
12-260	13.11.2012	PORT HEDLAND	Stage 1 - Bulk Earth Works and In-Ground	\$ 1,587,990.00	0	Class 1b
12-268	16.11.2012	VIA PORT HEDLAND	RAIL OPERATINS OFFICE	\$ 314,039.00	324	Class 5
12-249	02.11.2012	SOUTH HEDLAND	Shopping Centre Redevelopment - Stage 1a	\$ 6,600,000.00	20050	Class 6
12-277	21.11.2012	SOUTH HEDLAND	INSTALLATION OF ICE ROOMS MAINTENANCE	\$ 2,970,256.00	800	Class 5,7b 8,10a
TOTAL 45				\$ 20,083,878.00		

DEMOLITION LICENCES FOR NOVEMBER 2012

There were no Demolition Licences approved in the month of November 2012.

OVERVIEW SUMMARY FOR NOVEMBER 2012

SUMMARY				
No of Permits	Permit Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
0	Demolitions	\$0	0	\$0.00
24	Dwellings	\$7,789,664	2,667	\$2,921
3	Class 10a	\$506,000	135	\$3,748
14	Class 10b	\$315,929	58	\$5,447
4	Commercial	\$11,472,285	21,174	\$542
	Other			
45		\$20,083,878	24,034	

DELEGATED BUILDING APPROVALS FOR DECEMBER 2012

Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
12-325	06.12.2012	SOUTH HEDLAND	PATIO	\$ 19,000.00	25	Class 10a
12-323	10.12.2012	SOUTH HEDLAND	MAIN SWITCHROOM	\$ 433,000.00	42	Class 10a
12-261	19.12.2012	PORT HEDLAND	TANKS FOR WATER FUEL & EMULSION	\$ 1,700,000.00	0	Class 10a
12-351	20.12.2012	PORT HEDLAND	RELOCATE ONE CARPORT POST	\$ 1,600.00	0	Class 10a
12-353	20.12.2012	PORT HEDLAND	RELOCATE ONE CARPORT COLUMN	\$ 1,600.00	0	Class 10a
12-349	20.12.2012	PORT HEDLAND	RELOCATE ONE CARPORT COLUMN	\$ 1,600.00	0	Class 10a
12-352	20.12.2012	PORT HEDLAND	RELOCATE ONE CARPORT POST	\$ 1,600.00	0	Class 10a
12-350	20.12.2012	PORT HEDLAND	RELOCATE ONE CARPORT COLUMN	\$ 1,600.00	0	Class 10a
12-345	19.12.2012		CIVIL EARTHWORKS & REAR RETAINING WALLS	\$ 3,000,000.00	0	Class 10b
12-298	22.12.2012	PORT HEDLAND	DIVIDING FENCE	\$ 27,948.00	0	Class 10b
12-315	05.12.2012	SOUTH HEDLAND	1 x BELOW GROUND SWIMMING POOL	\$ 32,000.00	19	Class 10b
12-301	06.12.2012	PORT HEDLAND	SWIMMING POOL	\$ 32,000.00	18	Class 10b
12-316	06.12.2012	PORT HEDLAND	BELOW GROUND POOL	\$ 16,000.00	27	Class 10b
12-317	06.12.2012	PORT HEDLAND	SWIMMING POOL AND FENCE	\$ 19,000.00	0	Class 10b
12-320	07.12.2012	PORT HEDLAND	INSTALLATION OF SWIM SPA	\$ 16,080.00	13	Class 10b
12-307	05.12.2012	SOUTH HEDLAND	TRANSPORTABLE HOME	\$ 412,777.00	123	Class 1a
12-308	05.12.2012	SOUTH HEDLAND	TRANSPORTABLE DWELLING	\$ 412,777.00	123	Class 1a
12-310	05.12.2012	SOUTH HEDLAND	TRANSPORTABLE DWELLING	\$ 412,777.00	123	Class 1a
12-311	05.12.2012	SOUTH HEDLAND	TRANSPORTABLE DWELLING	\$ 412,777.00	123	Class 1a
12-312	05.12.2012	SOUTH HEDLAND	TRANSPORTABLE DWELLING	\$ 412,777.00	123	Class 1a
12-313	05.12.2012	SOUTH HEDLAND	TRANSPORTABLE DWELLING	\$ 412,777.00	123	Class 1a
12-314	05.12.2012	SOUTH HEDLAND	TRANSPORTABLE DWELLING	\$ 412,777.00	123	Class 1a
12-306	06.12.2012	SOUTH HEDLAND	TRANSPORTABLE DWELLING	\$ 412,777.00	123	Class 1a
12-309	06.12.2012	SOUTH HEDLAND	TRANSPORTABLE DWELLING	\$ 412,777.00	123	Class 1a
12-266	11.12.2012	SOUTH HEDLAND	1x GROUPED DWELLING	\$ 356,522.00	100	Class 1a
12-267	20.12.2012	SOUTH HEDLAND RURAL EST	NEW DWELLING	\$ 562,606.00	270	Class 1a
12-326	19.12.2012	PORT HEDLAND	RE-LOCATION OF CARPORT	\$ 5,500.00	0	Class 1a
12-270	20.12.2012	SOUTH HEDLAND RURAL EST	1 x NEW DWELLING	\$ 562,606.00	270	Class 1a

12-269	21.12.2012	SOUTH HEDLAND RURAL EST	NEW DWELLING	\$ 562,606.00	270	Class 1a
12-271	24.12.2012	SOUTH HEDLAND RURAL EST	1 x NEW DWELLING	\$ 562,606.00	270	Class 1a
12-330	18.12.2012	SOUTH HEDLAND	DWELLING PATIO CARPORT SHED & FENCE	\$ 412,777.00	123	Class 1a 10a and 10b
12-331	18.12.2012	SOUTH HEDLAND	DWELLING PATIO CARPORT SHED & FENCE	\$ 412,777.00	123	Class 1a 10a and 10b
12-332	18.12.2012	SOUTH HEDLAND	DWELLING PATIO CARPORT SHED & FENCE	\$ 412,777.00	123	Class 1a 10a and 10b
12-328	19.12.2012	SOUTH HEDLAND	DWELLING PATIO CARPORT SHED & FENCE	\$ 412,777.00	123	Class 1a 10a and 10b
12-329	19.12.2012	SOUTH HEDLAND	DWELLING PATIO CARPORT SHED AND FENCE	\$ 412,777.00	123	Class 1a 10a and 10b
12-347	21.12.2012	SOUTH HEDLAND	DWELLINGPATIOCARPORT AND SHED	\$ 362,952.00	122	Class 1a 10a and 10b
12-346	21.12.2012	SOUTH HEDLAND	DWELLING PATIO CARPORT AND SHED	\$ 362,952.00	122	Class 1a 10a and 10b
12-321	12.12.2012	SOUTH HEDLAND	3 X DWELLINGS PATIO CARPORT & FENCE	\$ 1,051,200.00	267	Class 1a 10a and 10b
12-292	03.12.2012	SOUTH HEDLAND	1 x Grouped Dwelling Carport and Patio	\$ 324,569.00	126	Class 1a and 10a
12-293	03.12.2012	SOUTH HEDLAND	1 x Grouped Dwelling Carport and Patio	\$ 324,569.00	126	Class 1a and 10a
12-344	19.12.2012	PORT HEDLAND	DRUG AND ALCOHOL REHAB CENTRE STAGE 2	\$ 9,441,007.00	0	Class 1a569b & 10a
12-337	12.12.2012	SOUTH HEDLAND	10 X MULTIPLE DWELLINGS	\$ 1,700,000.00	566	Class 2
12-322	14.12.2012	PORT HEDLAND	8 SOLE OCCUPANCY UNITS	\$ 1,877,000.00	336	Class 2 and 10a
12-333	18.12.2012	PORT HEDLAND	ADDITIONS & ALTERATIONS STAGE 1	\$ 1,100,000.00	0	Class 3
12-369	19.12.2012	PORT HEDLAND	2 Offices and 1 Crib Room	\$ 150,000.00	360	Class 5
12-341	19.12.2012	WEDGEFIELD	NEW OFFICE AND SHED	\$ 600,000.00	638	Class 5 & 8
12-302	05.12.2012	SOUTH HEDLAND	INSTALLATION OF WET MESSRETAILBEER GAR	\$ 5,264,378.00	0	Class 5 6 7b 9b 10a
12-342	19.12.2012	PORT HEDLAND	RENOVATION OF VISITOR CENTRE	\$ 250,495.00	0	Class 6
12-340	19.12.2012	SOUTH HEDLAND	RETAIL SHOP FITOUT	\$ 19,000.00	57	Class 6
12-272	10.12.2012	WEDGEFIELD	WORKSHOP	\$ 2,946,597.00	1473	Class 8
TOTAL 50				\$39,469,071.00		

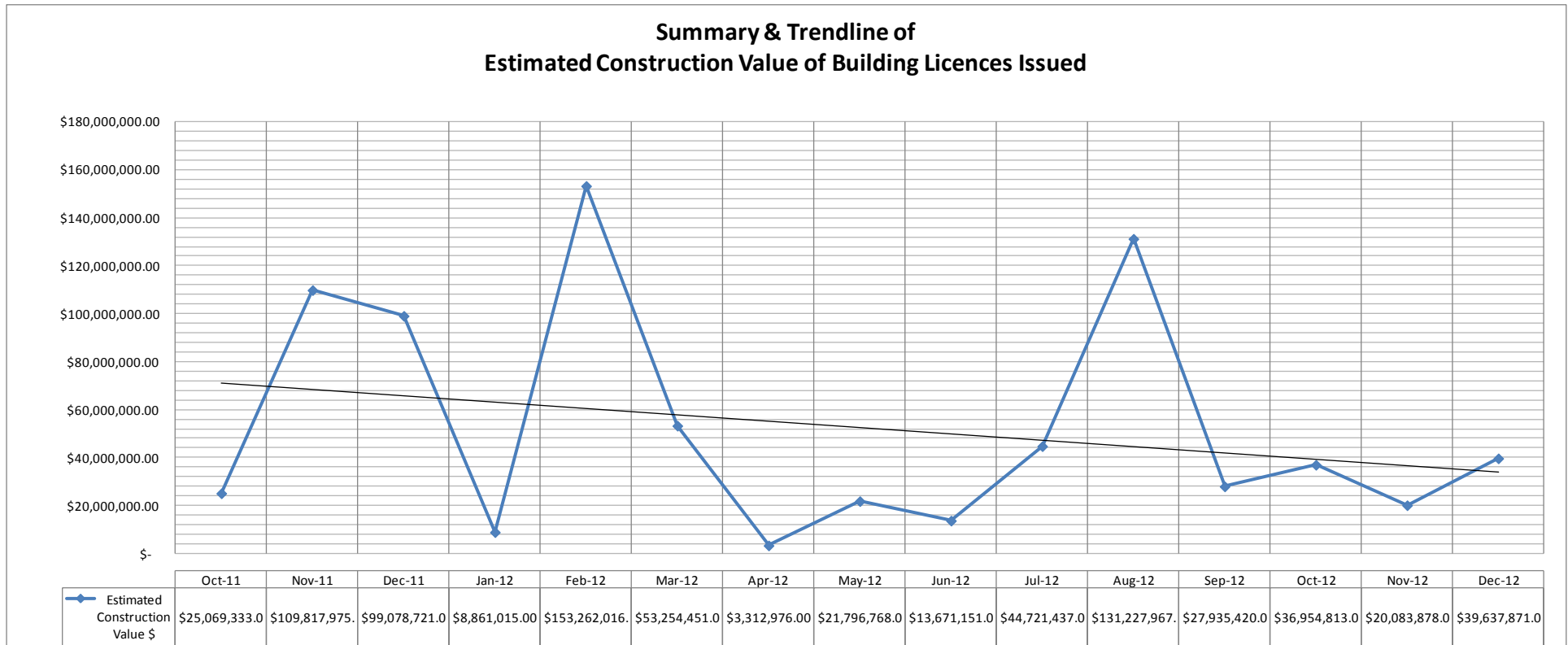
DEMOLITION LICENCES FOR DECEMBER 2012

Permit Number	Approval Date	Locality	Description of Work	Estimated Construction Value (\$)	Classification	Floor Area
12-318	05.12.2012	SOUTH HEDLAND	DEMOLITION OF SINGLE STOREY DWELLING	\$ 40,000	Class 1a	143
12-304	05.12.2012	PORT HEDLAND	DEMOLITION OF 2 X SINGLE STOREY DWELLING	\$ 98,800	Class 1a and 10	304
12-364	20.12.2012	PORT HEDLAND	DEMOLITION OF DWELLING AND SHED	\$ 30,000	Class 1a	200
Total 3		Demolition Licences Issued 3		\$ 168,800		647

OVERVIEW SUMMARY FOR DECEMBER 2012

SUMMARY				
No of Permits	Permit Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
3	Demolitions	\$168,800	647	\$260.90
26	Dwellings	\$20,258,573	3,665	\$5,528
8	Class 10a	\$2,160,000	67	\$32,239
7	Class 10b	\$3,143,028	77	\$40,819
9	Commercial	\$13,907,470	3,430	\$4,055
	Other			
53		\$39,637,871	7,886	

DELEGATED BUILDING APPROVALS FOR OCTOBER, NOVEMBER AND DECEMBER 2012



CURRENT LEGAL MATTERS					
File No.	Address	Issue	First Return Date	Current Status	Officer
WEDGEFIELD					
121670G	Lot 3 Trig Street (J Yujnovich)	Non-compliance with planning conditions	~ First return date 21/1/09	~ Trial set down for 13 & 14 September 2010 in Perth. ToPH witnesses to attend. ~ Magistrate has found J Yujnovich guilty sentencing will be in +/- 3 weeks ~ Fine imposed of approx \$20,000 ~ Fine paid in full ~ Appointment of Compliance Office has been completed, Matter is being investigated ~ No improvement made to property ~ Letter requesting commitment to remove materials prepared by McLeods Barristers & Solicitors ~ If commitment not received within 14 days of issue further proceeding to commence ~ A meeting is being organised onsite with J Yujnovich ~ Mr Yujnovich has demonstrated a willingness to comply with Planning condition. Has been given 3 months to comply. Mr Yujnovich is in the process of clearing property F/up in 2 weeks to ensure compliance matter has been resolved. ~ Development Application has been submitted. ~ Compliance on hold until Application has been processed. ~ Planning Application was submitted. Has been refused. ~ SAT Proceeding have been initiated by Mr Yujnovich. Next Direction/Mediation on 03/7/2012. Next Direction/Mediation 16/08/2012. - Direction Hearing 5/10/2012 - Application submitted and approved (Matter Resolved)	BM
	Lot 1675 (1690) Harwell Way	Non-compliance with planning conditions		Hearing setdown for 03/09/2012 - Case adjourned until 1/4/2013 to allow for sealing of the properties to occur.	BM
TURNER RIVER					
800043G	Lot 13 Manilinha Drive	Unauthorised Development - Storage facility/Depot/Laydown Area, Sea Containers, Outbuildings, 2 Movable Dwellings		Referred to Council Solicitors. - Matter on hold. Owner submitting a Planning Application. - Matter Resolved	BM

Current Health Orders under Delegated Authority by Environmental Health Services			
File No.	Address	Issue	Current Status
803367G	Lot 2052 McGregor St Port Hedland	Metal frame spectator/grand stand seating erected on a trailer chassis.	~ Health order placed on temporary spectator stand ~ No public building application recieved by Town of Port Hedland, as such no approval has been granted for use as a temporary spectator stand ~ Town has notified Turf Club of issue

Attachments

Nil

201213/237 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Dziombak

That Council receive the Schedule of Planning and Building approvals, Environmental Health Orders issued by Delegated Authority and the listing of current legal actions for the months of October, November and December be received.

CARRIED 6/0

11.2 Engineering Services**11.2.1 Tender 11/19 Provision of Project Management Services for the Wallwork Road Bridge Project. (File No.:28/01/0006)**

Officer **Russell Dyer**
Director Engineering Services

Date of Report **14 January 2013**

Disclosure of Interest by Officer **Nil**

Summary

The purpose of this report is to update Council on the current status of Wallwork Road Bridge and to request Council not to proceed with Tender 11/19 Provision of Project Management Services for the Wallwork Road Bridge.

Background

The Town of Port Hedland Ordinary Meeting of Council on the 27 July 2011 considered agenda item 11.2.3 Tender 11/19 Provision of Project Management Services for the Wallwork Road Bridge. The following is the decision of Council.

201112/038 Officer's Recommendation/Council Decision

*Moved: Cr D W Hooper
Gillingham*

Seconded: Cr J M

That Council, subject to the execution of the funding agreement with BHP Billiton for Wallwork Road Bridge,:

- 1. Award Tender 11/19 Provision of Project Management Services for the Wallwork Road Bridge to Thinc Projects Australia Pty Limited for the sum of \$379,402.80 plus GST to undertake project management services for the 44 week construction period of this project.*
- 2. For works undertaken outside of the 44 week construction period engage Thinc Projects Australia Pty Limited on the hourly rates provided in Tender 11 /19 Provision of Project Management Services for the Wallwork Road Bridge.*

CARRIED 3/0

Consultation

Department of State Development
Town of Port Hedland Staff
Main Roads Western Australia

Statutory Implications

3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) Regulations may make provision about tenders.*

*Local Government (Functions and General) Regulations 1996
Part 4 Provision of Goods and services
Division 2 Tenders for Providing goods and Services*

18. Rejecting and accepting tenders

- (1) A tender is required to be rejected unless it is submitted at a place, and within the time, specified in the invitation for tenders.*
- (2) A tender that is submitted at a place, and within the time, specified in the invitation for tenders but that fails to comply with any other requirement specified in the invitation may be rejected without considering the merits of the tender.*
- (3) If, under regulation 23(4), the CEO has prepared a list of acceptable tenderers for the supply of goods or services, a tender submitted by a person who is not listed as an acceptable tenderer is to be rejected.*
- (4) Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them it thinks it would be most advantageous to the local government to accept.*
- (4a) To assist the local government in deciding which tender would be the most advantageous to it to accept, a tenderer may be requested to clarify the information provided in the tender.*
- (5) The local government may decline to accept any tender.*
- (6) If a local government has accepted a tender but acceptance of the tender does not create a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree not to enter into a contract in relation to the tender, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.*

- (7) *If a local government has accepted a tender and acceptance of the tender creates a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree to terminate the contract, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.*

[Regulation 18 amended in Gazette 29 Jun 2001 p. 3131-2.]

Policy Implications

Nil

Strategic Planning Implications

The following section of Councils Strategic Community Plan 2012-2022 is considered relevant.

- 6.4 Local Leadership
6.4.1 Strategic
Deliver high quality corporate governance, accountability and compliance

Budget Implications

A provision for the Project Management Services for construction of Wallwork Road Bridge is included in the 2012/13 Town of Port Hedland Annual Budget.

Officer's Comment

Council had awarded Tender 11/19 Provision of Project Management Services for Wallwork Road Bridge to Thinc Projects Australia Pty Limited for the sum of \$379,402.80 plus GST for the 44 week construction period. This was to come into effect once the bridge construction tender ~~11/13~~ 11/33 was awarded.

All works undertaken outside of the 44 week construction period by Thinc were to be at the hourly rates provided in Tender 11 /19 Provision of Project Management Services for the Wallwork Road Bridge.

The following were included in the scope of works for Tender 11/19 and were carried out by Thinc using hourly rates that were provided in tender 11/19.

Design and Construction Tender Documentation
Review Design Documentation
Order of Magnitude Estimate
Kick off meeting, consult on implementation approach
Prepare Project Management plan
Review Tender Assessment and Recommendation

At the Ordinary Council Meeting held on Wednesday 6 March 2013 Council amended the reference to Tender 11/13 to Tender 11/33.

At the Ordinary Council Meeting held on Wednesday 6 March 2013 Council amended the reference to Tender 11/13 to Tender 11/33.

The Design and Construction Tender ~~44/43~~ 11/33 called for the following 4 options;

1. 4 lane bridge and footpath with step down walls
2. 4 lane bridge and footpath with MSE walls
3. 2 lane bridge and footpath with step down retaining walls
4. 2 lane bridge and footpath with MSE walls

The Design and Construction Contract Tender ~~44/43~~ 11/33 was open from Monday 21 November 2011 and closed on 18th January 2012. Seven tenders were received ranging in price from \$20.8 million to \$64.4 million including GST.

Average Weekday Traffic for Wallwork road is now over 11500 vehicles per day. The Austroads design standard indicates that an increase to 4 lanes, that is two in each direction is now required on Wallwork Road from the results of the traffic study.

The allocated budget for Wallwork road would allow for a 2 lane bridge to be built however the Austroads design standards now required that a 4 lane bridge be built.

The Town applied to Regional Development Australia Fund however our application was unsuccessful. The Town also wrote to the Western Australian State Government and asked that the State fund the shortfall through Royalties for Regions, and requested that Main Roads Western Australia include the bridge construction into the Great Northern Highway Re-alignment project.

The State has agreed to fund the \$8 million dollars short fall that is required to build a 4 lane bridge. Main Roads have agreed to include the bridge construction as a variation to the Great Northern Highway Re-alignment project.

As the bridge construction is now included in Main Roads project the Town no longer require Thinc Projects Australia Pty Limited to project manage the bridge construction.

Tender 11/19 Provision of Project Management Services for the Wallwork Road Bridge would only come into effect after the tender ~~44/43~~ 11/33 was awarded for the bridge construction. As this project is now to be delivered by Main Roads, Thinc Projects Australia PTY Limited services will not be required.

It is now recommended that the Town write to Thinc Projects Australia PTY Limited advising them of the following.

- The Town will not be awarding Design and Construction of Wallwork Road Bridge Tender ~~44/43~~ 11/33.

At the Ordinary Council Meeting held on Wednesday 6 March 2013 Council amended the reference to Tender 11/13 to Tender 11/33.

Attachments

Nil

201213/239 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Dziombak

That Council:

At the Ordinary Council Meeting held on Wednesday 6 March 2013 Council amended the reference to Tender 11/13 to Tender 11/33.

- 1. Request the CEO or his delegate notify in writing Thinc Projects Australia PTY Limited advising them that the Town will not require Thinc Projects Australia PTY Limited to project manage the Wallwork Road Bridge Project as it will not be awarding Tender ~~11/13~~ 11/33.**
- 2. Advise all Companies who submitted Tender submissions for Design and Construction Wallwork Road Bridge Tender ~~11/13~~ 11/33 that the Town will not be proceeding with the Tender.**

CARRIED 6/0

11.3 Community Development

Nil

11.4 Corporate Services**11.4.1 Finance****11.4.1.1 *Interim Financial Reports to Council for Period Ended 30 November 2012 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Laura Delaney
Finance Officer
Financial Management

Date of Report 30 November 2012

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present an interim summary of the financial activities of the Town to 30 November 2012, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2011/12.

The reports are considered to be interim as the Finance Department is still in the process of finalising the 2011-12 financial year that will affect the actual results for June 2012 onwards, until the auditors sign off the final accounts.

Background**1. *Interim Financial Statements***

Presented (see attachments) in this report for the financial period ended 30 November 2012, are the:

- Statement of Interim Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Interim Statement of Financial Activity for the period ending 30 November 2012;
- Review of Transaction Activity.

Note: Interest rates for investments are selected from those provided from the following financial institutions: National Australia Bank, Big Sky, Bankwest, Western Australian Treasury Corporation, Citibank, Commonwealth Bank, Australian and New Zealand Bank and Westpac Bank.

2. *Utility and Fuel Costs*

Presented in graph form (see attached), is the 2012/13 monthly water, power and fuel costs compared with 2011/12.

3. *Schedule of Accounts Paid*

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 23 January 2013 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costs.

Voucher No's		Value	Pages		Fund No.	Fund Name	Description
From	To		From	To			
NMF011112	NMF011112	\$569.14	1	1	1	Municipal Fund	Photocopier Lease x 2 - South Hedland Library & JD Hardie
NMF011112	NMF011112	\$1,244.32	1	1	1	Municipal Fund	Photocopier Lease x 2 - Regulatory Services
NMF061112	NMF061112	\$284.57	101	101	1	Municipal Fund	Photocopier Lease x 1 - Community Development (Airport)
		<u>\$2,098.03</u>					
CHQ21811	CHQ21824		1	3	1	Municipal Fund	
CHQ21825	CHQ21825		-	-	-	Municipal Fund	Cancelled Cheque
CHQ21826	CHQ21896		3	14	1	Municipal Fund	
		<u>\$286,071.48</u>				Municipal Fund	
EFT43057	EFT43083		14	19	1	Municipal Fund	
EFT43084	EFT43084		-	-	-	Municipal Fund	Cancelled EFT
EFT43085	EFT43545		20	101	1	Municipal Fund	
		<u>\$4,930,067.57</u>					
PAY131112	PAY131112	\$461,713.68	101	101	1	Municipal Fund	
PAY271112	PAY271112	\$482,347.00	102	102	1	Municipal Fund	
		<u>\$944,060.68</u>					
CAL141112	CAL141112	\$5,438.07	102	102	1	Municipal Fund	Caltex Direct Debit
		<u>\$5,438.07</u>					
WOW161112	WOW161112	\$1,431.28	102	102	1	Municipal Fund	Woolworths Direct Debit
		<u>\$1,431.28</u>					

	Muni Total	\$6,169,167.11					
3002331	3002331		102	102	3	Trust Fund	
3002332	3002332		-	-	3	Trust Fund	Cancelled Cheque
3002333	3002333		102	102	3	Trust Fund	
3002335	3002338	\$5,210.50					
	Trust Total	\$5,210.50					
	Sub-Total	\$6,174,377.61					
LESS: one-off pays							
	Total	\$6,174,377.61					

Consultation

Nil

Statutory Implications

Financial Statements

Regulation 34 of the Local Government (Financial Management Regulations), states as follows:

“34. Financial activity statement report - s. 6.4

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:

 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) budget estimates to the end of the month to which the statement relates;*
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) the net current assets at the end of the month to which the statement relates.**
- (2) Each statement of financial activity is to be accompanied by documents containing:

 - (a) an explanation of the composition of the net current assets of**

- the month to which the statement relates, less committed assets and restricted assets;*
- (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
- (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown:*
- (a) *according to nature and type classification;*
- (b) *by program; or*
- (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be:*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
- (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS, to be used in statements of financial activity for reporting material variances.*

Section 6.12 of the Local Government Act 1995 (Power to defer, grant discounts, waive or write off debts) states:

- “(1) Subject to subsection (2) and any other written law, a local government may –*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
- (b) *wave or grant concessions in relation to any amount of money; or*
- (c) *write off any amount of money,*
which is owed to the local government.
- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.”*

Policy Implications

2/003 Financial Statements – Copies for Councillors

Apart from the financial reports presented to Council as required by way of legislation, the following reports will be presented to Council:

Monthly

- Bank Reconciliation of the Municipal, Reserve and Trust Fund
- +90 day outstanding Sundry Debtors Report
- List of Accounts paid under Delegated Authority
- Register of Investments
- Rate Summary Trial Balance
- Reserve Account Balances.

Quarterly

- Quarterly Budget Review
- Report on all Budgeted Grants of \$50,000 or more

Irregular Financial reports will be presented to Council as deemed necessary by the Director, Corporate Services or Manager, Financial Services or requested by Council by resolution.

Strategic Planning Implications

- 6.4 Local Leadership
- 6.4.1 Strategic
 - Deliver high quality corporate governance, accountability and compliance.
 - Deliver responsible management of infrastructure, assets, resources and technology.

Budget Implications

At the Special Meeting held on 30 August 2012, Council resolved to adopt item 6.1.1.1 '2012/2013 Budget Adoption' en block, which included Recommendation 16 as follows:

"Recommendation 16

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, that Council adopts the following percentage or dollar value for determining and reporting material variances in 2012/13 as follows:

*10% of the Function amended budget; or
\$100,000 of the Function amended budget*

whichever is the lesser, for the following categories of revenue and expenditure:

*Operating Revenue
Operating Expenditure
Non-Operating Revenue
Non-Operating Expenditure"*

Officer's Comment

For the purpose of explaining Material Variance (Expense/Revenue Up or Down, and see attachment Schedule 2) a three-part approach was taken:

Period Variation

Relates specifically to the value of Variance between the Budget and Actual figures for the period of the report.

Primary Reason

Identifies the primary reasons for the period Variance. As the report is aimed at the higher level analysis, minor contributing factors are not reported.

Budget Impact

Forecasts the likely dollar impact on the Amended Annual Budget position. It is important to note that figures in this part are 'indicative only' at the time of reporting, and that circumstances may subsequently change.

Attachments

1. Monthly Statement of Business Activity – under separate cover
 - 1.1 Pages 2 to 4. Schedule 2 being a Statement of Interim Financial Activity.
 - 1.2 Pages 5 to 18. Notes 3 to 11 which form part of the Interim Statement of Financial Activity.
Also Note 10 – November 2012 Bank Reconciliations.
 - 1.3 Pages 19 to 65. Detailed Interim Financial Activity by Program.
 - 1.4 Pages 66 to 68. Comparison Between 2012/13:2011/12 Utility & Fuel Costs.
2. November 2012 Accounts for Payment – under separate cover

201213/240 Officer's Recommendation/Council Decision**Moved: Cr Carter****Seconded: Cr Dziombak****That Council note the:**

- i) **Interim Financial Statements as at November 2012 including:**
 - a) **Interim Statement of Financial Activity (represented by Schedules 3 to 14);**
 - b) **Notes (3 to 11) to and forming part of the Interim Statement of Financial Activity for the period ending 30 November 2012; and**
 - c) **Review of Transaction Activity,**
- ii) **Graphic representation of the Town's energy, water and fuel use;**

- iii) **List of Accounts paid during November 2012 under Delegated Authority.**

- iv) **Financial Statements will remain interim until after all year end processes are undertaken and the Town's auditors have finalised the 2011/12 annual audit.**

CARRIED 6/0

11.4.1.2 *Interim Financial Reports to Council for Period Ended 31 December 2012 (File Nos: FIN-008, FIN-014 and RAT-009)*

Officer Laura Delaney
Finance Officer
Financial Management

Date of Report 31 December 2012

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present an interim summary of the financial activities of the Town to 31 December 2012, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2011/12.

The reports are considered to be interim as the Finance Department is still in the process of finalising the 2011-12 financial year that will affect the actual results for June 2012 onwards, until the auditors sign off the final accounts.

Background**1. *Interim Financial Statements***

Presented (see attachments) in this report for the financial period ended 31 December 2012, are the:

- Statement of Interim Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Interim Statement of Financial Activity for the period ending 31 December 2012;
- Review of Transaction Activity.

Note: Interest rates for investments are selected from those provided from the following financial institutions: National Australia Bank, Big Sky, Bankwest, Western Australian Treasury Corporation, Citibank, Commonwealth Bank, Australian and New Zealand Bank and Westpac Bank.

2. *Utility and Fuel Costs*

Presented in graph form (see attached), is the 2012/13 monthly water, power and fuel costs compared with 2011/12.

3. *Schedule of Accounts Paid*

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 23 January 2013 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costs.

Voucher No's		Value	Pages		Fund No.	Fund Name	Description
From	To		From	To			
NMF031212	NMF031212	\$569.14	13	13	1	Municipal Fund	Photocopier Lease x 2 - South Hedland Library & JD Hardie
NMF031212	NMF031212	\$1,244.32	13	13	1	Municipal Fund	Photocopier Lease x 2 - Regulatory Services
NMF071212	NMF071212	\$284.57	85	85	1	Municipal Fund	Photocopier Lease x 1 - Community Development (Airport)
		\$2,098.03					
CHQ21897	CHQ21985		1	13	1	Municipal Fund	
		\$306,010.68					
EFT43546	EFT43972		13	85	1	Municipal Fund	
		\$3,993,370.13					
PAY111212	PAY111212	\$492,563.65	85	85	1	Municipal Fund	
PAY251212	PAY251212	\$478,667.70	85	85	1	Municipal Fund	
		\$971,231.35					
CAL141212	CAL141212	\$1,830.01	85	85	1	Municipal Fund	Caltex Direct Debit
		\$1,830.01					
WOW171212	WOW171212	\$2,374.42	85	85	1	Municipal Fund	Woolworths Direct Debit
		\$2,374.42					
	Muni Total	\$5,276,941.62					
3002339	3002348		-	-	3	Trust Fund	Cancelled Cheques

3002349	3002356	\$94,137.60	85	86	3	Trust Fund	
	Trust Total	\$94,137.60					
	Sub-Total	\$5,371,052.22					
LESS: one-off pays							
	Total	\$5,371,052.22					

Consultation

Nil

Statutory Implications

Financial Statements

Regulation 34 of the Local Government (Financial Management Regulations), states as follows:

“34. Financial activity statement report - s. 6.4

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:

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 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
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which is owed to the local government.
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Policy Implications

2/003 Financial Statements – Copies for Councillors

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Quarterly

- Quarterly Budget Review
- Report on all Budgeted Grants of \$50,000 or more

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Strategic Planning Implications

6.4 Local Leadership

6.4.1 Strategic

Deliver high quality corporate governance, accountability and compliance.

Deliver responsible management of infrastructure, assets, resources and technology.

Budget Implications

At the Special Meeting held on 30 August 2012, Council resolved to adopt item 6.1.1.1 '2012/2013 Budget Adoption' en block, which included Recommendation 16 as follows:

"Recommendation 16

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Operating Expenditure
Non-Operating Revenue
Non-Operating Expenditure"*

Officer's Comment

For the purpose of explaining Material Variance (Expense/Revenue Up or Down, and see attachment Schedule 2) a three-part approach was taken:

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Relates specifically to the value of Variance between the Budget and Actual figures for the period of the report.

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 - 1.1 Pages 2 to 4. Schedule 2 being a Statement of Interim Financial Activity.
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201213/241 Officer's Recommendation/Council Decision**Moved: Cr Carter****Seconded: Cr Dziombak****That Council note the:**

- i) **Interim Financial Statements as at December 2012 including:**
 - a) **Interim Statement of Financial Activity (represented by Schedules 3 to 14);**
 - b) **Notes (3 to 11) to and forming part of the Interim Statement of Financial Activity for the period ending 30 December 2012; and**
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- ii) **Graphic representation of the Town's energy, water and fuel use;**
- iii) **List of Accounts paid during December 2012 under Delegated Authority.**
- iv) **Financial Statements will remain interim until after all year end processes are undertaken and the Town's auditors have finalised the 2011/12 annual audit.**

CARRIED 6/0

11.5 Organisational Development

5:53pm Chief Executive Officer Mal Osborne declared a financial interest in agenda item 11.5.1 'Chief Executive Officer Probation Review and Development of Key Performance Indicators' as the item affects his employment contract and remuneration.

Chief Executive Officer Mal Osborne left the room.

11.5.1 *Chief Executive Officer Probation Review and Development of Key Performance Indicators (File No.: .../...)*

Officer Debra Summers
Manager Organisational
Development

Date of Report 17 January 2013

Disclosure of Interest by Officer Nil

Summary

This report recommends to the Council that it endorse the recommendation from the CEO Recruitment Panel with respect to the completion of the probation period for Mr Mal Osborne, Chief Executive Officer (CEO) and the subsequent development of key performance indicators (KPIs) for 2013-2014.

Further this report establishes a process for the CEO's Annual Performance Review for January to December 2013 as is statutorily required.

Background

At the 4 April 2012 Special Council Meeting, the Council resolved (Council Decision 201112/395) to form a CEO Recruitment Panel to assist in the recruitment process of the Chief Executive Officer and make recommendations to the Council on this matter. The proposed recommendations included the appointment of a specialist recruitment agency, the nomination of a preferred applicant for the role and proposed conditions of employment to support the appointment.

At this same meeting the Council also adopted performance criteria for the incoming CEO which were then included in recruitment documentation and subsequently formed part of the contract of employment offered to Mr. Osborne as the successful applicant for the role.

At the 1 May 2012 Special Council Meeting, the Council appointed (Council Decision 201112/438) Beilby Consulting to support the CEO Recruitment Panel in all aspects of the recruitment process.

The contract offered to Mr Osborne contained the requirement for a three month probation period which necessitates the new Chief Executive Officer's performance to be monitored and evaluated accordingly. The endorsed performance criteria which formed part of the CEO's contract of employment are what have been used by the CEO Recruitment Panel in undertaking the review, which is the final stage of the recruitment process.

A further condition of the CEO's contract of employment within three months of commencement in the role and after completion of a successful probation period is for the Council to negotiate with the CEO the KPIs for 2013. KPMG has been awarded the contract to support the Council in developing these KPIs, with Chris Morrison facilitating the process.

Finally, this report seeks the Council's endorsement to reaffirm the process to undertake the CEO's Annual Performance Review for January to December 2013 as is statutorily required. The Council has adopted a Chief Executive Officer Performance Review Working Group.

This Working Group has been established to undertake the Chief Executive Officer's performance review on an annual basis and to renegotiate a new employment contract as and when required, with the negotiations being brought back to Council for consideration. This Working Group operates in accordance with Town of Port Hedland Policy 3/019- CEO Performance Review.

Consultation

External

- Beilby Consulting
- Western Australian Local Government Authority (WALGA)
- Department of Local Government
- KPMG

Internal

- CEO Recruitment Panel
- CEO Interview Panel
- Chief Executive Officer - Town of Port Hedland

Statutory Implications

Local Government Act 1995

5.36. Local government employees

(1) A local government is to employ —

- (a) a person to be the CEO of the local government; and
- (b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.

(2) A person is not to be employed in the position of CEO unless the council —

- (a) believes that the person is suitably qualified for the position; and
- (b) is satisfied* with the provisions of the proposed employment contract.

* Absolute majority required.

(3) A person is not to be employed by a local government in any other position unless the CEO —

- (a) believes that the person is suitably qualified for the position; and
- (b) is satisfied with the proposed arrangements relating to the person's employment.

(4) Unless subsection (5A) applies, if the position of CEO of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.

(5A) Subsection (4) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.

(5) For the avoidance of doubt, subsection (4) does not impose a requirement to advertise a position before the renewal of a contract referred to in section 5.39.

5.38. Annual review of certain employees' performances

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

18B. Contracts of CEOs and senior employees, content of (Act s. 5.39(3)(c))

For the purposes of section 5.39(3)(c), a contract governing the employment of a person who is a CEO, or a senior employee, of a local government is to provide for a maximum amount of money (or a method of calculating such an amount) to which the person is to be entitled if the contract is terminated before the expiry date, which amount is not to exceed whichever is the lesser of—

- (a) the value of one year's remuneration under the contract; or*
- (b) the value of the remuneration that the person would have been entitled to had the contract not been terminated.*

18C. Selection and appointment process for CEOs

The local government is to approve a process to be used for the selection and appointment of a CEO for the local government before the position of CEO of the local government is advertised.

18D. Performance review of CEO, local government's duties as to

A local government is to consider each review on the performance of the CEO carried out under section 5.38 and is to accept the review, with or without modification, or to reject the review.

Policy Implications

The following Town of Port Hedland Policies apply:

- Policy 3/019 CEO Performance Review.
- Policy 3/007 Senior Employees

Strategic Planning Implications

Strategic Theme 6 Local Leaders

6.4.3 Capable

Attract, develop and retain a productive and effective workforce to deliver the Strategic Community Plan.

Budget Implications

Costs associated with the CEO Probation Review are part of the initial contract with Beilby Consulting and costs to engage KPMG to develop the CEO KPIs have been factored into the ToPH 2012-2013 Annual Budget.

Officer's Comment

Following the CEO Probation Review, Peter Casey of Beilby Consulting has produced a confidential report on the outcome of the assessment which has been circulated to all involved in the process (Attachment 1). This report recommends to the Council that it endorse the recommendation from the CEO Recruitment Panel with respect to the completion of the probation period for Mr Mal Osborne.

KPMG has been awarded the contract to develop the KPIs for the CEO. In undertaking this task KPMG has worked with members of the CEO Recruitment Panel, and the Elected Members and Executive Team at a workshop on January 17 2013 to create KPIs for the new CEO that are meaningful, can be measured and that reflect the CEO accountabilities under the Integrated Planning and Reporting Framework (IPRF). Not only will these KPIs reflect the agreed workload to deliver the community aspirations as outlined in the Strategic Community Plan but will also ensure compliance with the new legal framework of the IPRF which requires the Council to manage their CEO through the Framework. In accordance with the CEO Performance Review Policy, the KPIs are to be based also on the performance criteria (agreement) which formed part of the CEO's contract of employment.

The Town has an existing policy, 3/019 CEO Performance Review, which outlines how the CEO performance review will be undertaken, inclusive of the development of KPIs for the next annual review. This Policy requires the establishment of a Review Working Group annually comprising of the Mayor, Deputy Mayor and one other Councillor. The Policy also outlines a timetable for this review; however given the recent appointment of the CEO and the contractual condition of a probation review, this year's performance review will need to be undertaken outside the usual timeframe. This report suggests a process to develop the CEO KPIs, establish this year's Review Working Group membership and outline a timeframe for the annual review of the CEO against these KPIs.

KPIs for the CEO are not only required as a condition of the contract of employment with the Town but will also form the basis of organisational KPIs which will impact on the performance based contracts of Directors, Manager and Coordinators.

These draft KPIs are included in Attachment 2. This report recommends that the Council endorse the Officer's recommendation with respect to the CEO KPIs for 2013.

Within the KPIs established, one of the goals is for the CEO to develop a performance management approach that cascades down these KPIs to Directors and then to every staff member with 6 monthly reviews and annual performance appraisals. Given the timeframe outlined in this specific KPI, the Officer is recommending that the 6 monthly performance review be undertaken in May 2013 with a report to Council in June 2013 and the annual appraisal be undertaken in November with a report to Council in December.

Finally, it is recommended that the Council nominate two Councillors to form part of the Review Working Group along with the Mayor and Deputy Mayor to undertake the CEO annual performance appraisal for 2013.

Attachments

1. Confidential - Chief Executive Officer Probation Review Report – under separate cover
2. Draft Chief Executive Officer Key Performance Criteria

2012/13/242 Officer's Recommendation/Council Decision**Moved: Cr Carter****Seconded: Cr Dziombak****That Council:**

1. **Adopts the CEO Recruitment Panel's acceptance of the recommendation from the confidential report by Beilby Consulting on the outcomes of the Chief Executive Officer's Probation review (Attachment 1);**
2. **Adopts the recommendations from the report by KPMG with respect to the development of Chief Executive Officer's Key Performance Indicators 2013 (Attachment 2);**
3. **Re-establishes the Chief Executive Officer Performance Review Working Group as follows:**

Aim/Purpose

The Chief Executive Officer Performance Review Working Group has been established to undertake the Chief Executive Officer's performance review on an annual basis and to renegotiate a new employment contract as and when required, with the negotiations being brought back to Council for consideration.

Membership**Mayor: Mayor Kelly Howlett****Deputy Mayor: Cr George Daccache****Councillor: Cr Julie Hunt****Councillor: Cr Michael (Bill) Dziombak****Tenure****Annual.****Responsible Officer****Chief Executive Officer**

4. **The CEO 6 monthly performance review be undertaken in May 2013;**
5. **The CEO annual performance review be conducted in November 2013.**

CARRIED 6/0

5:54pm Chief Executive Officer Mal Osborne re-entered the room and resumed his chair.

Deputy Mayor Daccache advised Chief Executive Officer Mal Osborne of Council's decision.

ATTACHMENT 2 TO AGENDA ITEM 11.5.1

Introductions

This document contains the proposed CEO Goals for 2013 for Council endorsement.

These goals will be subject to a review in October and then April with updates occurring as required.

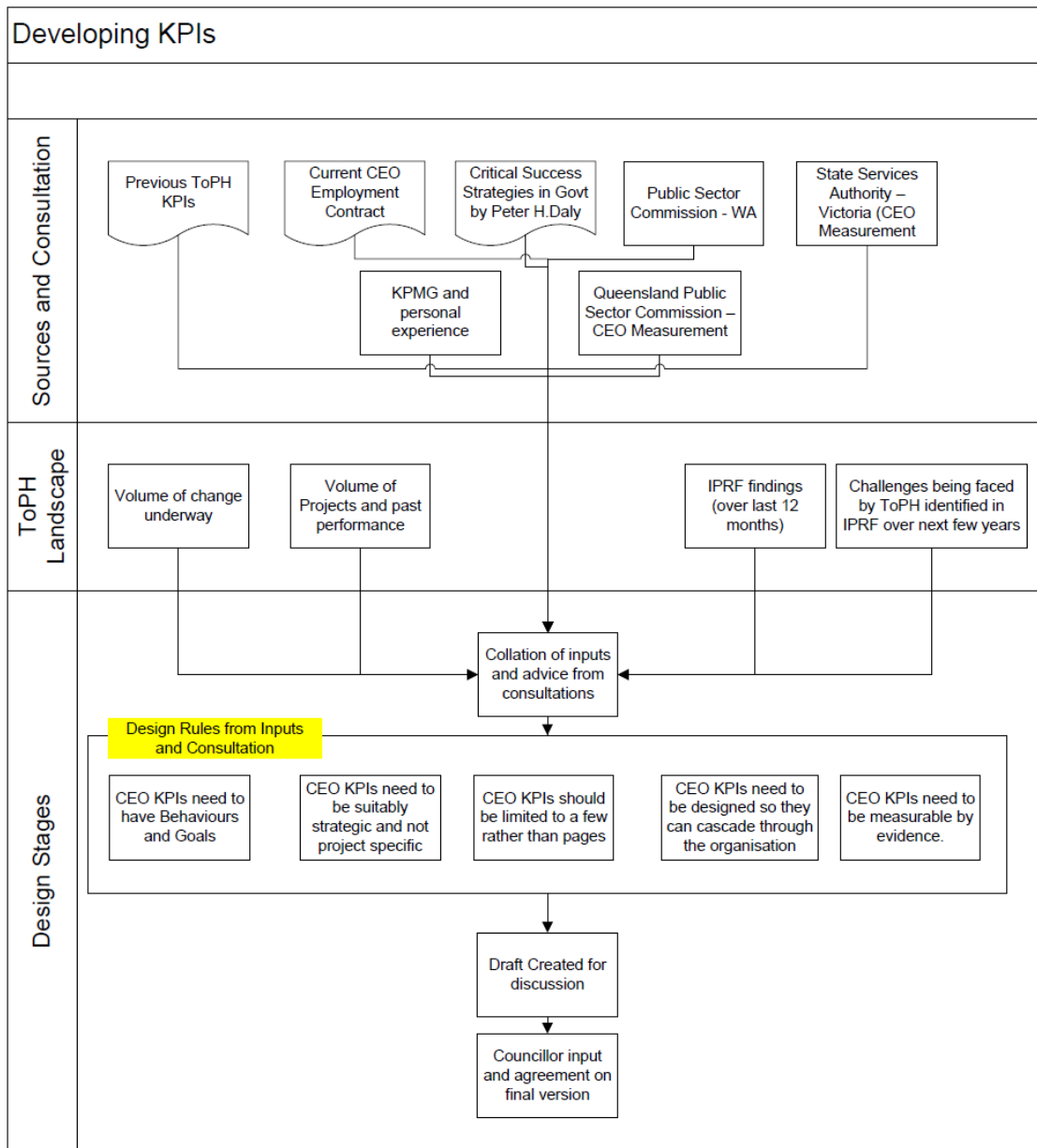
There are Behaviour Goals and Business Focus Goals listed.

Next steps

- If the goals are endorsed by Council then they will be incorporated into a review form that will contain the following for each goal
 - Space for the CEO to enter their evidence and thoughts on how they have done
 - Space for Council to enter evidence and thought on how the CEO has done
 - Space for final agreed comments (when the CEO and Council agree progress)

Process undergone to create the goals

There has been an extensive process undergone to create these goals as shown in the process flowchart below.



Behaviour Goals

	Core Components	Example Evidence gathering
Lead oneself	Focused on positive outcomes	Demonstrated by feedback from others
	Honest self assessment	
	Seeks and acts on feedback	
	Active pursuit of personal development	Demonstrated by utilisation and evaluation of training
Live the values	Displays constructive, values-led behaviours	Demonstrated by feedback from others
	Embraces ethics and independence	
	Actively engages with the community	
Lead our people	Communicates with success	Demonstrated by feedback from others
	Coaches and develops others	
	Engaged and collaborative team member	
	Displays behaviours that support diversity and practice inclusion	
	Contributes to a high performance culture	
Lead the business	Thought leader and innovator	Demonstrated by feedback from others
	Strategic relationship builder	
	Develop business partnership opportunities	
	Good relationships at State and Federal level	
	Advocates for efficiency	

Business Focus Goals

	Objectives	Goal	Metrics
1	To deliver effective and accurate communication to the Council, Community and Partners by delivering informed accurate reporting. This will help facilitate timely and efficient decision making via an established Corporate Reporting Framework and on time reports to Council.	A corporate reporting framework is in place across the organisation that is up to date and easily understood via a summary dashboard report.	Corporate Reporting Framework, report and dashboard summary delivered by June 2013 and then monthly thereafter.
2	To identify and develop suitable external partnerships to support Council initiatives, projects and funding requirements in line with Corporate Business Plan requirements. An external partnership framework that covers commercial and government entities such as BHP, FMG, Hancock Prospecting, Atlas Iron, North West Iron Ore Alliance, Pilbara Regional Council, State Government and Federal Government will support this.	A clear Partnership framework is developed for commercial and government bodies that; <ul style="list-style-type: none"> a) identifies meeting schedules, objectives, reporting and outcomes. b) creates a quarterly summary report to Council that is also available to the relevant partnership body. 	Corporate Reporting Framework and reports in place by June 2013 and then quarterly thereafter.
3	To actively promote and implement all elements of the Integrated Planning & reporting Framework (IPRF), including the delivery of the Corporate Business Plan (CBP) within the agreed financial and timeline constraints.	To deliver all elements of the CBP ensuring; <ul style="list-style-type: none"> a) the organisation (via the Directors) delivers the outcomes, projects and results sought, b) the maintenance of the associated components of WFP, ICT Strategy, Asset management, FCWP and LTFF 	To ensure the monthly reporting, Corporate Reporting Framework and the Performance Management system all report against the Corporate Business Plan components to track progress towards delivery on a monthly basis. Reporting to be in place by May 2013 and monthly thereafter.

		<p>To complete a full review of the finance function across the organisation that;</p> <ul style="list-style-type: none"> a) identifies staffing requirements, accountabilities and work required on end-to-end financial processes, b) facilitates the most efficient way to maximise financial tracking and accountability whilst minimising risk. 	<p>To complete the review and deliver a report with requirements to Council by the end of February 2013.</p>
		<p>To develop a comprehensive LEAN (or similar) based process improvement program across the organisation to improve delivery and cut costs.</p>	<p>To develop a comprehensive LEAN (or similar) based process improvement program across the organisation to improve delivery and cut costs. To be commenced by Aug 2013</p>
4	<p>To promote and create an effective, efficient and appropriate performance culture within the organisation across all Directorates and Staff structures.</p>	<p>Develop a performance management approach that cascades down these KPIs to Directors and then to every Staff member, with 6 monthly reviews and annual performance appraisals.</p>	<p>Development of cascade KPIs, performance management approach, training on performance management and rolled out across all Staff by end June 2013. (Director KPIs in place by July 2013, interim reviews by Oct 2013 and annual appraisals complete by end April 2014)</p>
5	<p>Financial management and accountability for a budget approved by the Council and day-to-day management of the Town of Port Hedland, its staff, consultants and contractors. This to include ensuring Director accountability for delivery within agreed budgets.</p>	<p>To ensure a detailed plan is in place and delivered to achieve financial compliance and long term sustainability including ratios/ tolerances in place such as ensuring that Directors maintain budgets within agreed tolerances</p>	<p>Measured by;</p> <ul style="list-style-type: none"> a) business plans and agreed overall budget in place, b) delivering within agreed budget tolerances to the agreed service delivery levels. c) any exceptions outside overall budget tolerances to be approved by due process before expenditure. d) ensuring the LTFP is used to model any requested expenditure so short and long-term impacts are understood. By May 2013

<p>6</p>	<p>To develop an effective and efficient project and contract management framework ensuring;</p> <ul style="list-style-type: none"> a) projects are fully costed, contracts are effectively managed and are both delivered on time and within budget. b) Council has access to all associated project costs including internal staff time, ongoing annual costs and whole of life asset costs before a project is approved. 	<p>To develop an end-to-end project and contract management framework that includes gateways for approvals (such as scoping costs, compliance, business case costs, implementation stages) that are stringently managed and approved.</p>	<p>Development of an end-to-end project and contract management framework that captures all projects and contracts. Supply a dashboard style report to Council on a quarterly basis by October 2013.</p>
<p>7</p>	<p>To ensure there is a comprehensive and accurate risk management system in place that can supply up to date reports on a quarterly basis.</p>	<p>To develop a comprehensive risk management framework that supplies summary reporting with mitigations and costs on a quarterly basis.</p>	<p>Development of a comprehensive risk management framework by December 2013.</p>

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

Nil

ITEM 13 REPORTS OF COMMITTEES

NOTE: The Minutes of this Committee meeting are attached under separate cover.

13.1 Airport Committee – 14 January 2013**13.1.1 Airport Committee Minutes – 14 January 2013**

201213/243 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Dziombak

That Council receives the Minutes of the Ordinary Meeting of the Airport Committee held on 14 January 2013 at 5:30pm.

CARRIED 6/0

Moved: Cr Hunt

Seconded: Cr Carter

That the meeting be closed to members of the public as prescribed in Section 5.23(2) of the Local Government Act 1995, to enable Council to consider the following Items:

- **Airport Bar and Café lease (File No.: 05/05/0060) Item 13.2 from Airport Committee Meeting;**
- **Update on Terminal Building Electricity Charges at the Port Hedland International Airport Item 13.1 from Airport Committee Meeting;**
- **Request for Proposals - Pretty Pool Caravan Park Responses (File no.: 19/01/0002); and**
- **Wallwork Road Bridge Development Conditions & Stages.**

CARRIED 6/0

5:56pm Deputy Mayor advised that this meeting is now closed to members of the public.

13.1.2 Confidential Item - Airport Bar and Café lease (File No.: 05/05/0060) Item 13.2 from Airport Committee Meeting.

201213/245 Airport Committee Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Hooper

That Council:

1. Agree to mutually terminate the existing lease for the Port Hedland International Airport Bar and Café between the Esplanade Port Hedland Hotel and the Town of Port Hedland;
2. Agree to dispose of 312m² portion of the Port Hedland International Airport terminal to The Esplanade Port Hedland Hotel by way of lease in accordance with section 3.58 (3) of the *Local Government Act 1995* (private treaty) on the following terms and conditions:
 - a) Lease area of 312m²;
 - b) A base rental of \$148,200 per annum, exclusive of GST;
 - c) An 8.5% of gross revenue concession arrangement;
 - d) Market Valuation every three years during the term as well as Redevelopment Market Valuation on the practical completion of the terminal redevelopment;
 - e) A term of five years commencing on practical completion of the café's refurbishment;
 - f) Option to extend for five years plus five years;
 - g) For the permitted use of bar and café operations, including, but not limited to, food preparation, food and beverage service and sale of ancillary goods;
 - h) Commitment by the lessee to upgrade the bar and café as per the refurbishment proposal;
 - i) Commitment by the lessee to provide a superior standard of food and beverage service as per the refurbishment proposal;
 - j) Under the opening requirements of, as a minimum, that the café is open one hour prior to the arrival and thirty minutes after the actual departure of scheduled regular passenger transport or regular international open charter flights
should no adverse submissions be received during the requisite advertising period or an adverse decision from the State Administrative Tribunal.
3. Agree to dispose of the existing kitchen fittings in the bar and cafe.

CARRIED 6/0

13.1.3 ***Confidential Item - Update on Terminal Building Electricity Charges at the Port Hedland International Airport.***

201213/244 Airport Committee Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Dziombak

That Council note the work to date on the investigations into the electricity consumption at the Port Hedland International Airport Terminal building.

CARRIED 6/0

ITEM 14 **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

ITEM 15 **CONFIDENTIAL ITEMS**

15.1 ***Request for Proposals - Pretty Pool Caravan Park Responses (File no.: 19/01/0002)***

201213/246 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Dziombak

That Council:

1. Invite both respondents: Ausco and The Mac to submit a redesign of their original proposals within 30 days (or a reasonable amount of time as negotiated by the Manager of Economic Development and Strategy) or notify the Town in writing they no longer wish to proceed with the RFP. This redesign is predicated on the acceptance by Council of a portion of the property being used as a motel style development. The redesign would include for motel rooms, but create a more holistic fully serviced tourist holiday park on the site. The redesign of both projects should be presented to Council after detailed consultation with Town of Port Hedland officers and the two respondents and may include:
 - A smaller proportion of land area to be dedicated to the motel style development without necessarily decreasing the yield of motel rooms. This could be accomplished by increasing the height of the motel style buildings

- while paying particular attention to good design in the context of setting;
- Moving the motel style development away from existing residential to the Western portion of the property;
 - Increasing the landscaping or buffer treatment to adjacent residential;
 - Enhancing the area dedicated to services such as dining and reception to create more of a village feel as opposed to current institutional or campus look;
 - Increasing (or allocating) more space to chalet style development particularly adjacent to the existing residential development;
 - More attention to the street frontage to avoid “dead zones” while respecting existing residential;
 - Enhancement associated with a tourist park such as picnic areas.
2. The requested redesigns are to be presented to the April Ordinary Council Meeting for a resolution;
 3. If both respondents are unwilling to amend the proposals Council authorises the Manager Economic Development & Strategy to begin the process of attempting to present the opportunity to other caravan park operators and to negotiate a private treaty in accordance with all provisions of the Local Government Act 1995; and
 4. Request that State Land Services amend the vesting of Reserve 29044, Lot 300 on Deposited Plan 53035 (Pretty Pool Caravan Park Site) to allow a maximum term of lease of 30 years.

CARRIED 6/0

15.2 *Wallwork Road Bridge Development Conditions and Stages.*

201213/247 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Dziombak

That Council:

1. Request the CEO write to the Minister for Transport the Honorable Troy Buswell MLA and include the following advice in the correspondence:
 - a) Council will abandon its current Tender 11/13 Design and Construction of Wallwork Road Bridge;

- b) Council agree the funding contribution from the State will only become available once all BHP Billiton Iron Ore Pty Ltd and Town of Port Hedland funds are utilised first on the Wallwork Road Bridge project;
- c) Supports Main Roads Western Australia delivering the Wallwork Road Bridge project as a variation to its existing Contract 183/10; and
- d) Request Staff bring to Council for its consideration the Wallwork Road Bridge Cooperation and Procurement Agreement that will need to be signed by the Town and Commissioner for Main Roads before the bridge works can start.

CARRIED 6/0

201213/248 Council Decision

Moved: Cr Hunt

Seconded: Cr Dziombak

That the meeting be opened to members of the public.

CARRIED 6/0

6:09pm Deputy Mayor announced that the meeting is now open to Members of the Public and advised of the Council Resolutions determined whilst the meeting was closed to Members of the Public.

ITEM 16 APPLICATIONS FOR LEAVE OF ABSENCE

201213/249 Council Decision

Moved: Cr Carter

Seconded: Cr Hunt

That the following applications for leave of absence:

- Mayor Kelly Howlett from 27 January 2013 to 11 March 2013
be approved.

CARRIED 6/0

ITEM 17 CLOSURE

17.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 27 February 2013, commencing at 5.30 pm.

17.2 Closure

There being no further business, the Deputy Mayor declared the meeting closed at 6:18pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of _____ 2013.

CONFIRMATION:

MAYOR

DATE