



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING  
OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 13 APRIL 2011

AT 5.30 PM

IN COUNCIL CHAMBERS  
MCGREGOR STREET, PORT HEDLAND

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*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 5:43 pm and acknowledged the traditional owners, the Kariyarra people.

**ITEM 2      RECORDING OF ATTENDANCE AND APOLOGIES**

## 2.1          Attendance

Mayor Kelly A Howlett  
Councillor Arnold A Carter  
Councillor George J Daccache  
Councillor Jan M Gillingham  
Councillor Steve J Coates  
Councillor Michael (Bill) Dziombak

## 2.2          Apologies

Councillor Stan R Martin

## 2.3          Approved Leave of Absence

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 30 March 2011

*3.1.1      Mr Shane Sear*

*Has Council ever given planning approval for noxious uses to BGC, Fulton Hogan, Emoleum, Pioneer Road Services or works infrastructure for the operation of asphalt batching plants in Wedgefield? If so were these approvals given in accordance with TPS 5 and the Wedgefield Special Control Area conditions contained within TPS 5? And if so can Council provide copies of the same?*

Senior Planning Officer advised that Council has issued permits for "Industry – Noxious" for 4 properties in recent years. Of these 4 permits, only 1 is for asphalt batching. Permit 2009/306 was issued on 28/7/2009 for "Industry – Noxious, Mobile Asphalt Plant" on Lot 370 Harbour Reserve. This land is reserved "Other Public Purposes – Port Facilities" and is not within the "Wedgefield Special Control Area". In addition,

Council is currently considering an application for "Industry – Noxious, Transportable Asphalt Plant" at Lot 10, 20-22 Moorambine Street, Wedgefield. A copy of planning permit 2009/306 has been left at the Civic Centre's front counter for Mr Sear's collection.

### 3.1.2 *Mr John Christopher Whalley*

*During the next 6 months could Council organise further water blasting of public building within th West End of town including Dalgety House?*

Director Engineering advised that Council has not organized water blasting of buildings in the West End, as there is no budget provision for this in the 2010 / 2011 budget.

### 3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 30 March 2011

*NOTE: Following up on Councillor G J Daccache's recent enquiries regarding the issue of live cattle on the highway Manager of Environmental Services has advised the following:*

*"For out of Town concerns Main Roads can be contacted and they take action via their road condition report forms. If straying cattle are an issue in a specific area, Main Roads will contact the pastoralist and ask him to repair his fences and sometimes Main roads will go 50/50 to have fences installed. On occasions gates are left open which is a common problem. If the cattle are in the Town limits the Rangers, Police or Main Roads normally respond depending on the location of the cattle. In the past the Rangers have responded to concerns with straying cattle by engaging the services of a contractor to identify the cattle and ask the pastoralist to come and collect his cattle. The Town has put down straying cattle that has been considered a danger to the general public or on airport property. The Town has now the power to impound cattle which is a difficult task and will be undertaken as a last resort if the cattle are able to be herded."*

## **ITEM 4 PUBLIC TIME**

5:45pm Mayor opened Public Question Time

4.1 Public Question Time

Nil.

5:46pm Mayor closed Public Question Time

*NOTE: Mayor advised Mr Whalley that letters have been sent to the ABC and to GWN with regard to the questions he raised at last Council meeting on 30 March 2011.*

5:46pm Mayor opened Statement Question Time

4.2 Public Statement Time

Nil.

5:46pm Mayor closed Statement Question Time

## ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

### 5.1 *Councillor J M Gillingham*

*NOTE: Councillor Gillingham passed on her thanks for the temporary footpath installed between the South Hedland hospital and the shopping Centre.*

*Councillor Gillingham enquired as to whether the 60km/h sign along Cooke Point Drive can be been put back in place?*

### 5.2 *Councillor A A Carter*

*NOTE: Given that the South Hedland Aquatic Centre will be closing shortly for upgrade works Councillor A A Carter put forward a motion for Council to consider approving free entry to all school kids from now until the end of the season; and in the interim also approach Hedland Senior High School to check whether it is possible to utilise their pool during the period of time in which the South Hedland pool will be closed for works.*

#### **201011/309 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr J M Gillingham

That Council agrees that all school children be admitted to the South Hedland Aquatic Centre free of charge from now until the end of the school season.

*CARRIED 6/0*

## 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 S J Coates
Cr A A Carter	Cr M (Bill) Dziombak
Cr G J Daccache	
Cr J M Gillingham	

**ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 30 March 2011

**201011/310 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr S J Coates

That the Minutes of the Ordinary Meeting of Council held on Wednesday 30 March 2011 be confirmed as a true and correct record of proceedings.

*CARRIED 6/0*

**ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION**

Mayor Howlett's Activity Report for the March/April 2011 period to date as follows:

March 2011

Friday, 25<sup>th</sup> March

- Flight Back To Port Hedland (From Perth)
- Presentation Leadership Badges To Students At Baler Primary School
- Attended Harmony Day Morning Tea At Hedland Well Womens Centre
- Weekly Media Catchup With NWT
- Attended Farewell Drinks Leigh Dawson NWT

Saturday, 26<sup>th</sup> March

- Attended Fitness Class For Real World Strength & Conditioning Gym Open Day
- Attended South Hedland Fire Brigade Time Trials Event (South Hedland Station)
- Mayor Coffee Session, Port Hedland
- Attended YMCA Port Hedland 1<sup>st</sup> Birthday & Open Day Event
- Mayor Coffee Session, South Hedland
- Attended Port Hedland Seafarer Centre AGM

Sunday, 27<sup>th</sup> March

- Hosted 2011 Neighbour Day BBQ

Monday, 28<sup>th</sup> March

- Attended Aboriginal Affairs Forum (Youth Part II) + MRS + YO
- Interview With ABC Radio NW Re: Neighbour Day
- Meeting With WaterCorporation + CEO
- Meeting With Port Hedland Primary School Principal Kane Benson + DENG
- Meeting FMG (F Murray & V James) + CEO
- Attended Dept Planning – Draft Pilbara Planning & Infrastructure Framework Public Consultation Session

Tuesday, 29<sup>th</sup> March

- Weekly Mayor Chat Spirit Radio 1026am
- Attended Mathelitics Demonstration @ Port Hedland Primary School
- Meeting With Tesla Corporation Representatives + DPD + MELD
- Weekly CEO, Deputy Mayor & Mayor Catchup
- Attended Audit & Finance Briefing + Deputy Mayor + Cr Dziombak + CEO + DCORP+DPD + DENG + A/DCD
- Attended YIC Board Meeting

Wednesday, 30<sup>th</sup> March

- Volunteered At HSHS School Breakfast Program
- Walked With Swans Football Club Representatives On Kevin Scott Oval + Publicity Officer
- Media Piece MPRC + Publicity Officer
- Media Piece South Hedland CBD + Publicity Officer
- Media Piece Colin Matheson Oval Clubhouse + Publicity Officer
- Weekly Catchup Deputy Mayor + Mayor
- Attended TOPH Audit & Finance Committee Meeting + Deputy Mayor + Cr Dziombak + CEO + DCORP+DPD + DENG + A/DCD
- Attended Informal Council Briefing + Cr Dziombak + Cr Hooper + Cr Gillingham + + CEO + DCORP+DPD + DENG + A/DCD + MCD
- Chair OCM – 30<sup>th</sup> March 2011

Thursday, 31<sup>st</sup> March

- Meeting Taylor Burrell Barnett/Jaxons/SHNL – Upcoming Subdivisions & Proposals SHNL
- Visit From Hedland School Students Re: Branding City of Port Hedland In Council Chambers
- Weekly Media Catchup NWT
- Workshop – Airport Land Use Plan (Whelans)
- Attended LEMC Comittee Meeting + MEHS

April 2011

Friday, 1<sup>st</sup> April

- Meeting With Port Hedland Seafarer Centre
- Meeting Development CEO KPIs + Deputy Mayor + CEO

Saturday, 2<sup>nd</sup> April

- Radio Interview Spirit Radio Re: National Youth Week & SHAC Open Day
- Judging The Hood "Confidence Walk" Activity @ SHAC Open Day
- Attended Luncheon TS Pilbara Re: Royal Australian Navy Inspection & Cadet Promotions

Sunday, 3<sup>rd</sup> April

- Attended Becker Crt, South Hedland Neighbour Day BBQ Event

Monday, 4<sup>th</sup> April

- Guest Speaker WA Womens Advisory Council Regional Meeting – Karratha

Tuesday, 5<sup>th</sup> April

- PDC Board Meeting
- Attended Tour of South Hedland CBD Works With LandCorp (Project Manager Aaron Grant) + Deputy Mayor + Cr Dziombak
- Attended Meeting Sunset Events Re: State Significant Event being Held In Port Hedland + Deputy Mayor + Cr Daccache
- Visited Cr Hooper @ Hedland Regional Health Campus

Wednesday, 6<sup>th</sup> April

- Flight To Perth
- Attended Stakeholder Satisfaction Meeting – LandCorp + CEO
- Attended PH Implementation Steering Group Meeting + CEO
- Attended WALGA State Council Meeting (Proxy For PRC Chair President Lynne Craigie, Shire of East Pilbara)

Thursday, 7<sup>th</sup> April

- Flight Back To Port Hedland
- Weekly Media Catchup NWT
- Judge For Hedland Idol As A Part Of 2011 National Youth Week Events

Mayor also advised that on Monday she hosted the visit of Sue Cuneo who is the Department of Education Pilbara District Director, in charge of government schools. The Mayor gave Sue Cuneo a tour of the Port, a briefing from industry groups, the Port Authority and the Pilbara Development Commission and a town tour. They spoke about the City Growth Plan, went to Port Hedland Primary school and talked about transportable class options.

Sue Cuneo has been in the role since the start of the year and she advised that hearing the presentations from Bhp Billiton, Hancock, Atlas Iron Ore and the Port Authority was good to get all this information in on piece and put in prospective future planning for Hedland's primary and secondary schools and classroom requirements. Mayor advised that the internal department of Economic and Land development were also of great assistance on the day.

Mayor advised that on Tuesday the first South Hedland CBD Stakeholder Committee took place; it was a very positive meeting, with presentations from Landcorp and Council and with open and frank discussions from all members involved.

Mayor received the following letter from Miss Cherie Anne Pearse.

*'Just got home from the 'Finding Nemo' at the South Hedland Aquatic Centre first movie at the pool. Large screen over the kids pool, parent and kids in the pool and on the grassy bank watching the movie, sausage sizzle, clear sky with some distant electrical storm and still swimming at 9pm, only in the Pilbara...love it! Was a fantastic success. Well done SHAC!'*

## **ITEM 9      REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION**

### *9.1      Councillor A A Carter*

Councillor A A Carter advised that he attended Wendy Duncan's announcement regarding funding for the South Hedland Aquatic Centre and Library.

### *9.2      Councillor G J Daccache*

Councilor G J Daccache advised he attended the BHP Billiton amenities site tour and advised it is very good to see all the work that is currently taking place.

### *9.3      Councillor J M Gillingham*

Councillor J M Gillingham attended Mrs Joy's Haynes 89<sup>th</sup> birthday party; Mrs Haynes says it is wonderful to be at Kalara house.

### *9.4      Councillor M Dziombak*

Councillor M Dziombak attended the BHP Billiton amenities tour, Wendy Duncan's announcement at the South Hedland Aquatic Centre and the tour of the South Hedland CBD.

The Chamber of Commerce hosted an economic development forum and is about to announce the first inaugural economic development summit which will help to showcase Hedland to Federal and State Government Ministers and big and small businesses. The date for the summit is the 6 October and in the next few weeks media releases will be coming out and the Chamber of Commerce will be looking for sponsorships and guest speakers for the day.

**ITEM 10      PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil.

**ITEM 11      REPORTS OF OFFICERS****11.1           Planning and Development Services**

## 11.1.1        Planning Services

*11.1.1.1      Proposed Permanent Partial Closure of Limpet Crescent,  
South Hedland. (File No.:28/01/0017)*

*NOTE: Mayor advised Agenda Item 11.1.1.1 'Proposed Permanent Partial Closure of Limpet Crescent, South Hedland' has been withdrawn.*

*11.1.1.2 Proposed Transient Workforce Accommodation – Two Mining/Rail Camps for Roy Hill Infrastructure Pty Ltd (File No.: 155670G)*

<b>Officer</b>	<b>Luke Cervi</b> Senior Planning Officer
<b>Date of Report</b>	1 April 2011
<b>Application No.</b>	2010/293, 2011/71
<b>Disclosure of Interest by Officer</b>	Nil

### **Summary**

Council has received two (2) applications from Rod Hammond on behalf of the Crown, for the development of Transient Workforce Accommodation (TWA) camps on mining leases held by Roy Hill Infrastructure Pty Ltd.

The report is presented to Council for determination as Transient Workforce Accommodation is a 'SA' use on "Rural" zoned land.

### **Background**

#### *Site Description*

##### Camp 1

This camp will cover an area of approximately 7.5ha being part of Lot 208 Plan 238219 and within an area commonly known as Indee Station. The camp will be approximately 50km south of Port Hedland.

##### Camp 2

This camp will cover an area of approximately 7.5ha being part of Lot 228 Plan 238638 and within an area commonly known as Wallareenya Station. The camp will be approximately 100km south of Port Hedland.

#### *Proposal*

The proposed TWA's will each consist of 75 dongas able to accommodate 300 people with expansion capabilities to accommodate an addition 200 people (500 total). Each donga will consist of 4 bedrooms each with an en-suite. In addition to the units the development will include communal facilities such as a kitchen, wet mess, beer garden, gym, recreation room and administration building.

The camps will accommodate Roy Hill employees and are expected to be in operation for 3 years.

**Consultation**

The application has been referred internally and externally with the following comments being received.

*Building Services:*

No objection, must comply with BCA

*Environmental Health Services:*

No objection subject to conditions

*Engineering Services:*

No objection subject to conditions. Need to obtain consent from Main Roads.

**Statutory Implications**

In accordance with the Planning and Development Act 2005 the proposed development is subject to the provisions of the TPS5.

**Policy Implications**

Although Council does not have a policy in regard to Transient Workforce Accommodation, it has endorsed a "guidance note for potential developers of Transient Workforce Accommodation (TWA) – August 2008".

**Strategic Planning Implications**

Key Result Area 4: Economic Development

Goal Number 4: Land Development Projects

Strategy 1:

Fast-track the release and development of commercial, industrial and residential land in a sustainable manner including:

- Pretty Pool developments
- South Hedland New Living developments
- Landcorp's Various Industrial Land release programs
- Moore Street Development and West End Developments
- South Hedland CBD Developments
- Redevelopment of the Port Hedland Telstra / Water Corporation Site.

**Budget Implications**

An application fee of \$31,350.00 was paid on lodgement as per Councils approved fees and charges.

### Officer's Comment

In August 2008 Council put out a guidance note to all potential developers of TWA's, advising of the following key principles which will be considered when applications are submitted for potential TWA facilities:

- Town Centre Development Focus
- Community benefit
- Integration
- Quality
- Safety

The guidance note also identifies a number of TWA styles and identifies locations Council considers these facilities may be most appropriate. The current proposals best fits into the "Mining/Rail Camp" style which states possible/preferred locations as:

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

The proposed camps are approximately 50km and 100km respectively from Port Hedland.

In respect to the key principles, the following comments are provided:

1. Town Centre Focus:  
The location of the proposed developments are 50km and 100km from Port Hedland respectively. Whilst not providing a town centre focus, it is consistent with the guidance note for "Mining/Rail Camps".
2. Community Benefit:  
No direct community benefit has been identified. However, the proposal is associated with the Roy Hill mining project which is likely to provide employment opportunities for locals as well as utilise local businesses for goods and services.
3. Integration:  
Given the style of camp "Mining/Rail", integration is not proposed or practical.
4. Quality:  
The proposed development will consist of traditional donga style accommodation units. The quality of the buildings particularly from an amenity perspective is considered to be low. The level of amenity is considered appropriate given the isolated location of the camps.

5. Safety:

The proponent is bound by Occupation Health & Safety legislation that identifies minimum requirements that must be adhered to.

It is proposed that the camps will operate for 3 years with each camp having infrastructure capacity to increase from the proposed 300 person to 500 person camps. Whilst not an ideal outcome, it is simply not feasible to accommodate workers associated with these remote works within the town boundaries.

*Options*

Council has the following options of dealing with the application:

1. Approve the applications with or without conditions

The proposals are generally consistent with the Town's guidance note for Transient Workforce Accommodation.

2. Refuse the applications

This would likely impact the mining project that the camps are required for as it would not be feasible to commute workers to and from site daily.

It has been recommended that the applications be approved subject to conditions.

**Attachments**

1. Locality Plan
2. Site / Layout Plan
3. Elevation Plans
4. Floor Plans
5. guidance note for potential developers of Transient Workforce Accommodation (TWA) – August 2008

**201011/311 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr G J Daccache

That Council:

- i. approves the planning application (2010/293) from Rod Hammond on behalf of the Crown, for the development of a transient workforce camp (Rail Camp) on Lot 208 Plan 238219, subject to the following conditions:

1. **This approval relates only to the proposed 300 person Transient Workforce Accommodation (Rail Camp) and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.**
2. **This approval to develop will remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.**
3. **This approval is only valid for a period of 3 years (calculated from the date of this approval) or such further time as agreed by Councils Manager Planning.**
4. **The development area shall only be used for purposes, which are related to the operation of “Transient Workforce Accommodation”. 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.”**
5. **Prior to the submission of a building licence the applicant / owner is to provide confirmation from Main Roads Western Australia approving access to the national road.**
6. **At the conclusion of the use, all development is to be removed and the area made good to the satisfaction of Councils Manager Planning.**
7. **Prior to the commencement of any new clearing or earthworks, the consultant shall ensure that there are no sites of aboriginal significance, heritage-listed structures, monuments or protected vegetation that will be affected by the proposed works to the satisfaction of Councils Manager Planning.**
8. **Any sites of aboriginal significance, heritage-listed structures, monuments or protected vegetation identified under Condition 7, including any vegetation identified by the Town for retention shall be protected during the work and assessed by a suitably qualified professional (arboriculturalist for vegetation) for status and management to the satisfaction of Councils Manager Planning.**

9. **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.**
10. **Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of Councils Manager Planning.**
11. **The driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005 and Main Roads requirements.**
12. **At all times, 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 and all to the satisfaction of Councils Manager Planning.**
13. **The premises to be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of Councils Manager Planning.**
14. **An approved effluent disposal system shall be installed to the specification of the Town's Environmental Health Services and to the satisfaction of Councils Manager of Planning. Be advised that the effluent disposal system may also require the approval of the Western Australian Department of Health**
15. **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 Manager Planning.**
16. **The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.**
17. **All dust and sand to be contained on site with use of appropriate dust suppression measures being taken at all times where any operation 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 Manager Planning.**

## 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. Drainage plans are to be submitted to and approved by the Manager Infrastructure Development.
4. A demolition licence will be required when temporary buildings are to be removed.
5. If mains water connection is unavailable the development is to be connected to an adequate potable water supply to the specifications of Council's Health Local Laws 1999. For further advice please contact Town's Environmental Health Services on 9158 9325.
6. 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,**
  - e. **All lodging houses are required to be registered under the *Health Act 1911* and operate in accordance with that Act and the *Town of Port Hedland Health Local Laws 1999,***
  - f. **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. **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.**
- ii. approves the planning application (2011/71) from Rod Hammond on behalf of the Crown, for the development of a Transient Workforce Camp (Rail Camp) on Lot 228 Plan 238638, subject to the following conditions:
1. **This approval relates only to the proposed 300 person Transient Workforce Accommodation (Rail Camp) and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.**
  2. **This approval to develop will remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.**
  3. **This approval is only valid for a period of 3 years (calculated from the date of this approval) or such further time as agreed by Councils Manager Planning.**
  4. **The development area shall only be used for purposes, which are related to the operation of "Transient Workforce Accommodation". 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."**

5. **Prior to the submission of a building licence the applicant / owner is to provide confirmation from Main Roads Western Australia approving access to the national road.**
6. **At the conclusion of the use, all development is to be removed and the area made good to the satisfaction of Councils Manager Planning.**
7. **Prior to the commencement of any new clearing or earthworks, the consultant shall ensure that there are no sites of aboriginal significance, heritage-listed structures, monuments or protected vegetation that will be affected by the proposed works to the satisfaction of Councils Manager Planning.**
8. **Any sites of aboriginal significance, heritage-listed structures, monuments or protected vegetation identified under Condition 7, including any vegetation identified by the Town for retention shall be protected during the work and assessed by a suitably qualified professional (arboriculturalist for vegetation) for status and management to the satisfaction of Councils Manager Planning.**
9. **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.**
10. **Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of Councils Manager Planning.**
11. **The driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005 and Main Roads requirements.**
12. **At all times, 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 and all to the satisfaction of Councils Manager Planning.**
13. **The premises to be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of Councils Manager Planning.**

- 14. An approved effluent disposal system shall be installed to the specification of the Town's Environmental Health Services and to the satisfaction of Councils Manager of Planning. Be advised that the effluent disposal system may also require the approval of the Western Australian Department of Health**
- 15. 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 Manager Planning.**
- 16. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.**
- 17. All dust and sand to be contained on site with use of appropriate dust suppression measures being taken at all times where any operation 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 Manager Planning.**

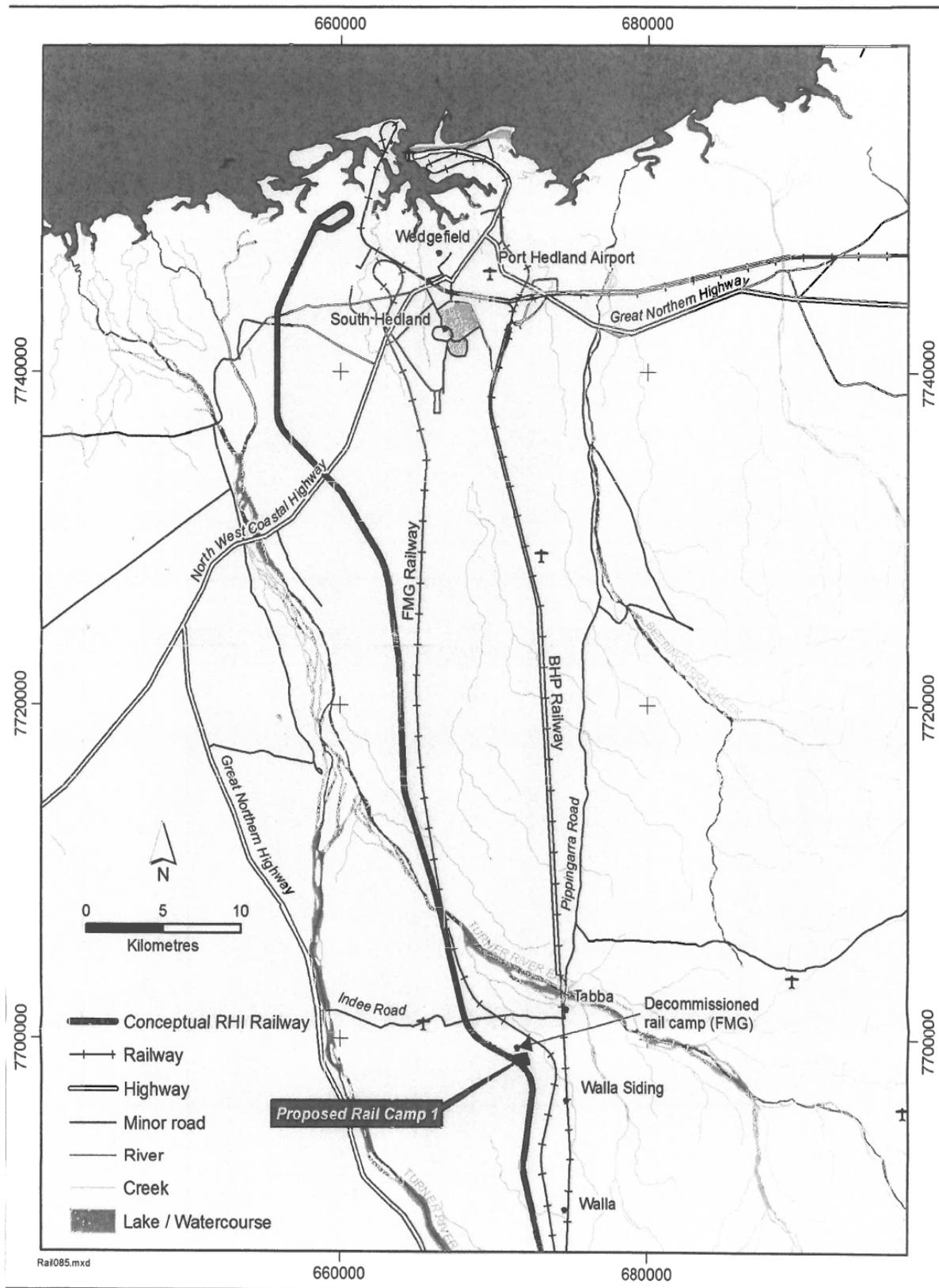
## FOOTNOTES:

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. Drainage plans are to be submitted to and approved by the Manager Infrastructure Development.
4. A demolition licence will be required when temporary buildings are to be removed.
5. If mains water connection is unavailable the development is to be connected to an adequate potable water supply to the specifications of Council's Health Local Laws 1999. For further advice please contact Town's Environmental Health Services on 9158 9325.

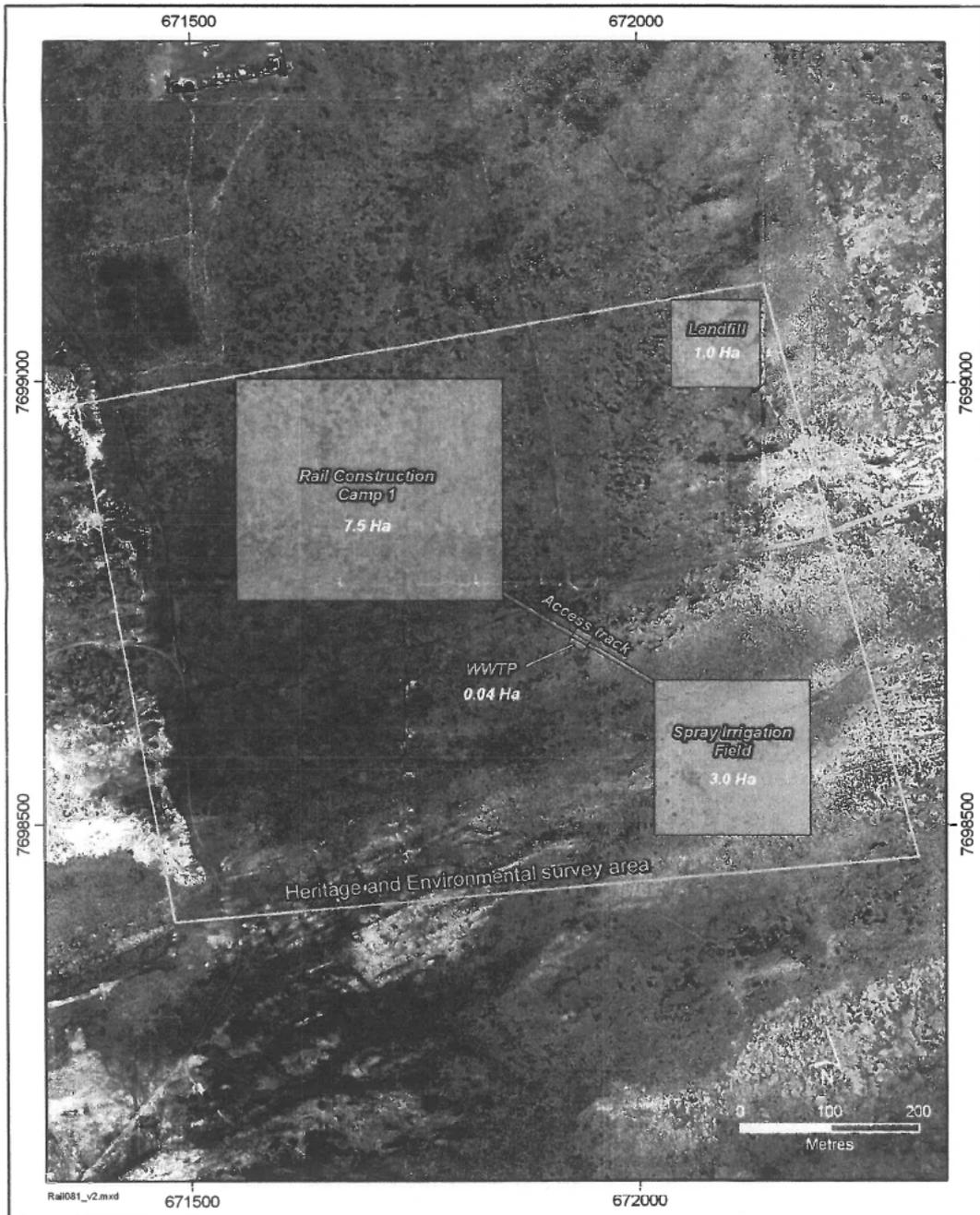
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  - a. **It is a requirement under the Food Act 2008 that all food premises be registered prior to beginning operations,**
  - b. **The applicant is advised that the construction and use of the proposed premises is required to comply with the Food 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,**
  - e. **All lodging houses are required to be registered under the Health Act 1911 and operate in accordance with that Act and the Town of Port Hedland Health Local Laws 1999,**
  - f. **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. 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 6/0*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.2



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.2





ATTACHMENT 4 TO AGENDA ITEM 11.1.1.2

**FLOOR PLAN**

**FRAMING & WALL / ROOF CLADDING**  
TO VENDOR DESIGN & COMPANY REPRESENTATIVE APPROVAL

**FLOORING**  
SPIN TRUCK JAMES HARDIE HARDWARE  
FOR EQUAL APPROVED

**FLOOR COVERING**  
2MM GENERAL VINYL (BY AREA)  
3MM HIGH VINYL (BY AREA)

**SPARTING**  
PIC O HOLD DRY AREA

**WALLS**  
100mm UPSTAND (NET AREA)  
TO VENDOR DESIGN & COMPANY REPRESENTATIVE APPROVAL

**INTERNAL LINING**  
UND - PLASTERBOARD TO ROOMS  
PLASTERBOARD TO BATHS  
FOR EQUAL APPROVED

**CEILING LINING**  
UND - PLASTERBOARD  
FOR EQUAL APPROVED

**INSULATION**  
R3 A GLASSWOL BATS  
(OR EQUAL APPROVED)  
HEAVY DUTY ANTON  
(OR EQUAL APPROVED)  
P REQUIRED  
(TO COMPANY REPRESENTATIVE APPROVAL)

**WALL INSULATION**  
R3 A GLASSWOL BATS  
(OR EQUAL APPROVED)  
HEAVY DUTY ANTON  
(OR EQUAL APPROVED)  
P REQUIRED  
(TO COMPANY REPRESENTATIVE APPROVAL)

**ROOF/CEILING INSULATION**  
R3 A GLASSWOL BATS  
(OR EQUAL APPROVED)  
HEAVY DUTY ANTON  
(OR EQUAL APPROVED)  
P REQUIRED  
(TO COMPANY REPRESENTATIVE APPROVAL)

**SUB-FLOOR INSULATION**  
R3 A GLASSWOL BATS  
(OR EQUAL APPROVED)  
HEAVY DUTY ANTON  
(OR EQUAL APPROVED)  
P REQUIRED  
(TO COMPANY REPRESENTATIVE APPROVAL)

**PAINT COLOURS**  
TO COMPANY REPRESENTATIVE APPROVAL  
PLASTER KEFED

**GENERAL**  
ALL ELECTRICAL TO AS/NZS 3000  
ALL PLUMBING TO AS/NZS 3500

**LEGEND**  
300 DIMENSION ABOVE FLOOR LEVEL  
C/W COMPLETE WITH  
UND UNLESS NOTED OTHERWISE  
POE POINT OF ENTRY  
GPO GENERAL POWER OUTLET  
COMMS COMMUNICATIONS  
FR FIRE RESISTANCE LEVEL  
BCA BUILDING CODE OF AUSTRALIA

**NOTES:** RE BCA (GPO - VIB 2) CLASS B BUILDING UND  
1. CEILING HEIGHT - 2400mm MINIMUM  
2. ENERGY EFFICIENCY - COMPLIANCE REQUIRED FOR BCA 2006  
3. SOUND INSULATION RATING OF WALLS -  
WALLS SEPARATING ROOMS MUST HAVE AN RW + CTR LABOURED  
AS/NZS 4922.1 OR 50 2/11  
RW + WEIGHT SOUND REDUCTION INDEX  
CTR = SPECTRUM ADAPTATION TERM.

**ELECTRICAL LEGEND**

MARK	DESCRIPTION
W1	15 AMP ISOLATING SWITCH
W2	15 AMP ISOLATING SWITCH EXTENSION
W3	WATER PUMP INSET RECURRENT COMPACT
W4	WEATHER PROOF
W5	WATER PUMP INSET RECURRENT COMPACT
W6	WATER PUMP INSET RECURRENT COMPACT
W7	WATER PUMP INSET RECURRENT COMPACT
W8	WATER PUMP INSET RECURRENT COMPACT
W9	WATER PUMP INSET RECURRENT COMPACT
W10	WATER PUMP INSET RECURRENT COMPACT
W11	WATER PUMP INSET RECURRENT COMPACT
W12	WATER PUMP INSET RECURRENT COMPACT
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W97	WATER PUMP INSET RECURRENT COMPACT
W98	WATER PUMP INSET RECURRENT COMPACT
W99	WATER PUMP INSET RECURRENT COMPACT
W100	WATER PUMP INSET RECURRENT COMPACT

**EQUIPMENT LIST**

MARK	DESCRIPTION
1	1x SINGLE RID C/W LOCKABLE CASTORS
2	1x 1500x400mm DECK OF 3 BRASSES
3	BRASS CABINET C/W BRASS LAMP
4	10 LITRE FRODO UNDER DESK
5	1x 1500x600 WAITING DESK C/W CHAIR B
6	DESKTOP LAMP
7	1x 1500x600 BUILT IN ROBE WITH HANDING
8	1x 1500x600 BUILT IN ROBE WITH HANDING
9	1x 1500x600 BUILT IN ROBE WITH HANDING
10	1x 1500x600 BUILT IN ROBE WITH HANDING
11	1x 1500x600 BUILT IN ROBE WITH HANDING
12	1x 1500x600 BUILT IN ROBE WITH HANDING
13	1x 1500x600 BUILT IN ROBE WITH HANDING
14	1x 1500x600 BUILT IN ROBE WITH HANDING
15	1x 1500x600 BUILT IN ROBE WITH HANDING
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99	1x 1500x600 BUILT IN ROBE WITH HANDING
100	1x 1500x600 BUILT IN ROBE WITH HANDING

**ROY HILL IRON ORE PROJECT  
CONCEPTUAL DESIGN  
ACCOMMODATION - 4 ROOM LAYOUT**

125

AI 10193-DA-003

B

INFORMATION ONLY

*ATTACHMENT 5 TO AGENDA ITEM 11.1.1.2*

**GUIDANCE NOTE FOR POTENTIAL DEVELOPERS  
OF TRANSIENT WORKFORCE ACCOMMODATION (TWA)  
– August 2008**

*Background*

The Town of Port Hedland acknowledges that additional temporary accommodation will be required for construction workforces and is eager to support appropriate development proposals. Council is committed to ensuring that appropriate accommodation is available for the expected influx of permanent and temporary residents of the Town in a timely manner.

*Key Principals*

While traditional statutory planning and building approval issues need to be addressed, key issues that Council would like addressed by proponents when preparing development applications are:

- **Town Centre Development Focus**  
The Town is focused on continually increasing the vibrancy and sustainability of the Town's Central Business Districts. Proponents are encouraged to demonstrate how their proposed development(s) will assist in improving the Town Centre.
- **Community benefit**  
The Town is interested in ensuring that the community as a whole benefits from the development of temporary accommodation. Proponents are encouraged to demonstrate how the community will benefit from the development proposals, in the construction, operational and post operational phases. The proponent is required to demonstrate that service and infrastructure demands are sufficiently self contained so as not to detract from the Town's existing provisions.
- **Integration**  
Where possible, efforts should be made to integrate the facilities, infrastructure and services offered at temporary facilities into the Town environment. The Council is not supportive of developing camps/ that are not closely linked with the existing community. The integration should also involve the residents of the camp into the Town's. This issue is closely linked with the Community Benefit and should be addressed over the similar phases of the development.
- **Quality**  
Whilst acknowledging that timely provision of accommodation is critical, the Town is eager to ensure that quality of urban design and visual amenity are not compromised in the haste to build the necessary accommodation.
- **Safety**

Council is committed to ensuring that facilities that are constructed are safe for both the occupants and the general community.

#### *TWA Styles*

The nature and type of TWA's is evolving rapidly. TWA facilities are no longer simply 'donga camps'. While Council is supportive of a range of temporary accommodation styles, it has a preference for certain types of facilities to be located in specific locations for Town planning reasons. The Town does not support the proliferation of TWA's on the fringes and outskirts of the Township.

Listed below is a summary of the types of TWA's styles along with the locations that Council considers these facilities may be most appropriate.

1. Mining/Rail Camps:

Characteristics

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

Possible/Preferred locations

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

2. Student Education Accommodation Facilities

Characteristics

Facilities for students undertaking training or further education.

Possible/Preferred locations

Pundulmurra College  
South Hedland TAFE

3. Traditional Donga Camps:

Characteristics

Short term accommodation to address 'spikes' in construction workforce numbers.  
Facilities are removed at the end of construction spike.

Possible/Preferred locations

Port Hedland International Airport  
Or where it can be demonstrated that the issues of this Guidance Note can be appropriately addressed with particular reference to streetscape, landscaping and setbacks.

4. Higher quality, more permanent accommodation facilities (inc hotels/motels)

Characteristics

Facilities designed and built for permanent purpose.

High quality self-contained units  
TWA is a transitional use of the land and facilities with other residential or tourism uses planned for the developments after construction period ends.

Possible/Preferred locations

Port and South Hedland CBD areas. –  
Port Hedland Golf Course (resort style)

5. Building Construction Camp

Characteristics

Short term construction camp for builders who are building major facilities (civic buildings, hotels, hospitals, etc.)

Possible/Preferred locations

Not the Town's preferred option. All other alternates should be explored/exhausted prior to implementation.

Potentially allowable on specific larger scale building construction projects with a construction period of no longer than 18 months.

For further information or advice on transient workforce accommodation within the Town of Port Hedland please contact the Town's Planning Department on 9158 9300

*11.1.1.3 Proposed Final Adoption of Amendment 30 to the Town of Port Hedland Town Planning Scheme No. 5, for Rezoning and Re-Coding of Various Lots Within South Hedland (File No.: 18/09/0037)*

<b>Officer</b>	<b>Luke Cervi</b> Senior Planning Officer
<b>Date of Report</b>	4 April 2011
<b>Disclosure of Interest by Officer</b>	Nil

### Summary

Council at its Ordinary Meeting held on 24 March 2010 resolved to initiate a Scheme Amendment to the Town Planning Scheme No. 5 (TPS 5) by rezoning and re-coding a number of lots within South Hedland.

The application was subsequently forwarded to the Environmental Protection Authority (EPA) and advertised in accordance with the relevant legislation.

This report seeks Council's approval to adopt the Scheme Amendment.

### Background

The applicants presented the proposals to the Council at its briefing session on 10 March 2010, explaining their desired outcomes of the various rezoning / up coded lots with Council resolving to initiate the amendment as follows:

Lot Number	Current Zoning	Proposed Zoning
Lot 253 Rutherford Rd	Residential R20	Residential R30
Lot 100 Paton Rd	Residential R20 and R30	Residential R30 & Local Road
Lot 6042 & 6041 Masters Way & portion of closed road (Kangaroo Place)	Residential R30, Parks & Recreation & Local Road	Residential R30 & Residential R20
Kennedy / Cottier Roundabout	Residential R20, Local Road & other purposes – Water & Drainage	Residential R30 & Local Road
Portion of closed road (Smith Street)	Local Road	Residential R30
Portion of closed road (Baler Road)	Local Road	Residential R30

Portion of closed Road (Huxtable Crescent) & Lot 6128 Paton Road	Residential R20 & Local Road	Residential R20, Residential R30 & Local Road
Portion of Greene Place & Lot 2241 & 2240	Parks & Recreation, Local Road & Residential R20	Residential R30
Lot 5554 Cassia Place	Parks & Recreation	Residential R20
Various lots Brown Place and Jibson Court	Local Road & Residential R20	Residential R30 & Other Public Purposes – Water & Drainage
Lot 5977 Hamilton Rd	Parks & Recreation	Commercial
Lots 6177 & 6108 Stanley & Kennedy	Residential R30	Parks & Recreation & Community
Collier POS group dwelling site	Urban Development R20	Parks & Recreation & Residential R30

A number of the portions of land proposed to be rezoned form part of closed roads approved by Council.

Other lots included in the application have been identified in the Land Rationalisation Plan as requiring a rezoning to facilitate their development. The applicant has also proposed to up-code a number of lots, which will enable the more efficient development of the land and potentially increase the dwelling yield.

### **Consultation**

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

- North West Telegraph – 17/11/2010 – 1/12/2010.
- Written notification to – Telstra, Horizon Power, Water Corporation and Main Roads WA.

Submissions were received from RPS, Water Corporation and Taylor Burrell Barnett (on behalf the applicant of the scheme amendment). The comments have been captured in the report.

**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**

Key Result Area 4: Economic Development

Goal 4: Land development projects

Strategy 1:

Fast-track the release and development of commercial, industrial and residential land in a sustainable manner including:

- Pretty Pool developments
- South Hedland New Living developments
- Landcorp's Various Industrial land release programs
- Moore St development and West End developments
- South Hedland CBD developments
- Redevelopment of the Port Hedland Telstra / Water Corporation Site.

**Budget Implications**

The applicant has paid the application fee of \$1,711 for the initiation request.

**Officer's Comment**

Council has been advised of an odour buffer that impacts one of the lots included in the amendment and have received two requests to include additional lands into the amendment. Furthermore, it is considered that the proposed Marque Park zoning should be wholly 'Parks & Recreation' and not include a portion of 'Community' zone.

*Proposed Modifications**Marque Park*

Part Lots 6108 and 6177 Kennedy Street are proposed to be developed for a water park and café/restaurant. Council initiated for the land to be rezoned to part 'Parks and Recreation' and part 'Community'. Given Council's intentions for the land it is considered appropriate that the land be wholly reserved 'Parks & Recreation' under TPS5.

When considering applications on reserved land under TPS5, Council must have regard to the ultimate purpose intended for the reservation.

There is sufficient discretion for Council to consider numerous proposals including those that may have been considered under a 'Community' zoning. It is therefore considered that simplifying the zoning of the land to wholly 'Parks and Recreation' will still enable Council to achieve its vision for the site.

#### *Odour Buffer*

The Water Corporation has a pump station on lot 2040 Hedditch Street adjacent to Lot 5977 Hamilton Road. Council has initiated a rezoning of Lot 5977 (Parks and Recreation) & 2939 (Part Parks and Recreation & Part Local Road) Hamilton Road to 'Urban Development' and code the land R50.

The pump station has a 30m odour buffer that surrounds it, this impacts slightly on Lot 5977 Hamilton Road. As the buffer only impacts on a small portion of Lot 5977 and the land is proposed to be zoned 'Urban Development' there are many uses that may be considered. The area impacted by the buffer should not be developed with a sensitive land use such as dwellings however, this portion of the land could be used for car parking, landscaping or other uses. It is therefore considered that the rezoning still be supported without modification although it has also been recommended that the applicant be advised of the odour buffer so that they may consider the impacts when developing a proposal for the site.

#### *Additional lands requested to be included*

1. Proposed Lots 1 & 2 (being part of Lot 6128) Paton Road to be recoded from 'R20' to 'R30'.

This request was received from Taylor Burrell Barnett on behalf of the South Hedland New living Project. The justification provided by the applicant is that the lots are impacted by a Water Corporation easement and by up-coding to 'R30' the reduced requirements under the R Codes will enable two dwellings to be built on each lot. Having two dwellings on each lot will provide opportunity for better passive surveillance and significantly improved streetscapes.

Although the justification provided by the applicant is not considered appropriate, it is acknowledged that significant lands surrounding the site are coded 'R30'. In addition the site is located opposite a 'Commercial' site albeit undeveloped and approximately 500m from the JD Hardie recreation/youth centre. For these reasons it is considered appropriate to support the coding increase from 'R20' to 'R30'.

2. Lot 2240 Greene Place recoded from 'R20' to 'R30' and portions of Road Reserve adjacent to Lot 2241 McDonald Street be rezoned from 'Local Road' to 'Residential R30'.

This request was received from RPS on behalf of the preferred developer identified by the Department of Regional Development & Lands through the South Hedland Land Release Program. Justification was only provided by the applicant for the Road Reserve portion of the request which identified that for uniform coding with adjacent lands and to enable the portions of closed road to develop the requested should be supported.

The justification provided by the applicant is appropriate and has due regard to other decisions of Council relating to the closing of the portions of Road Reserve. This justification could be further expanded to Lot 2240 Greene Place which if a 'R20' coding remained would be inconsistent with the 'R30' coding applying to all nearby residential land.

Lot 2040 Green Place is located in close proximity to the undeveloped 'Commercial' site on Paton Road. For these reasons it is considered appropriate to support the coding increase from 'R20' to 'R30'.

### *Summary*

The above mentioned modifications have been added in bold to the table below to identify where changes are proposed from the initiated amendment. Additionally, reference numbers have been included that correspond with the maps in attachment 1:

### Notes:

Map 3 represents a consolidation of two initiated proposals.

Map 7 represents a consolidation of an initiated proposal and additional lands 1 (see above).

Map 8 represents a consolidation of an initiated proposal and additional lands 2 (see above).

MAP	LAND	DETAILS OF ZONE/CODE CHANGES
1	Lot 253 Rutherford Rd	Rezone from "Residential R20" to "Residential" R30 as depicted on the amendment map.
2	Lot 100 Paton Rd	Rezone from "Residential R20" and "Residential R30" to "Local Road" and "Residential" R30 as depicted on the amendment map.
3	Lot 6041 & 6042 Masters Way <b>and closed portion of Kangaroo Place</b>	Rezone Lot 6041 from "Parks & Recreation", Lot 6042 from "Residential" R30 <b>and Closed portion of Kangaroo Place from "Local Road"</b> to "Residential" R20 as depicted on the amendment map
4	<b>Lots 3091 &amp; 3100 Jibson Close and closed portions</b>	Rezone <b>Lots 3091 &amp; 3100 from "Residential" R20</b> and closed portions of Kennedy Street and Cottier Drive closed roads from "Local Road" and

	of Kennedy Street and Cottier Drive closed roads (Roundabout)	“other purposes – Water & Drainage” to “Residential” R30 and “Local Road” as depicted on the amendment map.
5	Portion of closed road (Smith Street)	Rezone from “Local Road” to “Residential” R30 as depicted on the amendment map.
6	Portion of closed road (Baler Road)	Rezone from “Local Road” to “Residential” R30 as depicted on the amendment map.
7	Portion of closed Road (Huxtable Crescent) & portion of Lot 6128 Paton Rd	Rezone from “Residential” R20 and “Local Road” to “Residential” R20 and “Residential” R30 and “Local Road” as depicted on the amendment map. <b>(Now includes proposed Lots 1 &amp; 2 being part Lot 6128 Paton Road)</b>
8	Lots 2240 & 2241 Greene Place and portions of Greene Place and <b>McDonald Street</b> closed roads	Rezone Lot 2240 from “Parks & Recreation”, Lot 2241 from “Residential” R20 and portions of Green Place & <b>McDonald Street</b> Closed Roads from “Local Road” to “Residential” R30 as depicted on the amendment map.
9	Lot 5554 Cassia Place	Rezone from “Parks & Recreation” to “Residential R 20”
10	Lots 1, 2, 3101, 3102, 3103, 3104, 3105, 3106, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 6081 & 6083 Lovell Place, Lots 7, 3092, 3093, 3094, 3095, 3096, 3735 & 6115 Jibson Close, Lot 3734 Brown Place and portion of Brown Place closed road	Rezone Lot 1, 2, 3101, 3102, 3103, 3104, 3105, 3106, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 6081 & 6083 Lovell Place and Lots 7, 3092, 3093, 3094, 3095, 3096, 3735 & 6115 from “Residential” R20 to “Residential” R30, Lot 3734 from “Residential” R20 to “Other Public Purposes – Water and Drainage” and portion of Brown Place closed road from “Local Road” to “Residential” R30 as depicted on the amendment map.
11	Lots 5977 and 2939 Hamilton	Rezone from “Parks & Recreation”, “Local Road” to “Urban Development”

	Rd	R50 as depicted on the amendment map
12	Lots 6177 & 6108 Stanley & Cottier	Rezone from "Residential" R30 to "Parks & Recreation" ( <b>reference to "Community" deleted</b> ) as depicted on the amendment map.
13	All lots bound by Steamer Avenue, Captains Way, Masters Way, Collier Drive and Beroona Loop.	Rezone from "Urban Development" R20 to Part "Residential" R20, <b>Part "Residential" R30 and Part "Parks &amp; Recreation Reserve"</b> as depicted on the amendment map

### Options

Taking the above into consideration the Council has the following options when considering the request for final adoption.

1. Approve the final adoption of Scheme Amendment 30 subject to modifications
2. Approve the final adoption of Scheme Amendment 30 as initiated (No change to what was advertised)
3. Abandon Scheme Amendment 30

It is recommended that final adoption of Scheme Amendment 30 be endorsed subject to modifications.

### Attachments

1. Scheme No. 5, Amendment No. 30, Maps

### 201011/312 Officer's Recommendation/Council Decision

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That Council:

1. adopts Scheme Amendment 30, to Town of Port Hedland Town Planning Scheme No.5 (with modifications) consisting of the following changes:

<b>MAP</b>	<b>LAND</b>	<b>DETAILS OF ZONE/CODE CHANGES</b>
1	Lot 253 Rutherford Rd	Rezone from "Residential R20" to "Residential" R30 as depicted on the amendment map.
2	Lot 100 Paton Rd	Rezone from "Residential R20" and "Residential R30" to "Local Road" and "Residential" R30 as depicted on the amendment map.
3	Lot 6041 & 6042 Masters Way and closed portion of Kangaroo Place	Rezone Lot 6041 from "Parks & Recreation", Lot 6042 from "Residential" R30 and Closed portion of Kangaroo Place from "Local Road" to "Residential" R20 as depicted on the amendment map
4	Lots 3091 & 3100 Jibson Close and closed portions of Kennedy Street and Cottier Drive closed roads (Roundabout)	Rezone Lots 3091 & 3100 from "Residential" R20 and closed portions of Kennedy Street and Cottier Drive closed roads from "Local Road" and "other purposes – Water & Drainage" to "Residential" R30 and "Local Road" as depicted on the amendment map.
5	Portion of closed road (Smith Street)	Rezone from "Local Road" to "Residential" R30 as depicted on the amendment map.
6	Portion of closed road (Baler Road)	Rezone from "Local Road" to "Residential" R30 as depicted on the amendment map.
7	Portion of closed Road (Huxtable Crescent) & portion of Lot 6128 Paton Rd	Rezone from "Residential" R20 and "Local Road" to "Residential" R20 and "Residential" R30 and "Local Road" as depicted on the amendment map.
8	Lots 2240 & 2241 Greene Place and portions of Greene Place and McDonald Street closed roads	Rezone Lot 2240 from "Parks & Recreation", Lot 2241 from "Residential" R20 and portions of Green Place & McDonald Street Closed Roads from "Local Road" to "Residential" R30 as depicted on the amendment map.
9	Lot 5554 Cassia Place	Rezone from "Parks & Recreation" to "Residential R 20"
10	Lots 1, 2, 3101, 3102, 3103, 3104, 3105, 3106, 3109, 3110, 3111, 3112, 3113,	Rezone Lot 1, 2, 3101, 3102, 3103, 3104, 3105, 3106, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 6081 & 6083 Lovell Place and Lots 7, 3092, 3093, 3094, 3095, 3096, 3735 & 6115 from "Residential" R20

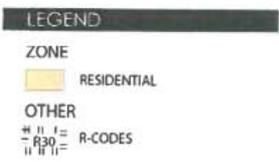
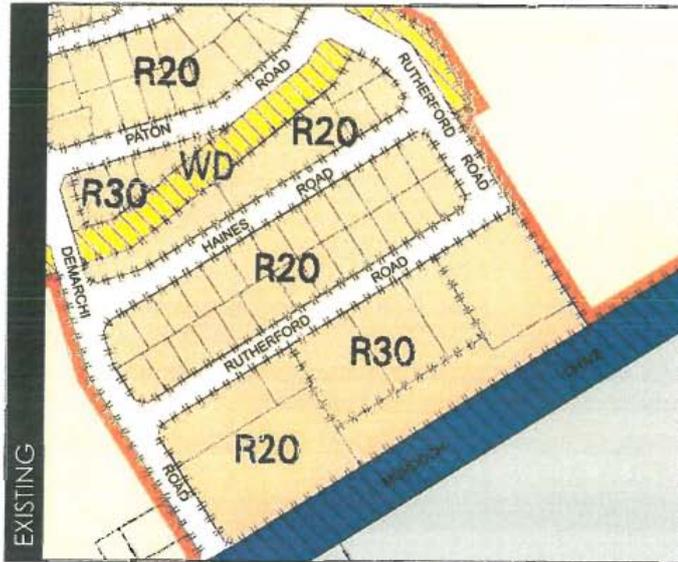
	<b>3114, 3115, 3116, 3117, 3118, 6081 &amp; 6083 Lovell Place, Lots 7, 3092, 3093, 3094, 3095, 3096, 3735 &amp; 6115 Jibson Close, Lot 3734 Brown Place and portion of Brown Place closed road</b>	<b>to “Residential” R30, Lot 3734 from “Residential” R20 to “Other Public Purposes – Water and Drainage” and portion of Brown Place closed road from “Local Road” to “Residential” R30 as depicted on the amendment map.</b>
<b>11</b>	<b>Lots 5977 and 2939 Hamilton Rd</b>	<b>Rezone from “Parks &amp; Recreation” , “Local Road” to “Urban Development” R50 as depicted on the amendment map</b>
<b>12</b>	<b>Lots 6177 &amp; 6108 Stanley &amp; Cottier</b>	<b>Rezone from “Residential” R30 to “Parks &amp; Recreation” (reference to “Community” deleted) as depicted on the amendment map.</b>
<b>13</b>	<b>All lots bound by Steamer Avenue, Captains Way, Masters Way, Collier Drive and Beroona Loop.</b>	<b>Rezone from “Urban Development” R20 to Part “Residential” R20, Part “Residential” R30 and Part “Parks &amp; Recreation Reserve” as depicted on the amendment map</b>

2. Authorise the Mayor and Chief Executive Officer to execute three (3) copies of the amendment documents in accordance with the Town Planning Regulations 1967 (as amended)
3. Forwards all required documentation to the Western Australia Planning Commission for Ministerial Consent in accordance with the Town Planning Regulations 1967 (as amended).
4. Advise the applicant of Council’s decision

*CARRIED 6/0*

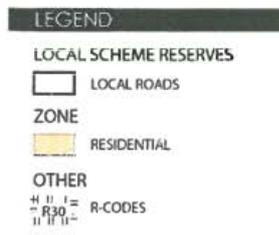
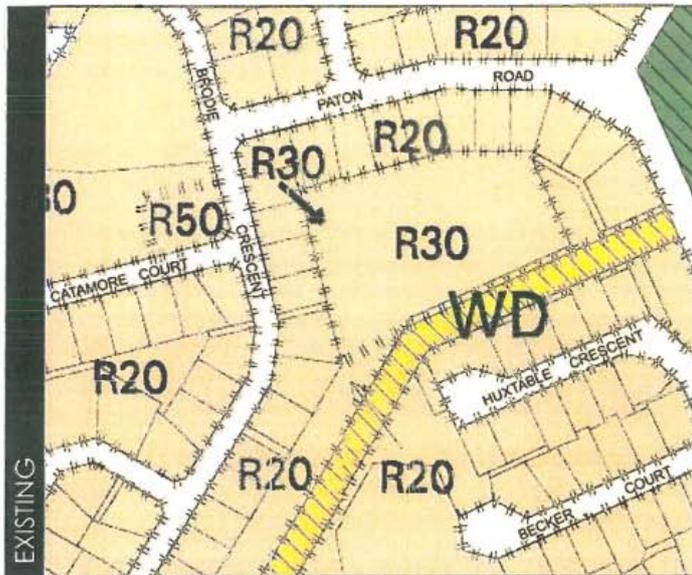
ATTACHMENT 1 TO AGENDA ITEM 11.1.1.3

3.1 LOT 253 RUTHERFORD ROAD



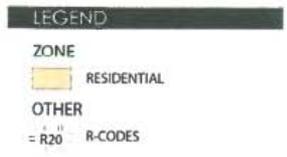
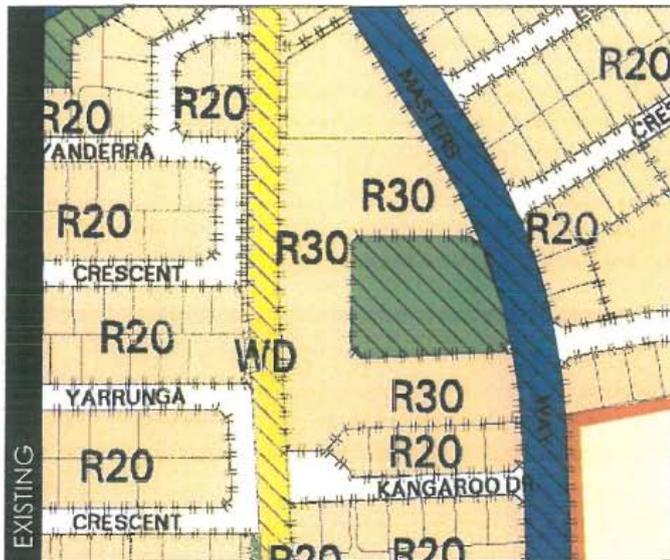
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3.2 LOT 100 PATON ROAD



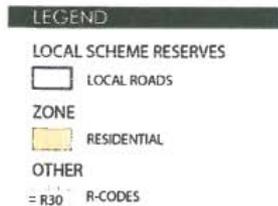
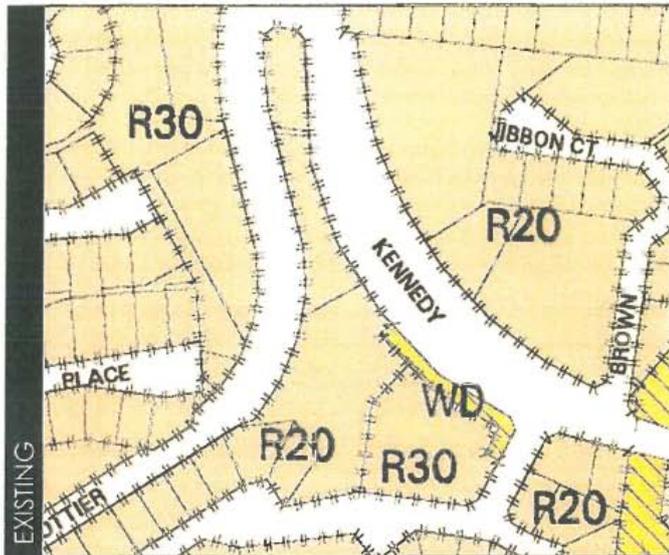

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3.3 LOTS 6041 AND 6042 MASTERS WAY



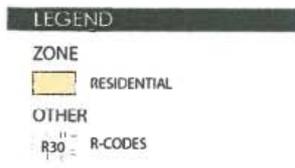
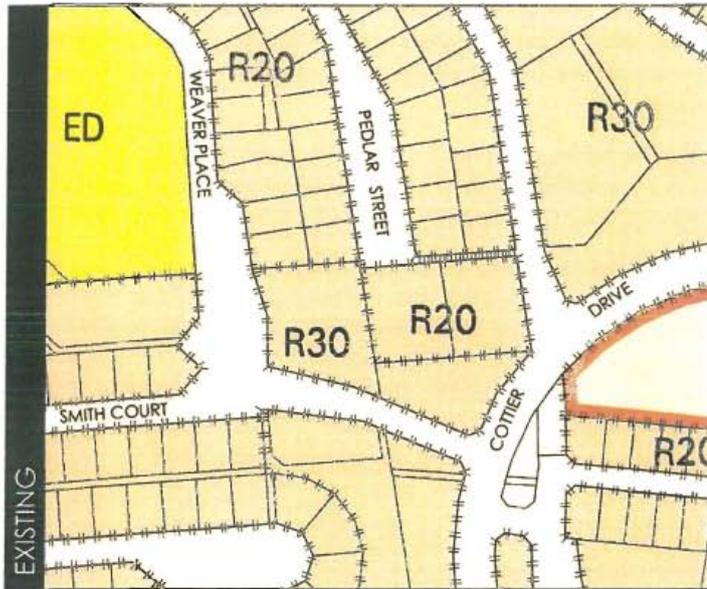
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④ 3.4 COTTIER/KENNEDY ROUNDABOUT



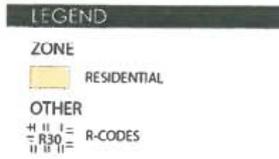
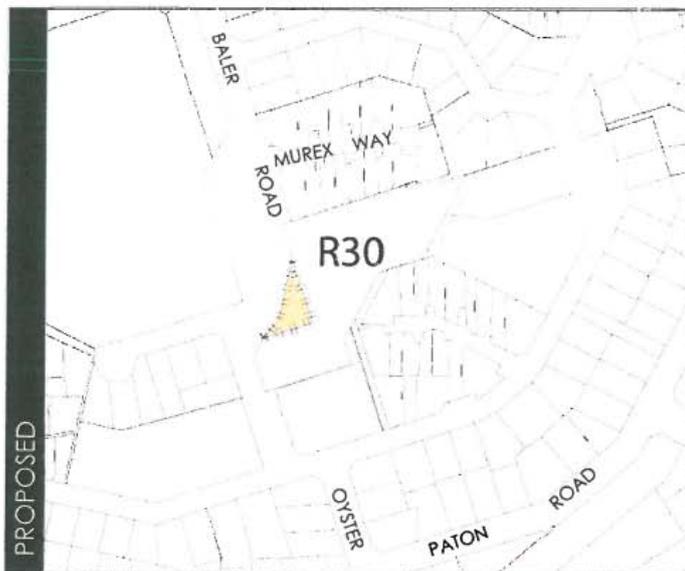
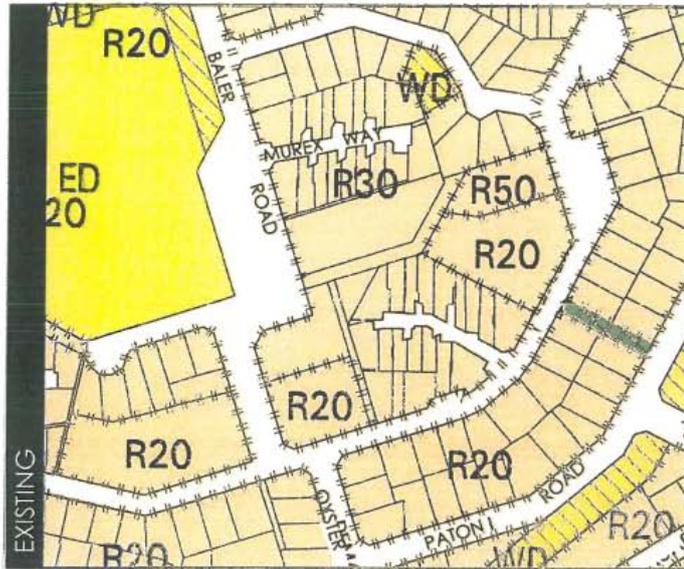
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3.5 SMITH STREET CLOSED ROAD RESERVE




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⑥ 3.6 BALER ROAD CLOSED ROAD RESERVE



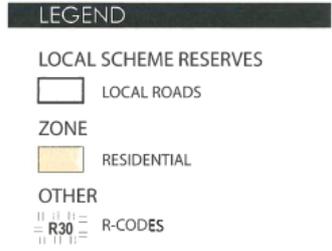
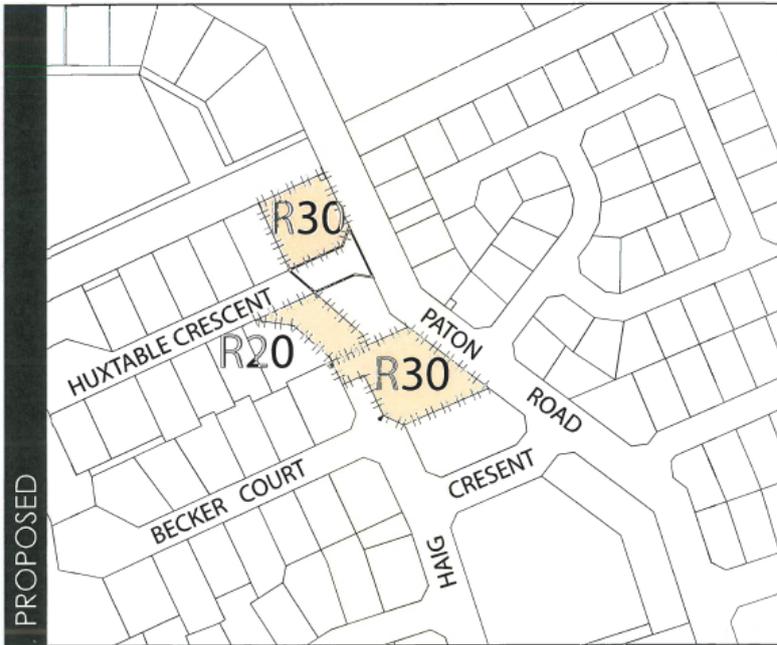
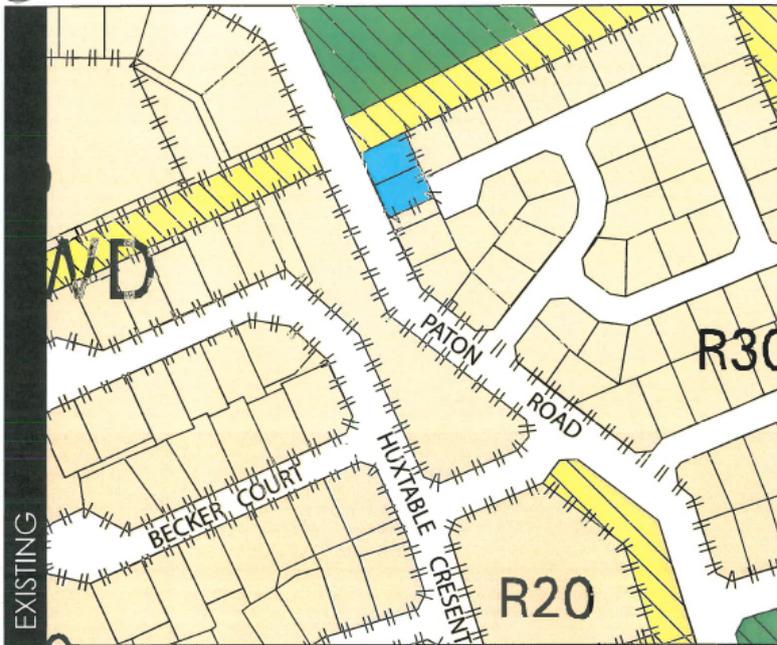

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# TOWN OF PORT HEDLAND

## Town Planning Scheme No.5

### Amendment No.30

7



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d: April 11  
j: 09/085

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# SCHEME AMENDMENT MAP

TOWN OF PORT HEDLAND  
TOWN PLANNING SCHEME 5  
AMENDMENT No.

(8)



## LEGEND

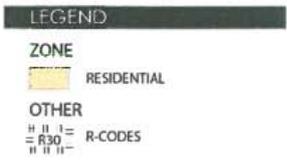
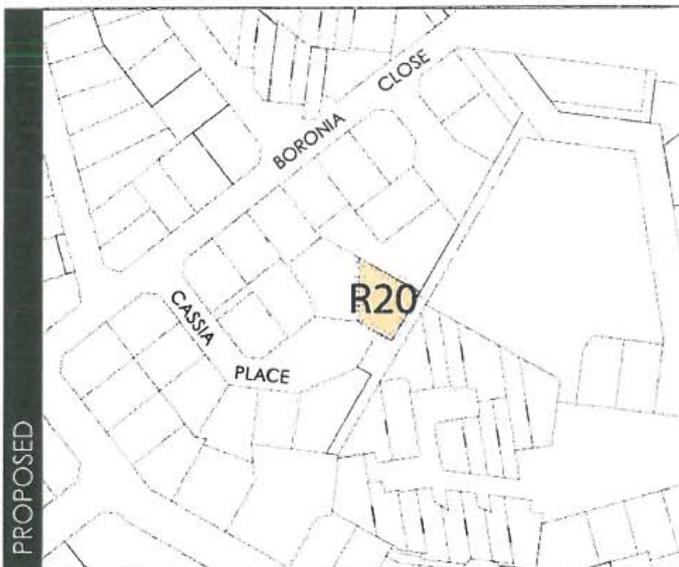
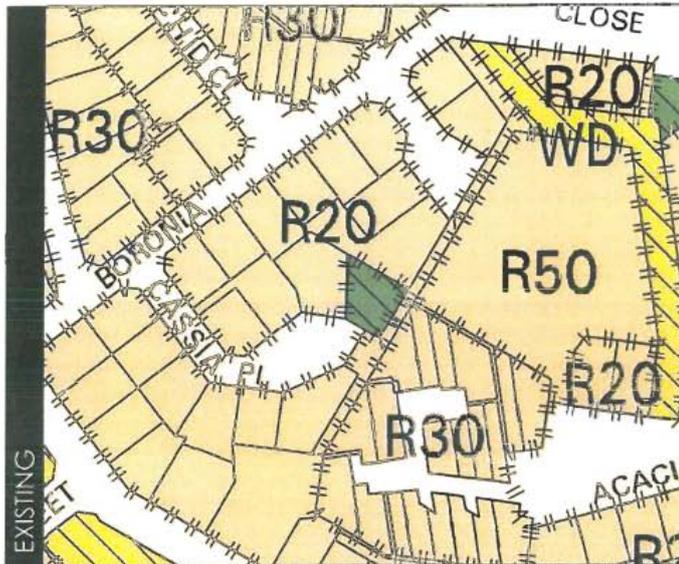
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  - DISTRICT ROAD
  - LOCAL ROAD
  - OTHER PUBLIC PURPOSES
  - PARKS AND RECREATION
- ZONES**
  - RESIDENTIAL
  - COMMERCIAL
- OTHER**
  - R CODES



0 20 40 60 80 100m

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3.9 LOT 5554 CASSIA PLACE

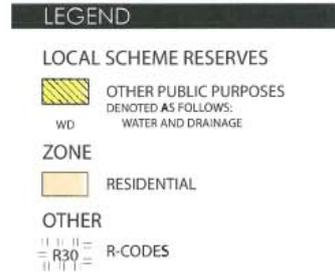
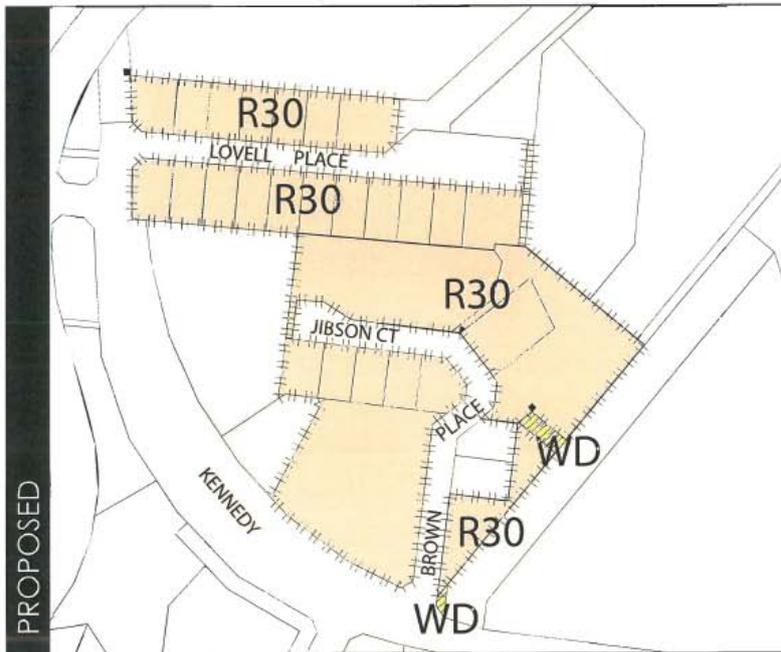
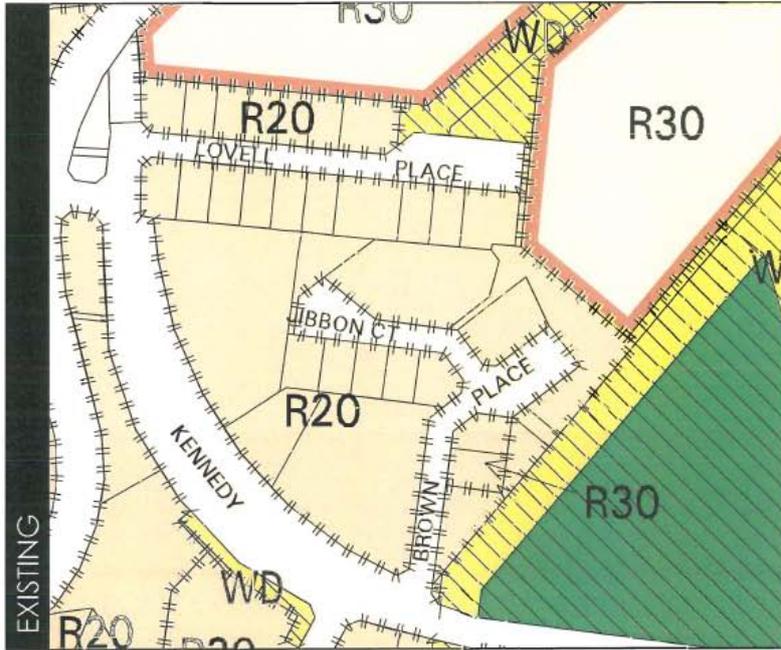



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# TOWN OF PORT HEDLAND

## Town Planning Scheme No.5 Amendment No.30

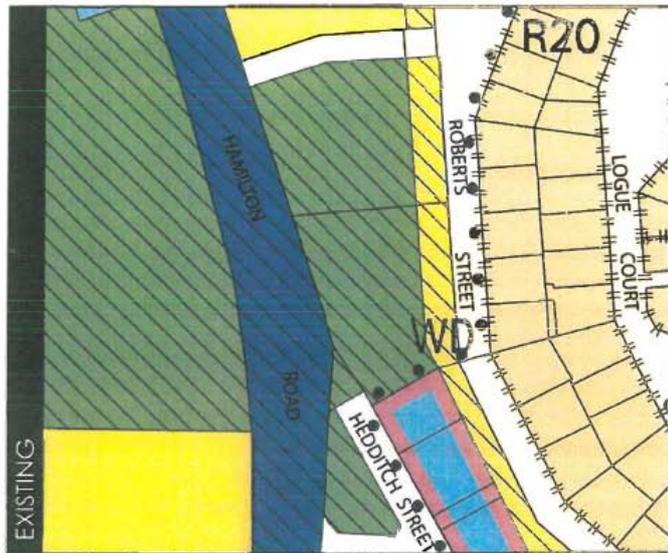
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3.11 LOT 5977 HAMILTON ROAD

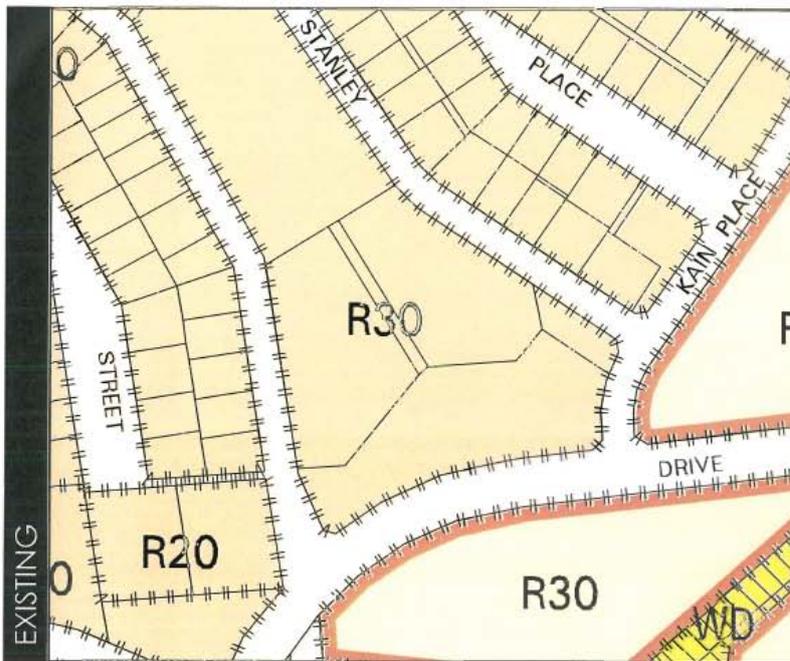


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# TOWN OF PORT HEDLAND

## Town Planning Scheme No.5 Amendment No.30

12

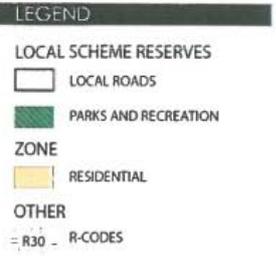
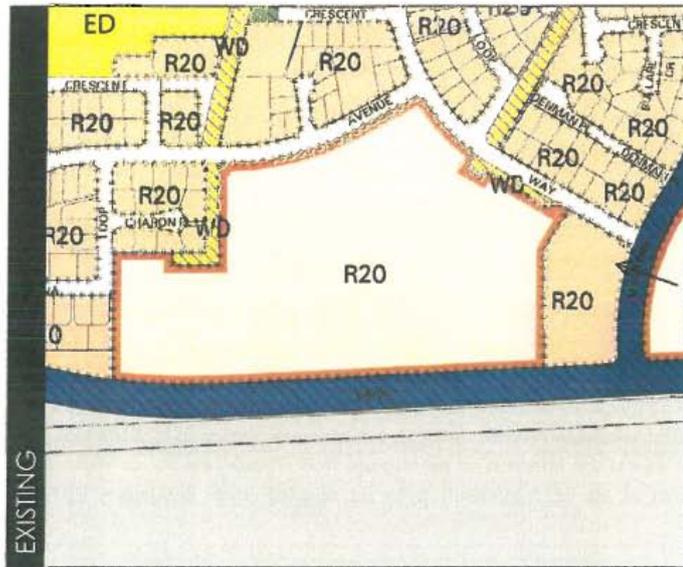



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3.13 COLLIER DRIVE



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d: Feb 2010  
j: 09/085

5:57pm Councillors G J Daccache and M Dziombak declared a Financial Interest in Agenda Item 11.1.1.4 'Proposed Transient Workforce Accommodation – Temporary Railway Camp 90 Room Expansion and 1 Laundry Building on Lot 00001 L1SA Railway Corridor (Rail Camp 195)' as they are both FMG shareholders with shares that exceed the statutory limit.

Councillors G J Daccache and M Dziombak left the room

*11.1.1.4 Proposed Transient Workforce Accommodation – Temporary Railway Camp 90 Room Expansion and 1 Laundry Building on Lot 00001 L1SA Railway Corridor (Rail Camp 195) (File No.: 803540G)*

Officer Ryan Djanegara  
Planning Officer

**Date of Report** 21 March 2011

**Application No.** 2011/36

**Disclosure of Interest by Officer** Nil

Summary

The Town received an application submitted by Davis Langdon on behalf of Fortescue Metals Group to construct a 90 room expansion and 1 laundry building for an existing Transient Workforce Accommodation (TWA) (Temporary Railway Camp) on Lot 00001 L1SA Railway Corridor (Rail Camp 195).

The application is referred to Council as Director does not have delegated authority to determine the application.

The proposed application is supported by the Planning Unit.

Background

*Location and Site Details*

The subject site is located along a rail corridor (ATTACHMENT 1). In terms of the Port Hedland Town Planning Scheme No. 5 the subject site is Rural. The site is currently being used as a Rail Camp.

*The Proposal*

The applicant proposes to construct a 90 room expansion and 1 laundry building to an existing TWA (Temporary Railway Camp) at Rail Camp 195. The proposed TWA is necessary to expand the railway to support future mining operations within the region.

### 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. No objections have been received

### 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

Although Council does not have a policy in regard to Transient Workforce Accommodation, it has endorsed a "Guidance Note for potential developers of Transient Workforce Accommodation (TWA) - August 2008".

### 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 2: Mining/Roads

That the Town has strong working relationships with the mining industry that are achieving sustainable outcomes for the local community, while minimizing negative impacts.

### Budget Implications

An application fee of \$4, 845.45 has been received as per the prescribed fees approved by Council.

### Officer's Comment

*Guidance Note for potential developers of Transient Workforce Accommodation (TWA) - August 2008*

In August 2008 Council put out a guidance note to all potential developers of TWA's, advising of the following key principles which will be considered when applications are submitted for potential TWA facilities:

- Town Centre Development Focus
- Community benefit
- Integration
- Quality
- Safety

The guidance note also identifies a number of TWA styles and identifies locations Council considers these facilities may be most appropriate. The current proposal best fits into the "Mining/Rail Camps" style, which is characterized as:

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

According the guidance note, possibly or preferable locations have been identified in areas that are "Greater than 50kms from Port Hedland otherwise other 'in-town' accommodation should be sought."

The proposed location for the Mining Camp is located more than 180 km from the Port and South Hedland Town Centres. Due to its proposed location it is unreasonable to require the applicant to seek accommodation within the Town.

It is considered that the proposed TWA (Temporary Railway Camp) development is generally consistent with the definition of a mining/rail camp in the Guidance Note. In this instance it is considered that the key principles identified in Council's guidance note are not applicable.

#### *Options*

The Council has the following options when considering the application:

1. Approve the proposal subject to conditions.

Should Council approve the development, the applicant will be able to provide accommodation within close proximity to the proposed railway expansion.

2. Refuse the proposal.

Should Council refuse the development, the proposed rail extension will be seriously hampered.

It is recommended that Council approve the application subject to conditions.

#### **Attachments**

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

**Officer's Recommendation**

That Council approve the application submitted by Davis Langdon on behalf of Fortescue Metals Group to construct a TRANSIENT WORKFORCE ACCOMMODATION – 90 room expansion and 1 laundry building on Lot 00001 LISA Railway Corridor (Rail Camp 195) subject to the following conditions:

1. This approval relates only to the proposed TRANSIENT WORKFORCE ACCOMMODATION (Temporary Railway Camp) – 90 room expansion and 1 laundry building and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.
2. This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
3. Prior to the submission of a building license the applicant/landowner is to provide the following information:
  - a. Details of vehicle movements (heavy vehicles using site for transportation of building materials and all deliveries to the specification of Council's Manager Infrastructure; and
  - b. Evidence from an appropriately qualified person that the current effluent disposal systems can handle the additional load to the specification of Council's Manager Environmental Health Services.
4. At the conclusion of the mining operations, all development is to be removed, and the area made good to the satisfaction of the Manager Planning.
5. Prior to the commencement of any new clearing or earthworks, the consultant shall ensure that there are no sites of aboriginal significance, heritage-listed structures, monuments or protected vegetation that will be affected by the proposed works to the satisfaction of Councils Manager Planning.
6. Any sites of aboriginal significance, heritage-listed structures, monuments or protected vegetation identified under Condition 5, including any vegetation identified by the Town for retention shall be protected during the work and assessed by a suitably qualified professional (arboriculturalist for vegetation) for status and management to the satisfaction of Councils Manager Planning.
7. 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 Councils Manager Planning.

8. Any Alterations or relocation of existing infrastructure within the road reserve shall be carried out and reinstated to the specification and satisfaction of Engineering Services at the Developer's expense.
9. 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.

#### 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 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.
3. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

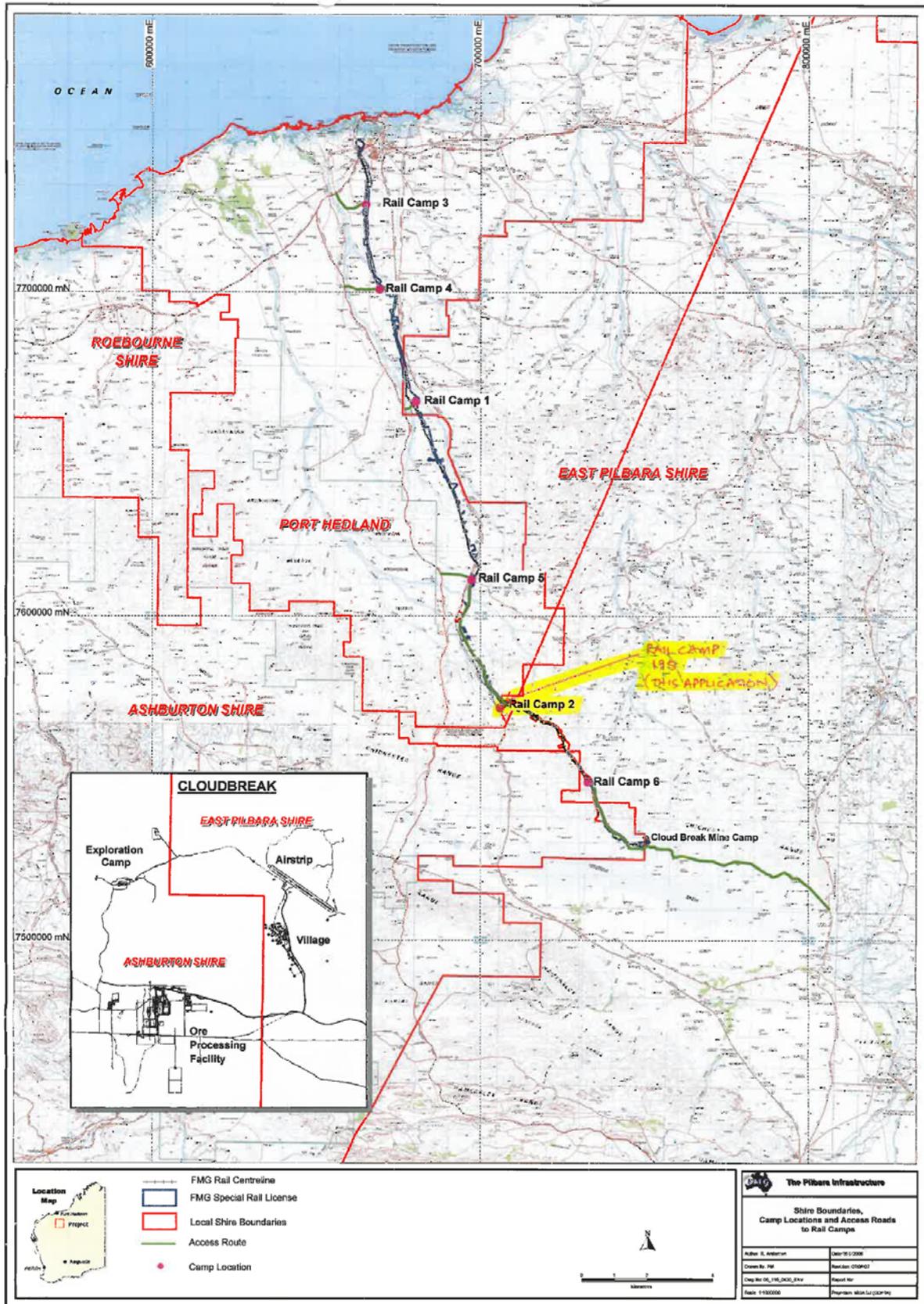
*NOTE: SIMPLE MAJORITY VOTE REQUIRED*

*NOTE: Mayor advised that with 4 Councillors left in the room there is no quorum to consider Agenda Item 11.1.1.4 'Proposed Transient Workforce Accommodation – Temporary Railway Camp 90 Room Expansion and 1 Laundry Building on Lot 00001 L1SA Railway Corridor (Rail Camp 195)'.*

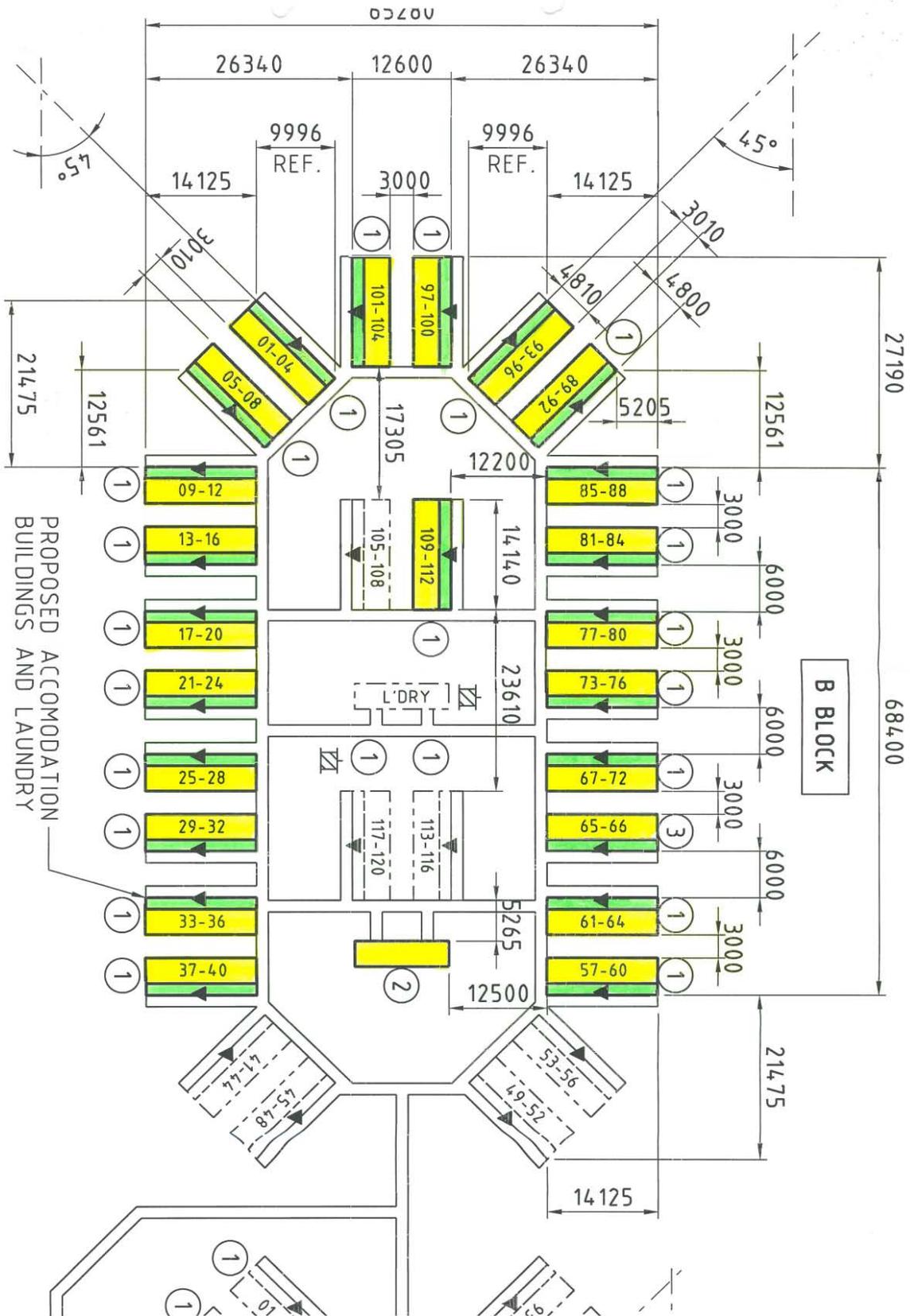
5:57pm Councillors M Dziombak and G J Daccache re-entered the room and resumed their chairs.

Mayor advised Councillors M Dziombak and G J Daccache that due to no quorum Agenda Item 11.1.1.4 'Proposed Transient Workforce Accommodation – Temporary Railway Camp 90 Room Expansion and 1 Laundry Building on Lot 00001 L1SA Railway Corridor (Rail Camp 195)'.was not considered.

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.4







ATTACHMENT 3 TO AGENDA ITEM 11.1.1.4

**FLOOR PLAN (4Rx4T)**  
SCALE 1:100

**NOTES:**  
1. EXTERNAL WALL = 57mm.  
2. INTERNAL WALL = 53mm.

**CHASSIS PLAN**  
NOT TO SCALE

**FRONT ELEVATION**  
SCALE 1:100

**REAR ELEVATION**  
SCALE 1:100

**END ELEVATION**  
SCALE 1:100

**FORK LIFT PICK UP FRAME**  
SCALE 1:100

**NOTE:** STRUCTURAL SYSTEMS PTY LTD HAS ANALYSED AND CHECKED THAT IT IS STRAIN CATEGORICAL 1 COMPARE WITH MAXIMUM WITH 1.5M DESIGN LOADS IN ACCORDANCE WITH 1.5M DESIGN LOADS.

**NOTE:** STRUCTURAL SYSTEMS PTY LTD HAS ANALYSED AND CHECKED THAT IT IS STRAIN CATEGORICAL 1 COMPARE WITH MAXIMUM WITH 1.5M DESIGN LOADS IN ACCORDANCE WITH 1.5M DESIGN LOADS.

**NOTES:**  
BOX SECTION = 65x65x3.0 SHS @ 600 CTS (MAX).

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**BUILDING APPROVAL**

BA.O	ISSUED FOR BUILDING APPROVAL	DATE	BY
		07/09/09	

BASE ON ARCH DRAWING RECEIVED: --/--/09

**PROJECT:** VERANDAH OVERHANG, WINDSPEED & TIEDOWNS

**DRAWING TITLE:** FLOOR PLAN & ELEVATIONS (4Rx4T)

**CLIENT:** APC MANUFACTURING & LOGISTICS PTY LTD

**CONSULTING ENGINEERS:** STRUCTURAL SYSTEMS PTY LTD  
 STRUCTURAL, CIVIL, SUPERVISION, SOIL, TESTING  
 48N 21 368 115 839 108 Wright Street, Adelaide SA 5000  
 Tel: (08) 8231 6000 Fax: (08) 8231 3444  
 Email: civil@structural-systems.com.au

DATE REVISION	BY	REASON
07/09/09	GM	GM

SCALE: 1:100 UNO  
 ALL DIMENSIONS IN mm - DO NOT SCALE  
 DRAWING No. DT 070921  
 STAGES: 01 BA 0

STAGE ABBREVIATION: P=PRELIMINARY; PA=FOR PLANNING APPROVAL; T=TENDER; BA=BUILDING APPROVAL; C=FOR CONSTRUCTION

**FLOOR PLAN (5RX3T) SCALE 1:80**

**NOTES:**  
 1. EXTERNAL WALL = 57mm.  
 2. INTERNAL WALL = 50mm.

**FRONT ELEVATION (CAT WALK ON) SCALE 1:80**

**FRONT ELEVATION (CAT WALK OFF) SCALE 1:80**

**REAR ELEVATION SCALE 1:80**

**END ELEVATION SCALE 1:80**

**FORK LIFT PICK UP FRAME SCALE 1:80**

**CHASSIS PLAN NOT TO SCALE**

**NOTES:**  
 BOX SECTION = 65x65x3.0 SHS @ 600 CTS (MAXI)

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**BUILDING APPROVAL**

BA, O ISSUED FOR BUILDING APPROVAL 07/09/09  
 DATE BY  
 DESCRIPTIONS  
 DATE BY

BASE ON ARCH DRAWING RECEIVED: --/--/09

PROJECT: VERANDAH OVERHANG, WINDSPEED & TIEDOWNS  
 DRAWING TITLE: FLOOR PLAN & ELEVATIONS (5RX3T)  
 CLIENT: APC MANUFACTURING & LOGISTICS PTY LTD

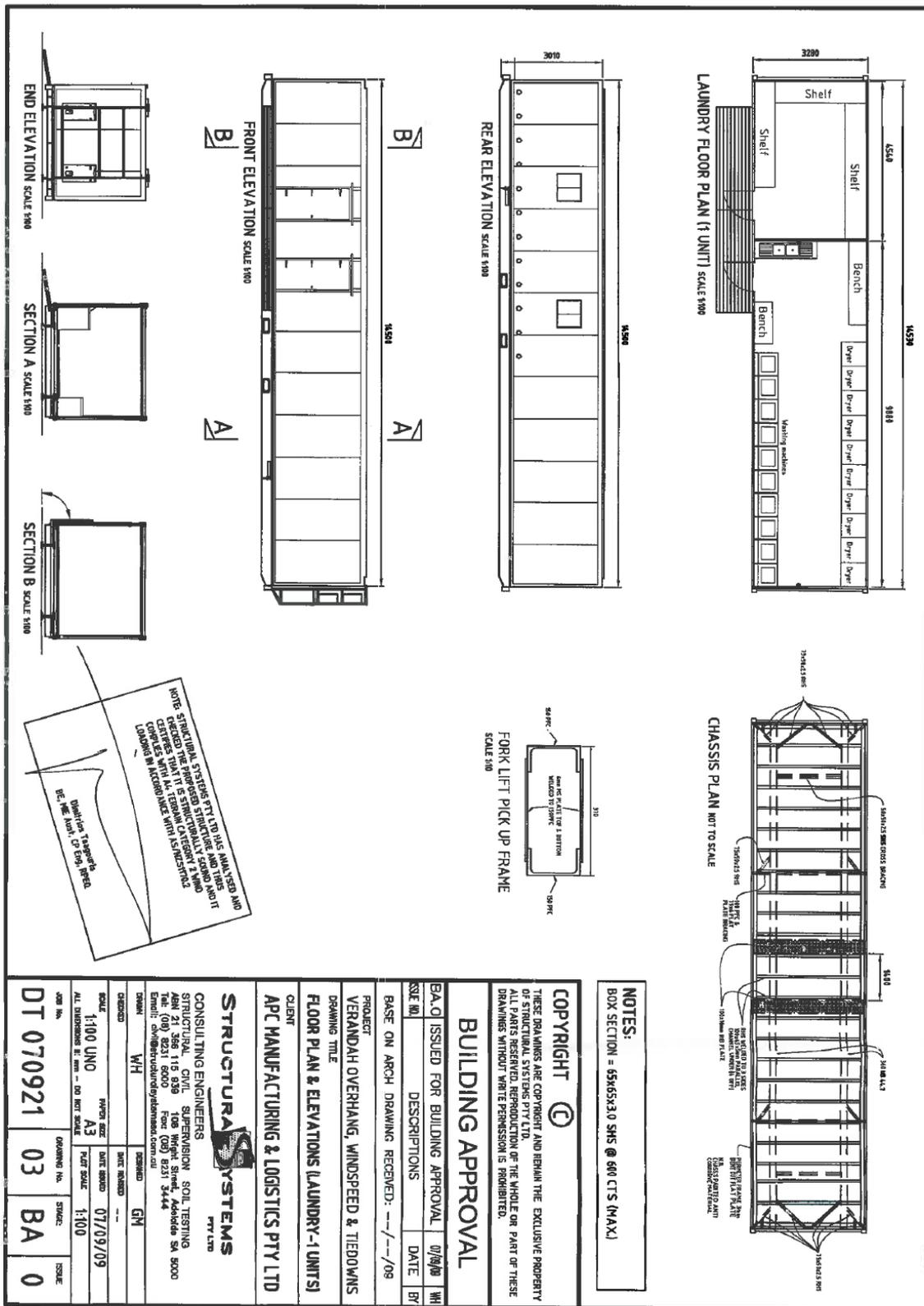
**STRUCTURA SYSTEMS** PTY LTD  
 CONSULTING ENGINEERS  
 STRUCTURAL, CIVIL SUPERVISION, SOIL TESTING  
 ASN 21 388 115 825 108 Wright Street, Adelaide SA 5000  
 TEL: (08) 8231 6000 Fax: (08) 8231 3444  
 Email: info@structurasystems.com.au

CHECKED: WH DATE SUBMITTED: 07/09/09  
 DATE REVISION: --  
 DRAWN: WH  
 SCALE: 1:100 UNO PAPER SIZE: A3  
 ALL DIMENSIONS IN mm - DO NOT SCALE  
 JOB NO.: DT 070921 DRAWING NO.: 02 STAGE: BA ISSUE: 0

**NOTE:** STRUCTURAL SYSTEMS PTY LTD HAS ANALYSED AND CHECKED THE FINISH STRUCTURE AND FINISHES. CHECKERS HAVE NOT CHECKED THE FINISHES. CHECKERS WILL CHECK THE FINISHES IN ACCORDANCE WITH REQUIREMENTS LANDING IN ACCORDANCE WITH REQUIREMENTS.

**WARNING:** Example of the use of this drawing is not permitted without the written consent of the author.

STAGE ABBREVIATION: P=PRELIMINARY; PA=FOR PLANNING APPROVAL; T=TENDER; BA=BUILDING APPROVAL; C=FOR CONSTRUCTION



NOTE: STRUCTURAL STEERING SYSTEMS HAVE BEEN ANALYSED AND DESIGNED TO BE WITHSTOOD BY THE STRUCTURE. HOWEVER, THE CLIENT IS ADVISED THAT THE STRUCTURE IS NOT DESIGNED TO BE WITHSTOOD BY THE CLIENT'S OWNERS. THE CLIENT IS ADVISED TO CONSULT WITH AN ARCHITECTURAL ENGINEER FOR FURTHER INFORMATION.

**NOTES:**  
BOX SECTION = 65x65x3.0 SHS @ 600 CTS (MAX.)

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**BUILDING APPROVAL**

EA/CI	ISSUED FOR BUILDING APPROVAL	07/09/09	WM
SCALE NO.	DESCRIPTIONS	DATE	BY

BASED ON ARCH DRAWING RECEIVED: --/--/09

**PROJECT:** VERANDAH OVERHANG, WINDSPEED & TIEDOWNS  
**DRAWING TITLE:** FLOOR PLAN & ELEVATIONS (LAUNDRY-1 UNITS)

**CLIENT:** APC MANUFACTURING & LOGISTICS PTY LTD

**STRUCTURAL SYSTEMS** PTY LTD

CONSULTING ENGINEERS  
SOIL TESTING & FOUNDATION DESIGN  
44th Fl, 15, 8th St, Adelaide SA 5000  
Tel: (08) 8231 6000 Fax: (08) 8231 3444  
Email: adv@structural-systems.com.au

DESIGNER	WH	REVISION	GM
SCALE	1:100 UNO	DATE ISSUED	07/09/09
PAPER SIZE	A3	PRINT SCALE	1:100
JOB NO.	DT 070921	DRAWING NO.	03
STAGE	BA	ISSUE	0

7/09/2009 12:28:30 PM, WESLEY

STAGE ABBREVIATION: P=PRELIMINARY; PA=FOR PLANNING APPROVAL; T=TENDER; BA=BUILDING APPROVAL; C=FOR CONSTRUCTION

5:58pm Councillors G J Daccache and M Dziombak declared a Financial Interest in Agenda Item 11.1.1.4 'Proposed Transient Workforce Accommodation – Temporary Railway Camp 90 Room Expansion and 1 Laundry Building on Lot 00001 L1SA Railway Corridor (Rail Camp 195)' as they are both FMG shareholders with shares that exceed the statutory limit.

Councillors G J Daccache and M Dziombak left the room

*11.1.1.5 Proposed Transient Workforce Accommodation – 32 room expansion and 3 laundry buildings on Lot 00001 L1SA Railway Corridor (Rail Camp 145) (File No.: 803540G)*

Officer Ryan Djanegara  
Planning Officer

**Date of Report** 21 March 2011

**Application No.** 2011/35

**Disclosure of Interest by Officer** Nil

Summary

The Town received an application submitted by Davis Langdon on behalf of Fortescue Metals Group to construct a 32 room expansion and 3 laundry buildings for an existing Transient Workforce Accommodation (TWA) (Temporary Railway Camp) on Lot 00001 L1SA Railway Corridor (Rail Camp 145).

The application is referred to Council as Director does not have delegated authority to determine the application.

The proposed application is supported by the Planning Unit.

Background

*Location and Site Details*

The subject site is located along a rail corridor (ATTACHMENT 1). In terms of the Port Hedland Town Planning Scheme No. 5 the subject site is Rural. The site is currently being used as a Rail Camp.

*The Proposal*

The applicant proposes to construct a 32 room expansion and 3 laundry buildings to an existing TWA (Temporary Railway Camp) at Rail Camp 145. The proposed TWA is necessary to expand the railway

to support future mining operations within the region.

#### 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. No objections have been received

#### 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

Although Council does not have a policy in regard to Transient Workforce Accommodation, it has endorsed a "Guidance Note for potential developers of Transient Workforce Accommodation (TWA) - August 2008".

#### 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 2: Mining/Roads

That the Town has strong working relationships with the mining industry that are achieving sustainable outcomes for the local community, while minimizing negative impacts.

#### Budget Implications

An application fee of \$2,300 has been received as per the prescribed fees approved by Council.

#### Officer's Comment

*Guidance Note for potential developers of Transient Workforce Accommodation (TWA) - August 2008*

In August 2008 Council put out a guidance note to all potential developers of TWA's, advising of the following key principles which will be considered when applications are submitted for potential TWA facilities:

- Town Centre Development Focus
- Community benefit
- Integration
- Quality

- Safety

The guidance note also identifies a number of TWA styles and identifies locations Council considers these facilities may be most appropriate. The current proposal best fits into the “Mining/Rail Camps” style, which is characterized as:

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

According the guidance note, possibly or preferable locations have been identified in areas that are “*Greater than 50kms from Port Hedland otherwise other ‘in-town’ accommodation should be sought.*”

The proposed location for the Mining Camp is located more than 120 km from the Port and South Hedland Town Centres. Due to its proposed location it is unreasonable to require the applicant to seek accommodation within the Town.

It is considered that the proposed TWA (temporary Railway Camp) development is generally consistent with the definition of a mining/rail camp in the Guidance Note. In this instance it is considered that the key principles identified in Council’s guidance note are not applicable.

#### *Options*

The Council has the following options when considering the application:

1. Approve the proposal subject to conditions.

Should Council approve the development, the applicant will be able to provide accommodation within close proximity to the proposed railway expansion.

2. Refuse the proposal.

Should Council refuse the development, the proposed rail extension will be seriously hampered.

It is recommended that Council approve the application subject to conditions.

#### **Attachments**

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

**Officer's Recommendation**

That Council approve the application submitted by Davis Langdon on behalf of Fortescue Metals Group to construct a TRANSIENT WORKFORCE ACCOMMODATION – 32 room expansion and 3 laundry buildings on Lot 00001 L1SA Railway Corridor (Rail Camp 145) subject to the following conditions:

1. This approval relates only to the proposed TRANSIENT WORKFORCE ACCOMMODATION (temporary Railway Camp) – 32 room expansion and 3 laundry buildings and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.
2. This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
3. Prior to the submission of a building license the applicant/landowner is to provide the following information:
  - a. Details of vehicle movements (heavy vehicles using site for transportation of building materials and all deliveries to the specification of Council's Manager Infrastructure; and
  - b. Evidence from an appropriately qualified person that the current effluent disposal systems can handle the additional load to the specification of Council's Manager Environmental Health Services.
4. At the conclusion of the mining operations, all development is to be removed, and the area made good to the satisfaction of the Manager Planning.
5. Prior to the commencement of any new clearing or earthworks, the consultant shall ensure that there are no sites of aboriginal significance, heritage-listed structures, monuments or protected vegetation that will be affected by the proposed works to the satisfaction of Councils Manager Planning.
6. Any sites of aboriginal significance, heritage-listed structures, monuments or protected vegetation identified under Condition 5, including any vegetation identified by the Town for retention shall be protected during the work and assessed by a suitably qualified professional (arboriculturalist for vegetation) for status and management to the satisfaction of Councils Manager Planning.

7. 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 Councils Manager Planning.
8. Any Alterations or relocation of existing infrastructure within the road reserve shall be carried out and reinstated to the specification and satisfaction of Engineering Services at the Developer's expense.
9. 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.

#### 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 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.
3. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

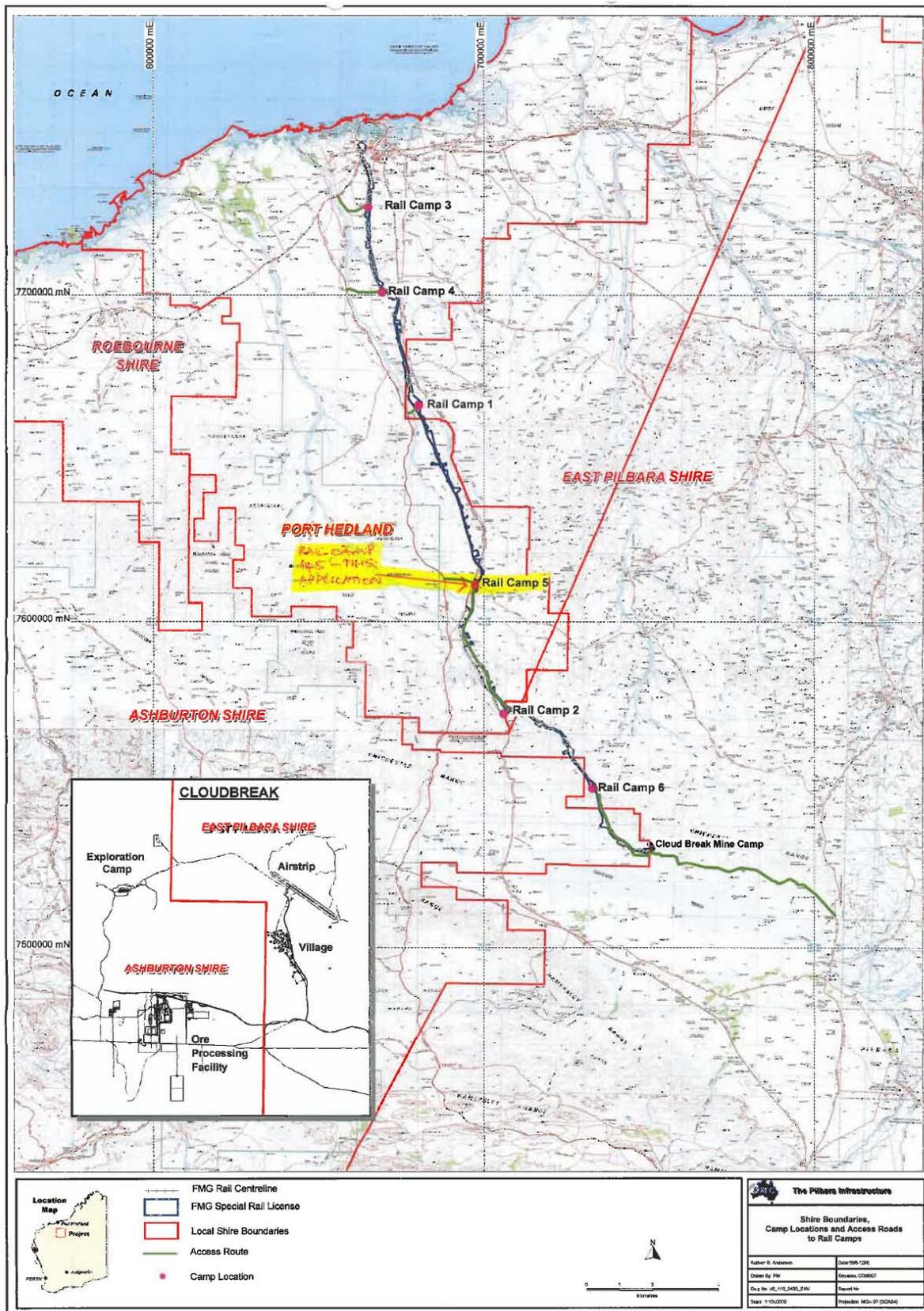
#### *NOTE: SIMPLE MAJORITY VOTE REQUIRED*

NOTE: Mayor advised that with 4 Councillors left in the room there is no quorum to consider Agenda Item 11.1.1.5 'Proposed Transient Workforce Accommodation – 32 room expansion and 3 laundry buildings on Lot 00001 L1SA Railway Corridor (Rail Camp 145)'.

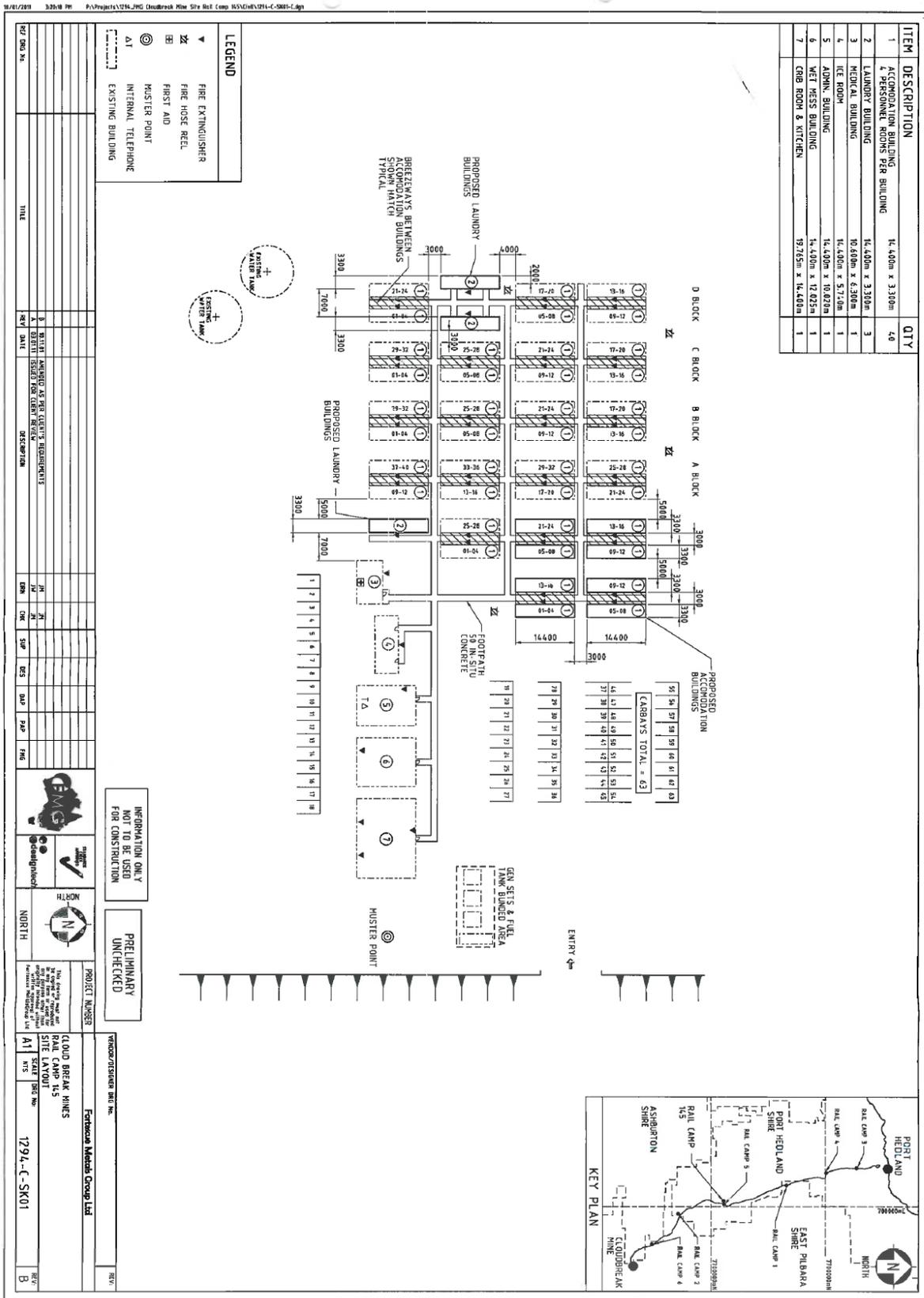
5:58pm Councillors G J Daccache and M Dziombak and re-entered the room and resumed chairs.

Mayor advised Councillors G J Daccache and M Dziombak that due to lack of quorum Agenda Item 11.1.1.5 'Proposed Transient Workforce Accommodation – 32 room expansion and 3 laundry buildings on Lot 00001 L1SA Railway Corridor (Rail Camp 145)' was not considered.

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.5



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.5



ATTACHMENT 3 TO AGENDA ITEM 11.1.1.5

**FLOOR PLAN (SRX3T) SCALE 1:100**

**NOTES:**  
 1. EXTERNAL WALL = 57mm.  
 2. INTERNAL WALL = 50mm.

**FRONT ELEVATION (CAT WALK ON) SCALE 1:100**

**FRONT ELEVATION (CAT WALK OFF) SCALE 1:100**

**REAR ELEVATION SCALE 1:100**

**END ELEVATION SCALE 1:100**

**CHASSIS PLAN NOT TO SCALE**

**FORK LIFT PICK UP FRAME SCALE 1:10**

**NOTES:**  
 BOX SECTION = 65x45x3.0 SHS @ 600 CTS (MAX).

**NOTE:** STRUCTURAL SYSTEMS PTY LTD HAS ANALYSED AND CHECKED THE PROPOSED STRUCTURE AND AS IT OPERATES IN CONJUNCTION WITH EXISTING OPERABLE IN ACCORDANCE WITH REQUIREMENTS LONDON IN THE NAME OF ENG. PETER DUNN.

**STRUCTURA SYSTEMS CONSULTING ENGINEERS**  
 CIVIL SUPERVISION SOIL TESTING  
 10/1100 UNO  
 Tel: (08) 8231 6000 For (08) 8231 5444  
 Email: chris@structuralsystems.com.au

**CLIENT**  
 APC MANUFACTURING & LOGISTICS PTY LTD

**PROJECT**  
 VERANDA OVERHANG, WINDSPEED & TIEDOWNS

**DRAWING TITLE**  
 FLOOR PLAN & ELEVATIONS (SRX3T)

**BASE ON ARCH DRAWING RECEIVED: --/--/09**

**BUILDING APPROVAL**

ISSUE NO.	DESCRIPTIONS	DATE	BY
BA.0	ISSUED FOR BUILDING APPROVAL	07/09/09	WH

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ORDERED	DATE ORDERED	DATE ISSUED	SCALE
1:100 UNO	07/09/09	07/09/09	A3

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DT 070921 02 BA 0

STAGE ABBREVIATION: P=PRELIMINARY; PA=FOR PLANNING APPROVAL; T=TENDER; BA=BUILDING APPROVAL; C=FOR CONSTRUCTION



*11.1.1.6 Proposed Motel for Lot 2116 and 2117 North Circular Road, South Hedland (File No.: 130330G)*

Officer Ryan Djanegara  
Planning Officer

**Date of Report** 13 January 2011

**Application No.** 2010/229

**Disclosure of Interest by Officer** Nil

Summary

The proposal is before Council to re-consider, Council at its Ordinary Council Meeting held on the 30<sup>th</sup> of March 2011, resolved to lay the application on the table, to obtain clarity from the developer regarding the availability of rooms to tourists / general public.

The Planning unit has discussed this with the applicant who has indicated that they have no objection to the inclusion of a condition ensuring that 20% of the room are made available to Tourists / General Public. In this regard condition 3 has been included as part of the proposed approval conditions.

The application submitted by Property Development Solutions on behalf of Runyon PTY LTD for a proposed "Motel" development consisting of 58 single bedroom units, café/restaurant and other incidental uses on Lot 2116 and 2117 North Circular Road, South Hedland.

The lot has recently been rezoned from "Community" to "Tourism", through the gazettal of Scheme Amendment 25 on 8<sup>th</sup> February 2011. The proposed use "Motel" is considered an "AA" use in terms of the Port Hedland Town Planning Scheme No 5.

The proposal is supported by the Planning Unit subject to conditions.

Background

*Location and Area*

The subject site is located along North Circular Road and Stanley Street, South Hedland (Attachment 1), and measures approximately 5313m<sup>2</sup>.

Vehicular access is proposed via Stanley Street.

### *Current Zoning and Use*

In accordance with the Port Hedland Town Planning Scheme No. 5 (TPS 5), the subject site is zoned for "Tourism" categorising the proposed use as an "AA" use.

The subject site is currently undeveloped.

### *The Proposal*

The applicant proposes to construct a motel development consisting of 58 single bedroom units, café/restaurant and other incidental uses on Lot 2116 and 2117 North Circular Road, South Hedland. The development cannot comply with Clause 6.13.5 of the Port Hedland Town Planning Scheme No 5, having a 4 car parking bay shortfall. The applicant has requested a parking variation be considered.

### Consultation

The application has been circulated internally and externally to the surrounding land owners, with the comments captured in the report.

### 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

Council's Draft Local Planning Policy 12 – Reciprocal Car Parking & Cash in Lieu of Car Parking

### 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 Number 1: Tourism

Strategy 4:

Develop additional tourist information at Town entry points and other focal points within the Town.

Goal Number 3: Business Development

Strategy 2 (other actions):

Provide support and incentives for entrepreneurs who are interested in establishing tourism related businesses within the Town.

### Budget Implications

An application fee of \$21, 438.84 has been received as per the prescribed fees approved by Council.

### Officer's Comment

#### *Need & Desirability*

There is a recognised lack of tourist accommodation available within the Town. The proposed motel development will assist in alleviating that need by providing 58 single bedroom units.

The proposed location for the Motel being at a main entry point to South Hedland is considered desirable. The development has the potential of creating a much needed entry statement to the area.

#### *Car parking requirements*

In accordance with the Appendix 7 of the Scheme the landowner is required to provide a minimum of 75 car parking bays. The applicant has provided 71 car parking bays on-site. The proposal therefore has a shortfall of 4 bays.

Council's Draft Local Planning Policy 12 – Reciprocal Car Parking & Cash in Lieu of Car Parking, initiated by Council at its Ordinary Meeting on 9<sup>th</sup> February 2011, allows for car parking requirements to be waived in light of potential reciprocal uses on-site or with neighbouring properties, and/or cash-in-lieu alternatives.

#### *Reciprocal Car parking uses*

In accordance with the draft parking policy, 100% reciprocal car parking uses can be supported between the visitors' bays and the staff parking for the motel development. In light of the policy the applicant is therefore required to provide 71 car parking bays on-site.

Given that the proposal is consistent with the provisions of the draft policy parking policy's proposed reciprocal parking, resulting in the proposed development being able to provide the required amount of parking bays the proposal is supported.

#### *Options*

The Council has the following options when considering the application:

1. Approve the proposal subject to conditions.

Should the proposal be approved, an addition 58 accommodation unit will be available for tourists / short stay accommodation.

The development of the site would also create an entry statement to the South Hedland area.

2. Approve the proposal subject to conditions (carparking).

The car parking assessment has been evaluated based on the general public not utilising the dining facilities. An additional condition can be placed on the approval requiring additional parking.

3. Refuse the proposal.

Should the proposal be refused, the site may remain vacant or underdeveloped indefinitely.

It is recommended that Council approve the proposal subject to conditions (1. above) as the application is consistent with the Town's strategic goals in providing additional tourist accommodation. The proposal is also consistent with the proposed Draft Planning Policy No. 12.

### **Attachments**

1. Locality Map
2. Site Plan
3. Floor Plan
4. Elevations

### **Officer's Recommendation**

That Council approves the planning application submitted Property Development Solutions on behalf of Wedge Street Investments Pty Ltd for a "MOTEL" development of 58 single bedroom units at Lot 2116 and 2117 North Circular Road, South Hedland subject to the following conditions:

1. This approval relates only to the proposed "MOTEL" and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.
2. Under the Town of Port Hedland Town Planning Scheme No. 5, the above approved uses are defined as follows:

"Motel:

"any land 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. The development shall make available a minimum of 20% of the rooms to Tourists / General Public, to the satisfaction of Councils Manager Planning.
4. This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
5. Within 60 days of the date of this approval the applicant / landowner is required to amalgamate Lots 2116 and 2117 North Circular Road, South Hedland.
6. A minimum of 71 car parking spaces are to be provided on-site in accordance with Appendix 7 of Council's Town Planning Scheme No. 5 to the satisfaction of Council's Manager Planning.
7. Each accommodation unit is to be provided with an exclusive parking space to the satisfaction of Councils Manager Planning.
8. Installation of lighting in car parking areas and pedestrian access ways to deter theft and anti social behaviour, to the satisfaction of Councils Manager Planning
9. All dust and sand to be contained on site with the use of suitable dust suppression techniques to specification of Council's Manager Environmental Health Services and to the satisfaction of Councils Manager Planning.
10. 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 Councils Manager Planning Services.
11. 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 maneuvering 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 Manager Planning.
12. Within 30 days of this approval, a detailed landscaping and reticulation plan including the adjoining road verge(s) must be submitted to Councils 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. The landscaping plan is to include mounding and the use of mature trees along North Circular Road to the satisfaction of Council's Manager Planning.

13. Within 60 days of the approval of the landscaping plan, or such further period as may be agreed by the Manager Planning, landscaping and reticulation is to be established in accordance with the approved detailed plans to the satisfaction of Councils Manager Planning.
14. Civil drawings on the proposal, including the verge are to be submitted for approval prior to the submission of a building license to the specifications of Councils Manager Infrastructure Development and to the satisfaction of Councils Manager Planning
15. The driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, prior to the occupation of the Motel.
16. Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of Councils 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. The submission of a construction management plan at the submission of a Building Licence application stage for the proposal detailing how it is proposed to manage:
  - a) The delivery of material and equipment to the site;
  - b) The storage of material and equipment on the site;
  - c) The management and containment of dust and sand.
  - d) The parking arrangements for the contractors and subcontractors;
  - e) Impact on traffic movement;
  - f) Operation times including delivery of material;
  - g) Other matter likely to impact on the surrounding uses;
  - h) Building waste management control;
  - i) Point of contact of personnel for control of enquiries and any complaints; and

all to the satisfaction of Councils Manager Planning.

#### 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. Be advised that the Town's Environmental Health Services Department has raised the following matters:

- a. It is a requirement under the Town of Port Hedland Eating House Local Laws that all food premises be licensed prior to beginning operations;
- b. The applicant is advised that the construction and use of the proposed premises is required to comply with the Health (Food Hygiene) Regulations 1993;
- 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.

If any of these matters require clarification please contact the Department on 9158 9325.

3. If mains water connection is unavailable the development is to be connected to an adequate potable water supply to the specifications of Council's Health Local Laws 1999. For further advice please contact Town's Environmental Health Services on 9158 9325.
4. 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.
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. The development is to comply with the Health (Public Buildings) Regulations 1992.
7. With regards to Condition 12, Council's Engineering services may require that a dual use footpath be included as part of the landscaping plan.
8. In relation to Conditions 14, 15 and 16 please contact Councils Manager Infrastructure Development 9158 9350 for further details.

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.
10. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

### **201011/313 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr S J Coates

That Council approves the planning application submitted Property Development Solutions on behalf of Wedge Street Investments Pty Ltd for a "MOTEL" development of 58 single bedroom units at Lot 2116 and 2117 North Circular Road, South Hedland subject to the following conditions:

1. This approval relates only to the proposed "MOTEL" and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.
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"Motel:

"any land 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. The development shall make available a minimum of 20% of the rooms to Tourists / General Public, to the satisfaction of Council Manager Planning; with these rooms to be allocated and managed by the Port Hedland Visitors Centre and/or the Chamber of Commerce.
4. This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.

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  - b) **The storage of material and equipment on the site;**
  - c) **The management and containment of dust and sand.**
  - d) **The parking arrangements for the contractors and subcontractors;**
  - e) **Impact on traffic movement;**
  - f) **Operation times including delivery of material;**
  - g) **Other matter likely to impact on the surrounding uses;**
  - h) **Building waste management control;**
  - i) **Point of contact of personnel for control of enquiries and any complaints; and**

**all to the satisfaction of Councils Manager Planning.**

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. Be advised that the Town's Environmental Health Services Department has raised the following matters:
  - a. **It is a requirement under the Town of Port Hedland Eating House Local Laws that all food premises be licensed prior to beginning operations;**
  - b. **The applicant is advised that the construction and use of the proposed premises is required to comply with the Health (Food Hygiene) Regulations 1993;**
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10. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

*CARRIED 6/0*

*REASON: Council believes it is advisable to have the Port Hedland Visitor Centre and/or the Chamber of Commerce as a distributor of the accommodation proposed in Agenda Item 11.1.1.6 'Proposed Motel for Lot 2116 and 2117 North Circular Road, South Hedland' for tourists and backpackers coming to Hedland.*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.6

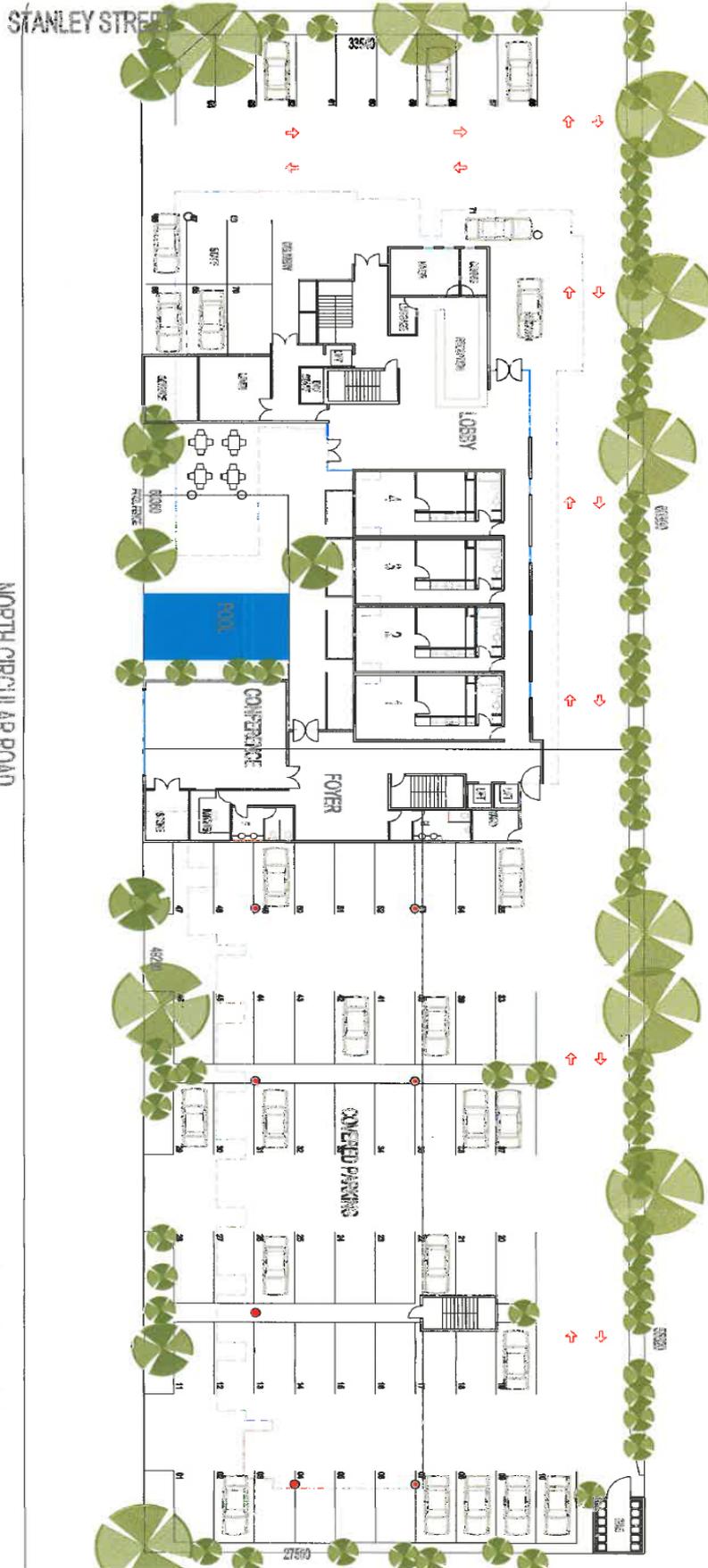


ATTACHMENT 2 TO AGENDA ITEM 11.1.1.6

ACCOMMODATION DEVELOPMENT

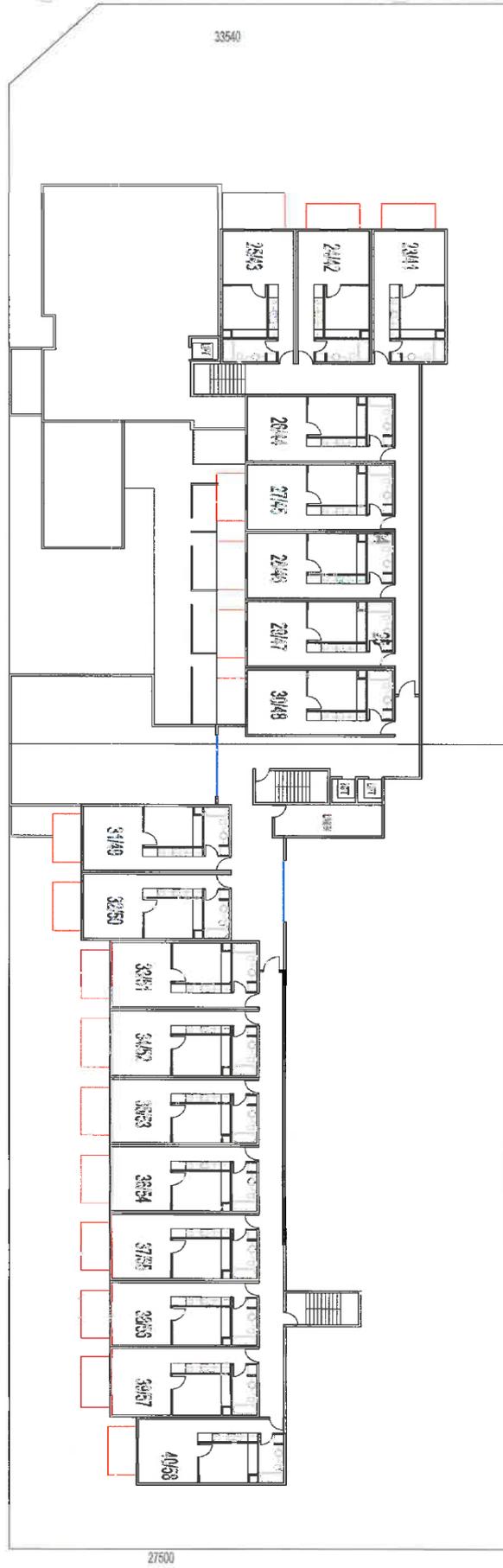
LOTE 2179, 2177 NORTH CIRCULAR ROAD, SOUTH HEDLAND  
AMENDED DA A 1:100 NOVEMBER 2010

site and ground floor plan



**kim MILLER** p. arch  
 ARCHITECT  
 270/18 PARMENT 8/31  
 NORTH FREMANTLE 6150  
 TEL: 08 9417 1190  
 scott@kimmillers.com.au





typical second and third floorplan

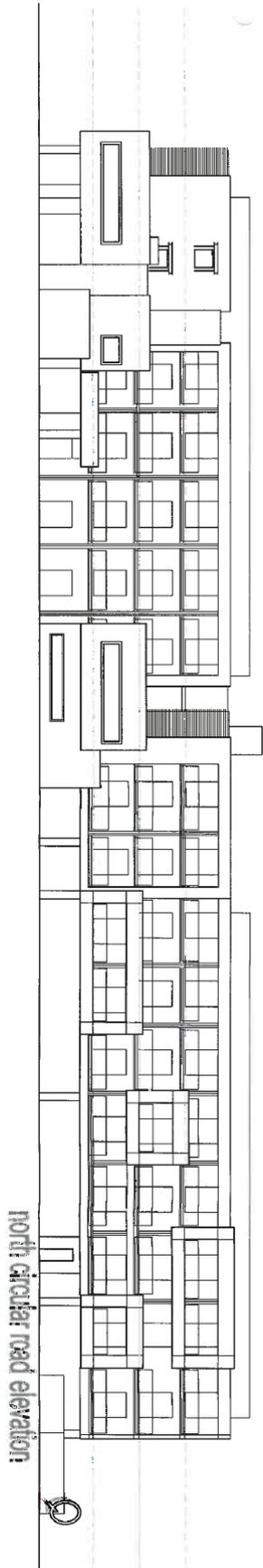
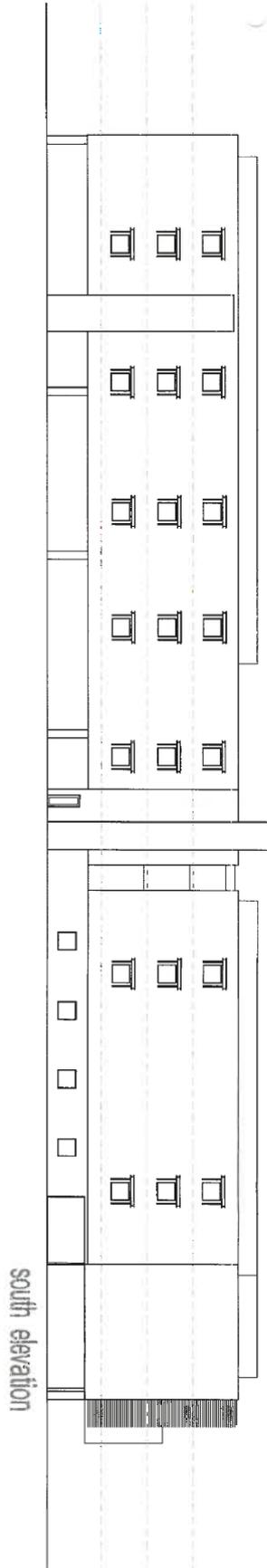
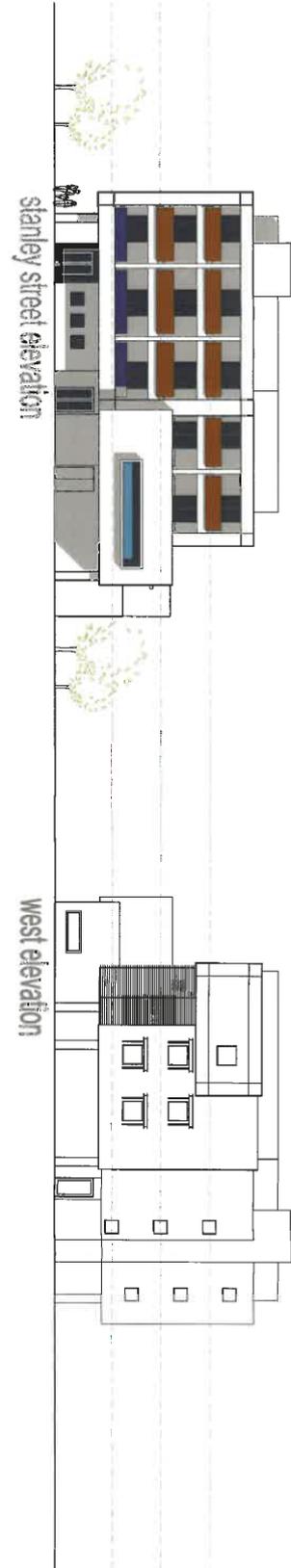
ACCOMMODATION DEVELOPMENT

108 27462/17 NORTH CIRCULAR RD, SOUTH HIGHLAND  
AMENDED DA C 1:100 NOVEMBER 2010

**kim MILLER** *Architect*  
170/171 PRAMPTON ST  
NORTH BRISBANE QLD  
4161  
07554 2211  
central@kimmillers.com.au



ATTACHMENT 4 TO AGENDA ITEM 11.1.1.6



ACCOMMODATION DEVELOPMENT

Lot 218, 217 North Circular Rd, South Hedland  
Amended DA D 1:100 NOVEMBER 2010

**kim MILLER** Architect  
TWO/4 PAMM ENT RT  
RESIDENTIAL  
100/110 NORTH CIRCULAR RD  
SOUTH HEDLAND WA 6715  
0815463533 / kim@kimmanagement.com.au



*11.1.1.7 Proposed Final Adoption of Amendment 34 to the Town of Port Hedland Town Planning Scheme No. 5 for South Hedland Town Centre and Surrounds – Amend Zonings and Density Codings (File No.: 18/09/0041)*

<b>Officer</b>	<b>Luke Cervi</b> Senior Planning Officer
<b>Date of Report</b>	1 April 2011
<b>Disclosure of Interest by Officer</b>	Nil

### **Summary**

Council at its Ordinary Meeting on 14 July 2010 resolved to initiate a Scheme Amendment to the Town Planning Scheme No. 5 (TPS 5) by rezoning and re-coding a number of lots within South Hedland.

The application was subsequently forwarded to the Environmental Protection Authority (EPA) and advertised in accordance with the relevant legislation.

This report seeks Council to adopt the Scheme Amendment.

### **Background**

The Scheme Amendment was initiated to assist in the implementation of a number of initiatives identified under the South Hedland Town Centre Development Plan (SHTCDP). The proposed changes are as follows:

1. Extend the “Town Centre” Zone in accordance with the SHTCDP including a portion of Forrest Circle proposed for closure.
2. Reserve land proposed to link Daylesford Close and Forrest Circle as “Local Road”.
3. Increase Density Codings from R20 to R30 & R40 on Lots 6058 & 6059 Eucla Close, as well as providing a “Parks and Recreation” reservation linking Eucla Close to Murdoch Drive.

Amendment of the SHTCDP was approved for final adoption by Council at its Ordinary Council Meeting dated 28 April 2010. Landcorp are a substantial stakeholder of the SHTCDP and key figure in ensuring its implementation. Landcorp have requested the changes to assist in the implementation of the SHTCDP and ensure the land is developed accordingly.

### **Consultation**

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

- North West Telegraph – 3/11/2010 – 17/11/2010.
- Written notification to – Adjoining owners, Port Hedland Port Authority, Telstra, Horizon Power, Water Corporation and Main Roads WA.

Responses were received from Water Corporation and Main Roads with no objections being raised. The comments have been captured in the report.

### **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**

Key Result Area 4: Economic Development

Goal 4: Land development projects

Strategy 1:

Fast-track the release and development of commercial, industrial and residential land in a sustainable manner including:

- Pretty Pool developments
- **South Hedland New Living developments**
- Landcorp's Various Industrial land release programs
- Moore St development and West End developments
- South Hedland CBD developments
- Redevelopment of the Port Hedland Telstra / Water Corporation Site.

### **Budget Implications**

The applicant has paid the application fee of \$1,711 for the initiation request.

### **Officer's Comment**

The application has been through the statutory processes including public notification with the only feedback being received from Water Corporation and Main Roads. Neither of these authorities raised any objections to the proposal however, Water Corporation did advise that;

*The existing East Pilbara Water Scheme is currently under extreme pressure and is not able to immediately service this proposal.*

Council would be aware that this has been an issue for some time and that the Water Corporation continues to work towards sustainable solutions. The amendment is necessary to achieve goals and outcomes identified by the South Hedland Town Centre Development Plan.

Council officers have continued to liaise with the applicant in regard to the Scheme Amendment and have been advised of 'delays' that are likely to occur if the amendment is endorsed for final adoption in accordance with the initiated and advertised amendment.

To facilitate the prompt finalisation of the Scheme Amendment and subsequent development of the land affected, it has been requested that the amendment be endorsed for final adoption as proposed by the applicant and not as initiated by Council.

The modification being requested are:

1. Land initiated to be rezoned to "Town Centre" being retained as "Other Public Purposes – Water and Drainage" and "Residential"
2. Land currently reserved "Local Road" be zoned part "Town Centre" and part "Other Public Purposes – Water and Drainage" as opposed to the initiated amendment proposing the land all being zoned "Town Centre".
3. "Parks and Recreation" reservation adjacent to Murdoch Drive being retained as opposed to the initiated rezoning to "Residential".
4. "Parks and Recreation" reservation adjacent to Delamere Place being retained as opposed to the initiated rezoning to "Local Road".
5. Part lots 6058 & 6059 Eucla Close being rezoned to "Parks and Recreation" as opposed to the initiated re-coding from "Residential" R20 to part "Residential" R30 and part "Residential" R40.

### **Options**

Taking the above into consideration the Council has the following options when considering the request for final adoption.

1. Approve the final adoption of Scheme Amendment 34 subject to changes (as requested by the applicant)

This would expedite the development of land within the South Hedland Town Centre.

2. Approve the final adoption of Scheme Amendment 34 as initiated (No change to what was advertised)

This would result in more appropriate zoning of land but result in delays to development.

3. Abandon Scheme Amendment 34

Development forecast by the South Hedland Town Centre Development Plan would not be able to proceed as intended.

It is recommended that final adoption of Scheme Amendment 34 be approved subject to the modifications outlined in the officer comments.

### Attachments

1. Scheme Amendment Map – Option 1
2. Scheme Amendment Map – Option 2
3. Land Identification Plan

### 201011/314 Officer's Recommendation/Council Decision

**Moved:** Cr A A Carter

**Seconded:** Cr J M Gillingham

That Council:

1. ADOPTS Scheme Amendment 34 (with modifications), to Town of Port Hedland Town Planning Scheme No.5, consisting of the following changes:

LAND	DETAILS OF ZONE/CODE CHANGES
Lot 6058 Plan 220277	Rezone from "Residential R20" to part "Residential R30", part "Residential R40" and part "Parks and Recreation" as depicted on the amendment map.
Lot 6059 Plan 220277	Rezone from "Residential R20" to part "Residential R30" and part "Parks and Recreation" as depicted on the amendment map.
Part Forrest Circle Road Reserve	Rezone a portion of Forrest Circle Road Reserve from "District Road" to part "Town Centre", part "Residential" R40 and part "Local Road" reservation as depicted on the amendment map.
Lot 6056 and Part Lot 6056 and Lot 6057 Plan 220277	Rezone from "Residential R20" to part "Town Centre", part "Local Road" reservation and part "Other Public Purposes – Water and Drainage" as

	<b>depicted on the amendment map.</b>
<b>Part Daylesford Close Road Reserve</b>	<b>Rezone a portion of Daylesford Close Road Reserve from “Local Road” to part “Town Centre” and part “Other Public Purposes – Water and Drainage” reservation as depicted on the amendment map.</b>

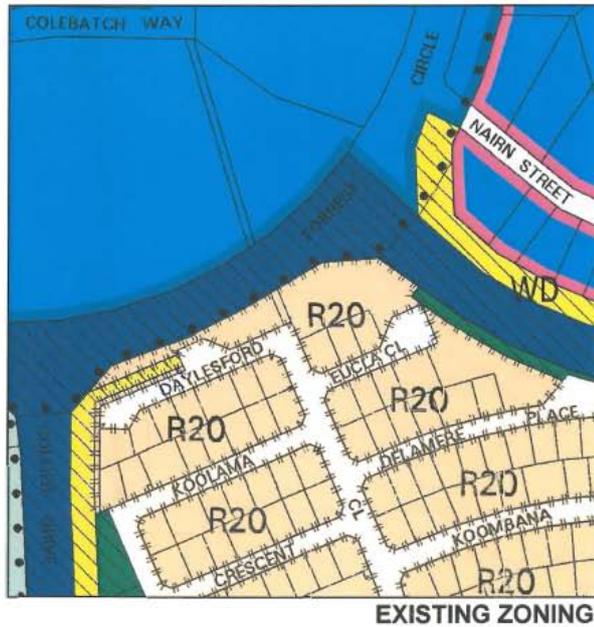
2. AUTHORISE the Mayor and Chief Executive Officer to execute three (3) copies of the amendment documents in accordance with the Town Planning Regulations 1967 (as amended)
3. FORWARDS all required documentation to the Western Australia Planning Commission for Ministerial Consent in accordance with the Town Planning Regulations 1967 (as amended).
4. ADVISE the applicant of Council’s decision

*CARRIED 6/0*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.7

### SCHEME AMENDMENT MAP

TOWN OF PORT HEDLAND  
TOWN PLANNING SCHEME No. 5  
AMENDMENT No. ??



EXISTING ZONING

#### LEGEND

##### LOCAL SCHEME RESERVES

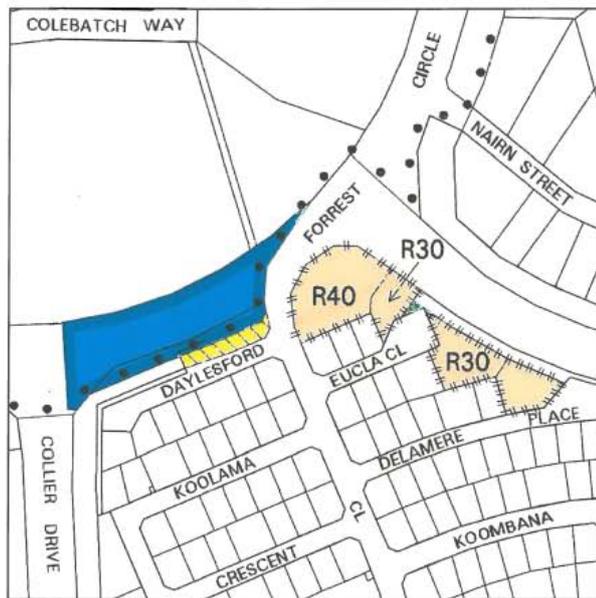
- DISTRICT ROAD
- LOCAL ROAD
- OTHER PUBLIC PURPOSES
- PARKS AND RECREATION

##### ZONES

- RESIDENTIAL
- MIXED BUSINESS
- TOWN CENTRE
- RURAL

##### OTHER

- R CODES
- DEVELOPMENT PLAN AREAS



PROPOSED ZONING

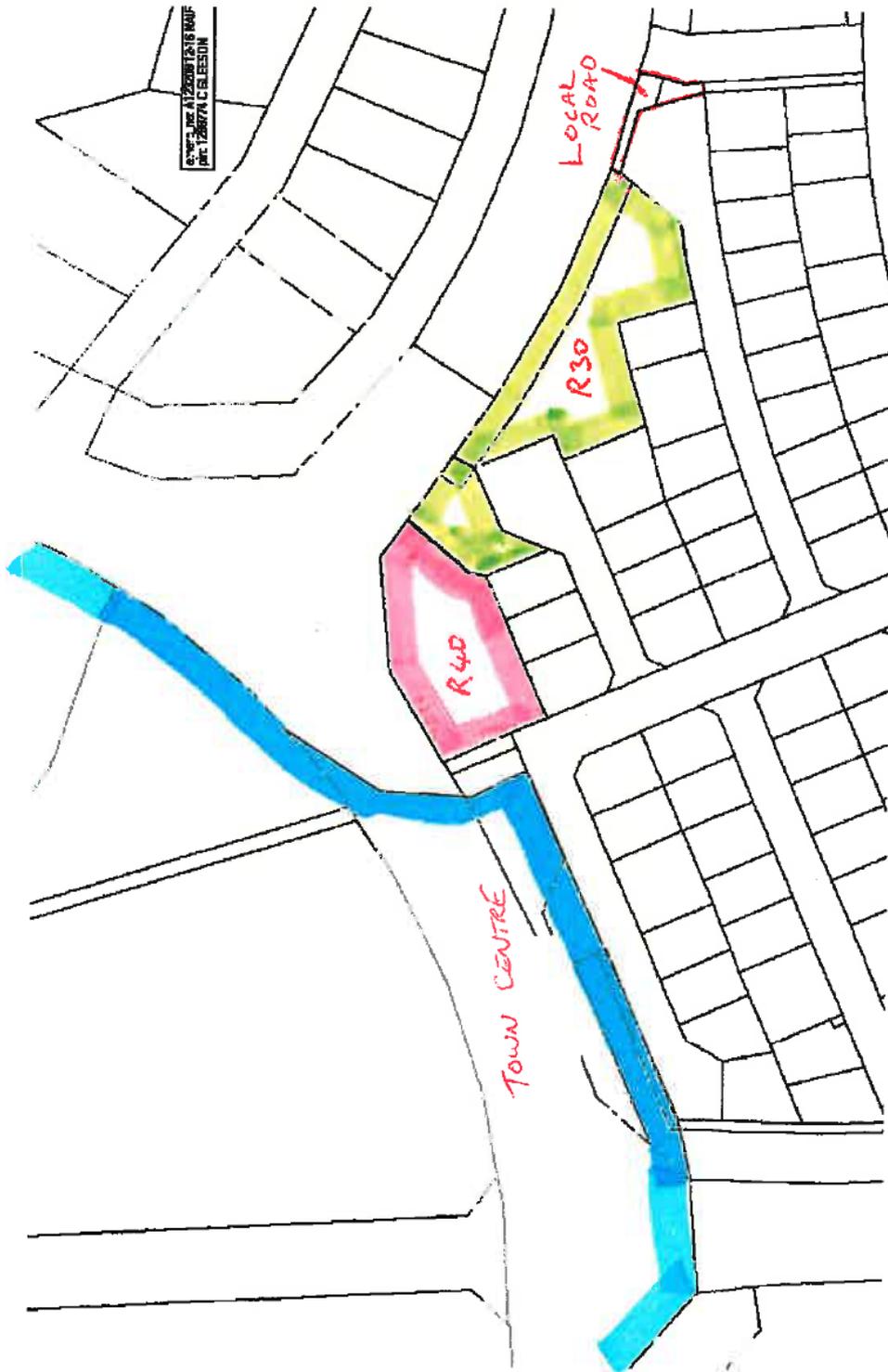
**DRAFT**



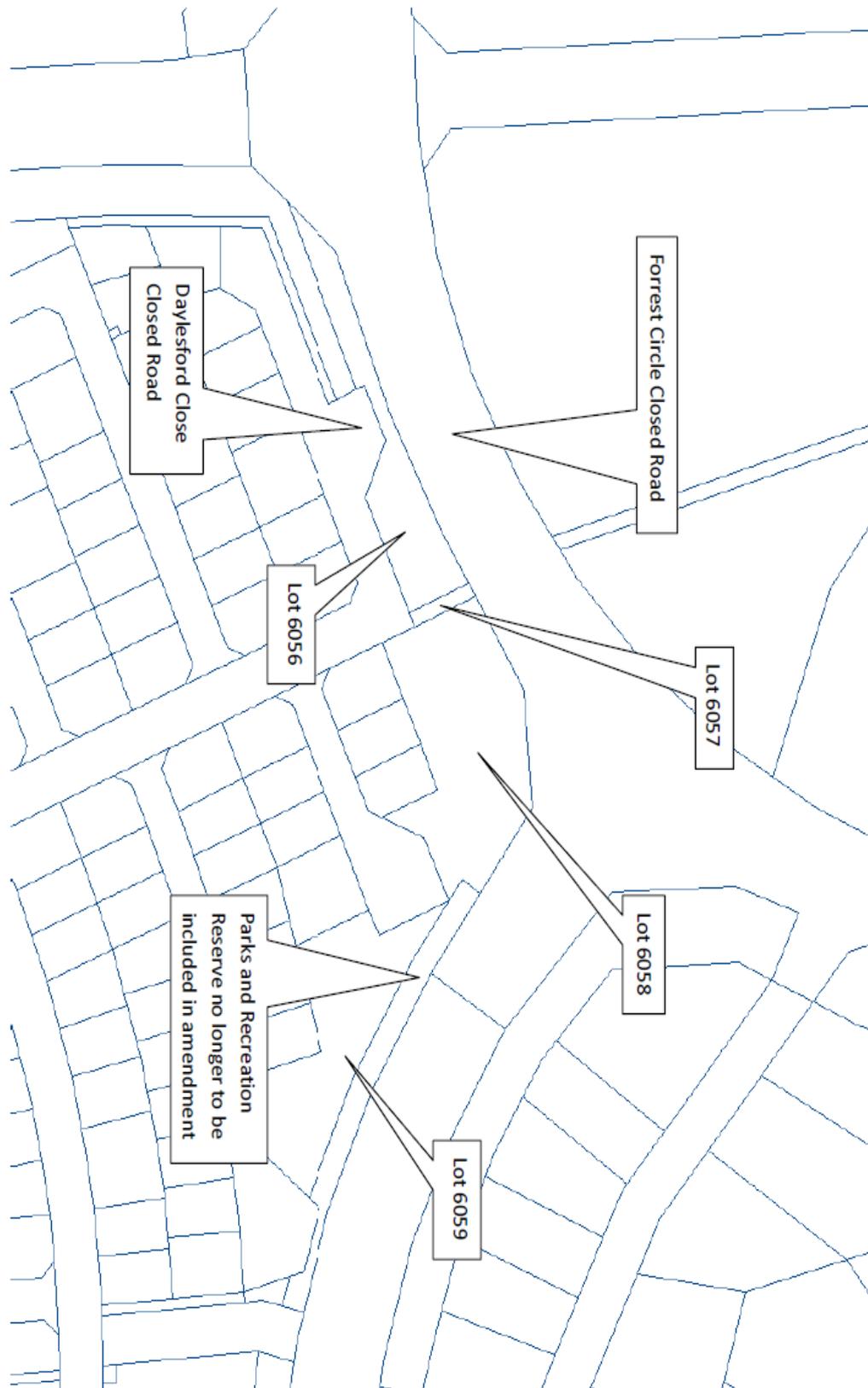
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Scale 1:5,000@A4  
09/04/2010  
2957\_1-7-001b.dgn  
CHECKED : N.T.  
FIGURE 3

ATTACHMENT 2 TO AGENDA ITEM 11.1.1.7



ATTACHMENT 3 TO AGENDA ITEM 11.1.1.7



6pm Councillor M Dziombak declared a Financial Interest in Agenda Item 11.1.1.8 'Proposed Additional Office Use and one Sea Container at Lot 1 (2B) Mitchie Crescent, South Hedland' as he is currently using the company 'BDA' as a contractor.

Councillor M Dziombak left the room.

*11.1.1.8 Proposed Additional Office Use and one Sea Container at Lot 1 (2B) Mitchie Crescent, South Hedland (File No.: 156110G)*

Officer Ryan Djanegara  
Planning Officer

**Date of Report** 24 March 2011

**Application No.** 2010/211

**Disclosure of Interest by Officer** Nil

Summary

The proposal is before Council to re-consider, Council at its Ordinary Council Meeting held on the 30<sup>th</sup> of March 2011, resolved to lay the application on the table, to obtain clarity from the applicant as to whether or not the owners of the property are aware of the application.

The application form (Form 1) has been signed by the Senior Minister of the Anglican Parish of Port Hedland, Philippe Knight on behalf of the Trustees of the Diocese North WA, the registered owners of the property. The Planning Unit has further obtained a letter from the Diocese North WA confirming that the Senior Minister of the Anglican Parish of Port Hedland, Philippe Knight has Power of Attorney to sign on their behalf.

The application submitted by Brink Design and Associates P/L on behalf of Trustees of the Diocese North WA to change a portion of the existing church from a place of worship to an office and to permit one sea container on Lot 1 (2B) Mitchie Crescent, South Hedland. The Anglican Church will continue to be operating in conjunction with the proposed office.

The additional use being applied for ("Office") is in terms of the Town Planning Scheme No 5, classified as an "SA" use requiring Council approval.

## Background

This application was previously considered by Council at its Ordinary Meeting of 23<sup>rd</sup> February 2011. This item is again presented for Councils deliberation. The officer recommendation to refuse the application remains the same.

## *Location and Area*

The subject site is located along Mitchie Crescent, and measures approximately 4, 083m<sup>2</sup>.

## *Current Zoning and Use*

In terms of the Port Hedland Town Planning Scheme No. 5 the subject site is zoned "Residential R20". The land is owned by the Trustees of the Diocese North WA, and is currently used as a church.

## *The Proposal*

The applicant is proposing to use a portion (78m<sup>2</sup>) of the existing church building for office purposes during the weekdays whilst the church is not in use. The applicant has requested temporary use of the building for office purposes until 2013.

On the 23<sup>rd</sup> June 2010, Council has resolved to adopt Scheme Amendment No. 13, which does not permit "Office" uses in a Residential zone. The approval of a temporary use would undermine Council's resolution, and may create a compliance matter should the applicant not relocate after the temporary use lapses.

## Consultation

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

## Statutory Implications

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

## Policy Implications

### Shipping and/or Sea Container Policy 11/007

In addition to the proposed additional use the applicant is seeking retrospective approval for one sea container on the property. The applicant currently has 4 sea containers on the property however, Council's Sea Container Policy permits only 1 (one) sea container on a residential lot.

**Strategic Planning Implications** Nil

### Budget Implications

An application fee of \$270.00 has been received as per the prescribed fees approved by Council.

### Officer's Comment

#### *Applicant's Justification*

The applicant has provided the following justification for using the church building for office purposes:

- To provide passive surveillance that would help deter vandalism and minor criminal activity; and
- The occupation of the church by the applicant BDA would allow repairs to the building to be undertaken.

The above points are not considered sufficient or reasonable planning justification to support the application because there is a manse onsite that provides passive surveillance.

#### *Scheme Amendment No. 13*

On the 23<sup>th</sup> June 2010, Council resolved to adopt Scheme Amendment No. 13. The proposed Scheme Amendment seeks to delete home occupation and no longer permit office uses in the residential zone. Instead the amendment would allow and provide for more variation to home-office style uses. The Scheme Amendment is currently with the Western Australian Planning Commission for final determination.

The proposed Scheme Amendment allows for three types of home office style uses:

- Home Business;
- Home Office; or
- Mobile Business.

The application is not considered to fit within the definition of a "Home Office" as the proposed development will operate during normal (9am – 5pm) business hours and not from a dwelling.

Furthermore the application is not considered to fit within the definition of a "Home Business" as the proposal will not operated from a dwelling and employ more than 2 people. It is therefore, considered that the current proposal does not comply within the definitions of the proposed uses under Scheme Amendment No. 13.

In light of the scheme amendment, it is recommended that the application be refused as it is not consistent with Council's adopted Scheme Amendment No. 13.

*Matters to be considered by Council*

In accordance with the Clause 4.5 of the Port Hedland Town Planning Scheme No. 5, of the matters listed, Council is required to have due regard to "*requirements of orderly and proper planning and the preservation of amenity of the locality.*"

It is considered that the proposed Office use should not be permitted in the residential zone as it will impact on the amenity of the locality by increasing traffic volumes in addition to an existing place of worship (the Anglican Church).

*Shipping and/or Sea Container Policy 11/007*

In addition to the proposed change of use the applicant is seeking retrospective approval for one (1) sea container on the property. The applicant currently has four (4) sea containers on the property however, Council's Sea Container Policy permits the applicant to have only one (1) sea container.

The sea container is to be used for the storage of construction materials relating to the proposed office use. It is considered that the sea container should not be supported as it relates to the proposed office.

Furthermore the sea container does not adhere to Council's sea container policy as the applicant has not demonstrated how the container is to be suitably screened from the street (Mitchie Crescent).

*Options*

Council has the following options when considering the application:

1. Partially approve the application refusing the "Office" and approving the Sea Container.  
The refusal of the office component will be consistent with the adopted Scheme Amendment 13.
2. Approve the application for a temporary period of 12 months subject to the following conditions.  
Whilst this would be contrary to the adopted scheme it will provide the applicant an opportunity to relocate his offices.

Should the applicant not relocate it may lead to compliance action being required placing an additional burden on the Town.

It is recommended that Council refuse the application given that Council has resolved to adopt Scheme Amendment No. 13, which does not support "Office" uses in residential zones.

### **Attachments**

1. Locality Map
2. Site Plan
3. Floor Plan
4. Scheme Amendment No. 13

### **Officer's Recommendation**

That Council:

- i) REFUSES the application for Additional Offices submitted by Brink Design and Associates P/L at 1 (2B) Mitchie Crescent, South Hedland for the following reasons:
  1. The proposal is inconsistent with the residential zone of the Port Hedland Town Planning Scheme No. 5;
  2. The proposal is inconsistent with Council's strategic direction as Council has resolved to adopt Scheme Amendment No. 13;
  3. The proposal will determinately impact on the surrounding amenity of the locality, and
  4. The proposal is not consistent with proper and orderly planning of the locality.
- ii) APPROVES the application for a single sea container submitted by Brink Design and Associates P/L at 1 (2B) Mitchie Crescent, South Hedland subject to the following conditions:
  1. This approval relates only to the proposed single Sea Container, as indicated on the approved plans. It does not relate to any other development on this lot.
  2. The Sea Container shall not exceed 6m in length.
  3. The Sea Container shall be wholly located within the boundaries of the property.
  4. The Sea Container shall be adequately tied down during cyclone season.
  5. The Sea Container shall be painted and / or re clad and screened from public view to the satisfaction of Councils Manager Planning.

6. The Sea Container is not permitted within the front setback.
7. The Sea Container shall be used for purposes of storage only.

**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 and health 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 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.
3. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

**Officer's Alternative Recommendation**

That Council REFUSES the application for Additional Offices and a single sea container submitted by Brink Design and Associates P/L at 1 (2B) Mitchie Crescent, South Hedland for the following reasons:

1. The proposal is inconsistent with the residential zone of the Port Hedland Town Planning Scheme No. 5;
2. The proposal is inconsistent with Council's strategic direction as Council has resolved to adopt Scheme Amendment No. 13;
3. The proposal will determinately impact on the surrounding amenity of the locality, and
4. The proposal is not consistent with proper and orderly planning of the locality.

## 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 and health 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 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.
3. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

**201011/315 Council Decision****Moved:** Cr A A Carter**Seconded:** Cr S J Coates

That Council refuses the application for Additional Offices submitted by Brink Design and Associates P/L at 1 (2B) Mitchie Crescent, South Hedland for the following reasons:

1. The proposal is inconsistent with the residential zone of the Port Hedland Town Planning Scheme No. 5;
2. The proposal is inconsistent with Council's strategic direction as Council has resolved to adopt Scheme Amendment No. 13;
3. The proposal will determinately impact on the surrounding amenity of the locality, and
4. The proposal is not consistent with proper and orderly planning of the locality.

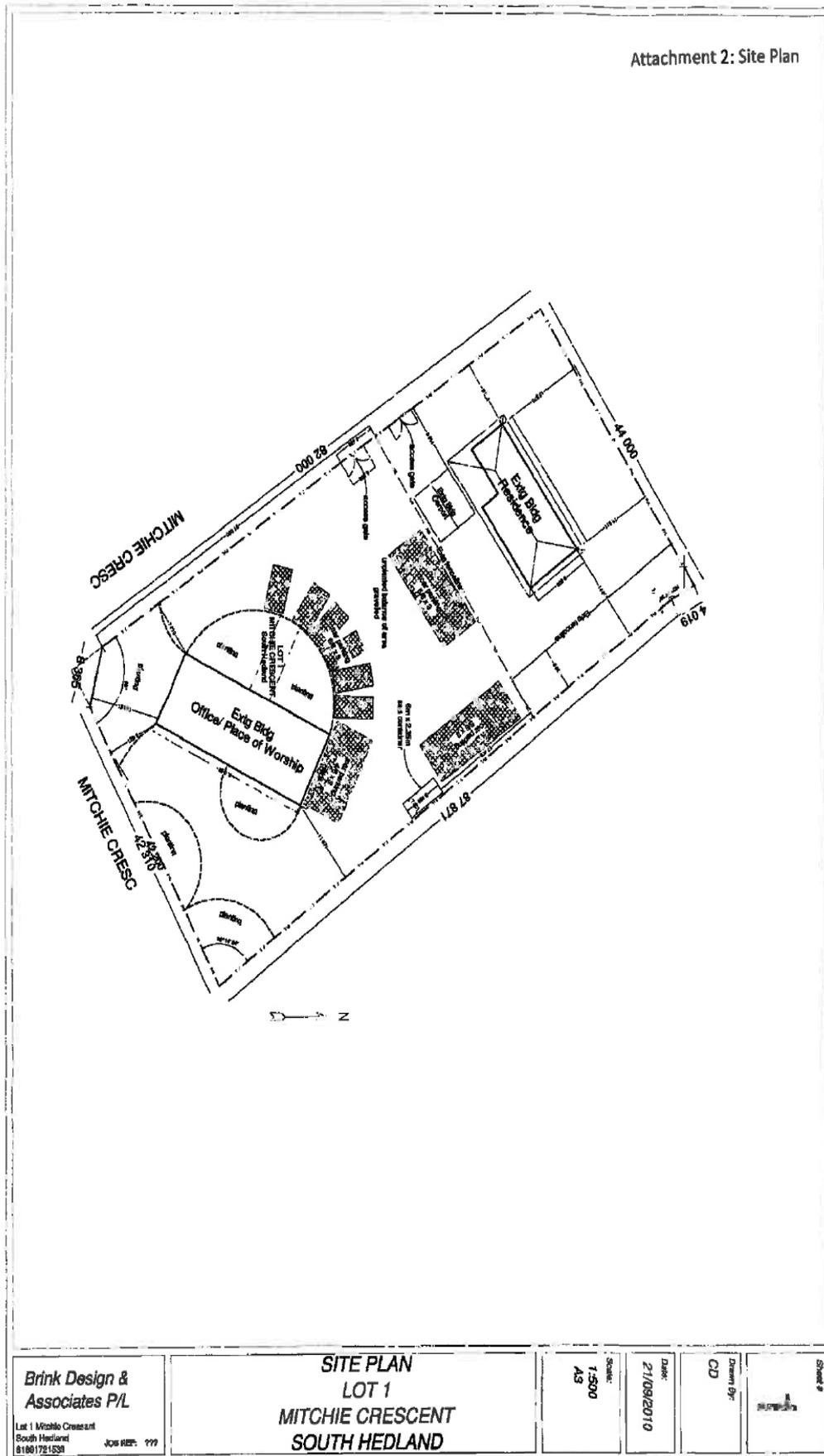
*CARRIED 5/0*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.8



Attachment 1 – Locality Map

ATTACHMENT 2 TO AGENDA ITEM 11.1.1.8





## ATTACHMENT 4 TO AGENDA ITEM 11.1.1.8

Attachment 4: Scheme Amendment No. 13

**PLANNING AND DEVELOPMENT ACT 2005**  
**TOWN OF PORT HEDLAND**  
**TOWN PLANNING SCHEME NO. 5**  
**AMENDMENT NO. 13**

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. Deleting the definition for "Home Occupation" from Appendix 1 of the TPS 5;
2. Deleting the use class "Home Occupation" from the TPS 5 zoning table;
3. Inserting the following definitions into Appendix 1 of the TPS 5:
  - Home Business** means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling that:
    - (a) employs a maximum of 2 people that are not members of the occupier's household;
    - (b) will not cause injury to or adversely affect the neighbourhood amenity;
    - (c) does not occupy an area greater than 50 square metres or 50% of the dwelling area, whichever is the greater;
    - (d) does not display a sign exceeding 0.2 square metres on land zoned residential;
    - (e) does not involve the retail sale, display or hire of goods of any nature;
    - (f) does not result in traffic difficulties caused by the inadequate provision of parking facilities, or a significant increase in traffic volumes in the neighbourhood;
    - (g) does not involve the presence, use or calling of a vehicle greater than 3.5 tonnes tare weight; and
    - (h) does not involve the use of an essential service of greater capacity than normally required in the zone.

**Home Office** means a business, service or profession carried out in a dwelling that does not:

- (a) cause injury to, or adversely affect, the neighbourhood amenity;
- (b) occupy an area greater than 30m<sup>2</sup>;
- (c) operate after 10 pm or before 6 am on any normal weekday;
- (d) operate on weekends or public holidays;
- (e) involve the delivery of any goods or materials on weekends or public holidays or between the hours of 7 pm and 6 am;
- (f) entail greater than one delivery of goods or materials per day, or three deliveries within any seven day period;

## Attachment 4: Scheme Amendment No. 13

- (g) cause the emission of light, noise, odour, electrical interference, vibration, smoke, water or other waste products;
- (h) entail clients or customers travelling to and from the lot;
- (i) involve the cleaning, repair or maintenance of any vehicle at the premises;
- (j) require the regular storage of more than one commercial vehicle at the premises provided it is stored behind the building setback line;
- (k) involve the use of any vehicle with a tare weight of greater than 1.5 tonnes;
- (l) involve any advertising signs on the premises;
- (m) require any external change to the appearance of the building; or
- (n) employ any person who is not a member of the occupier's household.

**Mobile Business** means a business, service or profession where:

- (a) all work is conducted at the client's home or business premises;
- (b) storage of materials (including tools but excluding vehicles) is limited to no more than 30m<sup>2</sup>;
- (c) any associated office space at the premises is limited to a maximum of 20m<sup>2</sup>;
- (d) the business does not cause injury to, or adversely affect, the neighbourhood amenity;
- (e) no commercial vehicle is taken to or from the lot between the hours of 10:00 pm and 6:00 am on normal weekdays;
- (f) no commercial vehicle is taken to or from the lot on a weekend or public holiday;
- (g) no goods or materials are delivered to the lot on any weekend or public holiday;
- (h) no more than one delivery of goods or materials are delivered to the lot on any day, and no more than three deliveries within any seven day period;
- (i) the occupation will not result in the emission of light, noise, odour, electrical interference, vibration, smoke, water or other waste products;
- (j) no client or customer will travel to or from the lot;
- (k) no motor vehicle is cleaned, repaired or maintained at the premises;
- (l) no more than one vehicle is regularly stored on the premises providing it is stored behind the building setback line;
- (m) no vehicle used in conjunction with the mobile business has a tare weight of greater than 1.5 tonnes;
- (n) no advertising is erected on the premises;
- (o) no person is employed that is not a member of the household;
- (p) no external changes are required to any building.

4. Inserting the following use classes in the TPS 5 zoning table:

Attachment 4: Scheme Amendment No. 13

	Residential	Urban Development	Transient Accommodation	Workforce Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health	Education
Home Business	AA	AA	AA	AA	~	AA	~	~	~	~	~	AA	AA	~	~	~
Home Office	P	P	P	P	~	P	~	~	~	~	~	P	P	~	~	~
Mobile Business	P	P	P	P	~	P	~	~	~	~	~	P	P	~	~	~

5. Amend the zoning table to change the use class "Office" to an "~" use in a Residential zone;

6. Inserting the following clause into TPS 5 section 4.1.3:

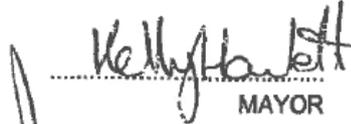
"4.1.3 Unless otherwise referred to the planning approval of Council is not required for the following development of land: ...

(k) The operation of a mobile business or home office from a residence, in a zone in which it is a use that is a permitted (P) use, except as otherwise required by the Scheme.";

Attachment 4: Scheme Amendment No. 13

**ADOPTION**

Adopted by resolution of the Council of the Town of Port Hedland at the Meeting of the Council held on the 23<sup>rd</sup> day of June 2010

  
.....  
MAYOR

  
.....  
ACTING CHIEF EXECUTIVE OFFICER

Attachment 4: Scheme Amendment No. 13

**FINAL APPROVAL**

Adopted for final approval by resolution of the Town of Port Hedland at the Meeting of the Council held on the 23<sup>rd</sup> day of June 2010 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:



*Kelly Hawlett*  
.....  
MAYOR

.....  
ACTING CHIEF EXECUTIVE OFFICER

**Recommended / Submitted for Final Approval**

Delegated under S16 of the Planning and Development Act 2005

.....  
For CHAIRPERSON OF WESTERN AUSTRALIAN PLANNING COMMISSION

DATE .....

**Final Approval Granted**

.....  
MINISTER FOR PLANNING

DATE .....

*11.1.1.9 Proposed Temporary Office on Lot 6022 McGregor Street, Port Hedland (File No.: 803193G)*

**Officer** **Michael Pound**  
Planning Officer

**Date of Report** 6 April 2011

**Disclosure of Interest by Officer** Nil

**Summary**

The Town has received an application submitted by Helen Taylor on behalf of the Town of Port Hedland to provide a temporary on-site office on Lot 6022 McGregor Street, Port Hedland (**subject site**). The application is referred to the Council for determination as the proposed development is located on a Reserve for "Parks and Recreation".

The application is supported by the Planning Unit.

**Background**

*Location and Area*

The subject site is located along McGregor Street Port Hedland and is approximately 24,873m<sup>2</sup>. Vehicular access is available via McGregor Street.

*Current Zoning and Land Use*

In terms of the Town of Port Hedland Town Planning Scheme No.5 (**TPS5**), the subject site is reserved "Parks and Recreation". The land is vested in the Town of Port Hedland and is currently used as a skate park and various sporting fields.

*Previous Approval*

The Town resolved to approve a Steel Shade Structure on the subject at its Ordinary Council Meeting held on the 25<sup>th</sup> August 2010.

*Proposal*

It is proposed to develop temporary on-site office to facilitate the development of the approved Steel Shade Structure.

**Consultation** Nil

**Statutory Implications**

In accordance with the *Planning and Development Act 2005*, the proposed use is subject to the provisions of TPS5.

**Policy Implications**

Nil

**Strategic Planning Implications**

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

Key Result Area 2 – Community Pride

Goal 1 – Townscape

Strategy 5 – Install more shade in parks and public areas (both trees and shade structures), including shade facilities at skate parks.

**Budget Implications**

Nil

**Officer's Comment**

The temporary office will be located on the eastern border of the skate park and will be on site for approximately 2 – 3 months. Eleven (11) temporary car parking bays will be provided for personnel during construction and its temporary land use.

The proposed structure is only temporary and directly related to the existing skate park. The temporary use is considered to be in keeping with the intent of the reserve.

It is therefore recommended that the application be supported subject to conditions.

**Attachments**

1. Locality Map
2. Site Plan

**201011/316 Officer's Recommendation/Council Decision****Moved:** Cr A A Carter**Seconded:** Cr J M Gillingham

That Council approve the application submitted by Helen Taylor on behalf of the Town of Port Hedland for the proposed temporary office at Lot 622 McGregor Street, Port Hedland subject to the following conditions:

1. This approval relates only to the proposed PARKS AND RECREATION "RESERVE" – Temporary Office and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.

2. This approval to remain valid for a period of 3 months calculated from the date the Building Licence is approved.

## FOOTNOTE:

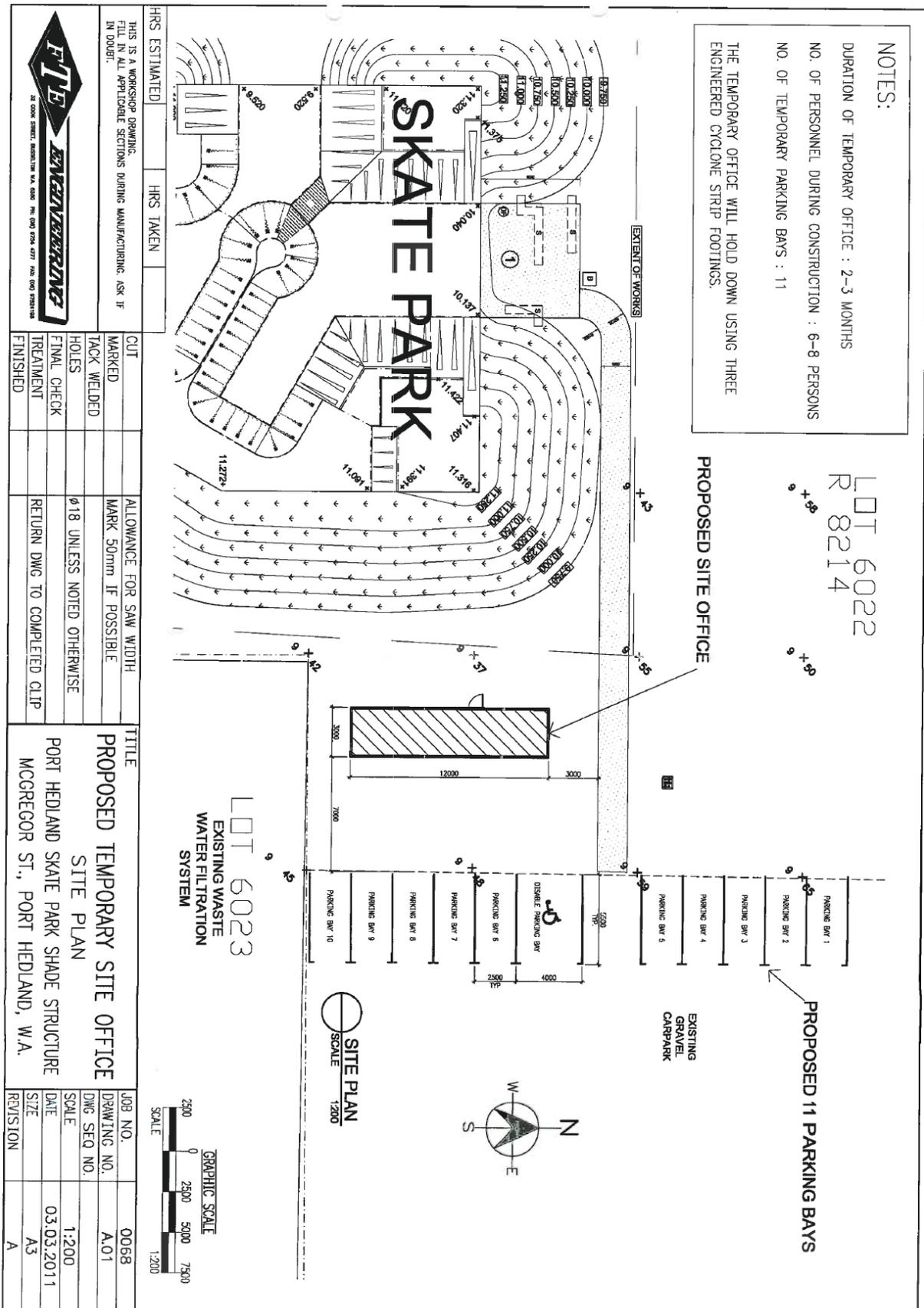
1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm 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)-meter 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.
3. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

*CARRIED 6/0*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.9



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.9







*11.1.1.10 Proposed Use Not Listed – Sandbar Refit and Barge Slippage at Spoilbank, Port Hedland (File No.: 18/12/0014)*

Officer	Caris Vuckovic Lands Officer
<b>Date of Report</b>	14 March 2011
<b>Application Number</b>	2011/50
<b>Disclosure of Interest by Officer</b>	Nil

### **Summary**

Council has received an application from Ben Wall on behalf of Workboats Northern Australia for permission to deploy earth moving equipment to construct a hard stand area to carry out works on the Spoilbank. The area will be used to perform class surveys, repairs and maintenance.

In terms of Clause 2.2 of the Port Hedland Town Planning Scheme No. 5, prior to the use of a reserve written approval must be obtained from Council.

The request as submitted is supported by the Planning Unit.

### **Background**

#### *Locality*

The proposal is located at the “Spoilbank” at Lot 5751 Sutherland Street, Port Hedland. The land comprises of approximately 37ha and is zoned “Parks and Recreation.

#### *Reserve*

The area proposed for the site works lies within Reserve 30768, being a “Parks and Recreation” reserve.

Although the current purpose of the reserve is inappropriate for this use, the proposal submitted is currently a short term and temporary activity.

#### *Ownership*

Reserve 30768 is currently a reserve under care, control and management of the Town of Port Hedland for the purpose of “Recreation”.

*Proposal*

Works Boats Northern Australia propose utilising the sand pit which, with site preparation and allowing for the correct tidal movement, would be ideally situated to perform the works required.

The proposal is to gain support from Council to prepare a hard stand area on which to snig (to drag a log along the ground by a chain) McConnell Dowell construction barges in order to perform class surveys and repair maintenance.

Marine construction barges require a class survey every five (5) years. The barges being utilised by McConnell Dowell are due for these surveys within the next few months. The vessels are unable to operate without the surveys being completed.

Due to the scope of the works being performed by McConnell Dowell, there would be significant delays should the vessels have to be deployed to either Mermaid Marine in Dampier or alternatively Darwin Ship Repair in Darwin.

The applicant has indicated they will be completing the works in two stages:

- Stage one is set to run from 8<sup>th</sup> August 2011 to 30<sup>th</sup> November 2011.
- Stage two is set to run from 1<sup>st</sup> May 2012 to 30<sup>th</sup> June 2012.

Given that stage two of the project will only commence in May 2012, it is recommended that approval is given for Stage one only, and that the applicant is advised that a separate application will be required for Stage two next year.

The reason for approving just the first stage of this project is so that it won't impede on the potential redevelopment plans for the Spoilbank area.

**Consultation**

- Environmental Health Services have no objections to the proposal subject to the following:-
  - i. Waste receptacles are to be sorted in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Manager Planning Services;
  - ii. Prior to commencement of any works whatsoever a Dust Management Plan shall be submitted to and approved by the Town of Port Hedland;

- iii. Prior to the commencement of any works, dust prevention methods must be implemented for access roads if heavy truck movement is anticipated;
  - iv. No spray painting or sandblasting is to commence without approval from the Department of Environment and Conservation.
- Engineering Services have no objections to the proposal subject to the following:-
- i. Prior to the commencement of any works, the installation of security/safety fencing is to be completed to the satisfaction of Engineering Services;
  - ii. Prior to the commencement of any works, a safety plan is to be provided to the satisfaction of Engineering Services;
  - iii. Prior to the commencement of any works, a traffic management plan is to be provided to the satisfaction of Engineering Services;
- Building Services have no objections to the proposal.
- The Department of Regional Development and Lands have no objections to this alternative use with the condition that the subject land is brought back to its original condition and any possible contamination issue being addressed.
- The proposal has been discussed with the Port Hedland Yacht Club. The Port Hedland Yacht Club have no objections to the proposal.

### **Statutory Implications**

The Spoil Bank is reserved for Parks and Recreation under Town Planning Scheme No. 5 (TPS5). Any development within a reserve is to be dealt with by Council in accordance with clauses 2.2 and 2.3 of TPS5.

**Policy Implications** Nil.

**Strategic Planning Implications** Nil

**Budget Implications** Nil

**Officer's Comment**

The works proposed are intended to facilitate the repair and maintenance of the McDonnell Dowell construction barges and perform mandatory class surveys.

The inner harbour at Port Hedland is fast expanding and with mining companies looking to expand production more so than ever, further pressures will be placed on the port.

It is essential that construction projects in the harbour are not delayed. The mandatory maintenance proposed will decrease the likelihood of timely delays and will prove more time efficient than sending the ships for maintenance via Darwin.

*Options*

1. Support the request for temporary Sandbar Refit and Barge Slippage at the Spoilbank, Port Hedland.

The approval of this proposal will result in the minimal disruption to port construction.

2. Refuse the request for temporary Sandbar Refit and Barge Slippage at the Spoilbank, Port Hedland.

The refusal of this proposal will result in potential delays and setbacks to port construction.

It is recommended that Council support the request for temporary Sandbar Refit and Barge Slippage at the Spoilbank, Port Hedland.

**Attachments**

1. Locality Plan
2. Site Plan
3. Proposed MACDOW Deck Barge Inspection Site
4. Proposal Pictures

**Officer's Recommendation**

That Council approves the request from Workboats Northern Australia to commence sandbar refit and slippage at the Spoilbank, Port Hedland, subject to the following conditions;-

1. This approval relates only to the proposed temporary SANDBAR REFIT and BARGE SLIPPAGE and other incidental development as indicated on the approved plans. It does not relate to any other development on this lot;

2. This approval is to remain valid for a period of four (4) months from 1st August 2011 to 1st December 2011;
3. The works shall operate only between the hours 7am and 6pm on weekdays and shall not operate on weekends and public holidays
4. The subject land is to be rehabilitated / restored to its original condition to the satisfaction of Councils Manager Planning;
5. Prior to the commencement of any works, an Environmental Management Plan shall be submitted to and approved by the Town of Port Hedland;
6. Upon completion of use and or / or date referred to in Condition (2) above. Any contamination issue being addressed as a result of this short term use;
7. Waste receptacles are to be sorted in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1000 and to the satisfaction of Council's Manager Planning Services;
8. Prior to commencement of any works whatsoever a Dust Management Plan shall be submitted to and approved by the Town of Port Hedland;
9. Prior to the commencement of any works, dust prevention methods must be implemented for access road if heavy truck movement is anticipated;
10. No spray painting or sandblasting is to commence without approval from the Department of Environment and Conservations;
11. Prior to the commencement of any works, the installation of security/safety fencing is to be completed to the specifications of Councils Manager Infrastructure Development and the satisfaction of Councils Manager Planning;
12. Prior to the commencement of any works, a traffic management plan is to be provided to the satisfaction of Engineering Services.

**201011/317 Council Decision****Moved:** Cr A A Carter**Seconded:** Cr G J Daccache

That Council approves the request from Workboats Northern Australia to commence sandbar refit and slippage at the Spoilbank, Port Hedland, subject to the following conditions;-

1. This approval relates only to the proposed temporary SANDBAR REFIT and BARGE SLIPPAGE and other incidental development as indicated on the approved plans. It does not relate to any other development on this lot;
2. This approval is to remain valid for a period of four (4) months from 1st August 2011 to 1st December 2011;
3. The works shall operate only between the hours 7am and 6pm on weekdays and shall not operate on weekends and public holidays
4. The subject land is to be rehabilitated / restored to its original condition to the satisfaction of Councils Manager Planning;
5. Prior to the commencement of any works, an Environmental Management Plan shall be submitted to and approved by the Town of Port Hedland;
6. Upon completion of use and or / or date referred to in Condition (2) above. Any contamination issue being addressed as a result of this short term use;
7. Waste receptacles are to be sorted in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1000 and to the satisfaction of Council's Manager Planning Services;
8. Prior to commencement of any works whatsoever a Dust Management Plan shall be submitted to and approved by the Town of Port Hedland;
9. Prior to the commencement of any works, dust prevention methods must be implemented for access road if heavy truck movement is anticipated;
10. No spray painting or sandblasting is to commence without approval from the Department of Environment and Conservations;

11. Prior to the commencement of any works, the installation of security/safety fencing is to be completed to the specifications of Councils Manager Infrastructure Development and the satisfaction of Councils Manager Planning;
12. Prior to the commencement of any works, a traffic management plan is to be provided to the satisfaction of Engineering Services.
13. Enters into a contract agreement with the applicant that incorporates in-kind or monetary contributions to the Town of Port Hedland in response to the use of the area in question to the satisfaction of Manager Planning.

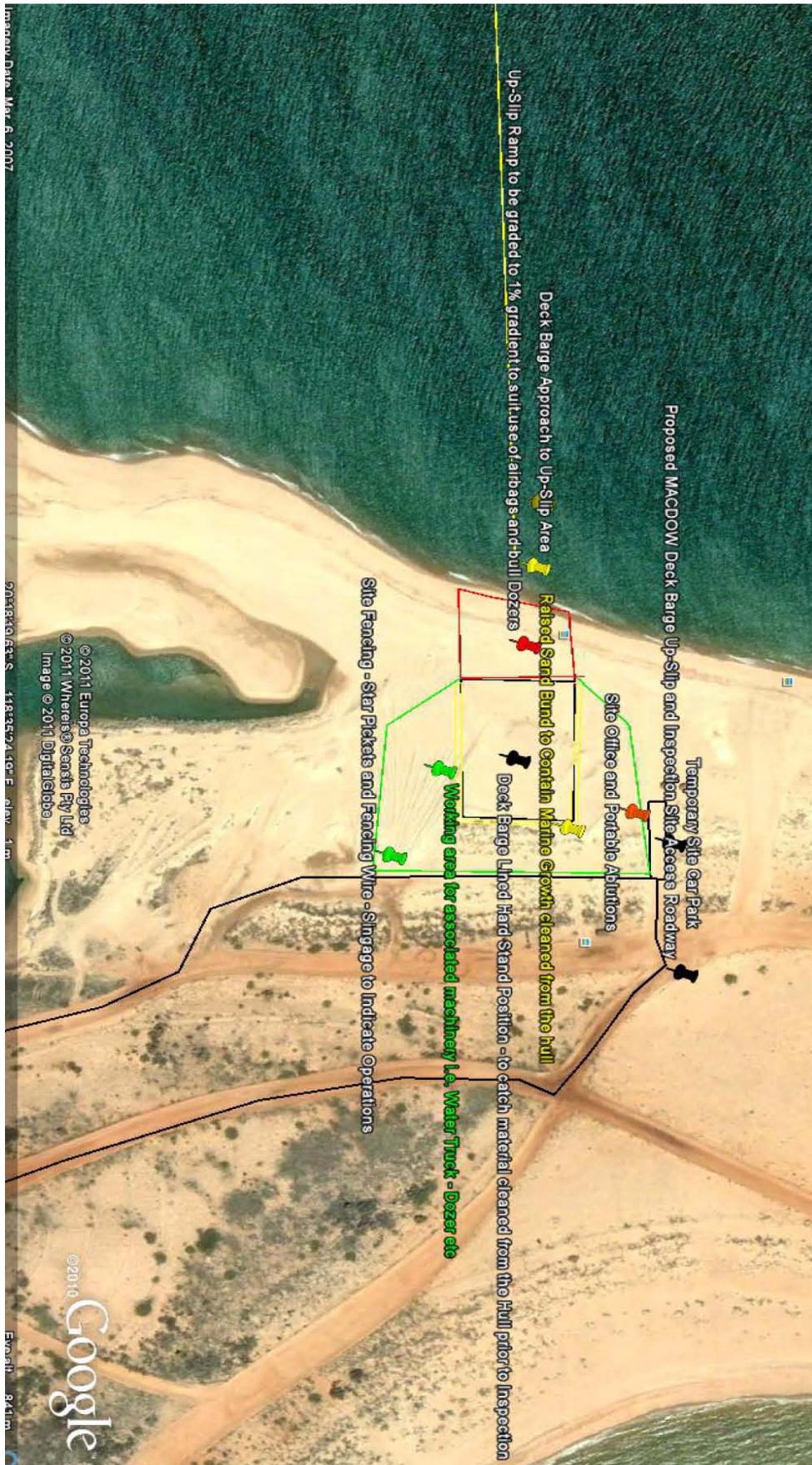
*CARRIED 6/0*

*REASON: Council believes it is appropriate to request a monetary contribution for such a big development area.*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.10



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.10



ATTACHMENT 3 TO AGENDA ITEM 11.1.1.10



*11.1.1.11 Proposed Permanent Partial Road Closures, Road Widening and Road Dedication, South Hedland Town Centre. (File No.: 28/01/0017)*

<b>Officer</b>	<b>Caris Vuckovic</b> Lands Officer
<b>Date of Report</b>	7 April 2011
<b>Disclosure of Interest by Officer</b>	Nil

### **Summary**

Council has received a request from RPS, Town Planners on behalf of Landcorp to permanently close and widen a number of roads within the South Hedland Town Centre.

The alterations to the road reserves are required to facilitate the implementation of the South Hedland Town Centre Development Plan (SHTCDP) previously been approved by Council.

The application is supported by the Planning Unit.

### **Background**

Council resolved at its Ordinary meeting on 26 March 2008 to commence advertising of the SHTCDP. Since that time extensive public consultation has occurred and the SHTCDP has been adopted (including amendments). Implementation of the SHTCDP is well advanced and the proposed road closures and Collier Drive widening will enable further works to occur facilitating the release of a number of lots. The proposed road changes are shown in attachment 1 and include:

- a. Widening of Rason Court as shown at points A, B, C, D, E, H and I,
- b. Closure of Rason Court as shown at point F and G,
- c. Widening of Colebatch Way as shown at point L,M,N,O,Q
- d. Widening of Forrest Circle as shown at point AN,
- e. Dedication of road as shown at points R, T, U, W, Y, AA, AB, AD, AH, AL, AM and AO,
- f. Renaming a portion of road formally known as Leake Street (a closed road) to Colebatch Way as shown at point P.

### **Consultation**

Section 58(3) of the Land Administration Act 1997 states:

*“A local government must not resolve to make a request under subsection (1) until a period of 35 days has lapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.”*

Statutory advertising period is designed to allow all interested parties, including public service providers, to comment on the proposals prior to Council permanently closing a road reserve.

If Council resolves to initiate the road closures, it will be advertised in accordance with the Act.

### **Statutory Implications**

Section 58 of the *Land Administration Act 1997* and regulation 9 of the *Land Administration Regulations 1998*, establishes the procedure for closing a road.

The subsequent sale of the Crown Land is undertaken by State land Services on behalf of the Minister in accordance with Part 6 of the *Land Administration Act 1997*.

The Town of Port Hedland Delegation 40(12) states:

*“The Director Regulatory Services may forward Road Closure Applications direct to the Department of Land Administration in the event of:*

- i) There being no comment received during the statutory advertising period; and*
- ii) The proposal being of an uncontentious nature”*

**Policy Implications** Nil

**Strategic Planning Implications** Nil

### **Budget Implications**

The application fee of \$115.00 has been received in accordance with Council's adopted Town Planning Fees and Charges.

### **Officer's Comment**

The proposed roads changes have been identified by the SHTCDP. The road changes play a significant role in the revitalisation and activation of the South Hedland Town Centre.

The resulting changes will not affect the current traffic and or pedestrian movements and will result in improved vehicle and pedestrian flows within the Town Centre.

### **Attachments**

1. Proposed Road change plan

### **201011/318 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That Council:

1. **SUPPORTS** the request from RPS, Town Planners on behalf of Landcorp to permanently widen the following portions of road reserve as shown on attachment 1:
  - a. **Widening of Rason Court as shown at points A, B, C, D, E, H and I, on plan titled South Hedland Land Tenure Exchange LandCorp (Revision A) prepared by McMullen Nolan dated 31/03/2011**
  - b. **Widening of Colebatch Way as shown at point L,M,N,O and Q, on plan titled South Hedland Land Tenure Exchange LandCorp (Revision A) prepared by McMullen Nolan dated 31/03/2011**
  - c. **Widening of Forrest Circle as shown at point AN, on plan titled South Hedland Land Tenure Exchange LandCorp (Revision A) prepared by McMullen Nolan dated 31/03/2011**

**Subject to the following conditions:-**

- a. **The proposed Road Widening being advertised for a period of 35 days pursuant to section 58(3) for the Land Administration Act 1997;**
  - b. **No objections being received during the advertising period.**
2. **SUPPORTS** the request from RPS, Town Planners on behalf of Landcorp to permanently close the following portions of road reserve as shown on attachment 1:
    - a. **Closure of Rason Court as shown at points F and G; on plan titled South Hedland Land Tenure Exchange LandCorp (Revision A) prepared by McMullen Nolan dated 31/03/2011**

**Subject to the following conditions:-**

- a. **The proposed Road Closures being advertised for a period of 35 days pursuant to section 58(3) of the Land Administration Act 1997;**
  - b. **No objections being received during the advertising period.**
3. SUPPORTS the request from RPS, Town Planners on behalf of LandCorp to dedicate the following portions of land as 'road reserve' as shown at points R, T, U, W, Y, AA, AB, AD, AH, AL, AM and AO, on plan titled South Hedland Land Tenure Exchange LandCorp (Revision A) prepared by McMullen Nolan dated 31/03/2011

**Subject to the following conditions:-**

- a. **The proposed Road Dedication being advertised for a period of 35 days pursuant to section 58(3) of the Land Administration Act 1997;**
  - b. **No objections being received during the advertising period.**
4. APPROVES the request from RPS, Town Planners on behalf of Landcorp to rename a portion of road formally known as Leake Street (a closed road) to Colebatch Way as shown at point P, on plan titled South Hedland Land Tenure Exchange LandCorp (Revision A) prepared by McMullen Nolan dated 31/03/2011
5. DELEGATES the Director Planning and Development to forward the approved road name to the Geographic Names Committee for final approval
6. DELEGATES the Director Planning and Development Services under Delegation 40(1) to submit the road amendment requests to the Department of Regional Development and Lands (State Land Services), subject to no adverse submissions being received during the statutory advertising period
7. NOTIFIES the applicant that the proposed street sign is to be to the specifications of Councils Manager Infrastructure Development and to the satisfaction of Councils Manager Planning
8. NOTIFIES the applicant that any costs associated with the road closures and road dedications will be at the cost of the applicant.

9. NOTIFIES the applicant that any cost associated with the required road signage will be at the cost of the applicant

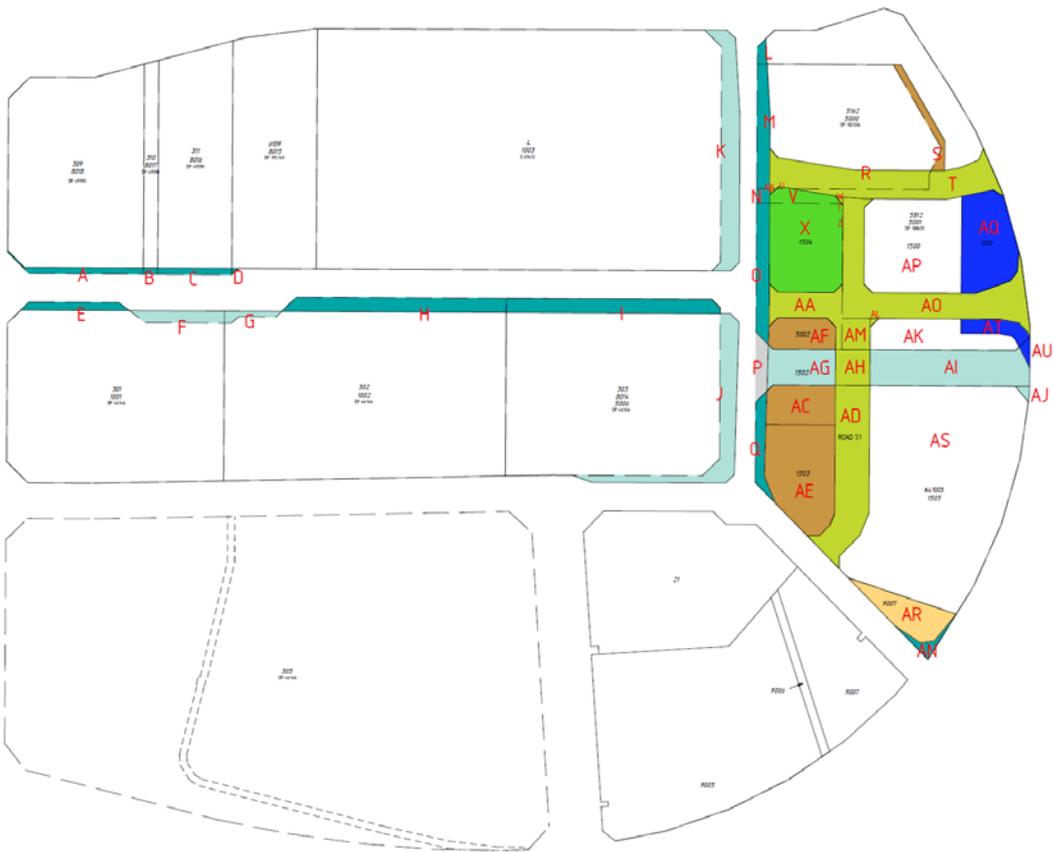
*CARRIED 6/0*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.11

Parcel ID	Lot	Reserve	Current owner	Proposed	Proposed owner	Comment	Area (sq2)	Action
A	309		State of WA	Road		Road Cl	372	Road widening
B	311		State of WA	Road		Road Cl	44	Road widening
C	307		State of WA	Road		Road Cl	258	Road widening
D	301		State of WA	Road		Road Cl	11	Road widening
E	301		Landsorp	Road		Road Cl	365	Road widening
F	302		State of WA	Road		Road Cl	211	Road widening
G	302		State of WA	Road		Road Cl	165	Road Closure
H	302		Landsorp	Road		Road Cl	1515	Road widening
I	303		State of WA	Road		Road Cl	1415	Road widening
J	303	39507	State of WA	Road		Road Cl	1912	Road Closure
K	303		State of WA	Road		Road Cl	2134	Road Closure
L	302	39512	State of WA	Road		Road Cl	50	Road widening
M	302	39512	State of WA	Road		Road Cl	752	Road widening
N	302	39512	State of WA	Road		Road Cl	61	Road widening
O	302	39512	State of WA	Road		Road Cl	657	Road widening
P	302	39512	State of WA	Road		Road Cl	391	Road widening
Q	302	39512	State of WA	Road		Road Cl	480	Road widening
R	302	39512	State of WA	Road		Road Cl	1774	Road widening
S	302	39512	State of WA	Road		Road Cl	344	Road widening
T	302	39512	State of WA	Road		Road Cl	1400	Change vesting to road
U	5142		State of WA	Road		Road Cl	9	Change vesting from Prevalent trustees
V	5812	39512	State of WA	Road		Road Cl	388	Change vesting from Civic to POS
W	5812	39512	State of WA	Road		Road Cl	19	Change vesting to road
X	5712	39512	State of WA	Road		Road Cl	2100	Change vesting from Civic to Recreation
Y	5712	39512	State of WA	Road		Road Cl	1	Change vesting to road
Z	5812	39512	State of WA	Road		Road Cl	9	Change vesting from Civic to Recreation
AA	5712	39512	State of WA	Road		Road Cl	1084	Change vesting to road
AB	5812	39512	State of WA	Road		Road Cl	9	Change vesting to road
AC	6008	41003	State of WA	Road		Road Cl	1328	Cancel vesting
AD	6008	41003	State of WA	Road		Road Cl	2604	Change vesting to road
AE	6008	41003	State of WA	Road		Road Cl	2337	Change vesting
AF	5712	39512	State of WA	Road		Road Cl	960	Change vesting
AG	5712	39512	State of WA	Road		Road Cl	1138	Road Closure
AH	5712	39512	State of WA	Road		Road Cl	860	Change vesting
AI	5712	39512	State of WA	Road		Road Cl	2838	Road Closure
AJ	5712	39512	State of WA	Road		Road Cl	1000	Change vesting
AK	5712	39512	State of WA	Road		Road Cl	1832	Road Closure
AL	5712	39512	State of WA	Road		Road Cl	433	Change vesting to road
AM	5712	39512	State of WA	Road		Road Cl	193	Road widening
AN	5712	39512	State of WA	Road		Road Cl	3084	Change vesting to road
AO	5712	39512	State of WA	Road		Road Cl	4462	Unchanged
AP	5712	39512	State of WA	Road		Road Cl	2299	Change vesting to Drainage
AQ	5712	39512	State of WA	Road		Road Cl	4462	Change vesting to Drainage
AR	5712	39512	State of WA	Road		Road Cl	14890	Unchanged
AS	6008	41003	State of WA	Road		Road Cl	1261	Change vesting to Drainage
AT	6008	41003	State of WA	Road		Road Cl	14890	Unchanged
AU	6008	41003	State of WA	Road		Road Cl	80	Road Closure, then vesting as Drainage

**LEGEND**

- Cancel Vesting Orders
- Conversion to POS
- Conversion to Civic Purpose
- Road Closures
- Road Dedications
- Road Rename
- Road Widening
- Conversion to Drainage



<p>The contents of this plan are correct and conform to the data stated under the revision. All conditions and approvals relating to this plan shall apply in full to the plan.</p>		<p>Scale: 1:1000 @ A1</p>	
<p>Rev. Initial Issue</p>	<p>Drawn</p>	<p>Date</p>	<p>Checked</p>
<p>SCALE 1:1000 @ A1 = 1:3000 @ A3</p>	<p>McMULLENNOLAN</p> <p>Level 1 2, 300th Street Perth, WA 6154</p> <p>Phone: (08) 9438 1000 Fax: (08) 9438 1000 www.mcmullenolan.com.au</p>		
<p>Project Name: South Hedland</p>		<p>Scale: 1:1000 @ A1</p>	<p>Date: 31/03/2011</p>
<p>Project Manager: Nisha Nigam</p>		<p>Drawn: Stuart Wether</p>	<p>Checked: VJ/SWP/013</p>
<p>Project No: 10/100-013</p>		<p>Revision: 1</p>	<p>Quality Assurance</p>

*11.1.1.12 Proposed Change of Management Order, Various Locations, South Hedland Town Centre. (File No.: 28/01/0017)*

<b>Officer</b>	<b>Caris Vuckovic</b> Lands Officer
<b>Date of Report</b>	7 April 2011
<b>Disclosure of Interest by Officer</b>	Nil

### **Summary**

Council has received a request from RPS, Town Planners on behalf of Landcorp to amend the existing management orders of various reserves within the South Hedland Town Centre.

The alterations to the reserves are requested to facilitate the implementation of the South Hedland Town Centre Development Plan (SHTCDP) which has previously been approved by Council.

The request is supported by the Planning Unit.

### **Background**

Council resolved at its Ordinary meeting on 26 March 2008 to commence advertising of the SHTCDP. Since that time extensive public consultation has occurred and the SHTCDP has been adopted (including amendments). Implementation of the SHTCDP is well advanced and the amendment of management orders will enable further works to occur, facilitating the release of a number of lots. The proposed management order changes are shown in attachment 1 and include:

- a. Amendment of a portion of Reserve 39012 from "Civic Purposes" to include "Public Open Space" and "Recreation" as shown at points V, X, and Z,
- b. Inclusion of a portion of Lot 6055 Forrest Circle (Unallocated Crown Land) into Reserve 41003, currently "Civic Purposes", as shown at point AR.
- c. Amendment of a portion of Reserve 39012 from "Civic Purposes" to "Drainage" as shown at points AQ, AT and AU,

### **Consultation**

As part of the SHTCDP, comments were sort from the internal departments, adjoining land owners and developers. Any requirements or concerns raised have been addressed prior to the development of the land.

**Statutory Implications** Nil

**Policy Implications** Nil

**Strategic Planning Implications** Nil

**Budget Implications** Nil

**Officer's Comment**

The proposed vesting changes and inclusions are identified within the SHTCDP and play a significant role in the revitalisation and activation of the South Hedland Town Centre.

*Options*

Council has the following options when considering the requests:

- 1) Support the changes of vesting as reported.

Supporting the changes of vesting will assist in providing for additional commercial and residential development.

- 2) Reject the requested changes and retain the reserves exclusively for their current uses.

Should Council choose not to support the closures, the reserve will remain vacant and undeveloped.

In light of the South Hedland Town Centre Development Plan which has been approved by Council, it is recommended that Council support the changes and inclusions of Reserves 39012 and 41003.

**Attachments**

1. Proposed Vesting Plan.

**201011/319 Officer's Recommendation/Council Decision****Moved:** Cr A A Carter**Seconded:** Cr S J Coates

That Council:

1. APPROVES the request from RPS, Town Planners on behalf of Landcorp to:
  - a. Amend of a portion of Reserve 39012 from "Civic Purposes" to include "Public Open Space" and "Recreation" as shown at points V, X, and Z, on plan titled South Hedland Land Tenure Exchange LandCorp (Revision A) prepared by McMullen Nolan dated 31/03/2011
  - b. Include a portion of Lot 6055 Forrest Circle (Unallocated Crown Land) into Reserve 41003, currently "Civic Purposes", as shown at point AR, on plan titled South Hedland Land Tenure Exchange LandCorp (Revision A) prepared by McMullen Nolan dated 31/03/2011
  - c. Amend of a portion of Reserve 39012 from "Civic Purposes" to "Drainage" as shown at points AQ, AT and AU, on plan titled South Hedland Land Tenure Exchange LandCorp (Revision A) prepared by McMullen Nolan dated 31/03/2011
  
2. NOTIFIES Department of Regional Development and Lands (State Land Services) that Council has no objection to the following:
  - a. Amendment of a portion of Reserve 39012 from "Civic Purposes" to include "Public Open Space" and "Recreation" as shown at points V, X, and Z, on plan titled South Hedland Land Tenure Exchange LandCorp (Revision A) prepared by McMullen Nolan dated 31/03/2011
  - b. Inclusion of a portion of Lot 6055 Forrest Circle (Unallocated Crown Land) into Reserve 41003, currently "Civic Purposes", as shown at point AR, on plan titled South Hedland Land Tenure Exchange LandCorp (Revision A) prepared by McMullen Nolan dated 31/03/2011
  - c. Amendment of a portion of Reserve 39012 from "Civic Purposes" to "Drainage" as shown at points AQ, AT and AU, on plan titled South Hedland Land Tenure Exchange LandCorp (Revision A) prepared by McMullen Nolan dated 31/03/2011

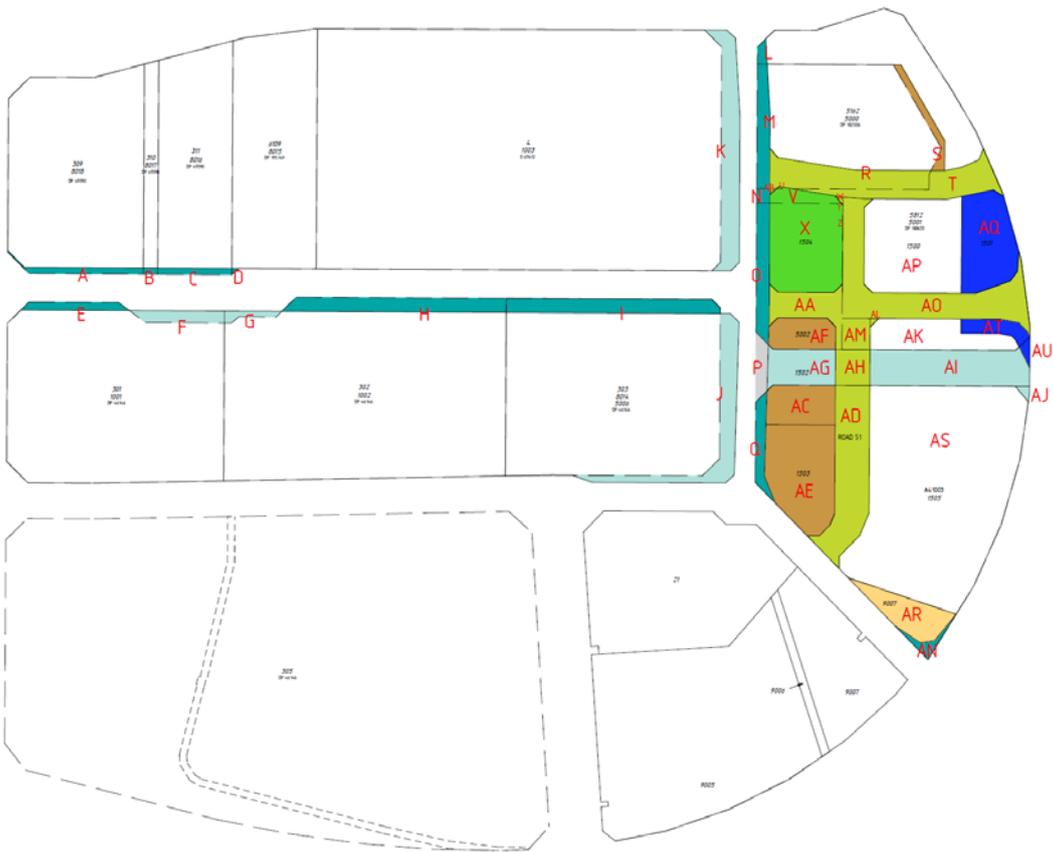
*CARRIED 6/0*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.12

Parcel ID	Lot	Reserve	Current owner	Proposed	Proposed owner	Comment	Area (sq2)	Action
A	309	3612	State of WA	Road	Road	Road Cl	372	Road widening
B	311	3612	State of WA	Road	Road	Road Cl	44	Road widening
C	311	3612	State of WA	Road	Road	Road Cl	258	Road widening
D	8100	3612	State of WA	Road	Road	Road Cl	11	Road widening
E	301	3612	Landsborough	Road	Road	Road Cl	365	Road widening
F	301	3612	State of WA	Road	Road	Road Cl	211	Road Closure
G	301	3612	State of WA	Road	Road	Road Cl	165	Road Closure
H	302	3612	Landsborough	Road	Road	Road Cl	1515	Road widening
I	303	3612	State of WA	Road	Road	Road Cl	1415	Road widening
J	304	3612	State of WA	Road	Road	Road Cl	1912	Road Closure
K	305	3612	State of WA	Road	Road	Road Cl	2134	Road Closure
L	5812	3612	State of WA	Road	Road	Road Cl	50	Road widening
M	5812	3612	State of WA	Road	Road	Road Cl	752	Road widening
N	5812	3612	State of WA	Road	Road	Road Cl	50	Road widening
O	5812	3612	State of WA	Road	Road	Road Cl	697	Road widening
P	5812	3612	State of WA	Road	Road	Road Cl	391	Road widening
Q	5812	3612	State of WA	Road	Road	Road Cl	480	Road widening
R	5812	3612	State of WA	Road	Road	Road Cl	1774	Road widening
S	5812	3612	State of WA	Road	Road	Road Cl	344	Road widening
T	5812	3612	State of WA	Road	Road	Road Cl	1400	Road widening
U	5812	3612	State of WA	Road	Road	Road Cl	9	Change vesting to road
V	5812	3612	State of WA	Road	Road	Road Cl	388	Change vesting from Prevalent trustees
W	5812	3612	State of WA	Road	Road	Road Cl	19	Change vesting from Civic to POS
X	5812	3612	State of WA	Road	Road	Road Cl	2100	Change vesting to road
Y	5812	3612	State of WA	Road	Road	Road Cl	1	Change vesting from Civic to Recreation
Z	5812	3612	State of WA	Road	Road	Road Cl	9	Change vesting to road
AA	5812	3612	State of WA	Road	Road	Road Cl	1084	Change vesting from Civic to Recreation
AB	5812	3612	State of WA	Road	Road	Road Cl	9	Change vesting to road
AC	5812	3612	State of WA	Road	Road	Road Cl	1328	Change vesting to road
AD	5812	3612	State of WA	Road	Road	Road Cl	2004	Change vesting to road
AE	5812	3612	State of WA	Road	Road	Road Cl	2237	Change vesting to road
AF	5812	3612	State of WA	Road	Road	Road Cl	967	Change vesting to road
AG	5812	3612	State of WA	Road	Road	Road Cl	1138	Road Closure
AH	5812	3612	State of WA	Road	Road	Road Cl	867	Road Closure
AI	5812	3612	State of WA	Road	Road	Road Cl	2838	Road Closure
AJ	5812	3612	State of WA	Road	Road	Road Cl	50	Road Closure
AK	5812	3612	State of WA	Road	Road	Road Cl	1832	Road Closure
AL	5812	3612	State of WA	Road	Road	Road Cl	50	Road Closure
AM	5812	3612	State of WA	Road	Road	Road Cl	433	Change vesting to road
AN	5812	3612	State of WA	Road	Road	Road Cl	193	Change vesting to road
AO	5812	3612	State of WA	Road	Road	Road Cl	3084	Change vesting to road
AP	5812	3612	State of WA	Road	Road	Road Cl	4462	Unchanged
AQ	5812	3612	State of WA	Road	Road	Road Cl	2299	Change vesting to Drainage
AR	5812	3612	State of WA	Road	Road	Road Cl	4462	Change vesting to Drainage
AS	5812	3612	State of WA	Road	Road	Road Cl	14850	Unchanged
AT	5812	3612	State of WA	Road	Road	Road Cl	4462	Change vesting to Drainage
AU	5812	3612	State of WA	Road	Road	Road Cl	80	Road Closure, then vesting as Drainage

**LEGEND**

- Cancel Vesting Orders
- Conversion to POS
- Conversion to Civic Purpose
- Road Closures
- Road Dedications
- Road Rename
- Road Widening
- Conversion to Drainage



*11.1.1.13 Proposed Permanent Partial Closures at Reserves 39012 and 41003, South Hedland Town Centre. (File No.: 28/01/0017)*

**Officer** **Caris Vuckovic**  
Lands Officer

**Date of Report** 7 April 2011

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received a request from RPS, Town Planners on behalf of Landcorp to permanently close portions of Reserve 39012, located at Lots 5772 Colebatch Way and 5812 Forrest Circle and Reserve 41003, located at Lot 5815 Leake Street, within the South Hedland Town Centre.

The closures of portion of the reserves are required to facilitate the implementation of the South Hedland Town Centre Development Plan (SHTCDP) previously been approved by Council.

The request is supported by the Planning Unit.

**Background**

Council resolved at its Ordinary meeting on 26 March 2008 to commence advertising of the SHTCDP. Since that time extensive public consultation has occurred and the SHTCDP has been adopted (including amendments). Implementation of the SHTCDP is well advanced and the partial reserve closures will enable further works to occur facilitating the release of a number of lots. The proposed road changes are shown in attachment 1 and include:

- a. Closure of portions of Reserve 39012 as shown at points S and AF,
- b. Closure of portions of Reserve 41003 as shown at points AC and AE.

**Consultation**

As part of the SHTCDP, comments were sort from the internal departments, adjoining land owners and developers. Any requirements or concerns raised have been addressed prior to the development of the land.

<b>Statutory Implications</b>	Nil
<b>Policy Implications</b>	Nil
<b>Strategic Planning Implications</b>	Nil
<b>Budget Implications</b>	Nil

**Officer's Comment**

The subject closures have been indentified by the SHTCDP. The reserve closures play a significant role in the revitalisation and activation of the South Hedland Town Centre.

*Options*

Council has the following options for responding to the request:

- 1) Support the request for partial closure of reserves 39012 and 41003 located within the South Hedland Town Centre

The partial closure of these reserves will allow the development of the SHTC as envisaged in the SHTCDP.

- 2) Refuse the request for partial closure of the reserves located at Lot 3509 Kabbarli Loop and Lot 3570 Captains Way, South Hedland

Should Council choose not to support the closures, the SHTC cannot be developed in accordance with the approved SHTCDP.

In light of the South Hedland Town Centre Development Plan which has been approved by Council, it is recommended that Council support the partial closure of reserves 39012 and 41003 located within the South Hedland Town Centre.

**Attachments**

1. Proposed Amendment Plan.

**201011/320 Officer's Recommendation/Council Decision****Moved:** Cr A A Carter**Seconded:** Cr M Dziombak

That Council:

1. APPROVES the request from RPS, Town Planners on behalf of Landcorp to permanently close the following portions of Reserves:
  - a. **The portions of Reserve 39012 as indicated at points s and AF, on plan titled South Hedland Land Tenure Exchange Landcorp (Revision A) prepared by McMullen Nolan dated 31/03/2011**
  - b. **The portions of Reserve 41003 as indicated at points AC and AE, on plan titled South Hedland Land Tenure Exchange Landcorp (Revision A) prepared by McMullen Nolan dated 31/03/2011**
2. NOTIFIES Department of Regional Development and Lands (State Land Services) that Council has no objection to the partial closure of portions of Reserve 39012 and 41003 as shown on attachment 1.

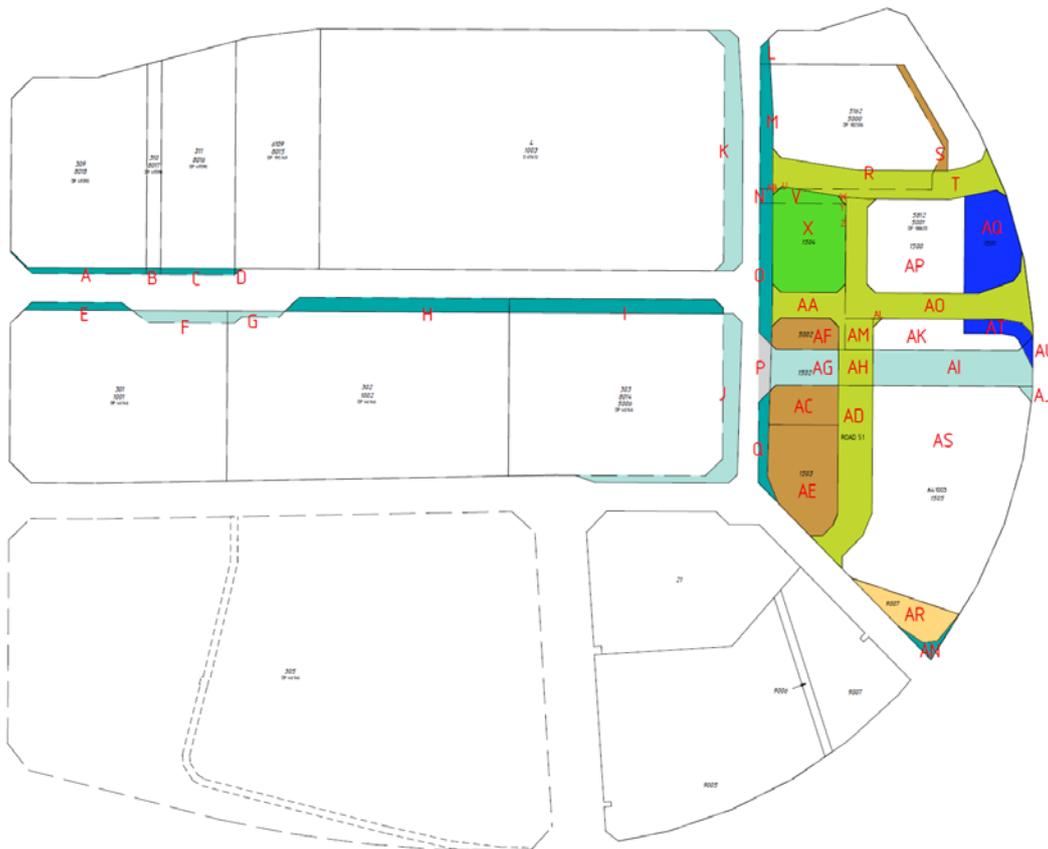
*CARRIED 6/0*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.13

Land Tenure Actions									
(Actions based on the premise that DP 6874 is approved)									
Parcel ID	Lot	Reserve	Current owner	Current management order	Proposed	Proposed owner	Comment	Area (m2)	Action
A	309		State of WA		Road	Road	Road Cl	372	Road widening
B	210		State of WA		Road	Road	Road Cl	44	Road widening
C	311		State of WA		Road	Road	Road Cl	308	Road widening
D	4109		State of WA		Road	Road	Road Cl	11	Road widening
E	301		Landsborough		Road	Road	Road Cl	369	Road widening
F	Road		State of WA		Road	Road	Road Cl	211	Road Closure
G	Road		State of WA		Road	Road	Road Cl	185	Road Closure
H	302		Landsborough		Road	Road	Road Cl	1414	Road widening
I	303	39807	State of WA	Health Purposes	Road	Road	Road Cl	1475	Road widening
J	Road		State of WA		Road	Road	Road Cl	1475	Road Closure
K	Road		State of WA		Road	Road	Road Cl	1475	Road Closure
L	5812	39812	State of WA	Civic Purposes	Road	Perpetual Trustee	Colabath Way	1912	Road widening
M	5142		Perpetual Trustee		Road	State of WA	Colabath Way	752	Road widening
N	5812	39812	State of WA	Civic Purposes	Road	State of WA	Colabath Way	81	Road widening
O	5772	39812	State of WA	Civic Purposes	Road	State of WA	Colabath Way	867	Road widening
P	Road		State of WA		Road	State of WA	Rancha Leake St to Colabath Way Off Main St	338	Road widening
Q	9008	41003	State of WA	Civic Purposes	Road	State of WA		480	Road widening
R	5142		Perpetual Trustee		Road	State of WA		1774	Road widening
S	5812	39812	State of WA	Civic Purposes	Road	Perpetual Trustee		364	Road widening
T	5812	39812	State of WA	Civic Purposes	Road	State of WA		1460	Change vesting to road
U	5142		Perpetual Trustee		POS	State of WA		9	Transfer from Perpetual trustee
V	5812	39812	State of WA	Civic Purposes	POS	State of WA		388	Change vesting from Civic to POS
W	5812	39812	State of WA	Civic Purposes	POS	State of WA		19	Change vesting to road
X	5772	39812	State of WA	Civic Purposes	POS	State of WA		3192	Change vesting from Civic to Recreation
Y	5772	39812	State of WA	Civic Purposes	Road	State of WA		1	Change vesting to road
Z	5812	39812	State of WA	Civic Purposes	Road	State of WA		1	Change vesting to road
AA	5772	39812	State of WA	Civic Purposes	Road	State of WA		1084	Change vesting to road
AB	5812	39812	State of WA	Civic Purposes	Road	State of WA		9	Change vesting to road
AC	9008	41003	State of WA	Civic Purposes	Road	1802	Landsborough	1328	Cancel vesting
AD	9008	41003	State of WA	Civic Purposes	Road	1802	Landsborough	2624	Change vesting to road
AE	9008	41003	State of WA	Civic Purposes	Road	1802	Landsborough	3237	Cancel vesting
AF	5772	39812	State of WA	Civic Purposes	Road	1802	Landsborough	600	Cancel vesting
AG	Road		State of WA		Road	1802	Landsborough	1149	Road Closure
AH	Road		State of WA		Road	1802	Landsborough	600	Change then dedication
AI	Road		State of WA		Road	1802	Landsborough	2835	Road Closure
AJ	Road		State of WA		Road	1802	Landsborough	28	Road Closure
AK	5812	39812	State of WA	Civic Purposes	Road	1802	Landsborough	1832	Unchanged
AL	5812	39812	State of WA	Civic Purposes	Road	1802	Landsborough	18	Change vesting to road
AM	5812	39812	State of WA	Civic Purposes	Road	1802	Landsborough	433	Change vesting to road
AN	9007		Landsborough		Road	1802	Landsborough	184	Road widening
AO	5812	39812	State of WA	Civic Purposes	Road	1802	Landsborough	3084	Change vesting to road
AP	5812	39812	State of WA	Civic Purposes	Road	1802	Landsborough	4460	Unchanged
AQ	5812	39812	State of WA	Civic Purposes	Road	1802	Landsborough	2399	Change vesting to Drainage
AR	9007		Landsborough		Road	1802	Landsborough	1254	Incorporate into Reserve #1003
AS	9008	41003	State of WA	Civic Purposes	Road	1802	Landsborough	14906	Unchanged
AT	9008	41003	State of WA	Civic Purposes	Road	1802	Landsborough	450	Change vesting to Drainage
AU	ROAD		State of WA		Road	1802	Landsborough	82	Road Closure, then vesting as Drainage

**LEGEND**

- Cancel Vesting Orders
- Conversion to POS
- Conversion to Civic Purpose
- Road Closures
- Road Dedications
- Road Rename
- Road Widening
- Conversion to Drainage



<p>SCALE 1: 1000 @ A1 = 1: 500 @ A3</p> <p>ALL DIMENSIONS ARE IN METRES</p>			<p>The boundaries depicted on this plan are not guaranteed as part of this survey. Therefore this plan does not guarantee that accuracy.</p> <p>Reproduction of this plan without the permission of the surveyor is prohibited.</p>			<p><b>McMULLENNOLAN</b></p> <p>Level 1 11000 Cheongate Perth WA 6154 Australia</p> <p>Level 1 11000 Cheongate Perth WA 6154 Australia</p>			<p><b>SOUTH HEDLAND</b> Land Tenure Exchange Landcorp</p> <p>Table 1: 1: 1000 @ A1 Date: 11/03/2011 Status: PERL Job No: 15194 Drawn: Scott Wither Drawing: 15194sp-017 Project Mgr: Mark Napier Revision: 4</p>			
<p>Rev. 1 Initial Issue</p>	<p>Drawn: SDW</p>	<p>Date: 11/03/2011</p>	<p>Checked: SDW</p>	<p>Project: 15194sp-017</p>	<p>Client: South Hedland</p>	<p>Project: 15194sp-017</p>	<p>Revision: 4</p>	<p>Scale: 1: 1000 @ A1</p>	<p>Date: 11/03/2011</p>	<p>Job No: 15194</p>	<p>Drawing: 15194sp-017</p>	<p>Revision: 4</p>

*11.1.1.14 Proposed Use Not Listed – Mixed Use Development at Lot 306 (36-48) Colebatch Way, South Hedland (File No.: 803146G)*

**Officer** **Michael Pound**  
Planning Officer

**Date of Report** 4 April 2011

**Disclosure of Interest by Officer** Nil

**Summary**

Council have received an application from Hames Sharley on behalf of Sunview Nominees Pty Ltd, to construct a Mixed Use Development at Lot 306 (36-48) Colebatch Way, South Hedland (subject site),

The proposal is to develop a mixed use development consisting of Multiple Dwellings, Restaurant (café), Offices, Shops and Consulting Rooms.

This item is referred to Council for determination as it is a 'Use Not Listed' within the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

The application is supported by the Planning unit subject to conditions.

**Background**

*Property Location* (ATTACHMENT 1)

The subject site is a corner lot and has a total area of approximately 11,854m<sup>2</sup>. It is wholly contained within the 'Town Centre' zone under the provisions of TPS5. The subject site is currently undeveloped.

*The Proposal*

The details of the proposal are as follows:

Land Use	Details
Multiple Dwelling (one bedroom)	54 units (3631.1m <sup>2</sup> in total)
Multiple Dwelling (two bedroom)	43 units (4133.2m <sup>2</sup> in total)
Multiple Dwelling (three bedroom)	7 units (1091.1m <sup>2</sup> in total)
Restaurant (Café) x1	194m <sup>2</sup> in total
Office	370.55m <sup>2</sup> in total
Shop	12 tenancies – 1833.38m <sup>2</sup> in total
Consulting Rooms	10 rooms

The subject site has frontage onto Murdoch Drive, Colebatch Way and Collier Drive.

Clause 3.2 'Zoning Table' of TPS5 indicates the development (and uses) permitted in the Scheme. The zoning permits the proposed land uses in the following manner:

Shop	: "P"	(the development is permitted by the scheme)
Office	: "P"	(the development is permitted by the scheme)
Consulting Room	: "P"	(the development is permitted by the scheme)
Restaurant	: "P"	(the development is permitted by the scheme)
Multiple Dwellings	: "SA"	(the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3)

The Residential Design Codes allow for mixed use developments where dwellings can be combined with non-residential uses, provided that such development is compatible with "Multiple Dwelling" standards. The proposed development complies with the definition of a "Mixed Use Development" as defined by the codes.

However, TPS5 does not make provision for "Mixed Use Developments", so the development needs to be considered as a "Use Not Listed".

The application has been assessed in accordance with both the Residential Design Codes and TPS5, and the assessment is further discussed under the officer's comments.

### **Consultation**

The application has been circulated to the internal departments.

The application has been advertised in the local newspaper to provide the community an opportunity to comment on the proposal. No submissions were received during public advertising.

Significant consultation has been undertaken with the proponents of the development, particularly in respect to parking. LandCorp have also been consulted.

**Statutory Implications**

The development of the land must be done in accordance with the TPS5

**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 Number 1: Tourism

Strategy 4:

Develop additional tourist information at Town entry points and other focal points within the Town.

Goal Number 3: Business Development

Strategy 2 (other actions):

Provide support and incentives for entrepreneurs who are interested in establishing tourism related businesses within the Town.

Goal Number 4: Land Development Projects

Strategy 1:

Fast-track the release and development of commercial, industrial and residential land.

**Budget Implications**

An application fee of \$30,600.00 has been received as per the prescribed fees approved by Council.

The application results in two main scenarios. Which may have various car parking options as well; scenario 1 has a shortfall of 79 carparking bays requiring cash in lieu payment and scenario 2 has a shortfall of 49 carparking bays requiring a cash in lieu payment.

Should Council accept cash in lieu of parking contribution, council will be accepting responsibility to provide the parking shortfall in accordance with the Town Planning Scheme.

**Officer's Comment**

The application is considered an important catalyst for further development within the Town Centre it will improve the image of South Hedland as an attractive and convenient place to live. The proposed development would have a distinct benefit to the Town Centre, due consideration must be given to the following:

*Streetscape*

The applicant has, through the design of the building, achieved an acceptable streetscape to Murdoch Drive, Colebatch Way and Collier Drive. The design allows for a commercial interface on the ground floor which is conducive to the activation of a town centre environment. Afterhours the residential units provide passive surveillance of the surrounds.

#### *Carparking requirements*

The carparking issues pertaining to this development are outlined in the attachments to this report. The attachment details the car parking analysis and requirements with respect to the proposed development. Various scenarios as to how to address car parking are outlined, in summary the proposed development results in a significant shortfall in car parking. Based on the scenarios outlined in the carparking analysis (attachment 3) the shortfall in carparking is between 119-149 carparking bays. Upon relaxation of Councils carparking provisions and application of reciprocal parking provisions etc, the shortfall in car parking bays is between 73-103 bays. The shortfall in carparking bays are generally dealt within the following manner:

- Redesign development to accommodate all or more car parking on site;
- Provision of carparking on an alternate nearby site;
- Cash payment in lieu of providing parking to enable carparking in site

In this instance discussions with the LandCorp have revealed a willingness by LandCorp to accommodate the shortfall in carparking for the development on their site, subject to a monetary contribution by the developer to pay for the construction cost of the additional car parking bays (car parking shortfall).

It must be emphasised the Council should ordinarily require the provision of carparking bays on site. This is seen as an important catalyst for future development in the South Hedland Town Centre and that it is important to finalise good outcomes to stimulate future development in the area with any future development. The ToPH Council should apply all of its planning provisions, including car parking to ensure a long term sustainable growth for the area.

#### *Options*

Council has the following options when considering the application:

1. APPROVE the application as submitted, conditionally in accordance with all the carparking scenarios, outlined in Attachment 3. Council can make a determination as to which car parking alternatives they wish to apply.
2. APPROVE the application as submitted, conditionally subject to the Director of Planning & Development negotiating an agreed outcome with the applicant, LandCorp and Council to satisfactorily address the carparking shortfall. This to be by way of a legal agreement that is binding and guarantees the provision of the shortfall in car parking bays.
3. REFUSE the application

The refusal would be detrimental to the envisaged plan for the South Hedland Town Centre.

It is recommended council approve the application and delegate to Councils Director Planning & Development to co-ordinate the provision of carparking, or payment in lieu for the shortfall of carparking bays.

#### **Attachments**

1. Locality Map
2. Site Plan, Floor Plan and Elevations
3. Carparking analysis for proposed mixed use development Colebatch Way

#### **Officer's Recommendation**

That Council:

- a. APPROVES the application submitted by Hames Sharley on behalf of Sunview Nominees Pty Ltd, to construct a Mixed Use Development at Lot 306 (36-48) Colebatch Way, South Hedland, subject to the following conditions:
  1. This approval relates to a MIXED USE DEVELOPMENT incorporating one hundred and four (104) Multiple Dwellings, one (1) Restaurant, one (1) Office, twelve (12) Shops and ten (10) Consulting Rooms as shown on the approved plans (DWG2011/6.01 to DWG2011/6.05). It does not relate to any other development on this lot.
  2. The development must only be used for purposes which are related to the operation of an "Office", "Shop", "Consulting Rooms", "Restaurant" and "Multiple Dwellings" as indicated on the approved plans. Under TPS5, the above approved uses are defined as follows:

*“Office:*

*A building or part of a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, a post office, bank, building society, insurance office, estate agency, typist and secretarial services, or services of a similar nature, and where not conducted on the site thereof, the administration of or the accounting in connection with a commercial or industrial undertaking”*

*“Shop:*

*Any building and associated land where goods are displayed or offered for sale by retail or hire of non-industrial goods or where services of a personal nature are provided, including a betting agency but excluding a showroom, take-away food outlet and garage sale”*

*“Multiple Dwelling:*

*A dwelling in a group of more than one where any part of a dwelling is vertically above part of any other”*

*“Consulting Rooms:*

*A building (other than a hospital or medical centre) used by practitioners who are legally qualified medical practitioners, dentists, physiotherapists, podiatrists, or any other person ordinarily associated with a practitioner in the prevention, investigation or treatment of the physical or mental injuries or ailments”*

*“Restaurant:*

*A building and any associated outbuildings and grounds where food is prepared for sale and consumption on the premises and may be licensed to sell liquor”*

3. This approval to remain valid for a period of twenty four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
4. Prior to the submission of a Building Licence, amended plans being submitted to and approved by the Town incorporating the following amendments:
  - Detailed plans indicating design of the proposed verge parking in Murdoch Drive, Colebatch Way and Collier Drive, to the specifications of Councils Manager Infrastructure Development and to the satisfaction of Councils Manager Planning.

5. A legal agreement be entered into between Council, LandCorp and the applicant to address the shortfall in carparking to the satisfaction of Councils Director Planning & Development.
6. Prior to the submission of a Building Licence the applicant is to have formalised a cash in lieu contribution or entered into an agreement with Council for the construction of the 24 carparking bays within the road reserves to the satisfaction of Councils Manager Planning.
7. Within 6 months the applicant is to amalgamated the portion of land provided by LandCorp for carparking or register an easement over the land in favour of Lot 21, to the satisfaction of Councils Manager Planning.
8. Submission of a Transport Assessment compiled by an Independent qualified and experienced Professional Engineer. Transport Assessment to be in accordance with "WAPC Transport Assessment Guidelines for Development" and will be supported by the checklist. Any necessary traffic management measures to be installed to be discussed and to the satisfaction of Manager of Planning. Transport Statement to address the following (but not limited to):
  - a. proposed development
  - b. vehicular access and parking (are carbays accessible to public, tandem bays to be signed)
  - c. service vehicles (non residential)
  - d. hours of operations (non residential)
  - e. traffic volumes
  - f. traffic management on frontage streets/parking
  - g. pedestrian access/facilities
  - h. cycle access/facilities
  - i. site specific issues
  - j. safety issues
  - k. conclusions/recommendations
9. A minimum of one hundred and sixty one (161) car parking spaces are to be provided on-site.
10. The parking areas and / or associated access ways shall not be used for storage (temporary or permanent) without the prior approval of the Town.
11. Angled parking on Collier Drive to be reassessed (especially safety issues to be reported in Transport Statement)
12. The parking applicable to the permanent residential units shall be reserved as such.

13. The driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, prior to the occupation of the dwelling(s)
14. Accessways, parking areas, turning areas to be constructed, kerbed, formed, graded, drained, linemarked and finished with a sealed surface by the developer to an approved design to the satisfaction of Manager of Planning and compliant with TPS5 and Australian Standards
15. Applicant to provide aged/disabled access to existing Council path network and public transport network. Plans shall be approved by Engineering Services prior to the issue of a Building Licence
16. Lighting to be provided for accessways (vehicular & pedestrian), parking areas and turning areas by the developer and in accordance with relevant Australian Standards to the satisfaction of Manager of Planning
17. Within 30 days of this approval, a detailed landscaping and reticulation plan including the Murdoch Drive, Colebatch Way and Collier Drive verges, must be submitted for consideration by Councils Manager Planning.  
  
Within 60 days, or such further period as may be agreed by Councils Manager Planning, landscaping and reticulation to be established in accordance with the approved detailed plans to the satisfaction of Councils Manager Planning.
18. Clothes drying facilities shall be provided within each individual unit. No clothes drying facilities shall be permitted elsewhere on the lot.
19. All storage / service areas shall be suitably screened and access doors / gates closed other than when in use, to the satisfaction of Councils Manager Planning.
20. 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, to the satisfaction of Councils Manager Planning.

21. All stormwater to be retained onsite. Plans and specifications relating to the disposal of stormwater and groundwater for the development to be submitted and approved by Engineering Services prior to the issue of a building licence. Disposal to be designed in accordance with Council's Engineering Department Guidelines, and to the satisfaction of the Manager of Planning
22. The proposed development shall be connected to reticulated mains sewer.
23. 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 Councils Manager Planning.
24. Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 1999.
25. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.
26. All dust and sand to be contained on site with the use of suitable dust suppression techniques to specification of Councils Manager Environmental Health Services and to the satisfaction of Councils Manager Planning.
27. All Civil drawings to be submitted and approved prior to commencement of works.
28. Dilapidation report (including photos) of existing infrastructure (kerbing/road/drainage etc) to be provided prior to commencement of site works.
29. The submission of a construction management plan at the submission of a Building Licence application stage for the proposal detailing how it is proposed to manage:
  - The delivery of material and equipment to the site;
  - The storage of material and equipment on the site;
  - The parking arrangements for the contractors and subcontractors;
  - Impact on traffic movement;
  - Operation times including delivery of materials;
  - Other matters likely to impact on the surrounding uses;
  - Building waste management control;
  - Point of contact of personnel for control of enquiries and any complaints; and

All to the satisfaction of Councils Manager Planning.

## 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 and 6, negotiations in regard to the cash in lieu contribution and/or in kind works are at the discretion of the Director Planning and Development having regard to Section 6.13 Vehicle and vehicle areas, of Town Planning Scheme No.5. The cash in lieu payment is based on the cost of construction and the acquisition of land required for the construction of each bay (at \$/m<sup>2</sup>). In order to satisfy this condition, the value of land required will need to be assessed by a qualified Land valuer.
3. Proposed W.C to be connected to the existing septic system by a licensed plumber.
4. If mains water connection is unavailable the development is to be connected to an adequate potable water supply to the specifications of Council's Health Local Laws 1999. For further advice please contact Town's Environmental Health Services on 9158 9325.
5. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.
6. 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 Town of Port Hedland Eating House Local Laws that all food premises be licensed prior to beginning operations;
  - b. The applicant is advised that the construction and use of the proposed premises is required to comply with the Health Food Regulations 2009 and the Food Safety Standards; and
  - 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.

7. 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.
8. The development is to comply with the Health (Public Buildings) Regulations 1992.
9. Be advised that at the building licence stage a detailed floor plan will be required to be submitted in order for Town to assess compliance with the Health (Public Buildings) Regulations 1992.
10. 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 average recurrence interval (A.R.I) cycle of flooding could affect any property below the ten (10) meter 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.
11. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval

**201011/321    Officer's    Alternative    Recommendation/Council  
Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr S J Coates

That Council:

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2. **The development must only be used for purposes which are related to the operation of an “Office”, “Shop”, “Consulting Rooms”, “Restaurant” and “Multiple Dwellings” as indicated on the approved plans. Under TPS5, the above approved uses are defined as follows:**

**“Office:**

**A building or part of a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, a post office, bank, building society, insurance office, estate agency, typist and secretarial services, or services of a similar nature, and where not conducted on the site thereof, the administration of or the accounting in connection with a commercial or industrial undertaking”**

**“Shop:**

**Any building and associated land where goods are displayed or offered for sale by retail or hire of non-industrial goods or where services of a personal nature are provided, including a betting agency but excluding a showroom, take-away food outlet and garage sale”**

**“Multiple Dwelling:**

**A dwelling in a group of more than one where any part of a dwelling is vertically above part of any other”**

**“Consulting Rooms:**

**A building (other than a hospital or medical centre) used by practitioners who are legally qualified medical practitioners, dentists, physiotherapists, podiatrists, or any other person ordinarily associated with a practitioner in the prevention, investigation or treatment of the physical or mental injuries or ailments”**

**“Restaurant:**

**A building and any associated outbuildings and grounds where food is prepared for sale and consumption on the premises and may be licensed to sell liquor”**

3. **This approval to remain valid for a period of twenty four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.**
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- Detailed plans indicating design of the proposed verge parking in Murdoch Drive, Colebatch Way and Collier Drive, to the specifications of Councils Manager Infrastructure Development and to the satisfaction of Councils Manager Planning.
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  - d. hours of operations (non residential)
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  - g. pedestrian access/facilities
  - h. cycle access/facilities
  - i. site specific issues
  - j. safety issues
  - k. conclusions/recommendations
- 8. A minimum of one hundred and sixty one (161) car parking spaces are to be provided on-site.
- 9. The parking areas and / or associated access ways shall not be used for storage (temporary or permanent) without the prior approval of the Town.

10. **Angled parking on Collier Drive to be reassessed (especially safety issues to be reported in Transport Statement)**
11. **The parking applicable to the permanent residential units shall be reserved as such.**
12. **The driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, prior to the occupation of the dwelling(s)**
13. **Accessways, parking areas, turning areas to be constructed, kerbed, formed, graded, drained, linemarked and finished with a sealed surface by the developer to an approved design to the satisfaction of Manager of Planning and compliant with TPS5 and Australian Standards**
14. **Applicant to provide aged/disabled access to existing Council path network and public transport network. Plans shall be approved by Engineering Services prior to the issue of a Building Licence**
15. **Lighting to be provided for accessways (vehicular & pedestrian), parking areas and turning areas by the developer and in accordance with relevant Australian Standards to the satisfaction of Manager of Planning**
16. **Prior to Building approval, a detailed landscaping and reticulation plan including the Murdoch Drive, Colebatch Way and Collier Drive verges, must be submitted for consideration by Councils Manager Planning.**
17. **Within 60 days, or such further period as may be agreed by Councils Manager Planning, landscaping and reticulation to be established in accordance with the approved detailed plans to the satisfaction of Councils Manager Planning.**
18. **Clothes drying facilities shall be provided within each individual unit. No clothes drying facilities shall be permitted elsewhere on the lot.**
19. **All storage / service areas shall be suitably screened and access doors / gates closed other than when in use, to the satisfaction of Councils Manager Planning.**

20. 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, to the satisfaction of Councils Manager Planning.
21. A Stormwater Management Plan detailing specifications relating to the disposal of stormwater and groundwater for the development to be submitted and approved by Manager Engineering Services prior to the issue of a building licence. Disposal to be designed in accordance with Council's Engineering Department Guidelines, and to the satisfaction of the Manager of Planning
22. The proposed development shall be connected to reticulated mains sewer.
23. 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 Councils Manager Planning.
24. Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 1999.
25. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.
26. All dust and sand to be contained on site with the use of suitable dust suppression techniques to specification of Councils Manager Environmental Health Services and to the satisfaction of Councils Manager Planning.
27. All Civil drawings to be submitted and approved prior to commencement of works.
28. Dilapidation report (including photos) of existing infrastructure (kerbing/road/drainage etc) to be provided prior to commencement of site works.
29. The submission of a construction management plan at the submission of a Building Licence application stage for the proposal detailing how it is proposed to manage:
  - The delivery of material and equipment to the site;
  - The storage of material and equipment on the site;
  - The parking arrangements for the contractors and subcontractors;
  - Impact on traffic movement;
  - Operation times including delivery of materials;

- **Other matters likely to impact on the surrounding uses;**
- **Building waste management control;**
- **Point of contact of personnel for control of enquiries and any complaints; and**

**All to the satisfaction of Councils Manager Planning.**

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 and 6, negotiations in regard to the cash in lieu contribution and/or in kind works are at the discretion of the Director Planning and Development having regard to Section 6.13 Vehicle and vehicle areas, of Town Planning Scheme No.5. The cash in lieu payment is based on the cost of construction and the acquisition of land required for the construction of each bay (at \$/m<sup>2</sup>). In order to satisfy this condition, the value of land required will need to be assessed by a qualified Land valuer.
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  - b. **The applicant is advised that the construction and use of the proposed premises is required to comply with the Health Food Regulations 2009 and the Food Safety Standards; and**

- 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.**
7. 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.
  8. The development is to comply with the Health (Public Buildings) Regulations 1992.
  9. Be advised that at the building licence stage a detailed floor plan will be required to be submitted in order for Town to assess compliance with the Health (Public Buildings) Regulations 1992.
  10. 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 average recurrence interval (A.R.I) cycle of flooding could affect any property below the ten (10) meter levelAHD. 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.
  11. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval

*CARRIED 6/0*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.14





**First Floor Plan**  
South Hedland



0 10 20 30 m

SCALE: 1:200 @ A1  
DATE: 2/10/2010

42401  
DA-02

HAMES SHARLEY  
www.hamessharley.com.au  
+61 8 9389877

**Second Floor Plan**  
South Hedland

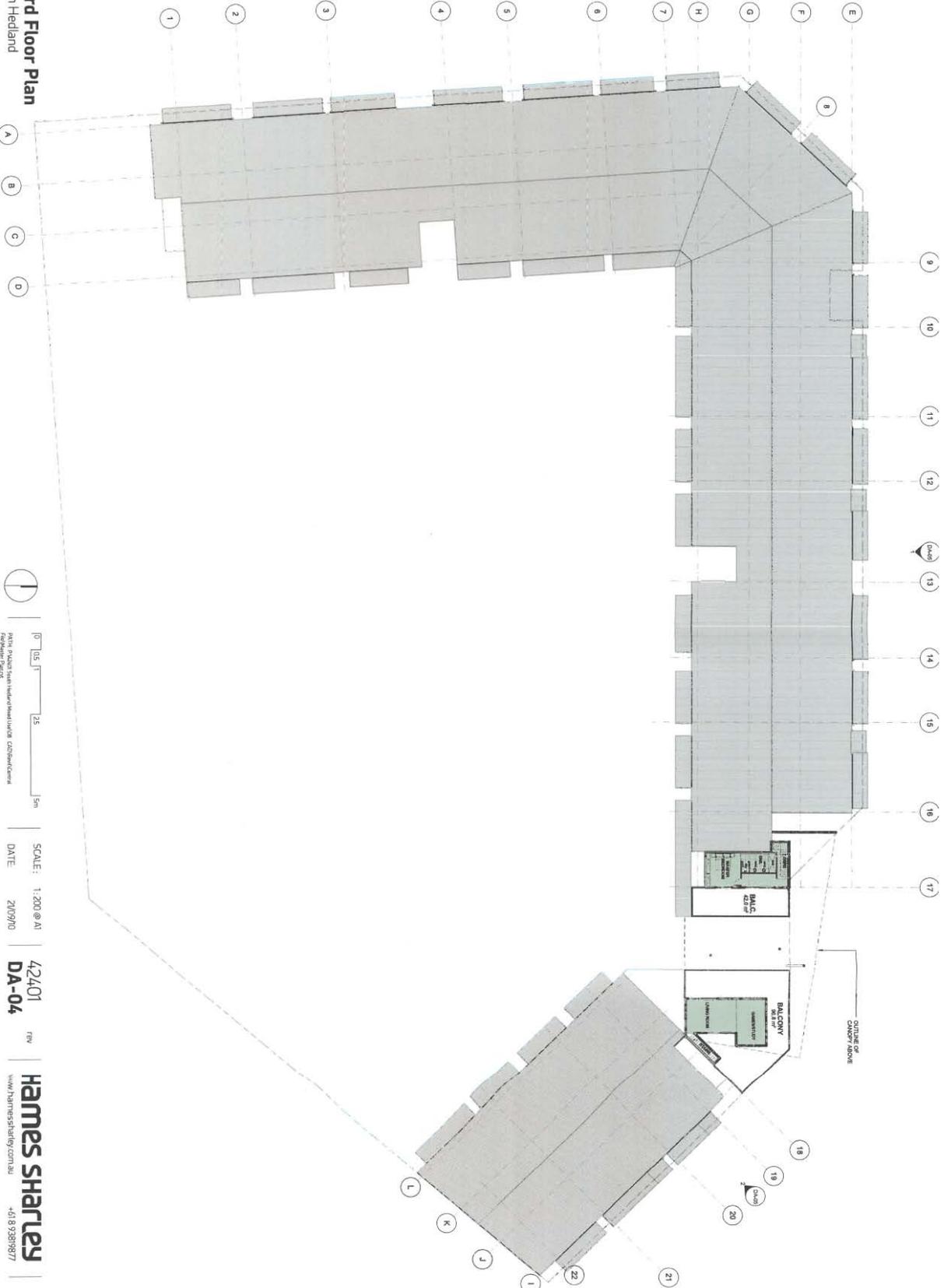


0 10 25  
m  
SCALE: 1:200 @ A1  
DATE: 2/09/2010

422401  
DA-03

REV  
**HAMES SHARLEY**  
www.hamessharley.com.au  
+61 8 93891977

**Third Floor Plan**  
South Hedland





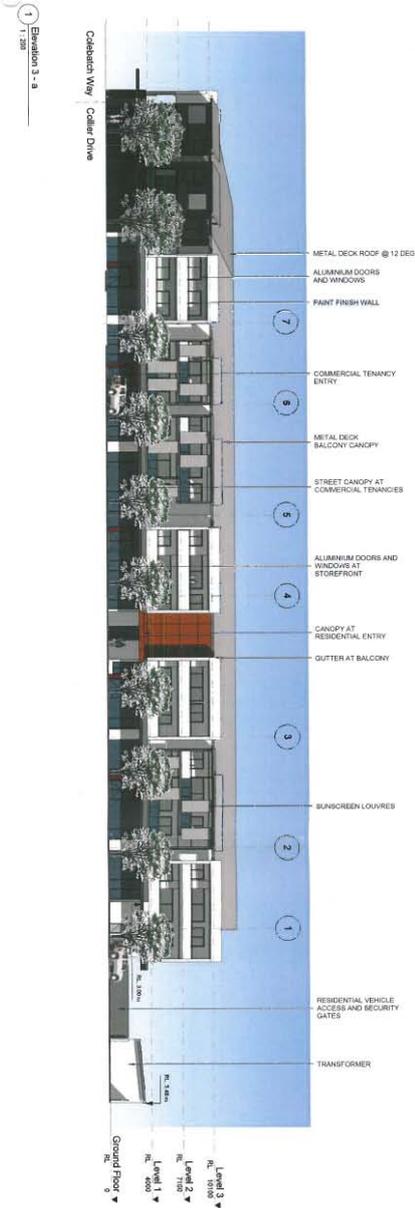
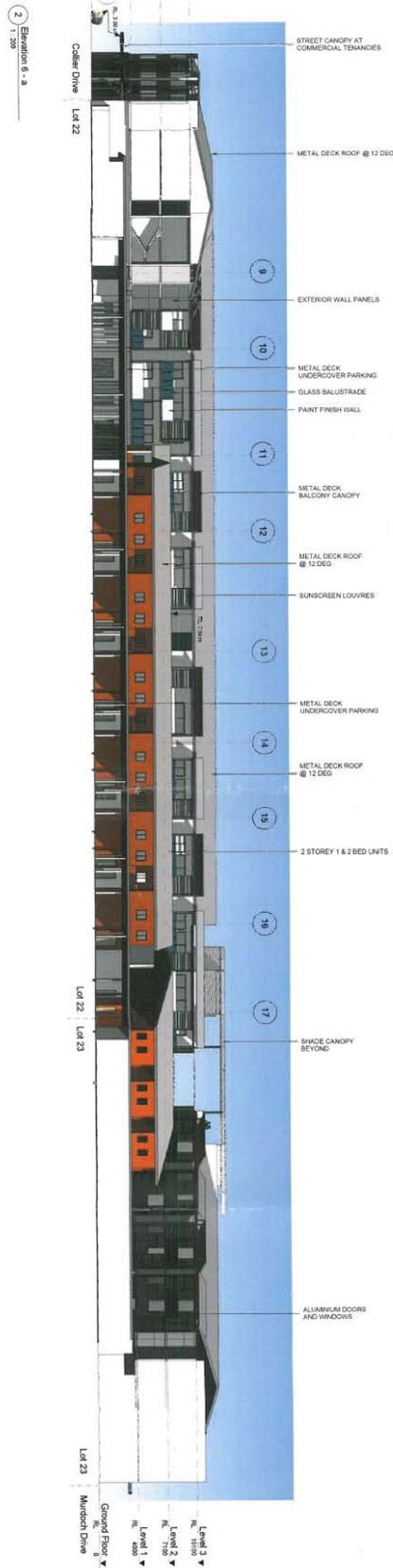
**Elevations**  
South Hedland



SCALE: 1:200 @ A1  
DATE: 10/04/10

424/01  
DA-06

rev  
**HAMES SHARLEY**  
www.hamessharley.com.au  
+61 8 92899677



*ATTACHMENT 3 TO AGENDA ITEM 11.1.1.14*Carparking analysis for proposed mixed use development Colebatch Way

## Scenario 1

It was indicated in the applicants report that the proposed tenancies could be used as either a "Shop" or "Office". If a "Shop" is proposed to occupy the proposed tenancies, the car parking requirements are more onerous than that of an "Office".

The Planning Unit has calculated the parking requirement as follows:

Proposed Use	TPS5 Requirement	Required Bays
Consulting Rooms 10 Rooms	4 bays per consulting room	40 bays
Restaurant 60 seats / 100m <sup>2</sup> seating area	1 bay for every 4 seats or 1 bay for every 5m <sup>2</sup> seating area whichever is greater	20 bays for seating area
Shops 12x tenancies (1833.38m <sup>2</sup> )	Shop = 1 bay per 20m <sup>2</sup> NLA	92 bays
Office Medical Office (370.55m <sup>2</sup> )	Office = 1 bay per 30m <sup>2</sup> NLA	13 bays
Multiple Dwellings 54 one bedroom 43 two bedroom 7 three bedroom Visitors (104 Units)	@1 bay/dwelling @1.25 bays/dwelling @1.5 bays/dwelling @0.25 bays/dwelling	119 bays 26 bays
<b>Total</b>		<b>310 bays</b>

In

accordance with the Appendix 7 of the Scheme the developer is required to provide a minimum of 310 carparking bays on site. The applicant has provided 161 car parking bays on-site, resulting in a shortfall of 149 carparking bays.

## Scenario 2

As opposed to "Shops" occupying the proposed tenancies, the Scenario 2 would come about if an "Office" use were proposed for each tenancy. However, the Scenario 2 also results in a carparking shortfall.

Proposed Use	TPS5 Requirement	Required Bays
Consulting Rooms 10 Rooms	4 bays per consulting room	40 bays
Restaurant 60 seats / 100m <sup>2</sup> seating area	1 bay for every 4 seats or 1 bay for every 5m <sup>2</sup> seating area whichever is greater	20 bays for seating area
Shops 12x Offices (1833.38m <sup>2</sup> )	Office = 1 bay per 30m <sup>2</sup> NLA	62 bays
Office Medical Office (370.55m <sup>2</sup> )	Office = 1 bay per 30m <sup>2</sup> NLA	13 bays
Multiple Dwellings 54 one bedroom 43 two bedroom 7 three bedroom Visitors (104 Units)	@1 bays/dwelling @1.25 bays/dwelling @1.5 bays/dwelling @0.25 bays/dwelling	119 bays 26 bays
<b>Total</b>		<b>280 bays</b>

In accordance with the Appendix 7 of the Scheme the landowner is required to provide a minimum of 280 car parking bays. As indicated the applicant has provided 161 car parking bays on-site, resulting in a shortfall of 119 carparking bays.

#### Reciprocal Car Parking Arrangement (Draft Reciprocal Carparking Policy No. 12)

In accordance with Clause 6.13.7 of the Scheme Council can consider reciprocal car parking for a development in order to reduce the shortfall of carparking bays.

It would be reasonable to consider that the "Restaurant" will be at its peak period of operation during lunch times, in the evening and on the weekends. The proposed commercial tenancies will operate during normal business hours. The resulting partial overlap will permit the "Restaurant"

use, to have 35% reciprocal car parking (20 bays) with the other commercial tenancies. Resulting in the carparking (Scenario 1) shortfall being reduced to 129 carparking bays and the carparking bays (Scenario 2) reduced to 99 carparking bays.

The Draft Reciprocal Carparking Policy No. 12, recommends 100% reciprocal carparking for visitor carparking bays associated with the residential component of the development (26 bays). Factoring this into the carparking (Scenario 1) the shortfall is further reduced to 103 carparking bays and the carparking bays (Scenario 2) reduced to 73 carparking bays.

*Carparking Scenario 3:*

The applicant has a number of avenues available to further reduce the calculated shortfall, and have been discussed with the developer. The developer has indicated a preference to alternative 1, but remains concerned about the cash in lieu contribution.

*Alternative 1:*

The applicant has indicated that they are in the process of negotiating with LandCorp the purchase of the adjacent lot, Lot 23. The developer would provide an amount of parking associated with the subject development on the adjoining lot to further reduce the parking shortfall.

Should the developer wish to continue to pursue this alternative, the developer will have to provide Council with proof that the lot has been secured. In addition the developer will have to secure the parking by either amalgamating the two lots or by registering a parking easement in favour of the subject lot.

*Alternative 2:*

LandCorp has advised that to ensure the South Hedland Town Centre can be developed as envisaged LandCorp is prepared to provide the Town with land in the South Hedland Town Centre at no cost, to provide additional public carparking.

By increasing the amount of public carparking the proposed development could be allocated additional carparking, for which the developer can either provide cash in lieu of \$7,500 per carparking bay for Scenario 1 and scenario 2, or the developer could construct the carparking to the specifications of Councils Manager Infrastructure development.

*Scenario 4:*

The applicant could reduce the size of the development thereby reducing the shortfall. This option may have a negative impact on the economic feasibility of the development.

#### Scenario 5:

The developer could pay the Council a cash in lieu payment for the carparking shortfall in accordance with the Draft Reciprocal Carparking Policy No. 12. This payment has been calculated with the construction cost estimated at \$3,000 and land acquisition cost based on locality of approximately \$600/m<sup>2</sup> (30m<sup>2</sup> = \$18,000). This results in a cash in lieu contribution of \$2,121,000 carparking (Scenario 1) and \$1,470,000 carparking (Scenario 2).

Should the developer be able to secure the adjoining lot as per "Alternative 1" and reduce the carparking shortfall, the cash in lieu contribution will be further reduced.

Clause 6.13.3 of TPS5 allows for cash-in-lieu to compensate for reducing the number of bays to be provided on-site. Clause 6.13.5 however requires that the provision of cash-in-lieu does not reduce the safety standards of the locality.

In terms of the provisions of the Scheme, Council's Draft Reciprocal Carparking Policy No. 12, provides further clarity and additional requirements for developers wishing to make cash-in-lieu contributions to compensate any parking shortfalls. In accordance with the Draft Reciprocal Carparking Policy No. 12, cash-in-lieu contributions can only be considered:

*"For employee and visitor car parking only (i.e cash in lieu of car parking will not be considered for any residential parking requirements whether related to permanent or temporary/tourism accommodation")*

#### Utilising the Road Reserve (Draft Reciprocal Carparking Policy No. 12)

In addition to the 161 carparking bays provided on site, the developer has identified twenty four (24) car parking bays that could be provided on the adjacent road reserves. The Draft Reciprocal Carparking Policy No. 12, recommends that only one third of carparking being provided in the public domain be retained for anyone specific development. This ensures that other developments in the vicinity are also able to utilise parking within the public domain.

Given the lack of a parking plan identifying the amount of public parking that can be provided in the vicinity, it is recommended that the developer be allowed to "claim" the 24 carparking bays indicated in the application, thereby further reducing the parking shortfall.

It must be noted that this is only being considered due to assist with the development which is considered to be the catalyst to kick start further development in the area.

Future developments should not be considered in a similar manner and should be required to comply with the Draft Reciprocal Carparking Policy No. 12, which recommends that only one third of available public parking be allocated to any one developer.

#### Cash-in-lieu Payment Calculation (Draft Reciprocal Carparking Policy No. 12)

The cash-in-lieu requirement to pay for additional bays is split into two components, land acquisition and construction cost. The construction cost is estimated at \$3,000 and land acquisition cost based on locality being approximately \$600/m<sup>2</sup> (30m<sup>2</sup> = \$18,000).

Given that Council does not have an acquisition cost for the 24 carparking bays located in the road reserve, it is recommended that Council provide the land at no cost. This will require the developer having to either pay a cash in lieu payment of \$72,000 for the construction of the bays or alternatively can construct the bays to the specification of Council Manager Infrastructure Development.

If the developer constructs the parking bays located within the road reserve the carparking (Scenario 1) shortfall of 79 carparking bays requiring a cash in lieu payment of \$1,659,000.00, and carpark (Scenario 2) shortfall of 49 carparking bays requiring a cash in lieu payment of \$1,026,000.00.

Whilst this contribution may be perceived to be excessive, it must be considered that the developer would likely be able to cover the cash in lieu payment through the sale of approximately 1 – 2 of the overall 104 proposed residential units.

#### Options

The Council has the following options when considering the application:

1. APPROVE the application as submitted with reciprocal carparking and the payment of \$1,659,00.00 (\$21,000.00 / bay) as Cash-in-lieu for the shortfall of 79 parking bays, based on all the tenancies being used for "Shop" purposes.

The approval in this manner will enable the development to commence activating the South Hedland Town Centre and have no financial implication to Council

2. APPROVE the application as submitted with reciprocal carparking and the payment of \$1,026,000.00(\$21,000.00 / bay) as Cash-in-lieu for the shortfall of 49 parking bays and restricting the use of the commercial tenancies to "Offices".

The approval in this manner will enable the development to commence activating the South Hedland Town Centre and have no financial implication to Council. It would restrict the proposed development of the commercial tenancies to "Offices". Should a prospective tenant apply for a change of use requiring additional parking than required by an "Office" a cash in lieu contribution will be required.

3. APPROVE the application as submitted with reciprocal carparking without a cash in lieu payment. And that Council allocate an amount of \$1,659,000.00 in the 2011/12 budget.

The approval in this manner will also enable the development to commence activating the South Hedland Town Centre, but will place the financial burden on Council to provide the parking.

4. APPROVE the application a submitted with the shortfall of carparking paces being provided by LandCorp. This would require a legal agreement to be entered into with LandCorp, Council and the applicant to ensure the shortfall of carparking is provided on a nearby parcel of land.\

5. APPROVE the application as submitted with further relocation in carparking provisions as determined by Council. The shortfall in carparking being addressed thorough a cash in lieu payment

## 11.1.2 Environmental Health Services

*11.1.2.1 Kintyre Uranium Project Environmental Scoping Document Review (File No.: 14/01/0014)*

Officer Michael Cuvalo  
Coordinator Environmental  
Health Services

**Date of Report** 6 April 2011

**Disclosure of Interest by Officer** Nil

**Summary**

A proposal as been submitted to the Environmental Protection Authority regarding the development of a Uranium Mine approximately 270Km Northeast of Newman.

Transport of Uranium Oxide Concentrate is proposed to be undertaken by road to Kalgoorlie through Port Hedland.

**Background**

Cameco Australia Pty Ltd (Cameco) is proposing to develop the Kintyre Uranium Project located approximately 1,200 km north northeast of Perth in the Shire of East Pilbara of Western Australia (WA).

On 20 September 2010 the Western Australian Environmental Protection Authority advertised the level of assessment for the Kintyre Uranium Project as an Environmental Review and Management Programme (ERMP) with a 14-week public review period. This level of assessment requires a proponent to prepare and release an environmental scoping document for public review for at least two weeks and to modify the document in response to submissions. This Environmental Scoping Document (ESD) has been prepared to enable key stakeholders and the public to comment on the proposed scope of works for the environmental impact assessment of the proposed Kintyre Uranium Project (the Project).

The Project will consist of an open-cut uranium mine, process plant and associated infrastructure. The Project will produce between 2.7 and 3.6 kilotonnes (kT) (six and eight million pounds) per year uranium oxide concentrate (UOC) as U<sub>3</sub>O<sub>8</sub> equivalent for transport via road from the mine site to the proposed Parkeston transport hub near Kalgoorlie, WA.

Transport of UOC to Kalgoorlie will take the trucks through the Port Hedland Shire along the main roads as can be seen on page 119 of the Kintyre Uranium Project Environmental Scoping Document (Appendix 1), which indicates the path of travel from the mine via Marble Bar, onto the Great Northern Hwy through Port Hedland and onto Newman. This is listed as the primary transport route for the product though secondary routes that would keep the product from entering the Port Hedland district are also indicated on the plan attached on page 119 of Appendix 1.

**Consultation**

Nil

## Statutory Implications

Predominately the Towns concern would be in regards to the transport of the material through the Town boundaries. The transport component of the proposal will be regulated under the Code of Practice for the Safe Transport of Radioactive Material (ARPANSA, 2008); *Radiation Safety (Transport of Radioactive Substances) Regulations 2002*, Australian Dangerous Goods Code 7th Edition, existing approved Australian Safeguards Non-Proliferation Office (ASNO), and Western Australian and South Australian Government regulations and the International Atomic Energy Agency's (IAEA) *Regulations for the Safe Transport of Radioactive Material 2009*.

**Policy Implications**

Nil

**Strategic Planning Implications**

Nil

## Officer's Comment

Though the transport of radioactive material could be seen as dangerous the regulation undertaken by various agencies would be extreme and failure to comply with any safeguards would result in the swift action against the company.

Further to this, it is expected that there would be concern regarding the emission of radiation from trucks transporting uranium. Section 5.10.4 (page 55) of the Kintyre Uranium Project Environmental Scoping Document (Appendix 1) details the typical radiation levels emitted from a trailer hauling Uranium Oxide Concentrate. The document proceeds to describe that given the public's exposure limit is 1mSv/year someone would have to be in direct contact with the trailer for 83 hours over the period of a year to receive a dose the equivalent to the limit.

*Options*

1. Council to oppose development of a uranium Mine
2. Council to support development of a Uranium Mine

3. Council to request emergency management plans for the proposed route passing through or nearby urban areas
4. Council request investigation of an alternate route that avoids the ToPH urban areas. This may involve a transportation route between Marble Bar and Newman or a completely new road that avoids urban areas.

**Attachments**

Kintyre Uranium Project Environmental Scoping Document – attached separately

**201011/322 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr J M Gillingham

That Council request investigation of an alternate route that avoids the ToPH urban areas. This may involve a transportation route between Marble Bar and Newman or a completely new road that avoids urban areas.

*CARRIED 6/0*

**11.2 Engineering Services**

## 11.2.1 Engineering

6:05pm Councillors A A Carter, G J Daccache and M Dziombak declared a Financial interest in Agenda Item 11.2.1. 'Reconsideration of Construction of Wallwork Road Bridge over BHP Rail' as they are BHP Billiton shareholders with shares exceeding the statutory limit.

Councillors A A Carter, G J Daccache and M Dziombak left the room.

6:05pm Councillor S J Coates declared a Financial Interest in Agenda Item 11.2.1.1 'Reconsideration of Construction of Wallwork Road Bridge over BHP Rail' as he is a BHP Billiton employee and shareholder shares exceeding the statutory limit.

Councillor S J Coates left room.

*11.2.1.1 Reconsideration of Construction of Wallwork Road Bridge over BHP Rail (File No.: 28/01/0006)*

**Officer** **Russell Dyer**  
Director Engineering

**Date of Report** 7 April 2011

**Disclosure of Interest by Officer** Nil

**Summary**

The purpose of this report is to obtain Council approval to call tenders for the Project Management for the construction of Wallwork Road Bridge.

**Background**

The Town resolved at the Ordinary Meeting of Council on the 23<sup>rd</sup> of February to progress with the calling of Tenders for the construction of Wallwork Road Bridge with the following recommendation

*"That Council*

1. *Authorizes the CEO to execute the funding agreement with BHP Billiton Iron Ore for the outstanding balance of the \$23,236,364 for the construction of the Bridge and associated roadwork's on Wallwork Road;*

2. *Approves the CEO to call tenders (once the funding agreement has been executed) for a four lane bridge over the railway lines at Wallwork Road with no MSE walls with a recommendation to look at some alternatives to help minimize erosion;*
3. *Formally indicates its support by committing a maximum of \$850,000 via loan funding as part of the third quarter budget review;*
4. *Notes that if there is a shortfall in funding after the tender submissions have been evaluated, that Council will be advised with a strategy developed prior to the awarding of the tender;and*
5. *Request the CEO (or CEO's delegate) to investigate the possibility of transferring ownership of the Wallwork Road Bridge to Main Roads."*

### **Consultation**

- BHP Billiton Iron Ore
- Town of Port Hedland
- Main Roads WA
- Department of State Development

### **Statutory Implications**

This tender will be 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 will be called in accordance with Council's Procurement Policy 2/015.

### **Strategic Planning Implications**

Key Result Area 4 – Economic Development

- Goal 2 – Mining: That the Town has developed strong working relationships with the mining industry that are achieving sustainable outcomes for the local community
  - Strategy 1 – Partner with BHP, FMG, Dampier Salt, Newcrest Mining and others mining companies to develop community infrastructure and a stronger community

- Strategy 2 – Review all mining and port development proposals to ensure that any negative impacts on the community due to either construction or operational activities are minimized

### **Budget Implications**

BHP Billiton Iron Ore have allocated 24 million (exc gst) to this project. Council has indicated financial support to the value of \$850,000 for this project. The project budget includes an allocation for project management. This was going to be paid to Main Roads, however it will be used to engage the project manager.

### **Officer's Comment**

Throughout the Rail over Road Working group meetings it was always the understanding that the Construction of the Wallwork Road Bridge would be Project Managed by Main Roads Pilbara Region and they would be the Superintendent, and the Town would be the Principal. Main Roads had drafted an MOU to be signed by the Town for the Construction of Wallwork Road Bridge, but after reviewing the MOU and with further discussion with Main Roads this document required significant changes.

Main Roads have since produced a Co – Operation Agreement for the Construction of Wallwork Road Bridge, however this agreement put significant risk on the Town.

After discussion with Main Roads, they have advised the Town that they would tender out the Superintendent role as they themselves due to staff shortages and skill level in bridge construction, are currently doing this with their own bridge projects.

Having considered their advice it would be more appropriate for Council to call tenders for the project management for the construction of Wallwork Road Bridge. Main Roads have indicated that they would help with the tender documentation and assessment process as this is a specialized area of work and have recommended this approach to the project management for Wallwork Road Bridge.

### **Attachments**

Co-Operation Agreement for the Construction of Wallwork Road – attached separately

**Officer's Recommendation**

That Council:

1. Request the Chief Executive Officer to call Tenders for the Project Management for the Construction of Wallwork Road Bridge; and
2. Acknowledges the Chief Executive Officer will use the Road Over Rail Working Group to provide technical advice to the Town during construction.

*NOTE: SIMPLE MAJORITY VOTE REQUIRED*

Mayor advised that with only 2 Councillors left in the room there is no quorum to consider Agenda Item 11.2.1.1 'Reconsideration of Construction of Wallwork Road Bridge over BHP Rail'.

6:06 Councillors A A Carter, G J Daccache, M Dziombak and S J Coates re-entered the room and resumed their chairs.

Mayor advised Councillors A A Carter, G J Daccache, M Dziombak and S J Coates that due to lack of quorum Agenda Item 11.2.1.1 'Reconsideration of Construction of Wallwork Road Bridge over BHP Rail' was not considered.

## 11.2.2 Infrastructure Development

6:07pm Councillors A A Carter, G J Daccache and M Dziombak declared a Financial interest in Agenda Item 11.2.2.1 'Cemetery Beach Community Park Concept Design' as they are BHP Billiton shareholders with shares exceeding the statutory limit.

Councillors A A Carter, G J Daccache and M Dziombak left the room.

6:07pm Councillor S J Coates declared a Financial interest in Agenda Item 11.2.2.1 'Cemetery Beach Community Park Concept Design' as he is BHP Billiton employee and shareholder with shares exceeding the statutory limit.

6:07pm Councillor S J Coates left the room.

*11.2.2.1 Cemetery Beach Community Park Concept Design (File 21/05/0016).*

Officer Rob Baily  
Senior Project Officer,  
Infrastructure Development

**Date of Report** 13 April 2011

**Disclosure of Interest by Officer** Nil

**Summary**

The purpose of this report is to provide the Council with an agreed Concept Plan for the duplication of Cemetery Beach Community Park following Council's acknowledgement and support of the Results of the Community Survey, Council Report (201011/231) on the 27 January 2011.

In reference to the Community Survey and the Council recommendations from the report, ToPH has engaged GHD to design the project in conjunction with relevant Council staff and in accordance with the outcomes of the Council's decision.

It is proposed for Council to agree to the attached Concept Plan (Attachment 1) to go out to the public as general information for a period ending on the 2/5/2011. To ensure progress can be made towards detail design from the Concept Plan, members of the public will be able to contact the project officer to discuss the basic principles of the plan prior to the end of the public information period.

## **Background**

The Cemetery Beach duplication project is being undertaken as a joint BHPB, Town of Port Hedland and Royalties for Regions initiative.

Since the reconstruction of the Park in 2006/07, the park has become very popular with local residents, community groups, tourists and for family / friends gatherings to the point there is often not enough space to accommodate everyone.

The proposed extension to the park will provide additional facilities, encouraging residents and tourists to take advantage of the popular foreshore location. The Council and BHPB have recognized the value in this park and approved the initial consultation and design works as a capital project in 2010/2011.

The first phase of the project has been completed through a rigorous consultation process and has been to Council on the 27/1/2011 to acknowledge the consultation process and Council decision 201011/231 Carried 8/0.

Council decision also supports nine (9) key elements from the consultation phase and has been a key ingredient in developing the Concept Plan surrounding the priority elements. Those being

- Shade shelters, pavilion, BBQ's and seating
- Lighting (turtle friendly)
- Extended lawn areas
- Parking and vehicle separation from play areas
- Improve existing playground for more toddler friendly activities, and parents space
- Adventure playground
- Linear boardwalk to coastal edge mainly west
- Artwork integration
- Trees, native fruit and palms

As the Concept Plan is indicative only, some elements may not be evident within the Concept ie lighting and additional facilities in the existing playground but will be progressed within the detailed design.

## **Consultation**

A project brief was developed following the Council decision to acknowledge the consultation process and supporting the priority elements.

The project brief was sent out to five (5) landscape architects to provide a price, methodology and a process to take the project through to the tender contract stage at the end of this financial year 2010/2011 with GHD providing the best value for money and also showing a good understanding of the Town's requirements.

The Concept Plan has now been developed through a collaborative amendment and revision process with GHD and Council staff to ensure usability and management processes has been addressed.

The next phase of the consultation process is for Council decision of the project to progress through a public display of the Concept Plan until the beginning of May 2011.

It is proposed considering the previous depth of consultation, the Concept Plan will be for public information only with the project officer's contact details to be supplied if any members of the public require further information.

If there are concerns from the public as a majority feedback, the Concept Plan may need to have some amendments to accommodate any major changes or if minor issues these will be noted and progressed within the detail design.

Public information will be by displaying the design at the Civic Centre, libraries and main shopping centre's by static display and also in the media through the Town's Publicity Officer.

**Statutory Implications** Nil

**Policy Implications** Nil

### **Strategic Planning Implications**

Key Result Area 2 – Community Pride

Goal 1 – Townscape

Immediate Priority 3 – Develop plans for the upgrades of existing parks (Cemetery Beach, Rock of Ages and Marrapikurinya) plus the development of new parks. Install public art to improve sense of place.

Key Result Area 3 – Community Development

Goal 2 - Sports and Leisure

Immediate Priority 3 - Plan for the development of fishing wharfs/jetties within the Town and expand coastal recreational opportunities.

### **Budget Implications**

The current budget for 2010/ 2011 is \$250,000 (GL account 1009482) to develop the consultation and design plans for Cemetery Beach. The budget this year was entirely financed by BHPB. Additional funds for next financial year will be based on already committed funding from Royalties for Regions (\$1.5M), from BHPB (\$1.5M) and Council.

At this stage of the design process the total cost to build the project should be in the vicinity of \$3.0 – \$3.5M and has been designed from a budget perspective however final design costs won't be known until the project is in the detailed stage. It is anticipated that a staged approach may be considered for some miscellaneous items if funds do not cover all elements of the design.

### **Officer's Comment**

The Cemetery Beach Community Park project is now at a stage where the public consultation period in regards to the design parameters is almost completed.

As part of the display information period up to the 2 May 2011, the Concept Plan will be based on sharing the plan with the public as information only and will not form another level of communication that requires formal public feedback and a subsequent Council Report.

Any communication received during the display period will be noted and directed into the detail design where considered part of the initial design objective and an overall improvement to the plan as a whole.

Additional features will be developed during the detailed design phase including artistic influences within the park and will form part of the intended infrastructure with the Council staff, landscape architects and artists wherever possible.

### **Attachments**

Cemetery Beach Community Park Concept Plan

### **Officer's Recommendation**

That Council:

1. Acknowledge and recommend the Concept Plan shown as Attachment 1, to be shown as public information ending 2 May 2011 as the preferred Concept Plan for Cemetery Beach Community Park.
2. Approves the Concept Plan shown as Attachment 1 and request the Chief Executive Officer to progress to detail design and tender documentation.

*NOTE: SIMPLE MAJORITY VOTE REQUIRED*

Mayor advised that with only 2 Councillors left in the room there is no quorum to consider Agenda Item 11.2.2.1 'Cemetery Beach Community Park Concept Design'.

6:07pm Councillors A A Carter, G J Daccache, M Dziombak and S J Coates re-entered the room and resumed their chairs.

Mayor advised Councillors A A Carter, G J Daccache, M Dziombak and S J Coates that due to lack of quorum Agenda Item 11.2.2.1 'Cemetery Beach Community Park Concept Design' was not considered.

ATTACHMENT 1 TO AGENDA ITEM 11.2.2



*11.2.2.2 Tender 11/16 Design, Supply & Installation of Shade Cover to Gratwick Aquatic Centre's Main Pool, Port Hedland (File No: 26/13/0017)*

Officer Rob Baily  
Senior Project Officer

**Date of Report** 13 April 2011

**Disclosure of Interest by Officer** Nil

### **Summary**

The purpose of this report is to provide a summary and assessment of tender submissions received for Tender 11/16, Design, Supply & Installation of Shade Cover to Gratwick Aquatic Centre's Main Pool, Port Hedland, to enable Council to award the Tender.

### **Background**

As part of a required upgrade of lighting to meet the current Australian Standards for public swimming pools, a brief was put together to hang lights under the existing shade structure. The design scope for lighting required a structural assessment of the existing shade cover frames and found the frames not able to meet any loading requirements for lighting. The shade frames were also not able to support long term shade cover due to metal deterioration and design deficiencies (not cyclone compliant to Region D, Cat 2). The shade covers also needed constant repairing after 10 years use.

It was also identified during the cyclone season the shade covers were being damaged through a difficult removal and replacement process inclusive of the use of machinery, man power, the associated cost and inconvenience to the public when uncovering and covering and the timing delays.

To address the above deficiencies in the current layout of the shade covers and the requirement to meet lighting expectations it was decided by Infrastructure Development and Recreational Services to advertise by tender for contractors and designers to match a brief that could provide:

- A shade cover system that could retract and tract easily, preferably by an automated process.
- A shade cover system that would allow the existing light towers to provide sufficient night lighting standards without adding additional lighting.
- A shade cover system that could be removed in strong winds, night time/day time or for hot/cool days easily.

To ensure the swimming pool can be fully utilised for the next summer, there is a requirement for a new shade structure to be installed during the 2011 winter period.

### **Consultation**

The tender specifications were prepared in consultation with Council's Recreation Services and Infrastructure Development teams and the YMCA Pool Manager, electrical engineers, lighting manufacturers and other local governments to determine suitable shade cover systems. The tender project requirements were carried out in conjunction with:

- *Senior Infrastructure Development Project Officer*
- *Manager Infrastructure Development*
- *Infrastructure Development Project Development Officer*
- *Recreation Coordinator*
- *YMCA Pool Manager*

### **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 2/015. A decision to call for public tenders was progressed as the original budget estimated the cost of works will exceed \$100,000.

### **Strategic Planning Implications**

Key Result Area 3 – Community Development

Goal 2 – Sports and Leisure

Immediate Priority 2 – Undertake sports facility developments including:  
Upgrading of lighting at sports facilities

Other Actions 2. Develop plans for future recreation and leisure facility upgrades to accommodate population growth.

### **Budget Implications**

Tender 11/16 was sent out with the budget submitted in the Invitation to Tender as \$150,000 from the budget allocation to upgrade the lighting for Gratwick Aquatic Centre as budgeted for this financial year (GL 1106415 - Gratwick Lighting \$150,000).

The budget was set to ensure any designs put forward could be built for the price with minimal design flexibility to ensure costs could be held at the nominated price.

To ensure the works could be achieved for the budgeted amount, considering the design is a one piece unit, some additional funding to remove the existing shade frames and some additional configuration of infrastructure following installation will be achieved from the Gratwick Aquatic Centre upgrade account (GL 1106430 – GAC upgrades).

### Officer's Comment

The Tender was publicly advertised in the West Australian on 5/3/11 and NW Telegraph on 9/3/11. A total of 14 tender packages were requested and sent out. Tender 11/16 closed at 2.30pm on Wednesday 23 March 2011 and was opened and recorded by Councillor Carter and Council staff members.

Only one tender submission was received from Greensafe P/L. The Tenderer has complied with all requirements as set out in Tender 11/16 and is budget compliant.

Table 1 below indicates the lump sum price submitted by the above tenderer

Table 1 – Design, Supply and Installation of Shade cover to Gratwick Aquatic Centre's main pool, Port Hedland.

Tenderer	Lump Sum Price (excluding GST)
Greensafe P/L	\$149,600.00

Table 2 below indicates the evaluation criteria as described in the tender documentation

Table 2:

Assessment Criteria	Max Loaded Score (%)
Price	35%
Technical Capacity, Organisation and Experience	20%
Design & Functionality	20%
Warranties	20%
Local Industry Development	5%
<b>Max Loaded Score</b>	<b>100%</b>

The lowest price Tender (Tlp) shall be awarded a score of 35 for the Price criterion. The remaining priced Tenders (Tslp) shall be awarded a score determined in the following manner:

$$\text{Tslp Score} = 35 - \left[ \frac{(\$Tslp - \$Tlp)}{\$Tlp} \times 35 \right]$$

The comparison of each of the assessment criteria for the tender submissions received is as follows and is summarised in Table 3 below.

Table 3

Contractor/ Assessment Criteria	Price (35%)	Technical capacity, Organisation & Experience (20%)	Design & Functionality (20%)	Warranties (20%)	Local Industry Development (5%)	Total Score (100%)
	Score	Score	Score	Score	Score	
Greensafe P/L	35	16.5	16	17	2	86.5

In this instance there is no comparison with other tenders, however scoring shows Greensafe P/L has the ability to complete the works in each component as shown in the percentage scores above.

As Greensafe P/L is providing specialist services to suit the northwest additional information shows Greensafe will be providing retractable shade structures to Broome's aquatic centre commencing shortly and has also completed retractable pool shade covers to cyclone prone areas including Derby, Halls Creek, Darwin and Queensland.

#### Attachments

Nil

#### 201011/323 Officer's Recommendation/Council Decision

**Moved:** Cr A A Carter

**Seconded:** Cr G J Daccache

That Council awards Tender 11/16 Design, Supply & Installation of a shade cover to Gratwick Aquatic Centre's main pool to Greensafe P/L for the lump sum price of \$149,600.00 (ex. GST).

*CARRIED 6/0*

## 11.2.3 Investment and Business Development

*11.2.3.1 Expression of Interest – 76 The Esplanade, Port Hedland – District Medical Officers Quarters (File No: 05/12/0163)*

Officer Jasmine Person  
Manager Investment  
and Business Development

**Date of Report** 23 March 2011

**Disclosure of Interest by Officer** Nil

## Summary

The Town recently acquired the care, control and management of the property situated at 76 The Esplanade, Port Hedland. This item seeks to Council's permission to release an Expression of Interest for the future use of this property.

## Background

On 27 January 2011, the Minister for Lands ordered that the Town of Port Hedland have care control and management of Reserve 8402, being Lot 500 on Deposited Plan 64541, 76 The Esplanade, Port Hedland, otherwise known as the 'District Medical Officers Quarters'.

The conditions attached to the Order are that:

the property is to be used for a community purpose;

The power to lease or sub-lease is limited to 21 years and approved by the Minister; and

Any proceeds from a commercial lease arrangement are to be deposited into a trust account and used for the maintenance and upkeep of the property.

The District Medical Officer's Quarters is located on the corner of The Esplanade and McKay Street, Port Hedland, opposite the Port Hedland boat ramp facing north, with direct and uninterrupted views of the Port.

The building was built in 1907 and is a single storey Federation Bungalow style residence. It is heritage listed and it requires renovation and restoration. Consequently, any proposed activity must be compatible with the heritage guidelines.

The location is ideally suited to a café or restaurant and some interest has been expressed by private enterprise for this type of operation.

## Consultation

Chief Executive Officer – Town of Port Hedland  
Director Engineering – town of Port Hedland  
Laura McLeod – City of Geraldton  
Dean Cracknell – City of Bayswater  
James McGovern - WALGA

## Statutory Implications

## 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.*

*3.58. Disposing of property*

- (1) *In this section —*  
*“dispose” includes selling, leasing, or otherwise disposing of, whether absolutely or not;*  
*“property” includes the whole or any part of the interest of a local government in property, but does not include money.*
- (2) *Except as stated in this section, a local government can only dispose of property to —*  
*(a) the highest bidder at public auction; or*  
*(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*  
*(a) it gives local public notice of the proposed disposition describing the property concerned; and*  
*giving details of the proposed disposition; and*  
*inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*  
*(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*  
*(a) the names of all other parties concerned; and*  
*(b) the consideration to be received by the local government for the disposition; and*  
*(c) the market value of the disposition —*

- (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
- (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

**Policy Implications**

Nil

## Strategic Planning Implications

## Key Result Area 2 – Community Pride

## Goal 1 – Townscape

Priority 1 – Undertake projects that upgrade the appearance of verges and streetscapes along major thoroughfares within the District.

## Key Result Area 4 – Economic Development

## Goal 1 – Business Development

Priority 4 – Investigate new business/revenue streams for the Town

**Budget Implications**

Nil

## Officer's Comment

## Options for Disposal of Property

In accordance with the *Local Government Act 1995*, Council has two options in moving forward with the development of these premises.

## Expression of Interest

An Expression of Interest will seek to gauge the commercial interest in the property, gain an understanding of the potential uses for the premises and provide feedback to the Town on the opportunities, expectations and costs to the Town, to enable the Council to make an informed decision as to the future use of the property. As indicated earlier, given the geographical location with water views and proximity to West End, it is ideally suited to a café or restaurant operation.

Following receipt of the Expressions of Interest, one of three processes could follow, namely:

a public tender;

a select group tender from those who expressed an interest; and

a private treaty negotiation, if the Town receives one expression of interest that meets the relevant criteria.

The potential outcome is undeterminable until the expression/s of interest have been received.

A decision will need to be made by Council, once all expressions are received and weighted against the criteria.

#### Tender

The second alternative is for Council to proceed directly to public tender which would speed up the overall development process. However there are a number of reasons why the Officer does not support this option.

Whilst the Town has identified that a café or restaurant development would best be suited to this property given the location, there may be other uses, complimentary or otherwise, that have not been considered.

It will further outline the applicant's expectations on the renovation of the property, the indicative costs of the renovation, their expectations for rental payments and their capacity to undertake such a development. It may also demonstrate that it is not commercially viable for an applicant to undertake the renovation. Without the benefit of an architectural/building quote on the expected costs, an expression of interest will assist the Council to determine if this is the appropriate business model to follow, that is, allowing an entity fund the renovation and restore the building.

#### Lease Terms

Consideration will need to be given to the lease terms, in particular the rental return to the Town and the term of the lease.

#### Rental Return

Given the current state of disrepair of the premises, both building and gardens, the costs in renovating and restoring the premises to the Heritage Guidelines standards would be extremely high. Consequently, it is suggested that a commercial operator perform the necessary renovations and in recognition of this expense and investment, be granted a grace period of free or minimal rent. It may be that rental is slowly increased over the life of the lease. Consultation with other Councils who have undertaken this same type of disposal, have incrementally increased the rental on the premises following a short grace period of free rent.

As indicated earlier, the conditions of the vesting order provide that any rental obtained from the lease of this building is to be re-invested in the maintenance and upkeep in the building. It is unlikely that any maintenance type expenses will arise in the first five to seven years, following a full renovation, however any rental monies raised during this period can be carried over for maintenance, sustaining the building into the future.

This development will not generate revenue for the Town, rather provide the community with a hospitality type venue in a superior location in West End.

#### Term

It is acknowledged that the capital investment by an applicant would be substantial with the renovation of the building to the heritage guidelines. Consequently, it is likely that the applicant will want the longest possible lease period (not more than 21 years pursuant to the vesting order) to ensure a profitable return on the investment.

#### Information sought in the Expression of Interest Process

It is proposed that the type of information sought in the Expression of Interest details the:

- nature of venture with details of the proposed use of the facility;
- interrelationship with surrounding facilities;
- details on the entity submitting the Expression of Interest, their previous experience with heritage listed buildings and their capacity to fund, construct and operate the proposed commercial enterprise;
- applicant's expectations with regard to the development;
- the capital improvement requirements and how they would be funded;
- responsibilities to Council; and
- expectations in terms of the lease fee paid to Council and preferred lease term of the premises.

It is proposed that any future use of the premises be at minimal cost to the Town, if at any cost at all.

#### **Attachments**

Nil

**201011/324 Officer's Recommendation/Council Decision****Moved:** Cr A A Carter**Seconded:** Cr J M Gillingham

That Council advertise an expression of interest for the property situated at 76 The Esplanade, Port Hedland described as lot 500 on Deposited Plan 64541 with the following criteria:

<b>Criteria</b>	<b>Weight</b>
<b>Demonstrated experience in operating a like commercial development</b>	<b>30</b>
<b>Details on the proposed use of the centre and the desire to ensure that the building is well utilised by the community, whilst preserving the cultural and heritage significance of the building with public access, heritage interpretation and an explanation on the impact of the proposed use on the significant fabric of the building</b>	<b>20</b>
<b>The capacity of the entity making the expression of interest to finance and operate the facility as per the proposal</b>	<b>20</b>
<b>Demonstrated experience in renovating or restoring buildings the subject of a heritage listing for similar development projects</b>	<b>20</b>
<b>Return to Council from the lease</b>	<b>10</b>

*CARRIED 6/0*

### 11.2.3.2 *Expression of Interest – Airport Hotel (File No.:...)*

Officer Jasmine Person  
Manager Investment and  
Business Development

**Date of Report** 28 March 2011

**Disclosure of Interest by Officer** Nil

#### Summary

The Airport Committee has over the past couple of months considered the possibility for a hotel to be located at the airport. This agenda item seeks to provide details on those discussions and the purpose for the advertisement of an expression of interest.

#### Background

The Airport Committee has been in discussion over the past couple of months investigating the potential revenue streams in light of the airport land use plan and development of airport land.

#### Objectives

The broad object of the development is to support regional economic and social development to the Town of Port Hedland. More specifically, from this project, the Town is seeking to achieve the following:

- The provision of short term and temporary housing in the immediate future to a high demand rental market;
- To support the development of the terminal precinct with significant aesthetic and capacity improvements;
- To immediately cater for the rapid increase in small business and corporate short stay visitors; and
- Provide for the orderly and rational development of the terminal precinct with minimal impact to airport operations.

The concept of an airport hotel has been raised and discussed as a potential development opportunity although there are a number of unresolved issues, ie location, land tenure, size and cost to the Town. Consequently, it was considered that the most appropriate course was to release the development concept for Expressions of Interest to assist the Airport Committee and Council with their consideration of development opportunities.

## Consultation

Chief Executive Officer – Town of Port Hedland  
Director Engineering – Town of Port Hedland  
Manager Planning – Town of Port Hedland  
Manager Land and Economic Development – Town of Port Hedland  
Airport Committee Members

## Statutory Implications

## 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.*

**3.58. Disposing of property**

- (1) *In this section —*  
*“dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;*  
*“property” includes the whole or any part of the interest of a local government in property, but does not include money.*
- (2) *Except as stated in this section, a local government can only dispose of property to —*  
*(a) the highest bidder at public auction; or*  
*(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*  
*(a) it gives local public notice of the proposed disposition describing the property concerned; and*  
*giving details of the proposed disposition; and*  
*inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*  
*and*  
*(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*  
*(a) the names of all other parties concerned; and*  
*(b) the consideration to be received by the local government for the disposition; and*  
*(c) the market value of the disposition —*

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

### **3.59 . Commercial enterprises by local governments**

(1) In this section —

‘acquire’ has a meaning that accords with the meaning of dispose ;

‘dispose’ includes to sell, lease, or otherwise dispose of, whether absolutely or not;

‘land transaction’ means an agreement, or several agreements for a common purpose, under which a local government is to —

(a) acquire or dispose of an interest in land; or

(b) develop land;

major land transaction means a land transaction other than an exempt land transaction if the total value of —

(a) the consideration under the transaction; and

(b) anything done by the local government for achieving the purpose of the transaction,

is more, or is worth more, than the amount prescribed for the purposes of this definition;

major trading undertaking means a trading undertaking that —

(a) in the last completed financial year, involved; or

(b) in the current financial year or the financial year after the current financial year, is likely to involve,

expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking;

trading undertaking means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of land transaction .

(2) Before it —

(a) commences a major trading undertaking;

(b) enters into a major land transaction; or

(c) enters into a land transaction that is preparatory to entry into a major land transaction,

a local government is to prepare a business plan.

(3) The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —

(a) its expected effect on the provision of facilities and services by the local government;

(b) its expected effect on other persons providing facilities and services in the district;

(c) its expected financial effect on the local government;

- (d) *its expected effect on matters referred to in the local government's current plan prepared under section 5.56;*
- (e) *the ability of the local government to manage the undertaking or the performance of the transaction; and*
- (f) *any other matter prescribed for the purposes of this subsection.*
- (4) *The local government is to —*
- (a) *give Statewide public notice stating that —*
- (i) *the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction;*
- (ii) *a copy of the business plan may be inspected or obtained at any place specified in the notice; and*
- (iii) *submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
- and*
- (b) *make a copy of the business plan available for public inspection in accordance with the notice.*
- (5) *After the last day for submissions, the local government is to consider any submissions made and may decide\* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.*
- \* Absolute majority required.*
- (5a) *A notice under subsection (4) is also to be published and exhibited as if it were a local public notice.*
- (6) *If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.*
- (7) *The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.*
- (8) *A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.*
- (9) *A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.*

- (10) *For the purposes of this section, regulations may —*
- (a) *prescribe any land transaction to be an exempt land transaction;*
  - (b) *prescribe any trading undertaking to be an exempt trading undertaking.*

**Policy Implications**

Nil.

## Strategic Planning Implications

## Key Result Area 1 – Infrastructure

## Goal 2 – Airport

Priority 1 – Complete the development of the Airport Land Development Plan and commence implementation of the key initiatives that are identified.

## Key Result Area 4 – Economic Development

## Goal 1 – Business Development

Priority 4 – Investigate new business/revenue streams for the Town

**Budget Implications**

Nil.

## Officer's Comment

Information sought through the Expression of Interest Process

## 1. Location

## 1.1 Land Option One

The Airport Committee has identified one possible location for the airport development, namely at the entrance to the airport, bounded by the Great Northern Highway, Waldron Drive and the long term car park. This area is approximately.

It is also expected that a basic traffic impact study will also need to be undertaken, to demonstrate how the development will impede regular airport traffic.

## 1.2 Land Option Two

Whilst the Airport Committee has identified the first possible location, it is anticipated that proposals may contain other potential sites within Precinct

## 2. Land Ownership Model

The Expression of Interest will also request that the Expression of Interest contain a Land Ownership Model. This will outline whether the development is based on a freehold or leasehold title to the land, in addition to payment and contributions to the Town.

## 3. Size of Development

The Expression of Interest will request that the Expression detail the size and construct of the development. It should provide room and numbers and additional facility and features offered. It should address car parking, landscaping and building design. This should be supported with preliminary concept plans.

## 4. Financial Model

The Expression of Interest will request that the Expression contain a proposed financial model, including details on the entity structure and their ability to Partnership, Joint Venture, lease and sub-lease. It should also detail proposed revenue streams from accommodation and retail space within the development.

## 5. Operational Management Plan

The Expression of Interest will request that the Expression contain an Operational Management Plan which should provide details relating to staff structure, hours of operation, inter-relationship with surrounding airport operations.

## 6. Timing

The Expression of Interest will request that the Expression contain timelines on the staging of all aspect of the development.

## 7. Community Benefit

The Expression of Interest will request that the Expression contain community benefits beyond the development itself. This may include such things as public use facilities, support for local business, reduced rooms rate for particular community groups.

Once the Town is appraised of the information requested, it will provide a broader scope of opportunities, constraints and commercial interest in such a project.

### Proposed Process

To comply with the provision of the *Local Government Act 1995*, it is proposed that an Expression of Interest is released in the first instance, to gather further information to assist the Town in determining the scope of the project.

After consultation and discussion with the Airport Committee members on 24 February 2011, it was agreed that the information sought through this expression was detailed and ordinarily beyond that requested in an expression of interest process.

It was recognized that a great deal of time, energy and money would be invested by a party wishing to express an interest. Consequently, it was thought appropriate that the expression be open for 3 months.

The purpose of the expression of interest is to:

- Gauge commercial interest for the potential development;
- Determine the best possible location for the development;
- Gain an understanding of the proposed development opportunities and parameters; and
- Receive feedback on the development potential, expectations and costs to the Council.
- Timing of the potential development

Following receipt of expressions and consideration of proposals, it is expected that a business plan will need to be prepared in accordance with section 3.59 of the *Local Government Act 1995* because it is likely that the development will be a 'commercial enterprise', more specifically a 'major land transaction' as defined in the Act.

Once the business plan is prepared, it is proposed that it, together with the findings of the expressions of interest be presented to the Airport Committee for consideration and discussion.

Dependant on the number of proposals and the contents therein, a project scope will be realized. It is anticipated that a Request for Proposal will be prepared and forwarded to a select group from the expressions. Entities will be assessed on their suitability based on the information contained in the Expression of Interest.

It is proposed that the following criteria be used to assess the expressions received:

- The overall proposed development and the potential utilisation of the hotel and associated facilities;
- The aesthetic nature of the proposal relative to the site location;
- The proposed ownership structure;
- The demonstrated capacity of the entity making the expression of interest to finance the development as per the proposal;

- The demonstrated ability of the entity to design, construct and operate the development;
- The size of the development and impact on airport operations;
- The proposed management plan as against the regular passenger transport services and community expectations;
- The timing of the development; and
- The community benefits.

The successful entity will be required to enter into legal agreement/s with the Town of Port Hedland for possession of the land and the successful entity will be also responsible for the financing, design, construction and operation of the development. It is expected that any development potential will be at no cost to the Town.

**Attachments**

Nil

**201011/325 Airport Committee Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That Council advertise an Expression of Interest for a Hotel at the Port Hedland International Airport, with a view to:

- a. Gauging the commercial interest for the potential development;
- b. Determining the best possible location for the development;
- c. Gaining an understanding of the proposed development opportunities and parameters; and
- d. Receiving feedback on the development potential, expectations and costs to the Council.
- e. Timing of the potential development.

*CARRIED 6/0*

**11.3 Community Development**

## 11.3.1 Libraries and Cultural Development

6:09pm Councillors M Dziombak declared a Financial Interest in Agenda Item 11.3.1.1 'General Practitioner (GP) Housing Project' as he is a FMG, BHP Billiton and Atlas Iron Ore shareholder with shares exceeding the statutory limit.

Councillor M Dziombak left the room.

6:09pm Councillor A A Carter declared a Financial Interest in Agenda Item 11.3.1.1 'General Practitioner (GP) Housing Project' as he is BHP Billiton shareholder with shares exceeding the statutory limit.

Councillor A A Carter left the room.

6:09pm Councillor G J Daccache Financial Interest in Agenda Item 11.3.1.1 'General Practitioner (GP) Housing Project' as he is a FMG and BHP Billiton shareholder with shares exceeding the statutory limit.

Councillor G J Daccache left the room.

6:09pm Councillor S J Coates declared a Financial Interest in Agenda Item 11.3.1.1 'General Practitioner (GP) Housing Project' as he is a BHP Billiton employee and shareholder with shares exceeding the statutory limit.

*11.3.1.1 General Practitioner (GP) Housing Project (File No.: 15/01/0020)*

Officer Debra Summers  
Manager Libraries and Cultural  
Development

**Date of Report** 5 April 2010

**Disclosure of Interest by Officer** Nil

**Summary**

The Council Meeting held on 14 July 2010 resolved to consider long and short term solutions for the delivery of subsidised housing for General Practitioners throughout Port Hedland.

To address long term solutions, Council has called tenders for the design and construction of stage one of subsidised houses for General Practitioners, to be available for occupation in September 2012.

This report proposes that as a short term solution, Council facilitates the provision of a rental property for one General Practitioner engaged to provide medical services to the community of Port Hedland.

#### Background

BHP Billiton, FMG and Atlas Iron are all now providing subsidised housing for General Practitioners to ensure medical services continue to be available to the Port Hedland community until the construction of permanent accommodation for General Practitioners is complete in September 2012.

BHP Billiton is providing 2 houses, Atlas Iron is leasing one house, and FMG has provided \$100,000 each year up to a maximum of three years to lease another house. This leaves a shortfall of one house required outside this industry allocation.

At the Council meeting of 14 July 2010 it was considered that short term accommodation could be provided by utilising the interest earned on monies held for the construction of the housing. The interest on the \$1.5 million provided towards this project through Royalties for Regions funding plus the \$1.5 million provided by BHP Billiton would facilitate the leasing of suitable short term accommodation. To ensure transparency and compliance with the Local Government Act it is being proposed that this leasing arrangement and its management are handled by a third party. Foundation Housing has been approached and have agreed to facilitate this arrangement for \$2,000 per annum.

#### Consultation

In preparing for this report consultation has been undertaken with :

- BHP Billiton Iron Ore
- OHS Medical
- Relevant Officers of the Town of Port Hedland
- Foundation Housing

#### Statutory Implications

Should the Officers recommendation be adopted an absolute majority will be required as per extract from Local Government Act below:

- “6.8. Expenditure from municipal fund not included in annual budget  
(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —...  
(b) is authorised in advance by resolution...”*

And further a reserve account will need to be established as per Local Government Act requirements below as part of the next budget review:

*“6.11. Reserve accounts  
(1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.”*

**Policy Implications**

Nil

## Strategic Planning Implications

## Key Result Area 3 – Community Development

## Goal 4 - Healthy Community

Immediate Priorities 1 - Implement plans for the development of subsidised housing for General Practitioners within the Town

## Budget Implications

Interest on the \$1.5 million provided towards this project through Royalties for Regions funding plus the \$1.5 million provided by BHP Billiton should be in the vicinity of \$135,000 per annum. This amount would facilitate the leasing of suitable short term accommodation at approximately \$1,900 per week for 12 months inclusive of the annual management fee of \$2,000 proposed by Foundation Housing.

To expedite the provision of this accommodation, it is proposed that funds be sourced at the next quarterly budget review until such time as the Reserve can be established as per Local Government Act requirements. Interest allocated to this reserve will facilitate ongoing rental payments for the remainder of the 12 months.

## Officer's Comment

Council has already committed to the long term provision of subsidised housing for General Practitioners through its commitment to the project with the State Government and BHP Billiton. The Council Meeting of July 2010 committed to an investigation of the provision of short term accommodation. The suggestion that the interest on monies provided by the two funding partners to rent a property on the open market is appropriate and would have no financial impact upon the organisation. By engaging Foundation Housing to undertake and manage the rental, transparency is provided and will allow Council to remain impartial.

## Officer's Recommendation

## That Council:

1. Utilise the interest earned from the \$3 million (\$1.5m BHPB and \$1.5m State) for provision of GP Housing to rent a property on the open market to provide short term accommodation for one General Practitioner engaged to provide medical services to the community of Port Hedland to the maximum value of \$1,900 per week for 12 months.

2. Authorise the Chief Executive Officer to engage Foundation Housing to manage the transaction and the ongoing business associated with this rental for 12 months at an annual management fee of \$2,000.
3. Consider the allocation of \$15,000 at the next quarterly budget review to expedite the provision of this accommodation until such time as the reserve can be established as per Local Government Act requirements.
4. Authorise the Chief Executive Officer to establish a reserve for the provision of rental accommodation for GP's and transfer interest from interest on the \$1.5 million provided towards this project through Royalties for Regions funding plus the \$1.5 million provided by BHP Billiton.

*NOTE: ABSOLUTE MAJORITY VOTE REQUIRED*

Mayor advised that with only 2 Councillors left in the room there is no quorum to consider Agenda Item 11.3.1.1 'General Practitioner (GP) Housing Project'.

6:09pm Councillors M Dziombak, A A Carter, G J Daccache and S J Coates re-entered the room and resumed their chairs.

Mayor advised Councillors M Dziombak, A A Carter, G J Daccache and S J Coates that due to no quorum Agenda Item 11.3.1.1 'General Practitioner (GP) Housing Project' was not considered.

*11.3.1.2 Draft Collection Development and Management Policy and Draft Digitisation Policy (Library Services Plan)  
File No.: 03/04/000*

Officer Debra Summers  
Manager Libraries and Cultural  
Development

**Date of Report** 5 April 2011

**Disclosure of Interest by Officer** Nil

Summary

Council accepted a Library Services Plan 2010-2015 at the 25 August 2010 meeting following a successful advertising period. An action within this Plan was to adopt a Collection Development Policy in the first half of this calendar year. This report provides to Council a draft of that policy, as well as a draft Digitisation Policy.

Background

The 25 August 2010 meeting of Council resolved:

*"That Council:*

- 1. receive the report on the advertising of the Library Services Plan; and*
- 2. revise Objective 2 in the Library Services Plan to read:*

*In 2012/2013 undertake a Feasibility Study into the optimal location for a new Port Hedland Library inclusive of new technology or commercially based activities whilst retaining elements of traditional library usage; and*

- 3. endorse the Library Services Plan with subsequent changes and refer the associated action plan for inclusion in the ordinary Council planning and budgetary processes.*

One of the actions within this Plan was to have a Collection Development Policy adopted in the first half of this calendar year. The objective of the policy is to guide the development and management of the Town of Port Hedland Library Services resource collection. It will achieve this through:

1. Encouraging lifelong learning through the provision of a comprehensive collection of resources
2. Continuing to develop the collection in line with state and national guidelines and policies.

3. Maintaining and continuing to develop a comprehensive collection which is reflective of the needs of the community through familiarisation and acknowledgment of:
  - Emerging trends as indicated in the Annual Survey
  - Changing in population demographic, both age and cultural
4. Maintain the value of the collection as a Council Asset
5. By fostering the Mission Statement of the State Library of Western Australia.

The draft Digitisation Policy will articulate how the libraries will develop the Local History Collection in accordance with the Collection Development and Management Policy. The collection consists of physical objects in a variety of formats including newspapers, microforms, original documents, photographs and ephemera.

This policy outlines how the library will continue to collect items in these formats, but will develop electronic access to items in the collection through digitisation and Internet access.

### **Consultation**

Library Coordinator, Town of Port Hedland  
State Library of Western Australia officers

Statutory Implications

Library Board Act of Western Australia (1951) and associated Regulations

State Library of Western Australia Developing Our Collections - a Collection Development Policy Framework (Appendix A)

Public Library Framework Agreement

Policy Implications

This report recommends that two additional Policies be created titled 'Collection Development and Management Policy' and 'Digitisation Policy' within Council's Policy document.

### Strategic Planning Implications

#### Key Result Area 3- Community Development

#### Goal 2- Sports and Leisure

5. Review the library operations and locations develop a plan for future operations of libraries in the Town.

### Budget Implications

A monetary allocation towards the development and maintenance of the library resources held in both the Port and South Hedland libraries will be considered as part of the 2011/2012 budget development process

### Officer's Comment

Providing a balanced and relevant library collection is vital to the community's enjoyment and satisfaction in using both the Port and South Hedland Library. In a practical sense, both the proposed policies will provide hands on advice to library staff in these two important areas of library management.

The draft policies as presented to the Council represent best practice in the state wide public library service. An adopted collection development and management policy will ensure the Town of Port Hedland is well placed when it comes to negotiate with the State Library Board for money to provide library resources to its community. It will also strengthen the Town of Port Hedland's position as the current Regional Library for the East Pilbara Region.

### Attachments

1. Draft Collection Development and Management Policy – attached separately
2. Draft Digitisation Policy

### **201011/326 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr J M Gillingham

That Council:

1. Adopt the draft Collection Development and Management Policy (attachment 1) for inclusion in the Town of Port Hedland Policy Manual.
2. Adopt the draft Digitisation Policy (attachment 2) for inclusion in the Town of Port Hedland Policy Manual.

*CARRIED 6/0*

*ATTACHMENT 2 TO AGENDA ITEM 11.3.3***Digitisation Policy****Draft Policy****Date March 2010**

The Town of Port Hedland Library will develop its Local History Collection in accordance with the Collection Development and Management Policy. The collection consists of physical objects in a variety of formats including newspapers, microforms, original documents, photographs and ephemera.

The library will continue to collect items in these formats, but will develop electronic access to items in the collection through digitisation and Internet access.

**Goal**

By digitising items in the collection, the Library will:

- Enable users, regardless of their location, access and use of to digitised items held in the Local History Collection that related to the Town of Port Hedland and Pilbara region.
- Contribute to the growing database of digitised images accessible via the internet.
- Increase access to and preserve fragile items of historical significance by providing a digital copy.
- Promote the history of the Town of Port Hedland and Pilbara region to a wider audience.

**Guidelines**

The following guidelines will provide the basis for the digitisation of the collection:

- Undertaken in accordance with Copyright Act
- Enhance access to the Local History Collection
- Preserve rare and/or fragile items by providing a digital copy
- Items to be digitised will be based on the following criteria:
  - Relevance to the local area
  - Copyright status
  - Rarity and contribution to collection

**Standards**

Digitisation of images will be undertaken using the following:

- NLA Digitisation Guidelines (Revised 2007)

**Access**

Access to digitised images will via the NetOPAC (Online Public Access Catalogue) with the development of plans for access via State and National picture databases.

Prepared by Sharon Groch – Coordinator Library Service



The primary internal facility amendments under consideration are:

- 24 hour access to the Fitness area
- Removal of Squash Courts and reconfigure space for tenancy
- Add external space to existing Childcare area
- Kitchen and Kiosk layouts (ground floor) to be remodeled
- Bar and Servery to be redesigned (first floor)
- Operable wall to be installed in Function Hall
- Teapoint added within joinery in Function Hall

It is estimated that approximately eight (8) weeks will be required (subject to and following Council endorsement) for the proposed changes to be designed to concept stage and the delivery of a detailed QS estimate. Should Council endorse the new concepts, it is estimated there will be an additional eight (8) weeks for detailed design and documentation completion, along with a final QS report.

It needs to be noted that although the timeframes increase the programme by four (4) months, it is unlikely that the construction programme will be impacted by the same amount (although this cannot yet be confirmed, as technical specification changes from an engineering perspective cannot yet be examined). The delay in the construction programme is not yet determined, however it is feasible to consider that any amendments to the design of this building at this stage of the project will lead to financial implications and construction programme delays.

#### Consultation

The approved and endorsed design was developed following community and Council consultation. The proposed changes have been discussed with the following:

- Chief Executive Officer
- Director Community Development
- Manager Libraries and Cultural Development
- Manager Recreation and Youth Services
- Town of Port Hedland Recreation team
- Thinc Projects
- Ashton, Raggatt and McDougall
- CCS Strategic Management

#### Statutory Implications

The tender for the construction of the Multi Purpose Recreation Centre was called and awarded in accordance with 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 and serves*
- 2. Regulations may make provisions about tenders.”*

Changes to the internal design falls within all relevant statutory requirements of the tender and contract management, and can be undertaken in consultation with the contractor and the client.

### **Policy Implications**

Nil

Strategic Planning Implications

Key Result Area 3 – Community Development

Goal 2 – Sports and Leisure

Immediate Priority 1 – Build the Multi Purpose Recreation Centre

Budget Implications

The overall impact on the Multi Purpose Recreation Centre construction budget is unknown at this stage, however it is anticipated that should the Officer’s Recommendation be endorsed, there will be a minimum of \$600,000 required, inclusive of prolongation costs. This includes all architectural re-design, engineering approval and construction costs. Whilst the current budget can support these additional estimates, a contingency of only 1.5% will remain within the budget for the remainder of the project. Whilst a contingency budget of 4 – 5% is usually used, this project is now at a phase where variations will most likely be of a lesser nature.

Council is being requested to approve the redesign and detailed costing of the items identified in the table below and summarized as:

- 24 hour access to the Fitness area
- Add external space to existing Childcare area
- Kitchen and Kiosk layouts (ground floor) to be remodelled
- Bar and Servery to be redesigned (first floor)
- Operable wall to be installed in Function Hall
- Teapoint added within joinery in Function Hall

A preliminary estimate of \$100,000 has been developed for the above redesign and costing (inclusive of all architectural and all sub-consultant fees). It is anticipated that should the recommendation be endorsed, a reduced operational deficit will occur for the operational life of the Centre. Whilst the total reduction in deficit is extremely preliminary / draft, the benefits of allowing these changes are estimated to be approximately \$150,000 per annum in reduced operational deficit.

## Officer's Comment

Whilst these changes make commercial sense, there is a requirement for the Town of Port Hedland to ensure that the community receives a facility that will also be beneficial to their needs. The community has endorsed the current design, so any proposed changes adopted will need to be communicated to relevant persons or groups. It is anticipated however, that there will be an improvement in the operating financial deficit, which will have significant budgetary advantages for each year of operation to come.

The proposed amendments and a summary of the main points from CCS and the Architect's comments are listed below. The Officer's Recommendation is also included.

CCS Comment	ARM Comment	Recommendation
<b>24 hour fitness / gym access</b>		
Responsive to the needs of the community	Adds value to the project	Approve: Undertake redesign process
Delivery of a flexible financial return	Redesign and documentation pending	
Requires a high-quality fit-out (IT)	Should have minimal impact on construction	
<b>Remove Squash Court facilities and reconfigure space for tenancy</b>		
Reducing from 3 to 2 reduces the critical mass needed for a sustainable club	Major effect on current design and program	Not Approve: Do not undertake redesign due to significant increased cost and construction impact.
2 remaining courts will be under-utilised	Walls are major structural elements	
Offer Port Haven as an equivalent	Design was purpose-built for squash  Redesign would be substandard due to space	

<b>Add external space to existing Childcare area</b>		
<p>The space is well positioned but does not have an external play area</p> <p>This is essential to accommodate larger numbers at peak times</p>	<p>Provides amenity to the building</p> <p>Requires careful architectural input to enhance, not detract from, iconic design</p> <p>Is generally an architectural landscape and structural issue</p> <p>Should not create any major impact on the construction program</p>	<p>Approve: Undertake redesign process</p>
<b>Kitchen and Kiosk layouts to be remodeled</b>		
<p>A revenue stream is for secondary spend on additional items</p> <p>Does not appear to be any accommodation to increase the length of stay</p>	<p>Would require a rework of the design to incorporate requirements</p>	<p>Approve: Undertake redesign process</p>
<b>Bar and Servery to be redesigned (first floor)</b>		
<p>Provide a small food service and preparation area</p> <p>Two service areas to support the creation of two function spaces</p>	<p>Would require a rework of the design to incorporate requirements</p>	<p>Approve: Undertake redesign process</p>

<b>Operable wall to be installed in Function Hall</b>		
This will combine with the two service areas to provide two separate areas	Separate zones in the function area to provide amenity to the Centre	Approve: Undertake redesign process
Fit out option improvement	Pending the mechanical, fire and BCA consultant review, there may be an impact on the construction program	
<b>Teapoint added with joinery in Function Hall</b>		
Fit out option improvement	Will require a redesign	Approve: Undertake redesign process

As can be seen from the table, all items are considered possible, with the exception of the removal of the squash courts which is viewed as undesirable for a number of reasons. It is likely that the impact on the construction programme will be of major significance, and the overall cost (due to structural changes) will be high.

It is therefore recommended that the following items be redesigned, with an understanding that additional architectural and engineering fees will be on charged, prior to the detailed designs being developed:

- 24 hour access to the Fitness area
- Add external space to existing Childcare area
- Kitchen and Kiosk layouts (ground floor) to be remodeled
- Bar and Servery to be redesigned (first floor)
- Operable wall to be installed in Function Hall
- Teapoint added within joinery in Function Hall

As this process will likely take eight (8) weeks to achieve, it is anticipated that the total cost, concept design and construction programme impact will be presented at the Council Meeting in June 2011. At this meeting, should Council elect not to proceed with the internal design changes, it is likely there will still be an impact on the construction programme, as the contractor (Doric) will have adjusted their construction programme in anticipation of these changes.

The June 2011 Council Meeting will also be presented with detailed operational budget impacts / improvements for the MPRC that will result from the proposed changes.

Officer's Recommendation

That Council:

1. Requests that Ashton Raggatt and McDougall undertake a redesign of the following features within the Multi Purpose Recreation Centre:
  - a) 24 hour access to the Fitness area
  - b) Add external space to existing Childcare area
  - c) Kitchen and Kiosk layouts (ground floor) to be remodeled
  - d) Bar and Servery to be redesigned (first floor)
  - e) Operable wall to be installed in Function Hall
  - f) Teapoint added within joinery in Function Hall;
2. Considers the cost estimate and construction program impact at a Council Meeting in June 2011, and decides whether the internal changes are to be incorporated into the final design
3. Notes that regardless of the resolution to undertake the internal design changes in June 2011, an impact on the construction programme will occur
4. Advises the MPRC contractor (Doric) of the potential changes to the internal design, and requests an amendment to their current construction programme to ensure minimal impact
5. Requests that the MPRC contractor (Doric) provides an indicative programme to incorporate these design changes at this phase of the construction process.
6. Receives the detailed Management Plan outlining operational costs for the centre with or without the changes at a Council meeting in June 2011.

**201011/327 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr S J Coates

That Agenda Item 11.3.2.1 'Multi Purpose Recreation Centre Update and Consideration of Design Elements, Capital Costs, and Future Operational Impacts ' lay on the table until further additional costs are forwarded to Council for consideration.

*CARRIED 6/0*

*11.3.2.2 Proposal to Expand Gym and Fitness Operations at the JD Hardie Centre (File No: 26/05/0005)*

Officer Nicole Roukens  
Recreation Coordinator

**Date of Report** 30 March 2011

**Disclosure of Interest by Officer** Nil

Summary

This report outlines a proposal to expand the gym and fitness operations at the JD Hardie Centre from the date of reoccupation and until the opening of the new Multi Purpose Recreation Centre in 2012.

Background

The JD Hardie Centre currently operates as the primary recreational facility for residents in Port and South Hedland. Prior to closing in late 2010 the Centre operated a small gym and two fitness classes per week. The Centre is seeking to expand its services to further improve the fitness opportunities of the Town.

The JD Hardie Centre is currently closed for construction, however will be operating as a joint youth and recreation facility in the 2011/12 financial year. Until the completion of the Multi Purpose Recreation Centre currently proposed for completion in May 2012, the eastern side (existing area) will house all recreation programming, whilst the newly developed western side will house all youth tenants and service providers. The Town of Port Hedland will support existing youth programs and commence the preparation for the Centre to become the primary youth centre in 2012/13.

Whilst the JD Hardie Centre operates as a joint recreation and youth facility, the building has the capacity to house enhanced gym and fitness operations until the opening of the new Multi Purpose Recreation Centre. This expansion would offer a larger gym facility, with extended opening hours and the addition of Les Mills fitness classes to the timetable.

Consultation

- Deb Summers, Acting Director Community Development
- Bec Pianta, Manager Recreation Services
- Nicole Roukens, Recreation Coordinator
- Tony Mosely, Youth Coordinator
- Alina Artie, Recreation Centre Supervisor
- Kimmy Cooper, Recreation Centre Officer
- Chantelle O'Brien, Human Resources Coordinator

## Statutory Implications

Section 6.19 of the Local Government Act 1995 states:

*“6.19. Local government to give notice of fees and charges  
If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —  
(a) its intention to do so; and  
(b) the date from which it is proposed the fees or charges will be imposed.”*

## Policy Implications

Nil

## 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

Should Council endorse the commencement of enhanced gym and fitness services, there will be an initial capital cost for equipment purchase. Total non-operational outlay is as follows:

Description	Cost
Fitness Equipment	6,300
Gym equipment	5,400
<b>TOTAL</b>	<b>\$ 11,700</b>

The non-operating expenditure is expected to be a one-off purchase to allow fitness and gym services to be offered.

With regards to operating expenses and income, the anticipated budget for the remainder of the financial year (assuming commencement in May 2011) is:

Expense	Description	Cost
Wages	Additional staff for increased operating hours (14 hours per week)	1,350.00
	Fitness Class staff (10 classes per week)	2,150.00
	Reclassification expenses (Level 4 to 5)	970
Licensing costs – Les Mills	4 classes per week	1,340

TOTAL		\$ 5,810.00
<b>Income</b>	<b>Description</b>	<b>Cost</b>
Entry fees	Fitness classes (12 visits per class)	7,500
	Gym attendances (20 visits per day)	6,600
TOTAL		\$ 14,100

The total overall cost to Council for the remainder of 2010/11 (non-operating and operating) is therefore \$3,410.

The one-off non-operational expenditure will not be required in the new financial year. An estimated revenue of \$65,000 is expected in 2011/12 for this program.

As part of the expanded gym and fitness program it is proposed that the existing fees and charges be altered to those detailed below. This amendment is conditional on new equipment being purchased, as an enhanced service will then be offered.

Proposed Fees and Charges for the remainder of 2010/2011 are therefore as follows:

Fee and Charge	Fee	GST	Proposed Fee
<i>Gym and Fitness</i>			
Joining Fee	48.18	4.82	\$ 53.00
Suspension Fee	9.09	0.91	\$ 10
<i>Casual Entry</i>			
Fitness Class	13.64	1.36	\$ 15
Gym Entry	11.82	1.18	\$ 13
<i>Casual attendance passes</i>			
10 x Fitness Pass Visit	122.73	12.27	\$ 135
10 x Gym Pass Visit	110.18	11.02	\$ 121.20
<i>Memberships</i>			
Gold membership (Gym and Fitness) fortnightly direct debit	29.09	2.91	\$32.00
Silver membership (Gym and Fitness) fortnightly direct debit	20.90	2.10	\$23.00
3 month Gym and Fitness	230.91	23.09	\$254
6 month Gym and Fitness	415.45	41.55	\$ 457
12 month Gym and Fitness	747.27	74.73	\$ 822
3 month Gym membership	180.00	18.00	\$ 198
6 month Gym membership	325.45	32.55	\$ 358
12 month Gym membership	543.64	54.36	\$ 598

Proposed fees and charges for 2011/12 will be considered as part of the budget process.

## Officer's Comment

The current fitness opportunity for Port and South Hedland residents is limited and, with the current growth prediction of the Town, this generates further concern. Expanding the current operations of the JD Hardie Centre will create increased fitness opportunities to the town and will draw in a significant increase in revenue and attendances to the JD Hardie Centre.

The proposal will also be an opportunity to gain a client base that will potentially roll over to the new Multi Purpose Recreation Centre.

The JD Hardie Centre staff have been receiving a number of comments from concerned residents regarding the lack of fitness opportunities in the Town. Expanding the gym and fitness programs at the JD Hardie Centre offers the Town of Port Hedland the opportunity to build a strong membership base prior to the opening of the new Multi Purpose Recreation Centre and will also provide local residents a valuable, health and fitness service. A proposed gym and fitness timetable has been developed based on research and demand within the community, and the budget on this proposal has been developed.

The proposed operating hours for the gym is:

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
8am – 9pm	8am – 12pm	Closed				

The proposed fitness timetable is as follows:

	Mon	Tues	Wed	Thurs	Fri	Sat
<b>4.30pm</b>	Les Mills Class		Les Mills Class		Les Mills Class	<b>9am</b> Les Mills Class
<b>5.30pm</b>	Les Mills Class	Les Mills Class	Les Mills Class	Les Mills Class		
<b>6.30pm</b>		Les Mills Class		Les Mills Class		

To ensure the above programming can occur, the non-operational budget included the purchase of the following items, all of which will be transferable to the new Multi Purpose Recreation Centre:

Fitness Equipment	Cost
Steps x 20	800
Yoga mats x 20	500
Weight sets	3500
Stereo / microphone	1500

<b>Gym equipment</b>	
Weights rack	1100
Smith machine	1100
Leg press machine	1400
Dumbbells	1100
Weight benches	700
<i>Total</i>	<i>\$ 11,700</i>

It needs to be noted that there is no intention to compete with service providers of other fitness services within the Town (although limited), rather enhance the physical activity options for residents.

#### Attachments

Nil

#### Officer's Recommendation

That Council:

1. Endorse the proposal to expand gym and fitness operations at the JD Hardie Centre until the opening of the new Multi Purpose Recreation Centre
2. Refer the request for operational and non-operational expenses at the JD Hardie Centre for the purchase of equipment for the gym and fitness classes in 2010/11
3. Consider the continuation of the gym and fitness services at the JD Hardie Centre in 2011/12 based on the performance of the gym and fitness in 2010/11
7. Adopt the following amended fees and charges for the 2010/2011 financial year:

<b>Fee and Charge</b>	<b>Fee</b>	<b>GST</b>	<b>Proposed Fee</b>
<i>Gym and Fitness</i>			
Joining Fee	48.18	4.82	\$ 53.00
Suspension Fee	9.09	0.91	\$ 10
<i>Casual Entry</i>			
Fitness Class	13.64	1.36	\$ 15
Gym Entry	11.82	1.18	\$ 13
<i>Casual attendance passes</i>			
10 x Fitness Pass Visit	122.73	12.27	\$ 135
10 x Gym Pass Visit	110.18	11.02	\$ 121.20
<i>Memberships</i>			
Gold membership (Gym and Fitness) fortnightly direct debit	29.09	2.91	\$32.00
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Fitness) fortnightly direct debit			
3 month Gym and Fitness	230.91	23.09	\$254
6 month Gym and Fitness	415.45	41.55	\$ 457
12 month Gym and Fitness	747.27	74.73	\$ 822
3 month Gym membership	180.00	18.00	\$ 198
6 month Gym membership	325.45	32.55	\$ 358
12 month Gym membership	543.64	54.36	\$ 598

8. Advertise the amended fees and charges for a two week period.

**201011/328 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That Agenda Item 11.3.2.2 'Proposal to Expand Gym and Fitness Operations at the JD Hardie Centre' lay on the table until further additional costs are forwarded to Council for consideration.

*CARRIED 6/0*



2. *all facilities deemed non-vital and replaceable in the short-term are to be demolished, including (but not limited to):*
  - a) *food kiosk and store*
  - b) *TAB Betting kiosk (disused)*
  - c) *toilet blocks (use temporary)*
  - d) *viewing platforms (use temporary EWP's)*
  - e) *all incidental items (fencing, concrete areas, etc)*
3. *the Town of Port Hedland will remediate the following facilities to meet requirements:*
  - a) *temporary roofing on the stables*
  - b) *repairs to the storage shed;*
  - c) *remove ticket booth and store off site*
  - d) *repairs to Stewards quarters*
4. *the temporary features for each race meet that will be funded by the Town of Port Hedland will include:*
  - a) *viewing platforms (EWP's)*
  - b) *toilets (provision of the same number as demolished)*
5. *remediation of the other structures at the Port Hedland Turf Club site is undertaken where possible to allow the 2011 racing season to continue. Any item that is deemed single use for the Port Hedland Turf Club only is to be funded by the Port Hedland Turf Club, with all community facilities to be funded by the Town of Port Hedland. Where areas of non-compliance are still identified, undertake an audit of the facilities for their safety during the non-cyclone season*
6. *any additional features or remediation works required by the Port Hedland Turf Club to meet requirements stipulated by the Department for Racing, Gaming and Liquor is to be borne by the Port Hedland Turf Club*
7. *the procurement process for the replacement of all facilities for the 2012 racing season with transportable elements will commence in 2010/11, with demolition commencing immediately following the conclusion of the 2011 racing season*
8. *Town of Port Hedland staff and the Port Hedland Turf Club will work together to develop a funding strategy making use of the \$600,000 from the Pilbara Development Commission, funds from the Port Hedland Turf Club and in-kind support from the Town of Port Hedland; that would allow all new elements to be transportable should a new location for the Club be recommended from current studies*
9. *approve \$120,000 as a budget amendment to be allocated for the demolition and remediation works as identified in this item to be undertaken prior to 31<sup>st</sup> March 2011*

10. *request the CEO to call tenders for transportable, Jockey and Stewards facilities to RWWA specifications subject to written confirmation from the Pilbara Development Commission that the \$100, 000 of funds allocated from the Pilbara Development Commission to Council for improvements to turf club facilities can be used for this purpose”*

All items as listed above have commenced.

Strategic Planning Implications

Strategic Plan 2010 – 15

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.

Other Actions:

2. Develop plans for future recreation and leisure facility upgrades to accommodate population growth

Hedland 's Future Today Version 3

Priority Project: McGregor Street Reserve Redevelopment

Budget Implications

A total budget of \$120,000 has been allocated to this project as part of the mid-year budget review. The Pilbara Development Commission has also confirmed that the \$100,000 allocated to the Turf Club can be utilised for the purchase of a temporary and transportable facility. It is not expected that the works will exceed the total budget amount of \$220,000.

Officer's Comment

The PHTC have specific requirements from the Racing Association of WA and the Department of Racing Gaming and Liquor that must be met prior to approval for racing meets. The PHTC have indicated that an audit of the facilities has been undertaken, and unless remedial works are completed, racing will not be approved in 2011. Whilst this represents a unique opportunity for the ToPH and the PHTC to undertake recommendations of both audits in a collaborative manner, it is important to remain realistic about the timeframes required to undertake works of this magnitude.

The Council Meeting in February 2011 reported that officers would aim to have all items completed within a four month period, however unexpected delays or unforeseen costs may prevent this work being completed in the timeframe required to ensure racing can continue in 2011.

It is expected that all items will be completed prior to the first race meeting of the season (21 May 2011), however the resolution of Council from February 2011 stated that all items were to be undertaken prior to the 31<sup>st</sup> March 2011.

Following the Council Meeting in February 2011, an executive committee for the PHTC had yet to be elected. The delay in this Annual General Meeting led to an overall delay in the commencement of the project, however it is anticipated that works will be completed prior to 21 May 2011.

With regards to the resolution of Council for demolition, remediation and replacement of certain facilities, the PHTC have proposed to make changes to the initial recommendations. The items earmarked for remediation or replacement are still occurring, however the Club's preferred status of the facilities recommended for demolition are as follows:

#### Demolition

	Still to occur	Comment
Demolish food store and kiosk	Yes	
Demolish TAB Betting Kiosk (disused)	NO	PHTC request to remove and store offsite
Toilet block (green transportable)	Yes	
Toilet block (white)	NO	PHTC requested to keep onsite despite non-compliance; investigation into compliance continuing
Viewing platforms	NO	PHTC requested to keep despite non-compliance. Remediation being investigated
All incidental items	Yes	

All items being remediated will be inspected following their completion; it is intended that any structure still deemed unsafe for use will not form part of the hire of the PHTC grounds until either rectified or removed.

There are two options for Council to consider in relation to this matter:

1. Reconfirms its previous decision on this matter (Council Decision 201011/255) at its Ordinary Council Meeting held on 9 February 2011 (in part) as follows:

2. ... All facilities deemed non-vital and replaceable in the short-term are to be demolished, including (but not limited to):
  - a) Food kiosk and store
  - b) TAB Betting kiosk (disused)
  - c) Toilet blocks (use temporary)
  - d) Viewing platforms (use temporary EWP's)
  - e) All incidental items (fencing, concrete areas etc);
3. The Town of Port Hedland will remediate the following facilities to meet requirements:
  - a) Temporary roofing on the Stables
  - b) Repairs to the Storage Shed
  - c) Remove Ticket Booth and store offsite
  - d) Repairs to Stewards quarters...
9. Approve \$120,000 as a budget amendment to be allocated for the demolition and remediation works as identified in this item to undertaken prior to 21 May 2011...

Or

2. Amends the resolution (Council Decision 201011/255) of the Council Meeting held on 9 February 2011, modifying items 2, 3 and 9 to read that Council:
  1. Identifies the following items to be demolished at the Port Hedland Turf Club include:
    - a. Food kiosk and store
    - b. Green toilet block
    - c. All incidental items (fencing, concrete areas etc)
  2. Identifies the following items to be remediated include:
    - a. Stables
    - b. Storage Shed
    - c. Ticket Booth
    - d. Stewards quarters
    - e. TAB Betting kiosk
    - f. White toilet block
    - g. Viewing platforms
  3. Undertakes audits of the remediated facilities on completion to determine their compliance with the Building Code of Australia. In the instance of non-compliance, the CEO or his nominated representative determine whether the facility is demolished or access is prevented;
  4. Undertake all demolition and remediation works prior to the first race meeting of the season, being 21 May 2011

5. All remediation works are to be undertaken in their order of priority to ensure the remediation budget is not exceeded. Any item of remediation unable to be undertaken due to budget shortages is to be presented to Council for consideration as part of the 2011/12 budget process.

It needs to be noted that whilst Council can reconfirm the decision of 9 February 2011, the required date of completion of 31 March 2011 has now passed and would need to be amended to reflect a new completion date of 21 May 2011.

### **Officer's Recommendation**

That Council amends items 2, 3 and 9 of the resolution (Council Decision 201011/255) of 9 February 2011, and resolves that:

1. The following items to be demolished at the Port Hedland Turf Club are:
  - a. Food kiosk and store
  - b. Green toilet block
  - c. All incidental items (fencing, concrete areas etc)
2. The following items to be remediated are:
  - a. Stables
  - b. Storage shed
  - c. Ticket booth
  - d. Stewards Quarters
  - e. TAB Betting kiosk
  - f. White toilet block
  - g. Viewing platforms
3. Audits be undertaken of the remediated facilities upon completion to determine their compliance with the Building Code of Australia. In the instance of non-compliance, the CEO or his nominated representative determine whether the facility is demolished or access is prevented;
4. All demolition and remediation works be completed prior to the first race meeting of the season, being the 21 May 2011
5. All remediation works are undertaken in an order of priority to ensure the remediation budget is not exceeded. Any item of remediation unable to be undertaken due to budget shortages is to be presented to Council as part of the 2011/12 budget process.

**201011/329 Council Decision****Moved:** Cr A A Carter**Seconded:** Cr G J Daccache

That Agenda Item 11.3.2.3 'Port Hedland Turf Club Structures – Actions to Ensure Compliance of Buildings and Structures' lay on the table pending further information to be distributed and considered by Council.

*CARRIED 6/0*

**11.4 Governance and Administration**

Nil.

**ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL**

Nil

**ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN**

Nil.

**ITEM 14 CONFIDENTIAL ITEMS**

Nil.

**ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE****201011/330 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr S J Coates

That the following leave of absence:

- Councillor J M Gillingham from 19 April to 2 May 2011

be approved

*CARRIED 6/0*

*NOTE: Mayor wished everybody a happy and safe Easter.*

**ITEM 16 CLOSURE****16.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday, 27 April 2011 commencing at 5.30 pm.

**16.2 Closure**

There being no further business, the Chairman declared the meeting closed at 6:12 pm.

**Declaration of Confirmation of Minutes**

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of \_\_\_\_\_

CONFIRMATION:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE