



Town of Port Hedland

MINUTES

OF THE

**ORDINARY MEETING
OF THE TOWN OF PORT HEDLAND COUNCIL**

HELD ON

WEDNESDAY 25 JANUARY 2012

AT 5.30 PM

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

*Paul Martin
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 Mayor declared the meeting open at 5:32 pm and acknowledged the traditional owners, the Kariyarra people. A one-minute period of silence was held in honour of the passing of Joy Haynes, wife of former Shire President Jack Haynes.

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

Mayor Kelly A Howlett
Councillor George J Daccache
Councillor Arnold A Carter
Councillor Stan R Martin
Councillor Michael (Bill) Dziombak
Councillor Julia E Hunt
Councillor Gloria A Jacob

Officers

Mr Paul Martin	Chief Executive Officer
Mr Eber Butron	Director Planning and Development
Mr Gordon MacMile	Director Community Development
Mr Russell Dyer	Director Engineering Services
Ms Debra Summers	Acting Director Corporate Services
Mr Ayden Férdeline	Administration Officer Governance

Public Gallery

Members of the Public	13
Members of the Media	2
Members of Staff	3

2.2 Apologies

Nil

2.3 Approved Leave of Absence

Councillor Jan M Gillingham
Councillor David W Hooper

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 14 December 2011****3.1.1 *Mr Camilo Blanco***

Has a traffic study being carried out in order to solve the dramatic increase in traffic that will result from the Precinct 3 Proposal?

Director Engineering advised in the negative, but noted that traffic studies carried out on Wallwork Road / Wedgefield will inform the traffic studies for Precinct 3.

If the zoning is not changed then the Precinct 3 money can only be spent on airport operations or on the airport reserve, is that correct?

Chief Executive Officer advised that this is not correct and that Council determines where funds are allocated.

What about other parts?

Which account does the revenue raised from Mia Mia and Port Haven go into? The airport reserve account or general revenue account?

Director Corporate Services advised that the lease revenue raised from Mia Mia and Port Haven is paid into account 1303357 Lease Income. Mia Mia also pay an annual community contribution of \$350,000.00. The last payment was paid into 1108349 Grant – Multi Purpose Rec Centre. This funding was used to repay the loan associated with the Multi Purpose Rec Centre.

NOTE: Mr Camilo Blanco advised that he was not satisfied with the response provided and would address this matter during 4.1 Public Question Time.

3.1.2 *Mr Chris Whalley*

Could Council contact FMG Management and ask them to specify in written form precisely what is their policy regarding Fly-In, Fly-Out workers?

The Town of Port Hedland has contacted FMG in regards to this query and a response will be provided to Mr. Whalley in due course.

Could Council contact the Department of Education to find out if it is possible to expand the existing college in South Hedland to include other subjects aside from the existing building and metal trades?

The Town of Port Hedland has contacted Hedland Senior High School in regards to this query and a response will be provided to Mr. Whalley in due course.

Unfortunately, the trees on Anderson Street have been vandalised. Can Council seriously consider having the young saplings around the West End of Anderson Street surrounded by steel posts and barbed wire until such time as they are able to cope with the interference from vandals?

Director Engineering Services advised that Council installed closed-circuit surveillance cameras (CCTV) throughout the West End, and this footage can be reviewed if damage to the trees is reported. Barbed wire would detract from the amenity of the area and will not be installed; more secure tree guards, however, will be investigated as part of the 2012/2013 Budget process.

NOTE: Mr Chris Whalley advised that he had received communication from Fortescue Metals Group Ltd and had further questions. Mayor requested that these be raised during 4.1 Public Question Time.

3.1.3 Ms Gaye Stephens

I have questions regarding tonight's agenda and in particular about the Town Planning Scheme No. 5, which as we all know is now over 10 years old, although it should not get past the 5 years mark. It is pleasing to see that Council is now using the Pilbara's Port City Growth Plan to plan for its esponential growth and can use the document to move towards reviewing its Town Planning Scheme. Is Council able to provide an estimated timeframe for when Town Planning Scheme No. 6 will be finalised and implemented?

Acting Director Planning and Development advised the review of Town Planning Scheme No. 5 has already commenced through the preparation of the Port City Growth Plan which will be recognized as the Town's Strategic Plan by the Western Australian Planning Committee. The adoption of a Strategic Plan is a pre-requisite to Scheme No. 5 review. It is anticipated, subject to the availability of funding, that the review will be progressed during the 2012 – 2013 financial year.

Is Council's decision of February 2010 – which was made in response to the developer making an application directly to the Western Australian Planning Commission (WAPC) – which states block sizes of a minimum of 1ha (10,000 m²) still valid for the developer to progress?

Acting Director Planning and Development advised that the subdivision of Lot 226 Forrest Circle was approved by the WAPC on 30 April 2010. In terms of the approval the subdivision is valid for a period of 4 years.

3.1.4 Mr Evan Young

Mr Young enquired as to whether the Town should notify all tenderers about the incorrect information contained in the aforementioned letter.

Director Engineering Services advised that Mr Young was asked to provide a quotation, not a tender, on two occasions. The first Request for Quotation was for security/parking management, and this was awarded to Sabar Technologies Pty Ltd as they provided the cheapest quote and had installed the paid parking system. The second Request for Quotation was to provide security patrols, however this work was not awarded to any party.

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 14 December 2011

3.2.1 Councillor Jan Gillingham

Regarding the availability of Ranger Services on the weekend, when you try to call the hotline to see if your pet has been found, there seems to be no answer. What is happening?

Manager Environmental Health advised that due to staff shortages the Ranger Services Hotline is currently staffed for three hours per day over the weekend. After hours, calls are answered by Insight Call Centre Services who forward urgent matters to the Ranger on duty. The Town is in the process of recruiting new personnel so to maintain maximum staffing levels 7 days a week.

ITEM 4 PUBLIC TIME

5:35pm Mayor opened Public Question Time

4.1 Public Question Time

4.1.1 Mr Camilo Blanco

Is the Town aware that Australia Day is tomorrow? We are not flying the Australian flag outside of the Council Chambers.

Mayor advised that the Australian flag is flown outside of the Civic Centre during business hours. The flag was lowered at 5:00pm this evening.

Is the Town aware in the Local Government (Administration) Regulations 1996, number 11, content of minutes of council or committee meetings is to include a summary of each question raised by members of the public at the meeting and a summary of the response to the question?

Mayor advised in the affirmative.

There are a number of questions that have not been presented in the Agenda tonight that I asked at the December Ordinary Council Meeting. Is there a reason for that?

Chief Executive Officer advised that he will look into this matter if Mr Blanco can provide a list of the missing questions.

Some of my questions have been re-arranged even though I gave a written copy. What is the reason for that?

Chief Executive Officer advised that this question will be taken on notice.

These questions are not listed:

“2) With the Precinct 3 Proposal approved, has Council been able to increase Police numbers?

5) Has any part of the Airport been rezoned to date?”

Mayor advised that this question will be taken on notice.

On 18 November 2011 I requested all financial information for the past 12 months through Freedom of Information. Can the Town tell me why this is so hard to deliver?

Mayor advised that Mr Blanco's request is progressing through the standard Freedom of Information process.

Chief Executive Officer advised that Mr Blanco has requested a number of Town of Port Hedland accounts for the past 12 months and all relevant transactions. In accordance with the Freedom of Information process Town officers have assessed the workload involved in providing this information to Mr Blanco, which has been deemed to be about 1,300 hours. Mr Blanco has previously been requested to narrow the scope of his request, which the Town would be happy to provide information for. However based upon Mr Blanco's original request, the Town of Port Hedland has sent a letter to Mr Blanco yesterday declining his request. Mr Blanco now has an opportunity to appeal this under the Freedom of Information process if he wishes to do so.

Is all financial information stored on the Council computer system?

Chief Executive Officer advised that this question will be taken on notice.

Why is it not possible to print public financial information out on request from a ratepayer?

Mayor advised that this question will be taken on notice.

4.1.2 Ms Gaye Stephens

Is Council familiar that the Western Australian Planning Commission (WAPC) is responsible for determining applications for freehold and survey strata subdivisions under the Planning and Development Act 2005 and Strata Titles Act 1985, and they are also the authority a developer should apply to for considering a variation to a subdivision plan, for example, an amended plan?

Director Planning and Development advised in the affirmative.

Can Council please formally recognise Maureen Kelly and her daughter for being nominated for the Australian of the Year award?

Is Council also familiar that in accordance with the WAPC subdivision process, subdivision variations undergo a formulated process to ensure WAPC Policy and Guidelines are adhered to.

Director Planning and Development advised in the affirmative.

Is Council also familiar that the WAPC may require any subdivision applications or variation of a subdivision to undergo a process to determine the level of transport assessment required? These guidelines were developed in 2006 by the WAPC.

Director Planning and Development advised in the affirmative.

Is Council aware that the WAPC Transport Assessment Guidelines for Subdivision Developments indicate that a full transport assessment is required for those subdivisions that are considered 'high impact'; that is, greater than 100 lots in the subdivision?

Director Planning and Development advised in the affirmative.

Why, then, is Council considering amending its Town Planning Scheme instead of encouraging the developer to resubmit to the WAPC directly for approval?

Director Planning and Development advised that this Item was discussed extensively among Planning Officers because of the change in lot sizes from what currently exists to what has been proposed. Officers advised the applicant to go through a rezoning process because this would provide transparency in terms of the required public advertising period and, beyond that, the applicant would still be required to lodge a subdivision application.

Through the WAPC for subdivision approval or consideration, do they also provide an advertising period for the stakeholders and residents?

Director Planning and Development advised yes, and said the WAPC circulates the item among State agencies as well to get comment from Department of Transport, Main Roads, etc.

Does Council and/or the Town's staff believe applications for variation to the WAPC's due process may be rejected because they do not meet the WAPC's policies and guidelines?

Director Planning and Development advised the rationale behind undertaking the Scheme Amendment process is to allow for public comment on the smaller lot sizes that have been proposed. The WAPC and other State agencies will have the opportunity to comment again on the proposed rezoning of this site when the applicant resolves to proceed with the subdivision application.

I will re-ask the question in another way. Does Council believe, having its understanding of the WAPC's policies and guidelines, the variation to the subdivision, if it applied directly to the WAPC, that it may well be rejected because it does not meet their guidelines?

Director Planning and Development advised that the views expressed in the report presented to Council tonight are those of Council Officers, hence the recommendation put forward.

Is there any mention, your worship, of the WAPC process in the business paper presented to Council?

Mayor advised that Councillors have knowledge of the WAPC process.

Chief Executive Officer advised that the Officers views are in the report.

Why utilise invaluable time and resources of Town of Port Hedland staff by making applications to the WAPC on behalf of the developer when you receive objections from residents and the developer has the option, at no cost to the Town, to resubmit a variation to the WAPC?

Director Planning and Development advised that Ms Stephens is maybe becoming confused between the subdivision process and the Scheme Amendment process.

No, I totally understand the difference.

Director Planning and Development advised the applicant has proposed to go down the path of the Scheme Amendment. Council has not initiated this yet, and Council is aware of the objections received from residents, and it is up to Council to decide whether or not to initiate the Scheme Amendment.

So it is Council's choice, then, to initiate the Amendment rather than recommend to the developer to resubmit to the WAPC?

Chief Executive Officer acknowledged that this is what the Director Planning and Development advised.

Director Planning and Development advised that the applicant has lodged an application for a Scheme Amendment. Council must make a decision on the course of action taken by the applicant.

Thank you.

NOTE: Mayor requested that Ms Gaye Stephens submit her questions in writing so they can be appropriately documented in the Minutes of this Meeting.

Is this meeting recorded?

Mayor advised in the affirmative.

Can you rely on the recording for my questions?

Mayor advised that it is part of Town of Port Hedland procedures that all questions be submitted in writing.

5:46pm Mayor closed Public Question Time

5:46pm Mayor opened Public Statement Time

4.2 Public Statement Time

4.2.1 Mr Camilo Blanco

At the last Special Council Meeting I attended, you did try to have me removed for not standing before the Meeting had actually started. So just so you know, I'll explain very briefly.

There are things I will stand for: elderly people when they need a seat, veterans who fought for our country, the Australian flag.

The thing I will not stand for is racism. Acknowledging people that own the land and don't care for it, is not to be stood for.

Acknowledging all people that built this country is what I'll stand for. From the migrants that flocked after World War II and became Australians, to all the hard-working class that are here today, all with one thing in common: the southern cross, the union jack, the Australian flag. I will stand for that.

Now that you have opened the meeting first and acknowledged the traditional owners, you need to acknowledge all people that built this country as well.

4.2.2 Mr Brendon Toohey**Senior Project Manager, Aston Parks**

I speak to you tonight regarding Aspen Park's application to construction 5 Duplex Chalets and 5 caravan and camping sites at the Cooke Point Caravan Park. Aspen Parks supports the Officers recommendation of approval.

Aspen Parks appreciates the chronic shortage of tourist accommodation in Port Hedland which is evidenced by our occupancy rate being consistently above 90%. The need for the chalet type accommodation is result of the enquiry levels over the past two (2) years as well as the current high occupancy of existing chalet accommodation.

Aspen Parks have seen a small, but steady decline in demand in caravan and camping; notwithstanding this five (5) sites are proposed to be included within the Park.

I note the comments in the report that there is a net increase in accommodation being provided by the proposed development.

It is important to note the location, where the proposed chalet are to be erected, was previously used by Fleetwood for similar type of accommodation up until the Park was transferred to Aspen Park in 2004.

Subject to timely Lessors and building approval Aspen proposes to undertake the necessary works during March and be completed by June.

In summary:

- Aspen Parks supports the recommendation of Approval;*
- The construction of Chalet accommodation is meet current market demands;*
- There is a net increase in the amount and type of accommodation being provided by Aspen Parks at Cooke Point;*
- Aspen Parks appreciates the support of Council and looks forward to working closely with Council in the future.*

4.2.3 Mr Chris Whalley

I received a letter from Fortescue Metals Group Ltd yesterday regarding their position on Fly-In, Fly-Out workforces. This document is fairly comprehensive and tells me that we have a real problem in town with accomodation. Thank you for following up on this matter.

4.2.4 Mr Barry Pound

Madam Mayor and Councillors, my name is Barry Pound. I am a part owner of the South Hedland Rural Estate. I wish to make a statement about the proposed rezoning which is again before Council as Item 11.1.5 'Proposed Scheme Amendment No. 52 to the Town of Port Hedland Town Planning Scheme No. 5 to recode portion of Lot 226 Forrest Location (Lot 226 South Hedland Rural Estate) South Hedland from "Rural Residential" to "Residential – R2.5" (File No. 18/09/0066).'

I now live south for business and personal reasons, but I was a long-term resident of Port Hedland for some 14 years. I still have family and many friends here. I served on this Council for 3 years and was Deputy Mayor and I continue to take the interests of Port Hedland very seriously.

We already have WAPC permission to subdivide the southern area of the Rural Estate into 72 lots. But in a town with a critical housing supply shortage, it was clear that we were obliged to look at using the land more efficiently. We propose a further 57 lots, increasing the total estate size by a bit less than one-third, and supplying as a minimum 1 acre lots, or 4000m² lots, this is in tune with many rural residential size lots all over the state of Western Australia.

We have been mindful that any increase should not prejudice the lifestyles of the people already living there and have worked closely with the Community and Planning staff to create this application. This is why your Officers support the rezoning – we have not cut any corners nor left any issues unresolved.

Last meeting some Councillors raised objection because of two issues: the impact of additional traffic, and flooding. Let me address them.

Firstly, traffic. A traffic study is included in our application. Council Officers advise in their report that they consider this volume negligible, and I am advised that this level is well below the threshold where traffic impact analysis is required at all.

Secondly, flooding. We take this issue very seriously. We had a comprehensive flood study undertaken by VDM and – at Council's request – had it independently reviewed by independent engineers. The company was SKL Ltd. The reports were accepted by the WAPC when it approved the 72 new lots.

As set out in your Agenda, additional modelling by the consulting engineers concluded that:

"The revised layout ... has no additional impact to the surrounding stakeholders when compared to hydraulic modelling previously carried out for the specific rural development."

We have already undertaken two community consultations and supplied the findings to your Planning department. We have held a community open day for Bosna landowners and residents conducted by professional consultants, Creating Communities.

We are happy to have the community have its say, but it should be the voice of the whole community and not just the voice of one person.

We are developers wanting to build homes in Port Hedland and we have conformed and consulted with the community and Council staff over the last 12 months to get to this application providing the best use of the land, and currently there is a crucial housing shortage.

Three points raised: Flooding, overcome by the technical report. Traffic, overcome by the technical report. Lifestyle, not a valid planning argument but one acre lots are still considered Rural/Residential, and we are not asking to rezone the Bosna area.

Finally, as a former Councillor, I also understand that all decisions need to be made on valid grounds, not just feelings.

The Local Government (Administration) Regulation 11 relates to Section 5.25(1)(f) of the Local Government Act which requires the minutes of a meeting to record the reasons why a decision of Council is substantially different from the recommendation of an Officer or a Committee. This reason must have technical merit and be a valid planning objection.

We have carefully studied the area and any impact the proposed rezoning may have. I respectfully submit that there are no technical reasons why the rezoning shouldn't go ahead. Your Officers agree with this.

Therefore the only reasonable and defensible course open to Council is to initiate the rezoning. This will allow all interested people to have their say in a formal, statutory process. I believe that this is the fairest approach to all concerned.

Thank you for your time.

NOTE: Mayor asked that all Public Questions and Public Statements presented before Council tonight be submitted to the Minute Taker in written form.

4.2.5 Ms Gaye Stephens

My name is Gaye Stephens, I am a resident of the Town for 13 years, 10 of which I served working for this Council.

I am very familiar with development and planning, and with developers applying directly to the Western Australian Planning Commission (WAPC). I am also familiar with developers applying directly to Council to amend its Planning Scheme to suit their needs.

I accept and continue to support Council's decision in February 2010, which was made in response to the developer making an application to the WAPC stating block sizes of a minimum 1ha (10,000m²). That is, 71 lots in total.

Councillor Gillingham, at the last Ordinary Meeting, alluded to this community consultation, so I need to let you know what we as residents know. You only have one person objecting here at the moment because I am a Council-savvy person who is aware that it is on the Agenda. The rest of the residents don't know this.

In November of December 2010 I received an invitation from the developer to view, and then state my preference, between the existing WAPC approval to the developer, or a new, higher density Rural Settlement option. That included approximately 145 lots. That consisted of 'family housing' of 600m² lots and a 'Village Centre' comprising of community facilities, a playground area, meeting places and a convenience store. I appreciate that this proposal has since changed.

Without looking up my diary, I was about the sixth person to have visited by the end of the day (just before 6:00pm, after work) and I made it quite clear that I only supported Council's decision for Rural Residential blocks of a minimum 10,000m².

In January 2011 there was a briefing to Council to meet with the developer and to request Council's support for public advertising – and acknowledging that it is Council's final decision to follow the outcome of advertising. This did not occur.

On 20 April 2011 I received a letter from the Town of Port Hedland on behalf of the developer. That letter stated:

"The Town ... has received the Quartz Estate Concept Development Plan and is seeking the public's comment and information on the proposal. The proponent, VDN Group, has not made a formal application for Council to adopt a Development Plan or to initiate a Scheme Amendment at this stage.

The Council is, instead, seeking public comment and response to the proposal before formally considering a planning proposal for approval.

Details of the proposal are available for inspection at the Council office during normal business hours ... responses are required within 14 days – Wednesday 4 May 2011. Should no responses be received it will be construed that you have no objection or comment to offer..."

That is an unusual public consultation process, but I acknowledge there are variances.

I did contact the Planning department via telephone as I could not visit Council offices during business hours, and they had no information which they could provide. I was referred to Bill Burrell at TBB and subsequently spoke with Andrew Paterson who forwarded a copy of the letter from TBB to the Town, dated 28 February 2011, requesting consent to advertise.

Council never considered nor made the decision to seek public comment. I was subsequently advised that as there was no formal decision of Council to authorise advertising, I did not need to respond.

The reality is that there has been no formal consultation (by Council) in relation to Stage 2 with existing South Hedland owners and/or residents.

When Council negated an amendment to the Officer's Recommendation for this proposed Scheme Amendment at its last Ordinary Meeting, I interpreted this as Council disapproved of the new proposal.

I again advise my strong objection to the Proposal to allow Residential blocks instead of Rural/Residential. These lots of 4,000m² are not compatible with the existing estate minimum of 10,000m².

I feel a little disheartened to see 2002 traffic data used in the Report. The WAPC Traffic Assessment framework from 2006 is what the developer should be adhering to. If logic is applied; 2 cars per property, making 2 trips per day (1 to and from work, another to and from school or shops), across 61 titles, not all of which are developed, puts the figure at 121 return trips per day conservatively. An additional 143 lots would mean an additional 286 return trips per day.

This may not be scientific, but it is logical. These estimates are more realistic traffic increases than the data cited from 10 years ago.

It has also been mentioned that the lots are often costly and difficult to maintain. But Rural/Residential is just that. It's natural Pilbara scrub. Owners and residents have the option to clear, but they need Council's approval, or not. And, of course, we adhere and do fire breaks.

The developer has the opportunity to be guided by the WAPC and to resubmit a variation – spending their own time and resources instead of the Town's. And better still, don't delay alleviating the housing shortage, start the approved 71 blocks immediately instead of wasting more valuable time: building could have commenced 18 months ago.

5:59pm Mayor closed Public Statement Time

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE**5.1 *Councillor George J Daccache***

Due to an incident that occurred at last Council meeting with a member of the public gallery, can Council amend and distribute Standing Orders to all who attend Council meetings so that all who attend these meetings know the rules?

Mayor and Chief Executive Officer acknowledged Councillor Daccache's request.

When will Council discuss and finalise tourist caravan parking areas at the Golf Club?

Chief Executive Officer advised that the Town has arranged a meeting with the Golf Club to discuss this matter and will report back to Council at the next meeting.

Could Council have a presentation from the local police on how effective and useful the CCTV cameras are around Hedland areas?

Chief Executive Officer advised that this request will be forwarded on to the Police for their consideration, and that such a presentation could be coupled with Town of Port Hedland staff feedback.

I have heard a rumour that South Hedland Police are facing a possible reduction in police personnel numbers. Can we please find out from WA Police if this is the case?

Chief Executive Officer advised that he will approach WA Police with this enquiry.

5.2 *Councillor Stan R Martin*

I am sure that everyone must have been devastated by the damage to the trees around Forest Circle and Hamilton Road following Cyclone Heidi. What are we going to do about this? We can't have this happen every time there is a cyclone. They are a beautiful trees, but is there a program so that we prune them for cyclone season?

Director Engineering Services advised that a review is underway as to what should be done with the trees ahead of cyclone season to address this matter. Budget implications for such a management plan will also need to be considered.

Would the reason be why they're falling over so easily, the fact that we have reticulation there on the grass and therefore there is no encouragement for the roots to go down?

Director Engineering Services advised that after the previous incident where Cyclone George damaged a number of trees, it was discovered that the reticulation that was installed was too close to the base of the tree trunks. The company involved in re-stabilising the trees advised that the Town should install the reticulation further out from the tree trunks. While the Town took this advice onboard, in the future it may be necessary to consider installing an anchoring system for cyclone season that will keep trees affixed to the ground.

5.3 Councillor Michael B Dziombak

Is Council aware of, or can Council enquire into, when the Minister for Regional Development and Land visited in December to open up the South Hedland CBD, there were a number of questions asked around one of the major issues this town faces – affordable worker accomodation. There was a statement made by the Minister that there would be an announcement early in 2012, so is Council aware of when that announcement will be? And if not, can Council enquire into when that announcement is likely to be?

Chief Executive Officer advised that enquiries have been made through Pilbara Cities as to the timing of this announcement. The Town has indicated to Pilbara Cities the urgency of this announcement and the anticipated date of this announcement will be included in the Agenda for the next Ordinary Meeting of Council and circulated to elected members.

Can the Port Hedland Chamber of Commerce make a presentation to Council to raise the awareness of the same issue – affordable worker accomodation – and the criticality of the lack of affordable accommodation? This presentation would highlight the activities the Chamber undertakes in managing 80 rooms for small business that have helped over 150 small businesses in its first year of operation. This therefore highlights again the most critical issue this town faces.

Mayor advised that the Town's Governance department will liaise with the Port Hedland Chamber of Commerce to make the necessary arrangements.

5.4 Councillor Gloria A Jacob

In support of Councillor Stan R Martin's questions just a moment ago, in relation to the species of the trees planted, given that the root system is not of a deep nature, would there be some validity to the idea of investigating that more suitable species be planted?

Chief Executive Officer advised that this will be reviewed as part of the post-Cyclone tree management program.

Do we have an understanding of what the cost factor is in repairing the trees after every cyclone, and in preparing the trees for cyclone season? Do we need to consider utilising different tree types instead of this constant expenditure on pruning trees for cyclones and stabilising them after the cyclone passes?

Chief Executive Officer advised that this question will be taken on notice.

5.5 Councillor Julie E Hunt

On the same vein, can the date of the cyclone clean-up be moved forward four to six weeks, closer to cyclone season? That way there would be less growth for residential and Council trees. It was four months between the first cyclone cleanup and the first cyclone hitting Port Hedland. If we adjust this date, the trees may have only six weeks growth, and will leave behind less destruction.

Director Engineering Services advised that the pre-cyclone cleanup must transpire before cyclone season begins.

Absolutely. But the later you leave it, the less growth you will have, the less damage you will have.

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

Mayor K A Howlett	Cr G J Daccache
Cr A A Carter	Cr S R Martin
Cr M B Dziombak	Cr G A Jacob
Cr J E Hunt	

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 14 December 2011

201112/286 Council Decision

Moved: Cr A A Carter

Seconded: Cr G A Jacob

That the Minutes of the Ordinary Meeting of Council held on Wednesday 14 December 2011 be confirmed as a true and correct record of proceedings.

CARRIED 7/0

7.2 Confirmation of Minutes of Special Meeting of Council held on Friday 13 January 2012

201112/287 Council Decision

Moved: Cr G J Daccache

Seconded: Cr J E Hunt

That the Minutes of the Special Meeting of Council held on Friday 13 January 2012 be confirmed as a true and correct record of proceedings with the following amendment:

- **Page 4. A member of the public did not rise during the opening of the meeting.**

CARRIED 7/0

ITEM 8 ANNOUNCEMENTS BY CHAIRPERSON WITHOUT DISCUSSION

Mayor Kelly A Howlett's Activity Report for the period to date is as follows:

December 2011

Tuesday, 6th December

- Weekly Mayor Chat Spirit Radio 1026am
- Briefing With Journalists Re Media Famil + CEO
- South Hedland CBD Opening Event With Minister Grylls + Deputy Mayor + Cr Carter + Cr Dziombak + Cr Gillingham + Cr Hooper + Cr Hunt + CEO
- Pilbara Cities 2nd Birthday Event At The Yacht Club With Minister Grylls + Deputy Mayor + Cr Carter + Cr Dziombak + Cr Gillingham + Cr Hooper + Cr Hunt + CEO
- Media Famil Town Tour + CEO

Wednesday, 7th December

- RDA Funding Round 2 Prioritisation Meeting
- Attended South Hedland Primary School End Of Year Concert
- Attended St Cecilians End Of Year Concert

Thursday, 8th December

- Attended Precinct 3 Briefing at Jan Ford Real Estate + CEO
- Attended Mirvac Presentation + CEO + DPD
- Attended TOPH Audit & Finance Committee Meeting + Cr Carter + Cr Dziombak + CEO + DCORP
- Weekly NWT Media Meeting
- Attended Cassia Primary School End Of Year Concert
- Attended Port Hedland Primary School End Of Year Concert

Monday, 12th December

- Attended Precinct 3 Briefing – LandCorp + CEO
- Attended Precinct 3 Briefing – Hancock Resources + CEO
- PRC CEO Catch up Meeting + CEO
- Attended Precinct 3 Briefing WA Tourism Council + CEO

Tuesday, 13th December

- Pilbara JDAP Site Visits + DPD
- Pilbara JDAP Meeting + Cr Carter + DPD
- Attended Precinct 3 Briefing With Morag Lowe + CEO
- Attended PHCCI 2012 Information Directory Launch + Deputy Mayor + Cr Carter + Cr Dziombak + Cr Gillingham + Cr Hooper

Wednesday, 14th December

- Attended ABC NW Radio Christmas Party - Cemetery Beach
- Informal Council Briefing + Deputy Mayor + Cr Carter + Cr Hooper + Cr Hunt + CEO
- OCM December
- Attended ESS/Port Haven Gourmet Meal Festive Season Dinner

Thursday, 16th December

- Weekly Teleconference Precinct 3 – John Le Cras + CEO + PUB

Saturday, 17th December

- Mayor Coffee Session – Port Hedland
- Mayor Coffee Session – South Hedland

Tuesday, 20th December

- Weekly Mayor Chat On Spirit Radio 1026am
- Meeting With YAP (Jean King) Re Youth Issues

Wednesday, 21st December

- Interview Hedland Community Radio Re Christmas/New Year Services
- Meeting With Resident Re Citizenship Queries

January 2012

Thursday, 5th January

- Informal Briefing Precinct 3 + Deputy Mayor + Cr Carter + Cr Hooper + Cr Jacob + Cr Hunt + CEO + DCORP
- Weekly NWT Media Catch Up
- Meeting – Jabat School Of Dance (Alex Nickolai)

Friday, 6th January

- Meeting BHPBIO (VP Health, Safety, Community & Environment Carl Binning, Chris Cottier & Chris Smith) + Deputy Mayor
- Attended Joy Haynes Funeral

Saturday, 7th January

- Farewell Event Snr Sergeant Richard Moore (Port Hedland Police)

Monday, 9th January

- Informal Council Briefing Precinct 3 + Deputy Mayor + Cr Carter + Cr Jacob + Cr Hunt + CEO + DCORP
- Meeting Mirvac (WA CEO Evan Campbell) + CEO

Tuesday, 10th January

- Meeting Charter Hall Re South Hedland Shopping Centre
- Meeting LandCorp (Aaron Grant) Re South Hedland CBD Works
- Meeting ISG Cyclone Heidi + CEO + MEH

Wednesday, 11th January

- Meeting ISG Cyclone Heidi + MEH (Meetings Held Every 3 Hours)
- Scheduled Special Council Meeting Postponed Due To Cyclone Heidi

Thursday, 12th January

- Various Media Interviews Re: Cyclone Heidi

Friday, 13th January

- Ex TC Heidi Recovery Meeting + DES + MEH
- Special Council Meeting – Precinct 3
- Interview ABC Radio 720am Perth Re Special Council Meeting

Sunday, 15th January

- Interview ABC NW Radio 603am Re Special Council Meeting

Monday, 16th January

- Meeting New PHPA CEO (Roger Johnson) + CEO
- Meeting With EA + Mayor (Diary Planning/Organisation)

Tuesday, 17th January

- Weekly Mayor Chat Spirit Radio 1026am
- Weekly CEO, Deputy Mayor & Mayor Catch Up + Cr Carter
- Informal Meeting With New Journalists At NWT + PUB
- Meeting UWA Pilbara Taskforce + CEO
- YIC General Meeting & Tour Of Facilities

Wednesday, 18th January

- Meeting FORM (Carolyn) Re Wedge Street
- Meeting SAFE – Hedland Re Pound Issues

Mayor thanked Hedland SES and Horizon Power for their assistance on 11-12 January 2012 with the passing of Cyclone Heidi. The Mayor also offered full commendations to the Town's Parks and Gardens staff for helping the community, with an extended thank you to Mr Darryal Eastwell for his contributions.

Mayor also thanked the Director Engineering Services and his team for arranging a post-cyclone cleanup immediately after Cyclone Heidi left town so to collect the fallen debris.

Mayor subsequently reminded the public gallery that tomorrow is Australia Day; with Maureen Kelly, Jahna Cedar, and Tim Turner recognised at a national level having been nominated for the prestigious Australian of the Year award.

Mayor also advised that a number of other Port Hedland identities will be recognized on a state level tomorrow with the presentation of the Port Hedland Premier's Australia Day Active Citizenship Awards at the Soroptimists International Port Hedland Australia Day breakfast.

Mayor also advised the public gallery that the Town will tomorrow present a member of the community, Sonya Gerball, with a plaque and hamper as a departing gift as her family relocates to Broome.

Mayor then invited the public gallery to attend the Australian Citizenship Ceremony tomorrow morning, where 14 residents will gain citizenship.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 *Councillor George J Daccache*

Councillor Daccache advised that he attended a meeting with the Port Hedland Tennis Club to discuss concerns relating to the Hockey Club's use of tennis turf and amenities. Councillor Daccache said that a formal agreement must be reached between the two parties so that all users of this facility are clear on their responsibilities when using the amenities.

Councillor Daccache then advised that he had a tour of the new Pindan College campus in South Hedland. This facility appeared to be in excellent condition and its training programs benefit youth, industry and community groups alike.

In addition, Councillor Daccache attended a Town of Port Hedland Parks and Gardens team function to thank the staff for their assistance in the post-cyclone cleanup.

9.2 *Councillor Arnold A Carter*

Councillor Carter also attended the Town of Port Hedland Parks and Gardens team function last week and thanked the staff for their assistance in the post-cyclone cleanup.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

ITEM 11 REPORTS OF OFFICERS**11.1 Planning and Development Services*****11.1.1 Proposed Partial Redevelopment of Cooke Point Caravan Park. Redevelopment of 14 Caravan Sites into 10 Chalet Units, 6 Caravan Sites and 1 Additional Tent Site on Lot 1382 Taylor Street, Port Hedland (File No.: 117920G)***

Officer	Ryan Djanegara Planning Officer
Date of Report	19 September 2011
Application Number	2011/341
Disclosure of Interest by Officer	Nil

Summary

The Town received an application from Robin Salter & Associates on behalf of the Lessee Aspen Group for the redevelopment of 8 caravan sites into 10 chalet units and 1 tent site.

The subject site is owned by the Crown and vested in the Town of Port Hedland for the purpose of a caravan site. The approval of the application will result in the increase of "Holiday Accommodation" units/sites from 209 to 212 consisting of:

- "Chalets/Cabins" from 107 to 117;
- "Tent sites from 12 to 13,
- 10 "Backpacker sites, and

a reduction of:

- Caravan/campervan sites from 80 to 72 (loss of 8 Caravan Sites).

Background*Site Description*

The subject site is located along Taylor Street, Port Hedland and is approximately 3.9 ha. The site is vested in the Town of Port Hedland in accordance with the reservation number 29044, for the purposes of a caravan park.

In terms of the Port Hedland Town Planning Scheme No. 5, the subject site is zoned "Tourism", a zone permitting "Holiday Accommodation" uses.

Previous Planning Permits Issued

On the 25 August 1999, a planning permit was issued for Cooke Point Caravan Park and in accordance with the Town of Port Hedland Town Planning Scheme No. 4. The Council approved the following (summarized):

- 107 Chalets/Cabins
- 80 Caravan/Campervan sites
- 10 Backpackers units (accommodating for 20 persons)
- 10 Tent sites
- 2 Overflow sites

A total number of 209 holiday accommodation sites were approved.

Previous request of owners consent to lodge planning application

On the 10 August 2006, a planning application was lodged for the development of six (6) new Chalet homes at Cooke Point Caravan Park. The application did not have consent of the Council on the basis that the proposal would reduce the number of caravan sites.

On the 23 June 2010, Council resolved:

“That Council initiates the planning application to develop five (5) holiday accommodation duplex units to replace 14 caravan sites on Lot 1382 Taylor Street Port Hedland, subject to the applicant providing amended site plans indicating where the 14 caravan sites can be relocated on the lot to the satisfaction of the Manager Planning Services.”

Owners consent

Confirmation has been received from the Department of Regional Development & Lands that the owner's consent, being the crown is required. In this regard the Department of Regional Development and Lands has signed the application form on behalf of the Crown.

Lessors Consent

In accordance with the lease agreement between the Town of Port Hedland and Fleetwood Parks, it is stated under Clause 3.10 (a) that:

“Not to make or permit to be made to the Premises any alterations or external projection or any structural alterations or to cut maim or injure any of the principal structure or walls without the prior written consent of the Lessor (which consent may not be unreasonably withheld).”

The original lease was held by Fleetwood Parks Pty Ltd however was transferred to Aspen Parks Property Management Limited in 2004.

Consultation

External Consultation

Regional Development and Lands Owners consent granted on behalf of the Crown

Internal Circulation

Manager Building Services No objection, Building Licence required

Manager Environmental Health No objection, both laundry and toilet facilities may have to be increased as a result of the proposed redevelopment.

Manager Infrastructure Development No objections

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 sections of Council's Plan for the Future 2010-2015 are considered relevant to the proposal:

Key Result Area 4: Economic Development
Goal 1: Tourism
Immediate Priorities 1: Ensure that new caravan park/ backpackers facilities are developed within the Town.

Budget Implications

An application fee of \$1, 530.00 has been received as per the prescribed fees approved by Council.

Officer's Comment

Need and desirability of the use

There is a chronic shortage of tourist facilities and holiday accommodation units within the Town. The application is for the redevelopment of 8 caravan sites into 10 chalets and 1 tent site on site.

In accordance with the Port Hedland Town Planning Scheme No. 5, holiday accommodation is defined as:

“Any land and/or buildings used predominately by travelers and holiday-makers and designed to take advantage of a tourist attraction or other locational consideration for tourism reasons including camping areas, areas for movable dwellings, chalet parks and serviced apartments or any combination thereof but excluding hotel and motel and Bed/Breakfast facilities.”

Holiday accommodation is a specified land use and includes a range of accommodation types. The key difference between this application and the previous application in 2010 is the current proposal will increase the overall number of accommodation units. Council needs to resolve whether the loss of caravan/campervan sites can be justified by the overall increase in the number of holiday accommodation units.

In accordance with Council’s Plan for the Future 2010-2015, an immediate priority for tourism within the Town is:

Ensure that new caravan park/backpackers facilities are developed within the Town.

Whilst it is acknowledged there will be a reduction in the number of campervan/caravan sites from 80 to 72, the overall number of holiday accommodation units will increase from 209 to 212. It is Council Officer’s opinion the benefit of a greater number of overall holiday accommodation sites (3 more) justifies the reduction in campervan/caravan sites.

Streetscape and Amenity

The proposed redevelopment area is not adjacent to the street and would not impact on the streetscape or visual amenity of the locality.

Car parking

The proposed redevelopment would require 4 additional car parking bays to be provided. The previous approved plans indicate 220 bays on site. The applicant has provided a site plan showing 224 bays on the site. Council previously approved the use of the Taylor Street road reserve for additional visitor bays. A recent site visit indicated there was approximately 34 car parking bays provided on the street.

The 34 parking bays within the Taylor Street verge are used by tourists / visitors during “Stairway to the Moon” events. Council Officers consider this to be reciprocal parking between the caravan park and the tourists / visitors to the “Stairway to the Moon”.

Options

Council has the following options when considering the application:

1. Approve the application as submitted

This option should be resolved if Council are satisfied that the additional accommodation sites outweighs the loss of 8 campervan/caravan sites.

2. Refuse the application

This option should be resolved if Council is not supportive of the proposed redevelopment. Should Council resolve this, the total number and style of holiday accommodation units would remain the same.

Option 1 is recommended.

Attachments

1. Locality Plan
2. Site Plan
3. Floor Plan and Elevations

201112/288 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- i) Approves the application submitted by Robin Salter & Associates on behalf of the Lessee Aspen Group for the redevelopment of 8 caravan sites into 10 Chalet units and 1 tent site on Lot 1382 DP29206 Taylor Street, Port Hedland subject to the following conditions:

1. This approval relates only to the proposed HOLIDAY ACCOMMODATION – Redevelopment of 8 caravan sites to develop 10 Chalet units, 1 tent site, and other incidental development, as indicated on the approved plans(2011/341/drg.01 to 2011/341/drg.06). It does not relate to any other development on this lot.
2. The site shall only be used for purposes, which are related to the operation of HOLIDAY ACCOMMODATION. Under the Town of Port Hedland's Town Planning Scheme No. 5 HOLIDAY ACCOMMODATION is defined as:

“any land and/or buildings used predominantly by travelers and holiday-makers and designed to take advantage of a tourist attraction or other locational consideration for tourism reasons including camping areas, areas for movable dwellings, chalet parks and serviced apartments or any combination thereof but excluding hotel and motel and Bed/Breakfast facilities”

3. This approval shall remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval shall remain valid for twelve (12) months only.
4. The number of Holiday Accommodation sites/units provided shall not exceed 212 sites / units, and shall consist of:
 - 117 "Chalet/Cabin"
 - 72 "Caravan Sites"
 - 13 "Tent Sites".
 - 10 "Backpackers units"
5. This approval shall only be acted upon when signed by the Lessor.
6. Any 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.
7. The development shall comply with the Environmental Protection (Noise) Regulations 1997 at all times, to the satisfaction of the Manager Environmental Health Services.
8. All dust and sand to be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Environmental Health Services.
9. No parking bays, pedestrian access-way(s) or landscaped areas shall be obstructed in any way or used for the purposes of storage.
10. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999, to the satisfaction of Manager Environmental Health Services.
11. Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 1999, to the satisfaction of the Manager Environmental Health Services.
12. All stormwater must be retained onsite. Disposal to be designed in accordance with Council's Engineering Department Guidelines to the satisfaction of the Manager Technical Services

Conditions to be complied with prior to the submission of a Building License application

13. Prior to the submission of a building licence application, an Erosion Prevention and Sediment Control plan is to be submitted and considered by Council's Manager Planning.
14. Prior to the submission of a building licence application, a site management plan is to be submitted and considered by the Manager Planning Services. The site management plan is to 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 existing tenants;

to the satisfaction of the Manager Planning Services.

Conditions to be complied with prior to occupation of the units

15. Prior to the occupation of the units, 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 developer to an approved design in accordance with Port Hedland Town Planning Scheme No. 5, and Australian Standards, to the satisfaction of the Manager Technical Services.
16. A minimum of 224 car bays are to be provided on site to the satisfaction of the Manager Planning Services.

FOOTNOTES:

1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. With regards to Condition 5, the applicant is advised to contact Council's Investment and Business Development Department on 9158 9393.

3. Be advised that all lodging houses are required be registered under the *Health Act 1911* and operate in accordance with that Act and the *Town of Port Hedland Health Local Laws 1999*
4. Be advised that at the building license stage a detailed floor plan is required to be submitted in order for Town's Environmental Health Services to assess compliance to the Town of Port Hedland Health Local Laws 1999.
5. Be advised that it is a requirement that all caravan parks and camping grounds be registered under the Caravan Parks and Camping Grounds Act 1995 and operate in accordance with that Act and the Caravan Parks and Camping Grounds Regulations 1997.
6. Be advised that it is a requirement that all holiday cabins and chalets be registered and operate in accordance with the Town of Port Hedland Local Law (Holiday Cabins and Chalets).
7. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year Annual Recurrence Interval cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
8. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED 5/2

ATTACHMENT 1 TO ITEM 11.1.1





SITE LAYOUT
SCALE 1:500

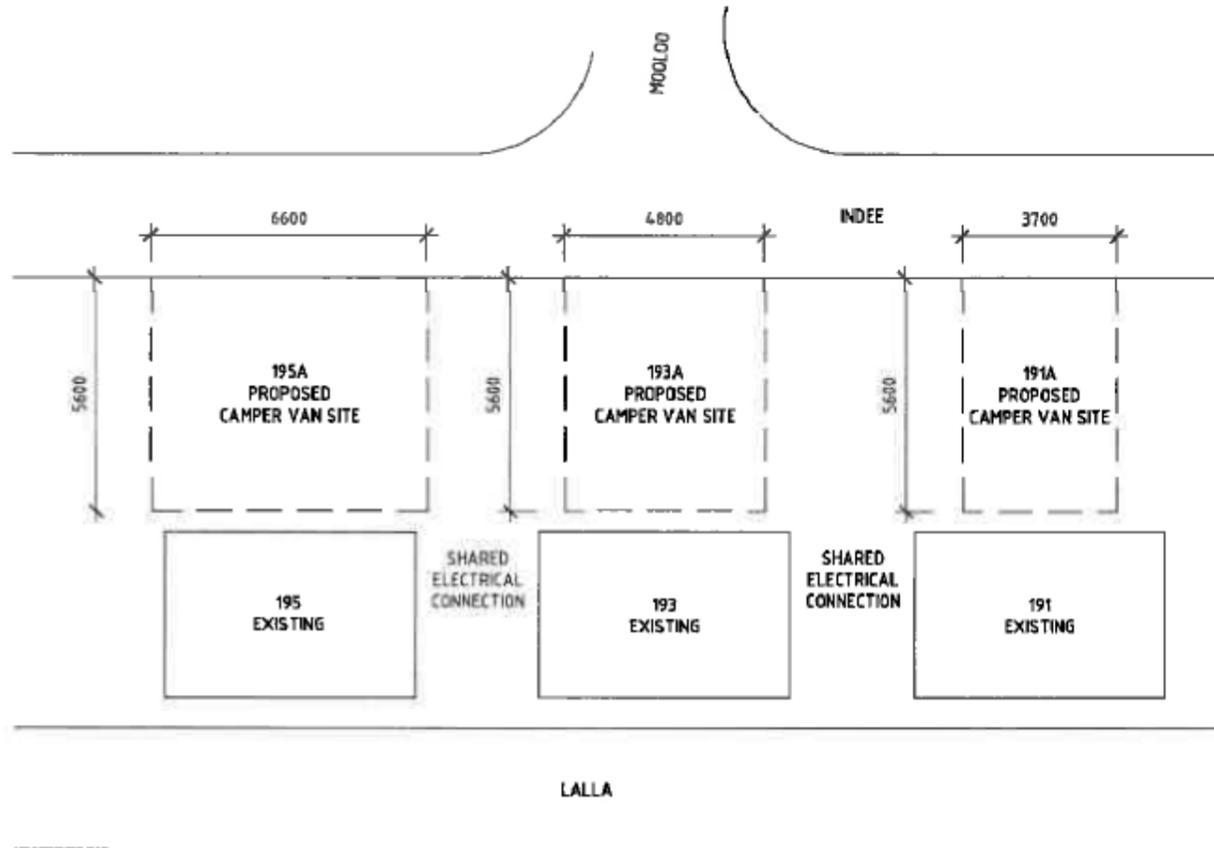
NOTE:
ALL SITES WANT 1 CAR BAY EACH

I HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF WESTERN AUSTRALIA AND I AM A MEMBER OF THE INSTITUTE OF ENGINEERS, AUSTRALIA. I HAVE PREPARED THIS PLAN IN ACCORDANCE WITH THE REQUIREMENTS OF THE ENGINEERING ACT, 1985 AND THE ENGINEERING REGULATIONS, 1986. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE ACCURACY OR COMPLETENESS OF THIS PLAN. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE ACCURACY OR COMPLETENESS OF THIS PLAN. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE ACCURACY OR COMPLETENESS OF THIS PLAN.

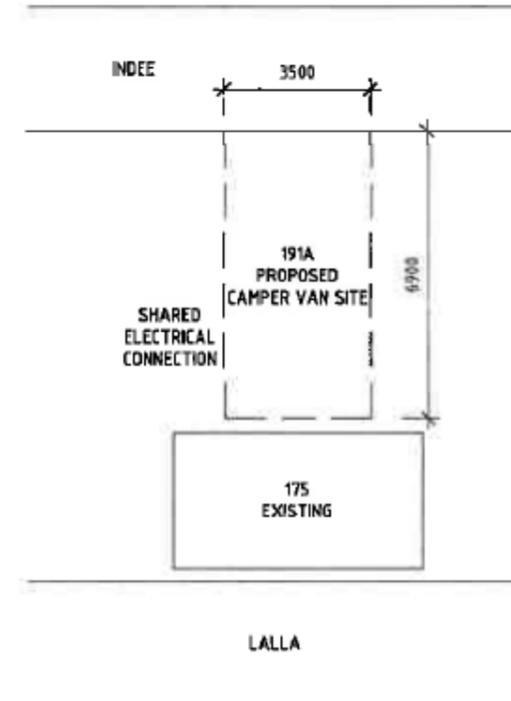
[Signature]
25/1/11

CONSULTING ENGINEERS DESIGNERS & PROJECT MANAGERS URBAN & 9 PLYDE STREET, MORNINGSIDE WA 6154 P 08 9257 5351 F 08 9257 5507 E info@aspenparks.com.au				PROJECT ADDITIONAL ACCOMMODATION UNITS COOKE POINT HOLIDAY PARK PORT HEDLAND ASPEN PARKS		SCALE: AS SHOWN DATE: 06-11-11 DRAWN: LEA CHECKED:		PROJECT NO: 2011-405 SHEET NO: S-01 OF B	
ISSUED FOR LOCAL GOVERNMENT APPROVAL ISSUED FOR LOCAL GOVERNMENT APPROVAL ISSUED FOR LOCAL GOVERNMENT APPROVAL				DATE: 04-11-11 BY: LEA		DATE: 04-11-11 BY: LEA		TITLE: SITE LAYOUT	
REV	DESCRIPTION	DATE	BY	REV	DESCRIPTION	DATE	BY	REV	DESCRIPTION

BUILDING DESIGN WIND SPEED TO AS 1702-2002
 ANNUAL PROBABILITY OF EXCEEDANCE - 1: 800 (L2)
 WIND REGION - D (CYCLONIC) TERRAIN CATEGORY - 2
 WIND SPEEDS REGIONAL - 69m/s SERVICEABILITY - 55m/s
 TOPOGRAPHY MULTIPLIER - 1.0
 2 Sept 11
 ROBIN WALTER (B.Eng(Hons), M.Eng(Aust), C.P.Eng)
 FRANK MARONI (B.E., M.Eng(Aust), C.P.Eng)
 E: info@rsaperth.com.au P: 08 9317 3331

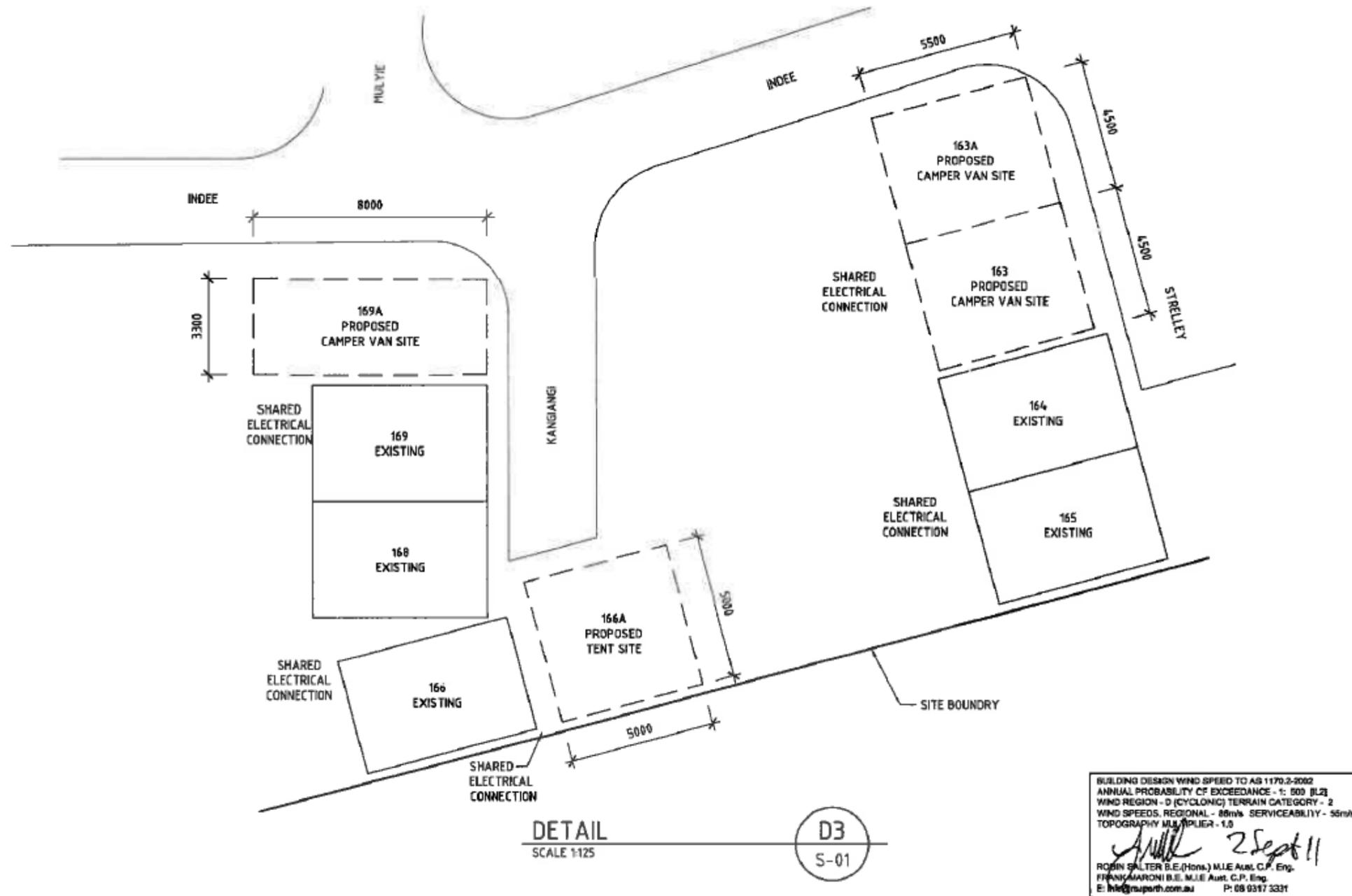


DETAIL SCALE 1:125 **D1** S-01

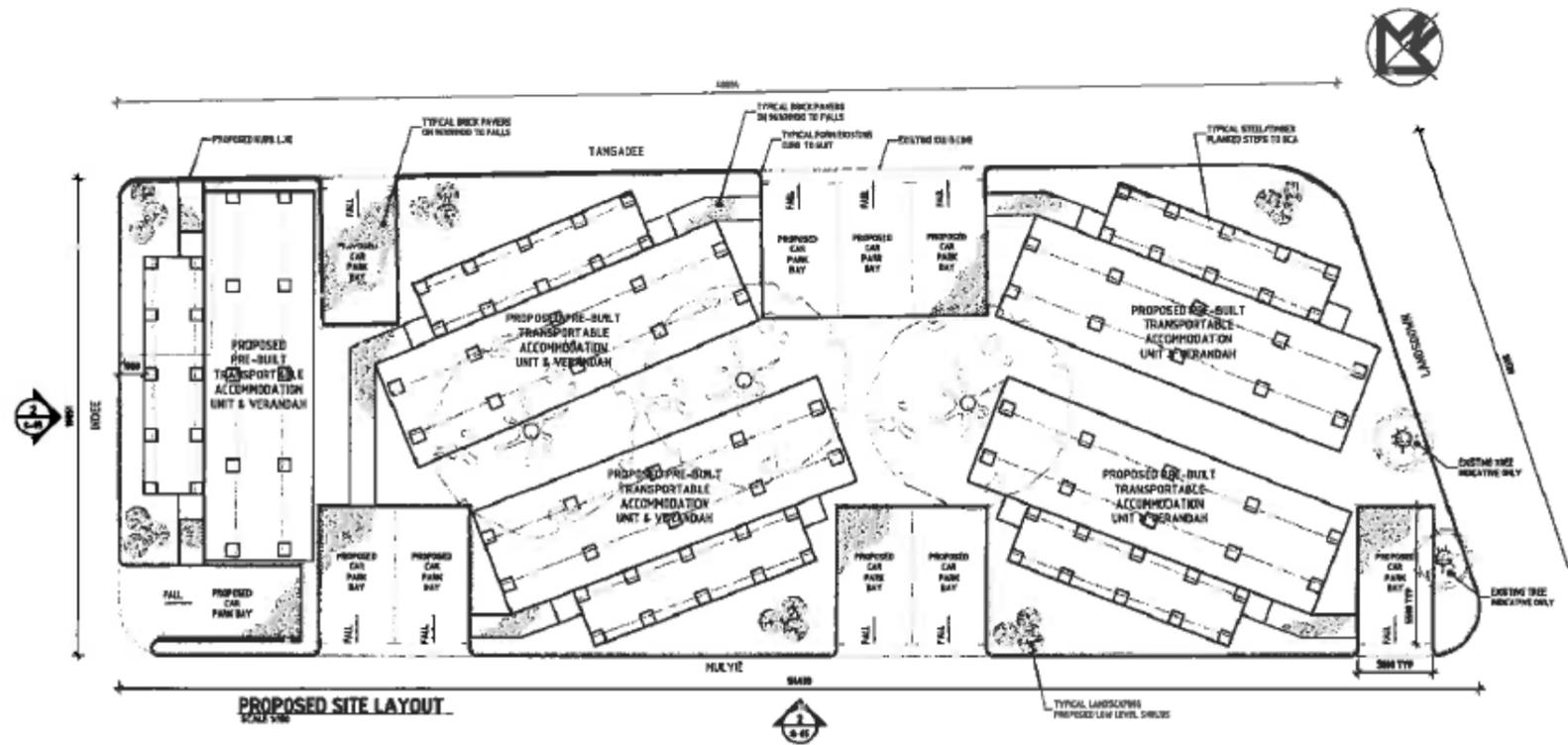


DETAIL SCALE 1:125 **D2** S-01

 CONSULTING ENGINEERS DESIGNERS & PROJECT MANAGERS Unit 6 / 9 Playle Street Myaroo 6154 WA P 08 9317 3331 F 08 9317 3337 E info@rsaperth.com.au			PROJECT ADDITIONAL ACCOMMODATION UNITS COOKE POINT HOLIDAY PARK PORT HEDLAND		SCALE as shown DATE 21-07-11 DRAWN LGA CHECKED		PROJECT No. 2011-405 DRG No. S-02		REV A
ALL DIMENSIONS SHALL BE VERIFIED BEFORE COMMENCING ANY WORK. C.P. ENG. DRAWINGS MUST ALWAYS BE THE COPY SENT OF PDA PLY LTD UNDER THE COMMONWEALTH COPYRIGHT ACT			CLIENT ASPEN PARKS		TITLE PLAN LAYOUT - DETAIL 1 & 2				
A ISSUED FOR BUILDING LICENCE APPROVAL REV DESCRIPTION	SEPT 11 DATE	LGA BY							



CONSULTING ENGINEERS DESIGNERS & PROJECT MANAGERS Unit 6 / 8 Playle Street Myasae 6154 WA P 08 9317 3331 F 08 93173337 E info@rsuperth.com.au		PROJECT ADDITIONAL ACCOMMODATION UNITS COOKE POINT HOLIDAY PARK PORT HEDLAND	SCALE as shown DATE 21-07-11 DRAWN LGA CHECKED	PROJECT No. 2011-405 DRG No. S-03 A3	REV A
A ISSUED FOR BUILDING LICENCE APPROVAL SEPT 11 LGA	REV DESCRIPTION DATE BY	CLIENT ASPEN PARKS	TITLE PLAN LAYOUT - DETAIL 3		



<p>CONSULTING ENGINEERS DESIGNERS & PROJECT MANAGERS</p> <p>Unit 6/7 9 Playle Street, Myerwa 6154 WA P 08 9277 2351 F 08 951 79703 E info@aspenpark.com.au</p>		<p>PROJECT ADDITIONAL ACCOMMODATION UNITS COOKE POINT HOLIDAY PARK PORT HEDLAND</p> <p>CLIENT ASPEN PARKS</p>		<p>SCALE as shown</p> <p>DATE AUG 11</p> <p>DRAWN LSA</p> <p>CHECKED A1</p> <p>TITLE PLAN LAYOUT - DETAIL 4</p>		<p>PROJECT NO. 2011-405</p> <p>DWG NO. S-04</p> <p>REV. B</p>	
NO.	DESCRIPTION	DATE	BY	DATE	BY	<p>REVISIONS</p>	
1	ISSUED FOR BUILDING PERMIT APPROVAL					<p>DATE: 28/08/11</p>	
2	ISSUED FOR BUILDING PERMIT APPROVAL					<p>DATE: 28/08/11</p>	

Budget Implications

Nil

Officer's Comment

Planning Services acknowledged that a planning application for the proposal was not required as the structure conforms to the Telecommunication Act 1997 and the Telecommunications (Low-impact Facilities) Determination 1997.

As part of the approval process, Telstra is required to engage in community consultation and report a summary of submissions regarding the proposal. The consultation process was completed and no submissions were received from the local community.

Options

Council has the following options for responding to the request:

1. Support the request to amend Reserve 41675 to include "Telecommunications".

The amendment will allow for the provision of additional mobile network services in the South Hedland area.

2. Reject the request to amend Reserve 41675 to include "Telecommunications".

Should Council choose not to support the amendment, the reserve will remain purely for recreation purposes.

It is recommended that Council support the request to amend Reserve 41675 to include "Telecommunications".

Attachments

1. Locality Plan
2. Building Licence BL100462

201112/289 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr J A Jacob

That Council:

1. **Supports the request to amend Reserve 41675, located at Lot 5991 Cottier Drive, South Hedland, to include "Telecommunications";**

- 2. Delegates the Manager Planning Services to request the Department of Regional Development and Lands to amend Reserve 41675, located at Lot 5991 Cottier Drive, South Hedland, to include "Telecommunications".**

- 3. Delegates the Manager Planning Services to request the Department of Regional Development and Lands to amend the management order for Reserve 41675 to give the Town the power to sub-lease.**

CARRIED 7/0

ATTACHMENT 1 TO ITEM 11.1.2



DRAWING DESCRIPTION	DRAWING NUMBER	SHEET NO.	ISSUE NO.	ISSUE DATE	DRAWING STATUS			
					CANCELLED	PRELIMINARY	FOR CONSTRUCTION	AS BUILT
SITE SPECIFIC NOTES	W106707	S0	3	10/11/11			✓	
SITE LAYOUT AND ACCESS	W106707	S1	4	01/11/11			✓	
NORTHERN ELEVATION	W106707	S3	5	10/11/11			✓	
SITE EARTHING PLAN	W106707	G4	1	16/09/11			✓	
SITE EARTHING NOTES	W106707	G4-1	1	16/09/11			✓	
WCDMA850 CONNECTION SCHEMATIC - SHEET 1	W106707	A2	2	01/11/11			✓	
WCDMA850 CONNECTION SCHEMATIC - SHEET 2	W106707	A2-1	1	16/09/11			✓	
EQUIPMENT LAYOUT	W106707	E1	2	01/11/11			✓	
AC POWER CONNECTION	W106707	E2	1	16/09/11			✓	
DC POWER LINE DIAGRAM	W106707	E4	2	01/11/11			✓	
EQUIPMENT SHELTER FOOTINGS	W106707	H1	2	01/11/11			✓	
SUPPORT STEELWORK ELEVATIONS	W106707	T3	1	16/09/11			✓	
SUPPORT STEELWORK DETAILS SHEET 1	W106707	T3-1	1	16/09/11			✓	
SUPPORT STEELWORK DETAILS SHEET 2	W106707	T3-2	1	16/09/11			✓	
SUPPORT STEELWORK DETAILS SHEET 3	W106707	T3-3	1	16/09/11			✓	
CABLE LADDER FIXING DETAILS SHEET 1	W106707	T5	1	16/09/11			✓	
CABLE LADDER FIXING DETAILS SHEET 2	W106707	T5-1	1	16/09/11			✓	
STRUCTURAL CERTIFICATION	W106707	Z1	3	10/11/11			✓	
REFERENCE DRAWINGS:								
STANDARD CONSTRUCTION NOTES	017866P05	1	2	19/11/10			✓	
CABLE LADDER SUPPORT DETAILS SHEET 1	017866P53	1	1	12/05/08			✓	
EARTHING STANDARDS DETAILS & CONNECTIONS	017866P53	1	2	15/04/09			✓	
HUT AC POWER LINE SCHEMATIC	017866P122	1	2	29/03/10			✓	
EQUIPMENT ALARM CONFIGURATION	017866P123	1	1	30/06/08			✓	
MISCELLANEOUS RACK APPROPRIATION	017866P125	1	1	30/06/08			✓	
ELECTRICAL SPECIFICATION	017866P160	1	2	02/12/09			✓	
EARTHING STANDARDS DETAILS & CONNECTION GALVANISED STEEL BASED SYSTEM	017866P200	1	2	15/04/09			✓	
CO-LOCATE TELSTRA SITE USING MOBILES LOW IMPACT SHELTER	017866P200	16	2	10/07/09			✓	

SOUTH HEDLAND WEST

NODE MANAGER ADDRESS ID: **275781**

ADDRESS: 5991 PLAN 219898
COTTIER DR.
SOUTH HEDLAND
WA 6722

TCI, Suite G.01, 118-120 Pacific Highway,
St Leonards, NSW 2065
PO Box 125, St Leonards, NSW 1590
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FOR CONSTRUCTION

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
W106707	GW	G/JF	FOR CONSTRUCTION - 70572955W005TCI	MS	JYW	16.09.11	1
W106707	SL	JCF	UPDATE FC ISSUE - 70572955W005TCI	MS	JYW	01.11.11	2
W106707	SL	JCF	THIRD PARTY NOTE AMENDED - 70572955W005TCI	MS	JYW	10.11.11	3

MOBILE NETWORK SITE 275781
SOUTH HEDLAND WEST

DRAWING INDEX / DOCUMENT CONTROL SHEET
5991 PLAN219898COTTIER DR, SOUTH HEDLAND,WA 6722

DWG NO. W106707	SHT NO. DC	INDEX
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SITE SPECIFIC NOTES

EQUIPMENT SHELTER

TYPE: TELSTRA NATIONAL ICS 3.2 SHELTER
 SIZE (mm): 3280 (L) x 2280 (W) x 2995 (H)
 BASE TYPE: STEEL FRAME
 WALL TYPE: STEEL SANDWICH PANEL
 SUPPORT TYPE: CONCRETE SLAB
 COLOUR: PAPER BARK
 REGION: D/CYCLONIC
 RECTIFIERS: FP2 2kW x 3 OFF
 BATTERIES: 12FFT100 x 24 OFF
 BATTERY RESERVE CAPACITY: 9 (HRS)
 NO. OF AC UNITS: RAC TYPE x 1 OFF
 AC FANS REQUIRED: YES
 ALARMS: YES
 FEEDER ENTRY WINDOW: REAR RIGHT SIDE
 AIR CONDITIONING CAGE: YES

STRUCTURE

TYPE: RECREATION BUILDING
 SIZE AT TOP: 25m x 20m
 SIZE AT BASE: 55m x 25m
 HEIGHT: 11.0m
 COLOUR: WHITE
 REFERENCE DRAWING: BURDETT & ASSOCIATES

HEAD FRAME

TYPE: TUFF HEAD FRAME
 MODEL NO.: ARGUS HCN-10-S
 COLOUR: GALVANISED FINISH
 REFERENCE DRAWING: ARGUS INSTRUCTION MANUAL

ANTENNAS

COLOUR: NATURAL PRODUCT COLOUR
 FOR DETAILS SEE SHEET S3

ANTENNA ACCESS

TELSTRA: ELEVATED WORK PLATFORM
 OTHERS: N/A

ANTENNA MOUNTS

TYPE: STEEL POLE WITH SHROUD SCREEN
 COLOUR: GALVANISED FINISH AND PAINTED TO MATCH EXISTING BUILDING
 REFERENCE DRAWING: SHEETS T3 TO T3-2

FEEDERS

TYPE: RFS LCF78-50JA
 QUANTITY: PROPOSED 6 OFF
 TYPE: RFS LCF5114-50JA
 QUANTITY: PROPOSED 3 OFF
 DETAILS OF INDIVIDUAL TAILS ARE TO BE ENTERED IN CANRAD

HORIZONTAL CABLE GANTRY

TYPE: 600mm NEMA 20B
 SIZE: AS SHOWN ON DRAWING - S1
 COLOUR: GALVANISED FINISH & PAINTED TO MATCH EXISTING BUILDING.
 REFERENCE DRAWING: SHEET T5 & T5-1

VERTICAL CABLE GANTRY

TYPE: 600mm NEMA 20B
 HEIGHT: AS SHOWN ON DRAWING - S3
 COLOUR: GALVANISED FINISH & PAINTED TO MATCH EXISTING BUILDING.
 REFERENCE DRAWING: SHEET T5-1

PITS

COMMUNICATION PITS:
 TYPE: P6
 SIZE (mm): 710 (L) x 455 (W) x 635 (D)
 EARTHING PITS:
 TYPE: P2
 SIZE (mm): 553 (L) x 180 (W) x 528 (D)
 POWER PITS:
 TYPE: P5
 SIZE (mm): 710 (L) x 455 (W) x 635 (D)

EARTHING DETAIL

ALL EARTHING DETAIL IS REFERENCED ON DRG SHEETS: G4 AND G4-1

POWER SUPPLY

POWER SUPPLY (3 PHASE/50 AMP) FROM EXISTING BUILDING METER BOX METERED SEPARATELY AND/OR AS DIRECTED BY LOCAL SUPPLY AUTHORITY. REFER SHEETS S1 & E2 FOR DETAILS DIAL 1100 BEFORE YOU DIG

FIBRE LINK

FIBRE LINK ROUTE IS TO BE TAKEN FROM EXISTING TEMPORARY SITE NEARBY. REFER SHEET S1 AND TELSTRA Tx REPORT W7123 FOR DETAILS

SITE ACCESS

VIA ACCESS GATE OFF COTTIER DRIVE
 REFER SHEET S1 FOR DETAILS

SITE SIGNAGE

ALL EME SIGNAGE IS REFERENCED ON SHEETS S1 & S3. REFER TO DOCUMENTS 0105486A04, 005486A05 & 005486A10 FOR DETAILS.

#2 EME TELSTRA #2 SIGN
 SIGNS TO BE UV STABLE STICKERS AND FIXED TO REAR OF ALL TELSTRA PANEL ANTENNAS (12 OFF)

#4 EME TELSTRA #6 SIGN
 SECURED 3.0m BELOW ANTENNA ON SHROUD SCREEN USING STAINLESS STEEL STRAPS

PROPERTY SIGNAGE

SPECIFY PROPERTY SIGNAGE AS PER DOCUMENT 017866A12. PROPERTY SIGN INCLUDES RFNSA SITE NUMBER.
 SIGN NAME: BRANDED SITE IDENTIFICATION REGULAR (BSr)
 TELSTRA S/I NO: 187/00929
 JABAC NO: TFMS929-M

GENERAL NOTES:

- ALL DIMENSIONS ARE IN MILLIMETRES UNLESS SPECIFIED OTHERWISE.
- ALL DIMENSIONS TO BE CHECKED ON SITE.
- BIRD PROOFING - CABLES AND ALL ACCESS POINTS ON THE STRUCTURE MUST BE BIRD PROOFED AS PER POLICY DOCUMENT NO. 003615 EXTERNAL PLANT STANDARDS FOR MOBILE BASE STATIONS, SECTION 6.3.3
- SERVICES, WHERE SHOWN ARE INDICATIVE ONLY. LOCATION OF ALL RELEVANT EXISTING SERVICES SHALL BE IDENTIFIED AND CONFIRMED PRIOR TO COMMENCING WORK. CONTRACTOR TO LIAISE WITH RELEVANT AUTHORITIES FOR DIRECTIONS AND PERMITS REQUIRED. DIAL 1100 BEFORE YOU DIG.
- FEEDER CONNECTION DETAILS, ELECTRICAL AND MECHANICAL TILTS ARE TO BE OBTAINED FROM CANRAD REPORTS.

SITE REFERENCE DETAILS

OWNER	SITE NAME	SITE CODE
NSA	-	6722009
TELSTRA	SOUTH HEDLAND WEST	275781

STRUCTURE OWNER - PRIVATE

SITE DESIGN BRIEF ISSUE 2 DATED 11/04/2011

SECURITY COMPOUND GATE KEY NO.	LOCKWOOD TIP FS
EQUIPMENT SHELTER KEY NO.	LOCKWOOD TIP AP
STRUCTURE KEY NO.	N/A
MAINS POWER METER BOX LOCKS:	N/A
AIR-CONDITIONING CAGE LOCKS:	N/A

SERVICES LEGEND

- T—T—T—T— OPTIC FIBRE ABOVE GROUND
- T---T---T--- OPTIC FIBRE BELOW GROUND
- E—E—E—E— ABOVE GROUND ELECTRICAL SUPPLY
- E---E---E--- BELOW GROUND ELECTRICAL SUPPLY
- G—G—G—G— GAS SUPPLY
- HV—HV—HV—HV— HIGH VOLTAGE ELECTRICAL SUPPLY
- W—W—W—W— WATER SUPPLY
- S—S—S—S— SEWER LINE
- SW—SW—SW—SW— STORM WATER
- FE—FE—FE—FE— ABOVE GROUND FEEDER CABLES
- FE---FE---FE--- BELOW GROUND FEEDER CABLES

⊗ DENOTES TELSTRA ANTENNA SECTOR AS SHOWN ON SHEET S1

Town of Port Hedland
BUILDING APPROVAL
 DATE: 11 NOV 2011 BUILDING LIC No. 100462

COMPLIANCE BOX
 COMPLETED AS PER DESIGN
 ALTERATIONS IN RED
 NAME (PRINT) _____ DATE _____
 SIGNATURE _____

FOR CONSTRUCTION

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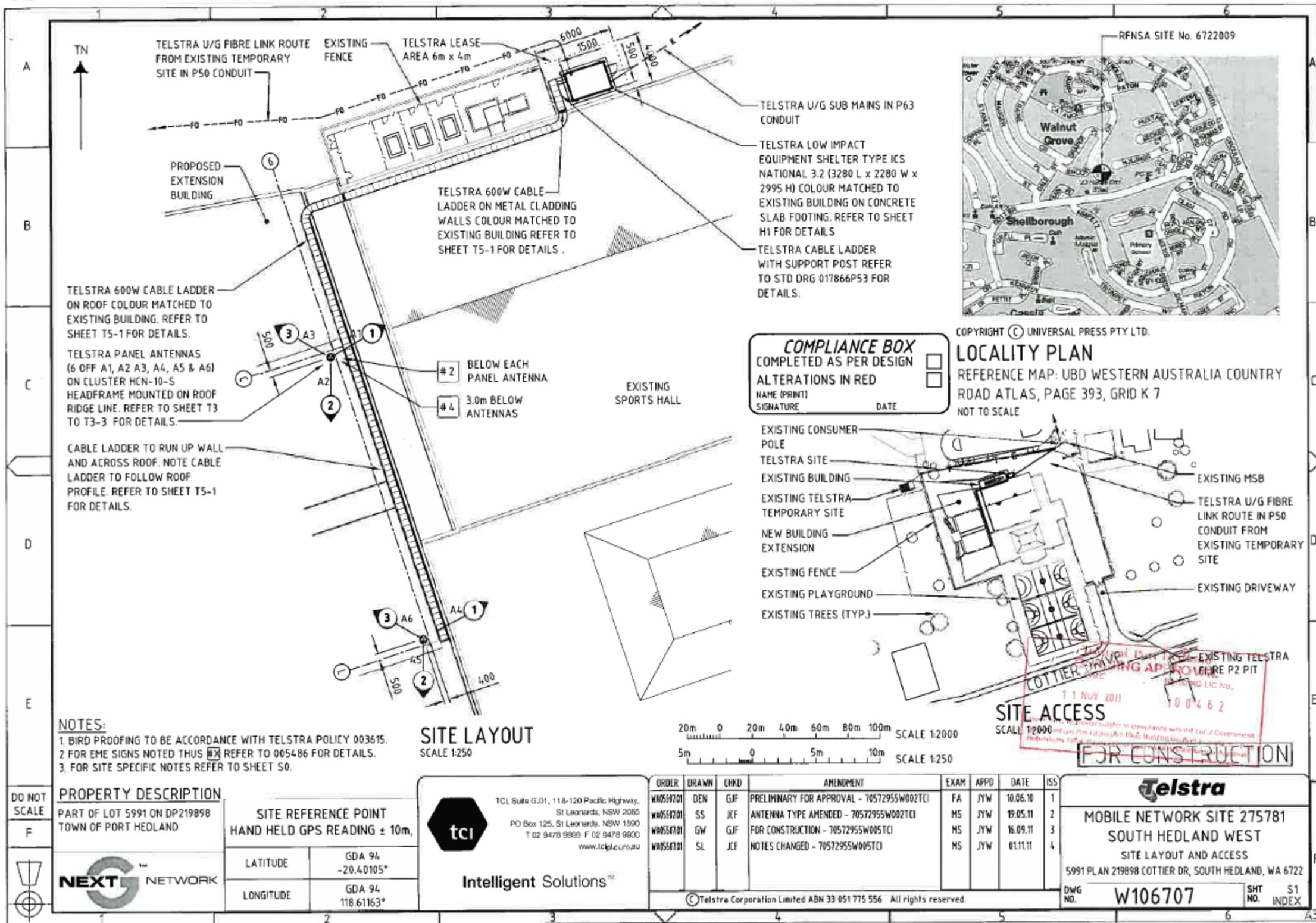
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WAS542M	GW	GJF	FOR CONSTRUCTION - 70572955W005TCI	MS	JYW	16.09.11	1
WAS542M	SL	JCF	ELECTRICAL NOTES CHANGED - 70572955W005TCI	MS	JYW	01.11.11	2
WAS542M	SL	JCF	NOTES AMENDED - 70572955W005TCI	MS	JYW	10.11.11	3

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MOBILE NETWORK SITE 275781
 SOUTH HEDLAND WEST
 SITE SPECIFIC NOTES
 5991 PLAN219898COTTIER DR, SOUTH HEDLAND, WA 6722

DWG NO. **W106707** SHT NO. **50** INDEX



NOTES:
 1. BIRD PROOFING TO BE ACCORDANCE WITH TELSTRA POLICY 003615.
 2. FOR EME SIGNS NOTED THUS [X] REFER TO 005486 FOR DETAILS.
 3. FOR SITE SPECIFIC NOTES REFER TO SHEET S0.

SITE LAYOUT
 SCALE 1:250

20m 0 20m 40m 60m 80m 100m SCALE 1:2000
 5m 0 5m 10m SCALE 1:250

DO NOT SCALE
 F
PROPERTY DESCRIPTION
 PART OF LOT 5991 ON DP219898
 TOWN OF PORT HEDLAND

SITE REFERENCE POINT
 HAND HELD GPS READING ± 10m.

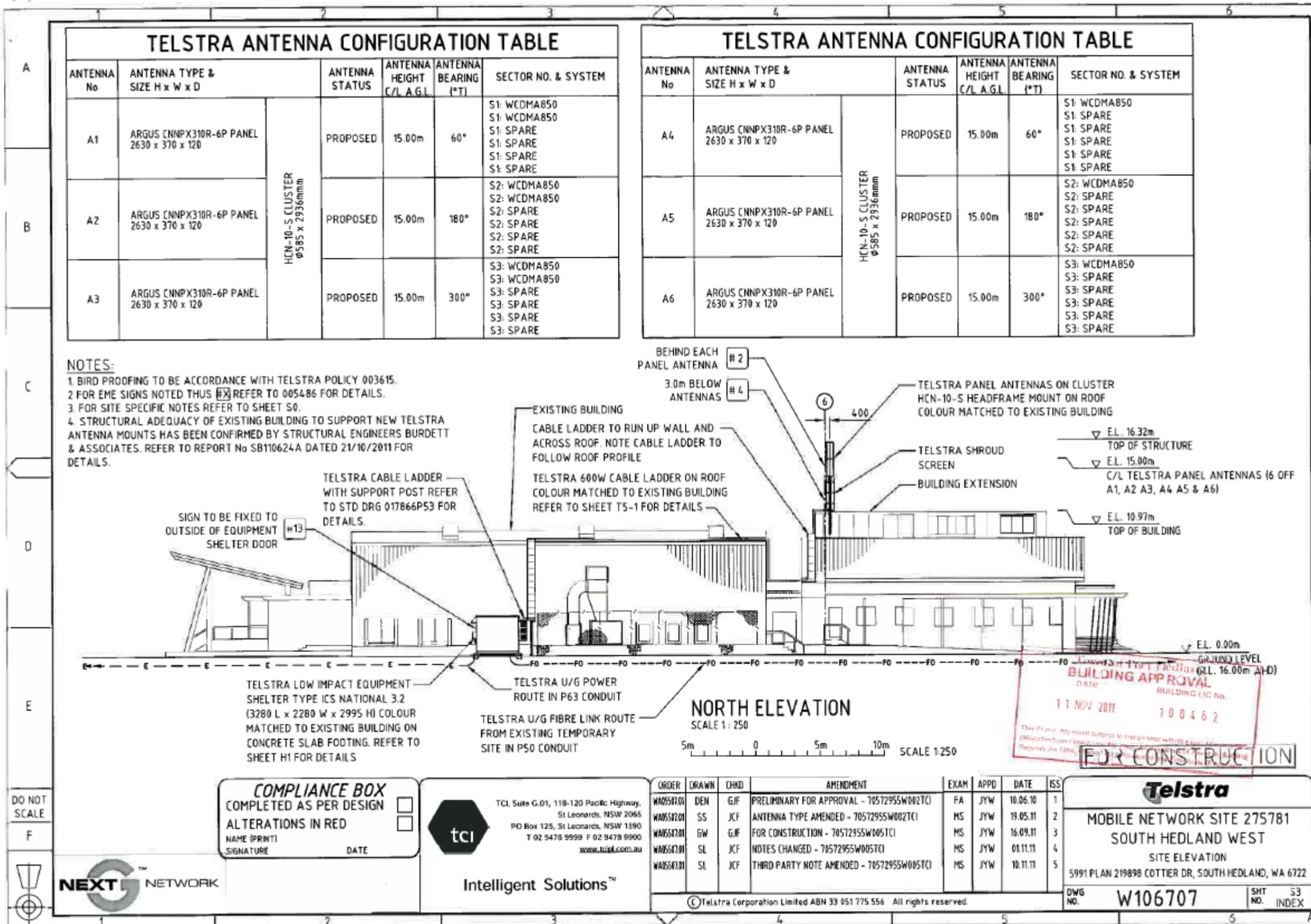
LATITUDE	GDA 94 -20.40105°
LONGITUDE	GDA 94 118.61163°

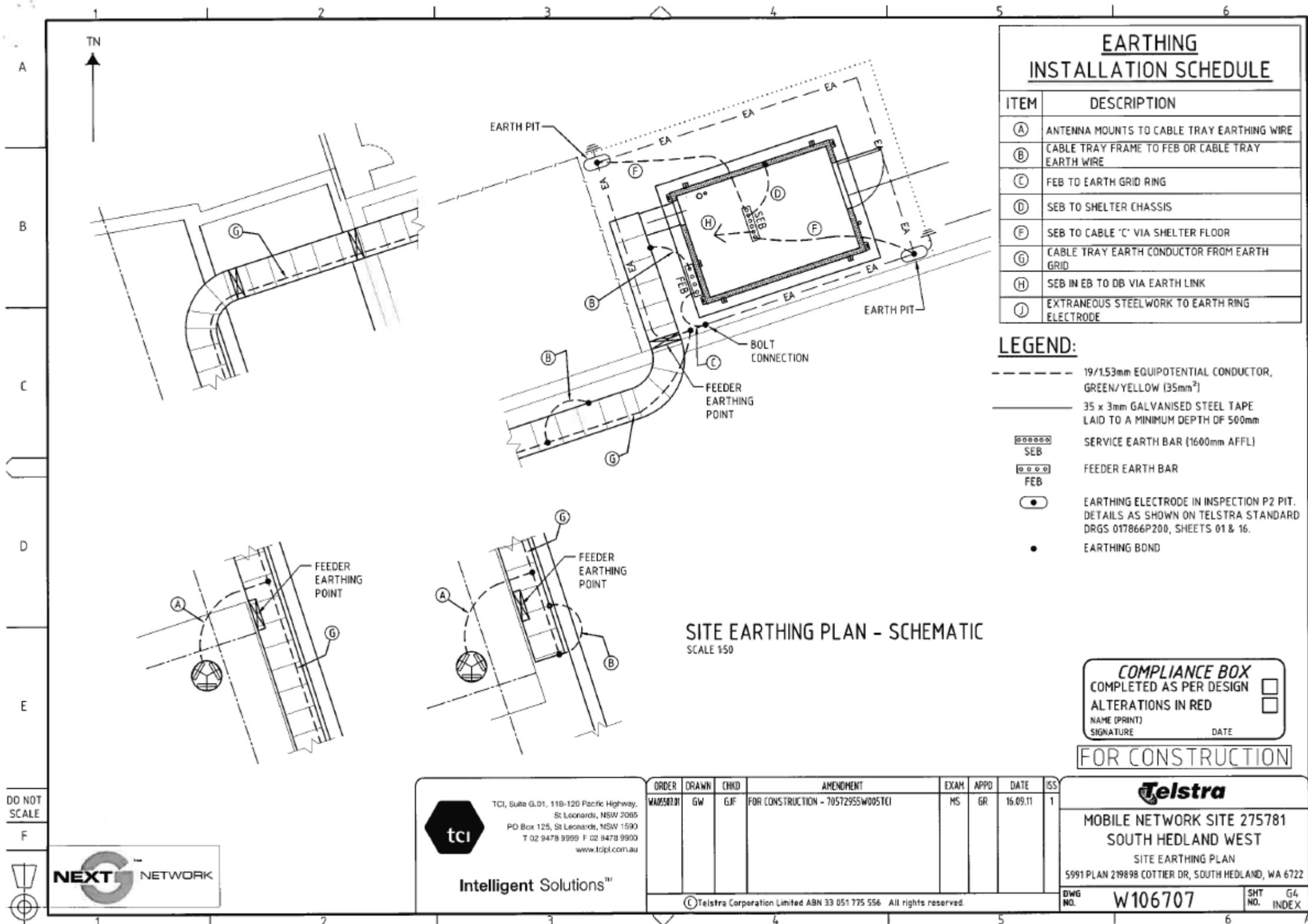
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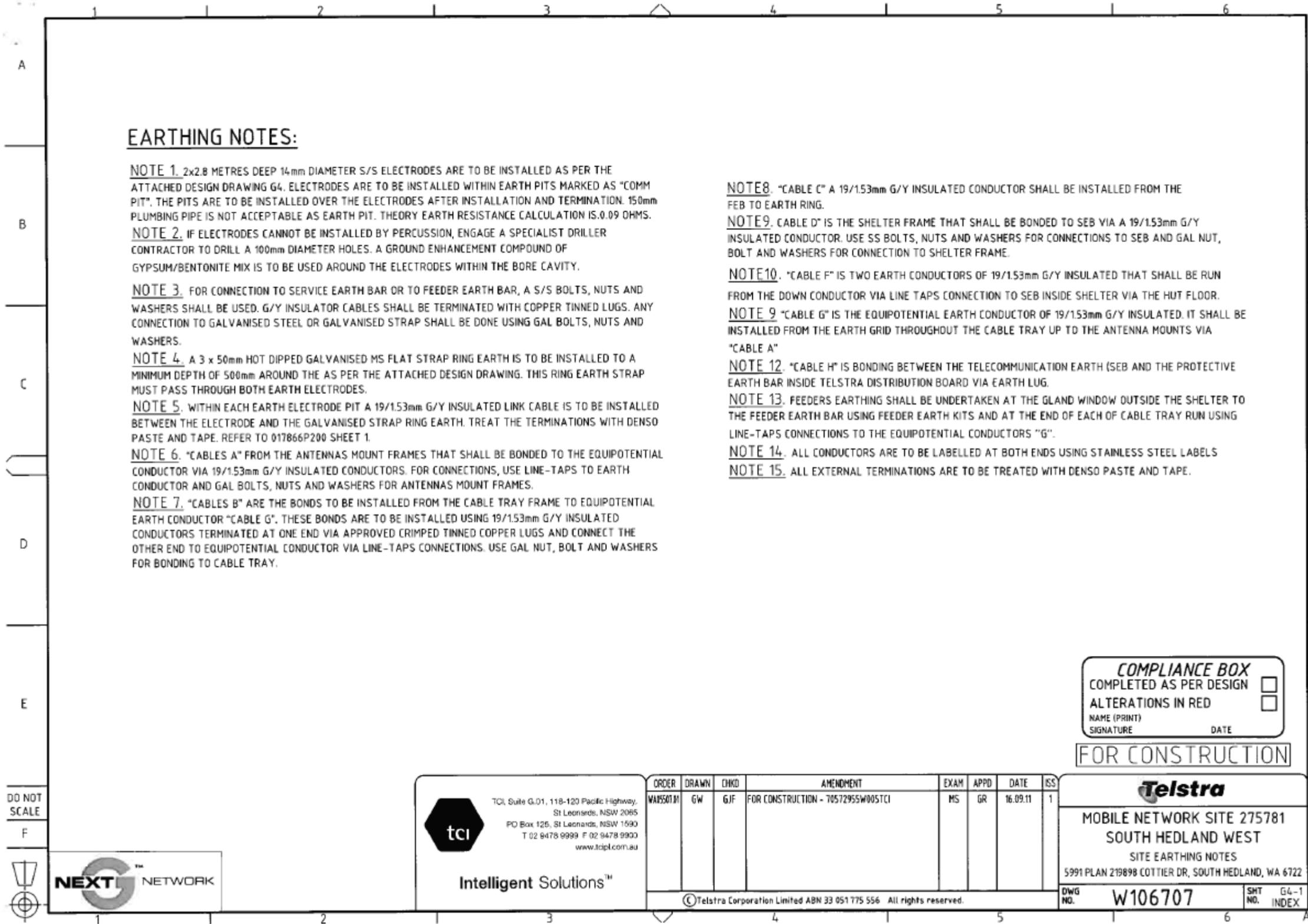
ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
W0559701	DEN	GJF	PRELIMINARY FOR APPROVAL - 70572955W002TCI	FA	JYW	10.06.10	1
W0559701	SS	JCF	ANTENNA TYPE AMENDED - 70572955W002TCI	MS	JYW	19.05.11	2
W0559701	GW	GJF	FOR CONSTRUCTION - 70572955W005TCI	MS	JYW	16.09.11	3
W0559701	SL	JCF	NOTES CHANGED - 70572955W005TCI	MS	JYW	01.11.11	4

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 MOBILE NETWORK SITE 275781
 SOUTH HEDLAND WEST
 SITE LAYOUT AND ACCESS
 5991 PLAN 219898 COTTIER DR, SOUTH HEDLAND, WA 6722
 DWG NO. **W106707** SHT NO. S1 INDEX

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EARTHING NOTES:

NOTE 1. 2x2.8 METRES DEEP 14mm DIAMETER S/S ELECTRODES ARE TO BE INSTALLED AS PER THE ATTACHED DESIGN DRAWING G4. ELECTRODES ARE TO BE INSTALLED WITHIN EARTH PITS MARKED AS "COMM PIT". THE PITS ARE TO BE INSTALLED OVER THE ELECTRODES AFTER INSTALLATION AND TERMINATION. 150mm PLUMBING PIPE IS NOT ACCEPTABLE AS EARTH PIT. THEORY EARTH RESISTANCE CALCULATION IS 0.09 OHMS.

NOTE 2. IF ELECTRODES CANNOT BE INSTALLED BY PERCUSSION, ENGAGE A SPECIALIST DRILLER CONTRACTOR TO DRILL A 100mm DIAMETER HOLES. A GROUND ENHANCEMENT COMPOUND OF GYPSUM/BENTONITE MIX IS TO BE USED AROUND THE ELECTRODES WITHIN THE BORE CAVITY.

NOTE 3. FOR CONNECTION TO SERVICE EARTH BAR OR TO FEEDER EARTH BAR, A S/S BOLTS, NUTS AND WASHERS SHALL BE USED. G/Y INSULATOR CABLES SHALL BE TERMINATED WITH COPPER TINNED LUGS. ANY CONNECTION TO GALVANISED STEEL OR GALVANISED STRAP SHALL BE DONE USING GAL BOLTS, NUTS AND WASHERS.

NOTE 4. A 3 x 50mm HOT DIPPED GALVANISED MS FLAT STRAP RING EARTH IS TO BE INSTALLED TO A MINIMUM DEPTH OF 500mm AROUND THE AS PER THE ATTACHED DESIGN DRAWING. THIS RING EARTH STRAP MUST PASS THROUGH BOTH EARTH ELECTRODES.

NOTE 5. WITHIN EACH EARTH ELECTRODE PIT A 19/1.53mm G/Y INSULATED LINK CABLE IS TO BE INSTALLED BETWEEN THE ELECTRODE AND THE GALVANISED STRAP RING EARTH. TREAT THE TERMINATIONS WITH DENSO PASTE AND TAPE. REFER TO 017866P200 SHEET 1.

NOTE 6. "CABLES A" FROM THE ANTENNAS MOUNT FRAMES THAT SHALL BE BONDED TO THE EQUIPOTENTIAL CONDUCTOR VIA 19/1.53mm G/Y INSULATED CONDUCTORS. FOR CONNECTIONS, USE LINE-TAPS TO EARTH CONDUCTOR AND GAL BOLTS, NUTS AND WASHERS FOR ANTENNAS MOUNT FRAMES.

NOTE 7. "CABLES B" ARE THE BONDS TO BE INSTALLED FROM THE CABLE TRAY FRAME TO EQUIPOTENTIAL EARTH CONDUCTOR "CABLE G". THESE BONDS ARE TO BE INSTALLED USING 19/1.53mm G/Y INSULATED CONDUCTORS TERMINATED AT ONE END VIA APPROVED CRIMPED TINNED COPPER LUGS AND CONNECT THE OTHER END TO EQUIPOTENTIAL CONDUCTOR VIA LINE-TAPS CONNECTIONS. USE GAL NUT, BOLT AND WASHERS FOR BONDING TO CABLE TRAY.

NOTE 8. "CABLE C" A 19/1.53mm G/Y INSULATED CONDUCTOR SHALL BE INSTALLED FROM THE FEB TO EARTH RING.

NOTE 9. CABLE D" IS THE SHELTER FRAME THAT SHALL BE BONDED TO SEB VIA A 19/1.53mm G/Y INSULATED CONDUCTOR. USE SS BOLTS, NUTS AND WASHERS FOR CONNECTIONS TO SEB AND GAL NUT, BOLT AND WASHERS FOR CONNECTION TO SHELTER FRAME.

NOTE 10. "CABLE F" IS TWO EARTH CONDUCTORS OF 19/1.53mm G/Y INSULATED THAT SHALL BE RUN FROM THE DOWN CONDUCTOR VIA LINE TAPS CONNECTION TO SEB INSIDE SHELTER VIA THE HUT FLOOR.

NOTE 9 "CABLE G" IS THE EQUIPOTENTIAL EARTH CONDUCTOR OF 19/1.53mm G/Y INSULATED. IT SHALL BE INSTALLED FROM THE EARTH GRID THROUGHOUT THE CABLE TRAY UP TO THE ANTENNA MOUNTS VIA "CABLE A"

NOTE 12. "CABLE H" IS BONDING BETWEEN THE TELECOMMUNICATION EARTH (SEB AND THE PROTECTIVE EARTH BAR INSIDE TELSTRA DISTRIBUTION BOARD VIA EARTH LUG.

NOTE 13. FEEDERS EARTHING SHALL BE UNDERTAKEN AT THE GLAND WINDOW OUTSIDE THE SHELTER TO THE FEEDER EARTH BAR USING FEEDER EARTH KITS AND AT THE END OF EACH OF CABLE TRAY RUN USING LINE-TAPS CONNECTIONS TO THE EQUIPOTENTIAL CONDUCTORS "G".

NOTE 14. ALL CONDUCTORS ARE TO BE LABELLED AT BOTH ENDS USING STAINLESS STEEL LABELS

NOTE 15. ALL EXTERNAL TERMINATIONS ARE TO BE TREATED WITH DENSO PASTE AND TAPE.

COMPLIANCE BOX
 COMPLETED AS PER DESIGN
 ALTERATIONS IN RED
 NAME (PRINT) _____
 SIGNATURE _____ DATE _____

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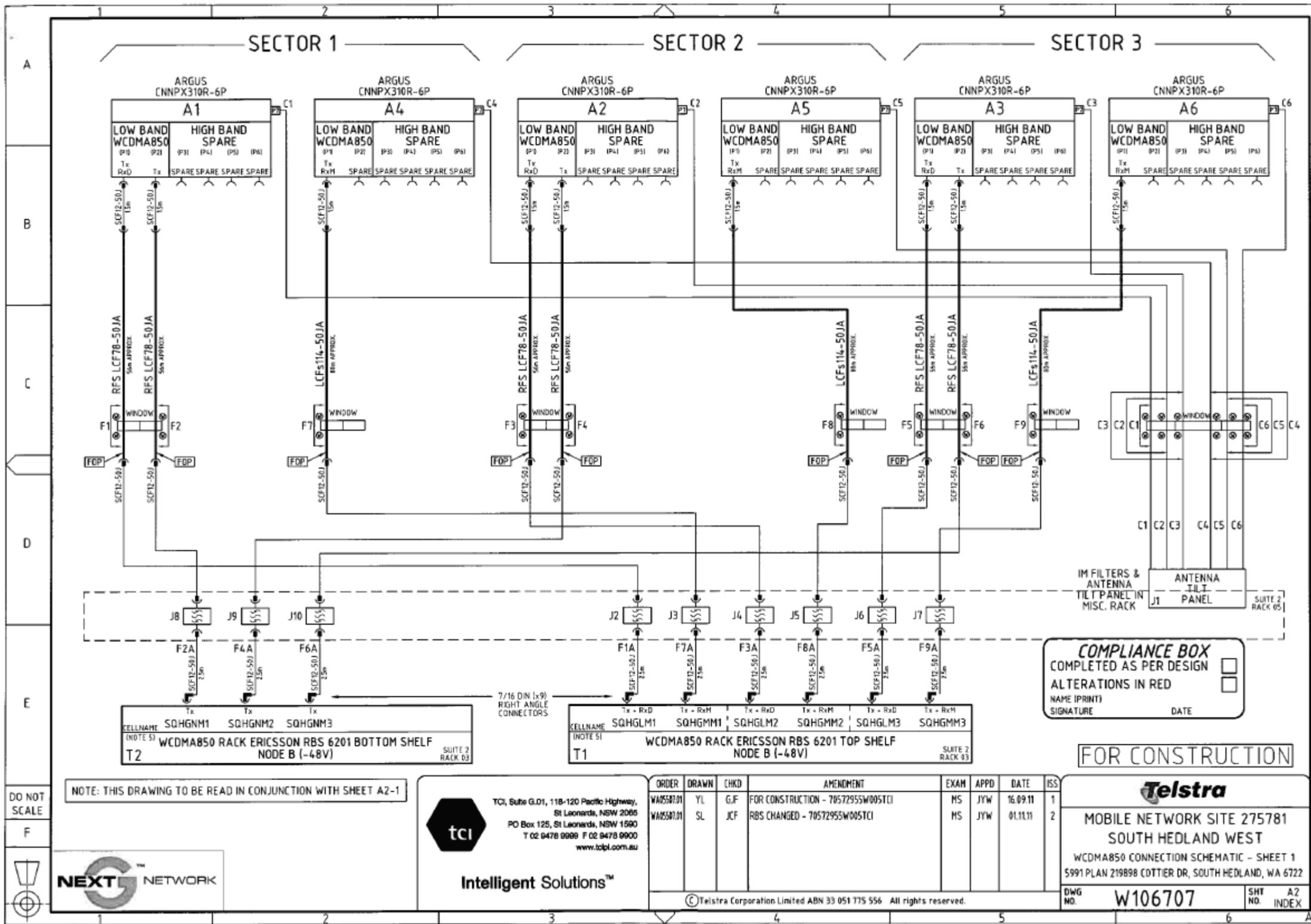
ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
W106707	GW	GJF	FOR CONSTRUCTION - 70572955W005TCI	MS	GR	16.09.11	1

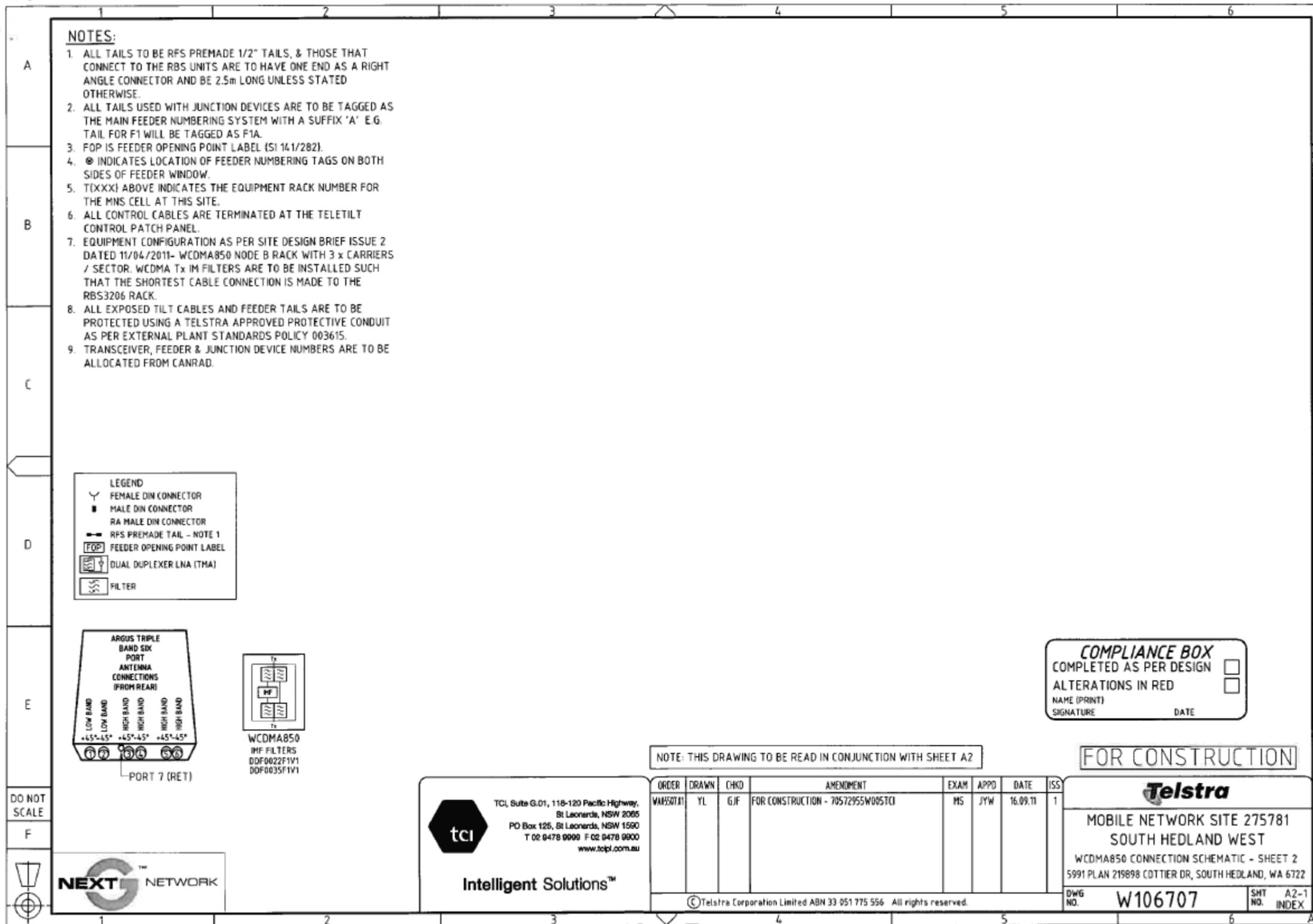
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 SOUTH HEDLAND WEST
 SITE EARTHING NOTES
 5991 PLAN 219898 COTTIER DR, SOUTH HEDLAND, WA 6722
 DWG NO. **W106707** SHT NO. G4-1 INDEX

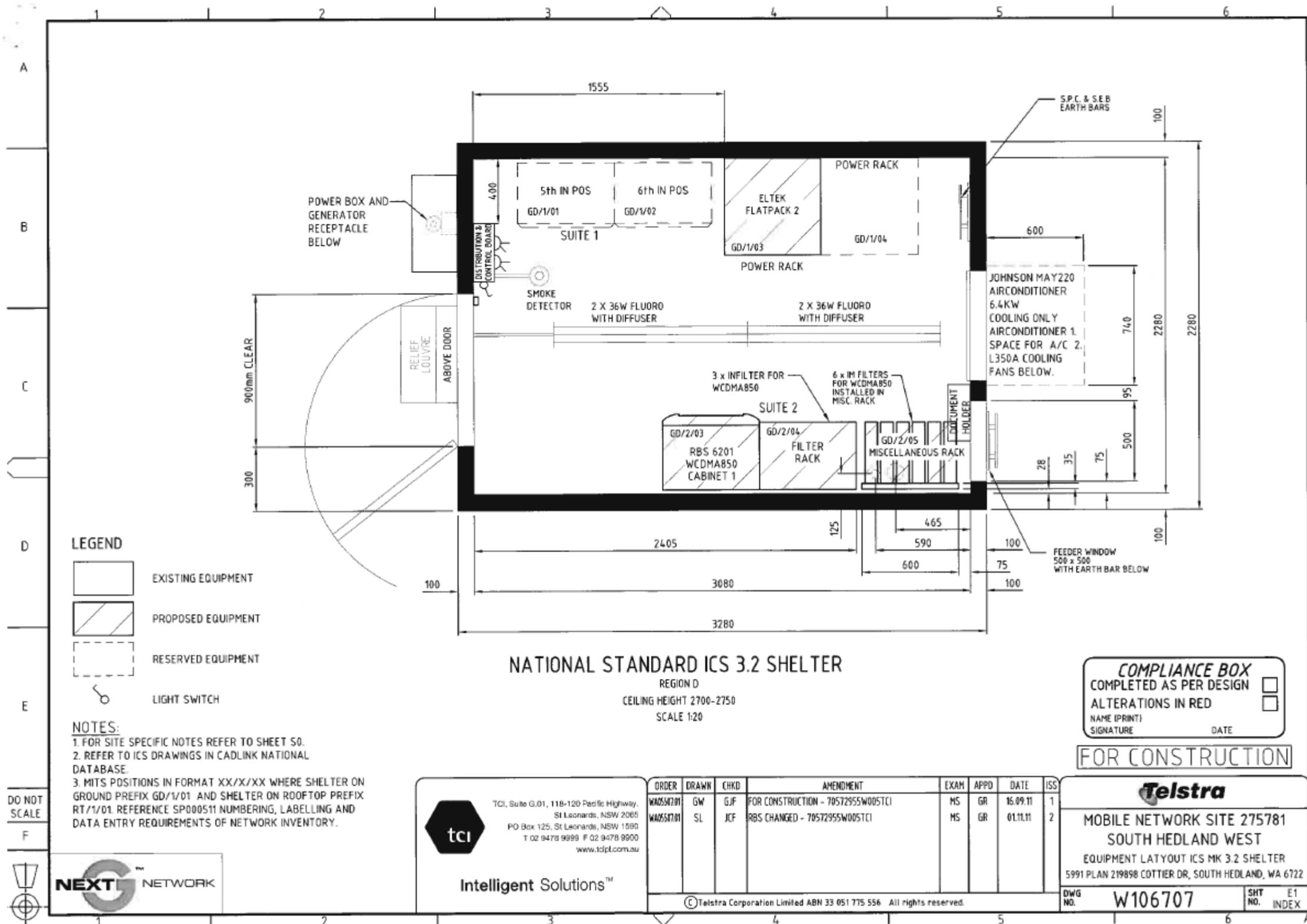
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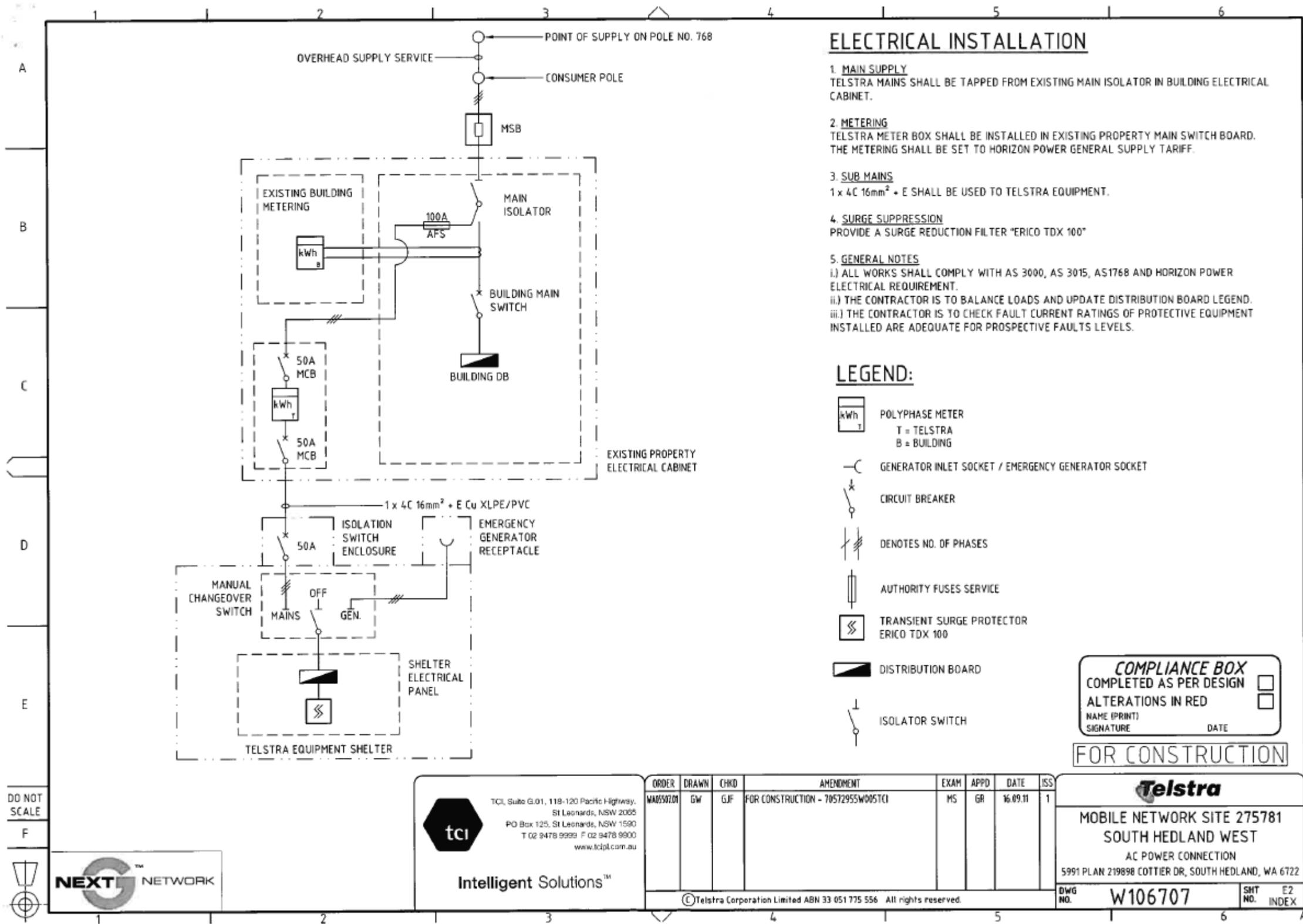
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ELECTRICAL INSTALLATION

1. **MAIN SUPPLY**
TELSTRA MAINS SHALL BE TAPPED FROM EXISTING MAIN ISOLATOR IN BUILDING ELECTRICAL CABINET.
2. **METERING**
TELSTRA METER BOX SHALL BE INSTALLED IN EXISTING PROPERTY MAIN SWITCH BOARD. THE METERING SHALL BE SET TO HORIZON POWER GENERAL SUPPLY TARIFF.
3. **SUB MAINS**
1 x 4C 16mm² + E SHALL BE USED TO TELSTRA EQUIPMENT.
4. **SURGE SUPPRESSION**
PROVIDE A SURGE REDUCTION FILTER "ERICO TDX 100"
5. **GENERAL NOTES**
i.) ALL WORKS SHALL COMPLY WITH AS 3000, AS 3015, AS1768 AND HORIZON POWER ELECTRICAL REQUIREMENT.
ii.) THE CONTRACTOR IS TO BALANCE LOADS AND UPDATE DISTRIBUTION BOARD LEGEND.
iii.) THE CONTRACTOR IS TO CHECK FAULT CURRENT RATINGS OF PROTECTIVE EQUIPMENT INSTALLED ARE ADEQUATE FOR PROSPECTIVE FAULTS LEVELS.

LEGEND:

- POLYPHASE METER
T = TELSTRA
B = BUILDING
- GENERATOR INLET SOCKET / EMERGENCY GENERATOR SOCKET
- CIRCUIT BREAKER
- DENOTES NO. OF PHASES
- AUTHORITY FUSES SERVICE
- TRANSIENT SURGE PROTECTOR ERICO TDX 100
- DISTRIBUTION BOARD
- ISOLATOR SWITCH

COMPLIANCE BOX
COMPLETED AS PER DESIGN
ALTERATIONS IN RED
NAME (PRINT) _____
SIGNATURE _____ DATE _____

FOR CONSTRUCTION

DO NOT SCALE

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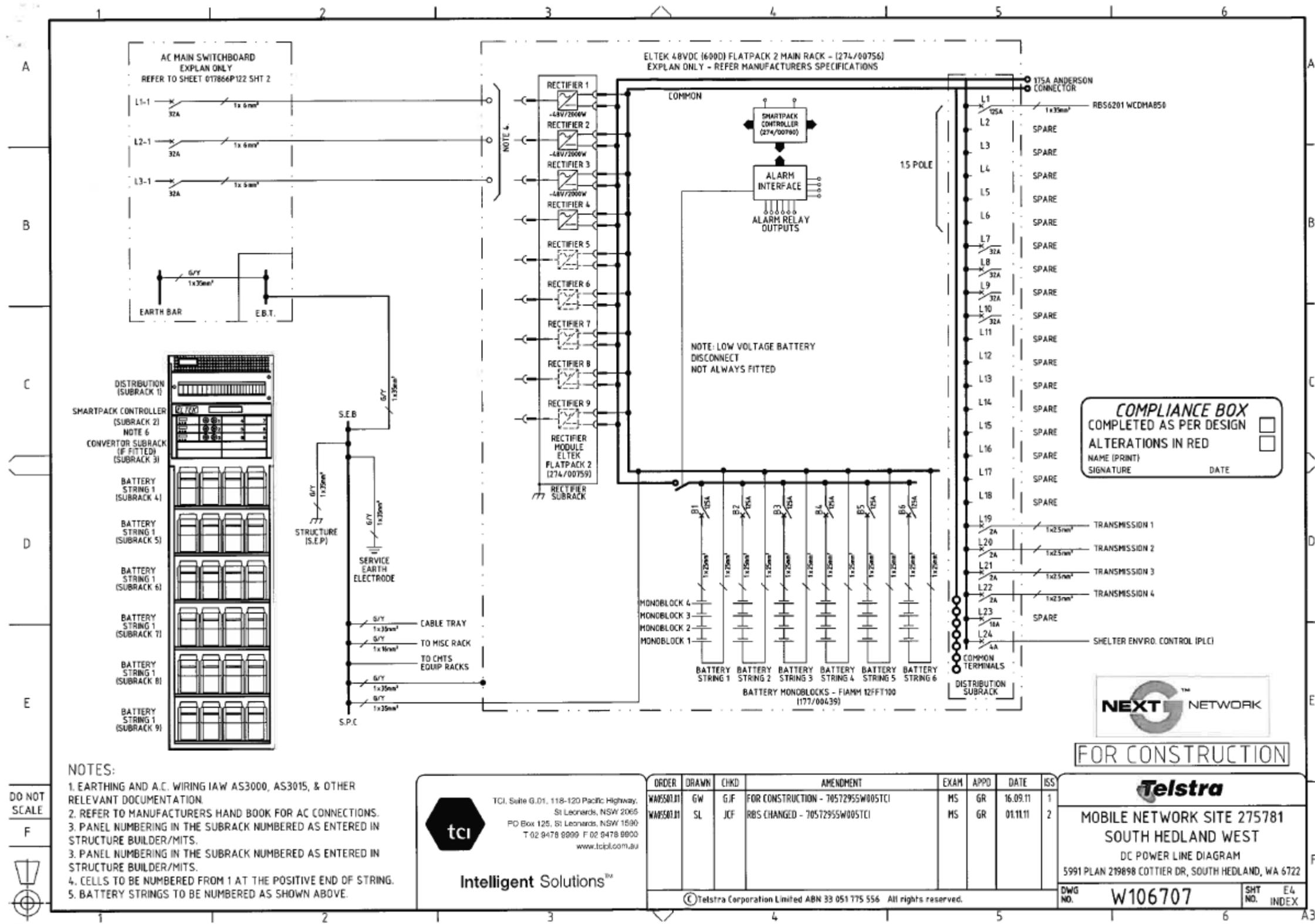
ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
W106707	GW	GJF	FOR CONSTRUCTION - 70572955W106707	MS	GR	16.09.11	1

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MOBILE NETWORK SITE 275781
SOUTH HEDLAND WEST
AC POWER CONNECTION
5991 PLAN 219898 COTTIER DR, SOUTH HEDLAND, WA 6722

DWG NO. **W106707** SHT NO. **E2** INDEX



- NOTES:
1. EARTHING AND A.C. WIRING IAW AS3000, AS3015, & OTHER RELEVANT DOCUMENTATION.
 2. REFER TO MANUFACTURERS HAND BOOK FOR AC CONNECTIONS.
 3. PANEL NUMBERING IN THE SUBRACK NUMBERED AS ENTERED IN STRUCTURE BUILDER/MITS.
 3. PANEL NUMBERING IN THE SUBRACK NUMBERED AS ENTERED IN STRUCTURE BUILDER/MITS.
 4. CELLS TO BE NUMBERED FROM 1 AT THE POSITIVE END OF STRING.
 5. BATTERY STRINGS TO BE NUMBERED AS SHOWN ABOVE.

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ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
WAF5501.01	GW	G/J	FOR CONSTRUCTION - 70572955W005TCI	MS	GR	16.09.11	1
WAF5501.01	SL	JCF	RBS CHANGED - 70572955W005TCI	MS	GR	01.11.11	2

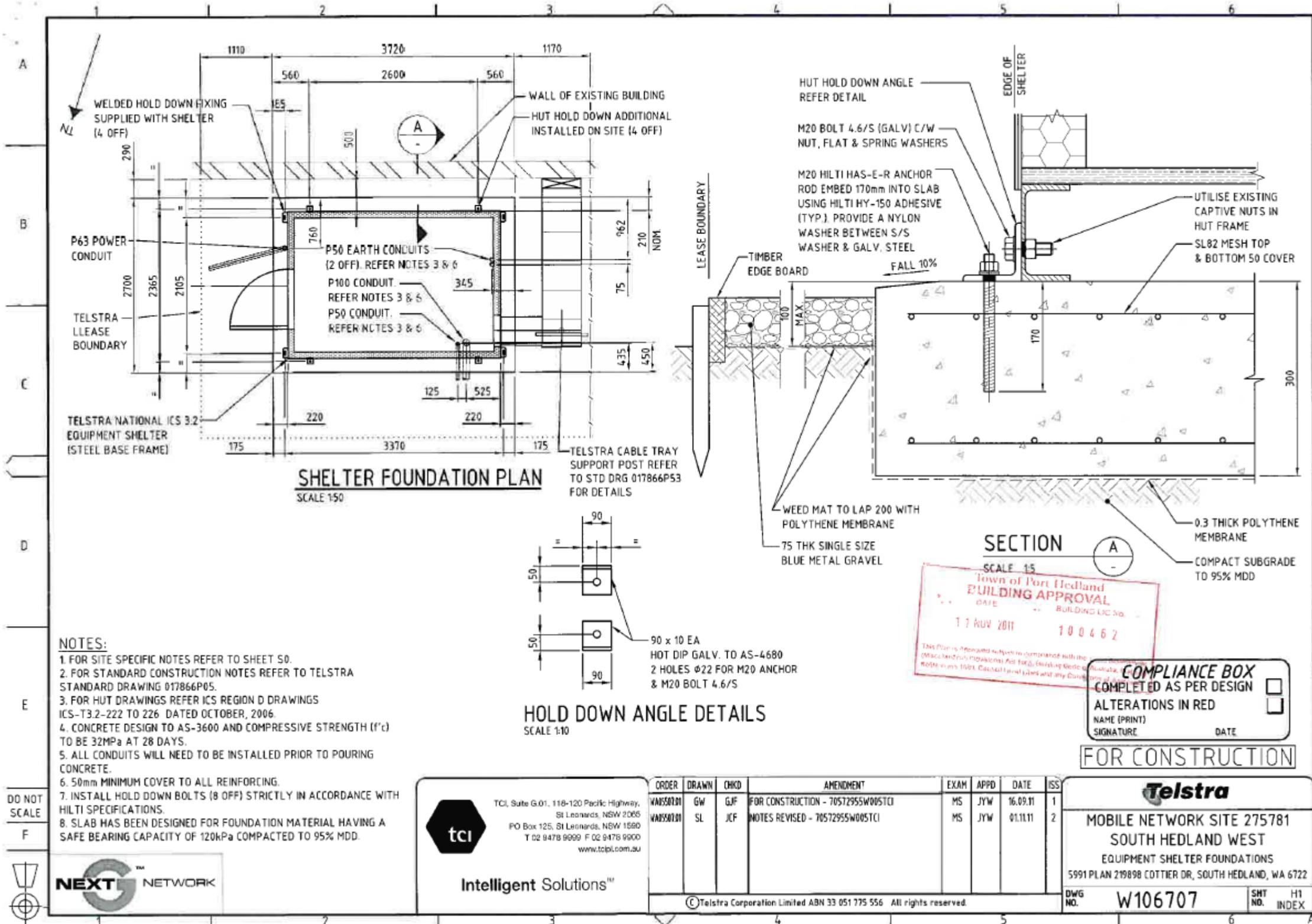
FOR CONSTRUCTION

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MOBILE NETWORK SITE 275781
 SOUTH HEDLAND WEST
 DC POWER LINE DIAGRAM
 5991 PLAN 219898 COTTIER DR, SOUTH HEDLAND, WA 6722

DWG NO. **W106707** SHT NO. **E4**
 INDEX

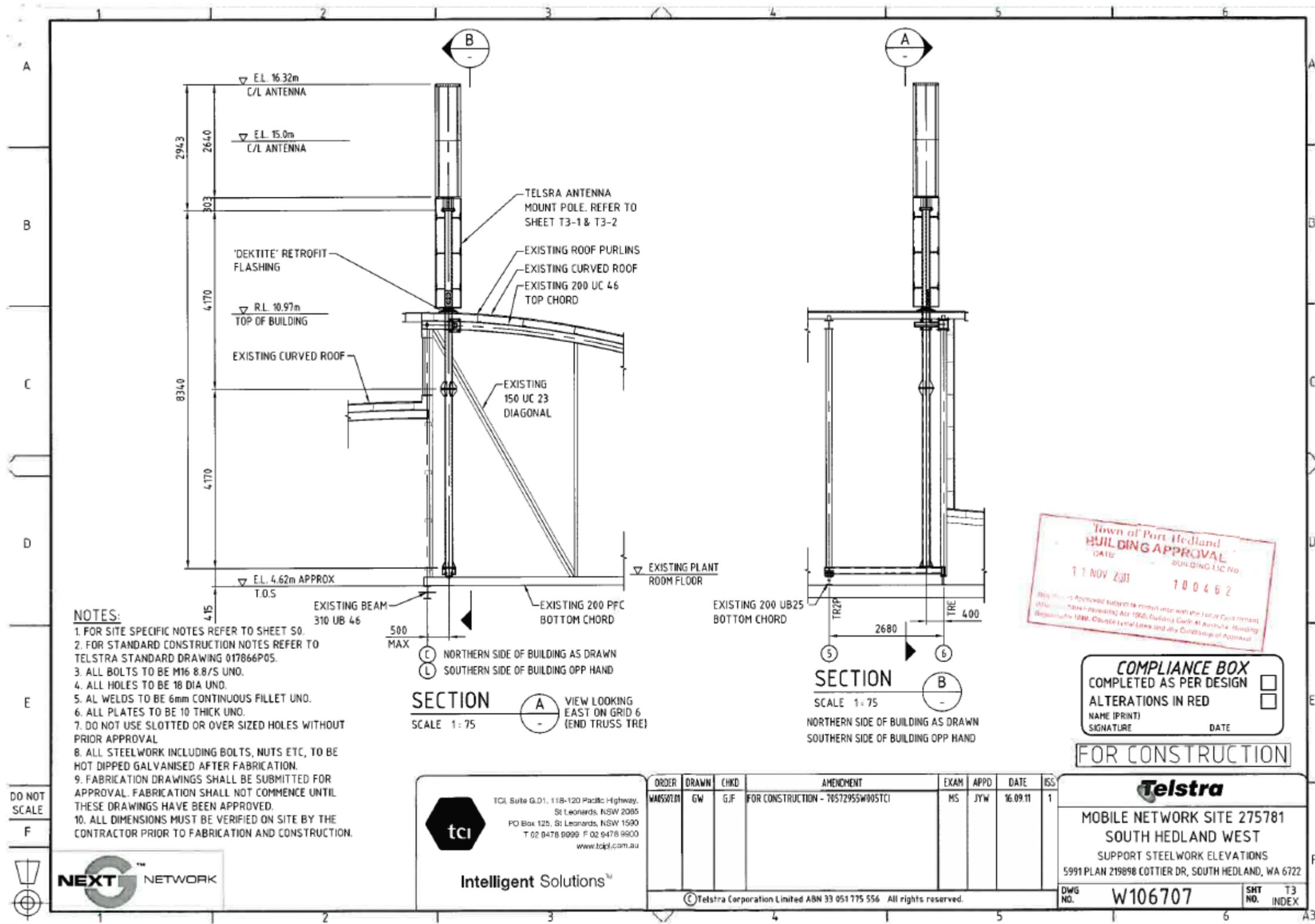
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- NOTES:**
1. FOR SITE SPECIFIC NOTES REFER TO SHEET S0.
 2. FOR STANDARD CONSTRUCTION NOTES REFER TO TELSTRA STANDARD DRAWING 017866P05.
 3. FOR HUT DRAWINGS REFER ICS REGION D DRAWINGS ICS-T3.2-222 TO 226 DATED OCTOBER, 2006.
 4. CONCRETE DESIGN TO AS-3600 AND COMPRESSIVE STRENGTH (f'_c) TO BE 32MPa AT 28 DAYS.
 5. ALL CONDUITS WILL NEED TO BE INSTALLED PRIOR TO POURING CONCRETE.
 6. 50mm MINIMUM COVER TO ALL REINFORCING.
 7. INSTALL HOLD DOWN BOLTS (8 OFF) STRICTLY IN ACCORDANCE WITH HILTI SPECIFICATIONS.
 8. SLAB HAS BEEN DESIGNED FOR FOUNDATION MATERIAL HAVING A SAFE BEARING CAPACITY OF 120kPa COMPACTED TO 95% MDD.

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Intelligent Solutions™
TCI, Suite G.01, 118-120 Pacific Highway,
St Leonards, NSW 2065
PO Box 125, St Leonards, NSW 1580
T 02 9478 9999 F 02 9478 9900
www.tcipi.com.au





- NOTES:**
1. FOR SITE SPECIFIC NOTES REFER TO SHEET S0.
 2. FOR STANDARD CONSTRUCTION NOTES REFER TO TELSTRA STANDARD DRAWING 017866P05.
 3. ALL BOLTS TO BE M16 8.8/S UNO.
 4. ALL HOLES TO BE 18 DIA UNO.
 5. ALL WELDS TO BE 6mm CONTINUOUS FILLET UNO.
 6. ALL PLATES TO BE 10 THICK UNO.
 7. DO NOT USE SLOTTED OR OVER SIZED HOLES WITHOUT PRIOR APPROVAL.
 8. ALL STEELWORK INCLUDING BOLTS, NUTS ETC, TO BE HOT DIPPED GALVANISED AFTER FABRICATION.
 9. FABRICATION DRAWINGS SHALL BE SUBMITTED FOR APPROVAL. FABRICATION SHALL NOT COMMENCE UNTIL THESE DRAWINGS HAVE BEEN APPROVED.
 10. ALL DIMENSIONS MUST BE VERIFIED ON SITE BY THE CONTRACTOR PRIOR TO FABRICATION AND CONSTRUCTION.

Town of Port Hedland
BUILDING APPROVAL
 DATE: 11 NOV 2011
 BUILDING LIC NO: 100462

COMPLIANCE BOX
 COMPLETED AS PER DESIGN
 ALTERATIONS IN RED
 NAME (PRINT) _____
 SIGNATURE _____ DATE _____

FOR CONSTRUCTION

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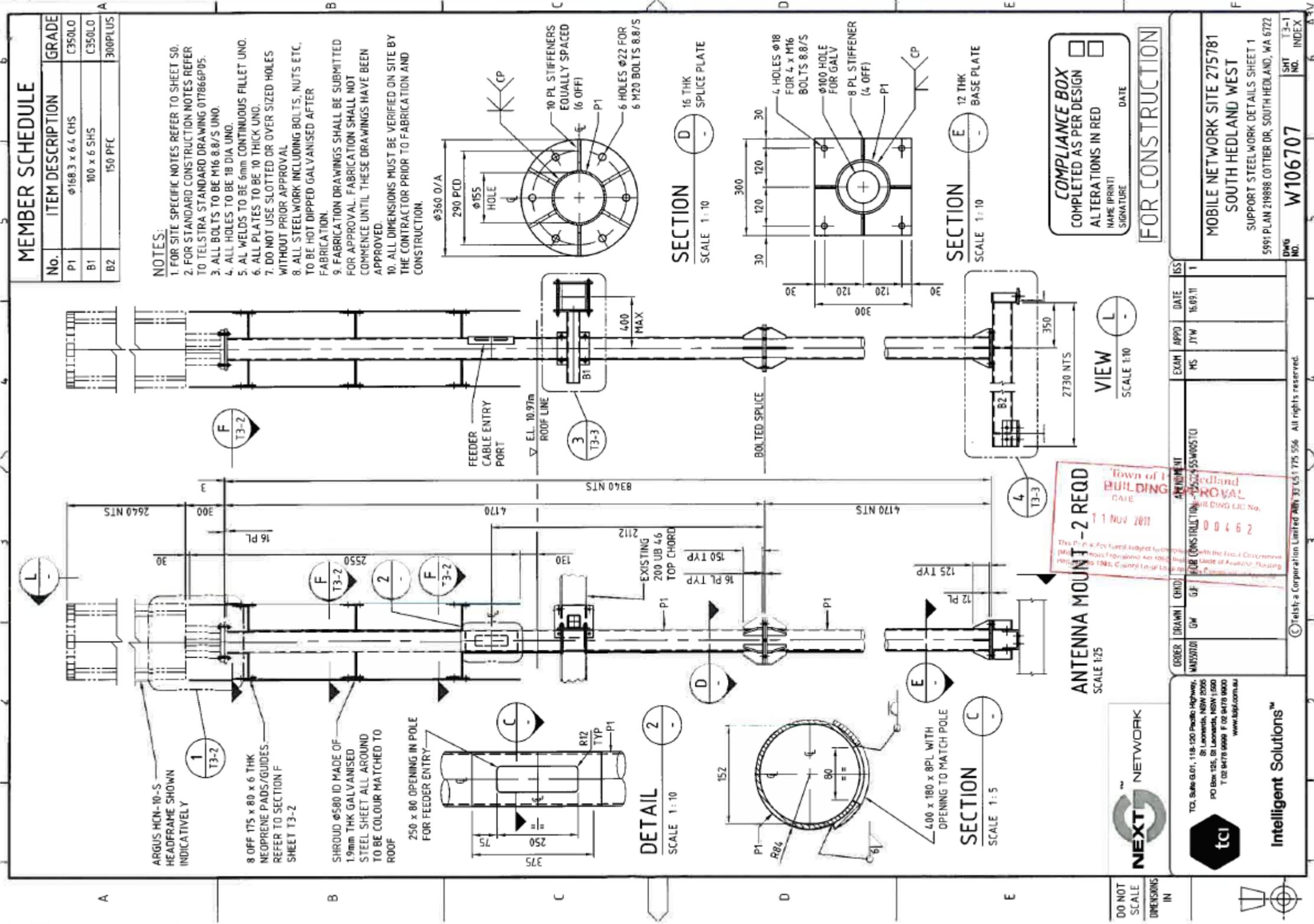
ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
WAGSWAN	GW	G.J.F.	FOR CONSTRUCTION - 70572955W005TCI	MS	JYW	16.09.11	1

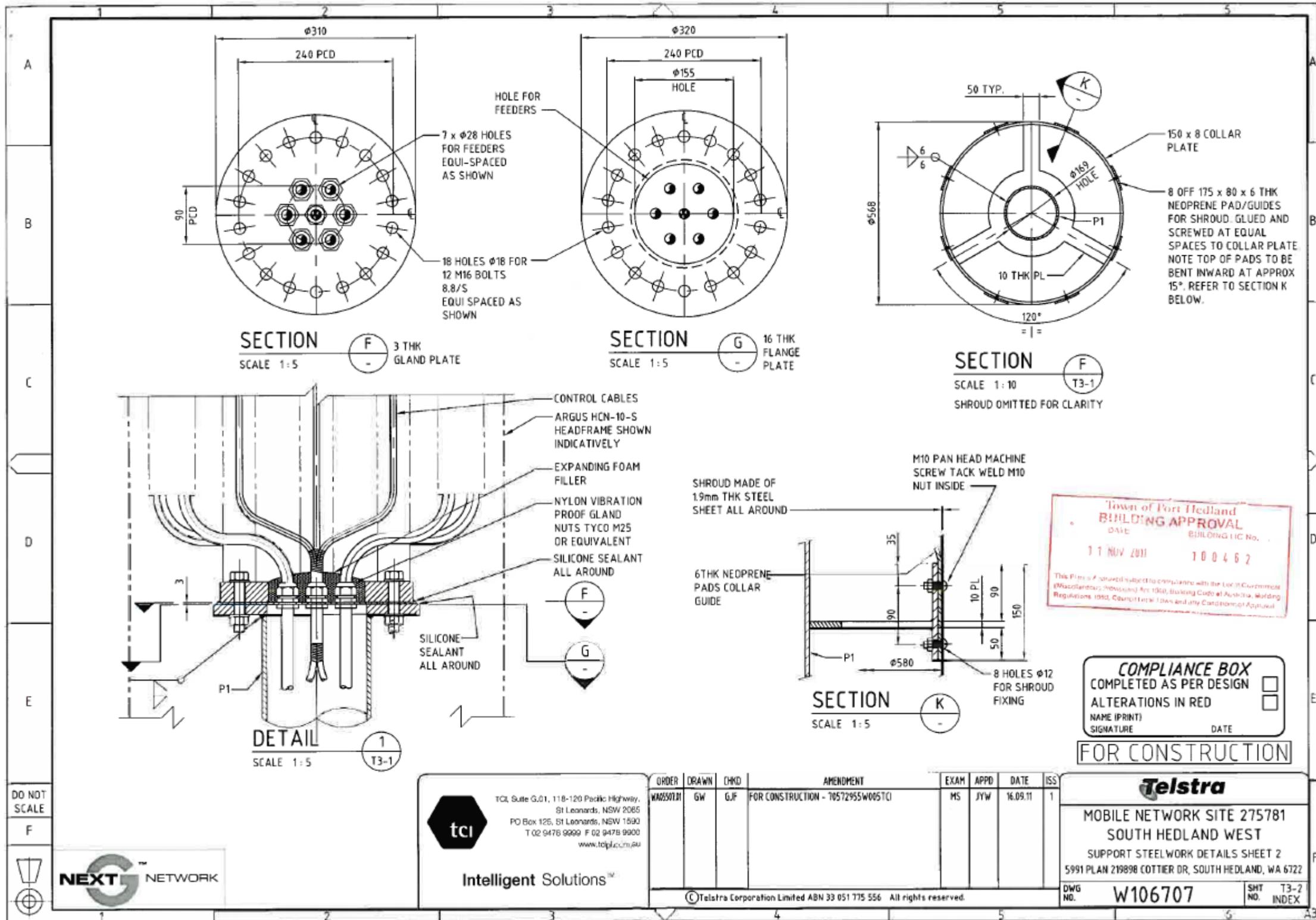
Telstra
 MOBILE NETWORK SITE 275781
 SOUTH HEDLAND WEST
 SUPPORT STEELWORK ELEVATIONS
 5991 PLAN 219898 COTTIER DR, SOUTH HEDLAND, WA 6722
 DWG NO. **W106707** SHT NO. T3 INDEX

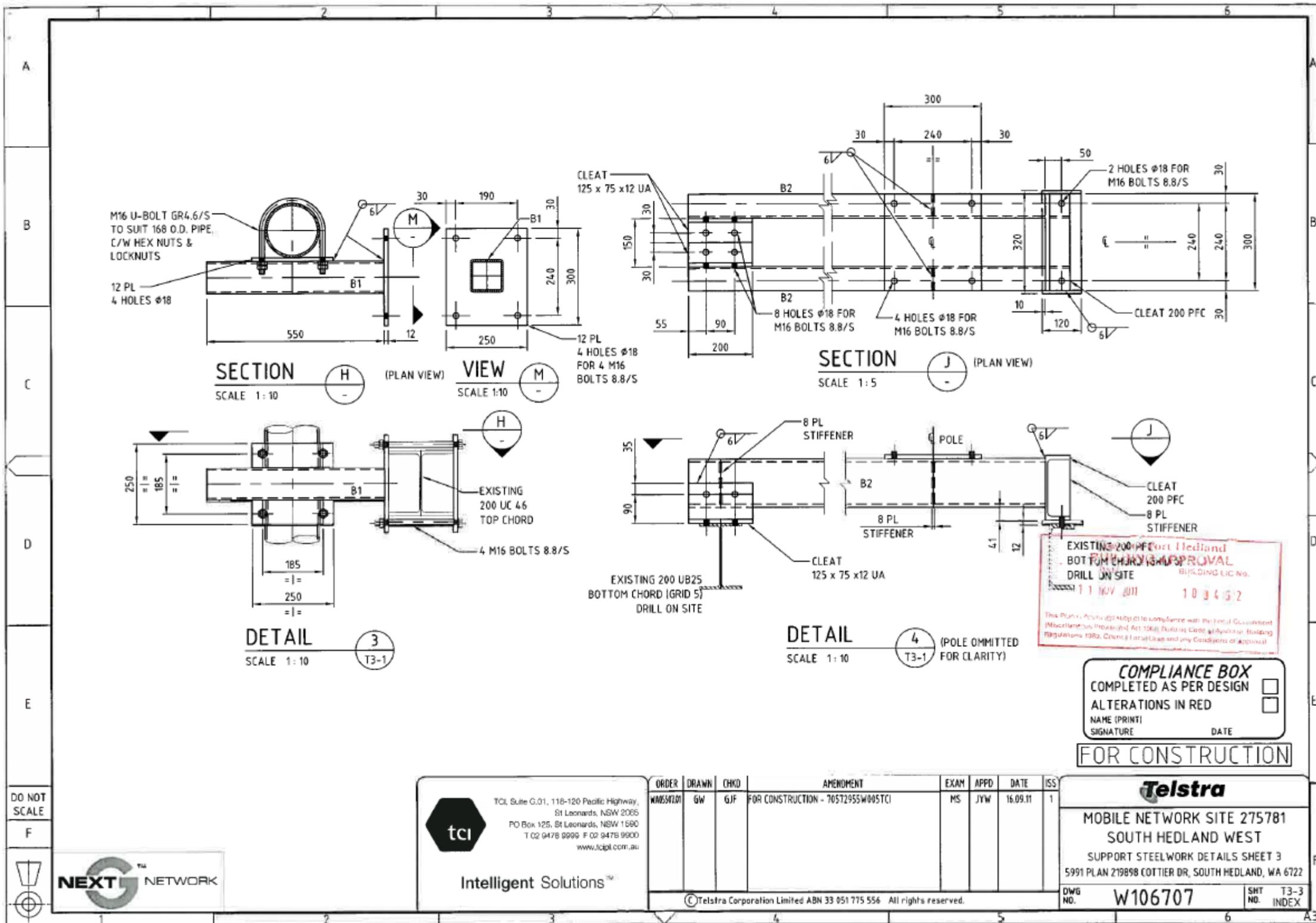
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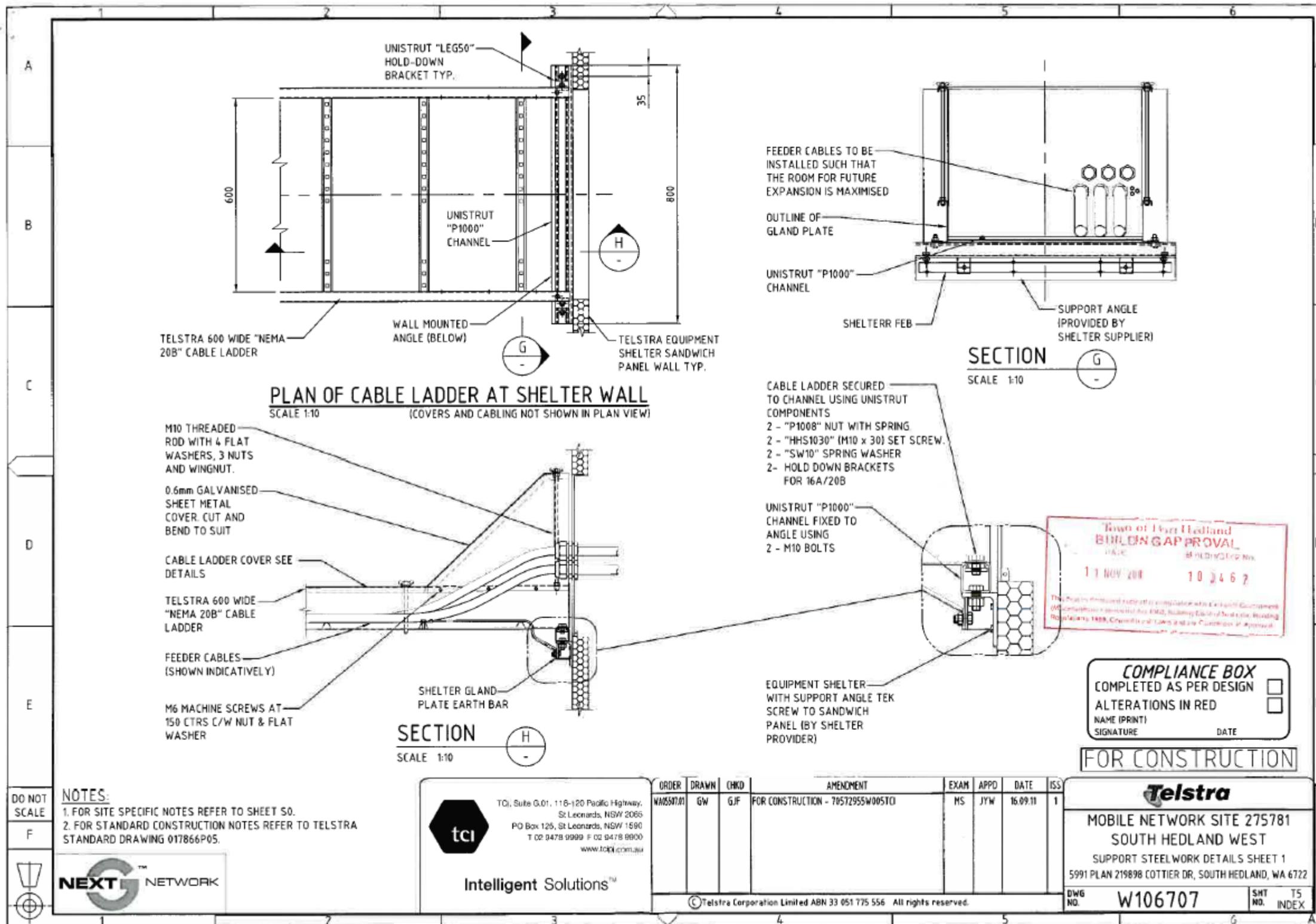
DO NOT SCALE

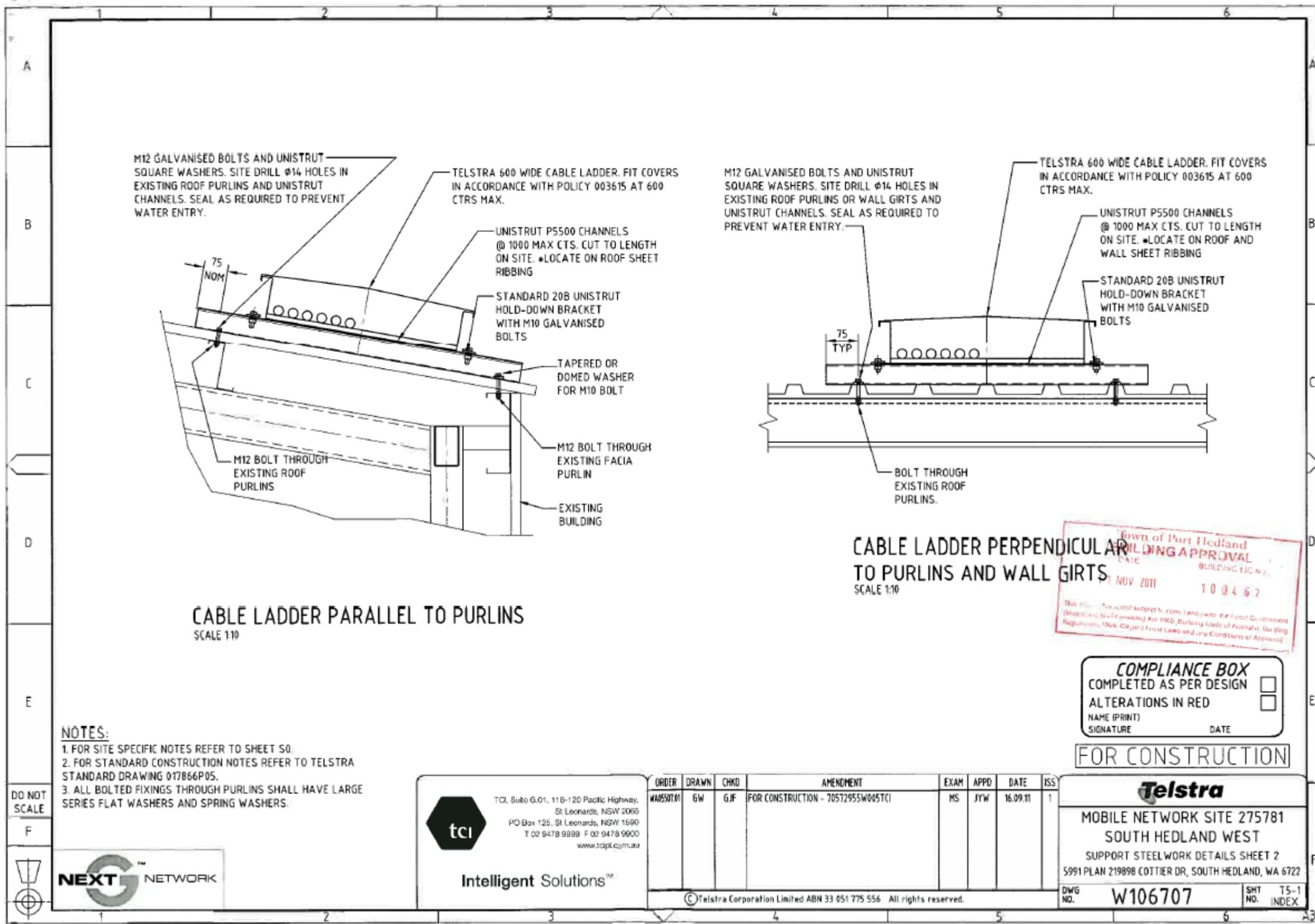












M12 GALVANISED BOLTS AND UNISTRUT SQUARE WASHERS. SITE DRILL Ø14 HOLES IN EXISTING ROOF PURLINS AND UNISTRUT CHANNELS. SEAL AS REQUIRED TO PREVENT WATER ENTRY.

TELSTRA 600 WIDE CABLE LADDER. FIT COVERS IN ACCORDANCE WITH POLICY 003615 AT 600 CTRS MAX.

UNISTRUT P5500 CHANNELS @ 1000 MAX CTS. CUT TO LENGTH ON SITE. *LOCATE ON ROOF SHEET RIBBING

STANDARD 20B UNISTRUT HOLD-DOWN BRACKET WITH M10 GALVANISED BOLTS

TAPERED OR DOMED WASHER FOR M10 BOLT

M12 BOLT THROUGH EXISTING ROOF PURLINS

M12 BOLT THROUGH EXISTING FACIA PURLIN

EXISTING BUILDING

M12 GALVANISED BOLTS AND UNISTRUT SQUARE WASHERS. SITE DRILL Ø14 HOLES IN EXISTING ROOF PURLINS OR WALL GIRTS AND UNISTRUT CHANNELS. SEAL AS REQUIRED TO PREVENT WATER ENTRY.

TELSTRA 600 WIDE CABLE LADDER. FIT COVERS IN ACCORDANCE WITH POLICY 003615 AT 600 CTRS MAX.

UNISTRUT P5500 CHANNELS @ 1000 MAX CTS. CUT TO LENGTH ON SITE. *LOCATE ON ROOF AND WALL SHEET RIBBING

STANDARD 20B UNISTRUT HOLD-DOWN BRACKET WITH M10 GALVANISED BOLTS

BOLT THROUGH EXISTING ROOF PURLINS.

CABLE LADDER PARALLEL TO PURLINS
SCALE 1:10

CABLE LADDER PERPENDICULAR TO PURLINS AND WALL GIRTS
SCALE 1:10



COMPLIANCE BOX
 COMPLETED AS PER DESIGN
 ALTERATIONS IN RED
 NAME (PRINT) _____
 SIGNATURE _____ DATE _____

FOR CONSTRUCTION

- NOTES:**
1. FOR SITE SPECIFIC NOTES REFER TO SHEET S0.
 2. FOR STANDARD CONSTRUCTION NOTES REFER TO TELSTRA STANDARD DRAWING 017866P05.
 3. ALL BOLTED FIXINGS THROUGH PURLINS SHALL HAVE LARGE SERIES FLAT WASHERS AND SPRING WASHERS.

DO NOT SCALE

F



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ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
W106707	GW	GJF	FOR CONSTRUCTION - 70512955W045TCI	MS	JYW	16.09.11	1

Telstra
 MOBILE NETWORK SITE 275781
 SOUTH HEDLAND WEST
 SUPPORT STEELWORK DETAILS SHEET 2
 5991 PLAN 219898 COTTIER DR, SOUTH HEDLAND, WA 6722
 DWG NO. **W106707** SHT NO. T5-1 INDEX

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11.1.3 Authorisation of Contract Ranger - Ranger Services (File No.:19/09/0001)

Officer Peter Wilden
Coordinator Rangers

Date of Report 10 January 2012

Disclosure of Interest by Officer Nil

Summary

Mr Geoff Birkbeck has been recruited as Contract Ranger for a (3) three month period commencing on or about 31 January within the Rangers Section of the Town of Port Hedland to replace an officer that is undergoing prolonged medical treatment.

Background

It is a requirement that Council authorise Rangers in various capabilities under a range of legislative requirements.

Authorisation allows Rangers to carry out their duties and have full protection of the various Acts and Regulations, to which they are required to enforce.

Rangers are required to be authorised under the following Acts and Regulation to carry out their functions:

- Dog Act 1976 and Regulations (as amended) appointed as Authorised Persons for the purpose of the Act and authorised to effect the registration of dogs.
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations appointed as Authorised Persons and to prosecute on behalf of Council for the purpose of the Act.
- Litter Act 1979 and Regulations appointed as Authorised Persons and to prosecute on behalf of Council for the purpose of the Act.
- Bush Fires Act and Regulations appointed as Bush Fire Control Officer and Authorised officer to prosecute on behalf of Council for the purpose of the Act.
- Local Government Act (Miscellaneous Provisions) 1960 Part XX as Poundkeeper and Ranger.
- Caravan Parks & Camping Grounds Act 1995 & Regulations 1997
- Town of Port Hedland Local Laws

Consultation

Nil

Statutory Implications

The Town of Port Hedland Rangers have authority to enforce all of the above mentioned Acts and Regulations in the day-to-day duties of the Officers. Existing Rangers have been authorised by previous Council resolution as Dog Registration Officers and authorised under the Litter Act.

Policy Implications

Nil

Strategic Planning

Nil

Budget Implications

Nil

Officer Comment

It is a requirement that Council authorise Rangers in various capabilities. Authorisation allows Rangers to carry out their duties and affords Council and the Officer protection under the various Acts and Regulations, as many of these duties may only be undertaken by a duly authorized person.

201112/290 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr J E Hunt

Corrected at the Ordinary Meeting of the Town of Port Hedland Council held on 22 February 2012 per Council Resolution 201112/321.

That Council:

1. **Authorises/appoints Mr Geoff Birkbeck as appropriate, pursuant to the following provisions:**
 - i) **the Dog Act 1976 (as amended) and Regulations as an Authorised Person and prosecute on behalf of Council for the purpose of the Act;**
 - ii) **the Local Government Act 1995 & Regulations:**
 - iii) **the Control of Vehicles (Off Road Areas) Act 1978 and Regulations as an Authorised Officer and to prosecute on behalf of Council for the purpose of the Act;**

- iv) the Local Government Act (Miscellaneous Provisions) 1960 Part XX as a Poundkeeper and Ranger.
 - v) the Bush Fires Act 1954 (as amended) and Regulations as a Fire Control Officer for the purposes of Fire Prevention.
 - vi) Caravan Parks & Camping Grounds Act 1995 & Regulations 1997
 - vii) Town of Port Hedland Local Laws
 - viii) Litter Act 1979 and Regulations appointed as Authorised Persons and to prosecute on behalf of Council for the purpose of the Act.
2. Cancel the appointment of Mr Chris Bail and Mr Eldride Edwards herewith, as they are no longer employed by the Town of Port Hedland.

CARRIED 7/0

11.1.4 Proposed Permanent Partial Closure of Reserve 30768 at Lot 5552 Athol Street, Port Hedland (File No.: 801991G)

Officer	Caris Vuckovic Lands Officer
Date of Report	17 January 2012
Disclosure of Interest by Officer	Nil

Summary

Council has received a request from the Water Corporation to permanently close a portion (approx 15ha) of Reserve 30768 located on at Lot 5552 Athol Street, Port Hedland.

As the required partial closure is an integral part of the relocation of the Waste Water Treatment Ponds, Council is requested to support the partial closure of Reserve 48776.

Background

The Department of Regional Development and Lands announced a project to relocate the Port Hedland Wastewater Treatment Plant to South Hedland. The relocation will facilitate the development of a substantial amount of residential dwellings within the Port Hedland area.

The applicant has identified the need to secure land within Port Hedland to accommodate essential infrastructure to support the relocation. The required partial reserve closure forms part of the project.

Consultation

- Water Corporation
- Town of Port Hedland Officers

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

Reserve 30768 is currently vested to the Town of Port Hedland for "Recreation" purposes. The subject portion of land is currently not used for this purpose and remains vacant and unused.

The relocation of the Port Hedland Wastewater Treatment Plant will allow for significant residential development within Port Hedland. Various options had been considered for the relocation of the plant, with the final decision being that the facility would be combined with the current South Hedland Wastewater Treatment Plant, which will undergo a substantial upgrade.

There will be several steps in preparing land to allow for the expansion, with the proposed partial reserve closure forming one of the changes.

Options

Council has the following options when considering the request:

1. Support the request for partial closure of Reserve 30768, Port Hedland.

Approving the request will allow the applicant to purchase the land to facilitate the Port Hedland Wastewater Treatment Plant Relocation Project.

2. Reject the request for partial closure of Reserve 30768, Port Hedland.

Should Council choose to reject the request, the applicant will be required to put forward an alternative proposal and may result in the delay of the Port Hedland Wastewater Treatment Plant Relocation Project.

Option 1 is recommended.

Attachments

1. Locality Plan
2. Water Corporation Development Plans

201112/291 Officer's Recommendation / Council Decision

Moved: Cr G A Jacob

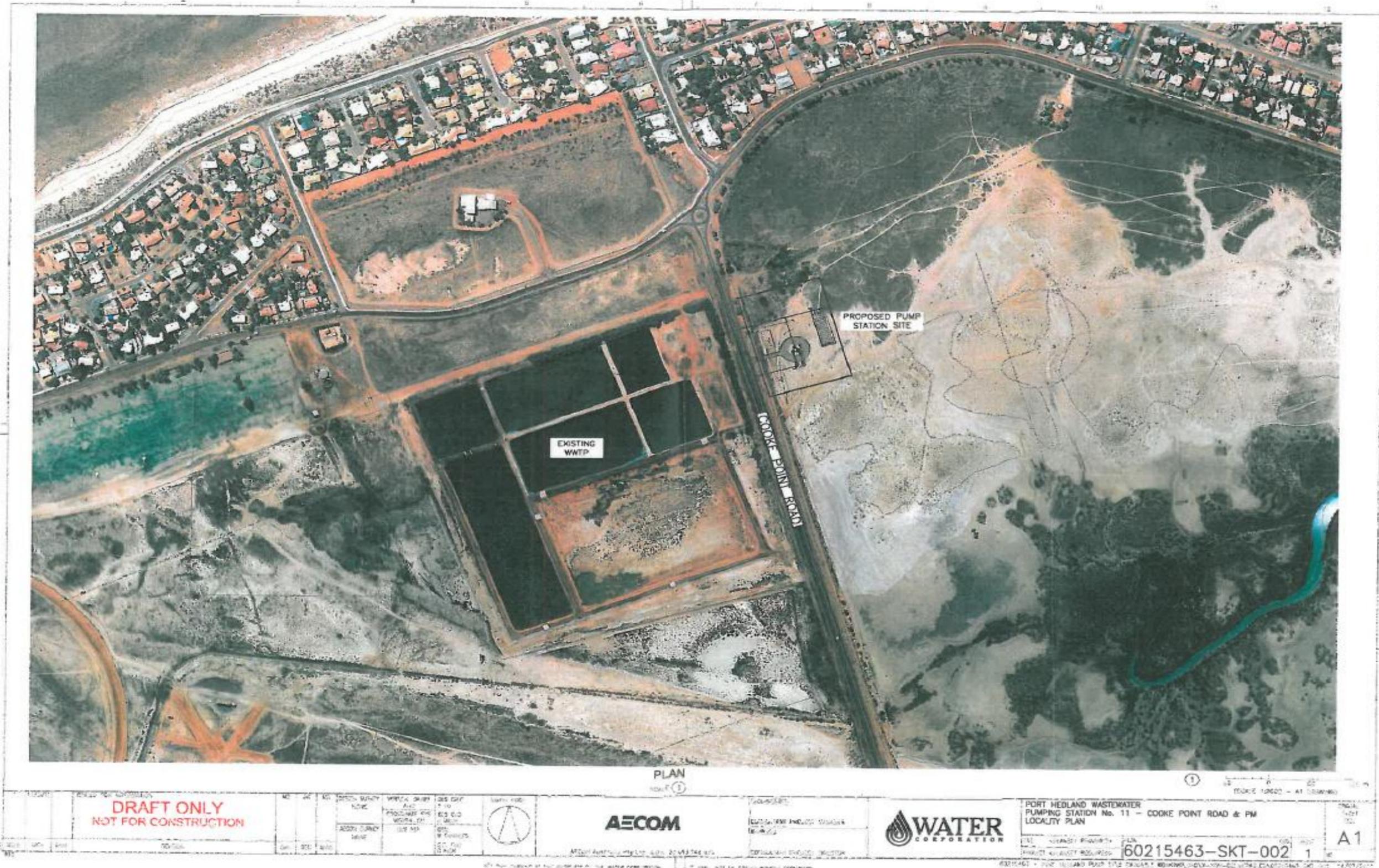
Seconded: Cr M B Dziombak

That Council:

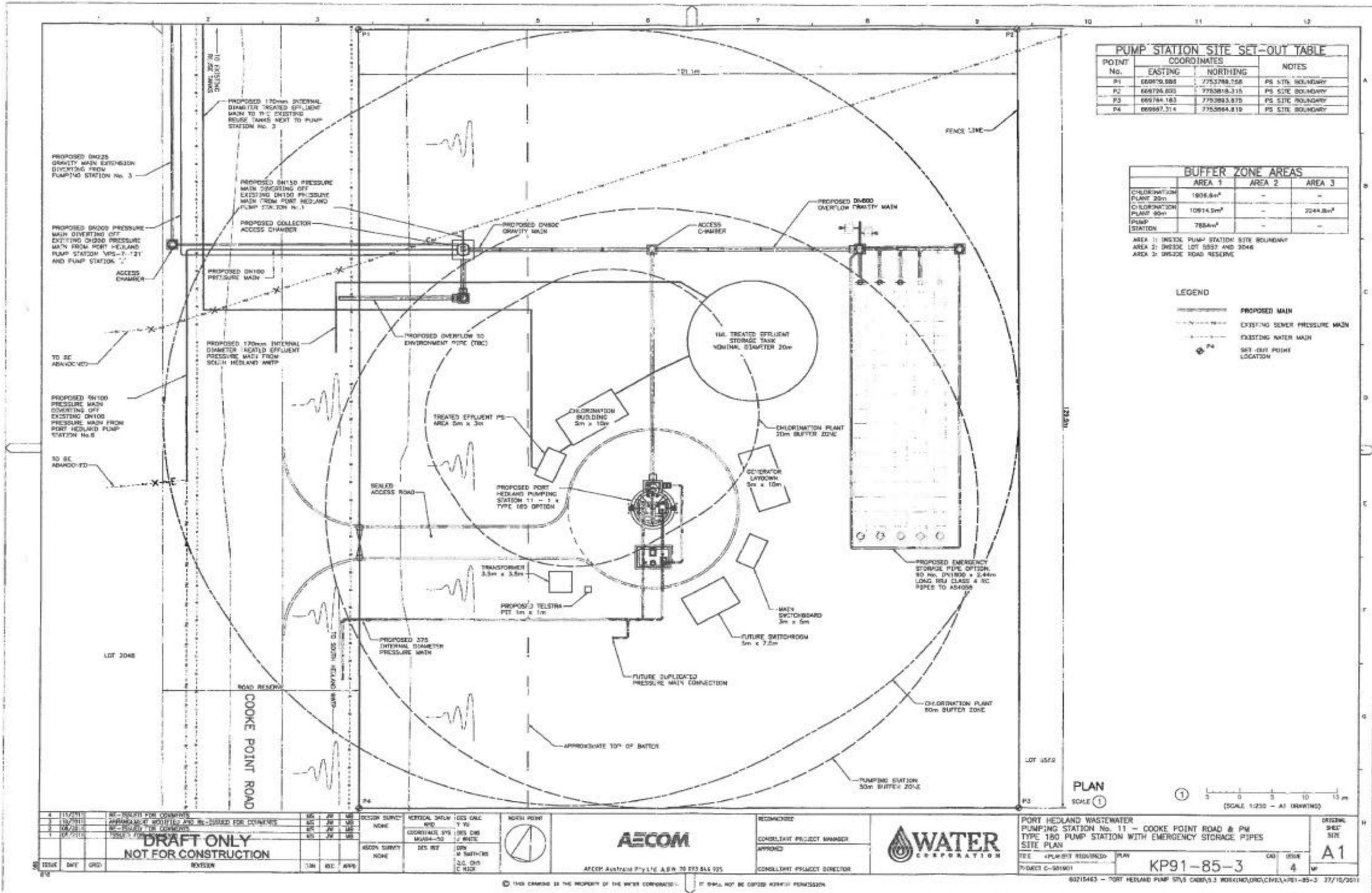
- 1. Supports the permanent partial closure of a portion of Reserve 30768 at Lot 5552 Athol Street, Port Hedland;**
- 2. Delegates the Manager Planning Services to submit the reserve closure request to the Department of Regional Development and Lands (State Land Services).**

CARRIED 7/0





DRAFT ONLY NOT FOR CONSTRUCTION		NO. 001	REV. 001	DATE 10/10/11	BY [Signature]	CHKD [Signature]	APPD [Signature]	DATE 10/10/11	PROJECT NO. 60215463-SKT-002	SCALE 1:1000	FIG. NO. A1
AECOM 1100 Market Street, Suite 200, San Francisco, CA 94102 TEL: 415.774.2000 FAX: 415.774.2001 WWW.AECOM.COM		WATER CORPORATION 1100 Market Street, Suite 200, San Francisco, CA 94102 TEL: 415.774.2000 FAX: 415.774.2001 WWW.WATERCORP.COM		PORT HEDLAND WASTEWATER PUMPING STATION No. 11 - COOKE POINT ROAD & PM LOCALITY PLAN PROJECT NO. 60215463-SKT-002 SHEET 1 OF 1							



PUMP STATION SITE SET-OUT TABLE			
POINT No.	COORDINATES		NOTES
	EASTING	NORTHING	
P1	66679.888	775378.758	PS SITE BOUNDARY
P2	66726.855	7753818.315	PS SITE BOUNDARY
P3	66784.183	7753823.875	PS SITE BOUNDARY
P4	66887.314	7753864.810	PS SITE BOUNDARY

BUFFER ZONE AREAS			
	AREA 1	AREA 2	AREA 3
CHLORINATION PLANT 20m	1806.8m ²	-	-
CHLORINATION PLANT 60m	10914.5m ²	-	2244.8m ²
PUMP STATION	7854m ²	-	-

AREA 1: INSIDE PUMP STATION SITE BOUNDARY
 AREA 2: INSIDE LOT 2046 AND 2046
 AREA 3: INSIDE ROAD RESERVE

- LEGEND**
- PROPOSED MAIN
 - EXISTING SEWER PRESSURE MAIN
 - EXISTING WATER MAIN
 - SET-OUT POINT LOCATION

PLAN
 SCALE 1:1000
 (SCALE 1:250 - AS DRAWING)

4	11/2/11	REV - ISSUE FOR COMMENTS	MS	JS	MS
3	10/7/11	AMENDMENT NOTIFIED AND REVISED FOR COMMENTS	MS	JS	MS
2	08/28/11	REV - ISSUE FOR COMMENTS	MS	JS	MS
1	07/27/11	ISSUE FOR COMMENTS	MS	JS	MS

DRAFT ONLY
NOT FOR CONSTRUCTION

DESIGN SURVEY	NONE	VERTICAL ADJUST	YES	GIS CALC	Y
ASCON SURVEY	NONE	COORDINATE SYS	MGA84-50	GIS DWG	J
		DES REF	DN	W TIGHTEN	S
			S.C. CHS	C RISK	

AECOM

APCON Australia Pty Ltd A.B.N. 78 693 845 025

CONSULTANT PROJECT MANAGER
 APPROVED

CONSULTANT PROJECT DIRECTOR

WATER CORPORATION

PORT HEDLAND WASTEWATER PUMPING STATION No. 11 - COOKE POINT ROAD & PM TYPE 180 PUMP STATION WITH EMERGENCY STORAGE PIPES			
ISSUE	4-PLANT REQUIRED	PLAN	KP91-85-3
PROJECT	C-901901	CAD	4

ORIGIN: SHEET SIZE: **A1**

© THIS DRAWING IS THE PROPERTY OF THE WATER CORPORATION. IT SHALL NOT BE REPRODUCED WITHOUT PERMISSION.

60215463 - PORT HEDLAND PUMP STATION CAD/S.J. WISE/MS/DWG/CHEV/11-85-3 27/12/2011

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11.1.5 *Proposed Scheme Amendment No. 52 to the Town of Port Hedland Town Planning Scheme No. 5 to recode portion of Lot 226 Forrest Location (Lot 226 South Hedland Rural Estate) South Hedland from “Rural Residential” to “Residential – R2.5” (File No. 18/09/0066)*

Officer Leonard Long
Manager Planning
Services

Date of Report 4 December 2012

Disclosure of Interest by Officer Nil

Summary

This report requests that Council consider a request received from Taylor Burrell Barnett Town Planners on behalf of Barry Pound and Paul Summers, the owners of Lot 226 Forrest Location (generally known as Lot 226 South Hedland Rural Estate and hereafter referred to as the site), to amend the Port Hedland Town Planning Scheme No. 5, by amending the zoning of a portion of Lot 226 Forrest Location from “Rural Residential” to “Residential R2.5”.

Background

This report was presented to Council at the Ordinary Meeting of 14 December 2011, however, as no formal decision was taken, Officers are re-submitting their report for Council’s consideration.

A request has been received from Taylor Burrell Barnett Town Planners on behalf of Barry Pound and Paul Summers, the owners of Lot 226 Forrest Location (generally known as Lot 226 South Hedland Rural Estate and hereafter referred to as the site), to amend the Port Hedland Town Planning Scheme No. 5, by amending the zoning of a portion of Lot 226 Forrest Location from “Rural Residential” to “Residential R2.5”.

Through the gazettal of Port Hedland Scheme No. 5 (TPS5), the entire Lot 226 Forrest Location was zoned “Rural Residential”. This zoning was consistent with the subdivision application supported by Council in 1998, permitting the subdivision of the site into 131 lots.

Subsequently only 61 of the 131 lots had titles registered leaving the remaining portion of Lot 226 Forrest Location measuring 92,7 hectares undeveloped “Rural Residential” land.

In 2010, Council supported a request to subdivide the remaining portion of Lot 226 Forrest Location, into 71 “Rural Residential” lots, a request permitted in terms of clause 6.8.4 of TPS5.

*“Clause 6.8.4 (TPS5)**Lots connected to reticulated water and located in the Rural Residential zone shall be no less than 1 hectare and lots not connected to reticulated water and located within the Rural Residential zone shall be no less than 2 hectares.”*

The applicant has opted to explore the potential for a higher density subdivision that would create approximately 145 lots, consisting of “family housing” on lots of 600m² and a “Village Centre” comprising of community facilities, playground area, meeting places and a convenience store.

Through consultation with the community and Council Officers the applicant was made aware such a proposal would not be supported. Consequently the applicant reconsidered the proposed development opting for a subdivision layout comprising of lots of approximately 3,500m².

Council Officers advised the applicant that a subdivision of lots at 3,500m² would not be in line with the current zoning “Rural Residential” and particularly clause 6.8.4 of TPS5. The applicant was advised to continue with the proposed subdivision it would be necessary to first amend the zoning of the site.

Notwithstanding the advice, the applicant, noting clause 6.8.2 of TPS5 submitted a Development Plan to accommodate a “Rural Settlement” to facilitate the ultimate subdivision of the lot. In terms of the zoning table contained in TPS5, a “Rural Settlement” is permitted. However, Council Officers advised the applicant that this would not permit the subdivision of the lot as proposed.

*“Clause 6.8.2 (TPS5)**Council may prepare, or require to be prepared, a Development Plan for rural settlement development. The provisions of subclause 5.2.2 to .5.2.11 of the scheme shall apply in relation to the adoption, approval, modification and implementation of any such plan.”*

As part of the Development Plan application the applicant provided Council with supplementary town planning and legal advice as to the how approval of the proposed Development Plan could precede the need for a scheme amendment. The advice provided by the applicant was opposed by Council Officers and reaffirmed through legal advice received from Council solicitors.

Subsequently the applicant has withdrawn the Development Plan application and requested the initiation of the subject scheme amendment.

Consultation

Should Council resolve to initiate this amendment, the documentation is to be submitted to the Environmental Protection Authority (EPA) for consideration pursuant to section 81 of the Planning and Development Act 2005 (PDA) and then advertised for public comment.

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.

Town of Port Hedland Local Law on Standing Orders:

Negotiated Motions

18.2 A motion to the same effect as any motion which has been negated except those motions provided for in clause 11.4 or where otherwise provided within the standing orders, shall not again be moved within a period of three months, except with the approval of an absolute majority of the members.

Policy Implications

Nil

Strategic Planning Implications

The following section of Council's Strategic Plan 2010-2015 is considered relevant to the proposal:

Key Result Area 4:	Economic Development
Goal 4:	Land Development Projects
Immediate Priority 1:	Fast track the release and development of commercial, industrial and residential land.

The following sections of the draft "Pilbara Port City Growth Plan," are considered relevant to the proposal:

Section 5.7.12 Precinct 14:	Southern
Precinct Highlight:	South Hedland rural residential estate expansion.

Budget Implications

The applicant has paid an application fee of \$7556.20, as per the approved fees and charges.

Officer's Comment

Proper and Orderly Planning

Proper and orderly planning would dictate the natural development pattern is from high density around town centres with a gradual decline in density the further removed there from.

While this is ideal planning principles, it is often not achievable due to historical planning decision and market forces. The overall design / layout of South Hedland present unique challenges, in that the South Hedland Rural Estate is located closer to the South Hedland Town Centre than proposed medium density residential development, due in part to natural constraints.

To follow ideal planning principles and preferred development patterns the applicant should be required to include the existing 61 "Rural Residential" lots located to the north (existing South Hedland Rural Residential Estate) in the subject scheme amendment.

This option has been discussed with the applicant it is agreed this may result in a number of objections being received as a result of the residents not having a full understanding of the proposal (i.e. residents may assume that the approval may result in the decrease in the size of their lots). This would result in either a lengthy delay or the cancellation of the entire development.

Planning Objectives

As the Town grows towards a City, "Rural Residential" areas located within close proximity to the Town Centre are likely to experience pressure to increase development potential. Acknowledging this is a natural growth phenomenon of any growing Town, consideration must be given to the time such a shift in development would take and the original intent of the zone.

The intent of a "Rural Residential" zone is to provide residents with an opportunity to have a country living experience within a relative distance to community and commercial amenities.

Currently in terms of TPS5 the site can only be developed with residential lots to a minimum size of 10000m². The applicant proposes to amend the zoning of portion of the site to "Residential R2.5", enabling the development of residential properties to a minimum size of 4000m².

Council Officers are of the opinion lot sizes of 4000m² plus, are compatible with the existing "Rural Residential" lots of between 10000m² and 20000m². This provides the residential market with additional residential choices, for those looking for a rural residential life style but not the large lots are often costly and difficult to maintain.

Infrastructure

In assessing the request due consideration must be given to the infrastructure to ensure existing developments (i.e. existing South Hedland Rural Estate) are not negatively impacted upon, as a result of the increased demand / use of the infrastructure.

Traffic and Road Network

The applicant as part of the Development Plan submission included a traffic assessment prepared by VDM Consulting Engineers. The traffic assessment was prepared to consider the relative impact of increasing the density to provide a yield of 143 residential lots. The approval of the subject scheme amendment results in a lower density as to what was proposed in the Development Plan, providing the ability to subdivide the site into 129 lots, 14 lots less than what was considered in the traffic assessment.

At the Ordinary Council Meeting of 14 December 2011, the Elected Members raised concern over the potential impact the proposed density may have on the lifestyle of the area. In this regard it must be noted the subject site is currently totally undeveloped, any potential purchasers will be aware of the proposed lots sizes and will make the life style choice accordingly.

There may be perceived there will be a negative impact on the life style of the existing South Hedland Rural Estate due to an increase in traffic.

According to the Roads and Traffic Authority (2002) the multiplication factor associated this type of development is 0.85 per dwelling.

Using the above factor as a basic calculation the following traffic scenarios are applicable:

Existing Traffic Generation (South Hedland Rural Estate)	55 trips per peak hour
Existing Traffic Generation plus the approved 71 Lots (not developed)	55 + 61 116 trips per peak hour
Existing Traffic Generation + the proposed 143 lots (subject site)	55 + 122 177 trips per peak hour

Effectively the net increase in traffic from what is currently approved to what can be developed should the scheme amendment be successful would be 61 trips per peak hour. Council Officers are of the opinion this impact will be negligible.

VDM Consulting Engineers concluded that there are no material traffic impacts associated with the proposed density and subsequent subdivision of the site.

Water and Electricity

In order for the developer to provide water and electrical infrastructure to the proposed development, upgrades to the existing network will be required. Should Council approve the initiation of the scheme amendment, comments will be sort from the relevant services providers, to ensure that the existing infrastructure is not negatively impacted upon.

Sewer

The “*Draft Country Sewer Policy*”, notes that proposals for large subdivision or density development can be considered if they do not involve the creation of lots less than 2000m², or a density of greater than R5.

The applicant has indicated that the proposed development will be serviced by onsite effluent disposal systems.

Stormwater and Flooding

At the Ordinary Council Meeting of 14 December 2011, the Elected Members raised concern over the potential flooding of the area. In this regard the applicants engineers VDM Consulting, provided a detailed Hydraulic Impact Assessment confirming:

- The revised lot layout showing 133 lots has no additional impact to the surrounding stakeholders when compared to hydraulic modeling previously carried and approved by the WAPC when considering the subdivision application for 71 lots.
- The building pads for Stage 2 will be constructed at 500mm above the 100 year flood level.
- Roads in Stage 1 will be elevated so that there is no more than 300mm of flood water over the road during a 100 year flood event.

The above mitigation factors will ensure dwellings are not flooded and roads are not impassable after a 100 year flood event.

To provide further certainty to the Elected Members it must be noted, should the scheme amendment be finally adopted by Council and approved by the Minister the applicant will have to submit an application to the WAPC to subdivide the property in accordance with the approved density. This will require the applicant to again obtain the WAPC’s approval including re-confirmation the dwellings will not be inundated by flood waters.

As a result of the additional modelling the consulting engineers concluded:

“The revised layout showing 133 lots has no additional impact to the surrounding stakeholders when compared to hydraulic modelling previously carried out for the special rural development”.

Note: modelling was done as per a draft subdivision plan of 133 lots, approval of the subject scheme amendment will result in a maximum yield of 129 lots.

Additional conditions will be imposed through the subdivision application requiring a section 70A to be placed on every title, notifying potential purchasers that building pads are to be a minimum of 500mm above the 1:100 year flood line. Further the applicant will be required to provide the 1:100 year flood line height for every lot as part of the subdivision.

Community Benefit

The developer acknowledges this concern and are willing to as part of their own development provide infrastructure works up to a value of \$1,500,000 for upgrades associated with the existing South Hedland Rural Estate. The infrastructure works proposed to be included are:

- Flood crossing at Yarrie Road to ensure road flooding does not occur during a reasonable storm event.
- Investigation of upgrading of scheme water infrastructure to accommodate better pressure with, at a minimum, a booster pump station being constructed to improve water pressure within South Hedland Rural Estate, and to ensure dwellings are suitably serviced.
- Investigation of power supply issues (such as power spikes / surges) with advice issued to the Town of Port Hedland.
- Construct remedial works within South Hedland Rural Estate to protect fire hydrants and install appropriate signage and lighting to address “safety” and “flood risks”.
- Upgrading of Quartz Quarry Road by grading and sealing to a “rural” standard.
- Construction of unfinished sections of Councillor Road to match the adjacent Councillor Road pavement.
- Providing flood modelling reports for South Hedland Rural Estates to the Town, to enable flood level information to be issued to residents of each lot, as required.

The developer has indicated their willingness to enter into a memorandum of understanding with the Town to formalise the above infrastructure works.

Options

Council has the following options when considering the proposal:

1. Initiate the Scheme Amendment as proposed

This would allow the site to be developed in a manner which does not conflict with the existing development of South Hedland Rural Estate.

It has to be noted that as this option was presented to Council on 14 December 2011, if Council wishes to reconsider this motion, to comply with its Local Law on Standing Orders, it will have to agree in the first step to reconsider the officer's recommendation by way of an absolute majority vote. Following this, Council can decide to accept or otherwise the officer's recommendation by way of a simple majority vote.

2. Initiate the Scheme Amendment requesting that the amendment area be expanded to include the existing lots within South Hedland Rural.

While this may portray ideal planning principles it may result in a number of objections and long time delays causing the developer to withdraw the application. This would result in a net loss of the release of an additional 129 residential lots within the residential market.

3. Refuse to initiate the Scheme Amendment

Refusal of the application is likely to result in the land remaining undeveloped.

Given Council considered this matter at the Ordinary Meeting on 14 December 2011, two options are provided in the Officer's Recommendation to ensure clear direction on this matter is obtained.

Attachments

1. Locality Plan
2. Applicants Cover Letter
3. Proposed Scheme Maps
4. Concept subdivision plan

Officer's Recommendations

Officer's Recommendation 1a

That Council agrees to reconsider Officer's Recommendation 1b, presented at Ordinary Council meeting of 14 December 2011 and unresolved, pursuant to Standing Order Local Law section 18.2 'Negotiated Motions'.

Officer's Recommendation 1b

That Council:

1. Initiate an amendment to the Town of Port Hedland Town Planning Scheme No. 5, by amending the zoning of a portion of Lot 226 Forrest Location from "Rural Residential" to "Residential R2.5".

2. Requests the applicant to prepare the formal amendment documentation to enable referral to the Environmental Protection Authority.
3. Following approval from the EPA to advertise the amendment, Council advertises the proposed amendment in accordance with section 83 of the PDA to consult persons likely to be affected by the amendment, and also advertise the amendment for a minimum of 42 days pursuant to section 84 of the PDA.
4. Should there be no submission received during the statutory advertising period, Council formally adopts Scheme Amendment 52 in accordance with the provisions of the Planning and Development Act,
5. Delegates the Director Planning and Development to forward Town Planning Scheme Amendments to the Planning Commission for final approval in the case of:
 - i) The proposal being of an uncontentious nature.
 - ii) The date of adoption of Council's final approval shall be the date of the next Council Ordinary Meeting following the closing date of the advertising period
6. Approves the use of the Common Seal on amendment documents subject to 4 above.
7. Requests the Chief Executive Officer to enter into a Memorandum of Understanding with the developer to formalise infrastructure upgrades on Yarrie and Quartz Roads and investigations into service infrastructure within South Hedland Rural Estate. The Memorandum of Understanding is to be finalised prior to points 4,5 and 6 above being undertaken.

OR

Officer's Recommendation 2

That Council refuses to initiate an amendment to the Town of Port Hedland Town Planning Scheme No. 5, to recode portion of Lot 226 Forrest Location (Lot 226 South Hedland Rural Estate) South Hedland from "Rural Residential" to "Residential – R2.5"

Council Motion

Moved: Cr G A Jacob

Seconded: Cr G J Daccache

That Council agrees to reconsider Officer's Recommendation 1b, presented at Ordinary Council meeting of 14 December 2011 and unresolved, pursuant to Standing Order Local Law section 18.2 'Negotiated Motions'.

MOTION LOST 3/4

Council Motion

Moved: Cr G A Jacob

Seconded: Cr G J Daccache

That Council lay this Item on the table.

NOTE: Before the above motion was put to the vote, Councillor A A Carter made a point of order.

201112/292 Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That this Ordinary Meeting of Council be adjourned while the Chief Executive Officer seeks counsel.

CARRIED 7/0

6:31pm

Mayor advised elected members and the public gallery that the Meeting has been adjourned and will reconvene shortly.

201112/293 Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That this Ordinary Meeting of Council resume.

CARRIED 7/0

6:44pm

The Mayor advised elected members and the public gallery that the Meeting has resumed.

NOTE: Chief Executive Officer advised the Mayor that because Council has not resolved Officer’s Recommendation 1a and therefore indicated that it does not want to reconsider the matter, then the only option available for Councillors is to consider Officer’s Recommendation 2. If Councilors had agreed to consider Officer’s Recommendation 1a that would have been a time to consider whether to lay the item on the table or go with Officer’s Recommendation 1b.

NOTE: Chief Executive Officer also said that Councillor G A Jacob had approached him before the Meeting to ask if it would be possible to lay this matter on the table. However, upon review of the Standing Orders, which are silent on the matter, the Chief Executive Officer stated that the advice given to Councillor Jacob earlier was not clear enough in relation to Council’s consideration of Officer’s Recommendation 1a. The Chief Executive Officer passed on his apologies to Councillor G A Jacob accordingly. The Chief Executive Officer reiterated that the motion to lay the item on the table cannot be accepted because Council has indicated that it does not want to reconsider the matter and the only option is to consider Officer’s Recommendation 2.

201112/294 Council Decision / Officer’s Recommendation 2

Moved: Cr S R Martin

Seconded: Cr J E Hunt

That Council refuses to initiate an amendment to the Town of Port Hedland Town Planning Scheme No. 5, to recode portion of Lot 226 Forrest Location (Lot 226 South Hedland Rural Estate) South Hedland from “Rural Residential” to “Residential – R2.5”

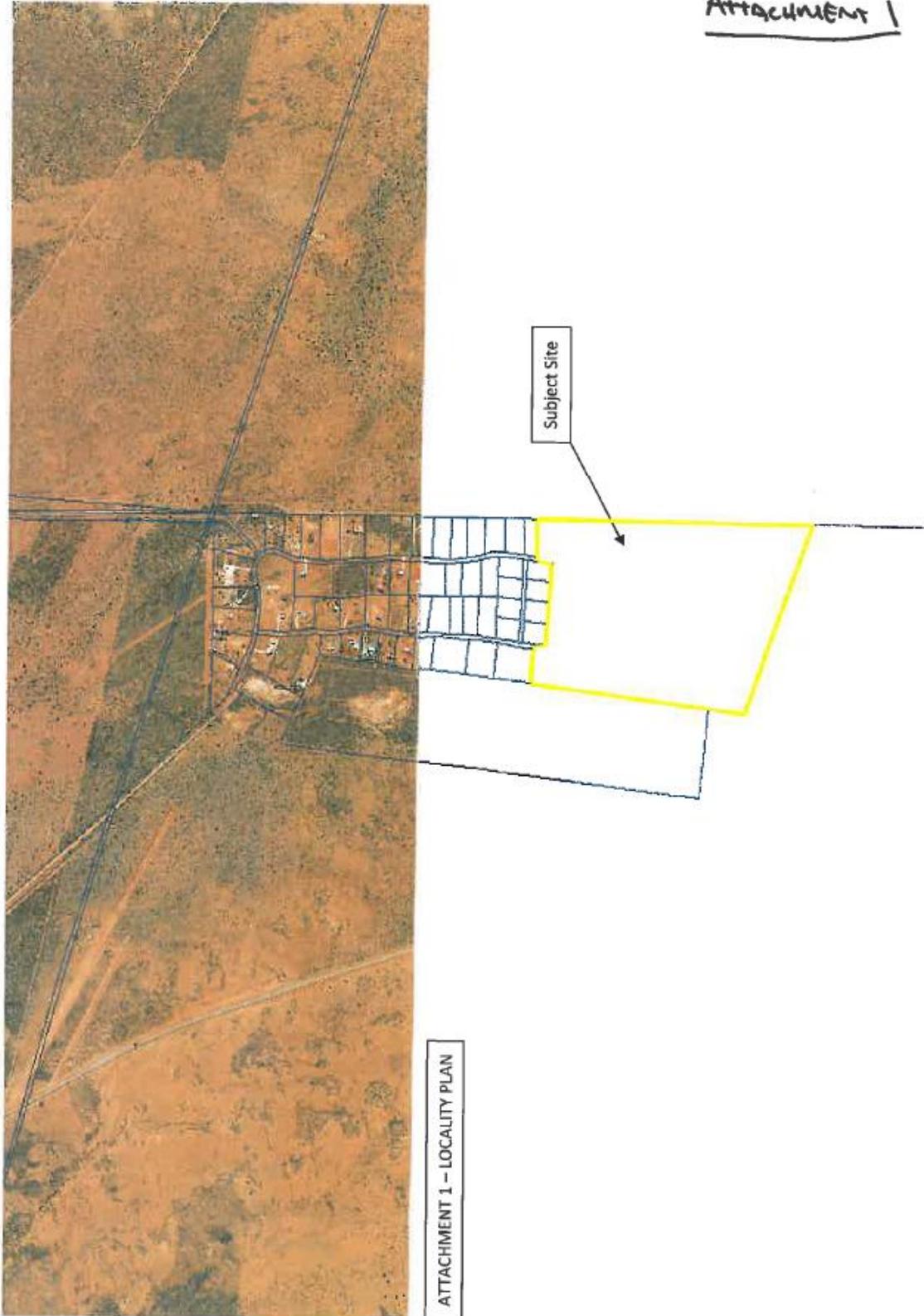
CARRIED 4/3

REASON: Council followed the Officer’s Recommendation and good planning principles.

Record of Vote:

FOR	AGAINST
Cr S R Martin	Mayor K A Howlett
Cr J E Hunt	Cr G J Daccache
Cr A A Carter	Cr G A Jacob
Cr M B Dziombak	

Attachment 1



ATTACHMENT 2 TO ITEM 11.1.5

ATTACHMENT 2

Our Ref: 10/012 LM:ct

28 November 2011

Attention: Mr Leonard Long, Manager Planning

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

Dear Sir

QUARTZ ESTATE – SCHEME AMENDMENT REQUEST

Taylor Burrell Barnett acts on behalf of Messrs Barry Pound and Paul Summers, landowners of Quartz Estate – Pt Location 226, South Hedland (subject site). We refer to recent discussions and agreements reached between Mr Barry Pound and the undersigned with your Mr Leonard Long regarding the approvals process for the Quartz Estate subdivision.

Our Office has lodged under our letter of 9 August 2011 a Development Plan with the Town of Port Hedland for the subdivision of the site into 133 lots of varying sizes, ranging from approximately 3,000m² to 2.5ha. Based on the Town's preliminary assessment and legal advice received from its solicitor, the Town's Technical Officers have recommended that a Scheme Amendment be pursued to zone the land to Residential R2.5, to accommodate subdivision generally in accordance with the Development Plan proposal. Whilst we maintain the position that approval could be granted by the Town for the Development Plan under the existing Rural Residential zone applicable to the site and thus permitting subdivision, our Client has agreed to request a Scheme Amendment (Residential R2.5) and accordingly withdraw the current Development Plan proposal from the Town's consideration. We understand the Town will not require the approval of a Development Plan as a prerequisite to subdivision.

In accordance with the Town's Technical Officers' advice, we respectfully request the Shire to amend Town Planning Scheme No. 5 (TPS 5) to zone the majority of the site Residential with an R2.5 density code. Those areas within the site not subject to this request will remain zoned Rural Residential (refer Figure 1 – Proposed Zoning Plan). In support of this request a Subdivision Concept Plan has been prepared to depict a possible subdivision layout for the site in accordance with the proposed zoning (refer Figure 2 – Subdivision Concept Plan). All lots less than 1ha are proposed to be zoned Residential R2.5, with those lots larger than 1ha on the eastern side of the site being retained as Rural Residential. All lots proposed to be zoned Residential on the Subdivision Concept Plan are greater than 4,000m² with a minimum road frontage of 40m, in accordance with the Residential Design Codes for the R2.5 density code. The studies and related documentation contained within the Development Plan proposal remain valid and should be taken into consideration as part of the Town's determination of this request.

As an alternative to amending the zoning for only portions of the site, it is suggested the Shire consider zoning the entire site Residential R2.5, which will ensure a consistent zoning across the site. A textual amendment could be undertaken to TPS 5 to include a provision which restricts the large lots (i.e. those over 1ha) that are constrained by floodway requirements from being further subdivided.

.../2



This request and the Subdivision Concept Plan have been prepared following technical investigation, detailed design, consultation with the local community, various liaison and meetings with the Town of Port Hedland's Technical Officers and a presentation to the Council at the Councillor briefing session held in January 2011.

The Scheme Amendment will accommodate the subdivision of the site as a composite Special Residential and Rural Residential development as detailed on the Subdivision Concept Plan. The detail contained within the Development Plan report comprises various technical reports which address the site's hydrology, legal approvals framework, environmental and traffic considerations.

Quartz Estate will be offered as a 'house and land package' development with all dwellings constructed by the developer. The proposed subdivision will allow the proponent to offer the house and land packages at affordable prices in the context of the Pilbara housing and land market.

The detailed contained within the Development Plan report, the Subdivision Concept Plan and this request comprises a significant amount of consultation with the local community and the Town of Port Hedland and we trust this detail is to the Town's satisfaction. Consequently, we look forward to the Scheme Amendment being initiated by the Council.

Should you require any clarification in the meantime, please do not hesitate to contact the undersigned or Mr Bill Burrell from our Office.

Yours faithfully
TAYLOR BURRELL BARNETT

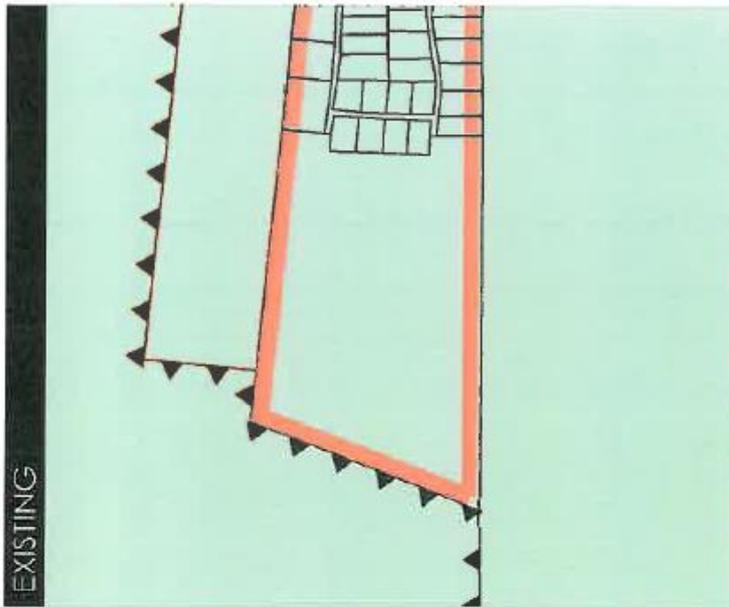
A handwritten signature in black ink, appearing to read 'Luke Montgomery'. The signature is stylized and cursive, written over a horizontal line.

LUKE MONTGOMERY
ASSOCIATE

CC: Mr Barry Pound

Attachment 3

SCHEME AMENDMENT MAP
 TOWN OF PORT HEDLAND
 Town Planning Scheme No.5
 Amendment No. XX



LEGEND

ZONES

- RURAL
- RURAL RESIDENTIAL

OTHER

- SPECIAL CONTROL AREAS



LEGEND

ZONES

- RESIDENTIAL

OTHER

- R2.5 R CODES

DATE: 17/06/09
 DATE: 10/02/08
 DATE: 26/11/2011

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figure 01

ATTACHMENT 4 TO ITEM 11.1.7



11.1.6 *Proposed Hotel/Motel (Staff Accommodation) on Lots 944 and 1611 Great Northern Highway, Port Hedland 6721 (File No.: 127750G)*

Officer Michael Pound
Senior Planning Officer

Date of Report 13 January 2012

Disclosure of Interest by Officer Nil

Summary

The Town received an application from TPG Town Planning and Urban Design on behalf of the registered proprietor Westate (Hedland) Pty Ltd to replace the existing staff accommodation with new accommodation units on Lots 944 and 1611 Great Northern Highway, Port Hedland 6721 (subject site).

The proposed use is defined in terms of the Town Planning Scheme No. 5 (TPS5), as a "Hotel" and "Motel", both an "AA" uses within the "Tourism" zone.

Given the strategic importance of the site for future development, the application is referred to Council for consideration.

From a planning perspective the application is supported, Council is requested to consider the application favourably.

Background

The existing staff accommodation units are constructed of cement fibre, despite recent cosmetic upgrades, are nearing the end of their economic life, and need to be replaced.

The staff accommodation currently onsite provides for a maximum capacity of 49 staff members (including a manager and assistant manager), comprising 28 beds, a number of these being double beds, thereby restricting the Walkabout to employing couples to utilise this capacity. These 28 beds are distributed between five accommodation buildings, a managers unit and an assistant managers unit.

No dedicated car parking bays are currently provided for staff accommodation, given the itinerant nature of staff, vehicle ownership is low to non-existent. Staff are made aware no car parking is provided onsite when employed at the Walkabout.

Maintenance staff typically work on a fly-in/fly-out basis and do not have their own vehicle, being provided with one of the Walkabout vehicles as required. Manager and assistant manager car parking is provided at the front of the site, as part of the existing hotel area. A central bitumen area is provided adjacent to the staff accommodation which is used informally for staff car parking as occasionally required.

35 staff are currently employed at the Walkabout to cater for the normal hotel operations.

Location and Site Details

The subject site is located on the eastern side of Great Northern Highway, with a combined area of approximately 17,528m² (ATTACHMENT 1).

The Walkabout building, comprising the public bar, bistro, restaurant, hotel reception, pool and hotel guest amenity areas are located on the front half of the site, towards Great Northern Highway, with the hotel accommodation located on the western half of the site (Lot 944) and staff accommodation and service facilities located on the eastern half of the site (Lot 1611).

The Proposal (ATTACHMENT 2)

The owners of the subject site are seeking to replace the existing staff accommodation with new accommodation units to significantly improve the quality of the facilities and the amenities utilised by staff. It is expected the new accommodation will help to recruit staff and allow for the employment of more single staff through the replacement of double beds with single beds, giving the owners of the site more flexibility in terms of managing and rostering staff.

A total of 48 single-bed staff accommodation rooms are proposed, within 12 buildings, in addition to manager and assistant manager quarters, providing a maximum capacity of 50 staff members, resulting in one additional staff accommodation bed from the existing situation.

A centrally located, common staff recreation room is proposed within one building, plus two laundry/ablution buildings, located at either end of the 12 buildings laid out in an 'L' shape parallel with the northern and eastern boundaries of Lot 1611.

The proposed buildings are transportable units and are linked with a path, set back from the site boundaries 3.0 – 4.59 metres, and typically 1.8 metres between each building. As shown on the architectural drawings, landscaping is proposed between the proposed buildings and the boundaries of the site, providing a screening function for the buildings when viewed from Great Northern Highway and the public realm, and also to provide privacy and a sense of visual relief for the staff.

The existing staff accommodation buildings are proposed to be progressively removed from the site, as the new buildings are placed onsite, to ensure there is no loss of staff accommodation capacity, and minimal disruption to staff as the proposed development occurs.

41 line-marked car parking bays are proposed to be provided as part of the development, within the central bitumen area, to cater for staff needs as occasionally required.

Consultation

The application has been referred internally and externally in accordance with section 4.3.1 of the Port Hedland Town Planning Scheme No. 5.

Statutory Implications

The development of the land must be done in accordance with the Town of Port Hedland Town Planning Scheme No. 5.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

A payment of \$3185.69 was received on lodgement of the application.

Officer's Comment

Need & Desirability

Onsite accommodation of hotel/motel staff is an operational requirement of the Walkabout and typical of what would reasonably be expected to be provided. Existing staff accommodation is provided on the site and this application simply seeks to replace the existing facilities and significantly upgrade the amenity of the staff accommodation.

Carparking

Appendix 7 of TPS 5 provides the Town's car parking standards. Whilst the proposed staff accommodation is not a specifically defined use under TPS 5 and therefore Clause 6.13.2 provides that Council shall determine car parking requirements, the primary and predominant use of the site is 'Hotel'/Motel', which refers to staff accommodation in terms of car parking requirements, being as follows:

- 1 bay for every accommodation unit, 1 bay for every 5 units for visitors, and 1 bay for every staff member present at any one time.

Notwithstanding the above, it is considered that Council has discretion to apply an alternative appropriate car parking requirement, by way of Clause 6.13.2, but also by way of Clause 6.13.5.

[Clause 6.13.2

Where a development is not specified in Appendix 7 the Council shall determine car parking requirements having regard to the nature of development, the number of vehicles likely to be attracted to the development and the maintenance of desirable safety standards.]

[Clause 6.13.5

Where Council is satisfied that the circumstances of a development justify such action and there will not be any resultant lowering of safety standards, it may permit a reduction in the number of car parking spaces required by subclause 6.13.1]

Draft Local Planning Policy No. 12 – Reciprocal Car Parking & Cash in Lieu of Car Parking (LPP12)

Clause 5.0 stipulates when reciprocal car parking can be considered:

For employee and visitor car parking only (i.e reciprocal car parking will not be considered for any accommodation parking requirements whether related to permanent or temporary/tourism accommodation).

LPP12 also states that 100% reciprocal car parking can be provided for a development, where there is no overlap in operating times. Thus, it can be considered that all of the 41 staff car parking bays can be reciprocated with the hotel/motel.

The 41 car parking bays are effectively the line-marking and formalisation of the existing central bitumen area that is used for occasional car parking. These bays will be designed in accordance with the Town's specifications, as per Appendix 8 of TPS 5.

Planning Merit

It is intended to significantly refurbish and upgrade the Walkabout public bar, bistro and restaurant facilities, independent of any accommodation redevelopment on the remainder of the site. The intention is to self-perform the majority of the non-structural works inside the public bar, bistro, and restaurant areas. Over the past year, the hotel has self-performed nearly 80% of the cosmetic improvements at the hotel. Self-performing aesthetic, decorative, and minor structural work is considered to be far more cost effective than hiring external sub-contractors. The proposed improved staff accommodation units and amenity facilities will assist the Walkabout in recruiting and retaining quality staff, and allow for the employment of additional staff, as required to undertake the refurbishment of the Walkabout building.

It is expected that the improvements to the kitchen, bar, bistro, and restaurant areas will greatly improve the tourism amenity to both hotel guests and external visitors and the public generally.

The proposed development is considered to be relatively minor in that it represents the replacement of the existing staff accommodation with significantly improved facilities.

As mentioned above, landscaping along the boundaries of the site is proposed, to provide a screening function for the buildings when viewed from Great Northern Highway, and also to provide privacy and a sense of visual relief for the staff.

Options

The Council has the following options when considering the application:

1. Approve the proposal subject to conditions

The approval of the application would allow the much needed upgrading of the onsite staff accommodation facilities.

2. Refuse the proposal

The refusal of the application would be detrimental to the future expansion projects for the subject site.

Option 1 is recommended.

Attachments

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

201112/295 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council:

- i) Approves the application submitted by TPG Town Planning and Urban Design on behalf of the registered proprietor Westate (Hedland) Pty Ltd for a Hotel/Motel (Staff Accommodation) on Lots 944 and 1611 Great Northern Highway, Port Hedland subject to the following conditions:
1. This approval relates only to the proposed Hotel/Motel (Staff Accommodation) and other incidental development, as indicated on the approved plans DWG2011/558/1 – DWG2011/558/5. It does not relate to any other development on this lot.
 2. The subject area shall only be used for purposes, which are related to the operation of a "Hotel" and "Motel". Under the Town of Port Hedland's Town Planning Scheme No. 5 the following definitions apply:

"HOTEL":

"any land or buildings providing accommodation for the public and may include an entertainment venue, restaurant or sell liquor."

"MOTEL":

"any land and/or buildings providing accommodation in a manner similar to a hotel but in which special provision is made for patrons with motor vehicles and may include an entertainment venue, restaurant or sell liquor"
 3. This approval shall remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval shall remain valid for twelve (12) months only.
 4. Any 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
 5. The development shall comply with the Environmental Protection (Noise) Regulations 1997 at all times, to the satisfaction of the Manager Environmental Services.

6. All dust and sand shall be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Environmental Health Services.
7. No parking bays, pedestrian access-way(s) or landscaped areas shall be obstructed in any way or used for the purposes of storage.
8. Waste receptacles shall be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999, to the satisfaction of Manager Environmental Health Services.
9. Waste disposal and storage shall be carried out in accordance with Council's Health Local Laws 1999, to the satisfaction of the Manager Environmental Health Services.

Conditions to be complied with prior to the submission of a Building License application

10. All stormwater shall be retained onsite. Disposal to be designed in accordance with Council's Engineering Department Guidelines, to the satisfaction of the Manager Technical Services.
11. An approved effluent disposal system shall be installed to the specification and satisfaction of the Manager Environmental Health Services.
12. If mains water connection is unavailable the development shall be connected to an adequate potable water supply to the specifications of Council's Health Local Laws 1999, and to the satisfaction of the Manager Environmental Health Services.
13. Prior to the submission of a building license application, an Erosion Prevention and Sediment Control plan shall be submitted and considered by the Manager Planning Services.
14. Prior to the submission of a building license application a detailed landscaping and reticulation plan including any street verge and / or common area, is to be submitted and considered by the Manager Technical Services. The plan to include location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.

15. Prior to the submission of a building license application, a site management plan shall be submitted and considered by the Manager Planning Services. The site management plan shall indicate how it is proposed to manage the following during construction:
 - a. The delivery and storage of materials and equipment to the site;
 - b. The parking arrangements for the contractors and subcontractors;
 - c. Impact on traffic movement;
 - d. Operation times including delivery of materials; and
 - e. Other matters likely to impact on the surrounding residents / businesses;

to the satisfaction of the Manager Planning Services.

Conditions to be complied with prior to occupation of the development

16. 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 developer to an approved design in accordance with Port Hedland Town Planning Scheme No. 5, and Australian Standards, to the satisfaction of the Manager Technical Services.
17. Prior to the occupation of the development, Driveway(s) and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, to the satisfaction of the Manager Technical Services.
19. A minimum of 41 car bays shall be provided on site to the satisfaction of the Manager Planning Services.
20. 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 developer. Design and Construction standards shall be in accordance with relevant Australian Standards and to the satisfaction of the Manager Technical Services.
21. Prior to the occupation of the development, a suitably screened bulk bin area is to be provided prior to the development first being occupied to the satisfaction of the Manager Planning Services.

22. Prior to the occupation of the development, landscaping and reticulation is to 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.

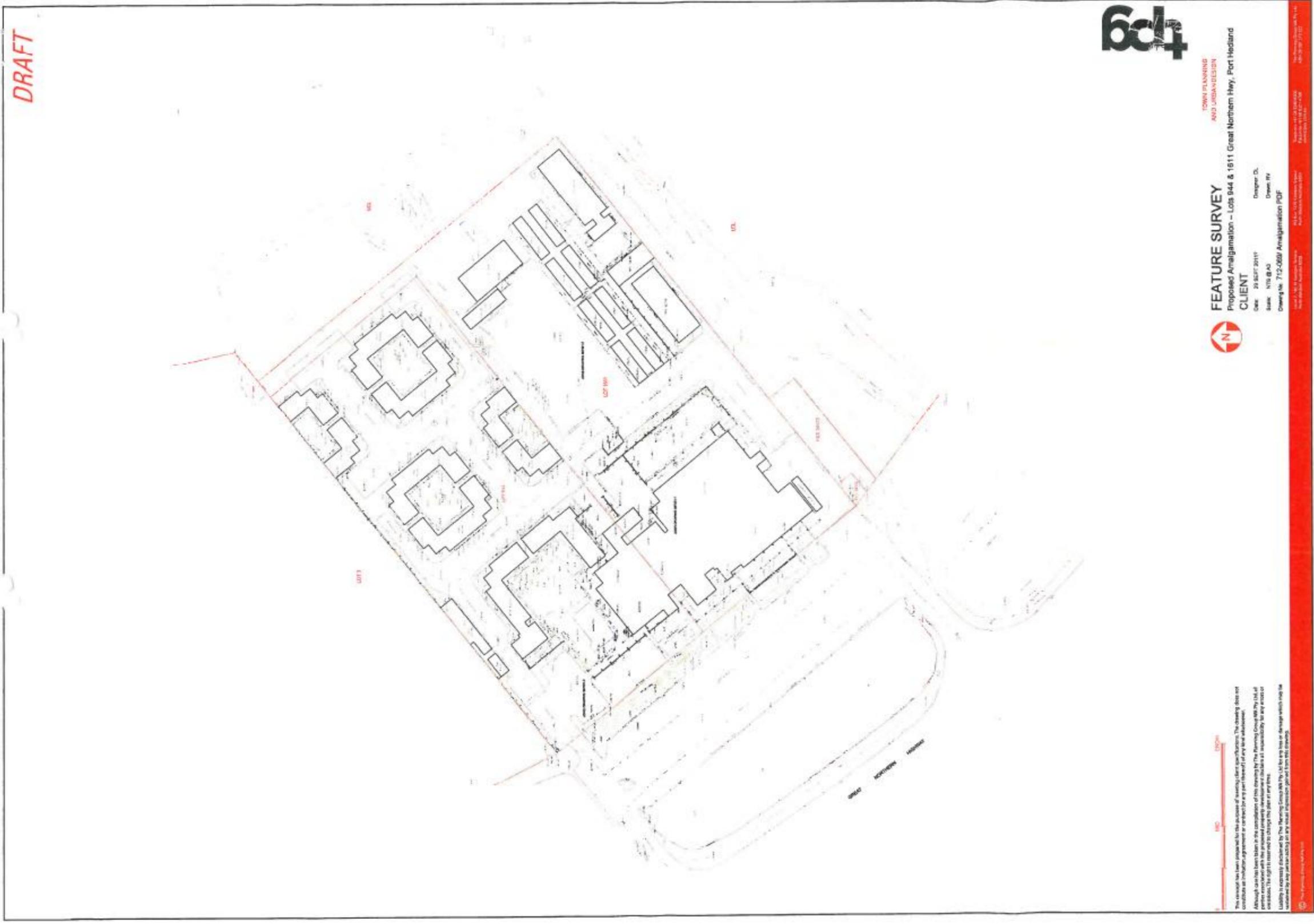
FOOTNOTES:

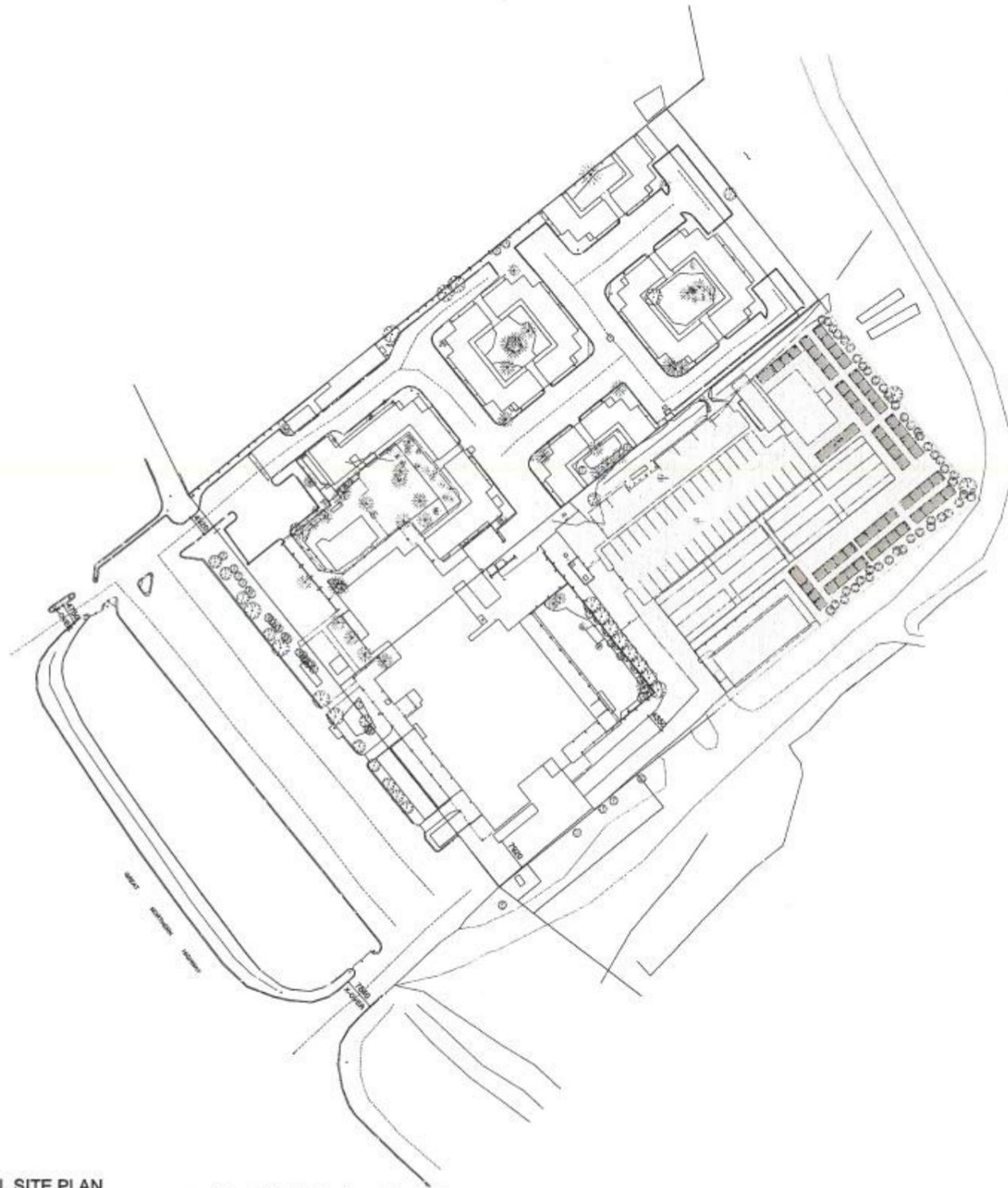
1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year Annual Recurrence Interval cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building License is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
3. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED 7/0

ATTACHMENT 1 TO ITEM 11.1.6







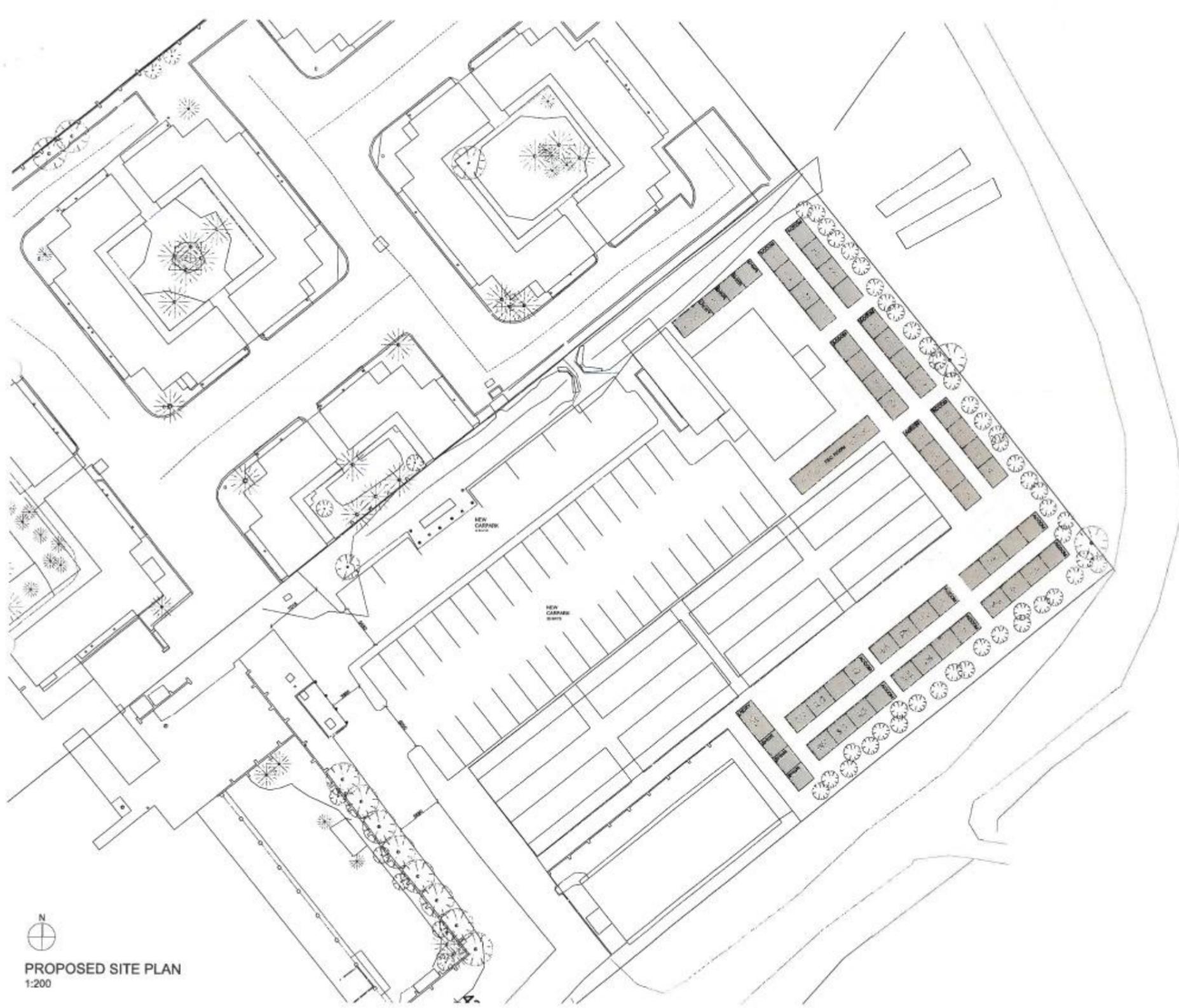
PROPOSED OVERALL SITE PLAN
1:500

Area Subject to Development Application

A 22 NOV 2011



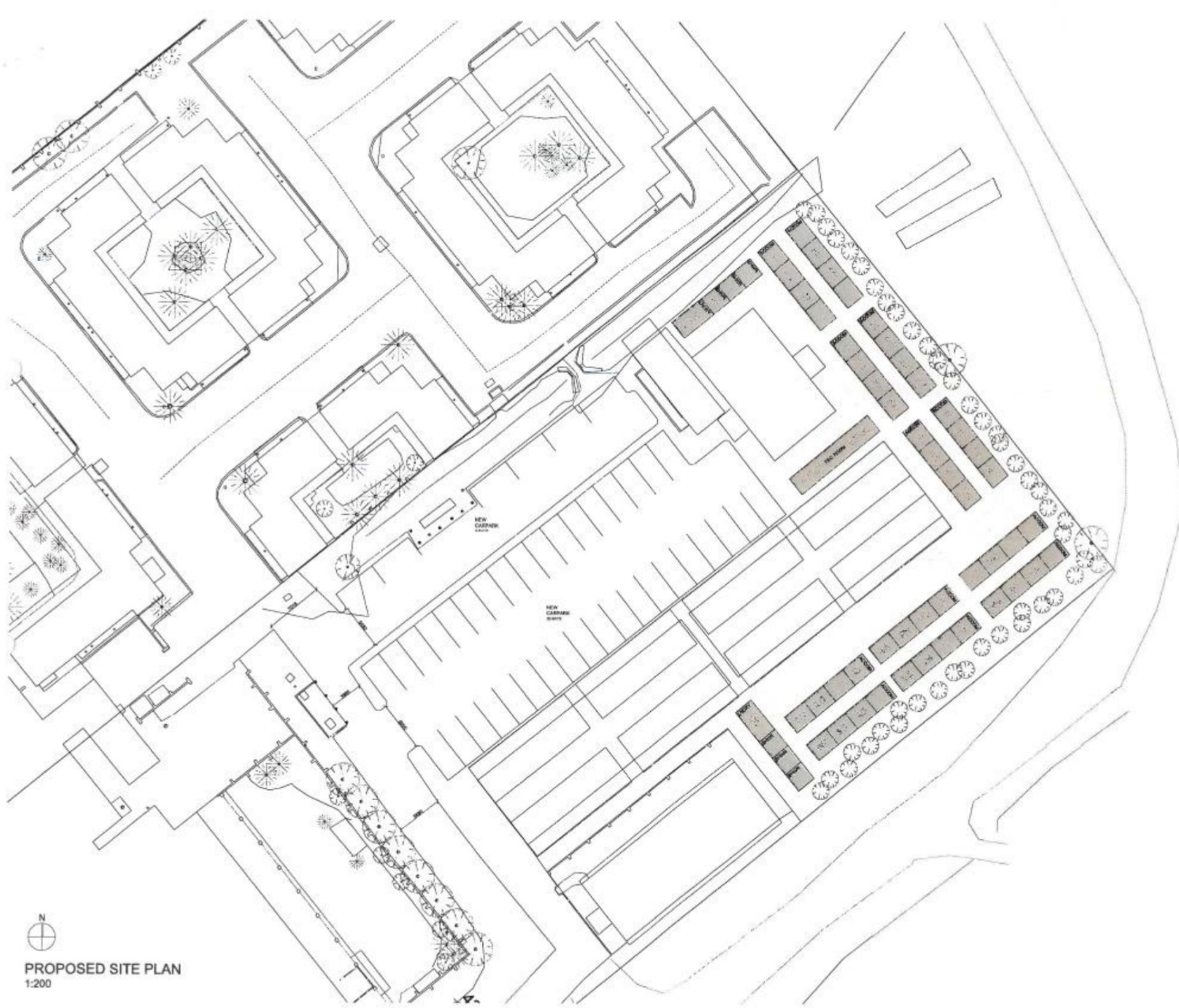
PRELIMINARY
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DESIGNED: [blank]
PROJECT: [blank]
SITE: [blank]



N
PROPOSED SITE PLAN
1:200

A 22 NOV 2011
AMENDMENT: NONE DATE

PRELIMINARY
JOB NUMBER: 2011/12
DATE: 20/11/2011
LOCATION: PORT HULLAND
DRAWING: SITE PLAN
DRAWING NO: 2011/12/02
DATE: 22 NOV 2011



N
PROPOSED SITE PLAN
1:200

A 22 NOV 2011
AMENDMENT: NONE DATE

PRELIMINARY
JOB NUMBER: 2011/12
DATE: 20/11/2011
LOCATION: PORT HULLAND
DRAWING: SITE PLAN
DRAWING NO: 2011/12/02
DATE: 22 NOV 2011

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11.1.7 *Proposed Scheme Amendment No. 53 to the Town of Port Hedland Town Planning Scheme No. 5 to apply Urban Development zoning and Development Plan Area designations at the future Development Area, South Hedland West*

Officer Leonard Long
Manager Planning

Date of Report 12 January 2012

Disclosure of Interest by Officer Nil

Summary

Council has received a request from RPS on behalf of LandCorp to initiate an amendment to the *Town of Port Hedland Scheme No.5* in relation to the future urban development area at South Hedland West.

The amendment seeks to provide an Urban Development zoning across the future development area to the west and south of the South Hedland Town Centre, along with a rationalisation of the 'Development Plan Area' boundaries as they relate to the Town Centre and future development area.

As Council Officers are in support of the proposed amendment, Council is requested to consider the request favourably.

Background

The Draft Port City Growth Plan report identifies the South Hedland West precinct as a high priority land release area. Situated within Precinct 10 of the Draft Port City Growth Plan, the vision for the area reads:

"South Hedland west is South Hedland's newest land release area. It supports immediate and short term land supply, brining a permanent population catchment to the west of the City. Densities are greatest in proximity to the City Centre, with more traditional home sites provided to the south west and south of the precinct."

Recognising the opportunities available for development within South Hedland West, LandCorp (through RPS) together with officers from Council's planning, environmental, community and recreation services conducted a design workshop on 7 December 2011. This workshop identified key issues in relation to the area to ensure all relevant matters will be taken into account through the planning process. It was agreed that a rezoning of the area from "Rural" to "Urban Development" should be initiated as soon as possible to enable more detailed planning to progress without delay.

Consultation

Should Council resolve to initiate this amendment, the documentation is to be submitted to the Environmental Protection Authority (EPA) for consideration pursuant to section 81 of the Planning and Development Act 2005 (PDA) and then advertised for public comment.

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

The following section of Council's Strategic Plan 2010-2015 is considered relevant to the proposal:

Key Result Area 4:	Economic Development
Goal:	Land Development Projects
Immediate Priority 1:	Fast track the release and development of commercial, industrial and residential land.

The following sections of the draft "Pilbara Port City Growth Plan", are considered relevant to the proposal:

Budget Implications

The applicant has paid the prescribed application fee of \$7,556.20 for the initiation.

Officer's Comment

The proposed area is ideally situated for urban development as it is:

- In common ownership and available for development following a recent native title agreement with the Kariyarra people;
- Immediately adjacent to the City Centre;
- Capable of being serviced through connections to and upgrading of existing utility infrastructure;
- Outside of buffers from an industrial area and power station situated to the west.

The amendment is consistent with the recommendations of the Port City Growth Plan and will allow detailed planning to progress, enabling the ultimate subdivision and development of the area.

Options

Council has the following options when considering the matter:

1. Initiate the Scheme Amendment

The rezoning of the subject area will allow for the progressive subdivision and development.

2. Refuse to Initiate the Scheme Amendment

Refusal of the proposed Scheme Amendment will reduce housing options within the region to respond to the ongoing demand for accommodation.

Option 1 is recommended.

Attachments

1. Scheme Amendment Report

201112/296 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council:

1. **Approve the request from RPS on behalf of LandCorp to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No 5* to:**
 - a. **Rezone land from:**
 - i. **'Town Centre' to 'Urban Development';**
 - ii. **'Rural' to 'Urban Development'; and**
 - iii. **'Rural' to 'Town Centre';**
 - b. **Remove land from 'District Road; Reserve and include that land within the 'Town Centre' zone;**
 - c. **Amend the boundaries of the 'Development Plan Area South Hedland Town Centre' and the 'Development Plan Area South Hedland West';**
 - d. **Create 'Development Plan Area Scadden Road';**
 - e. **Amend the Scheme Map to reflect zone and reserve changes described in 1 and 2 above; and**
 - f. **Amend the Scheme Map and Scheme Text Appendix 5 – Development Plan Areas map to reflect the Development Plan Area changes described in 3 and 4 above.**

- 2. Advise the applicant accordingly and request the applicant provide a supporting environmental assessment report to enable referral of the amendment to the Environmental Protection Authority;**
- 3. Following approval from the EPA to advertise the amendment, Council pursuant to section 83 of the *Planning Development Act* consults persons likely to be affected by the amendment, and advertise the amendment for a minimum of 42 days pursuant to section 84 of the Planning Development Act.**
- 4. Should there be no submission received during the statutory advertising period, Council formally adopts Scheme Amendment 53 in accordance with the provisions of the Planning and Development Act.**
- 5. Delegates the Director Planning and Development to forward Town Planning Scheme Amendments to the Planning Commission for final approval in the case of:**
 - a. The proposal being of an uncontentious nature.**
 - b. The date of adoption of Council's final approval shall be the date of the next Council Ordinary Meeting following the closing date of the advertising period**
- 6. Approves the use of the Common Seal on amendment documents subject to 4 above.**

CARRIED 7/0

ATTACHMENT 1 TO ITEM 11.1.7

TOWN OF PORT HEDLAND
TOWN PLANNING SCHEME NO. 5
AMENDMENT NO.

**PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME
TOWN OF PORT HEDLAND
TOWN PLANNING SCHEME NO.5
AMENDMENT NO.**

RESOLVED that the Council, in pursuance of Section 75 of the Planning and Development Act 2005, amend the above local planning scheme by:

1. Rezoning land from:
 - (a) 'Town Centre' to 'Urban Development';
 - (b) 'Rural' to 'Urban Development'; and
 - (c) 'Rural' to 'Town Centre';
2. Remove land from 'District Road' Reserve and include that land within the 'Town Centre' zone;
3. Amending the boundaries of the 'Development Plan Area South Hedland Town Centre' and the 'Development Plan Area South Hedland West';
4. Creating 'Development Plan Area Scadden Road';
5. Amending the Scheme Map to reflect zone and reserve changes described in 1 and 2 above;
6. Amending the Scheme Map and Scheme Text Appendix 5 – Development Plan Areas map to reflect the Development Plan Area changes described in 3 and 4 above.

Dated this day of 2012

CHIEF EXECUTIVE OFFICER

SCHEME AMENDMENT REPORT

1. **LOCAL AUTHORITY** : Town of Port Hedland

2. **DESCRIPTION OF TOWN PLANNING SCHEME** : Town Planning Scheme No. 5

3. **TYPE OF SCHEME** : Town Planning Scheme

4. **SERIAL NUMBER OF AMENDMENT** :

5. **PROPOSAL** : Provide Urban Development zoning across the future development area to the west and south of the South Hedland Town Centre, along with a rationalisation of the Development Plan Area boundaries as they relate to the Town Centre and future development area.



Town Planning Scheme Amendment Report

South Hedland West

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LANDCORP

Project No: 2957-18

Date: January 2012

RPS Environment and Planning Pty Ltd (ABN 45 108 680 977)



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1.0 INTRODUCTION

This report is prepared in support of proposals to amend the Town of Port Hedland Town Planning Scheme No. 5 (‘the Scheme’) to facilitate the progressive subdivision and development of a future urban area to the west and south of the South Hedland Town Centre.

The amendment proposes an Urban Development zone over the South Hedland West area. It also introduces consequential rationalisation of the boundary between the proposed Urban Development zone and the Town Centre zone including the creation of a new Development Plan Area corresponding with an approved Development Plan at Scadden Road – an area commonly referred to as ‘Site B’.

The proposed Scheme Amendment will ultimately enable the release of land for much needed urban development.

An Urban Development zone along with corresponding Development Plan Area designations will ensure a coordinated approach to planning across the area as a whole. The amendment will see the area come under the requirements of a Development Plan ensuring the orderly location of activities such as district and local playing fields, local centres, school sites and the distribution of housing densities. Other key issues such as stormwater management and utility servicing are also coordinated through this process.

This report sets out the strategic planning context for the development of South Hedland West, and the suitability of this area to be included within the Urban Development zone. Vision and objectives statements for the development area are identified, along with key design considerations to be taken into account through subsequent planning processes.



2.0 SITE CONTEXT

2.1. Location

South Hedland is located in the Pilbara Region of Western Australia, approximately 10km south of the Port Hedland town site. It is located within the Town of Port Hedland local government area, and with Port Hedland, forms the primary residential and service centre for the local authority and beyond.

The proposed urban development area lies to the immediate west of the South Hedland City Centre (SHCC) and the southernmost established residential area of South Hedland – Koombana. South Creek runs in a north-south alignment approximately 400m to the west of the site.

The proposed urban development area has a total area of approximately 162ha, with northern and eastern boundaries generally defined by Hamilton Road, Forrest Circle and Collier Drive.

Figure 1 identifies the location of the amendment area.

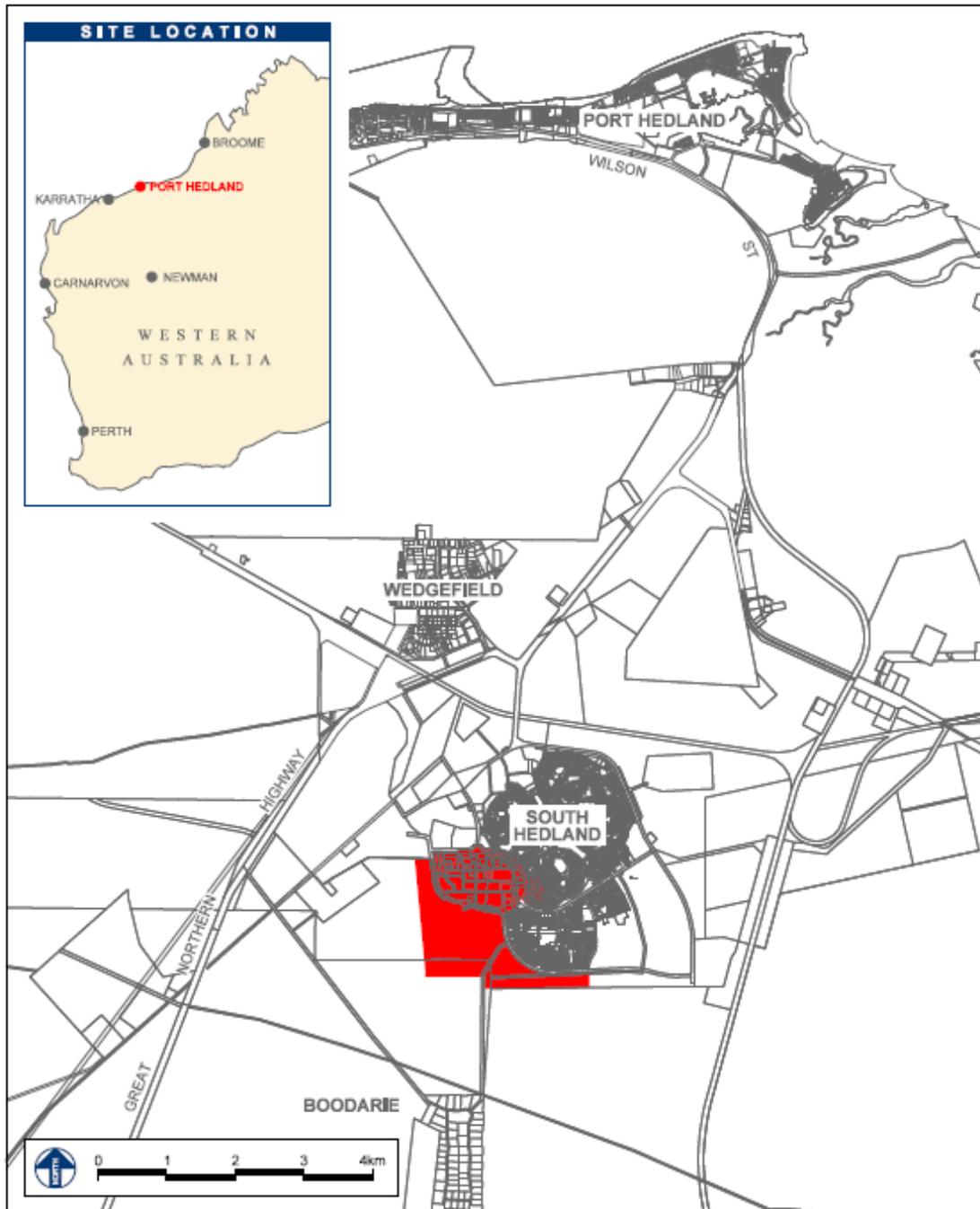
2.2. Ownership

Land ownership in the proposed development area is generally under the control of a combination of Federal, State and Local Government agencies through vesting orders, with most of the area designated as Unallocated Crown Land (UCL).

Of particular relevance to the proposed development area is the recent Native Title agreement between the Kariyarra people and the State Government, which will see approximately 5,000 hectares of land transferred to the Kariyarra people in exchange for their consent to the release of land in the South Hedland townsite (including the Western Edge Residential Precinct). This is a significant step to the timely release of Crown Land for development as freehold/green title properties.

2.3. Surrounding Land Uses

As a settlement, South Hedland itself was designed as a series of unconnected "Radburn" based neighbourhoods. The principles of Radburn based neighbourhood design is that lots back onto a linear open space network in which the open space becomes the 'spine' of the neighbourhood for activity and movement. While this concept is sound in certain climates and demographics, it has failed in the Pilbara climate of South Hedland where the notion of a 'walkable neighbourhood' is undermined by the need for air-conditioning for large parts of the day, and the issues of anti-social behaviour have meant that the linear open space network became a largely underutilised waste land. This, together with the sporadic early growth of the Pilbara, saw only a part of the originally planned South Hedland settlement actually constructed, leaving the City Centre commercial area isolated to the southwest of the main residential areas.



■ Site Area

LOCATION PLAN

Property Description
South Hedland West

Base data supplied by Landgate,
 Accuracy +/- 4m, Projection MGA Zone 50.
 Areas and dimensions shown are subject to final survey measurements.
 All cartographic elements are shown for illustrative purposes
 only and are subject to detailed engineering design.

LandCorp : CLIENT
 1:75,000@A4 : SCALE
 6 January 2012 : DATE
 2887_10-5-001.dgn : PLAN No
 • : REVISION
 S.D. : PLANNER
 R.F. : DRAWN
 Not : CHECKED



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FIGURE 1



South Hedland City Centre lies to the immediate north/north-east of the proposed development area, and contains a range of existing retail, commercial, civic and community uses. These uses are generally summarised as:

- Community and civic uses to the east between Colebatch Way and Forrest Circle;
- Regional health services south of Colebatch Way between Hamilton Road and Collier Drive;
- Office and Commercial generally north of Throssell Road including a range of Commonwealth and State Government Department premises;
- Throssell Road being the area of greatest activity, onto which the shopping centre fronts and some take-away outlets operate; and
- Bulky goods/mixed business style development east of Forrest Circle.

Work is currently being progressed by LandCorp and the Town of Port Hedland to rejuvenate the South Hedland City Centre, consistent with the adopted South Hedland City Centre Master Plan which considered the need for:

- Increased connectivity between the City Centre and residential areas to the immediate east;
- The need for an identifiable heart of the City Centre in the form of a 'main street' where people could gather, meet and interact;
- The need to facilitate greater levels of residential and mixed use development in the City Centre to support local business and increase passive surveillance; and
- The opportunity to 'centralise' the City Centre by reviewing further urban development expansion opportunities to the immediate south and west of the existing City Centre.

To the west of the subject land, between South Creek and Great Northern Highway, land uses include the South Hedland Waste Water Treatment Plant, South Hedland Golf Course, Port Hedland Pistol Club and an equine training track/associated dwellings and stables leased by the South Hedland Owners and Trainers Association. Beyond the Great Northern Highway are the proposed Boodarie Strategic Industrial Area (currently being planned by the Department of State Development and LandCorp) and a gas power station. The future Strategic Industrial Area (SIA) is expected to support broader strategic industrial uses in conjunction with the Port Hedland Port, with a 'support' area of General Industrial uses closer to Great Northern Highway. The proposed development area lies outside buffers to the Strategic Industrial Area.

To the south of the SHCC lies largely undeveloped lands generally clear of any vegetation. Limited rural-residential development exists south of SHCC in the 'South Hedland Rural Estate'.



2.4. Environmental Considerations

2.4.1. Landform and Topography

The amendment area is comprised of two distinct landform units; the Pilbara Block, which is characterised by a low-lying, flat, and featureless landscape with red sand and sparse scrub, and the floodplain of South Creek.

The natural topography of the amendment area varies slightly in relief and slopes from about 14 m Australian Height Datum (AHD) in the south east through to approximately 10 m AHD in the north west.

2.4.2. Geology

The natural geology of the amendment area can be described as consisting of red-brown flood plain alluvium comprised of a mixture of clay, silt and sand.

The amendment area is mapped by the Department of Environment and Conservation (DEC) as being of no known risk of encountering Acid Sulfate Soils within 3 m of the soil's natural surface.

2.4.3. Terrestrial Flora and Vegetation

2.4.3.1. Regional Vegetation

Port Hedland is situated within the Interim Biogeographical Regionalisation of Australia region of Pilbara 4, and more specifically, is within the coastal subregion of Roebourne.

The Roebourne subregion is described as:

"Quaternary alluvial plains with a grass savannah of mixed bunch and hummock grasses, and dwarf Shrub Steppe of *Acacia translucens* or *A. pyrifolia* and *A. inaequilatera*. Resistant linear ranges of basalts occur across the coastal plains. These uplands are dominated by *Triodia* hummock grasslands. Ephemeral drainage lines support *Eucalyptus* woodlands. *Samphire*, *Sporobolus* grasslands and mangal occur on the marine alluvial flats and river deltas" (DEC 2002).

2.4.3.2. Vegetation Complex

A Biodiversity Audit of WA (Department of Conservation and Land Management [CALM] 2002) for the Roebourne subregion identified that the Beard Vegetation Association: 589 - *Mosaic: Short bunch grassland – savannah/grass plain (Pilbara)/Hummock grasslands, grass steppe; soft spinifex* vegetation complex, naturally occurs over the extent of the amendment area.

CALM (2002) identifies that the Beard Vegetation Association: 589 - *Mosaic: Short bunch grassland – savannah/grass plain (Pilbara)/Hummock grasslands, grass steppe; soft spinifex* only has medium priority for reservation.

CALM (2002) identifies that a substantial amount (approximately 13,758.3 ha) of Beard Vegetation Association 589 - *Mosaic: Short bunch grassland – savannah/grass plain (Pilbara)/Hummock grasslands, grass steppe; soft spinifex* is contained in reservation estates within the Pilbara 4 region.

2.4.3.3. Threatened Ecological Communities



A search using the Department of Sustainability, Environment, Water, Population and Communities' (SEWPaC) *Protected Matters Search Tool*, undertaken on 23 November 2011, identified that there were no known occurrences of Threatened Ecological Communities (TECs) protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) identified within the amendment area or within a surrounding five km radius buffer.

A search was undertaken on 23 February 2011 of the DEC's *Threatened and Priority Ecological Communities* database identified that there were no known occurrences of TECs or Priority Ecological Communities (PECs) within a buffer of greater than a five km radius of the amendment area.

2.4.3.4. Threatened Flora

A search was undertaken on 23 February 2011 of the DEC's *Threatened (Declared Rare) Flora* database, *Declared Rare and Priority Flora List* and the *Western Australian Herbarium Specimen* database for threatened and priority species collected within a buffer of greater than five km radius of the amendment area. There were no threatened or priority species identified as occurring within the amendment area.

2.4.3.5. Vegetation Condition

Given the proximity of the amendment area to the existing South Hedland town site it is likely that the condition of the existing vegetation has been diminished through various impacts associated with human disturbance. Such impacts may include introduction of invasive weed species, altered fire and hydrological regimes and land uses which have the potential to impact the existing vegetation.

2.4.3.6. Conclusions

- No TECs or PECs were identified as occurring within the amendment area.
- No Threatened or Priority Flora species were identified as occurring within the amendment area.
- No remnant vegetation of high priority for reservation occurs within the amendment area.

2.4.4. Terrestrial Fauna

2.4.4.1. Habitat Type

The amendment area is comprised of only one habitat type which is considered to have the potential to sustain conservation significant fauna. This is the Sandplain habitat type and due to the widespread occurrence of this habitat type within the Pilbara 4 region, the Sandplain habitat type is generally not considered to be of conservation significance.

2.4.4.2. Habitat Disturbance

Given the proximity of the amendment area to the existing South Hedland town site it is likely that the habit value of the existing vegetation for any species of conservation significant fauna has been markedly diminished through impacts associated with human disturbance. Such impacts may include introduction of invasive weed species, predation of native species by feral species, altered fire and hydrological regimes and land uses which have the potential to impact the existing vegetation.



2.4.4.3. Threatened Fauna

A search was undertaken on 23 February 2011 of the DEC's *Threatened Fauna* database for threatened and priority species identified within a buffer of greater than five km radius of the amendment area. There were no threatened or priority species identified as occurring within the amendment area.

2.4.4.4. Conclusions

- No Threatened or Priority Fauna species were identified as occurring within the amendment area.

2.4.5. Stormwater Management

South Creek is located approximately 400 m west of the amendment area. South Creek is dry for the majority of the year, however, significant run-off is generated after heavy rainfall. Stormwater naturally drains from the South Hedland town site into South Creek and flows north into the coastal estuary of Stingray Creek.

Given the proximity of South Creek to the amendment area and the potential for inundation from flooding events an approach to managing stormwater is required

It is proposed that the amendment area will use a recommended approach to stormwater management, established by the Department of Water and the Town of Port Hedland for the region, as follow

s:

- Impact of post development works should result in less than 150 mm increase in the 100 year Average Recurrence Interval (ARI) flood levels impacting on other landholders of undeveloped land.
- Existing development should not be impacted.
- Habitable flood levels should be at least 0.5 m above the 100 year ARI flood levels.

The general aim is to minimise changes to the pre-development hydrology. Given the existing topography and grades across the amendment area, it is anticipated that post-development the amendment area will continue to grade and discharge into South Creek.

Flood protection of new lots and infrastructure will be a key criteria for the design of the amendment area and will be addressed through the preparation of a Local Water Management Strategy which will accompany a Development Plan.

Preliminary investigations confirm that the management of stormwater, whilst a critical issue, will not prove an impediment to the rezoning of the amendment area.

2.4.6. Contamination

A search of the DEC's *Contaminated Sites Database* was undertaken on 11 January 2012. No matches were recorded as occurring within the amendment area.

2.5. Servicing Considerations

2.5.1. Water Supply

As a result of the Pilbara Port City Growth Plan the Water Corporation are currently reviewing their water capacity constraints for the East Pilbara Water Supply Scheme. Verbal



advice from Wayne Burns and Russell Nelson of the Water Corporation confirm that the Water Corporation has no objections to the rezoning of the area to support future residential development.

Water supply to Port Hedland (and South Hedland) is sourced from the Yule & De Grey borefields located tens of kilometres from the towns. It is understood that the Water Corporation has recently achieved an increase in its groundwater allocation from the Department of Water to provide for the planned expansion of the region. During the Development Plan preparation phase, the Water Corporation will be consulted to confirm that the proposed demand can be supplied from their planned source upgrades and to confirm the timing of any truck mains that may be required.

There is existing water supply reticulation mains in the adjoining and nearby developments and the ability to extend these mains to service initial phases of development would be subject to further investigation.

2.5.2. Waste Water

As with the water supply scheme, the Water Corporation is currently reviewing their conceptual sewerage catchment planning in response to the Pilbara Port City Grown Plan. Verbal advice from Wayne Burns and Russell Nelson of the Water Corporation confirm that the Water Corporation have no objections to the rezoning of the area to support future residential development.

The majority of the western portion of the amendment area is located within the current Water Corporation planning catchment boundary, and will gravitate to a proposed Type 180 pump station to be located at the northern extent of the area. Preliminary discussions with the Water Corporation have indicated that current anticipated completion of the pump station will be the late 2013. This pump station will discharge to the existing South Hedland Wastewater Treatment Plant west of the Site.

The Water Corporation has recently completed a review of odour contours for the South Hedland Wastewater Treatment Plant and confirm that the odour buffer does not impact on the amendment area.

Provision of sewer infrastructure to service the southern portion of the amendment area will require further catchment planning with the potential provision of another pump station site. This planning and preliminary design will be completed as part of the Development Plan preparation.

2.5.3. Power Supply

The existing development within the Town Centre and surrounds is serviced from the Murdoch Zone substation located in Murdoch Drive near Demarchi Road.

It is understood that the Murdoch Zone substation is supplied from the Horizon Power 66KVA overhead transmission line that traverses southern portion of the amendment area and through the planned Department of Housing land south of Murdoch Drive near the Outer Ring Road in the south-east corner of the existing South Hedland Townsite.

It is understood that the Murdoch Zone substation is running near capacity at Summer Peak Loads and any significant new development may require an upgrade of this facility. In order to understand any capacity constraints to service the amendment area, Horizon Power will need



to complete a detailed HV System Study, which will be undertaken at the Development Plan stage when further concept planning and staging will be available.

2.5.4. Telecommunications

The Federal Government has a stated objective to roll out fibre to the home for all residences within urban areas. Part of this initiative includes the Government's decision to fund and deploy fibre to all greenfield developments within the National Broadband Network (NBN) footprint, with developers responsible for funding the associated pit and pipe only.

The Site currently sits beyond NBN Co's fibre footprint, but NBN Co officers Peter Gerring and Alex Zimmermann have confirmed that it is likely that the inclusion of these areas can be treated as an extension to the Town Centre redevelopment and would hence be included in the NBN roll-out.

The current design practice for road reserves, pavement and verge provisions will make adequate allowance for services including broadband in accordance with the agreed Utilities Service Providers handbook. There will be some local land requirements for equipment sites, similar to current provisions which will be accommodated at detailed subdivision stage.



3.0 PLANNING FRAMEWORK

3.1. Strategic Planning Framework

3.1.1. State Planning Strategy, 1997

The State Planning Strategy (1997) was prepared by the Western Australian Planning Commission (WAPC) as a whole of government approach to guide sustainable land use planning throughout the State up until 2029. The Strategy is aimed at developing a land use planning system to help the State achieve a number of key goals and identifies the Port Hedland / South Hedland area as key population and economic growth areas. The vision for the Pilbara region includes:

- enabling housing supply and service provision to respond quickly to resource development;
- provide for the centres within the region to expand and offer a wide range of services supporting the growing population;
- promote development opportunities and all aspects of economic activity, for example, tourism, small business and infrastructure provision;
- encourage alternatives to the fly in – fly out workers from projects;
- provide coordination of Government agencies to minimise the obstructing / delaying of resource developments and associated infrastructure needs.

The proposed amendment gives effect to the aims of the strategy by enabling housing supply that will support a growing permanent population and local economic activity.

3.1.2. Draft Pilbara Planning and Infrastructure Framework, 2011

The Draft Pilbara Planning and Infrastructure Framework defines a strategic direction for the future development of the Pilbara region spanning over the next 25 years.

The document aims to address the scale and distribution of future population growth and housing development as well as identifying strategies for economic growth, environmental issues, transport infrastructure, water resources, tourism and the emerging impacts of climate change. It also sets out regional planning principles, goals, objectives and actions to achieve the above set outcomes that will guide the preparation of Local Planning Strategies and Local Planning Schemes.

The Pilbara Cities Vision acknowledges the economic significance of the region from a national and international view point. It acknowledges the need to accommodate a significant expansion of infrastructure and services for the mining industry in particular and sees a requirement to accommodate increased residential accommodation in the Port Hedland / South Hedland location. Part of the vision is to provide more affordable housing and greater housing choice, together with access to high standards of education, health, recreation, community and employment services. Such a vision aims to provide a general improvement in amenity that will result in any of the fly in – fly out workers choosing to live in the Pilbara region on a more permanent basis.

It recognises there is a severe shortage of housing opportunities within the Pilbara region as a result of a variety of issues including slow release of residential land, the high cost of



developing residential land, shortage of builders and the inability of securing affordable housing in the region.

The report further acknowledges that residential development in Port Hedland/South Hedland will change significantly with more townhouses and other forms of medium density living being made available to consumers. It notes that the average densities are likely to increase from R30 to R50 and building heights will increase to reflect the built form. This will help meet demand which currently clearly outweighs supply. The objectives and actions include developing the region's settlements to be sustainable and liveable communities and providing choice, quantity, quality and affordability in housing provision.

3.1.3. Pilbara's Port City Growth Plan, draft, 2011

The Growth Plan advocates an urban development scenario whereby approximately two-thirds of new urban development over the next 20 years is provided in the existing South Hedland Townsite and immediate surrounds (with the remaining one-third provided mainly in the East End of Port Hedland). In line with this spatial distribution pattern, the Growth Plan presents an activity centres framework which identifies South Hedland as the primary 'City Centre' for the region, supporting a concentration of significant retail offerings, commercial office space (potentially accommodating a range of public sector agency and local civic/administrative activities), major health facilities and personal services. It also identifies a 'Local Centre' being located within the Western Edge Residential Precinct, providing local convenience services for the immediate residential population.

The Western Edge Residential Precinct is located within Growth Plan Precinct 10 ('South Hedland West'). The Growth Plan vision for precinct is as follows:

"South Hedland West is South Hedland's newest land release area. It supports immediate and short term land supply, bringing a permanent population catchment to the west of the City. Densities are greatest in proximity to the City Centre, with more traditional home sites provided to the south west and south of the precinct"

South Hedland is a high priority development area of the Growth Plan. The proposed amendment will ensure implementation of the Growth Plan vision.

3.1.4. Port Hedland Regional Hotspots Land Supply Update, 2011

The WA Planning Commission prepares, as part of the Urban Development Program, a series of regional hotspot reports on major resource centres. The April 2011 report forms a component of the essential planning process to enable the vision 'to build on the resource boom to improve life in the Pilbara and bring Port Hedland / South Hedland into a diverse 21st Century City'.

Hedland's greatest challenges involve developing land, housing and infrastructure that will keep pace with rapid and sometime unpredictable population and employment growth. The document outlines key economic, employment, population and housing demand considerations / requirements. The ability to attract and retain key workers in Port Hedland is a high priority, with the evolution of South Hedland from a town to a city through self-sufficient communities being a key objective.

The proposed amendment supports the State Governments desire to increase urban development zoned land to increase land supply for residential development.



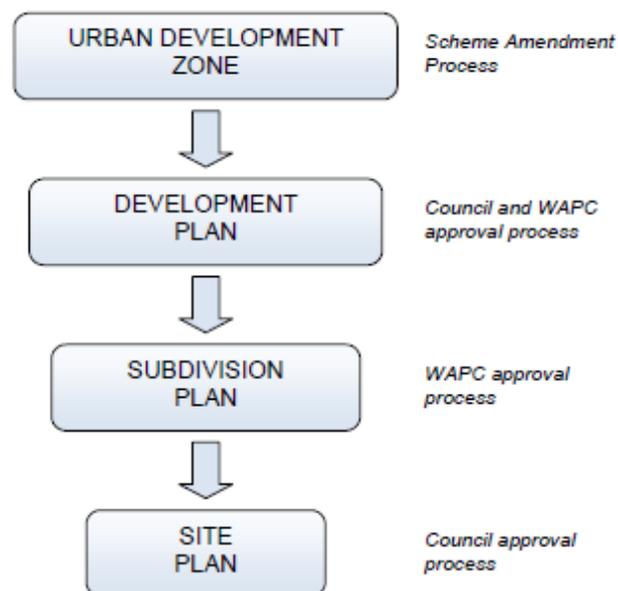
3.2. Statutory Planning Context

3.2.1. Town of Port Hedland Town Planning Scheme No. 5

3.2.1.1. Scheme Arrangements

The Scheme provides for an 'Urban Development' zone (clause 6.4 refers). The purpose of this zone is to identify land where detailed planning and the provision of infrastructure is required prior to subdivision and development. The Scheme is arranged to allow for further planning to be undertaken through the preparation of a Development Plan. Once approved by the Council and the WA Planning Commission, a Development Plan will guide the form of subsequent plans of subdivision. The Development Plan may also regulate land use through the designation of uses that are permitted (P), discretionary (AA) or otherwise within the area.

The hierarchy of statutory planning instruments and approvals processes is illustrated below:



The establishment of Urban Development zoning as proposed by this amendment will facilitate the approval of a Development Plan and subsequent subdivision and site development approvals.



3.2.1.2. Scheme Provisions

The amendment area is predominantly zoned Rural, with small portions zoned Town Centre and reserved for District Road. The Scheme Map currently identifies two Development Plan Areas, namely:

- South Hedland Town Centre; and
- South Hedland West

which relate to portions of the amendment area. A further portion of the amendment area is outside of any Development Plan area.

It is appropriate to note that two Special Control Areas are situated to the west of the amendment area. These relate to the Boodarie industrial area and the gas power station buffer. The Special Control Areas do not affect the amendment area.

4.0 DEVELOPMENT PLAN

The intention of the amendment is to provide an Urban Development zone that will enable the preparation of a Development Plan as discussed at section 3.2. The Development Plan is to meet the requirements of the Scheme, with sufficient detail provided as described at Appendix 6 of the Scheme.

The design phase of the Development Plan will have regard for the project vision, objectives and design requirements. These matters are discussed as follows:

4.1. Vision

An analysis of the context of the site and the strategic planning framework has allowed the development of vision statements for the ultimate subdivision and development of the amendment area. Visioning that will serve to meet requirements for the area can be described as follows:

1. Delivery of Pilbara's Port City Growth Plan vision for the wider precinct – immediate and short term land supply, bringing permanent population to the catchment of the South Hedland City Centre;
2. Assist in meeting the immediate and future need for housing supply in South Hedland – offering diversity in housing choice and 'affordable' housing; and
3. Delivery of higher density development in proximity to the City Centre, with more traditional home sites to the west of the precinct.



4.2. Objectives

Objectives for the ultimate subdivision and development, including implementation considerations can be described as follows:

Housing

1. Optimise dwelling yields through a variety of medium and high density housing;
2. Encourage a greater permanent residential population within the catchment of the South Hedland City Centre, supporting an increased level of services available to the community; and
3. Achieve built form that acknowledges the climatic conditions.

Amenity & Facilities

1. Provide legible and safe public spaces that encourage public transport usage and pedestrian movement;
2. Provide for regional sport and recreation facilities, capable of hosting formalised sporting events;
3. Provide attractive open space areas for passive and informal active use;
4. Provide for public primary education services;
5. Facilitate effective public transport;
6. Provide linear open space, creating pedestrian corridors, view corridors towards South Creek, general open space amenity and water management areas;
7. Achieve a balance of active and passive public open space in addition to the District Open Space provision; and
8. Create a sense of community through appropriate arrangement of activities, linkages and sight lines.

Environment

1. Achieve sustainable water management outcomes and with regard to stormwater flows and the safe/appropriate location of urban development; and
2. Optimise relationship to the South Creek environment.

Movement Network

1. Strengthen link between 'western edge' and Great Northern Highway/community activities to the west;
2. Provide linkages that will integrate with long-term urban development area to the south; and
3. Design movement network to support roundabouts in-lieu of traffic light controlled intersections.

Implementation

1. Achieve 'fast-track' approvals process through shared objectives and support for early land release by key decision-making agencies;
2. Facilitate the release of land to the private market to undertake subdivision and development where possible; and
3. Deliver housing and land turn-key packages within affordable price-points.

The objective statements provide guidance to the design of the Development Plan, and help to provide a basis to assess the terms of the plan.



4.3. Design Requirements

The Urban Development zone will allow a Development Plan to be prepared that will guide the ultimate form of subdivision and development. A range of design parameters will guide the preparation of the Development Plan as discussed in the following sections.

4.3.1. Liveable Neighbourhoods, 2009

Adopted as an operational policy by the WA Planning Commission, Liveable Neighbourhoods provide guidance for the design of key elements of a Development Plan. These include:

Community Design

- An emphasis on site responsive design, enhancing local identity, encouraging an interconnected street network, supporting a wider choice of housing, together with increased residential density;
- Achievement of more sustainable development outcomes will require higher residential densities in appropriate locations, particularly around activity centres (i.e. South Hedland City Centre) and within areas well served by public transport routes and other services;
- Ensuring residential densities of at least 20-30 dwellings per site hectare within 400 metres of a Town Centre.

Movement Network

- Functional road hierarchy
- Control of vehicle speeds
- Intersection controls
- Pedestrian & cyclist movement networks
- Public transport routes

Lot Layout

- Design for climate responsive dwellings
- Layout fronting parks and natural areas
- Lots fronting major streets

Public Parkland

- Parkland function and distribution
- Amount of public open space
- Integrating stormwater and public parkland

Urban Water Management

- Water quality and quantity management objectives
- Integrating stormwater treatment into the landscape
- Interface between urban water management areas and adjacent land uses

Utilities

- Street widths
- Provision of street trees and street lighting

Activity Centres

- Location and design parameters for local centres
- Street types and parking in association with centres

Schools

- Provision, location and size of school sites
- Street network and design context



4.3.2. Site Specific Design Considerations

4.3.2.1. Open Space and Community Infrastructure

Regional Open Space

The recently commissioned Town of Port Hedland Active Open Space Strategy identifies the amendment area as requiring two senior sports playing fields, along with the additional complementary facilities such as car parking, lighting, change rooms, and potentially a new bowls and tennis club.

The regional open space is to be accommodated within the Development plan in addition to the local public open space provided as part Liveable Neighbourhoods requirement.

Primary School

Preliminary discussions with the Department of Education and Training have confirmed the requirement for a Primary School within the amendment area, with a preferred location being in the central/eastern portion of the site (i.e. south of the Hospital site) to achieve centrality within the catchment area. The catchment would likely extend to cover some of the established residential area around the Koombana School site, with the remainder being catered for by another primary school planned within the Department of Housing landholdings further east.

Department of Education staff also confirmed the following:

- A willingness to co-locate the primary school with district playing fields, thereby reducing the Primary School site size from 4ha to 3.5ha (i.e. remove requirement for junior oval and provide via full size field). There is also a desire to discuss additional facility co-location opportunities with the Town of Port Hedland, such as car-parking and hard court areas; and
- Although it will place further demands on existing high school sites, there is no need for an additional high school within the subject land area. Any further development to the south/east may, however, require further consideration of high school facilities.

Tertiary Education

Public advertising of the Growth Plan has identified the potential for a tertiary education facility within the region, with South Hedland considered a potential location. A site in the order of 1 hectare would be required to service potential research, executive education, centres of excellence and the like that are Pilbara specific. A location in close proximity to the City Centre, with relationship to commercial, retail and public transport and such supportive activity is preferable.

Health

Whilst there is no requirement to provide additional health services/facilities within the amendment area given its proximity to the recently upgraded regional health campus (immediately north of the site), opportunities exist to further consider complementary residential uses where located adjacent to the campus – for example, supported/assisted residential aged care etc.

4.3.2.2. Road Networks

The following key design issues have been identified by Porter Consulting Engineers with regard to existing and potential future road networks to be designed during the Development Plan phase:



Future western sections of North Circular Road and Forrest Circle

- Proposed integration of both roads into one for north-south section.
- Relocate southern section of Forrest Circle to permit extension of Hospital site.

Create a new east-west link road by extending McLarty Boulevard to connect with Great Northern Highway

- Main Roads WA approval required for connection to Highway.
- Alignment of new road
- Position of intersection on highway
- Anticipated traffic flow
- Road and Intersections geometry

Extend North Circular Road south to Yarrie Road

- Alignment and geometry

Collier Drive Road extensions east and west

- Alignment and geometry of extensions
- Modify alignment of existing for local north-south traffic

Hamilton Road

- Future cross section (reserve width).
- Median for pedestrians.
- Street parking.

Subdivision Interconnection roads

- Location of East-west and north-south minor Local Distributor roads.
- Functional hierarchy

4.3.2.3. Roads and Drainage

As part of the process of preparing a Development Plan, a Local Water Management Strategy (LWMS) will be required. This will discuss all aspects of water management, however it is expected that flood management will be a significant component of the document. Department of Water have advised that the checklists provided in *Better Urban Water Management* (WAPC 2008) and the document *Interim Developing a Local Water Management Strategy* (DoW 2008) should be followed as closely as possible where relevant to the proposed development.

Department of Water acknowledges that there are some aspects of design in the Pilbara which deviate from BUWM. The following key principles related to drainage in the Pilbara:

- Manage the storm water quantity by using open drains rather than piped drainage;
- Convey flood waters off site without detention if practical;
- Check that flooding of downstream areas is not affected by the proposed development;
- Culverts to be used where required to convey storm water under roads;
- Manage erosion and sediment transport;
- Confirm that infiltration at source is not practical due to the soil characteristics;
- Ongoing groundwater monitoring may not be required if observation bores are installed to determine the direction of groundwater flow, depth and water quality; and
- The conceptual designs and flow paths should be included in the LWMS.



5.0 PROPOSED SCHEME AMENDMENT

The proposed amendment has three components as depicted on the Scheme Amendment Maps and described in the following sections.

5.1. Zone Amendments

The majority of the amendment area is zoned Rural and is yet to undergo detailed planning and infrastructure provision. An Urban Development zoning will enable further planning to progress development objectives for the area. The Urban Development zone has been extended westwards to the Boodarie Industrial Buffer Special Control Area boundary, and southwards to coincide with the area subject to native title agreement with the Kariyarra people.

A portion of the amendment area is presently zoned Town Centre. A review of the Development Plan for the Centre has found this zone should primarily extend to the sites that front directly onto Hamilton Road, with the balance of the Town Centre zone to the west being incorporated into the planning for future urban development. As such, the western portion of the Town Centre zone is proposed to be rezoned to Urban Development.

A need has been identified for the existing hospital site at Colebatch Way to be expanded to a site of approximately 4 hectares. Extension to the south will maintain a consolidated site with appropriate configuration for future development. The proposed Town Centre zone is proposed to be expanded to correspond with hospital site requirements.

5.2. Reserve Amendment

Expansion of the Town Centre zone as described above will remove an east-west segment of District Road reserve as presently identified on the Scheme Map. This road link is to be replaced by new connections within the proposed Urban Development zone area. A revised functional road hierarchy will be required as part of the Development Plan for this area, providing sufficient linkages through the area.

5.3. Development Plan Area Boundary Amendments

The amendment proposes changes to Development Plan areas as presently shown at Appendix 5 of the Scheme Text and the Scheme Map. These changes are described as follows:

Development Plan Area South Hedland West

Amend the boundary to align with the boundary of the proposed Urban Development zone.

Development Plan Area South Hedland Town Centre

Amend the boundary to:

1. Match the boundary of the proposed Urban Development zone;
2. Exclude a development site at Scadden Road (as discussed below); and
3. Extend to the Mixed Business zone area to the east of Forrest Circle to correspond with recommendations of the Pilbara's Port City Growth Plan.

Development Plan Area Scadden Road

A development area immediately west of Scadden Road and north of James Street (commonly referred to as 'Site B') is subject to approved development. The creation of a specific Development Plan Area for this existing project is considered appropriate.



6.0 CONCLUSION

Strategic planning at State and Local Government levels recognise the importance of expediting the supply of land for housing development to serve the needs of resource development. Various planning strategies acknowledge the economic significance of the region from a national and international point of view, with housing supply representing an important enabler for continued growth.

The proposed urban development area is ideally situated for urban development – it is:

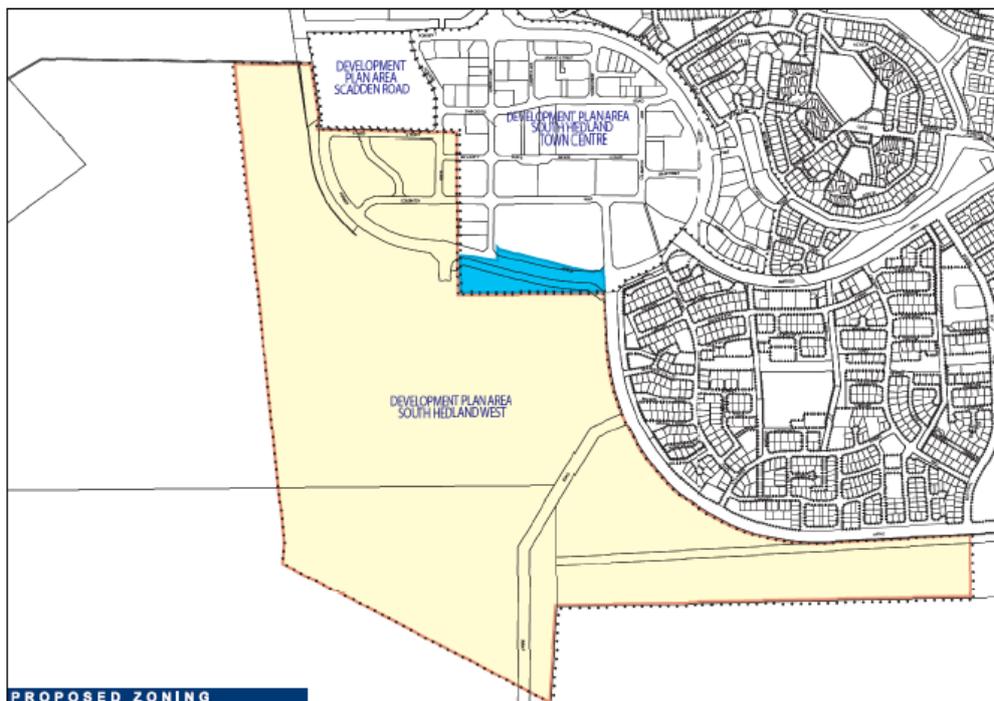
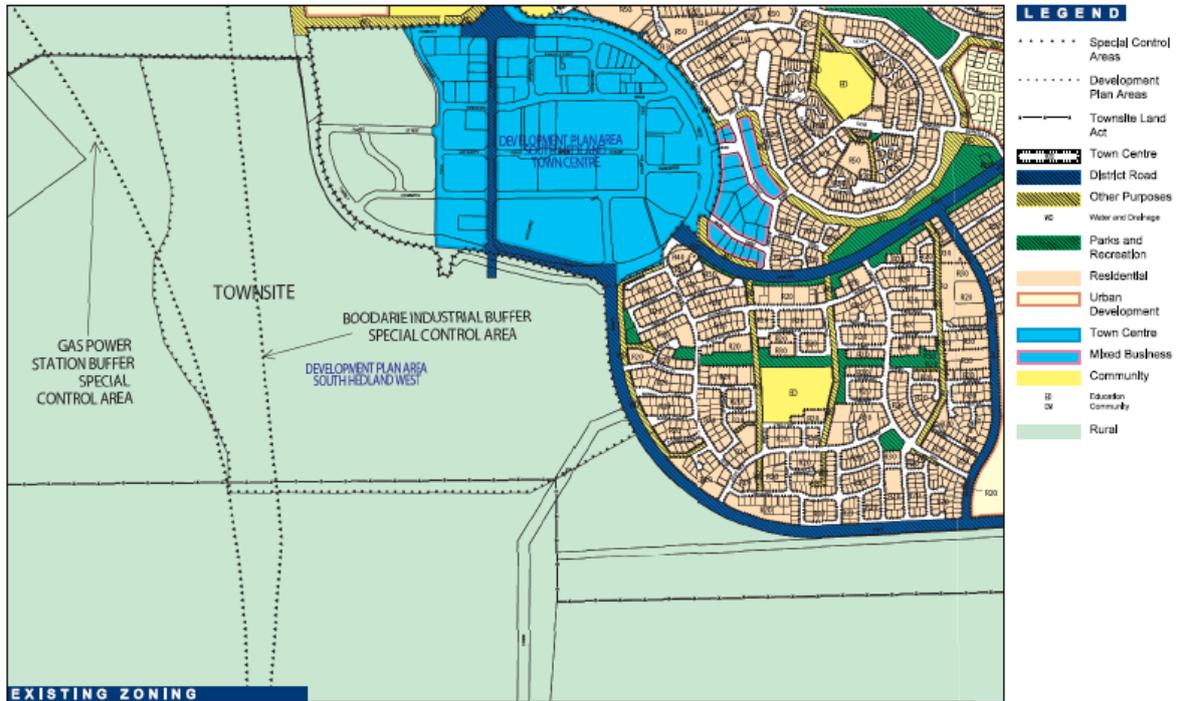
- in common ownership and available for development following a recent native title agreement with the Kariyarra people;
- immediately adjacent to the City Centre;
- capable of being serviced through connections to and upgrading of existing utility infrastructure;
- outside of buffers from an industrial area and power station situated to the west.

The Pilbara's Port City Growth Plan recognises the area as South Hedland's newest land release area, supporting immediate and short term land supply that will bring a permanent population catchment to the west of the City.

The amendment will allow orderly and proper planning processes to progress, enabling the ultimate subdivision and development of the proposed area.

SCHEME AMENDMENT MAP

Town of Port Hedland
 Town Planning Scheme No. 5
 Amendment No.



1115.000@AS : SCALE
 3 January 2012 : DATE
 2007_18-7-001.dgn : PLAN No
 - : REVISION

SCHEME AMENDMENT MAP

South Hedland West
Town of Port Hedland
Appendix 5



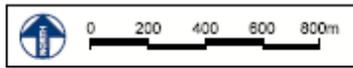
EXISTING DEVELOPMENT PLAN AREA BOUNDARY



PROPOSED DEVELOPMENT PLAN AREA BOUNDARY

LEGEND

— Development Plan Area Boundary



1:25,000@A4 : SCALE
5 January 2012 : DATE
2957_1844002.dgn : PLAN No
• : REVISION

PLANNING AND DEVELOPMENT ACT 2005**TOWN OF PORT HEDLAND****TOWN PLANNING SCHEME NO. 5****AMENDMENT NO.**

The Town of Port Hedland under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by:

1. Rezoning land from:
2. 'Town Centre' to 'Urban Development';
3. 'Rural' to 'Urban Development'; and
4. 'Rural' to 'Town Centre';
5. Remove land from 'District Road' Reserve and include that land within the 'Town Centre' zone;
6. Amending the boundaries of the 'Development Plan Area South Hedland Town Centre' and the 'Development Plan Area South Hedland West';
7. Creating 'Development Plan Area Scadden Road';
8. Amending the Scheme Map to reflect zone and reserve changes described in 1 and 2 above;
9. Amending the Scheme Map and Scheme Text Appendix 5 – Development Plan Areas map to reflect the Development Plan Area changes described in 3 and 4 above.

ADOPTION

Adopted by resolution of the Council of the Town of Port Hedland at the Meeting of the Council held on the _____ day of _____ 2012.

MAYOR / SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

FINAL ADOPTION

Adopted for final approval by resolution of the Town of Port Hedland at the Meeting of the Council held on the _____ day of _____ 2012 and the Common Seal of the Town of Port Hedland was hereunto affixed by the authority of a resolution of the Council in the presence of:

MAYOR / SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

Recommended / Submitted for Final Approval

DELEGATED UNDER S.16 OF
PD ACT 2005

DATE

Final Approval Granted

MINISTER FOR PLANNING

DATE

6:52pm Councillor G A Jacob declared an impartiality interest in Item 11.1.8 'Reconsideration of Transient Workforce Accommodation at Lot 503 (Area A) Forrest Circle, South Hedland (File No.: 804485G)' as she the applicant is the customer of a business of which she is a partner.

Councillor G A Jacob advised that she will consider this matter on its merits and vote accordingly. As such, Councillor G A Jacob remained in the room.

11.1.8 *Reconsideration of Transient Workforce Accommodation at Lot 503 (Area A) Forrest Circle, South Hedland (File No.: 804485G)*

Officer Leonard Long
Manager Planning
Services

Date of Report 13 January 2012

Disclosure of Interest by Officer Nil

Summary

The applicant Compass Group (Australia) Pty Ltd, filed a request with the State Administrative Tribunal to review the decision made by Council at its Ordinary Council Meeting of 19 October 2011, specifically condition 9 of item 11.1.3.

"This approval is only valid for a period of 10 years calculated from the date of this approval."

The applicant contends, the "Expression of Interest" prepared by the State Government noted the applicant would be granted a 10 year + 10 year lease over the property. As such the financial modelling was based on a 20 year period.

Council Officers are of the opinion to approve the proposal outright for a period of 20 years may have a detrimental impact on the normalisation of South Hedland, by sterilizing the land for alternative development for 20 years.

In light of the above, Council is requested to reconsider condition 9, as imposed at the Ordinary Council Meeting of 19 October 2011, by providing the applicant the ability to extend the 10 year period by a further period which is to coincide with the extended period granted by the State, subject to conditions.

The ability to extend the approval period is supported by Council Officers.

Background

At the Ordinary Council Meeting of 19 October 2011, Council resolved to approve an application submitted by Compass Group (Australia) Pty Ltd, on behalf of the Department of Regional Development and Lands the custodians of Lot 503 Forrest Circle South Hedland, as follows:

“201112/165 Officer’s Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- i) Approves the planning application submitted by Compass Group (Australia) Pty Ltd on behalf of the Crown, for Transient Workforce Accommodation – 1301 person facility at Lot 503, Forrest Circle, South Hedland subject to the following conditions:*
 - 1. This approval relates only to the proposed Transient Workforce Accommodation Facility (1301 bed facility) and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.*
 - 2. The development area must only be used for purposes, which are related to the operation of a “Transient Workforce Accommodation” business. Under the Town of Port Hedland’s Town Planning Scheme No. 5 “Transient Workforce Accommodation” is defined as:*

“Dwellings intended for the temporary accommodation of transient workers and may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes a contractors camp and dongas”
 - 3. A voluntary community contribution of \$1.45 million is to be provided for the following purposes:*
 - a) Faye Gladstone Netball Courts - \$325,000 for sub surface stabilisation, court remediation, resurfacing and upgraded court lighting*
 - b) Multi Purpose Recreation Centre - \$420,000 for car parking*
 - c) Marie Marland Oval - \$700,000 for reserve lighting*
 - 4. A contribution equivalent to 50% of the construction cost (inclusive of verge works including pedestrian paths) to extend Forrest Circle to the western boundary of lot 503 must be provided to the satisfaction of the Manager Planning.*

5. *A contribution proportional to the benefit obtained by lot 503, must be provided for the extension of North Circular Drive to the satisfaction of the manager Planning.*
6. *Upon completion of construction works approved by this permit, 20 rooms are to be made available for public use to the satisfaction of Council's Manager Planning.*
7. *Commencing 1 January 2015, the dining facility is to be made available to the general public to the satisfaction of Council's Manager Planning.*
8. *Prior to commencement of works, a written agreement must be entered into with the Town of Port Hedland regarding the access to the site by heavy vehicles including maintenance and times of use.*
9. *This approval is only valid for a period of 10years calculated from the date of this approval.*
10. *On expiry of the time stipulated in condition 9 above, the applicant is to enter negotiations with Council on the extent of returning the land back to its original state.*
11. *Within 60 days of the date of this approval the applicant/operator of the camp is to submit an emergency evacuation plan approved by the relevant authority to the Town*
12. *All vehicle parking (both small - cars etc and heavy - trucks etc) associated (resident and visitor) with the Transient Workforce Accommodation shall be contained within the development area (i.e. no parking is permitted on the adjacent recreation reserve, road verge or any other land) and within designated vehicle parking locations/areas all to the satisfaction of the Manager Planning.*
13. *The development is to be connected to reticulated sewer. Alternatively, an effluent disposal system to the specification of the Department of Health and Council's Environmental Health Services is to be installed to the satisfaction of Council's Manager Planning.*
14. *A minimum of 291 car bays are to be provided on site to the satisfaction of Council's Manager Planning.*
15. *No oversize vehicles are permitted to park on the site.*

16. *Loading/unloading areas for oversize vehicles must be constructed, line marked, time limited and signposted to the satisfaction of Council's Manager Planning.*
17. *Any roof mounted or freestanding plant or equipment such as air conditioning units to be located and/or screened so as not to be visible from beyond the boundaries of the development site.*
18. *All dust and sand to be contained on site with the use of suitable dust suppression techniques where any works/operations on the site is likely to generate a dust nuisance to nearby land uses to the specifications of Council's Engineering Services and Environmental Health Services and to the satisfaction of Council's Manager Planning.*
19. *A Rubbish Collection Strategy / Management Plan shall be submitted to and approved by the Town prior to the commencement of works. The strategy / plan shall consider service vehicle manoeuvring on the internal roads of the development. Any alterations to the approved plans required as a result of the strategy / plan shall be incorporated into the building licence plans. The approved strategy / plan shall be implemented to the satisfaction of Council's Manager Planning.*
20. *Further to condition 19, Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Council's Manager Planning Services.*
21. *The development is to comply with the Health (Public Buildings) Regulations 1992.*
22. *Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of Council's Manager Planning.*
23. *Prior to the submission of a building licence application, a detailed landscaping plan is to be submitted and approved by Council's Manager Planning. The plan to include species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.*

24. *Prior to occupation of any part of the development, landscaping and reticulation to be established in accordance with the approved plans with the use of mature trees and shrubs, and thereafter maintained to the satisfaction of Council's Manager Planning.*
25. *The premises to be kept in a neat and tidy condition at all times by the occupier to the satisfaction of Council's Manager Planning.*
26. *Prior to the submission of a building licence application a construction management plan is to be submitted detailing how it is proposed to manage:*
 - a) *The delivery of materials and equipment to the site;*
 - b) *The storage of materials and equipment on the site;*
 - c) *Impact on traffic movement with particular regard given to the use of Marie Marland Reserve;*
 - d) *Operation times including delivery of materials; and*
 - e) *Other matters likely to impact on the surrounding residents and land;*

to the satisfaction of Council's Manager Planning.

- ii) *Approves the temporary provision of 194 Advanced Accommodation Rooms on Lot 503 (Area A) Forrest Circle, South Hedland as incidental development of Planning Permit 20011/261 (approved by ii above), subject to the following additional conditions:*
 1. *The total of rooms including those approved by permit 2011/261, does not exceed 1333 at any time.*
 2. *The Advanced Accommodation Rooms are approved for a maximum of 36 months from the date of approval.*

FOOTNOTES:

1. *You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.*
2. *A Building Licence to be issued prior to the commencement of any on site works.*
3. *The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.*

4. *Be advised that the Town's Environmental Health Services Department has raised the following matters. If any of these matters require clarification please contact the Department on 9158 9325.*
 - a. *It is a requirement under the Food Act 2008 that all food premises be registered prior to beginning operations;*
 - b. *The applicant is advised that the construction and use of the proposed premises is required to comply with the Food Regulations 2009 and the Food Safety Standards;*
 - c. *Prior to the issue of a building licence, a fit out plan of all internal fixtures, finishes and fittings must be provided and approved to the specifications of Town's Environmental Health Services; and*
 - d. *Be advised that the food premises may be required to be connected to a grease trap prior to effluent entering the disposal system.*
5. *Be advised that all lodging houses are required be registered under the Health Act 1911 and operate in accordance with that Act and the Town of Port Hedland Health Local Laws 1999.*
6. *Be advised that at the building licence stage a detailed floor plan is required to be submitted in order for Town's Environmental Health Services to assess compliance to the Town of Port Hedland Health Local Laws 1999.*
7. *If mains water connection is unavailable the development is to be connected to an adequate potable water supply to the specifications of the Council's Health Local Laws 1999.*
8. *In relation to condition 21, all stormwater drainage (and associated infrastructure maintenance) is to be managed on site except where otherwise agreed by Council's Manager Infrastructure Development.*
9. *The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year Annual Recurrence Interval cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation*

that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.

CARRIED 4/3”.

State Administrative Tribunal

On 8 December 2011, the State Administrative Tribunal handed down the following orders:

“On the application heard before Deputy President, Judge David Parry on 8 December 2011, it is ordered that:

- 1. By 15 December 2011 the applicant is to file with the Tribunal and provide to the respondent a statement as to why condition 9 should be amendment so that the approval is valid for 20 years rather than 10 years, and any documents or other evidence on which it relies.*
- 2. Pursuant to s31 (1) of the State Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision in January 2012.*
- 3. By 31 January 2012 the respondent is to advise the Tribunal and the applicant of its substituted decision.*
- 4. By 6 February 2012 the applicant is to advise the Tribunal and the respondent as to whether it is content with the substituted decision, and if so, is to apply to withdraw the application.*
- 5. By 13 February 2012 the respondent is to file and provide to the applicant a submission and any evidence on which it relies.*
- 6. By 20 February 2012 the applicant may file, and if so, must provide to the respondent a statement in reply.*
- 7. Subject to any further order the matter is to be determined entirely on the documents pursuant to s60(2) of the State Tribunal Act 2004 (WA).”*

Applicant Statement

”Statement of issues, facts and Contentions review of condition 9 of Planning Approval 2011/261 Gateway Village – Lot 503 Forrest Circle South Hedland

1. *The Town of Port Hedland, by letter dated 21 October 2011, advised Compass Group (Australia) Pty Ltd of planning approval for the Gateway Village development in South Hedland. Compass Group seeks review of condition 9 of this planning approval which limits the approval validity to 10 years.*
2. *On 15 November 2008 the State Government advertised an Expression of Interest (Eoi) process to develop 'Area A' in South Hedland [subsequently created as Lot 503] for Transient Workforce Accommodation (TWA) and residential uses. The terms of the advertised Eoi included the following statement:

"It is envisaged that the land will be leased to the preferred proponent on a 10-year + 10- year lease term. At the end of this term the proponent will be expected to return the land to its original state, with the exception of facilities, infrastructure and/or other assets that will be gifted to the Department of Education and Training (DET) at no cost, if required by DET. Proponents must identify what facilities, infrastructure and/or assets are proposed to remain at the conclusion of the lease period."*
3. *The Town of Port Hedland participated in the development of the Eoi process and subsequently in the panel formed by the State to assess the submissions received.*
4. *On 27 May 2009 the Minister for Lands awarded preferred developer status for the development of 'Area A' to the West End Integration Project Consortium, comprising Compass Group, Nomad Group and Hatch. Compass Group subsequently assumed responsibility for the development of Gateway Village as the TWA component.*
5. *The State Government, in liaison with the Town of Port Hedland, clearly intended in the Eoi process that the TWA development on Area A be in place for up to 20 years. The Town's planning approval condition 9, limiting the validity period to 10 years, is therefore inconsistent with the Government's Eoi process and terms, and with the approval by the Minister for Lands for the development of 'Area A' for a TWA use.*
6. *Compass Group relied on the advice provided by the State Government in the Eoi process that the lease tenure would be available for a period of up to 20 years and assessed the financial viability of the TWA development on this basis. Limiting the validity of the planning approval to 10 years compromises both the ability of Compass Group to continue to beneficially use the land under the leasehold terms and*

the commercial return from this development, which has an estimated capital cost exceeding \$160 million. This capital cost includes over \$10 million required to provide gazetted road access and utility services to the subject land, for substantial bulk earthworks to raise the site above flood levels and for community contributions negotiated with the Town.

- 7. The Town's decision to limit the approval validity period arises from the senior planning officer's comments and recommendation in agenda item 11.1.2.1 of the Ordinary Council Meeting of 19 October 2011.*
- 8. Under the heading 'Need and desirability', the officer notes in the agenda item that the Town's 'Guidance Notes for Potential Developers of Transient Workforce Accommodation' identified the South Hedland CBD as a preferred location for TWA developments. The officer further notes that the proposed Gateway Village would, under these Guidance Notes, be best described as "Higher quality, more permanent accommodation facilities (inc hotels/motels)". The Town of Port Hedland Town Planning Scheme No. 5 defines 'transient workforce accommodation' as dwellings intended for the temporary accommodation of transient workers and may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes a contractor's camp and dongas.*
- 9. In the agenda item, the officer advised that Traditionally, TWA developments have been approved for a short period of time (up to 5 yrs) but due to demand have been reapproved or extended (e.g. Mia Mia and Wedgefield). In this respect, the following matters are relevant:*
 - the Mia Mia TWA is a relatively small, basic camp located on land owned by the Town of Port Hedland and its duration is determined by the lease period, which was recently extended by the Town at the request of the leaseholder, Auzcorp.*
 - the 763 room Wedgefield facility (which has existed for over 30 years and is owned and operated by Compass Group) was previously a 'P' use on land zoned for 'Transient Workforce Accommodation'; however the site was rezoned to 'Industry' in February 2011 and the TWA use is therefore now non-conforming, with the facility to be dismantled on expiry of the lease in June 2014. Previous planning approvals granted for this facility have not included a condition imposing a validity period, excepting approval for a 52 room capacity increase approved by the Town in August 2011 which is valid until the lease expiry date.*

10. *A 40 dwelling TWA proposed for Lot 502 Forrest Circle South Hedland was granted planning approval in March 2010 with a condition imposing a validity period of 6 years. However, this limited period was requested by the proponent, Auzcorp, as the proposal was intended to be an interim land use to be subsequently converted to residential use.*
11. *The officer noted in the item that the proposed site is strategically important land and that therefore it would be preferable to limit the length of any "Temporary" approval to 5yrs. However, the TWA land use is consistent with the 'Urban Development' zoning and, as a 'short to medium term use', with the Development Plan for Lot 503 adopted by Council in August 2011.*
12. *This Development Plan acknowledges that the Department of Regional Development and Lands has identified Lot 503 as suitable for TWA development for the short to medium term and will grant a 10 year + 10 year option lease for such accommodation. The Plan also notes the intended 20 year operation of the TWA as a 'short to medium term' land use.*
13. *The Officer's recommendation for an approval validity period of 10 years appears to be based on a perception that this period would ensure the financial viability of the Gateway Village development. As noted above, however, the Port Haven Village planning approval did not include a validity period. It is therefore not appropriate to use Port Haven Village as an indicator of the financial viability of the proposed Gateway Village development.*
14. *In Summary, the approval validity period of 10 years imposed as condition 9 of planning approval 2011/261 granted to Compass Group (Australia) Pty Ltd by the Town of Port Hedland for the Gateway Village TWA development at Lot 503 Forrest Circle South Hedland is inconsistent with the award of preferred developer status by the Minister for Lands, which provided for a Crown lease over Lot 503 of 10 years plus a 10 year option.*
15. *In lodging an Expression of Interest for development of 'Area A' (Lot 503), Compass Group carried out financial analysis based on a 20 year development life. The 10 year approval validity imposed by the Town compromises the financial viability of the development.*
16. *Compass Group therefore requests review of condition 9 of planning approval 2011/261 to increase the approval validity period to 20 years.*

Site Details

The subject site is located adjacent to the TAFE along an unconstructed portion of Forrest Circle. The site is owned by the Crown, comprises an area of approximately 11.9ha and intended to be leased to the applicant on a 10yr + 10yr option. The application relates to 9.7ha of the site (the land not proposed to be developed at this stage is at the South of the site adjacent to Forrest Circle).

Consultation

Prior to the initial consideration of the application by Council, the application was advertised in the North West Telegraph and a notice placed on site providing the community the opportunity to comment on the proposal. No objections to the proposal were received.

Statutory Implications

Section 31 (1) of the *State Administration Tribunal Act 2004*, enables the State Administrative Tribunal to invite the original decision maker to reconsider the decision that is the subject of review proceeding before the State Administrative Tribunal.

Local Government Act 1995

“5.25 . Regulations about council and committee meetings and committees

- (1) *Without limiting the generality of section 9.59, regulations may make provision in relation to —*
- (a) *the matters to be dealt with at ordinary or at special meetings of councils;*
 - (b) *the functions of committees or types of committee;*
the holding of council or committee meetings by telephone, video conference or other electronic means;
 - (c) *the procedure to be followed at, and in respect of, council or committee meetings;*
 - (d) *methods of voting at council or committee meetings;*
 - (e) *the circumstances and manner in which a decision made at a council or a committee meeting may be revoked or changed (which may differ from the manner in which the decision was made);*”

Local Government (Administration) Regulations 1996:

“10. Revoking or changing decisions made at Council or Committee meetings – s5.25(e)

- 1. If a decision has been made at a council or committee meeting then any motion to revoke or change the decision must be supported –*
 - (a) Notice of a motion to revoke or change a decision referred to in sub regulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover; or*
 - (b) In any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover*
- 2. If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made –*
 - (a) In the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority;*
 - (b) In any other case, by an absolute majority.*
- 3. This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.”*

Policy Implications

Council does not have a policy on “Transient Workforce Accommodation” facilities. In 2008, Council issued a “Guidance note for potential developers of Transient Workforce Accommodation”.

Strategic Planning Implications

The following sections of the Town’s Strategic Plan 2010-2015 are considered relevant to the proposal:

Key Result Area 1:	Infrastructure
Goal Number 1:	Roads, Footpaths and Drainage
Immediate Priority 1:	Undertake road works in South Hedland to improve road permeability (particularly in the CBD)

Key Result Area 4: Economic Development
Goal Number 2: Mining/Roads
Immediate Priority 1: Actively seek funding partnerships with mining companies and contractors on the development of services and facilities within the community.

Key Result Area 4: Economic Development
Goal Number 2: Mining/Roads
Immediate Priority 2: Actively pursue integration of FIFO workers into the local community.

Key Result Area 4: Economic Development
Goal Number 2: Mining/Roads
Other Actions: Ensure that integrated accommodation options are available for resource related projects that do not artificially inflate the local real estate market.

Key Result Area 4: Economic Development
Goal Number 4: Land Development Projects
Immediate Priority 1: Fast track the release and development of commercial, industrial and residential land.

Budget Implications

Should Council resolve not to reconsider condition 9 of the approval in favour of the applicant, additional funds of approximately \$40,000 will have to be sourced to engage Solicitors to represent Council at the State Administrative Tribunal.

Officer's Comment

It remains unclear as to how long "Transient Workforce Accommodation" facilities will be required to serve the accommodation needs of the various companies in and around the Town.

A "Transient Workforce Accommodation" facility is by its very definition transient in nature and difficult to predict how long such a facility would be required. With the redevelopment of the South Hedland Town Centre progressing rapidly, emphasis will be placed on the ability to develop permanent residential developments within close proximity ensuring the economical viability of the South Hedland Town Centre.

"Transient Workforce Accommodation" facilities are largely self contained, resulting in the users not contributing largely to the economy of the Town. Ultimately the land would be more suited to the development of a permanent residential base.

It is acknowledged there is currently a need for such facilities to house workers involved in an array of projects that will ultimately allow the growth of the Town into a City, what remains of concern is the duration.

The substantial financial outlay by the applicant coupled with the need to ensure a suitable return is understood. Council is requested to follow the same approach as the State by approving the application for a period of 10 years with the ability to request an extension to coincide with the extension of the lease without the need to submit a development application to Council. The criteria to be complied with to obtain a further extension would be dependent on the ability of the applicant to provide the following:

- confirmation by the State of the extended lease period,
- clear indication of the demand for the such a facility,

Should Council agree to proceed with the reconsideration of the matter as proposed it would give the applicant certainty that as long as the lease is extended by the State and there is a proven need for the continuation of such a facility, an extension of the approval will be granted.

Attachments

1. Location Plan
2. SAT Orders
3. Applicant Statement

NOTE: Mayor called for a show of hands by one third of members to consider revoking Resolution 201112/165 of Item 11.1.2.1 'Proposed Transient Workforce Accommodation at Lot 503 (Area A) Forrest Circle, South Hedland (File No.: 804485G)' decided at Council's Ordinary Meeting held on 19 October 2011, and recorded on pages 30 to 35 of those Minutes. The following Councillors indicated their intent to do so:

*Councillor A A Carter
Councillor G J Daccache
Councillor M B Dziombak*

201112/297 Officer's Recommendation 1 / Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council revokes Resolution 201112/165 of Item 11.1.2.1 'Proposed Transient Workforce Accommodation at Lot 503 (Area A) Forrest Circle, South Hedland (File No.: 804485G)' presented to Council's Ordinary Meeting held on 19 October 2011, and recorded on pages 30 to 35 of those Minutes, on the grounds that the effect of the reconsideration of condition 9 would render the decision substantially different.

CARRIED BY ABSOLUTE MAJORITY 7/0

201112/298 Officer's Recommendation 2 / Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- A. Approves the planning application submitted by Compass Group (Australia) Pty Ltd on behalf of the Crown, for Transient Workforce Accommodation – 1301 person facility at Lot 503, Forrest Circle, South Hedland subject to the following conditions:
1. This approval relates only to the proposed Transient Workforce Accommodation Facility (1301 bed facility) and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.
 2. The development area shall only be used for purposes, which are related to the operation of a “Transient Workforce Accommodation” business. Under the Town of Port Hedland’s Town Planning Scheme No. 5 “Transient Workforce Accommodation” is defined as:

“Dwellings intended for the temporary accommodation of transient workers and may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes a contractors camp and dongas”
 3. A voluntary community contribution of \$1.45 million is to be provided for the following purposes:
 - a) Faye Gladstone Netball Courts - \$325,000 for sub surface stabilisation, court remediation, resurfacing and upgraded court lighting
 - b) Multi Purpose Recreation Centre - \$420,000 for car parking
 - c) Marie Marland Oval - \$700,000 for reserve lighting
 4. A contribution equivalent to 50% of the construction cost (inclusive of verge works including pedestrian paths) to extend Forrest Circle to the western boundary of lot 503 shall be provided to the satisfaction of the Manager Technical Services.
 5. A contribution proportional to the benefit obtained by lot 503, shall be provided for the extension of North Circular Drive to the satisfaction of the Manager Technical Services.

6. Upon completion of construction works approved by this permit, 20 rooms shall be made available for public use to the satisfaction of the Manager Planning Services.
7. Commencing 1 January 2015, the dining facility is to be made available to the general public to the satisfaction of the Manager Planning Services.
8. Prior to commencement of works, a written agreement shall be entered into with the Town of Port Hedland regarding the access to the site by heavy vehicles including maintenance and times of use.
9. This approval shall only valid for a period of 10 years calculated from the date of this approval.
10. In regard to the approval period noted in condition 9, the applicant may through a written request, request Council to consider a further extension to the approval period subject to:
 - 10.1 confirmation by the State of the period of the extended lease,
 - 10.2 the clear indication of the continued demand for the such a facility.
 - 10.3 the extension period of Development Application No. 2011/261 shall not be less or exceed the agreed lease period granted by the State
11. On expiry of the time stipulated in condition 9 or such further period as may be approved by condition 10, the applicant shall enter negotiations with Council on the extent of returning the land back to its original state.
12. Prior to the Occupation of any rooms on the site the applicant/operator of the camp shall submit an emergency evacuation plan for consideration by the Manager Environmental Health Services.
13. All vehicle parking (both small - cars etc and heavy - trucks etc) associated (resident and visitor) with the Transient Workforce Accommodation shall be contained within the development area (i.e. no parking is permitted on the adjacent recreation reserve, road verge or any other land) and within designated vehicle parking locations/areas all to the satisfaction of the Manager Planning Services.

14. The development is to be connected to reticulated sewer. Alternatively, an effluent disposal system to the specification of the Department of Health and Council's Environmental Health Services is to be installed to the satisfaction of the Manager Environmental Services.
15. A minimum of 291 car bays are to be provided on site to the satisfaction of Council's Manager Planning.
16. No oversize vehicles shall be permitted to park on the site.
17. Loading/unloading areas for oversize vehicles shall be constructed, line marked, time limited and signposted to the satisfaction of the Manager Technical Services.
18. Any 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.
19. All dust and sand to be contained on site with the use of suitable dust suppression techniques where any works/operations on the site is likely to generate a dust nuisance to nearby land uses to the satisfaction of the Manager Environmental Health Services.
20. A Rubbish Collection Strategy / Management Plan shall be submitted to and approved by the Town prior to the commencement of works. The strategy / plan shall consider service vehicle manoeuvring on the internal roads of the development. Any alterations to the approved plans required as a result of the strategy / plan shall be incorporated into the building licence plans. The approved strategy / plan shall be implemented to the satisfaction of the Manager Technical Services.
21. Further to condition 20, Waste receptacles shall be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999, to the satisfaction of the Manager Environmental Health Services.
22. The development is to comply with the Health (Public Buildings) Regulations 1992, to the satisfaction of the Manager Environmental Health Services.
23. Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, to the satisfaction of the Manager Technical Services.

24. Prior to the submission of a building licence application, a detailed landscaping plan shall be submitted for approval by the Manager Technical Services. The plan to include species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.
25. Prior to occupation of any part of the development, landscaping and reticulation shall be established in accordance with the approved plans with the use of mature trees and shrubs, and thereafter maintained to the satisfaction of the Manager Planning Services.
26. The premises shall be kept in a neat and tidy condition at all times by the occupier to the satisfaction of the Manager Planning Services.
27. Prior to the submission of a building licence application a site management plan shall be submitted detailing how it is proposed to manage:
 - a) The delivery of materials and equipment to the site;
 - b) The storage of materials and equipment on the site;
 - c) Impact on traffic movement with particular regard given to the use of Marie Marland Reserve;
 - d) Operation times including delivery of materials; and
 - e) Other matters likely to impact on the surrounding residents and land;

to the satisfaction of the Manager Planning Services.

- B. Approves the temporary provision of 194 Advanced Accommodation Rooms on Lot 503 (Area A) Forrest Circle, South Hedland as incidental development of Planning Permit 20011/261 (approved by A above), subject to the following additional conditions:
 1. The total of rooms including those approved by permit 2011/261, shall not exceed 1333 at any time.
 2. The Advanced Accommodation Rooms are approved for a maximum of 36 months from the date of approval.

FOOTNOTES:

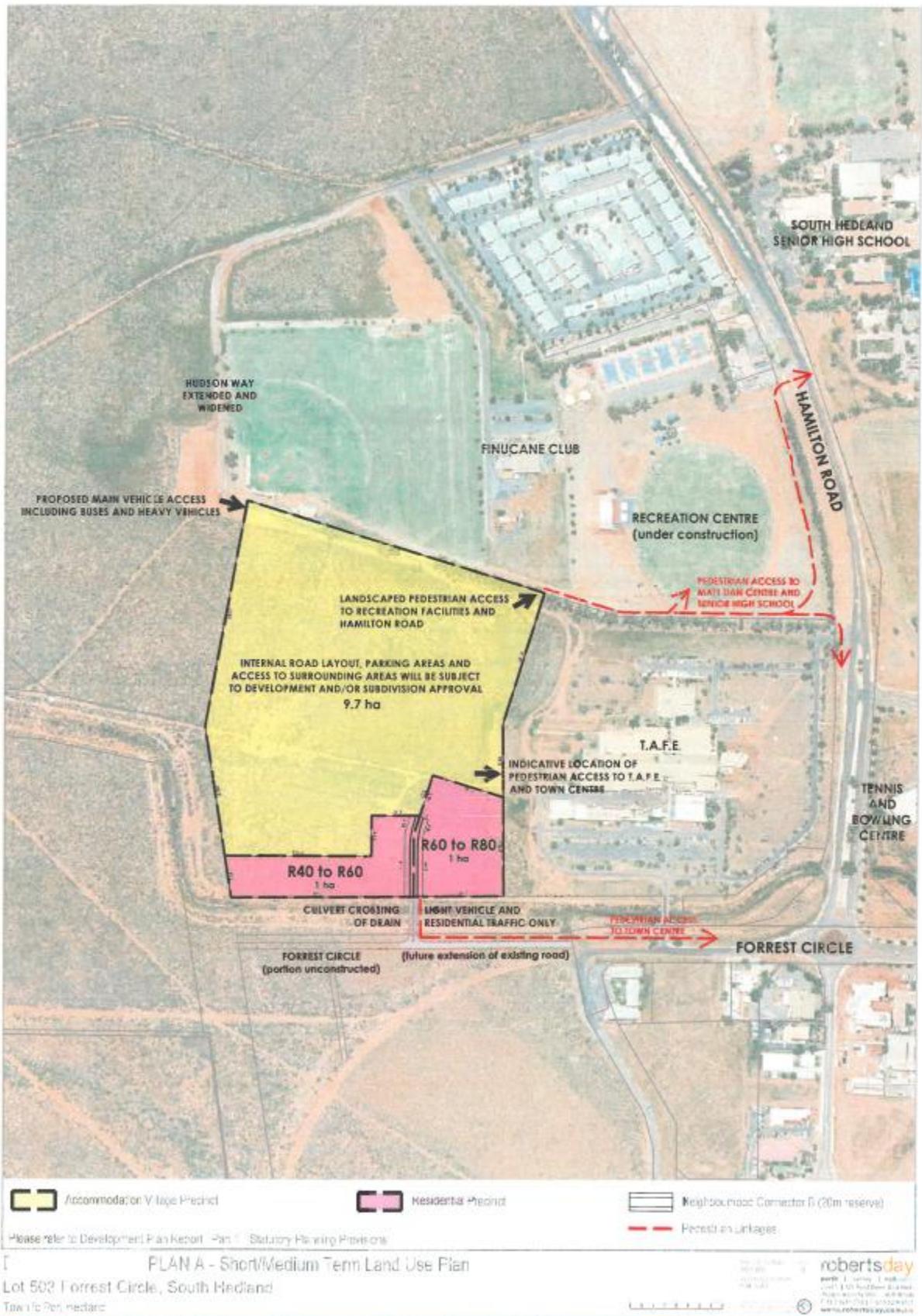
1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.

- 2. A Building License to be issued prior to the commencement of any on site works.**
- 3. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.**
- 4. Be advised that the Town's Environmental Health Services Department has raised the following matters. If any of these matters require clarification please contact the Department on 9158 9325.**
 - a. It is a requirement under the Food Act 2008 that all food premises be registered prior to beginning operations;**
 - b. The applicant is advised that the construction and use of the proposed premises is required to comply with the Food Regulations 2009 and the Food Safety Standards;**
 - c. Prior to the issue of a building license, a fit out plan of all internal fixtures, finishes and fittings must be provided and approved to the specifications of Town's Environmental Health Services; and**
 - d. Be advised that the food premises may be required to be connected to a grease trap prior to effluent entering the disposal system.**
- 5. Be advised that all lodging houses are required be registered under the Health Act 1911 and operate in accordance with that Act and the Town of Port Hedland Health Local Laws 1999.**
- 6. Be advised that at the building license stage a detailed floor plan is required to be submitted in order for Town's Environmental Health Services to assess compliance to the Town of Port Hedland Health Local Laws 1999.**
- 7. If mains water connection is unavailable the development is to be connected to an adequate potable water supply to the specifications of the Council's Health Local Laws 1999.**
- 8. In relation to condition 21, all stormwater drainage (and associated infrastructure maintenance) is to be managed on site except where otherwise agreed by Council's Manager Infrastructure Development.**

9. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year Annual Recurrence Interval cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building License is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.

CARRIED 7/0

ATTACHMENT 1 TO ITEM 11.1.8





SAT

ATTACHMENT 2
 State
 Administrative
 Tribunal

Western Australia

Matter No: DR 393 of 2011
 Contact Officer: Edelman, Jessica
 Your Ref: Lot 503 Forrest Circle SOUTH HEDLAND WA

IP222088 linked to 2011/261

ENTERED

DATE: 14/12/11 BY: Michelle

Town of Port Hedland
 PO Box 41
 PORT HEDLAND WA 6721



Dear Sir/Madam

Compass Group (Australia) Pty Ltd v Town of Port Hedland

Please find enclosed order made on 8 December 2011.

If you have enquiries, please contact the Tribunal on (08) 9219 3111.

Yours sincerely



for EXECUTIVE OFFICER

9 December 2011

cc: Compass Group (Australia) Pty Ltd



Document #: IPA22088
 Date: 13.12.2011
 Officer: LEONARD LONG
 File: 804485G

Ground Floor, 12 St Georges Terrace
 PERTH Western Australia 6000

GPO Box U1991
 PERTH Western Australia 6845

Telephone 08 9219 3111
 Facsimile 08 9325 5099

Email info@sat.justice.wa.gov.au
 Website www.sat.justice.wa.gov.au



SAT

State
Administrative
Tribunal

Western Australia

Planning and Development Act 2005

IN THE MATTER OF:

Compass Group (Australia) Pty Ltd

Applicant

-and-

Town of Port Hedland

Respondent

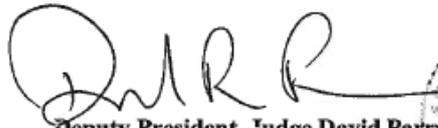
Matter Number: DR 393 of 2011**Application Lodged: 21 November 2011**

ORDER

On the application heard before Deputy President, Judge David Parry on 8 December 2011, it is ordered that:

1. By 15 December 2011 the applicant is to file with the Tribunal and provide to the respondent a statement as to why condition 9 should be amended so that the approval is valid for 20 years rather than 10 years, and any documents or other evidence on which it relies.
2. Pursuant to s 31(1) of the *State Administrative Tribunal Act 2004 (WA)* the respondent is invited to reconsider its decision at its meeting in January 2012.
3. By 31 January 2012 the respondent is to advise the Tribunal and the applicant of its substituted decision.
4. By 6 February 2012 the applicant is to advise the Tribunal and the respondent as to whether it is content with the substituted decision, and if so, is to apply to withdraw the application.
5. By 13 February 2012 the respondent is to file and provide to the applicant a submission and any evidence on which it relies.
6. By 20 February 2012 the applicant may file, and if so, must provide to the respondent a statement in reply.

7. Subject to any further order the matter is to be determined entirely on the documents pursuant to s 60(2) of the *State Administrative Tribunal Act 2004* (WA).


Deputy President, Judge David Parry



I certify the foregoing to be a true and correct copy of the original


State Administrative Tribunal
Date: 9/12/11

ATTACHMENT 3



**STATEMENT OF ISSUES, FACTS AND CONTENTIONS
REVIEW OF CONDITION 9 OF PLANNING APPROVAL 2011/261
GATEWAY VILLAGE - LOT 503 FORREST CIRCLE SOUTH HEDLAND**

1. The Town of Port Hedland, by letter dated 21 October 2011, advised Compass Group (Australia) Pty Ltd of planning approval for the Gateway Village development in South Hedland. Compass Group seeks review of condition 9 of this planning approval which limits the approval validity to 10 years.
2. On 15 November 2008 the State Government advertised an Expression of Interest (Eoi) process to develop 'Area A' in South Hedland [subsequently created as Lot 503] for Transient Workforce Accommodation (TWA) and residential uses. The terms of the advertised Eoi included the following statement: *"It is envisaged that the land will be leased to the preferred proponent on a 10-year + 10-year lease term. At the end of this term the proponent will be expected to return the land to its original state, with the exception of facilities, infrastructure and/or other assets that will be gifted to the Department of Education and Training (DET) at no cost, if required by DET. Proponents must identify what facilities, infrastructure and/or assets are proposed to remain at the conclusion of the lease period."*
3. The Town of Port Hedland participated in the development of the Eoi process and subsequently in the panel formed by the State to assess the submissions received.
4. On 27 May 2009 the Minister for Lands awarded preferred developer status for the development of 'Area A' to the West End Integration Project Consortium, comprising Compass Group, Nomad Group and Hatch. Compass Group subsequently assumed responsibility for the development of Gateway Village as the TWA component.
5. The State Government, in liaison with the Town of Port Hedland, clearly intended in the Eoi process that the TWA development on Area A be in place for up to 20 years. The Town's planning approval condition 9, limiting the validity period to 10 years, is therefore inconsistent with the State Government's Eoi process and terms, and with the approval by the Minister for Lands for the development of 'Area A' for a TWA use.

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6. Compass Group relied on the advice provided by the State Government in the EoI process that the lease tenure would be available for a period of up to 20 years and assessed the financial viability of the TWA development on this basis. Limiting the validity of the planning approval to 10 years compromises both the ability of Compass Group to continue to beneficially use the land under the leasehold terms and the commercial return from this development, which has an estimated capital cost exceeding \$160 million. This capital cost includes over \$10 million required to provide gazetted road access and utility services to the subject land, for substantial bulk earthworks to raise the site above flood levels and for community contributions negotiated with the Town.
7. The Town's decision to limit the approval validity period arises from the senior planning officer's comments and recommendation in agenda item 11.1.2.1 of the Ordinary Council Meeting of 19 October 2011.
8. Under the heading 'Need and desirability', the officer notes in the agenda item that the Town's 'Guidance Notes for Potential Developers of Transient Workforce Accommodation' identified the South Hedland CBD as a preferred location for TWA developments. The officer further notes that the proposed Gateway Village would, under these Guidance Notes, be best described as "Higher quality, more permanent accommodation facilities (inc hotels/motels)". The Town of Port Hedland Town Planning Scheme No. 5 defines 'transient workforce accommodation' as *dwelling intended for the temporary accommodation of transient workers and may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes a contractor's camp and dongas.*
9. In the agenda item, the officer advised that *Traditionally, TWA developments have been approved for a short period of time (up to 5 yrs) but due to demand have been reapproved or extended (e.g., Mia Mia and Wedgefield).* In this respect, the following matters are relevant:
 - the Mia Mia TWA is a relatively small, basic camp located on land owned by the Town of Port Hedland and its duration is determined by the lease period, which was recently extended by the Town at the request of the leaseholder, Auzcorp.
 - the 763 room Wedgefield facility (which has existed for over 30 years and is owned and operated by Compass Group) was previously a 'P' use on land zoned for 'Transient Workforce Accommodation'; however the site was rezoned to 'Industry' in February 2011 and the TWA use is therefore now non-conforming, with the facility to be dismantled on expiry of the lease in June 2014. Previous planning approvals granted for this facility have not included a condition imposing a validity period, excepting approval for a 52 room capacity increase approved by the Town in August 2011 which is valid until the lease expiry date.

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10. A 40 dwelling TWA proposed for Lot 502 Forrest Circle South Hedland was granted planning approval in March 2010 with a condition imposing a validity period of 6 years. However, this limited period was requested by the proponent, Auzcorp, as the proposal was intended to be an interim land use to be subsequently converted to residential use.
11. The officer noted in the item that the proposed site is *strategically important land* and that *therefore it would be preferable to limit the length of any "Temporary" approval to 5yrs.* However, the TWA land use is consistent with the 'Urban Development' zoning and, as a 'short to medium term use', with the Development Plan for Lot 503 adopted by Council in August 2011.
12. This Development Plan acknowledges that the Department of Regional Development and Lands has identified Lot 503 as suitable for TWA development for the short to medium term and will grant a 10 year + 10 year option lease for such accommodation. The Plan also notes the intended 20 year operation of the TWA as a 'short to medium term' land use.
13. The officer's recommendation for an approval validity period of 10 years appears to be based on a perception that this period would ensure the financial viability of the Gateway Village development. As noted above, however, the Port Haven Village planning approval did not include a validity period. It is therefore not appropriate to use Port Haven Village as an indicator of the financial viability of the proposed Gateway Village development.
14. In summary, the approval validity period of 10 years imposed as condition 9 of planning approval 2011/261 granted to Compass Group (Australia) Pty Ltd by the Town of Port Hedland for the Gateway Village TWA development at Lot 503 Forrest Circle South Hedland is inconsistent with the award of preferred developer status by the Minister for Lands, which provided for a Crown lease over Lot 503 of 10 years plus a 10 year option.
15. In lodging an Expression of Interest for development of 'Area A' (Lot 503), Compass Group carried out financial analysis based on a 20 year development life. The 10 year approval validity imposed by the Town compromises the financial viability of the development.
16. Compass Group therefore requests review of condition 9 of planning approval 2011/261 to increase the approval validity period to 20 years.

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11.2 Engineering Services**11.2.1 *Request for Council to Re-Consider the Airport Working Group Changing from an Airport Working Group to an Airport Committee (File No.: .../...)***

Officer **Russell Dyer**
Director Engineering

Date of Report **11 January 2012**

Disclosure of Interest by Officer **Nil**

Summary

At the Ordinary Meeting of Council on 16 November 2011, Council considered Officers report 11.4.2.2 being:

Review of Town of Port Hedland's Committees and Working Groups Terms of Reference and Elected Member Representation on Council's Committees, Working Groups and External Organisations.

The item required Councillors to review all Committees and Working Groups previously established and to make a decision on the future of all Committees and Working Groups. The item provided the following information on Committees and Working Groups so Council would be fully aware of the difference between Committees and Working Groups.

Committees

Local Government Committees are a formal type of meeting established as part of the administrative structure of the Town of Port Hedland.

The role of Committees is to assist the Council in its decision making process by providing advice about specific issues.

Committees are very similar to Ordinary Council meetings, as they have to follow a series of statutory requirements in accordance with the Act and the Town of Port Hedland's Local Law on Standing Orders.

The Local Government Act stipulates the following:

- Requires committees to have at least three members if they are established
- Requires committee members to declare a financial interest, where applicable
- Outlines the prescribed method of appointment of committee members
- Details the tenure of committees
- Details quorum requirements of committees

- Limits the role and functions of committees
- Details requirements for record keeping, particularly in relation to minutes and decisions made by the committee under delegated authority
- Details the delegation of some power and duties to certain committees

Council's Local Law on Standing Orders provides the following:

- The duties and any delegation proposed to be entrusted to the committee
- The number of members intended to constitute the committee;
- The terms of establishment of the committee
- Details of when the committee is to meet and how it shall report to Council.

Working Groups

A working group is not a formal committee established under the Act. A working group is to meet as and when required and membership is to vary dependent on the issues to be addressed. The officer responsible for the working group will report any outcomes from working group meetings direct to Council via an officer's report. The administration of Council's Working Groups is set in Policy 1/012.

Major differences between Working Groups and Committees of Council:

- **Statutory Powers:** Committees are established under the Act and have statutory powers and responsibilities. Working groups have no powers or statutory responsibilities
- **Formality:** Committees of Council are bound to operate under the Council's Standing Orders local law making them much more formal in nature than working groups.
- **Membership:** Membership of committees is structured and formal. The Town of Port Hedland's practice with working groups is less structured with membership and attendance from external bodies/groups being available and encouraged on an "as needs" basis
- **Delegated Authority:** Council can grant a Committee of Council the authority to make decisions on behalf of Council. This provision is not available to Working Groups
- **Agendas/Minutes:** Agendas and minutes of committees are formal documents of the Council that required to be prepared and kept in accordance with various legislative requirements. These requirements do not apply to working groups

- Public: Committee meetings of Council must be advertised in advance, open to the public, with public question time being included in the agenda. The tenure of working groups is more flexible, they can meet as and when required and dates do not need to be formally advertised as public meetings

Council was provided with the option to choose if the Airport Committee remained a Committee or became a Working Group. After considering the above information Council determined to disband the following 3 Committees and create 3 Working Groups instead:

- Spoilbank Marina
- South Hedland CBD
- Airport

The rationale for the above decision was to re-establish the Airport Committee as a Working Group to allow the expertise of its members to remain as part of the group but ensures compliance with the appropriate statutory framework.

Councillors that had been members of the Airport Committee before the Local Government Elections held on Saturday 15 October 2011 were absent the Ordinary Meeting of Council held on Wednesday 16 November 2011.

Background

At the first Airport Working Group held on Thursday 15 December 2011 Councillor Arnold Carter was elected Chairperson and Councillor Jan Gillingham was elected Deputy Chairperson.

Item 6 on the Agenda of this Meeting (items of business to be discussed) requested that Council consider the Airport Working Group reverting back to an Airport Committee.

The reason behind this decision was around the work that the Airport Committee had been involved in prior to the Local Government Elections in October 2011. This included the following;

- Airport Terminal Expansion
- Paid Parking
- Hire Car Re-location
- Hire Car Land Development
- Airport Hotel EOI and Tender specification
- Airport Freight Tender
- Airport Depot lease
- Air Services Australia Building re-development
- Airport Staff Housing
- Airport Land Use Plan
- Existing Precinct one leases
- New leases

- Existing Airport Arrangements
- Business Development

The previous Committee was constituted as a formal committee of Council under the provisions of Section 5.8 of the *Local Government Act (1995)*.

At its Special Meeting held 10 March 2010, the Airport Committee was given delegated authority to make the following decisions:

- To determine whether a tender is required to be sought or not as specified in LG (F&G) Reg 11F)
- To choose tenderers for products services on behalf of the local government in accordance with LG (F&G) Reg 18.
- Determine all Town Planning applications pertaining to the Town Planning Scheme No 5 that relate to Port Hedland International Airport without further reference to Council.
- Undertake all Council statutory functions pertaining to Local Planning Schemes under Part 5 of the Planning and Development Act (2005) on Port Hedland International Airport land.
- Undertake all Council statutory functions pertaining to subdivision of land under Part 10 of the Planning and Development Act (2005) on Port Hedland International Airport land.
- Provide direction and advice pertaining to the development of a Master Plan for the Port Hedland International Airport and the development of plans for a new airport terminal

Consultation

- Chief Executive Officer
- Airport Working Group

Statutory Implications

Part 5, Division 2, Subdivision 2 of the Local Government Act (1995) specifically relates to the establishment and operations of committees of Council.

Council's Local Law on Standing Orders also provides information on how to establish committees

Working groups differ from Committees as they are not governed by the Local Government Act. This means that no statutory requirements apply. Working groups are not granted any delegation and can only make recommendations to Council.

Local Government (Administration) Regulations 1996:

- “10. Revoking or changing decisions made at Council or Committee meetings – s5.25(e)*
- 1. If a decision has been made at a council or committee meeting then any motion to revoke or change the decision must be supported –*
 - (a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover; or*
 - (b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover*
 - 2. If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made –*
 - (a) In the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority;*
 - (b) In any other case, by an absolute majority.*
 - 3. This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.*

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 1: Infrastructure

Immediate Priorities: Complete the development of the Airport land Development Plan and commence implementation of the key initiatives that are identified.
Upgrade runways, taxiways and aprons to facilitate efficient aircraft movements.
Progress planning and design for an upgraded and extended terminal building.

Other Actions: Undertake upgrades to the terminal and surrounds to improve the functionality of the facility including:
Creating more common – user check in points
Improving airport security screening arrangements

Review parking options and implement an agreed Airport Parking Plan
2. Develop a Capital Improvement Plan for airport infrastructure that ensures Airport infrastructure can cater for projected growth.

Key Result Area 4: Economic Development

Goal 3: Business Development

Immediate Priorities: Review alternatives for additional business opportunities at the PHIA including air freight, aircraft maintenance, tourism and industrial uses.
Actively seek extension of air services with a focus on additional interstate and international services.
Investigate new business/revenue streams for the Town.

Key Result Area 4: Economic Development

Goal 4: Land Development Projects
3. Undertake Council operated land and building projects including:
b. Airport Housing
d. Relocation of the Wedgefield Depot to the Airport

Budget Implications

Nil

Officer's Comment

The development of the Airport is one of Council's top 10 priority projects and this formed the basis for the establishment of the Airport Committee which operated until it was disbanded due to the Local Government Elections in October 2011 requiring Council to review its Committees and Working Groups.

As can be seen from the projects listed below, the Airport Committee has been working towards achieving the immediate priorities from the Town of Port Hedland Strategic Plan 2010 – 2015.

- Airport Terminal Expansion
- Paid Parking
- Hire Car Re-location
- Hire Car Land Development
- Airport Hotel EOI and Tender specification
- Airport Freight Tender

- Airport Depot lease
- Air Services Australia Building re-development
- Airport Staff Housing
- Airport Land Use Plan
- Existing Precinct one leases
- New leases
- Existing Airport Arrangements
- Business Development

The projects listed above have progressed through the Airport Committee and the delegated authority of the Committee has allowed this magnitude of work to progress in a timely manner.

With the complexity around the work that needs to be done to achieve the outcomes from the Town of Port Hedland's Strategic Plan, there is justification for the Airport Working Group to become a Committee.

If Council changes the Airport Working Group back to a Committee it must operate in accordance with the statutory requirements of the Act and the Town of Port Hedland's Local Law on Standing Orders. This provides the governance and transparency for Council in the development of the Port Hedland International Airport as a top ten priority of Council.

If Council adopts the Officer's Recommendation to re-establish the Airport Committee, the following delegations applicable to the previous Committee will no longer be required:

- Determine all Town Planning applications pertaining to the Town Planning Scheme No 5 that relate to Port Hedland International Airport without further reference to Council.
- Undertake all Council statutory functions pertaining to Local Planning Schemes under Part 5 of the Planning and Development Act (2005) on Port Hedland International Airport land.
- Undertake all Council statutory functions pertaining to subdivision of land under Part 10 of the Planning and Development Act (2005) on Port Hedland International Airport land.

This is due to these delegations being sub-delegated to the Town of Port Hedland's Planning Officers. All development assessments pertaining to the Airport will still be forward to the Airport Committee prior to being considered by Town of Port Hedland Officers.

Attachments

1. Airport Committee Workshop Presentation

NOTE: Mayor called for a show of hands by one third of members to consider revoking Officer's Recommendation 3 of Resolution 201112/19 of Item 11.4.2.2 'Review of Town of Port Hedland's Committees and Working Groups Terms of Reference and Elected Member Representation on Council's Committees, Working Groups and External Organisations (File No.: 00/00/00)' decided by Council at its Ordinary Meeting held on 16 November 2011, and recorded on page 409 of those Minutes. The following Councillors indicated their intent to do so:

*Councillor A A Carter
Councillor M B Dziombak
Councillor J E Hunt*

201112/299 Officer's Recommendation 1 / Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council rescinds Officer's Recommendation 3 of Resolution 201112/19 of Item 11.4.2.2 'Review of Town of Port Hedland's Committees and Working Groups Terms of Reference and Elected Member Representation on Council's Committees, Working Groups and External Organisations (File No.: 00/00/00)' presented to Council's Ordinary Meeting held on 16 November 2011, and recorded on page 409 of those Minutes, that states:

"Officer's Recommendation 3

That Council disbands the Airport Committee and establishes the Airport Working Group as follows:

Aim/Purpose

The Airport Working Group has been established to ensure that the Port Hedland International Airport is recognised as a leading regional airport in the area of passenger and freight movements and customer satisfaction and to:

- 1. Develop a comprehensive Airport Master Plan and commence implementation of key initiatives that are identified.***
- 2. Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising, freight and any other means.***
- 3. Upgrade terminal facilities including baggage screening and departure lounges.***

Membership

***Councillor Arnold A Carter
Councillor Jan M Gillingham
Councillor Julie E Hunt***

Councillor Gloria A Jacob

Community members

*Michelle Cook
Serge Doumergue
Doug Gould
Tenure
Ongoing*

*Meeting frequency
Every 4 weeks*

*Responsible Officer
Director Engineering*

CARRIED BY EN BLOC RESOLUTION NO. 1”

CARRIED BY ABSOLUTE MAJORITY 7/0

201112/300 Officer’s Recommendation 2 / Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council establishes the Airport Committee as follows:

Terms of Reference:

Aim/Purpose

The Airport Committee is established to ensure that the Port Hedland International Airport is recognised as a leading regional airport in the area of passenger and freight movements and customer satisfaction and to:

- Develop a comprehensive Airport Master Plan and commence implementation of key initiatives that are identified**
- Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising, freight and any other means**
- Upgrade terminal facilities including baggage screening and departure lounges**

Membership

Elected members:

**Councillor Arnold A Carter
Councillor Jan M Gillingham
Councillor Julie E Hunt
Councillor Gloria A Jacob**

Community members:

**Serge Doumergue
Doug Gould
Michelle Cook**

Quorum

The quorum for the Committee is to be a minimum of 50% of its membership.

Delegation

- i) To determine whether a tender is required to be sought or not as specified in LG (F&G) Reg 11F.**
- ii) To choose tenderers for products services on behalf of the local government in accordance with LG (F&G) Reg 18.**

Tenure

Ongoing

Meeting frequency

Every 4 weeks

Responsible Officer

Director Engineering Services

CARRIED BY ABSOLUTE MAJORITY 7/0

ATTACHMENT 1 TO ITEM 11.2.1



Airport

Committee Workshop

Projects Update
Engineering Services
25th August 2011



Airport Terminal Expansion



STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
<ul style="list-style-type: none"> •Revised terminal design, 3D representation and cost estimates presented to Committee •Committee advised to prepare report to endorse concept plan for next meeting pending feedback from Airport Manager 	Meeting with Airport Manager and Architects to review latest concept designs and address any issues – ongoing to do final review	25 th August 2011	End August	Jenella
	Final concept designs to be adopted by Airport Committee		End August	Jenella
	Detailed design process – pending adoption concept plan		End of 2011/12	Jenella
	<ul style="list-style-type: none"> •Review opportunity to use modular construction approach against budget, timeframes and impact on airport operations •Design risk assessments •Review operational and business opportunities 		Pending adoption of revised design Pending detailed design Pending detailed design	Jenella Jenella Jasmine



Paid Parking



STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
<ul style="list-style-type: none"> •Paid parking system configuration stage 1 complete •System installation pending completion of civil works •Civil works tender closed 24th August with all prices higher than expected. Reviewing option to undertake work in-house 	<ul style="list-style-type: none"> •Award civil construction contract – civil works to be undertaken in conjunction with installation of paid parking systems and cabling •Unlikely to award tenderer due to prices submitted – reviewing options to undertake in-house 	25 th August 2011	14 th Sept OCM	Jenella
	<ul style="list-style-type: none"> •Installation of project signage – design being finalised 		14 th Sept to tie in with civil contract award	Jenella
	<ul style="list-style-type: none"> •Civil construction – 8 week contract 		Mid November	Jenella
	<ul style="list-style-type: none"> •Employment of paid parking rangers 		Mid November	Rangers
	<ul style="list-style-type: none"> •Commissioning and training of paid parking system 		Mid November	Jenella



Hire Car – Land Development

STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
<ul style="list-style-type: none"> •Concept of re-location adopted by ACM •Quotes received for hire car area subdivision design – award pending further clarifications 	Liaise with hire car companies regarding concept designs	11 th August 2011	Ongoing	Jenella
	Site contamination report and environmental (flora and fauna) report underway. Clearing permit to be submitted on receipt of environmental report - ongoing		August 2011	Jenella
	Subdivision design to be done (civil works, utilities connection and new access road). Pending clarification of consultants quotes		October 2011	Jenella
	Construction of new hire car lease area, pending approval of budget: <ul style="list-style-type: none"> •Land development & services •Buildings (to be determined if built form will be included, or just vacant land) •Relocation of hire car companies 			Jenella Jenella



Hire Car – Re-location

STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
<ul style="list-style-type: none"> •Concept of re-location adopted by ACM • Location of 3 additional booths 	Update with hire car companies on re-location prior to implementation of paid parking system.	Throughout July & August	Completed	Jasmine
	<p>Instructions currently with McLeod's for change to licence agreements and new booth concession agreements. Draft copy to be provided to hire car companies upon receipt.</p> <p><u>Existing Hire Car Companies</u></p> <ul style="list-style-type: none"> -re-locate bays (new licence agreements); -re-locate overflow to Depot area (new licence agreements). <p><u>New Hire Companies</u></p> <ul style="list-style-type: none"> - provide terminal booth (licence and concession agreements); - provide bays (new licence agreements); -provide for overflow to Depot area (new licence agreements). <p>All operators have been advised of car parking re-development and their required location. New operators have been advised that if they would like a booth, they will be required to pay 8.5% of gross revenue, so ALL operators are EXACTLY the same agreements.</p>			Jasmine
	•Sectioning off space with Airport Depot to accommodate storage of hire car vehicles to all 6 operators	23 June 2011	July 2011	Jasmine
	One quote received back for installation of 3 booths @\$19k. Agreements to be executed prior to works being undertaken.	25 August 2011	End August	Jasmine
	Lease pricing to be prepared and presented to Hire Car Companies		Pending development cost estimates and options	Jasmine



Airport Depot



STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
<ul style="list-style-type: none"> -Draft criteria and EOI for lease of the depot completed -Valuation received - Base lease valuation for rental of site \$300,000 pa. 	Council resolution on disposal of the Airport Depot for freight operations. (Disposal by way of lease will generate \$175k per annum)			Jasmine
	Re-location of Airport Operations from Depot to AsA building.		2011/2012	Bob
	Re-location of hire cars into depot area on a licence agreement for 12months whilst construction of the new area is completed.		September 2011	Jasmine



Air Services Australia Building

STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
Re-location of ToPH staff to Old AsA building. Budget allocated \$600,000. Preliminary concepts prepared.	IT progressed with assistance to remove equipment and furniture out of building.	August 2011	September 2011	Bob
	AsA Advise re-introduction of fire service and this relinquishment will take place during lease preparation to accommodate fire service. AsA currently preparing Communication Plan moving forward. Meeting with AsA on 7 September 2011.	25 August 2011	December 2011	Bob and Jasmine





STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
Re-location ASA to Port Hedland	AsA advise re-introduction of fire service	14 July 2011	December 2011	Bob



Airport Staff Housing



STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
<ul style="list-style-type: none"> •All 3 homes delivered, carports and patios complete, handover complete from McGrath Homes •Stage 2 retaining wall complete 	Minor remediation works to concrete paths and earthworks	11 th August 2011	August 2011	Jenella
	Finalise service connections to houses – water, power and septics		August 2011	Jenella
	Site Finalisation: <ul style="list-style-type: none"> •Fencing •Landscaping •Ancillary installations – clothesline, tv antenna, etc •Driveway 		September 2011	Jenella
	Road construction to commence once houses delivered to site to avoid damage to road pavement – pending remaining budget. Existing road can be used			Jenella



Airport Staff Housing



Airport Land Use Plan



STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
Submission period over, evaluation of submissions on foot.	Workshop between ACM and Parsons, to discuss Land Use Plan.	28 th March 2011	31 st March 2011	Leonard Long
	Agenda item to Council for adoption.		TBC	Leonard Long
	Investigation of Implementation Plan conducted.	23 June 2011	On hold pending recent Council decision on disposal of part Precinct three	Jasmine



Existing Airport Leases

STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
Air BP - Lease expired in 2007. Lease terms resolved.	<p>Survey received and sent to McLeods for attachment to lease. Air BP invoiced for legal fees pursuant to Lease.</p> <p>Air BP need to be invoiced for Survey costs. Notification to Finance to re-coup outstanding revenue of \$73,872 – upon receipt of executed lease.</p>	<p>14 July 2011</p> <p>25 August 2011</p>	<p>Completed</p> <p>Completed</p> <p>Upon execution of the lease</p>	Jasmine



Existing Airport Leases

STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
<p>Qantas (terminal) Lease expired in 2007.</p>	<p>Legal Advice sought on status of lease. Agenda Item Notification to Finance to invoice that which we can recover (CPI increase from 2002 – 2007) Discussion with Qantas on new lease. Current Valuation received – base rental of \$85,000 pa. Negotiations have commenced.</p>	<p>14 July 2011</p>	<p>Completed Completed Completed In progress Completed In progress</p>	<p>Jasmine</p>
<p>Pax Fares</p>	<p>Various meetings and discussions with Qantas on move to 5 year fixed term pricing Building Block Model (BBM) as endorsed by ACCC for Airports Fees and Structure, provided by Qantas for consideration. Meet with Qantas at Airport Conference and further discuss. Liaise with Broome Airport, Kalgoorlie and Queensland Consortium who have/looking at adopting same model in line with ACCC recommendations. Review with Natalie Octoman. RSM Bird Cameron have been asked to prepare BBM as Officer does not have time to complete – quote \$4950. Input terminal upgrade expenses into the model and present to ACM. Reply to Qantas on Council decision to retain CPI increase. Awaiting information from Corporate Services to complete BBM.</p>	<p>27 May 2011</p>	<p>Completed Completed 30th June 2011 In progress Completed</p>	<p>Jasmine</p>



Existing Airport Leases

STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
Security Screening	Investigations into Qantas position on retaining security screening. Qantas indicate that they wish to retain this service. Discussion to be had at ACM with input from Airport Manager.	28 th March 2011		
Hire Car Companies	On hold pending concepts and costs. To be finalised prior to re-location. Meeting with Mark Irving re costs of construction of hire car workshops – estimated to be approx \$688/m2 +GST	14 July 2011	August 2011	Jasmine



New Leases

STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
Virgin Blue	Draft Lease forwarded to Virgin for execution Virgin re-occupy their office after Brisbane floods. Confirmation that Legal Team have lease. Reminder letter sent to Virgin Invoice to be sent for back rent - \$15k Awaiting executed Lease from Virgin. A number of clauses now under negotiation.	24 August 2011	January 2011 February 2011 Late April 2011 Upon receipt of executed lease	Jasmine
Telstra Tower on Great Northern Highway	Council resolved to enter into lease in December 2010 - \$7,000pa Advertising Permission to Access Site drafted and forwarded to Telstra for Interim access – receipted executed. Negotiating terms of lease. McLeod liaising with AGS.	25 August 2011	December 2010 March 2011 April 2011 In progress	Jasmine



Other Revenue



STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
Electricity	Horizon Power contacted. Install of new meters – cost \$40k		Completed TBC	Bob



General Information

STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
Airport Projects Communication Strategy	<ul style="list-style-type: none"> •Clarity Communications have been engaged to prepare and implement a communications strategy to stakeholders and public for all airport related business •Draft communication plan under review. Identified key areas to priorities: <ul style="list-style-type: none"> -Adopt Land Use Plan (all other projects relate to adoption of LUP) -Build a website specific to the Airport operations and development -Launch LUP and website – introduction of upcoming projects -Install signage to advertise projects happening now and coming soon 	26 th May 2011		Nur Halik
Carbon Taxes	Town to consider potential for a carbon tax to be implemented in the near future.			



Business Development



PROJECT	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
Airport Hotel/Motel EOI prepared, advertised, submissions received and under assessment. First and second meetings of assessment panel conducted. Weighting agreed to by panel.	Probity Advisor here for while day on 26/08/11	25 August 2011	26 August 2011	Jasmine
Solar Farm Discussion on foot with Pure Renewable Power Analysis of airport electricity completed	Meeting with PRP and further discussion re location and requirements. Meeting with Pure Renewable Energy. Discussion at ACM – Test Plant Investigation to put the solar farm in the long term car park as shade structures. Car park concepts forwarded to PRE Awaiting costing and feasibility from PRE Proposal to be received once Airport Hotel development confirmed.	14 July 2011	Completed Completed Completed In progress	Jasmine/ Jenella
Turf Farm Discussion with Environmental Industries and investigation into block next to Port Haven along GNH utilising the waste water from Port Haven.	Identified block to narrow for a pivotal irrigation system. Environmental Industries to report back and advise of site requirements and another location to be sourced if one is available. Cease progress on idea in light of more TWA and impact on airport operations.	November 2010	On hold pending negotiations with Compass Group	Jasmine
Precinct 3 Options Discussions with Landcorp to assess feasibility for land swap across GNH.	Investigations into commercial and light industrial demand requirements. Meeting with CEO, Jasmine, Richard and Landcorp		On hold pending implementation Plan	Jasmine/Eber



Business Development

PROJECT	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
Waste Station Relocation of waste station at least 15km away from airport (bird danger)				
Aviation Flight School/College				
General Freight Expansion of General Freight terminal with potential to lease operations to an international freight company.		23 June 2011	Under investigation now	Jasmine/ Bob
TWA's Council resolved to RFP on 167,000sqm of airport land for non-resource, small business and essential city building construction workforce.	RFP currently being drafted. RFP to be sent to WALGA for approval on form and content. Advertised for 6 weeks.	25 August 2011	9 September 2011	
Mineral Resources Council resolved to not proceed with proposal and enter into fresh discussions reducing land size from 75,000 to 25,000m2	Negotiations to re-commence	25 August 2011	9 September 2011	



Business Development

PROJECT	STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
Port Haven Numerous discussions and communications have been had with Compass Group over outstanding lease items/deficiencies	Review of Lease	Awaiting advises from both Compass Group and BHPB as to future of this lease and adjoining land. Agenda item to Council pending receipt of any proposal.	25 August 2011		Jasmine Michael Pound
Auzcorp Development application approved for an additional 63 rooms. Additional \$400k in community contributions achieved in this negotiation.	Extension of leased area (now not required)	Now requesting extension to their lease term. Will result in a MLT. Proposal received and discussions on foot. Agenda item will need to be prepared for Council's consideration	14 July 2011	In progress Completed Completed On hold August 2011	Jasmine Planning and CEO
Sewerage Ponds	Need to be relocated in development.	Jenella to investigate the possibility of linking the sewer into Watercorps mainline on the Northern end of GNH.		Pending WC sewer line project	Jenella



Completed projects/matters

STATUS	NEXT STEPS/ACTION	DATE UPDATED	DATE TO BE COMPLETED BY	RESPONSIBLE OFFICER
<p>BlooMoons Pty Ltd Extension to Lease Area Approved by Council on 27/01/11. Quotes received and \$40k allocated. Advertised on 09/02/11.</p>	<p>Lease forwarded to Bloomoons for execution. Selection of successful quotee for installation. Meeting on site with Bloomoons representative. Notification of lease extension to Finance for invoicing upon receipt of executed Lease. Letter to BlooMoons for their Liquor Licence application upon receipt of executed Lease. Bloomoons invoiced for legal fees pursuant to lease. Lease executed and returned to TOPH Benchtops made and being stored ready to assemble in terminal upon Liquor Licence Application being approved for Bloomoons. Project completed and invoicing up to date.</p>	<p>23 June 2011</p>	<p>Completed Completed Completed Completed Completed Completed</p>	<p>Jasmine Bob Bob Jasmine Jasmine</p>



11.3 Community Development**11.3.1 *Old Port Hedland Cemetery Upgrade Project (File No.: 08/02/0005)***

Officer **Veronica Clarke
Coordinator
Community and
Cultural Development**

Date of Report **25 January 2012**

Disclosure of Interest by Officer **Nil**

Summary

This report provides an update on the Old Port Hedland Cemetery Upgrade Enhancement Project Phase 1.

The Council is requested to endorse the Cultural Heritage Assessment and recommendations, as a guiding document for the Old Port Hedland Cemetery (OPHC) Upgrade Project.

Background

In March 2010, the Old Port Hedland Cemetery Upgrade was initiated through a phased process, detailed as following:

- Phase 1 (Discovery and Capture) – This phase identified the physical circumstances of the OPHC on and in the ground, as well as capturing historical information and stories from the broader community.

The Department of Indigenous Affairs requested an archaeological inspection of the cemetery site in relation to a registration of Aboriginal midden Site AHIS#1013 that had been placed on the Cemetery in 1994.

- Phase 2 (Plan, Cost and Delivery) – This future phase is to develop, cost and complete the upgrade of the OPHC.

Based on work undertaken by consultant archaeologist Darrell Rigby, the site was deregistered with the DIA in April 2011, enabling the project to proceed with Phase 1.

Phase 1 included the following items as detailed in the attached report Cultural Heritage Assessment Old Port Hedland Cemetery:

- Video collation of Indigenous oral histories
- Literature and prior research review and summary
- Archaeological Field Survey

- Ground Penetrating Radar to determine locations and depth of subterranean features and provide CAD drawings.

The attached report outlines the outcomes of Phase 1, being the discovery aspects of the project. The recommendations in the report will form Phase 2 and are outlined in two stages.

- Stage 1 will need to be completed before a scope of works for concept design can be developed.
- Stage 2 will deliver the enhancement and ongoing protection of the cemetery, as well as some longer term aspirations that may be ongoing for some years.

Consultation

Extensive consultation has been previously undertaken across a broad range of stakeholders and a significant amount of documentation has been collected which formed the basis for the project.

Through the completion of Phase 1 discovery and consolidation of information, the following were consulted with:

Internal

- Director Community Development
- Manager Community development
- Manager Planning
- Coordinator Parks and gardens
- Coordinator Community and Cultural Development
- Coordinator Library Services – local history collection
- Project Officer Engineering.

External

- Wangka Maya
- Port Hedland Historical Society
- Frontier Services Multicultural Officer
- Japanese Consulate.

During Phase 1 Council developed a community engagement strategy. Principles of the strategy were applied and the community was kept informed, consulted with and involved through the process of Phase 1 using the following strategies:

- Oral history interviews conducted with long term residents and those with relatives interred in the cemetery
- Consultation and information session held at Wangka Maya for aboriginal community members on 29 October 2011
- Consultation and information session held at Cemetery Beach Park for the general community on 31 October 2011

- Survey forms distributed at consultation sessions and promotional material advertised availability of forms on-line or by post (Attachment 2)
- Radio and press advertising state wide and nationally enabled those who had connections with the cemetery to become engaged in the project.

The community engagement strategies resulted in a high level of Aboriginal community participation of approximately 30%. This reflects the high level of people within the community who still have direct links to family members interred in the Cemetery.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

The Town's strategic planning contains the following statement that is directly related to this project.

Town of Port Hedland Strategic Plan:

Key Result Area 2:	Community Pride
Goal 1:	Townscape
Task 2:	Upgrade the appearance of Council's Cemeteries.

Budget Implications

A funding allocation of \$400,000 has been assigned to Phase 2 of the project through BHPBIO Partnership Project Funding in the 2011/2012 Financial Year.

To date, consultation aspects of Phase 2 have cost approximately \$20,000. If Council adopts the report and recommendation to progress Phase 2 Stage 1, is estimated to cost a further \$60,000 and will be completed by 30 June 2012.

It is proposed that the remaining balance of \$320,000 will be carried forward for concept design and construction in 2012/2013.

Further funds may be requested in the 2012/2013 budget development process.

Officer's Comment

There has been strong community support and several attempts over many years for an upgrade and interpretation of the Old Port Hedland Cemetery.

By the end of the consultation phase in December 2011 community members were appreciative and beginning to express trust in the process to upgrade the cemetery. The attached report further highlights some of the constraints Council has dealt with and when it becomes available to the community, will provide significant background information that supports the efforts of the Town.

With the high level of engagement by the Aboriginal community, this project can be seen as a positive example of breaking down cultural barriers and demonstrates aspects of reconciliation.

An anecdote shared by many who attended the community consultation and information session held at Cemetery Beach Park on 31 October 2011 describes a scene where a small group of five – six senior women (elders) were sitting together well after the consultation had ended, telling stories of a shared history in the Town and attending school together. The group comprised of both Aboriginal and non-aboriginal women who had not met for over 50 years.

A parallel project, to extend and upgrade Cemetery Beach Park, has provided further impetus in order to maximize synergies and provide benefits to the community; recommendation 16 highlights the importance of connecting the two important community spaces together and delivering on community aspirations to provide an opportunity to celebrate a significant part of Port Hedland's history while facilitating the upgrade of the amenity of the area for Port Hedland residents and visitors to the site.

The two main goals of this project are now well on their way for delivery:

1. To improve the current condition of the OPHC in order to make the premises more inviting and a more respectful resting place for the individuals interred; and
2. To identify as many individuals possible within the cemetery and ascertain the total number of bodies interred, even if identities may be unknown

Attachments

1. Cultural Heritage Assessment – Town of Port Hedland Old Port Hedland Cemetery, Western Australia
(Attached under separate cover)
2. Consultation Report.

201112/301 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

- 1. Endorses the Cultural Heritage Assessment – Town of Port Hedland Old Port Hedland Cemetery, as at Attachment 1, and its recommendations, as a guiding document for the Old Port Hedland Cemetery Upgrade Project; and**
- 2. Requests Officers complete the cost/scoping of Stage 2 OPHC works for consideration within the 2012/13 budget.**

CARRIED 7/0



Old Port Hedland Cemetery Enhancement Project Community Consultation

A summary report of community feedback regarding the enhancement project of the Old Port Hedland Cemetery

NOVEMBER 2011

Overview

The Town of Port Hedland (ToPH), in partnership with BHP Billiton Iron Ore and the Department of Indigenous Affairs is conducting an upgrade of the Old Port Hedland Cemetery. Council recognises the significance of the cemetery as part of the town's local history and the importance of preserving this history for future generations.

The enhancement project aims to restore the Old Port Hedland Cemetery and celebrate the multi-cultural history of Port Hedland, as is evident at the cemetery site. Through this upgrade project, the historic, pioneering community of Port Hedland can be appreciated and celebrated.

Enhancement of the cemetery provides an opportunity to create a place of respect and remembrance, where the local community and visitors can understand and learn about the rich history of the town and the early settlers that came before them.

The Old Port Hedland Cemetery is a significant landmark to the residents of the town and the memory of the people buried in the cemetery is still strong in the hearts of loved ones. Fears that these memories will eventually disappear when those with direct ties to the cemetery pass away, has made it a priority to preserve what is still known today.

As it is Council's intention that the community has strong input in the design for the upgrade of the cemetery, Phase Two of the project has focused on public consultation sessions.

This report is a summary of these consultation sessions with the community and provides feedback for Council to consider when developing the Concept Design Brief.

A synopsis of the feedback from the consultation phase indicates that for many families, a deep connection still exists with the Old Port Hedland Cemetery. Additionally, response from the community supports further survey investigation by archeologists and identifies an upgrade of the cemetery as a priority.

Methodology

The consultation strategy utilised for this phase of the project was in the form of a community information event. One was conducted at Wangka Maya Pilbara Aboriginal Language Centre for the purpose of consulting with indigenous community members, with a second event being organised at the Cemetery Beach Community Park, for the wider community to attend.

Recognising that the history of the cemetery reaches beyond the Pilbara, The Town of Port Hedland extensively promoted the community information events state and nationwide, through radio, print, and web advertising.

The Community Information Events consisted of:

- a) An overview of the Old Port Hedland Cemetery Enhancement project
- b) A presentation by Archeologist Darrell Rigby, on his research findings at the cemetery and the meaning of these discoveries for the community
- c) Participants sharing stories of family connections with the cemetery
- d) Participants contributing ideas and opinions regarding the upgrade of the cemetery

The key tool used in the consultation process was a survey developed by the consultant in collaboration with the ToPH Community and Cultural Development Coordinator. The purpose of this survey was to record information from families and friends relating to their connections with the cemetery, and to gather ideas and suggestions for the cemetery upgrade.

Furthermore, photographic illustrations of cemetery designs were displayed at the events, and proved effective in attracting and generating interest and dialogue among participants.

Participants at the information events shared their stories and ideas for upgrading the cemetery, freely and openly. Generally, consultation of the community was informal, consisting of small group discussions with participants and members of the project team. With the consent of participants, notes from the discussions were recorded for the purpose of this consultation report.



Community Feedback

While over sixty people attended the Community Information Events, additional enquiries have been received regarding the project by telephone and electronic mail. Significantly however, the breadth of interest and participation in the project has been extensive. For example, an enquiry was received from an individual after learning about the Cemetery Enhancement Project while listening to an interview with the Town of Port Hedland Mayor on the ABC radio Sunday morning program "Macca".

Furthermore, as well as current residents, former residents and/or family and friends of those that once lived in Port Hedland, have all displayed a keen interest in contributing to the project.

A: ARCHEOLOGY PRESENTATION

The consultant observed that the research findings presented by archeologists, was well received by participants in attendance at the Community Information Events. Participants were particularly interested in the details contained in the "Port Hedland Cemetery – Burial Register" document; the cemetery plot map; and the GPR results.

Feedback from the community indicates support for further archeological research of the cemetery in the hope of identifying "lost" graves for those families wanting to commemorate their loved ones.

Participants also expressed concern about the possibility of future land development on the cemetery site, and advocate the gazetting of the Old Port Hedland Cemetery as public burial space.

B: CONNECTIONS TO THE CEMETERY

Participants of the consultation contributed their accounts of family connections to the cemetery, revealing early Port Hedland as a place of hope and opportunity for those that once worked, lived and shared triumphs and setbacks. Feedback from participants focused on family stories and personal anecdotes of their associations with the Old Port Hedland Cemetery.

There is a rich history to the town and its people, as reflected by the recollections of Mrs Florence Vapors, the granddaughter of Theodosios Paspalis (the patriarch of the well-known Paspaley Pearling family) who was buried in the Old Port Hedland Cemetery in 1921.

Feedback indicates that most participants with a connection to the cemetery, have loved ones buried in unmarked graves and their hopes lie in being able to locate these sites so they and their families can honour and remember them.

In essence, the stories of those interred in the Old Port Hedland Cemetery are still strong in the hearts of loved ones today and for many, these recollections of family history will be the last direct ties to the old cemetery. For this reason, community feedback identifies the need to preserve this history and commemorate those who contributed to the foundation of Port Hedland as the thriving town and community that it has become today.

C: CEMETERY UPGRADE

Community response to consultation on the Cemetery Enhancement Project was overwhelmingly supportive of Council's intention to upgrade the cemetery.

Ideas and suggestions proposed by participants of the project include shade structures, bench-type seating, construction of a new boundary fence, simple pathways and the provision of water.

In addition, upgrading and beautifying the cemetery must be subtle and blend with the landscape, with trees and plants to be native to the area.

Participants responded favourably to the concept of a memorial wall, for the purpose of commemorating those interred in the cemetery but whose burial site cannot be physically identified.

Consultation regarding the naming of the cemetery indicates "Port Hedland Pioneer Cemetery" as the preference of name for most respondents.



6:55pm Councillor G J Daccache declared a financial interest in Item 11.3.2 'Marquee Park and Multi Purpose Recreation Centre – (draft) Recognition and Sponsorship (File No.: 21/05/0011)' as he is a BHP Billiton and Fortescue Metals Group shareholder with shares above the threshold.

Councillor G J Daccache left the room.

11.3.2 *Marquee Park and Multi Purpose Recreation Centre – (draft) Recognition and Sponsorship (File No.: 21/05/0011)*

Officer Gordon MacMile
Director Community
Development

Date of Report 15 January 2012

Disclosure of Interest by Officer Nil

Summary

Marquee Park and the Multi Purpose Recreation Centre are significant facilities for Council and for the broader community. The construction of both facilities has been achieved through a variety of contributions from the public (government grants) and private (corporate support) sectors, as well as the Town of Port Hedland. Contained within this support are requirements and expectations of recognition and sponsorship.

With both facilities nearing completion and opening to the community, there is an opportunity to build a framework for a sponsorship and recognition policy encompassing public and private sector support.

The framework that the Town of Port Hedland builds for Marquee Park and the Multi Purpose Recreation Centre (MPRC) will provide guidance for the development of a comprehensive sponsorship and recognition policy for all future community facilities.

The development of Recognition and Sponsorship strategies for the two facilities were to include but not be limited to:

- methods of providing ongoing recognition/acknowledgement of funding partners including branding, marketing and signage
- opportunities for other parties (outside of funding contributors) including sporting user groups to enter into financial sponsorship arrangements (corporate sponsorship, naming rights, promotion / marketing and signage).

Council is requested to note the Recognition and Sponsorship Strategy / Agreement for Marquee Park and Multi-Purpose Recreation Centre and to endorse specific initiatives regarding naming rights.

Background

Marquee Park

The Town of Port Hedland is constructing a feature (district level) park in South Hedland. On completion the Park will provide a unique social gathering place and free water play and BBQ facilities supported by traditional play areas for both young and older children. A kiosk will facilitate social interaction and add to the experience of visiting Marquee Park.

The current Marquee Park construction has been supported financially by Council, Royalties for Regions, South Hedland New Living, BHP Billiton Iron Ore, Lotterywest, Newcrest Mining and Variety WA. All supporting parties have been recognised throughout the project with the incorporation of logos on all media and signage, which is intended to continue on permanent signage throughout the Park.

An industry partner (Fortescue Metals Group) approached Council in late 2010, proposing to support the construction and operation of a café at Marquee Park, to function in a complimentary manner with the planned kiosk. The intention was to include the café expansion as part of the current Marquee park construction contract.

The proposal is intended to add an element of sophistication to the facility and area, providing a fresh / contemporary dining experience not currently available in South Hedland and add to the social hub capacity of the facility. The training café is also proposed to provide an opportunity to build social capital through establishing the venue as a training facility that will provide employment pathways for people in the hospitality industry.

Multi Purpose Recreation Centre (MPRC)

MPRC is set to become a major focal point in the community providing high quality facilities that are well used and well respected by the community and its visitors. MPRC will provide an array of regular competitions and programs conducted by the facility managers, play host to community organisations and clubs who seek to hire facilities within the MPRC on a regular and casual basis, and serve as a venue for major community celebrations.

MPRC construction has been supported financially by the Town of Port Hedland, Royalties for Regions and BHP Billiton Iron Ore.

Additionally, Fortescue Metals Group has negotiated an agreement with Council to provide community benefit funding (through the expansion of Club Hamilton) to provide access to workers and to help with operational costs of the gymnasium at the MPRC for a period of five years.

These important new facilities provide the opportunity to commence the development of a framework for a sponsorship and recognition policy encompassing public and private sector support.

Recognition and Sponsorship

Sponsorship is considered a mutually agreed arrangement between Council and an external company, organisation, enterprise, association or individual evidenced in writing whereby the external party (sponsor) contributes money, goods or services to a Town of Port Hedland facility, program, project, or special event in return for recognition, acknowledgement or other promotional considerations or benefits.

A key consideration in developing the recognition and sponsorship strategies was to understand and identify a balanced approach which allows Council to protect the integrity of all original projects contributors without alienating future sponsorship opportunities.

Council has engaged KG Community and Communication to assist with the development of recognition and sponsorship recommendations in relation to Marquee Park and the MPRC.

The brief was to:

1. research, clearly understand and take into account contributors funding to the construction of the two facilities (Marquee Park and MPRC)
2. take into account any specific requirements of executed funding agreements
3. look at the purpose / intent behind the community investment by the private sector, including marketing and branding
4. carry out an analysis of best practice approach within Western Australian Local Government Authorities in relation to recognition and sponsorship
5. consult with private sector (industry) and Government stakeholders, as well as key sporting user clubs of the facilities.

The development of recognition and sponsorship strategies for Marquee Park and MPRC were to include:

- methods of providing ongoing recognition / acknowledgement of funding partners including branding, marketing and signage

- opportunities for other parties (outside of funding contributors) including sporting user groups to enter into financial sponsorship arrangements (corporate sponsorship, naming rights, promotion / marketing and signage).

Consultation

Internal

- Chief Executive Officer
- Executive Management Group
- (Acting) Manager Community Development
- Manager Recreation Services and Facilities

External

- BHPBilliton Iron Ore
- Fortescue Metals Group
- Pilbara Development Commission
- South Hedland New Living
- LotteryWest
- Newcrest Mining
- Variety WA
- Atlas Iron
- Port Hedland Basketball Association
- Port Hedland Cricket Association
- South Hedland Swans Football Club
- Hedland Junior Football Association.

Feedback received from key stakeholders have been incorporated in the draft information and recommendations and detailed in Attachment 1.

Statutory Implications

Nil

Policy Implications

The intention is for the framework that is adopted for Marquee Park and the MPRC will provide guidance for the development of a comprehensive sponsorship and recognition policy for all Port Hedland community facilities.

Strategic Planning Implications

Key Result Area 3:	Community Development
Goal 2:	Sports and Leisure
	That the community has access to sports and leisure facilities at or above the quality that they would be able to access in the metropolitan area.

Budget Implications

Funds (up to \$15,000) for the engagement of consultant, KG Community and Communication were provided by Fortescue Metals Group.

These funds were provided to allow for the expedited development of recommendations on recognition and sponsorship at Marquee Park and MPRC, primarily to allow Council to progress decision making in relation to the proposed café.

Officer's Comment

Industry is taking a more strategic approach towards sponsorship by aligning funding more closely with business objectives and increasing the emphasis on measuring the performance of their investments. When sponsorship funding is provided as a capital investment, industry has made it clear that it is keen to make sure that its investment is remembered and acknowledged beyond the official handover / opening ceremony.

Sponsor acknowledgement of contributions to community facilities need to be thoughtfully integrated into the facility operations. By constantly reinforcing the value that the sponsorship has brought to the Town of Port Hedland, the more positively the community, the public sector and the private sector will view these collaborative arrangements.

Summary

The objective of a sponsorship and recognition agreement is to safeguard the Town of Port Hedland's values, images, assets and interests, while increasing the opportunities for revenue generation.

Ideally, any agreement forms part of an approved policy which establishes the principles and conditions under which the Town of Port Hedland will pursue and enter into sponsorship agreements and sets out the responsibilities and delegated authorities to ensure consistency with the Town of Port Hedland's vision, mission and values.

It is intended that the recommendations for sponsorship and recognition of funding (for Marquee Park and MPRC) be used as the basis to develop an integrated policy that effectively outlines the opportunities for public and private sector partners while allowing Council to take a responsible attitude towards public/private sector partnerships.

Under the policy, Council officers will develop a clear, easy to understand guide to sponsorship and an agreement template that can be used between a sponsorship proponent and the Town of Port Hedland.

Marquee Park and MPRC Recognition and Sponsorship

Given the importance of contributions by all sponsors towards Marquee Park and MPRC, it is recommended that all supporters be afforded the following general recognition and sponsorship:

- Acknowledgement in media releases
- Placement of logo on communications materials
- Acknowledgement of contribution in newsletters and other communications materials.
- Acknowledgement of contribution in on-line/web based communications
- Acknowledgement of contribution in speeches related to the operations of the MPRC.
- Invitation to official opening for nominated guests.

Multi-Purpose Recreation Centre – Naming Rights

Based on the consultation undertaken it is recommended that recognition and sponsorship including naming rights for the MPRC be as follows:

- a) Sponsors agree to work with the Town of Port Hedland and participate in a naming rights working group (e.g. with the MPRC where the amount contributed all falls within a fairly equal range, all sponsors of this facility, TPH, BHBP, Royalties for Regions, to be represented on the group, not just the one seeking naming rights) to reach mutual agreement regarding naming rights. Potentially this may be undertaken through the Community Facilities Working Group
- b) Naming of the facility will be considered for approval by Council
- c) The name should preferably reflect some positive or memorable aspect of the sponsor's history or environment in some way, rather than purely placing the company name in front of the facility
- d) Determination as to whether sponsors logos can be placed on the outside of buildings for the term of any agreement
- e) The term of the agreement to be negotiated (e.g. not less than a period of 20 years, unless the company goes into receivership or ceases to exist)
- f) Whether the sponsor should be granted the right to remove the logo and/or withdraw naming rights should the facility cease to be used for its designated purpose and/or fall into disrepair.

Multi-Purpose Recreation Centre – Recognition of Other Sponsorship

Consultation with industry groups showed that sponsors considered capital infrastructure sponsorship and operational sponsorship should be treated discretely. FMG has negotiated a community benefit agreement with the Town of Port Hedland to provide operational funding for the MPRC gymnasium for a period of five years. As part of that agreement, it would be appropriate for Fortescue be recognised through initiatives such as:

- Placement logo inside MPRC gymnasium for the term of the sponsorship

Multi-Purpose Recreation Centre – Sporting Clubs and Associations

Given that the MPRC does not yet have an operational plan that details how user group sharing / joint use will function and that in general Port Hedland Sporting Clubs and Associations have not sought major sponsorships to date, it is recommended that there is an opportunity to develop an education package along with the operational plan which is designed to:

- Show clubs how best to attract sponsorship
- Advise what the Town of Port Hedland would approve under a sponsorship (e.g. clubs should not offer naming rights to shared function rooms, ovals, club rooms, clubs should not offer front of house displays which detract from major sponsors of the facility etc.)
- Encourage shared sponsorships for greater input from local business
- Advise on insurance and liability for maintenance of signage
- Advise on what sponsorships will not be accepted under any circumstances (e.g. tobacco sponsorship).

Once the operational plan has been developed to include joint use / user group sharing, sporting clubs using the MPRC are likely to be seeking approval to enter into commercial sponsorship agreements.

Providing an advice package at the same time as the plan will assist clubs with their applications and assist the Town of Port Hedland to process them.

Marquee Park – Foundation Contributors

Foundation contributors will be afforded general recognition and sponsorship detailed earlier in this report, as well as:

- Placement of logo on all entrance signage (precedence in order of \$\$\$ value contribution)
- Invitations to participate in and help develop annual 'Founders Day' community event for ongoing recognition and promotion of sponsors
- Use of park for community / sponsor events (to be negotiated in agreement with Council's operational plan for the Park).

Marquee Park – Café Naming Rights

In addition to the General entitlements afforded to all project contributors, it is recommended that in recognition of Fortescue's proposal to fund the construction, fit out and operations (for 3 years) of the Marquee Park café, the company be entitled to reflect sponsor in the following way:

- Café directional signage to have sponsor logo
- Naming rights status – proposed to be “Scotty’s” cafe
- Recognition inside cafe through use of corporate colours and story-telling of “Scotty’s” story and connection with Fortescue Metals Group for the term of 3 years or unless otherwise agreed by Council
- Use of café for 4 (four) sponsor events per year for each year of operation and twice per year thereafter (ongoing recognition of construction funding). To be negotiated in agreement with café operational plan.

Attachments

1. Key Stakeholders Response to (draft) Strategy
2. (draft) Town of Port Hedland Recognition and Sponsorship Strategy / Agreement for Marquee Park and Multi-Purpose Recreation Centre.

201112/302 Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council suspend Standing Orders.

CARRIED 6/0

6:55pm Mayor advised that Standing Orders are suspended.

201112/303 Council Decision

Moved: Cr A A Carter

Seconded: Cr J E Hunt

That Council resume Standing Orders.

CARRIED 6/0

7:11pm Mayor advised that Standing Orders are resumed.

Officer’s Recommendation

That Council:

1. Notes the Town of Port Hedland Recognition and Sponsorship Strategy for Marquee Park and MPRC
2. Notes that the Strategy in 1. provides for the development of an integrated Town of Port Hedland Recognition and Sponsorship Policy
3. Endorses in relation to recognition and sponsorship of Marquee Park and MPRC:

Multi-Purpose Recreation Centre – Naming Rights

- a) Sponsors agree to work with the Town of Port Hedland and participate in a naming rights working group to reach mutual agreement regarding naming rights.
- b) Naming of the facility will be considered for approval by Council
- c) The name should preferably reflect some positive or memorable aspect of the sponsor's history or environment in some way, rather than purely placing the company name in front of the facility
- d) Determination as to whether sponsors logos can be placed on the outside of buildings for the term of any agreement
- e) The term of the agreement to be negotiated (e.g. not less than a period of 20 years, unless the company goes into receivership or ceases to exist)
- f) Whether the sponsor should be granted the right to remove the logo and/or withdraw naming rights should the facility cease to be used for its designated purpose and/or fall into disrepair.

Multi-Purpose Recreation Centre – Recognition of Other Sponsorship (FMG Community Benefit Agreement)

- g) Placement logo inside MPRC gymnasium for the term of the sponsorship

Marquee Park – Foundation Contributors

- h) Placement of logo on all entrance signage (precedence in order of \$\$\$ value contribution)
- i) Invitations to participate in and help develop annual 'Founders Day' community event for ongoing recognition and promotion of sponsors
- j) Use of park for community / sponsor events (to be negotiated in agreement with Council's operational plan).

Marquee Park – Café Naming Rights

- k) Café directional signage to have sponsor logo
- l) Naming rights, with the Cafe to be named "Scotty's" cafe for the term of 3 years or unless otherwise agreed by Council
- m) Recognition inside cafe through use of corporate colours and story-telling of "Scotty's" story and connection with Fortescue Metals Group for the life of the building
- n) Use of café for 4 (four) sponsor events per year for each year of operation and twice per year thereafter (ongoing recognition of construction funding). To be negotiated in agreement with café operational plan

201112/304 Council Decision**Moved: Cr A A Carter****Seconded: Cr J E Hunt****That Council:**

- 1. Notes the Town of Port Hedland Recognition and Sponsorship Strategy for Marquee Park and MPRC**
- 2. Notes that the Strategy in 1. provides for the development of an integrated Town of Port Hedland Recognition and Sponsorship Policy**
- 3. Endorses in relation to recognition and sponsorship of Marquee Park and MPRC:**

Multi-Purpose Recreation Centre – Naming Rights

- a) Sponsors agree to work with the Town of Port Hedland and participate in a naming rights working group to reach mutual agreement regarding naming rights.**
- b) Naming of the facility will be considered for approval by Council**
- c) Council notes the previous resolution to seek community suggestions for the naming of the recreation centre.**
- d) Determination as to whether sponsors logos can be placed on the outside of buildings for the term of any agreement**
- e) The term of the agreement to be negotiated (e.g. not less than a period of 20 years, unless the company goes into receivership or ceases to exist)**
- f) Whether the sponsor should be granted the right to remove the logo and/or withdraw naming rights should the facility cease to be used for its designated purpose and/or fall into disrepair.**

Multi-Purpose Recreation Centre – Recognition of Other Sponsorship (FMG Community Benefit Agreement)

- g) Placement logos inside MPRC gymnasium for the term of the sponsorship**

Marquee Park – Foundation Contributors

- h) Placement of logo on all entrance signage (precedence in order of \$\$\$ value contribution)**
- i) Invitations to participate in and help develop annual 'Founders Day' community event for ongoing recognition and promotion of sponsors**
- j) Use of park for community / sponsor events (to be negotiated in agreement with Council's operational plan).**

Marquee Park – Café Naming Rights

- k) Café directional signage to have reference to “Scotty’s” only
- l) Naming rights, with the Cafe to be named “Scotty’s” cafe for the term of 3 years or unless otherwise agreed by Council
- m) Recognition inside cafe through us of story-telling of “Scotty’s” story and connection with Fortescue Metals Group for the life of the building
- n) Use of café for 4 (four) sponsor events per year for each year of operation and twice per year thereafter (ongoing recognition of construction funding). To be negotiated in agreement with café operational plan.
- o) Recognition of FMG’s contributions to the café by way of a commemorative plaque.

CARRIED 6/0

REASON: Council prefers to have community input into the naming of community facilities rather than adopting company names.

7:13pm Councillor G J Daccache re-entered the room and resumed his seat.

Mayor advised Councillor G J Daccache of Council’s decision.

ATTACHMENT 1 TO ITEM 11.3.2

Key Stakeholder Responses to Draft Strategy

Respondent	Feedback	Comment / Response
Variety WA	<ul style="list-style-type: none"> - Thanked Council for the opportunity to comment and offered support for draft Strategy - Sought to be granted use of the park for community / fundraising events also. May not be an annual occurrence, but something Variety WA Region might like to take up if the opportunity presented. 	<ul style="list-style-type: none"> - Noted - Noted and included in final draft strategy
BHP Billiton Iron Ore	<ul style="list-style-type: none"> - Thanked Council for the opportunity to be involved and to be able to input into draft Strategy - Incorrect figure detailed in draft in relation to BHPB contribution to MPRC - Clarification of wording in relation to foundation contributors to Marquee Park - Clarification of wording in relation to funding relationship for MPRC 	<ul style="list-style-type: none"> - Noted - Noted and corrected in final draft strategy - Noted and corrected in final draft strategy - Noted and corrected in final draft strategy
Fortescue Metals Group	<p>- Thanked Council for the opportunity to be involved and to be able to input into draft Strategy.</p> <p>Fortescue provided feedback in three parts detailed below;</p> <p>1. Minor changes to document</p> <ul style="list-style-type: none"> - Please ensure that all financial figures which refer to Fortescue’s sponsorship arrangements with the Town and the Swans be kept confidential and not made public - Under the “naming rights heading” please amended dialogue to outline that the Café hospitality training will be open to all members of the community with an emphasis on encouraging participation of Indigenous people - Please amend Fortescue’s sponsorship timeframe for the MPRC to a 5-year sponsorship not a 3-year sponsorship - Please refer to Fortescue Metals Group as Fortescue and not FMG throughout the document. - Under the Swans Football Club commentary, please amend dialogue to reflect that Fortescue and the Club have already signed an agreement. 	<ul style="list-style-type: none"> - Noted - Noted and removed from final draft Strategy - Noted and corrected in final draft strategy

	<p>– Under point 1.8 “Private and public sector sponsorship” – Fortescue is of the strong belief that it has an agreement with the Town of Port Hedland in regards to the Café. This is evidenced by a signed letter of intent by Fortescue’s former CEO and a submission and approval by Council to accept Fortescue’s proposal which is to be formalized through a Funding Agreement currently being drafted.</p> <p>2. Principles</p> <p>– Fortescue offers the following principles, which it believes, can be used to guide the recognition and sponsorship strategies / agreements for Marquee Park and the MPRC as well as other sponsorship agreements, which the Town may enter into. In offering these principles, Fortescue believes that a formal policy may not be required.</p> <p>1. <i>Sponsor recognition shall embrace inclusivity rather than exclusivity.</i></p> <p>This principle suggests that sponsors should be recognised, regardless of what time they enter into a project. Principle enables facilities or programs to be stage or added to, and sponsors, regardless of whether they are involved in stage one, two or three are recognised accordingly, and equitably. Fortescue does not support the use of the terminology “Founder” and would suggest that this should simply be changed to Sponsor.</p> <p>2. <i>Sponsorship for capital and operations should be acknowledged separately</i></p> <p>Capital sponsorships and operational sponsorships should be acknowledged separately. Whilst all sponsors could be recognised by way of a Sponsor’s Board, which will show the logo of every sponsor, there should be separate Boards for Capital Sponsors and Operational Sponsors, and different criteria for recognition should be applied. For example, a Sponsor’s Board for contributions towards capital should acknowledge sponsor regardless of when they contributed towards the project, whereas, a operations sponsorship board may only acknowledge some sponsors for the duration of their sponsorship agreement or it may also include previous sponsors.</p> <p>Fortescue supports the concept of the Town arranging an annual event to acknowledge all Capital Sponsors of a facility regardless of when a contribution was made. Fortescue, as outlined above, does not support the use of the name Foundation Sponsors for this or any event, as it is limiting, and restricts additional sponsors from being acknowledged, through a staged contribution.</p>	
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3. *Naming Rights for the community asset should rest with the Town of Port Hedland with major asset sponsors exercising naming rights for elements within the asset with use of corporate name or brand being permitted.*

It is important for facilities to remain community assets, and one way of assisting this, is to ensure that no one sponsor has exclusive naming rights to an overall facility. Fortescue supports sponsors having naming rights to elements within a facility, as this enables companies to be recognised for their contribution.

To assist with facilities being “owned” by the community Fortescue does not recommend that corporate logos be directly attached to the outside of a building, but does support appropriate signage being placed around the facility and on the inside of a facility.

3. Examples of application of Principles to Fortescue’s projects

1. *Sponsorship inclusivity*

The use of the term Founding sponsors for capital projects excludes staged approach to facilities or future capital upgrades over time by sponsors. A more inclusive way would be to recognise sponsors contributing to the capital asset regardless of when they become a sponsor or contribute to the project.

Fortescue, in considering the application of this approach to the proposed Marquee Park Training Café would see their contribution embraced and recognised by adding them to the Capital project sponsors board in line with other sponsors and included in any recognition activities and promotional material.

2. *Separation of capital and operation funding*

Capital sponsorship should be recognised with different strategies for those to operational. These strategies should value equally the contribution of capital and operational funding to encourage a balance of funding across these two levels for facilities

	<p>In interpreting the application of such a separation of funding Fortescue would cite the example of its 3-year operating funding for the Marquee Park Training Café. Fortescue has an expectation to internally brand the café through Fortescue theming interpreted through colours, storytelling and incorporated imaging that gives a Fortescue feel and look, for the duration of the sponsorship period. However, Fortescue’s sponsorship towards operating the MPRC is viewed as a general contribution rather than a funded program and therefore the expectation is that Fortescue would be recognised along with operational sponsorships in a different, but inclusive way.</p> <p>In regards to the Cafe build however, Fortescue expects to be recognised in line with other Capital Sponsors. Additionally Fortescue expects that it will have exclusive naming rights as well as other conditions as outlined within its funding agreement documentation.</p> <p>3. <i>Naming rights</i></p> <p>It is important for icon facilities to be named in such a way that they can be owned by the community and there is no name change to the facility as a result of sponsorship such as when the Docklands Stadium was renamed Emirates Stadium. Such naming decision should be left to the discretion of the Council and community. However, as capital sponsorship can involve large dollar value commitments by sponsors, this should be acknowledged in a long lasting way as the asset has a life past the initial contribution. In recognition of this, it is considered appropriate to have naming rights for an element of the facility such as the Café, indoor courts, and gymnasium for example.</p>	
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Town of Port Hedland Recognition and Sponsorship Strategies/Agreements for Marquee Park and Multi-Purpose Recreation Centre

1.1 INTRODUCTION

The Town of Port Hedland in the Pilbara region of Western Australia (current pop: 17,500) is rapidly expanding in population and infrastructure.

The population is expected to grow to approximately 50,000 by 2020. To cater for this growth, extensive plans are in place to transform the Town under the State Government's Pilbara Cities Project. These improvements are aimed to make Port Hedland a more desirable place to live and are occurring through support from Government and Industry partners.

A range of community infrastructure has received varying levels of construction (capital) funding from Government at all levels, as well as private sector support. In particular, this includes funding for new community facilities.

Subsequent to the construction of these new community facilities, Council will also be seeking private and public sector funding to help support their operation.

This mix of public and private sector funding, both for construction and for subsequent operation, requires Council to successfully integrate sponsorship agreements and recognition initiatives into these developments, as well as into subsequent program and service delivery.

Currently under construction are two high profile community facilities:

- Marquee Park
- Multi Purpose Recreation Centre (MPRC)

1.2 MARQUEE PARK

Marquee Park construction has been supported financially by Council, Royalties for Regions, South Hedland New Living, BHP Billiton Iron Ore, Lotterywest, Newcrest Mining and Variety WA. All supporting parties have been recognized throughout the project with the incorporation of logos on all media and signage, which is proposed to continue on permanent signage throughout the Park.

Additionally, Fortescue Metals Group approached Council in late 2010 with a proposal to construct a café in Marquee Park to function in a complimentary manner with the planned kiosk. Fortescue is seeking to highlight the company's commitment to social and community development in the Pilbara by supporting the construction, funding and operation of a training café at Marquee Park.

1.3 MPRC

MPRC construction has been supported financially by the Town of Port Hedland, Royalties for Regions and BHP Billiton Iron Ore. Additionally, Fortescue Metals Group has negotiated an agreement with the Town of Port Hedland to provide community benefit funding to help with operational costs of the gymnasium at the MPRC for a period of five years.

These important new facilities provide the opportunity to build the framework for a sponsorship and recognition policy encompassing public and private sector support. The framework that the Town of Port Hedland builds for Marquee Park and the MPRC will provide guidance for the development of a comprehensive sponsorship and recognition policy for all its community facilities.

1.4 BACKGROUND BRIEF

A key consideration in developing the strategies was to understand and identify a balanced approach which allowed the Town of Port Hedland to protect the integrity of all original projects contributors without alienating future sponsorship opportunities.

The brief was to:

1. research, clearly understand and take into account contributors funding to the construction of the two facilities
2. take into account any specific requirements of executed funding agreements
3. look at the purpose/intent behind the community investment by the private sector, including marketing and branding
4. carry out an analysis of best practice approach within Western Australian Local Government Authorities in relation to Recognition and Sponsorship strategies
5. consult with private sector (industry) and Government stakeholders, as well as key sporting user clubs of the facilities

The development of Recognition and Sponsorship strategies for the two facilities were to include but not be limited to:

- methods of providing ongoing recognition/acknowledgement of funding partners including branding, marketing and signage
- opportunities for other parties (outside of funding contributors) including sporting user groups to enter into financial sponsorship arrangements (corporate sponsorship, naming rights, promotion / marketing and signage).

1.5 RESPONSE TO BRIEF

1. Contributors' funding

- a) Marquee Park is a \$13,028,000 project. The major cost of development is being borne by the Town of Port Hedland, with the remainder made up as follows in Table 1.

Contributor	\$ Amount	Sector
Royalties for Regions	2,700,000	Public
South Hedland New Living	2,000,000	Public
BHPB Sustainability Partnership	1,450,000	Private
LotteryWest	500,000	Public
Newcrest Mining	200,000	Private
Variety WA	150,000	Private (NFP)

Construction is well underway and the park should be ready for use by late January 2012. The official opening is proposed to be held on late March 2012.

Fortescue Metals Group Limited (Fortescue) has developed a proposal to fund construction of a training café in the park and to bear the costs of operating the café for a period of three years post-construction.

- b) MPRC is a \$34,140,000 project. The largest contributors to this project will be the Town of Port Hedland and BHP Billiton Iron Ore with significant support from Royalties for Regions (Table 2),

c)

Contributor	\$ Amount	Sector
Royalties for Regions	11,100,000	Public
BHPB Sustainability Partnership	12,700,000	Private

2. Funding agreements

No specific recognition agreements appear to have yet been formally signed in relation to funding supplied for Marquee Park or the MPRC.

Some of the public and private sector sponsorships do, however, have general requirements for recognition and these have been identified under (5) Consultation.

3. Purpose/intent

See (5) Consultation

4. Analysis of best practice

Advice was sought from WALGA and also from a cross-section of Western Australian LGAs to determine the best practice approach within Western Australian Local Government Authorities in relation to Recognition and Sponsorship strategies.

Advice received was that most LGAs in WA are still very much in the infancy stages of seeking a mix of public/private sector sponsors for their community assets and/or developing strategies to cater for this type of sponsorship and recognition.

No best practice approach appears to have determined to date. Where recognition policies exist, most centre on funding received from State and Federal Government for community programs etc. The occasional sponsorships by the private sector tend to be dealt with on an individual basis.

5. Consultation

Two discrete consultation tasks were undertaken:

- a) Consultation with the public and private sector sponsors to determine:
 - preferred form of recognition,
 - statutory requirements for recognition (public sector)
 - any general agreements which may have bearing on recognition
 - purpose/intent behind community investment by the private sector, i.e. business drivers, marketing and branding
- b) Consultation with sporting groups intending to use the MPRC to determine:
 - existing sponsors if any
 - the nature of any existing sponsorship agreements, if any
 - opinions on shared sponsorships
 - general discussion to identify any issues/opportunities

1.6 CONSULTATION WITH PUBLIC AND PRIVATE SECTOR SPONSORS

This section outlines feedback received as a result of consultation with sponsors of Marquee Park and the MPRC and with Sporting Clubs and Associations wishing to use the MPRC post-construction. This feedback gives an indication of the type of recognition each sponsor would be keen to have approved. These are not recommendations. Recommendations are contained in Section 1.9).

BHP Billiton Iron Ore

BHPB supports projects which aid community development in identified priority areas:

- Indigenous programs
- Township Amenity
- Quality Education
- Health and Wellbeing
- Environment; and
- Involved Communities

Support for these priority areas is offered by way of:

- Donations – a one-off contribution without any direct benefit to the company
- Sponsorships – a single or ongoing investment to support the community for which the company expects to be recognised
- Partnerships – a longer term investment where the company joins with other stakeholders to deliver positive ongoing outcomes for the community and for which the company expects to be recognised.

BHPB has a well-defined Community Development Recognition Policy which makes clear that the company expects the level of expected recognition to be commensurate with the level of contribution made.

On 1st July 2008, The Town of Port Hedland and BHPB entered into a Community Sponsorship Agreement. The agreement runs for a period of five years, ending on 30th June 2013 unless terminated earlier under Clause 13.

Under this agreement (The Town of Port Hedland Sustainability Agreement), each financial year, the sustainability partnership working group proposes a list of projects for endorsement by the Town of Port Hedland and BHP Billiton Community Investment Program Executive.

Funding provided for Marquee Park and for the MPRC falls under this Agreement. Schedule B sets out BHPB's sponsorship rights under this agreement.

A discussion was held with Peta Greening and Andre Veder of BHP Community and Indigenous Affairs, who advised BHPB was in the process of developing a recognition framework for its sponsorship of Marquee Park and the MPRC to ensure consistency of recognition was commensurate with the level of support.

In terms of Marquee Park, BHPB felt that entrance signage should support founding sponsors and any subsequent support should be recognised separately.

Generally, on behalf of BHPB, both were keen to ensure that capital investment sponsors were not forgotten once the facilities were operational.

BHPB would be in favour of the development of some form of annual 'sponsors day' for Marquee Park, e.g. a community picnic once a year to which the founding sponsors would be invited.

Specifically, BHPB was keen to secure naming rights for MPRC given the substantial level of contribution to this project (\$12.7million). How the company proposes to exercise those naming rights, if granted, has still to be determined, but it was agreed that it might be possible to achieve a strong BHPB focus by using a historic, environment, mining or Indigenous name for the facility.

Also specifically, given the level of contribution, it was keen to ensure that the BHP logo is placed outside the building on a main wall or somewhere equally prominent.

South Hedland New Living

Brett Croker Senior Project Manager, Land and Housing Development of the State Government's Department of Housing and Kane Williamson, Jaxon Construction Project Manager for the South Hedland New Living Urban Renewal Project, were consulted to determine the level of recognition expected for the contribution given. The Department of Housing recognition guidelines state that where the Department is a major sponsor its logo should be the first to appear; where it is a co-sponsor the logo can appear amongst the logos.

The Department would be seeking recognition through signage and/or plaque. In addition to this, DOH would also be seeking to be able to utilise the park for community events (free of charge) relative to its South Hedland New Living's community development/engagement works. (One suggestion was to move the current Movie Nights into the Park).

If an annual "Founders Day" event was held it would like to be recognised and participate as the New Living project is anticipated to run for a number of years into the future.

Variety WA

Variety WA has no standard agreement for sponsorship recognition, but has general guidelines to assist sponsorship recipients.

Community Relations Manager Katie O'Donnell advised Variety WA should be recognised on signage for Marquee Park, in all media communications and on relevant web pages. The Chief Barker, CEO and local committee members should be invited to the official opening. It would be generally supportive of a Founders Day (not necessarily always at a Perth level, but would certainly be glad of the opportunity to promote the activities of the local committee) and would appreciate the opportunity to use the park free of charge occasionally for Variety WA fund-raising events.

Lotterywest

Lotterywest advised that it considered the funding supplied to assist in the development of Marquee Park was a donation and, as such, no formal agreement for sponsorship would be required over and above a logo on signage and an invitation to the official opening to Lotterywest CEO, the Board Chairman and the General Manager, Grants.

Lotterywest can supply a tile containing its logo for use on signage, or would accept its logo appearing on signage alongside other sponsors. If a Founders Day was held annually, it would be unlikely to participate from Perth, but might encourage local Lotterywest newsagents to support the event.

Royalties for Regions

Royalties for Regions funding application form has defined guidelines for recognition. The guidelines state:

As part of the grant agreement, recipients must provide public recognition of State Government funding and ensure that acknowledgement is given to the State Government and the Pilbara Development Commission in all promotional material. The recognition should note that funding has been provided under the Royalties for Regions Program.

All infrastructure projects must display signage for their project identifying the Royalties for Regions Program. The Commission will consider providing an amount up to \$1500 towards the cost of signage, depending on the project. You must identify the amount being claimed for signage in your budget and include quotes.

The Commission's Board may request a follow up report up to six months after the completion of the acquittal. This serves to report on the success and outcomes of the project funded and may allow for further media opportunities.

As part of the grant agreement, recipients must provide public recognition of State Government funding and ensure that acknowledgement is given to the State Government and the Pilbara Development Commission in all promotional material. The recognition should note that funding has been provided under the Royalties for Regions Program.

Examples of accepted recognition include, but are not limited to:

- *Permanent Royalties for Regions signage (decals, labels, plaques)*
- *Temporary Royalties for Regions signage (banners, signs, flags, stickers)*

- *Displaying of the Royalties for Regions, State Government and Pilbara Development Commission logos on all printed and audio visual material produced for the project*
- *Invitations to all launch, events or openings related to your project*
- *Reference to the Royalties for Regions Grant and the Commission in any form of media related to the project*

Further details of requirements are contained within the Royalties for Regions grant agreements.

Newcrest Mining

Craig Thompson, Manager of Support Services for Telfer Gold Mine was consulted regarding Newcrest Mining's contribution to Marquee Park. Newcrest has supplied its branding guidelines and seeks to be recognised on any signage, web page or media communications relating to Marquee Park. It would also expect an invitation to key executives to attend the official opening.

It may also participate in a Founders' Day event should one be established.

Fortescue Metals Group Limited

Fortescue advises that it focuses its community investment in areas which help to meet the objectives of its Community Development plans. Community investments are proactively identified and projects developed with community partners who have similar values and program objectives. Partners may include not-for-profits, education and research organisations and government.

Community Development plans are drawn up and agreed to in partnership with key community stakeholders.

Current focus areas are:

1. Training and employment for people living in the Pilbara
2. Regional Development and local procurement of goods and services
3. Contribution to community services and facilities
4. Regionally based workforce

Under these plans lies a strategic set of activities designed to maximise local benefits and to minimise or avoid potential negative impacts related to Fortescue's business operations.

Community investment initiatives add further value to Community Development plans. These include:

1. Staff volunteering
2. Community grants
3. Major Projects

Each of these initiatives has a procedure in place for determining the best manner of investment and the best outcome for the community.

Under its Major Projects initiative, Fortescue is providing both capital and operational funding for Marquee Park and has negotiated a community benefit agreement with the

Town of Port Hedland to provide operational funding for the MPRC gymnasium for a period of five years.

Fortescue is seeking naming rights of the cafe as part of its proposal to fund construction of a training café in Marquee Park. The company accepts that it is possible to brand Fortescue as the major sponsor without linking the name of the café directly to Fortescue operations. It proposes to exercise those naming rights, if granted, by naming the café after an indigenous stockman of the Pilbara who indirectly had a significant positive influence on Port Hedland via his mentorship of a young Andrew Forrest.

The name has been selected specifically to tie in with a proposal to run a hospitality training program as part of the café's operation. The program will be designed to mentor young indigenous people seeking a career in the hospitality industry.

A sustainable business model proposal is being developed for post-construction operation by Fortescue for the first three years.

Fortescue is keen to make sure that whatever name is given to the café, it endures beyond the three year operational agreement – i.e. the sponsorship agreement to state naming rights equal to the time life of the building – with options to withdraw those naming rights and remove all reference to Fortescue on agreed terms.

Fortescue's Community Manager Vicki James advised that the company does not currently have a standard recognition policy in place. It determined levels of recognition on an individual basis.

No formal Funding Agreements have been signed in relation to Marquee Park or the MPRC to date. These are under preparation.

She agreed that construction and operational funding should require differing forms of recognition.

In terms of recognition for the Marquee Park construction funding, in addition to the café naming rights, Fortescue would expect to be acknowledged for its café sponsorship on signage, in media and web communications.

Fortescue does not support the use of the terminology "Founder" and suggests that this should simply be changed to Sponsor.

The use of the term Founding sponsors for capital projects excludes staged approach to facilities or future capital upgrades over time by sponsors. A more inclusive way would be to recognise sponsors contributing to the capital asset regardless of when they become a sponsor or contribute to the project.

Fortescue's logo and name should appear on a plaque to be erected in the Park by the Town of Port Hedland acknowledging every sponsor of the project. It was felt that the café would be a significant feature of the park and an asset of the Town of Port Hedland. Fortescue felt it should be recognised along with other major sponsors.

In terms of its operation of the training café, a smaller logo and/or storyboards could be placed within the café, together with a feature artwork to acknowledge the mentorship theme.

The logo could be placed:

- within the café with messaging about the sponsorship of the building and the traineeship program.
 - on material advertising all events relating to the traineeship program – special dinners, graduation day events, etc
- At the end of the three years support of the traineeship program, recognition material relating to Fortescue could then be removed.

Funding for operation of the MPRC should also be considered as a major contribution and recognised at the facility (e.g. through signage in the gymnasium), together with other agreed acknowledgements, including media and web communications.

Fortescue accepted that the MPRC would have multi-branding, i.e. that sporting groups using the facility would have their own sponsorships in place and that these would need to be recognised with signage, banners etc. during the sporting season.

1.7 CONSULTATION WITH SPORTING GROUPS INTENDING TO USE THE MPRC

Four clubs took part in this consultation; Port Hedland Basketball Association, Port Hedland Cricket Association, South Hedland Swans Football Club and Hedland Junior Football Association.

All four advised their clubs would be open to the possibility of 'sharing' sponsors, i.e. providing sponsors the opportunity to support sporting seasons for various clubs, as opposed to individual associations. This would give sponsors the opportunity of keeping their logos/banners in place for 12 months rather than for a single sports season.

All four also raised the issue of needing club space within the facility and again, were open to the possibility of sharing space provided each had a suitable dedicated wall/area for their honours boards, trophies, sponsorship recognition etc, although Swans Football Club advised that, ideally, it would prefer a function room to make its own.

Port Hedland Basketball Association

Port Hedland Basketball Association has been recently re-formed in 2010 and is currently supported by grants with no sponsorships. The association currently runs a men's session on Tuesday nights and a Juniors session on Thursday nights.

Adrian Hatwell advised that the Association would generally recognise sponsors via banners, signage and on sports outfits.

Swans Football Club

Swans Football Club currently has two potential sponsors – Fortescue and Doric. Fortescue has negotiated a five year sponsorship commitment. Part of the recognition agreement for funding is likely to be that the Fortescue logo be prominently displayed in the clubroom, on uniforms and at Swan functions. On the oval, Fortescue will be recognised on goal post protectors and with signs around the boundary fence and/or other banners around the ground (players huddle) during the football season.

Ian Ingham advised that, depending on cost, the club would like to be able to book function room/club room space within the MPRC yearly in advance. Swans material (trophies, sponsorship recognition, honour board etc) would need to be on permanent display within the club room/function room. The question was also raised as to whether sponsors would be able to receive concessionary use of club/function rooms as part of their sponsorship agreement with the sporting club and also whether the club/function room could be used for sponsor's day events.

Hedland Junior Football Association

Steve Markham of Hedland Junior Football Association advised that the Association has no major sponsors. It would use the oval and would require some wall space within the MPRC to display achievements, trophies, honours etc, as well as use of a club room/function room for meetings, seasonal wind-up, other functions etc.

Port Hedland Cricket Association

Dean Lapham advised that the Cricket Association would require club room/function room space for display purposes and to hold events, plus banners/signage around the grounds during the cricket season. The club would definitely consider sharing sponsorship to extend the branding opportunities for potential sponsors to a full year, rather than on a seasonal basis.

1.8 ANALYSIS OF FINDINGS

Private and public sector sponsorship

Industry is taking a more strategic approach towards sponsorship spending by aligning sponsorships more closely with business objectives and increasing the emphasis on measuring the performance of their investments. When sponsorship funding is provided as a capital investment, industry has made it clear that it is keen to make sure that its investment is remembered and acknowledged beyond the official handover/opening ceremony.

While public sector sponsorship is still largely a matter of a standard recognition agreement, even here there are signs that there is a shift from the traditional "signs and banners" to a more comprehensive approach to acknowledgement; one that adds value to the sponsorship offer.

These sorts of ongoing acknowledgements could include, but not be restricted to:

- Use of the facility an agreed number of times per year for private/community functions
- An annual community event branded in the sponsor's name

This shift will have an impact on the way the Town of Port Hedland acknowledges sponsorships in future.

Sponsor acknowledgement of contributions to community facilities need to be thoughtfully integrated into the facility operations. By constantly reinforcing the value that the sponsorship has brought to the Town of Port Hedland, the more positively the community, the public sector and the private sector will view these collaborative arrangements.

What is also clear from consultation is that there is an expectation that where industry supplies the total funding for facility development or the substantial majority of that funding, it expects to be offered naming rights (e.g. Fortescue's sponsorship of the training café and BHPB's contribution to the MPRC).

Given that these facilities would probably not be constructed without this funding (or not constructed to such a high standard), this is not an unreasonable request.

All other requests for recognition fall within the usual scope of sponsorship acknowledgement – media and other communications, invitations to official opening, logo on plaque or signage, etc.

The only possible area of dissension relates to acknowledgement signage at Marquee Park. BHPB is of the opinion that only the founding sponsors who have contributed at the outset to the construction of the park itself should be recognised on signage at all entrances.

Fortescue is of the opinion that Fortescue should appear on this signage as the café, although not an original feature of the Park, would be a significant feature and an asset of the Town of Port Hedland.

Marquee Park is nearing completion and due to be opened by late January 2012. Signage will need to be in place prior to opening.

Fortescue has signed a letter of intent to construct the cafe and Council has approved a submission to accept Fortescue's proposal. This is yet to be formalized through a Funding Agreement currently being drafted. It is therefore possible that the signage will need to be constructed before the Funding Agreement has been signed.

If it is accepted that Fortescue is to be recognised as a founding sponsor, Fortescue will need to be added to the signage retrospectively. If it is not accepted that Fortescue is to be recognised as a founding sponsor, Fortescue will need to be acknowledged independently in some way.

Sporting groups

Only a small cross-section of the sporting clubs and associations likely to be using the MPRC were consulted but nonetheless, a clear pattern emerged of their likely needs and expectations.

It would seem that most clubs and associations in Port Hedland survive through small amounts of grant funding loosely recognised via banners on the oval and/or on the uniform strip.

The recent sponsorship agreement between Fortescue and the South Hedland Swans Football Club signals a step towards more strategic sponsorships aligned to club growth and development.

Both types of sponsorship will have a bearing on the MPRC, which will need to manage such arrangements to ensure that the visual amenity and the integrity intent of sport and recreation activity are protected.

At the same time, the Town of Port Hedland will be keen to support the capacity of sporting clubs and associations to raise operational revenue through the securing of commercial promotion and sponsorship.

As construction of the MPRC is still underway, all the clubs consulted advised that they are unsure as to what facilities will be available to them and at what cost. Until a list of fees and charges is available, the clubs cannot accurately work out what sponsorship they might need to cover their costs.

All were more than happy to explore the potential for joint sponsorship (NB: provided the sponsorship was allocated evenly). This would assist in offering potential sponsors the opportunity to enter into more beneficial 12 month agreements, while also assisting the multi use facility to keep signage under control.

1.9 RECOMMENDATIONS RE SPONSORSHIP AND RECOGNITION

Sponsorship is considered a mutually agreed arrangement between the Town of Port Hedland and an external company, organisation, enterprise, association or individual evidenced in writing whereby the external party (sponsor) contributes money, goods or services to a Town of Port Hedland facility, program, project, or special event in return for recognition, acknowledgement or other promotional considerations or benefits. This does not include donations and gifts to the Town of Port Hedland.

The objective of a sponsorship and recognition agreement is to safeguard the Town of Port Hedland's values, images, assets and interests, while increasing the opportunities for revenue generation.

Ideally, any agreement forms part of an approved policy which establishes the principles and conditions under which the Town of Port Hedland will pursue and enter into sponsorship agreements and sets out the responsibilities and delegated authorities to ensure consistency with the Town of Port Hedland's vision, mission and values.

It is advised that the following recommendations for sponsorship and recognition of funding supplied to:

- Marquee Park
- Multi Purpose Recreation Centre (MPRC)

be used as the basis to develop an integrated policy that effectively outlines the opportunities for public and private sector partners while allowing the Town of Port Hedland to take a responsible attitude towards public/private sector partnerships.

Under the policy, the Town of Port Hedland should develop a clear, easy to understand guide to sponsorship and an agreement template that can be used between a sponsorship proponent and the Town of Port Hedland.

Naming rights

Significant funding has been provided by industry for both Marquee Park and the MPRC. Specifically,

- a sponsor has provided \$12.7 million to help develop a multi-purpose recreation centre for the community which will provide state of the art recreation facilities for people living in Port Hedland
- a sponsor has offered to fund construction of a training café in Marquee Park to improve the community's use of the facility and to provide opportunities for all members of the community to undertake hospitality training, with an emphasis on encouraging participation of Indigenous people.

Each is requesting naming rights as part of a sponsorship agreement. The difference between the two lies in:

- a) the training café is a stand-alone sponsorship which covers the full construction costs and fit-out of the facility
- b) The \$12.7 million, although substantial, forms part of a two-way partnership agreement between BHPB and the Town of Port Hedland, supported by a large contribution from Royalties for Regions, to fund construction of the MPRC. All three contributors (TPH, BHPB and Royalties for Regions) have contributed fairly equal substantial amounts to this facility.

The best and most definitive way to determine who should and who should not be given naming rights would be to develop and adopt an appropriate policy.

It is recommended that the Town of Port Hedland should develop and adopt a naming rights policy. The policy to include the provisions that where naming rights are requested:

- a) Sponsors agree to work with the Town of Port Hedland and participate in a naming rights working group (e.g. with the MPRC where the amount contributed all falls within a fairly equal range, all sponsors of this facility, TPH, BHPB, Royalties for Regions, to be represented on the group, not just the one seeking naming rights) to reach mutual agreement regarding naming rights
- b) Naming of any facility will be considered for approval by Council
- c) The name should preferably reflect some positive or memorable aspect of the sponsor's history or environment in some way, rather than purely placing the company name in front of the facility
- d) determination as to whether sponsors logos can be placed on the outside of buildings for the term of any agreement
- e) The term of the agreement to be negotiated (e.g. not less than a period of 20 years, unless the company goes into receivership or ceases to exist)
- f) Whether the sponsor should be granted the right to remove the logo and/or withdraw naming rights should the facility cease to be used for its designated purpose and/or fall into disrepair.
- g) Where there are public sector sponsors (as is the case with the MPRC which has significant Royalties for Regions funding) before acceding to a request for naming rights, the Town of Port Hedland should ensure the request in no way breaches any State funding agreement

While some sponsors will negotiate individual agreements with the Town of Port Hedland in recognition of their contribution, a general level of recognition is suggested as being appropriate in Table 3 below:

Table 3: Marquee Park – Suggested Basic Recognition Rights

	BHPB	Variety WA	South Hedland New Living	Lotterywest	Newcrest Mining	Royalties for Regions	FORTESCUE (NB: dependent on finalisation of café funding agreement)
Acknowledgement in media releases	✓	✓	✓	✓	✓	✓	✓
Placement logo on communications materials – precedence in order of \$\$ value contributed	✓	✓	✓	✓	✓	✓	✓
Acknowledgement of contribution in newsletters and other communications materials.	✓	✓	✓	✓	✓	✓	✓
Acknowledgement of contribution in on-line/web based communications	✓	✓	✓	✓	✓	✓	✓
Acknowledgement of contribution in speeches related to the project.	✓	✓	✓	✓	✓	✓	✓
Placement logo on all entrance signage to Park - precedence in order of \$\$ value contributed	✓	✓	✓	✓	✓	✓	
Invitation to official opening for nominated guests	✓	✓	✓	✓	✓	✓	✓
Invitations to participate in and help develop annual 'Founders Day' community event for ongoing recognition and	✓	✓	✓	✓	✓	✓	

promotion of sponsors							
All café directional and exterior signage to have sponsor logo							✓
Principal sponsor status – Marquee Park						✓	
Naming rights status – if agreed to under Naming Rights Policy							Naming rights to café ✓
Logo recognition inside cafe							✓
Use of park for community/sponsor events (to be negotiated in agreement with Council's operational plan for the park)	✓	✓	✓	South Hedland New Living to negotiate use for community events associated with urban renewal project		✓	
Use of café for 4 (four) sponsor events per year for each year of operation and twice per year thereafter (ongoing recognition of construction funding). To be negotiated in agreement with café operational plan							✓

Table 4: MPRC Suggested Basic Recognition Rights		
	BHPB	Royalties for Regions
Acknowledgement in media releases		
Placement logo on communications materials – precedence in order of \$\$ value contributed		
Acknowledgement of contribution in newsletters and other communications materials.		
Acknowledgement of contribution in on-line/web based communications		
Acknowledgement of contribution in speeches related to the project.		
Invitation to official opening for nominated guests		
Placement logo on Honours Board inside MPRC		
Naming rights status to be determined under Naming rights policy		
Logo recognition inside		
Use of parts of facility (e.g. function room) for community/sponsor events for an agreed number of times per year (suggested max of four)		

MPRC: Fortescue sponsorship of operations

Consultation with industry groups showed that sponsors considered capital infrastructure sponsorship and operational sponsorship should be treated discretely.

Fortescue has negotiated a community benefit agreement with the Town of Port Hedland to provide operational funding for the MPRC gymnasium for a period of five years.

As part of that agreement, it would be appropriate for Fortescue to be recognised through initiatives such as:

- Acknowledgement in media releases
- Placement of logo on communications materials
- Acknowledgement of contribution in newsletters and other communications materials.
- Acknowledgement of contribution in on-line/web based communications
- Acknowledgement of contribution in speeches related to the operations of the MPRC.
- Invitation to official opening for nominated guests
- Placement logo inside MPRC gymnasium for the term of the sponsorship
- Use of part of the facility for community/sponsor events for an agreed number of times per year for the term of the sponsorship (suggested max of four)

Recommendations Sporting Clubs and Associations

Given that:

- a) The MPRC does not yet have an operational plan
- b) Port Hedland Sporting Clubs and Associations have not sought major sponsorships to date
- c) The clubs have advised that they cannot give an indication of the level of sponsorship they will be seeking until they know what the MPRC fees are likely to be

there is an opportunity to develop an education package along with the operational plan which is designed to:

- Show clubs how best to attract sponsorship
- Advise what the Town of Port Hedland would approve under a sponsorship (e.g. clubs should not offer naming rights to shared function rooms, ovals, club rooms, clubs should not offer front of house displays which detract from major sponsors of the facility etc.)
- Encourage shared sponsorships for greater input from local business
- Advise on insurance and liability for maintenance of signage
- Advise on what sponsorships will not be accepted under any circumstances (e.g. tobacco sponsorship)

Once the operational plan has been developed, sporting clubs using the Town of Port Hedland's MPRC are likely to be seeking approval to enter into commercial sponsorship agreements. Providing an advice package at the same time as the plan will assist clubs with their applications and assist the Town of Port Hedland to process them.

Applicants should provide full details of the proposed sponsorship and the agreement which the club wants to enter into with the sponsor. Council officers will assess applications, taking into account

- The nature of the promotion and sponsorship
- The size and design of any signage
- The proposed location of the signage
- The visual impact of the signage on the amenity of the oval and area.

This will go a great way towards ensuring that the major sponsors of the facility remain satisfied with their investment, while as the same time, the Town of Port Hedland is actively supporting growth and development of sporting clubs and associations in the community.

7:15pm Councillors G J Daccache and J E Hunt declared a financial interest in Item 11.3.3 'South Hedland Aquatic Centre Redevelopment – Proposed Variations to the Budget and Scope (File No.: .../...)' as they are BHP Billiton shareholders with shares above the threshold.

Councillors G J Daccache and J E Hunt left the room.

11.3.3 *South Hedland Aquatic Centre Redevelopment – Proposed Variations to the Budget and Scope (File No.: .../...)*

Officer Graeme Hall
Manager Recreation
Services

Date of Report 13 January 2012

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to inform Council of an increase in available funds for the redevelopment of the South Hedland Aquatic Centre (SHAC), proposing a variation to the budget and scope the project.

Council is requested to note the additional funding provided by BHP Billiton and to endorse a variation to Contract 11/10 to the value of \$548, 850 (ex. GST) for the inclusion of an AquaTower.

Background

The Council meeting of 13 July 2011 awarded Tender 11/10 South Hedland Aquatic Centre to AVP Commercial Pools. The lump sum price for the project was \$8,293,405.00 being for:

- Upgrade of the 50metre pool, leisure water, plant, filtration, pipework, plant, plant room, concourse and drainage
- Playground, family area, service conduiting
- Wave Machine
- Solar Heating
- Allowances (drainage, service road, crossover, sewer, lighting allowance and project contingency).

Additional funds were also authorized of \$960,000.00 for additional work to be carried out by the Council including:

- Drainage
- Sewer connection
- Service road construction
- Lighting

- Project management and contingency.

Consultation

Internal

- Director Community Development
- Manager Infrastructure Development
- Manager Recreation Facilities and Services
- Coordinator Recreation Services

External

- WALGA
- AVP Commercial Pools
- BHP Billiton Iron Ore

Statutory Implications

The tender for the redevelopment of the South Hedland Aquatic Centre was called in accordance to the Local Government Act (1995):

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.

And in accordance with the Local Government (Functions and General) Regulations 1996:

11. Tenders to be invited for certain contracts

(1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless subregulation (2) states otherwise.

14. Requirements for publicly inviting tenders

15. Minimum time to be allowed for submitting tenders

16. Receiving and opening tenders

17. Tenders register

18. Choice of tender

Policy Implications

Tender 11/10 was called in accordance with Council's Procurement Policy 2/015 and Tender Policy 2/011.

Strategic Planning Implications

Key Result Area 3: Community Development

Goal 1: Youth and Children
That parents and young people in the Town have access to a range of facilities and services that is comparable to the metropolitan area.

Goal 2: Sports and Leisure
That the community has access to sports and leisure facilities at or above the quality that they would be able to access in the metropolitan area.

Budget Implications

The redevelopment of the SHAC project originally had a project budget of \$9,257,745 inclusive of all preliminaries, margins, fees, sub-contractor costs, authority charges, allowances and disbursements. The following table outlines the income sources to undertake the South Hedland Aquatic Centre upgrade:

Income	Amount	Status
Department Sport and Recreation (CSRFF)	\$ 600,000	Confirmed in 2010/11 budget
CLGF (ToPH)	\$ 807,745	Confirmed in 2011/12 budget
TOPH	\$ 600,000	Approved CF in 2011/12 budget
Royalties for Regions	\$ 3,600,000	Confirmed. To be included in 2011/12 budget
RLCIP	\$ 150,000	Confirmed. To be included in 2011/12 budget
BHPB Funding	\$ 2,500,000	Confirmed 2011/12 funding
BHPB (Interest Earned)	\$ 1,000,000	Confirmed 2011/12 funding
Total	\$ 9,257,745	

In terms of considering priority elements that could be funded within available, confirmed project budget (\$9,257,745) the following was detailed inclusive of works outside of the scope of the tender (drainage, service road, crossover, sewer, lighting allowance and project contingency):

Income	Tender / Cost Estimate	
<u>AVP / Christou Tender</u>	Total	Breakdown
Essential Elements	\$ 5,065,510	
• 50 metre pool		\$ 1,604,920
• Leisure water area		\$ 760,050
• Plant, filtration, pipework and plant buildings		\$ 2,230,415
• Concourse and drainage (around pools)		\$ 470,125
Highly Desirable	\$ 549,750	
• Learn to Swim		\$ 549,750
Desirable	\$ 158,000	
• Landscape		
- Family area – including lawn, trees, soft planting, picnic tables, pavilion, BBQ's		\$ 85,000
- Dry Playground with soft fall under		\$ 59,000
- Service conduiting (future works)		\$ 14,000
Optional	\$ 2,670,145	
• Shade		\$ 150,000
• Wave machine		\$ 2,100,695
• Solar Heating		\$ 419,450
Total Contract Amount	\$ 8,293,405	
<u>Additional Allowances</u>		
Additional works	\$ 960,000	
• Drainage Allowance		\$ 110,000
• Service road, crossover		\$ 30,000
• Sewer connection		\$ 70,000
• Lighting Allowance (compliance)		\$ 100,000
• Project contingency		\$ 500,000
• Project Management		\$ 150,000
<u>Not Funded / Reduced Scope / Later Staging</u>		
• Aqua Tower		\$ 548,850
• Landscaping (mound, central passive space – 650sqm, lawn, timber decking, paving, BBQ's, tables and lounges)		\$ 544,020
• Shade		\$ 150,000
TOTAL PROJECT	\$ 9,253,405	

The prioritisation of elements that were most desirable / prioritised to fit within available funding was based on the following:

- Solar Heating – reducing operational expenditure for life of facility and allowing the open season for the facility to be extended by months
- Learn to Swim – increase revenue generation for life of facility and delivering improved community outcomes (water safety and physical activity)
- Shade – important to overall amenity of project and usability year round
- Landscaping – important but could be later staged or delivered in smaller elements
- Aqua Tower – added attraction, contributes to revenue

Although desirable, the installation of an Aqua Tower was at the time unable to be funded and not included in the contract scope of works.

Through discussions with BHPB (November 2011), the contribution to the SHAC redevelopment was confirmed as \$2,500,000 (development of an artificial wave machine), \$1,000,000 from unallocated Partnership funds and an additional (up to) \$550,000 which would enable the inclusion of an Aqua Tower.

Access to additional funds from BHPB will enable Council to increase the scope of the project to include the Aqua Tower (tendered cost \$548,580) originally excluded from the project.

The revised total budget for the redevelopment of the South Hedland Aquatic Centre inclusive of the Aqua Tower is \$9,802,255.

Officer's Comment

The Aqua Tower will be a welcome addition to the facilities provided at the refurbished South Hedland Aquatic Centre. The facility will predominantly attract younger users of the facility. There will not be any additional cost to patrons of the pool to use the Aqua Tower facility. From an operational perspective the Aqua Tower Facility will not require any additional staff supervision.

Council has been progressing with the planning for the redevelopment of the South Hedland Aquatic Centre. By making available an additional \$550,000, BHPB have made it possible for Council to include the installation of an Aqua Tower as part of the project without impacting on the construction schedule/completion date.

Attachments

1. Images of Aqua Tower proposed to be installed at the South Hedland Aquatic Centre.

Officer's Recommendation

That Council:

1. Notes the additional funding of up to \$550,000 that has been made available by BHPB for the redevelopment of the South Hedland Aquatic Centre
2. Approves the variation to Contract 11/10 South Hedland Aquatic Centre (Stage 1) to AVP Commercial Pools to the value of \$548,850 (ex. GST) to include of the Aqua Tower within the project scope of works
3. Acknowledges BHPB for their contribution as a major contributor to the redevelopment of the South Hedland Aquatic Centre.

201112/305 Council Decision

Moved: Cr A A Carter

Seconded: Cr G A Jacob

That Council:

1. **Notes the additional funding of up to \$550,000 that has been made available by BHPB for the redevelopment of the South Hedland Aquatic Centre**
2. **Approves the variation to Contract 11/10 South Hedland Aquatic Centre (Stage 1) to AVP Commercial Pools to the value of \$548,850 (ex. GST) to include of the Aqua Tower within the project scope of works**

CARRIED 5/0

7:16pm Councillors G J Daccache and J E Hunt re-entered the room and resumed their seats.

Mayor advised Councillors G J Daccache and J E Hunt of Council's decision.

PERSPECTIVE



PLAN VIEW

YELLOW GREEN
RAL 6018

SULFUR YELLOW
RAL 1016

YELLOW GREEN
RAL 6018

SULFUR YELLOW
RAL 1016

SULFUR YELLOW
RAL 1016

SILVER GREY
RAL 7001

SKY BLUE
RAL 5015

YELLOW GREEN
RAL 6018

SULFUR YELLOW
RAL 1016

SKY BLUE
RAL 5015

SILVER GREY
RAL 7001

SKY BLUE
RAL 5015

TRAFFIC ORANGE
RAL 2009

RAL DESIGN
RAL 220 80 20

SKY BLUE
RAL 5015

VERMILION
RAL 2002

**SOUTH
HEDLAND
AQUATOWER 500**



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11.3.4 Tender Management Town of Port Hedland Leisure Facility (Tender 11/34)

Officer Graeme Hall
Manager Recreation Services and Facilities

Date of Report 17 January 2012

Disclosure of Interest by Officer Nil

Summary

Council in November 2011 called for tenders for the Management of the Town of Port Hedland Leisure Facilities.

Following assessment of the tender's received; both submissions appear to be deficient and not able to be recommended in their current form. The quality of the proposals is such that the assessment team has doubts as to:

- The delivery of the required level of service
- The value for money that either option provides to the community
- The quality of the maintenance and presentation of Council's assets.

Council is requested to note the receipt of 2 tenders for Tender 11/34 and to request both tenderers submit a refined offer that responds to the concerns held in their initial proposals.

Background

Council resolved 27 May 2011 to seek tenders for the management of its leisure facilities. In accordance with the Council decision, tenders were sought for the management of the three of the Town of Port Hedland Leisure Facilities on 19 November 2011.

The Town of Port Hedland by May 2012 will have four major leisure facilities to manage either directly or indirectly, these being:

- JD Hardie Recreation Centre
- Gratwick Memorial Aquatic Centre
- South Hedland Aquatic Centre
- Multi-Purpose Recreation Centre.

The JD Hardie Recreation Centre and the two aquatic facilities are or have previously been managed by external operators.

The current management arrangements for the four leisure facilities are as follows:

- JD Hardie Centre is currently managed by the Town of Port Hedland as the main recreation centre. With the completion of the new Multi- Purpose Recreation Centre it is proposed that the JD Hardie Centre will transition to a major youth facility managed by the Town of Port Hedland.
- The two aquatic centre's (Gratwick Memorial Aquatic Centre and South Hedland Aquatic Centre) are currently managed on a one year agreement by the YMCA. The current agreement expires on 31 June 2012.

The Multi- Purpose Recreation Centre is due for practical completion in May 2012. The Council Meeting (May 2011) resolved:

That Council:

1. *Endorses the 'in-principal' position of contract management for the Multi-Purpose Recreation Centre*
2. *Considers an initial term of 3+2 years that the MPRC be operated by a contract manager*
3. *Tender specifications are prepared for the management of the MPRC based on the details contained within the Management Plan currently being developed by CCS Strategic Management to be considered formally in June 2011*
4. *The tender specification is expanded to invite proposals for the complementary management of the JD Hardie Centre and subsequently the operation of the Town of Port Hedland's two aquatic centre's when the current contract term expires*
5. *Tenders are called as soon as possible following the formal adoption of the Management Plan, with a view to the appointment of the contract manager no later than 1 December 2011.*

In response to the Council's decision a detailed tender document was prepared that sought to attract the best possible outcome for the Town of Port Hedland and its residents from the leisure facilities.

The tender documentation developed was specifically designed to encourage innovative responses from companies that provide management of leisure facilities. The key aspects of the tender document were:

- Establishing a minimum number of operational hours for each facility
- Encouraging key performance indicators for each of the facility
- Promotion of 'Town of Port Hedland Leisure Facilities as an identifiable brand

- A comprehensive Business Plan
- Presentation of operational budgets and management fees as separable costs
- Remuneration of all staff in accordance with the Town of Port Hedland's current Enterprise Bargaining Agreement
- A Marketing Strategy for each of the leisure facilities
- Fully costed cleaning and maintenance schedules.

The Tender for the Management of the Town of Port Hedland Leisure Facilities was advertised in the West Australian and the North West Telegraph from Saturday 19 November 2011. The closing date for submissions was Thursday 15 December 2011.

Two compliant tenders were received at the close of the submission period:

- YMCA
- CASA Leisure.

Overview of Tenderers

YMCA

The YMCA is a not-for-profit organisation that currently manages over 600 facilities across Australia including aquatic centres, recreation centres and health and fitness studios. The Executive Committee in Perth consists of eight staff and currently employs over 800 staff.

YMCA's West Australian facilities have an annual turnover of \$30 million. The YMCA currently manages the Gratwick and South Hedland Aquatic Centres under an existing agreement that expires on 30 June 2012.

CASA Leisure

CASA Leisure is a private company with over 20 years experience in operating and managing leisure facilities. The Executive Team at CASA Leisure is comprised of four key staff with over 200 staff employed in their facilities.

In the current financial year CASA Leisure will turnover in excess of \$3.8million. They currently manage seven leisure facilities in South Australia including recreation centres, health and fitness studios and a golf course. They also have previous experience managing aquatic centres.

Tender Assessment

The Scope of Works provided to all prospective tenderers as part of the Tender Documentation sought responses to five Working Criteria these being:

- Working Criteria 1 - Facility Operation
- Working Criteria 2 - Financial Management
- Working Criteria 3 - Performance Management
- Working Criteria 4 - Human Resources
- Working Criteria 5- Marketing and Branding.

Working Criteria 1 - Facility Operation

Hours of Operation

The scope of works provided to all potential tenderers was presented in a manner that encouraged a future operator to be innovative in the operational hours for each facility. The tender document set minimum number of hours for the operation of each facility and sought an innovation approach from the proponents.

Neither of the proposals received provided a satisfactory response to the operational hours of the Town of Port Hedland leisure facilities.

Both proposals met the required minimum number of hours, but lacked any innovation regarding the uniqueness of the workforce, climatic conditions, lifestyle or need for an enhanced level of service.

Day	CASA	YMCA
Multi-Purpose Recreation Centre	All year round - 13 hours per day weekdays 13 hours per day weekends	
Monday - Thursday		7.00am -10.00pm
Friday		7.00am -9.00pm
Weekends		8.30am – 5.00pm
Public Holidays		8.30 am – 5.00 pm
South Hedland Aquatic Centre (summer only)	Summer - 13 hours per day weekdays 8 hours per day weekends Winter - Closed	
Monday - Thursday		5.30am - 7.30pm
Friday		9.00am – 6.00pm
Weekends		10.00am – 6.00pm
Public Holidays		10.00am – 6.00pm
Attractions		
Monday - Friday		3.30pm – 7.00pm
Weekends		12.00pm 7.00pm
Public/ School Holidays		12.00pm – 7.00pm

Gratwick Aquatic Centre	Summer - 13 hours per day weekdays 8 hours per day weekends Winter – 5 hours per day	
Summer		
Monday and Wednesday		5.30am- 8.00pm
Tuesday and Thursday		5.30 am – 6.00pm
Friday		7.00am – 6.00pm
Weekends		9.00 am – 5.00pm
Public Holidays		9.00am – 5.00pm
Winter		
Monday, Wednesday and Friday		6.00am – 11.00am
Tuesday and Thursday		1.30pm – 6.00pm
Weekends		10.30am- 3.30pm
Public Holidays		10.30am – 3.30pm
Gratwick Aquatic Centre Fitness Centre		
Monday – Thursday		6.00am- 8.00pm
Friday		6.00am- 6.00pm
Weekends		10.30am- 3.30pm
Public Holidays		10.30 am – 3.30pm
Total number of hours for the year	10,603	9951

The current arrangements for the operation of Council's leisure facilities are not meeting the expectations of both Council and the community. There is a perception that the hours of operation are not long enough and the times of opening are out of sync with what facility users desire.

Maintenance/Cleaning and Service Schedules

Both proposals addressed the cleaning and maintenance of the facilities in a minimal way. The level of detail provided did not meet the requirements stated in the tender document in that the cleaning and maintenance schedules were not:

- Fully costed
- Clearly outlined within the budget process
- Specifically outlined within the performance indicators presented.

Without this level of detail there are limits to the level of confidence that the Town could have with regard to the preservation of its assets.

Programming

The programming of facilities is a key issue. A detailed evaluation of the programs and services proposed by both tenderers is presented below.

Item/Detail	CASA proposal	YMCA proposal	ToPH comment
Outline of programs – MPRC	<p>* There is no weekly schedule of programs for the MPRC provided in the submission. The submission does outline running youth sports competitions, adult sports competitions, fairs, festivals and specific fly-in, fly-out worker sports competitions.</p> <p>* The suggested adult sporting competitions include netball, soccer, volleyball, basketball and squash.</p> <p>* The submission also makes mention of running school holiday programs and youth programs.</p> <p>* There is a plan to run group fitness classes, personal training, youth fitness classes and fitness classes for older adults.</p>	<p>* The submission provides a weekly schedule of programs at the MPRC.</p> <p>* The submission includes a plan with specific numbers of group fitness classes per week, personal training sessions per month, junior and senior sport competitions per week and squash court bookings per week.</p> <p>* There are also details provided regarding children's term programs, school holiday programs and adult term programs.</p> <p>* The submission does outline regular meetings with local sporting groups.</p>	<p>* The CASA submission did not provide any detail in the scheduling of programs at the MPRC.</p> <p>* The YMCA submission did provide details on frequency of programs and expected attendance numbers.</p> <p>* There is a very modest program of group fitness classes outlined in the YMCA submission, and is only matching the current programming at the JD Hardie Centre.</p> <p>* The intention to involve local sporting groups by the YMCA is very good.</p> <p>* Neither submission has expressed the desire to run group fitness or personal training in the early morning.</p>
Outline of programs – Aquatics	<p>* The submission does not include a weekly schedule of programs at the aquatic facilities.</p> <p>* A number of education campaigns were discussed in the</p>	<p>* The submission provides a weekly schedule of programs at the aquatic facilities.</p> <p>* The submission included details on running aqua fitness classes,</p>	<p>* The CASA submission does not provide enough detail regarding the aquatic programming.</p> <p>* The submission by the YMCA provides plenty of detail regarding the type and</p>

	<p>submission including water safety, older adult and disabled persons.</p> <p>* There is an outline in the submission of events for children on weekends and during school holidays.</p> <p>* The submission makes mention of working with aquatic sporting clubs.</p>	<p>pool parties, in-term swimming lessons, vacation swimming lessons, children's and adults programs.</p>	<p>frequency of aquatic programs.</p> <p>* The YMCA submission outlines an aquatic program similar to what they already run at the facilities.</p> <p>* Both submissions state that they are committed to providing swimming lessons for all school aged children.</p> <p>* Neither submission makes mention of the Hedland Water Polo Association.</p>
Integration of JD Hardie Centre programs	<p>* The submission does discuss building on the existing programs that are run at the JD Hardie Centre.</p>	<p>* The submission talks of collaborating with the ToPH regarding JD Hardie Centre programs.</p>	<p>* The CASA submission does well to acknowledge the success of the existing programs at the JD Hardie Centre, and proposes to build on these programs.</p> <p>* The idea in the YMCA submission of cross-facility competitions with the JD Hardie Centre has some merit and could work well.</p>
Costing	<p>* There were no specific details given of fees and charges for programs within the submission.</p>	<p>* The submission provided a table of fees and charges for programs at all facilities.</p>	<p>* The CASA submission does provide not enough detail regarding the cost of programs.</p> <p>* The suggested patron cost for the wave attraction by the YMCA is quite high and does not provide information on the length of use/hire.</p> <p>* The submission by YMCA does not provide information on the length of use/hire for the slide either.</p>
Staff utilisation	<p>* The submission makes mention of</p>	<p>* The submission outlines how staff</p>	<p>* The involvement of the YMCA in a number</p>

	utilising staff across each facility for programs.	have been utilised at current aquatic facilities. * There is information provided regarding indigenous employment strategies.	of employment programs could benefit the facilities and improve staff retention for program instruction.
--	--	--	--

It can be seen that there are strengths and weaknesses in both submissions regarding facility programming. The YMCA provided a greater level of detail and clearer picture of how they would operate the facilities. Based on the knowledge of current sport and recreation trends and demands in this community, it is believed that the programming proposed by the YMCA is conservative.

CASA Leisure provided some excellent programming opportunities that are likely to be well received by the community. Due to insufficient details being provided it is difficult to get a clear understanding of how these programs will operate.

There are endless possibilities for programming at the Multi-Purpose Recreation Centre, the redeveloped SHAC and existing Gratwick Aquatic Centre.

The submissions only reflect what is being offered at the current time. It is believed that the levels of income in both proposals are inhibited as a result of the limited programming being offered.

Key Staff

Both of the proposals provide staffing structures that would be considered as reasonable by the Council. There is a lack of detail provided with regard to the specific personnel that would be undertaking the roles in Port Hedland and more particularly the specific duties and required skill sets for each of the roles.

Working Criterion 2 – Financial Management

Both tender proposals presented provide a level of budget detail that meets the requirements of the tender process. The concerns that are held from the assessment process are that:

- Significant variation provided by two tenderers in responding to the same brief
- The significant cost variation between \$6,235,744.00 (ex GST) and \$10,273,107.33 (ex GST) over the duration of the four year agreement
- Assumptions within the financial plan that are not considered sustainable.

The major concerns with regard to the reliability of the financial information provided are:

YMCA

Insufficient budget or program details to determine if the proposal is a good outcome for the Town. The following issues are cause for concern:

- Low expectation of gym memberships (500 members) (potentially memberships could be in the region of 1,200 an 2,000)
- A restricted group fitness program (12- 16 classes per week)
- No new initiatives presented as part of the programming- lifestyle courses, health and well being opportunities.
- Provided very little detail with regard to assumptions made in preparing the financial details.

CASA Leisure

The financial details provided by CASA Leisure are inadequate in order to make a supportive recommendation with regard to CASA Leisure being a preferred tenderer for the following reasons:

- No breakdown of the budget to analyse
- No facility programming details provided in order to substantiate the budget details
- Limited details provided regarding maintenance and cleaning schedules (costings are therefore hard to substantiate)
- Incorrect assumptions (i.e maximum housing allowance for a manager's position is \$1,100 per week).

Working Criteria 3 Key Performance Indicators

The key area of performance indicators has been addressed in different ways by both tenderers. It is believed that both operators have a good understanding of the significance of key performance indicators and the need to benchmark the operation of facilities. Within their proposal CASA Leisure have identified the following areas as being key measures that should be measured:

- Customer satisfaction levels
- Financial (income and expenditure)
- Occupancy levels
- Attendance in total/and for specific programs
- Maintenance and cleanliness
- Reporting to Council
- Water quality.

CASA Leisure has indicated that they will negotiate with Council to develop suitable key performance indicators.

Alternatively the YMCA has provided a detailed table of outlining the Key Performance Indicators for each facility. The proposed Key Performance Indicators are aligned strongly with the industry recognised 'CERM Operational Management Benchmarks for Australian Public Sports and Aquatic Centre's.

In most circumstances the YMCA have adopted the benchmarks recognised by CERM. In the incidents when they have sought to vary from a recognised measurement they have failed to provide clear rationale for the variation. Council would ideally seek to have greater detail from both tenderers with regard to Key Performance Indicators. Information justifying the rationale for each indicator and would have made the proposals more supportable.

Working Criteria 4 Human Resources

Both organisations have identified through their proposal that they are well positioned to meet the Towns requirements with regard to managing a leisure centre based workforce. Both organisations have shown a significant level of commitment to the development of their staff, with specific development programs being an integral part of an employee's career path and incentive.

Both organisations have committed to remunerating all Port Hedland based employees in accordance with the Town of Port Hedland's Enterprise Bargaining Agreement.

Working Criteria 5 Marketing and Branding

It was anticipated from the scope of works provided that the proposals would provide a standalone marketing strategy for each of the facilities. Both the YMCA and CASA Leisure provided a good general overview of their approach to the promotion of the centre's and the relevant programs.

The information while adequate lacked some of the detail that was anticipated. There is a high level of confidence that both the YMCA and CASA Leisure would be able to provide documentation that would meet the requirements of the Town when requested as part of the contract.

Both of the proposals offered particular areas of strength that would be supported by Council:

- CASA Leisure is particularly strong with regard to their uniform policy
- The YMCA strikes a chord with regard to the way that they plan to approach the discounting of services and their approach to sponsorship.

Internal Business Plan / Business Understanding

In order to gain a thorough understanding of the operation of the leisure facilities an internal business plan has been developed by officers. By having a detailed understanding of costs and the income potential of the three leisure facilities the Town is better placed to assess the external tenders received.

The document produced by the Town is indicative only at this stage and would require scrutiny before it could be implemented. The internal Business Plan does provide a document against which the other tender proposals can be compared.

Consultation*Internal*

The development of the tender documentation required considerable input from a range of disciplines from throughout the organisation:

- Chief Executive Officer
- Executive Management Group
- Manager Recreation Services and Facilities
- (Former) Manager Financial Services
- Manager Organisational Development
- Human Resources Coordinator

The draft documentation was considered by the Executive Management Team prior to advertising.

External

- Executive Manager, Leisure Institute of WA (Aquatics)
- Tendering and Procurement sections, WALGA
- A Balanced View Leisure Consultancy – External Peer Review

Statutory Implications

This Tender was called in accordance to the Local Government Act (1995).

“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.”*

Policy Implications

This Tender was called in accordance with Council's Procurement Policy 2/007 and Tender Policy 2/011.

Strategic Planning Implications

The feasibility study will address several elements of Council's Strategic Plan. The predominant strategy is:

Key Result Area 3: Community Development
 Goal 2: Sports and Leisure
 That the community has access to sports and leisure facilities at or above the quality that they would be able to access in the metropolitan area.

Budget Implications

The management of the Town of Port Hedland Leisure Facilities is a cost that will be part of the operational budget for each of the three leisure facilities as well as the Marquee Park facility.

The Town currently has a budget allocated to the following operational accounts to meet the costs of operating the facilities for the balance of the 2011/2012 financial year.

Account Number	Account Description	Amount
1108257	Multi-Purpose Recreation Centre Operating Cost	\$250,000.00
1111239	Marquee Park Operational Costs	\$300,000.00
1105255	Gratwick YMCA Operations	\$485,000.00
1105260	South Hedland Aquatic Centre – YMCA Operations	\$275,923.00

Based on the outcome of the Tender evaluation process the operational budgets for the 2012 – 2013 financial year will be developed as part of the Council's normal budget process.

Officer's Comment

In advertising Tender 11/34 in November 2011, the Town of Port Hedland had a very high expectation with regard to the opportunities that are available with regard to the long term management of its leisure facilities.

The table below details the prices submitted within the 2 tenders received. Prices are for a period of 3 years inclusive of the net operating results for all 3 facilities and management fees.

Table 1

Submission	Lump Sum Fee (Excl GST)
YMCA	\$10,273,107.33
CASA Leisure	\$6,235,744.00

Reponses received present disparate pricing options. So different are the financial figures presented by the two organisations that submitted proposals that there is a need to ask questions regarding:

- The capacity of the organisation to fulfill the contract within the budget parameters they provided ?
- Do the proposals provided represent value for money to Council?

Table 2 below shows Assessment Criteria and weightings detailed in the Tender Request.

Table 2

Assessment Criteria	Weightings
Relevant Experience	30
Key Personnel Skills and Experience	20
Tenderer's Resources	10
Demonstrated Understanding / Methodology	30
Local Industry Development	10

Normally a Tender Assessment report would also contain a further table that scores each submission against qualitative selection criteria detailed in Table 2. However both submissions are currently deficient in number of key areas making assessment at this time undesirable.

Subject to Council endorsement, tenderers will be requested to resubmit proposals addressing the areas of deficiency identified in this report. These resubmitted proposals will be assessed against the selection criteria and presented to Council for consideration in February 2012.

Based on the overall assessment of the proposals received for the Management of the Town of Port Hedland Leisure Facilities it is believed that to accept either of the tender proposals in their current form would compromise what Council set out to achieve, as well as the service ultimately delivered to the community.

Potentially, Council has two options to proceed:

Option 1

Request that the two tenderers refine their offer in order to achieve an outcome that is more suitable to the Town of Port Hedland from both a financial and operational perspective. The refined agreement is based around ensuring the contract includes the following:

- High quality programming
- Development of suitable performance indicators
- Suitable opening hours
- Acceptable maintenance and cleaning schedules
- Strong branding and marketing strategies
- Financial performance

Option 2

Reject both tenders and the Town investigates the management of the leisure facilities on an in-house arrangement.

Summary

Officers are of the view that both tenders contain substantial merit but do not adequately achieve the outcomes that are desired by both Council and the community. The preference is for both tenderers to be given the opportunity to review the areas of deficiency identified and to resubmit refined submissions for assessment and Council consideration.

With this objective in mind, advice from the Western Australian Local Government Association (WALGA) is to undertake option 1 and within the current tender process, request tenderers submit revised offers.

The two options suggested above would require that a significant amount of work be completed in order to be in a position to operate the new Multi- Purpose Recreation Centre as of its practical completion and handover sometime in May 2012. It would therefore be essential that a report be presented to Council in February 2012 for consideration.

Attachments

Nil

201112/306 Officer's Recommendation / Council Decision

Moved: Cr S R Martin

Seconded: Cr M B Dziombak

That Council:

1. **Notes the receipt of two proposal responding to Council Tender 11/34 Management Agreement – Town of Port Hedland Leisure Facilities**

2. **Request that both the YMCA and CASA Leisure submit a refined offer that responds to the concerns held by the Town in their initial tender proposal. The new submissions will need to respond to the following concerns:**
 - **Detailed costing for each element of operation**
 - **Enhanced programming and service provision**
 - **Performance indicators**
 - **Facility cleaning and maintenance schedules**
 - **Position descriptions and skill sets of appointed employees**
 - **Detailed marketing strategies**
 - **Facility opening hours**
 - **Quality of gym equipment purchased as part of the fitout process**

3. **Notes that the Chief Executive Officer will report to Council in February 2012, following assessment of resubmitted offers.**

CARRIED 7/0

11.4 Corporate Services**11.4.1 Finance and Corporate Services*****11.4.1 Financial Reports to Council for Period Ended 31 December 2011 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Lorraine Muzambwa
Finance Officer

Date of Report 31 December 2011

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the financial activities of the Town to 31 December 2011, 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 2010/11.

Background**1. Financial Statements**

Presented (see attachments) in this report for the financial period ended 31 December 2011, are the:

- Statements of Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 31 December 2011;
- Review of Transaction Activity.

Note: Interest Rates for investments are selected from those provided from the following financial institutions: National Australia Bank, BankWest, Commonwealth Bank, AMP, Westpac Bank, Big Sky, Citigroup and the Australian and New Zealand Bank.

2. Utility and Fuel Costs

Presented in graph form (see attached), is the 2011/12 monthly water, power and fuel costs compared with 2010/11.

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 25 January 2012 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		Frm	To			
NMF011211	NMF011211	\$569.14	1	1	1	Municipal Fund	Photocopier lease
NMF011211	NMF011211	\$1,244.32	1	1	1	Municipal Fund	Photocopier lease
NMF071111	NMF071111	\$284.57	60	60	1	Municipal Fund	Photocopier lease
CHQ21013	CHQ21025		1	3	1	Municipal Fund	
CHQ21026	CHQ21026		-	-	1	Municipal Fund	Cheque cancelled
CHQ21027	CHQ21054	\$228,654.84	3	7	1	Municipal Fund	
EFT37815	EFT38125	\$5,751,534.23	7	59		Municipal Fund	
CMS071211	CMS071211	\$192.39	60	60	1	Municipal Fund	Photocopier lease Eng dept
CAL141211	CAL141211	\$1,177.67	60	60	1	Municipal Fund	Caltex Direct debit
PAY131211	PAY131211	\$397,399.45	60	60	1	Municipal Fund	
PAY271211	PAY271211	\$359,004.21	60	60	1	Municipal Fund	
	Municipal Total	\$6,740,060.82					
3002178	3002192	\$93,628.63	60	62	3	Trust Fund	
	Trust Total	\$93,628.63					
	Sub-Total	\$6,833,689.45					
LESS: one-off pays		-					
	Total	\$6,833,689.45					

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 sources and applications of funds, 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 to the council:*
 - (i) *at the next ordinary meeting of the council following the end of the month to which the statement relates; or*
 - (ii) *if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;*
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 5, to be used in statements of financial activity for reporting material variances.*

In this regulation:

“committed assets” means revenue unspent but set aside under the annual budget for a specific purpose;

“restricted assets” has the same meaning as in AAS 27.

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) waive 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:

1. 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

2. Quarterly

- Quarterly Budget Review
- Report on all Budgeted Grants of \$50,000 or more
- Irregular Financial reports will be presented to Council on request.

Strategic Planning Implications

Key Results Area 5:	Environment
Goal 2:	Natural Resources
Strategy 1:	Continue to monitor and report on the level of Council's energy, fuel and water use.

Budget Implications

At the Special Meeting held on 7 July 2010, Council resolved to adopt item 6.1.1.1 '2010/2011 Budget Adoption' en block, which included Recommendation 13 as follows:

"Recommendation 13

That Council adopts the following percentage or dollar value for determining and reporting material variances as follows:

1. *10% of the Function amended budget; or*
2. *\$100,000 of the Function amended budget*
whichever is the lesser, for the following categories of revenue and expenditure:
 - a. *Operating Revenue*
 - b. *Operating Expenditure*
 - c. *Non-Operating Revenue*
 - d. *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 \$ 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
(Attached under separate cover)
 - 1.1 Page 2–4.
Schedule 2 being a Statement of Financial Activity
 - 1.2 Pages 5 to 16.
Notes 3 to 11 which form part of the Statements of Financial Activity. Also Note 10 December 2011 Bank Reconciliations.
 - 1.3 Pages 17 to 66.
Detailed Financial Activity by Program.
 - 1.4 Pages 67 to 69.
Comparison Between 2011/12:2010/11 Utility & Fuel Costs
2. December 2011 Accounts for Payment
(Attached under separate cover)

201112/307 Officer's Recommendation / Council Decision**Moved: Cr A A Carter****Seconded: Cr G A Jacob****That Council note the:**

- i)
 - a) **Statements of Financial Activity (represented by Schedules 3 to 14);**
 - b) **Notes (1 to 11) to and forming part of the Statements of Financial Activity for the period ending 31 December 2011; and**
 - c) **Review of Transaction Activity, as attached and/or presented be received;**

- ii) **Graphic representation of the Town's energy, water and fuel use as attached be received; and**
- iii) **List of Accounts paid during December 2011 under Delegated Authority, as presented and/or attached be received.**

CARRIED 7/0

11.4.2 Governance and Administration

11.4.2.1 2010/11 Annual Report and Proposed Date for Annual General Meeting of Electors (File No.: ...-...)

NOTE: Mayor advised that Item 11.4.2.1 '2010/11 Annual Report and Proposed Date for Annual General Meeting of Electors (File No.: ...-...)' has been withdrawn and will be presented to Council for its consideration at the next opportunity.

11.4.2.2 *Town of Port Hedland 2012 Council Meeting and Briefing Framework (File No.: 00/00/00)*

Officer	Josephine Bianchi Governance Coordinator
Date of Report	11 January 2012
Disclosure of Interest by Officer	Nil

Summary

This report seeks Council approval of the newly developed Council Meeting and Briefing framework for 2012.

Background

Meetings carried out in accordance with the *Local Government Act 1995* (the Act) are the main framework utilised by Council to make decisions about the local government.

To ensure that elected members make informed decisions at Council Meetings it is extremely important that they are kept up to date on current and future projects by the Town's administration and by external stakeholders. Elected Members also need to be given the opportunity to raise any questions and/or discuss any concerns they may have in a timely manner.

This can happen through the establishment of specific briefing sessions supported by a robust administration process.

In the past Elected Members have attended briefing sessions that preceded each Council meeting, during which presentations from Town of Port Hedland officers and external stakeholders would take place, followed by a Q&A session pertaining to the items included in the agenda. Other ad hoc briefing sessions were held as and when required throughout the year.

The general consensus from Town of Port Hedland officers and Elected Members alike was that these sessions, although informative, were not sufficient to address all upcoming projects and proposals in a timely manner.

At its Ordinary Meeting of 16 November 2011 (201112/218) Council resolved to revert to two Ordinary Meetings per month starting from February 2012.

This decision has given officers the opportunity to create a new briefing framework to support Ordinary Council Meetings.

To develop this framework officers have utilised the Department of Local Government Operational Guideline No. 5 'Council Forums' coupled with research into best practice procedures adopted by other local governments across Western Australia.

At its Ordinary Meetings of 16 November 2011 (201112/218) and 14 December 2011 (201112/277) Council also established Elected Members representation on Working Groups, Committees and Forums.

These meetings will also be captured in the Council Meetings and Briefings Framework.

Consultation

- Chief Executive Officer
- Executive Team
- Western Australia Local Government Association
- Department of Local Government
- Other WA Local Governments

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

The Town of Port Hedland has developed to become a medium/large sized West Australian Local Government Authority. Council recognises that, as a significant business, it must have the governance structures, systems and procedures in place to lead this community to a bigger, better, brighter and more sustainable future.

- | | |
|----------------|--|
| Goal 1: | Leadership
That the community acknowledges that the Town is leading the future development and management of the municipality in an effective and accountable manner. |
| Goal 3: | Systems Development |
| Other Actions: | Review Council's Standing Orders Local Laws. |

Budget Implications

Costs associated with the proposed Council Meeting and Briefing Framework are included in the current budget.

Officer's Comment

The proposed Council Meeting and Briefing framework outlined in the attached 2012 planner can be summarised as follows:

- Ordinary Council Meetings

Ordinary Council meetings will take place on 2nd and 4th Wednesday of the month starting on 8 February 2012.

- Agenda for Ordinary Council Meetings

The Town will endeavour to make the Agenda for Ordinary Council Meetings available to the public one week prior to the date of the Meeting.

- Agenda Briefings

Agenda briefings will give elected members the opportunity to ask the Town's officers questions they may have on any of the items listed in the agenda. These sessions will take place just before the Ordinary Council Meetings, commencing at 4:30pm on Wednesdays in Council Chambers. Agenda briefings will be open to members of the public.

- Concept Forums

Concept forums will take place on the Wednesday that precedes the above Council meetings. These forums will include Elected Members, Town officers and any other external stakeholders invited by the Town, but will be closed to the public.

These forums will give the opportunity to both Elected Members and Town officers to propose, discuss and formulate ideas, strategies and concepts to support the development of the Town and enhance decision making. Such forums will involve projects that are in the early planning stage. In discussing such issues, officers will be looking for guidance from Elected Members as they research the matter and draft the report to Council to make its various decisions.

It is important to note that both the concept forums and the agenda briefings should be administered in a transparent manner, so that the level of accountability to the community is maintained at all times.

As it is a legal requirement that Council makes all decisions on behalf on the local government at meetings called and convened in accordance with the Act, it is important that the concept forums and the agenda briefing sessions are administered efficiently, effectively and with due probity and integrity.

Attachments

1. 2012 Council Meeting and Briefing Framework
2. Department of Local Government Operational Guideline No. 5 'Council Forums'

201112/308 Officer's Recommendation / Council Decision**Moved: Cr A A Carter****Seconded: Cr M B Dziombak**

That Council accepts the attached 2012 Council Meeting and Briefing Framework.

CARRIED 7/0

2012 Council Meeting and Briefing Framework

2012	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T						
January						1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
February			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29					
March				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
April				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30			
May	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31					
June				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30			
July				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
August			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31			
September				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30			
October	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31					
November				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30			
December				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		

CPT – Concept Forum at 5:00pm OCM – Ordinary Council Meeting • Agenda Briefing Session at 4:30pm OUT – Agenda Available to Public

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Council Forums

Local Government Operational Guidelines - **Number 05** January 2004



Council Forums

1. Introduction

1 Over recent years many local governments have introduced procedures that allow elected members and officers to meet and discuss matters relating to the operation and affairs of their local government outside of the formal council meeting framework. This has been done through an informal meeting process that has been given a range of titles including *briefing or information sessions, workshops and corporate discussions*. For the purposes of this guideline the term "forum" will be used to encompass such meetings.

2 The forum approach has allowed the ordinary meeting of council to focus on the decision-making needs of the local government. Many local governments that have adopted the forum process in preference to standing committees claim that it has led to better informed elected members and a more efficient and effective decision-making regime. This guideline is designed to assist those local governments that do conduct forums by listing appropriate procedural and behavioural controls. The adoption of such controls should reassure the community that the council decision-making mechanisms are accountable, open and transparent.

3 Local government forums range from one-off events discussing a particular issue through to regular, structured meetings, albeit not convened under the auspices of the *Local Government Act 1995* [the Act]. This guideline is intended to address those forums that are held on a regular basis.

4 While acknowledging that regular forums are invaluable and legitimate, the Department advises that the conduct of such has generated complaints regarding the potential for a reduced level of transparency in the decision-making process and hence a reduction in accountability to and involvement by the community. Local governments need to make a clear distinction between forums and the formal debate and decision-making process.

5 It is recognised that local governments may conduct other sessions or workshops which would include items such as team building exercises, strategic planning workshops and community input forums. It is not intended that these guidelines would necessarily be applied to such sessions, but some of the suggested procedural controls may have relevance.

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6 Issues relating to council forums that are addressed in these guidelines include:

- accountability;
- openness and transparency;
- probity and integrity;
- authority for the presiding person;
- participation by elected members and staff;
- proposals under Town Planning Schemes;
- formulating management documents; and
- forums immediately prior to an ordinary meeting of council.

2 Principles of the Act

7 Part 5 of the Act sets out the framework whereby elected members meet as the governing body for the purpose of decision-making on behalf of the local government.

8 It is an intention of the Act that councils conduct business and make decisions –

- openly and transparently;
- with a high level of accountability to their community;
- efficiently and effectively;
- with due probity and integrity;
- acknowledging relevant community input;
- with all available information and professional advice; and
- with the fullest possible participation of elected members.

9 The Act establishes ordinary, special and committee meetings. Each council must decide the meeting structure it will adopt within the legal framework for it to achieve the most efficient and effective decision-making process. It is a legal requirement that all decisions made on behalf of the local government are to be made at meetings called and convened under the provisions of the Act.

10 In addition to ordinary and special meetings, elected members can meet as a committee, membership of which may vary in number from three to all members of council. Committees can discuss matters and make recommendations to the council or, if given delegated authority by the council, can make decisions on its behalf. A council does not need to have committees and can have all matters presented to it directly for decision. A recent trend has been for councils to abolish the system of standing committees or limit the number and/or range of committees and adopt a forum approach.

3. Council Forums

11 Local government forums range from a once-only event to discuss and explore a particular issue, a number of sessions to address matters such as a specific project or the compilation of a report for internal or external use, through to forums held at regular intervals with a consistent structure and objectives.

12 Regular forums run in local governments exhibit two broad categories which we have titled *agenda* and *concept*. They are differentiated by the stage of development of issues which are discussed by elected members and staff. The two types are described below along with the variations in procedural controls and processes suggested for each.

Concept Forums

13 Concept forums involve elected members and staff meeting to propose, discuss and formulate philosophies, ideas, strategies and concepts for the development of the local government and the district. Such forums often involve projects that are in the early planning stage and are some time away from being presented to council for decision. In discussing such issues, staff are looking for guidance from the elected members as they research the matter and draft the report. Elected members and staff are also looking to present ideas and concepts for future consideration. If the response is favourable staff can proceed with their research and eventual report on the matter.

14 Examples of the type of issues concept forums may cover include –

- current matters of a local or regional significance;
- matters relating to the future development of the local government;
- significant revenue-raising requirements or expenditure needs;
- the development of internal strategic, planning, management and financial documents; and
- development of the selection criteria and performance objectives for the Chief Executive Officer (CEO).

15 Behind closed doors and in a relatively informal manner are the two notable characteristics of concept forums. Holding such meetings behind closed doors is justified in that many of the ideas and concepts are preliminary and while looking for that creative gem some may be extreme, expensive or impractical and never adopted.

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Discussion on such proposals in a public forum would be counter-productive. Privacy and informality allows elected members to propose ideas, ask questions and discuss issues for the better understanding of those in attendance. Such forums assist individuals to become better informed and to clarify their views.

16 The privacy and informality of concept forums also has pitfalls including the risk of neglecting proper standards of probity and public accountability. Over time, participants can become too familiar, and therefore more lax, with the procedure and purpose of the meeting. Unless procedures are adopted and rigorously applied to these forums, there is a danger that collective or collaborative decisions may be made, implied and otherwise.

Agenda Forums

17 For proper decision-making, elected members must have the opportunity to gain maximum knowledge and understanding of any issue presented to the council on which they must vote. It is reasonable for elected members to expect that they will be provided with all the relevant information they need to understand issues listed on the agenda for the next or following ordinary council meetings. The complexity of many items means that elected members may need to be given information additional to that in a staff report and/or they may need an opportunity to ask questions of relevant staff members. Many local governments have determined that this can be achieved by the elected members convening as a body to become better informed on issues listed for council decision. Such assemblies have been termed *agenda forums*. It is considered they are much more efficient and effective than elected members meeting staff on an individual basis for such a purpose with the added benefit that all elected members hear the same questions and answers.

18 To protect the integrity of the decision-making process it is essential that *agenda forums* are run with strict procedures.

4. Principles Governing Procedural and Behavioural Controls for Forums

19 Local governments that conduct forums or are considering doing so have the right to implement a forum system that best suits their needs. The principles and associated procedures set out below, if adopted by local governments when conducting forums, will ensure that all requirements of accountability, openness and transparency are satisfied.

20 The identified principles and associated procedures are accountability, openness and transparency, probity and integrity, authority for the chair and meeting notification. Each of these is explained below.

Accountability

21 The Act requires that ordinary and special council meetings and committee meetings that have delegated authority must be open to the public. Most local governments also open committee meetings even where there is no delegated authority. This openness allows the community to view the decision-making process from the time an issue is first presented to elected members through to the final decision.

22 There must be no opportunity for a collective council decision or implied decision that binds the local government to be made during a forum.

23 Agenda forums should be for staff presenting information and elected members asking questions, not opportunities to debate the issues. A council should have clearly stated rules that prohibit debate or vigorous discussion between elected members that could be interpreted as debate. Rules such as questions through the chair and no free-flowing discussion between elected members should be applied.

24 If there is minimum debate in the ordinary meeting because the elected member attitudes have been established through the item being thoroughly canvassed in the *agenda forum* then the community is denied the opportunity to witness any debate and understand how the council reached its decision. Other concerns relate to elected members agreeing on movers, seconders and/or amendments. Such an approach must not be allowed by the council whether the *agenda forum* is open or closed to the public but a closed forum will almost certainly generate a perception by the community of secret meetings where the decisions are made beyond public scrutiny.

25 Councils, when considering conducting closed forums, need to consider their reasons for justification against the likely damage to their public standing from the perception of secrecy. A policy that the forums will generally be open to the public will make a significant contribution to the community perception of council accountability. A clearly delineated distinction between *agenda* and *concept* forums is important for these reasons.

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Openness and Transparency

26 A significant strength of local government is the openness and accessibility of its processes to the community. In conducting forums each local government should make a conscious decision to promote the community perception that it embraces the concept of openness and transparency. Therefore, whenever appropriate, forums should be open to the public.

Probity and Integrity

27 The legislation provides that in ordinary meetings and committee meetings elected members must disclose conflicts of interest and exclude themselves from proceedings where they have a financial interest.

28 Disclosure in forums is a matter of ethics. The disclosure requirements only apply to meetings that are convened under the provisions of the Act. Elected members can legally participate at forums without being in breach of the legislation even where they have a clear financial interest or conflict of interest. Such participation is ethically unacceptable and is clearly at odds with the probity and accountability principles of the Act and codes of conduct. It is essential that councils adopt standards for forums that stipulate that disclosure rules applying to meetings constituted under the Act also apply at all forums. Disclosure should lead to an individual departing the forum.

Authority for the Chair

29 Many councils have established a forum process without specifying how the forums should be chaired and what authority the chair is given to control proceedings. In some local governments, the CEO chairs the forums in certain circumstances. This latter approach is not supported because it confuses the roles and relationships established in the Act.

30 It is recommended that the mayor or president or, if appropriate, another elected member, chairs all forums that involve elected members. Properly managed forums rely on strength and leadership from the chair. Therefore, a forum's chair should be supported by established rules similar to the standing orders that apply to formal meetings.

Meeting Notification

31 The provisions of the Act are designed to ensure that members are given timely notice of, and information for, council and committee meetings. Formal provisions do not apply to forums but the principles remain the same. Adequate notice needs to be given of the time, location and content of the forum.

32 The forum process is most successful in those local governments where forums are held on a regular basis such as on the alternative weeks to the ordinary council meeting (where they are held fortnightly) or a week before the ordinary council meeting. By setting the dates for forums well in advance, elected members, staff and the community can plan for their attendance.

33 Forums that are organised without adequate notice or a proper agenda are often poorly attended and inefficiently run. This will be detrimental to the purpose of the forum.

5. Particular Issues of Concern in the Forum Process

34 There are a number of concerns relating to the content and conduct of forums. These are set out below. Councils need to be aware of these and take action to overcome the concerns if such apply to them.

Dealing With Proposals Under the Town Planning Scheme

35 The discretion available to council when making decisions under the Act is not always available when making decisions under town planning legislation. When a council is dealing with town planning matters, it does so under the powers conferred by the State planning legislation. Council assumes the role of a planning authority (ie Western Australian Planning Commission) and an elected member the role of a planning commissioner. Council is not only constrained by the conditions of its Town Planning Scheme but also by the relevant State Acts.

36 Decision-making in town planning matters requires the decision-maker to maintain a high degree of independence from the process leading up to the decision being made. The elected member needs to be in a position of being able to make his or her decision after taking into account the relevant and material facts and circumstances as presented to all fellow elected members. These same comments apply whether councils do or do not work with specialist planning committees. Elected members need to beware of involvement in the lead-up process to a certain decision, especially as a sole agent or member of a small group and being subjected to information from the developer or parties associated with the developer. This may be interpreted as reducing the independence of the decision-maker.

37 Councils will often have briefings relating to development issues and these are important in terms of the elected members becoming fully informed on the matter on which

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they have to vote. The nature of the decision means that briefing sessions involving planning matters should be conducted with the strictest of rules. There should be no implication of debate between elected members; the session should primarily involve information being given by the relevant officer and other parties with questions from the floor directed through the chair. In cases where an elected member has relevant information on a development matter to be conveyed to the meeting, it must be done through the chair so that all decision-makers are privy to that information.

Formulating Management Documents

38 Many local governments prepare their management documents, such as budgets, plans for the future and policy manuals, through a forum process. In many cases this involves a number of forums to which all elected members are invited and the public are excluded. Such forums are not set up under the auspices of the Act. There are no formal decisions made as in due course the documents are adopted at a formal meeting of council. Nevertheless, as the forums proceed and the document is developed, some issues are included, some are discarded and others may need further research by staff. If records of the matters discussed at the forums are not kept, development stages of the documents will be uncertain and hence any orderly progress inhibited. Additionally, the process may lack accountability and the probity of elected members and staff could be challenged. Change of membership of the group by either staff or elected members would again place doubt on the validity of the process.

39 A more suitable procedural process for the development of management documents would be the formal establishment of a committee under the Act with that assigned purpose. Although the committee meetings, if no power or duty has been delegated to the committee, are not required by legislation to be open to the public, the integrity of the process is protected by the legislative requirement for the agenda and minutes to be available for public inspection. Such committees, upon completion of their assigned task(s), could be wound up or reconvened the following year when the task was again required. Examples would be a committee reviewing standing orders and a "Budget Committee". The former would be wound up upon submission of its report to council. The "Budget Committee" would be an ongoing but occasional committee which would meet each year from (say) March to early July.

Some committees could have a select and limited membership whereas others (such as the budget committee) could include all elected members.

Forums Immediately Prior to an Ordinary Meeting of Council

40 Some local governments hold forums immediately prior to ordinary council meetings. Anecdotal evidence suggests that in discussing the agenda of the forthcoming meeting at such forums implied decisions may be made. This familiarity with the issues and known attitudes can lead to debate at the ordinary council meeting being stifled or non-existent much to the chagrin of the public who are not privy to the earlier discussions. Forums held immediately prior to ordinary council meetings cause more complaints of secret meetings and predetermined decisions than any other type of forums.

41 Pre-meeting forums may be beneficial where an elected member has additional or alternative information to that contained in a staff report which may be controversial or cause problems within the ordinary meeting at the time the item is discussed. Certainly, it is an advantage for the CEO, council and particularly the presiding member to be aware of potential problems in the forthcoming ordinary meeting. While a pre-meeting forum provides the opportunity to inform others of the potential problem it would be preferable to raise the matter with likely concerned parties such as the presiding member, CEO and reporting officer much earlier than immediately before the meeting. Early advice will give those concerned the opportunity to undertake action to address the identified problems.

42 It is recognised that with many local governments, especially those that are in rural locations, the timing of the pre-meeting forum is understandable in that the elected members can only get together once a month because of travel time and they need an opportunity to discuss issues with the freedom of a forum.

43 After consideration of these issues, it is recommended that if a council determines that the only time available for a forum is prior to an ordinary council meeting and it is to be closed to the public, then it be established as a *concept forum* and reference to the forthcoming agenda should be prohibited unless a special circumstance is conveyed to the presiding member. An example of a special circumstance would be information additional to,

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or contradicting the staff report which is likely to lead to non-adoption or significant variation of the recommendation and it has not been possible to convey such information at an earlier time. Adoption of the *concept forum* approach means elected members needing additional information or explanations from staff on forthcoming agenda items will have to make alternative arrangements to meet their requirements.

44 The adoption of such rules on pre-meeting forums should be conveyed to the public. Advice of the conducting of such a forum and its general content at the ensuing ordinary meeting will reinforce the openness and accountability of council.

6 Forums that Incorporate Both Concept and Agenda Items

45 Many local governments will run only one forum and it will cover both agenda items to be addressed at the next council meeting and wide-ranging concept issues. It is suggested that the different requirements of the two types are recognised and they be categorised as such in the forum agenda. The most important aspect is that the presiding person apply appropriate procedures regarding debate and discussion between elected members when agenda items are being covered.

46 Such forums should also be open to the public.

7. Model Procedures for Forums

47 Before introducing, or continuing with forums, councils have a responsibility to weigh carefully the risks as well as the benefits associated with such a process and consider if there are better, alternative ways of achieving the desired outcomes.

48 Councils that hold forums should adopt meeting rules and processes to ensure that proper standards of probity and public accountability are adhered to. Particular emphasis must be placed on ensuring that there is no decision-making during these forums and that this is rigidly enforced.

Procedures Applying to Both Concept and Agenda Forums

49 The Department recommends that councils adopt a set of procedures for both types of forums which include the following –

- Dates and times for forums should be set well in advance where practical;
- The CEO will ensure timely written notice and the agenda for each forum is provided to all members;

- Forum papers should be distributed to members at least three days prior to the meeting;
- The mayor/president or other designated elected member is to be the presiding member at all forums;
- Elected members, employees, consultants and other participants shall disclose their financial and conflicts of interest in matters to be discussed;
- Interests are to be disclosed in accordance with the provisions of the Act as they apply to ordinary council meetings. Persons disclosing a financial interest will not participate in that part of a forum relating to their interest and leave the meeting room;
- There is to be no opportunity for a person with an interest to request that they continue in the forum; and
- A record should be kept of all forums. As no decisions will be made, the record need only be a general record of items covered but should record disclosures of interest with appropriate departures/returns.

Procedures Specific to Concept Forums

50 The Department recommends that councils adopt specific procedures for *concept forums* which include the following –

- Concept forums may be open to the public when an issue is being discussed that council believes would benefit from public awareness and debate;
- Discussion between members is to be limited to those issues which are in the preliminary development stages. Items already listed on a council meeting agenda are not to be discussed; and
- As discussion items are not completely predictable there is to be some flexibility as to disclosures of interest. A person may disclose an interest at the time discussion commences on an issue not specifically included on the agenda.

Procedures Specific to Agenda Forums

51 The Department recommends that councils adopt specific procedures for *agenda forums* which include the following –

- Agenda forums should be open to the public unless the forum is being briefed on a matter for which a formal council meeting may be closed;
- Items to be addressed will be limited to matters listed on the forthcoming agenda or completed and scheduled to be listed within the next two meetings (or period deemed appropriate);

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- Briefings will only be given by staff or consultants for the purpose of ensuring that elected members and the public are more fully informed; and
- All questions and discussions will be directed through the chair. There will be no debate style discussion as this needs to take place in the ordinary meeting of council when the issue is set for decision.

8. General Discussions in Councils Without Forums

52 Travel and time constraints mean that many councils can convene for a limited time; for many, only one day per month. As a result, some local governments have continued with the traditional ordinary meeting format where the decision-making is combined with wide-ranging discussion on other matters. A major problem with this approach is that the wide-ranging discussions result in meetings continuing for long periods of time.

53 There are benefits to elected members, the public and the staff if the issues requiring decision are dealt with during one continuous stage early in the meeting.

54 Elected members can have more effective broad ranging discussion during the same time frame as the traditional council meeting with a revised structure. It is suggested a better format would be for the ordinary meeting to be closed as soon as the required decisions have been made. The general discussions would then be pursued in a *concept format* environment. The advantages of this approach are the opportunity for councillors to discuss issues of concern in an informal environment.

9. Summary

55 With most local governments, elected members need opportunities to discuss issues outside of the formal ordinary meeting process. The Department acknowledges this approach because those elected members that have the maximum opportunities for input will obtain the greatest satisfaction emanating from their time in local government.

56 The opportunity for input can be best gained through forums or committees of the full council.

57 Councils that wish to hold forums of either the *concept* or *agenda* type are encouraged to adopt rules and processes that are in line with these guidelines. This will assist with openness and accountability, minimise public criticism and lead to a more effective and efficient local government.



Department of Local Government
and Regional Development
Government of Western Australia

www.dlgrd.wa.gov.au

FURTHER INFORMATION

For more information about this and other guidelines, contact the Local Government Support and Development Branch of the Department of Local Government and Regional Development on:

Tel: (08) 9217 1500

Fax: (08) 9217 1555

Freecall: 1800 620 511 (Country Only)

These guidelines are also available on the Department's website at www.dlgrd.wa.gov.au

ABOUT THE GUIDELINE SERIES

This document and others in the series are intended as a guide to good practice and should not be taken as a compliance requirement. The content is based on Departmental officers' knowledge, understanding, observation of, and appropriate consultation on contemporary good practice in local government. Guidelines may also involve the Department's views on the intent and interpretation of relevant legislation.

All guidelines are subject to review, amendment and re-publishing as required. Therefore, comments on any aspect of the guideline are welcome. Advice of methods of improvement in the area of the guideline topic that can be reported to other local governments will be especially beneficial.

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL**12.1 *Proposed Amendment to Policy 12/004 Road Names to include Street Numbering (File No.: .../...)***

Officer Luke Cervi
Senior Planning Officer
Caris Vuckovic
Lands Officer

Date of Report 22 December 2011

Disclosure of Interest by Officer Nil

Summary

The redevelopment of existing properties and/or infill development is resulting in a growing number of property address abnormalities. These abnormalities have to be dealt with to avoid confusion and provide clarity for government agencies.

This report recommends amending Council's Policy 12/004 Road Names to include Street Numbering.

Background

As a result of current development within the Town of Port Hedland, a number of property address abnormalities are becoming evident.

In the early development of Port and South Hedland, many residential streets only had a few houses developed, leaving many streets with significant proportions of undeveloped land. Street numbering at the time was ad hoc, and therefore provided some streets to develop unique numbering sequences. These problems have been compounded over the time with subdivisions, especially subdividing large corner blocks, and creating differing property access points.

Street numbering is generally determined by Local Governments, utilising an Australian and New Zealand Standard, AS/NZ 4819 which has recently been updated in the 2011 version of the standard AS/NZ 4819:2011. The aim of the new addressing standard is to encourage correct addressing practices and to provide a comprehensive guideline to administering addresses in both rural and urban environments. Having a standard street numbering system is useful for emergency services agencies, who may need to respond to properties that may not have a letterbox or any other identifying features.

As new development / infill development occurs, it often results in some properties street numbers needing to change. When this occurs, affected residents become frustrated.

Banksia Street is a prime example of the issue and remains unresolved after the Geographic Names Committee refused Councils request to rename the section of road between Murdoch Drive and Kennedy Street.

Consultation

The proposal has been circulated with internal departments with no objections being received.

Statutory Implications

Local Government Act 1995

3.25. Notices requiring certain things to be done by owner or occupier of land

(1) A local government may give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice that:

(a) is prescribed in Schedule 3.1, Division 1; or

(b) is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2.

(2) Schedule 3.1 may be amended by regulations.

(3) If the notice is given to an occupier who is not the owner of the land, the owner is to be informed in writing that the notice was given.

(4) A person who is given a notice under subsection (1) is not prevented from complying with it because of the terms on which the land is held.

(5) A person who is given a notice under subsection (1) may apply to the State Administrative Tribunal for a review of the decision to give the notice.

(6) A person who fails to comply with a notice under subsection (1) commits an offence.

Schedule 3.1 – Powers under notices to owners or occupiers of land

2. Place in a prominent position on the land a number to indicate the address.”

Policy Implications

The proposal is to amend Council Policy 12/004 Road Names to include street numbering.

Strategic Planning Implications

Nil

Budget Implications

Budget impacts (estimated at approximately \$100 per property) will be experienced should Council decide to provide assistance to owners/occupiers of properties to be readdressed.

As this will be an ongoing issue, it is difficult to determine how many properties will be affected. It is proposed that a suitable budget will be allocated at the next Budget Review Meeting.

Further to this, a Developers Contribution Policy is currently being drafted by Planning Services which will detail that developers will be required to pay a contribution.

Officer's Comment

As can be appreciated from the Banksia Street example, property addresses and particularly changes to property addresses can be a sensitive issue for owners and occupiers. It needs to be acknowledged a consistent and logical addressing system is invaluable especially for emergency services to be able to respond to incidents in a timely manner. This is the reason why there is a national standard for street numbering/addressing.

Though many Local Governments provide no assistance to residents when house numbers are changed, given the extent of the South Hedland Infill Program and the sensitive nature of the issue, it has been recommended Council offer assistance to affected property owners/residents to minimize impact. In this regard, the Policy proposes the following actions/assistance when renumbering is to occur:

1. Reimbursement of mail redirection to the new address with Australia Post for a maximum of 3 months;
2. Council advises all utility providers, emergency services and other relevant agencies of the new property numbers;
3. Council replaces the street numbers on letter boxes of affected properties; and
4. Council arranges for a stencil of the new house number to be applied to the kerb.

As the Policy proposes a consistent way of dealing with addressing abnormalities, it is recommended the Chief Executive Officer is delegated authority to apply and enforce the Policy.

Attachments

1. Original Policy 12/004 Road Names
2. Proposed Amended Policy 12/004 Road Names and Street Numbering

Officer's Recommendation

That Council:

1. Amends Policy 12/004 Road Names to incorporate Street Numbering as per Attachment 1.
2. Delegates the application and enforcement of the Policy to the Chief Executive Officer.

201112/309 Council Decision

Moved: Cr G J Daccache

Seconded: Cr G A Jacob

That Council:

1. **Amends Policy 12/004 Road Names to incorporate Street Numbering as per Attachment 1.**
2. **Delegates the application and enforcement of the Policy to the Chief Executive Officer.**
3. **Request the Chief Executive Officer to include reimbursement of all fees and charges associated with the street renumbering, including title re-issuing.**

CARRIED BY ABSOLUTE MAJORITY 7/0

REASON: Council would like to offer assistance to affected property owners/residents to minimize the impact the implementation of this policy may cause.

12.2 Access to the South Hedland Aquatic Centre on Australia Day 2012

201112/310 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council make the South Hedland Aquatic Centre available at no cost on 26 January 2012 to all adults and children.

CARRIED 7/0

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil

ITEM 14 CONFIDENTIAL ITEMS

Nil

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

201112/311 Council Decision

Moved: Cr G J Daccache

Seconded: Cr A A Carter

That the following leave of absence:

- Cr S R Martin – 29 January 2012 to 4 February 2012
- Cr G A Jacob – 30 January 2012 to 3 February 2012
- Cr J E Hunt – 30 January 2012 to 3 February 2012

be approved

CARRIED 7/0

ITEM 16 CLOSURE**16.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 8 February 2012, commencing at 5.30pm.

16.2 Closure

There being no further business, the Mayor declared the meeting closed at 7:22pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by Council at its Ordinary Meeting held on _____.

CONFIRMATION:

MAYOR

DATE