



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING

OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 19 OCTOBER 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 5:35pm and acknowledged the traditional owners, the Kariyarra people.

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

Mayor Kelly A Howlett
Councillor George J Daccache
Councillor Arnold A Carter
Councillor Jan M Gillingham
Councillor David W Hooper
Councillor Gloria A Jacob
Councillor Julie E Hunt

Mr Paul Martin	Chief Executive Officer
Ms Natalie Octoman	Director Corporate Services
Mr Gordon MacMile	Director Community Development
Mr Russell Dyer	Director Engineering Services
Mr Eber Butron	Director Planning & Development
Ms Debra Summers	Manager Organisational Development
Mr Ayden Férdeline	Administration Officer Governance

Members of the Public	14
Members of the Media	1
Members of Staff	2

2.2 Apologies

Councillor Stan R Martin

2.3 Approved Leave of Absence

Councillor Michael (Bill) Dziombak

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 21 September 2011**

Nil

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 21 September 2011

3.2.1 Councillor G J Daccache

What can be done by Council to reduce the build-up around the Pretty Pool area?

Director Engineering Services advised that his department will need to engage the services of a Coastal Engineer to investigate why the build-up of sand is happening at the opening to Pretty Pool Creek. This matter has also been raised by members of the public. The scope of this work and budget considerations will be the subject of a further report to Council.

Around the Richardson Street accomodation area, there is an open pipe that looks like it could pose a dangerous situation to young children. There has also been a large amount of sand and vegetation that has washed away from this area.

Director Engineering Services advised that this structure will be removed. Quotes are currently being obtained to carry out the work.

NOTE: Councillor Daccache advised that the street in question is in fact Goode Street. Director Engineering Services confirmed that his comments remain relevant to Goode Street.

ITEM 4 PUBLIC TIME

5:36pm Mayor opened Public Question Time

4.1 Public Question Time

4.1.1 Mr Camilo Blanco

In regards to Agenda Item 11.1.2.1 'Proposed Proposed Transient Workforce Accommodation at Lot 503 (Area A) Forrest Circle, South Hedland (File No.: 804485G)' and other TWA facilities, will the Town of Port Hedland be charging a fee per day for the use of the Town's facilities?

Chief Executive Officer advised that this item includes a level of voluntary community contribution. Currently Council does not have a developer contribution policy and there is no way of enforcing a contribution of this nature.

Council will encourage the developer to use the recreation facilities next door. The developer will have to pay for other facilities used as part of a user-pay scheme.

Council could alternatively consider introducing such a fee later in the year when it reviews its Fees & Charges.

4.1.2 Mr Kane Williamson

Mr Kane Williamson stated he is the project manager for the Department of Housing's New Living Project and that his questions relate to Item 11.1.2.5 'Proposed Final Adoption of Scheme Amendment No. 42 to the Town of Port Hedland Town Planning Scheme No. 5 to Recode various Lots, Reserves and closed Road Portions in South Hedland to "Urban Development" "R30" (File No.: 18/09/0056)' included in tonight's Agenda.

Why is there no specific reference in Agenda Item 11.1.2.5 to the submission made by the planner Taylor Burrell Barnett regarding Amendment 42 to the Town of Port Hedland Town Planning Scheme No. 5 , I believe the Council should have received this submission by now ?

Mayor advised that a copy of this submission had been circulated to all Councillors.

Why does Council's report explain that rezoning the land contained within the road reserve of Town Planning Scheme No. 5 is a separate consideration to the actual road closure?

Director Planning and Development advised that the road closure is a separate consideration. Council, at the time of initiating the process did consider that there were certain impacts that might occur on the parcel of land that houses the Mosque. However, the Planning Scheme was initiated without the knowledge that this was a separate process. The fact that Council supported the Scheme Amendment to rezone this land is therefore evidence that Council did not mean to go down that path.

Why doesn't the Agenda report explain that the existing public parking on Trumpet Way was not constructed by the Mosque, nor has any contribution been made by the Mosque? There was no actual, official submission made by the Mosque to this Amendment either.

Director Planning and Development advised there was no official submission made by the Mosque because the Scheme Amendment did not actually show that part of the road as being proposed to be closed. Director acknowledged that the Mosque does not have dedicated parking facilities, but said it is recognised by the community that the Mosque does use this road during times of prayer and other special occasions.

Why should 'Officer's Comment' in the report refer to "applicant will have to provide the Planning Unit with a parking solution that will be acceptable to both the Town and the Mosque" when the zoning of the land is related primarily to the use of land?

Director Planning and Development advised that whilst the road closure is a separate item to the Scheme Amendment, when Council assessed the initiation to the proposed Scheme Amendment it did not consider

the impact this would have on car parking facilities along the road.

Why does the Council report refer to Council being “given an opportunity to include the portion of Trumpet Way during the initiation of the Scheme Amendment” when senior Council staff advised that they did not present the rezoning request to the Council meeting without the portion of land first being removed from the plan?

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

Why does the comment on the bottom of page 76 state it is “recommended that Option 2 be considered” – that is, modify the Scheme Amendment to include the excluded portion of Trumpet Way without re-advertising the Scheme Amendment – when the Officer’s Recommendation does not reflect this comment and instead recommends adopting Amendment 42 to the Town of Port Hedland’s Town Planning Scheme No. 5 without any modifications? That is not including the Trumpet Way road reserve. Isn’t this contradictory?

Director Planning and Development advised that, in the process of compiling the Agenda, this Item went through a number of edits. This part was inadvertently overlooked.

Why doesn’t Agenda Item 11.1.2.5 document the comprehensive benefits of the proposed partial road closure to the wider South Hedland community as set out in the request to rezone this development site? These benefits were identified after substantial investigation and design work completed for the redevelopment, extensive on-site consultation with senior planning staff and include a 10 metre wide strip of land provided free of charge to the Mosque from the Department of Housing, additional parking proxy to the Mosque and significant benefits to the locality and to the Town in terms of road connections, open space and pedestrian links.

Chief Executive Officer advised that items that Town of Port Hedland officers insert into their reports are not a matter for discussion. Town of Port Hedland officers assess all submissions and present them to Council in an objective, fair and unbiased manner. This meeting is an opportunity for applicants to bring forward their case to Council. On this basis the Chief Executive Officer believes that there is no need to answer this question.

4.1.3 Mr Bob Neville

On what authority was Hunt Street, South Hedland closed today?

Chief Executive Officer advised that an approval had been issued by Council for the closure of Hunt Street. This approval was conditional upon significant community consultation being undertaken and the community, as well as adjoining businesses, being informed of this decision at least seven days before the closure.

Chief Executive Officer told the gallery that it is unfortunate that the level of communication that Landcorp was supposed to undertake has not transpired, and said the Town will be addressing this matter tomorrow morning.

4.1.4 *Mr Chris Whalley*

Does Council know when we will be able to put forward proper naming rights for the new sports centre presently being built in South Hedland?

Director Community Development advised that the working group responsible for naming this facility, and planning the grand opening of this event, is about to be re-initiated and more information will be provided to Council within the next month.

With the expansion of Cemetery Beach Park soon to take place, could Council consider renaming Cemetery Beach to a name more suitable to its usage? I would suggest renaming the beach to 'Pioneer Beach' or to 'Turtle Beach.'

Mayor advised that this question will be taken on notice.

4.1.5 *Ms Ricki Wilden*

The 'Statutory Implications' part of Agenda Item Item 11.1.2.9 'Proposed Retrospective Application – Residential Building, Shed and Ancillary Development on Lot 2 Manilinha Drive' seems to say that 'anybody can build what they like whenever they like'. In view of this, what is the purpose of having a building department if anyone can go and build whatever they like when they like?

Mayor advised it is not the intent of Town Planning Scheme No. 5 to say that one may build something without prior permission of Council.

Director Planning and Development advised that what is quoted under 'Statutory Implications' in the Item is a standard clause and part of the Building Act – once construction of a building begins, it is the responsibility of the proponent to be compliant.

4.1.6 *Mr Peter Wilden*

I understand we now have four objections in relation to Item 11.1.2.9 'Proposed Retrospective Application – Residential Building, Shed and Ancillary Development on Lot 2 Manilinha Drive.' My wife and I did submit applications to Council on several occasions with regard to this matter and they do not appear in the Agenda Item. Can Council explain what the process is for submitting Items so they are included in the Agenda? I do not see the submission made by our household in tonight's Agenda.

Chief Executive Officer advised that all submissions received should have been circulated to Councillors.

Director Planning and Development confirmed that all submission received have been presented to Council although they have not all been included as an attachment to Agenda Item 11.1.2.9.

4.1.7 *Mr Christopher Modra*

Should the Town of Port Hedland recreation department have the right to force the hockey club into the tennis club facility without first undergoing a process with the tennis club as to a lease and consultation of the additional club's use of the same facility?

Director Community Development advised that the recreation department has sought to provide opportunities for the Port Hedland Hockey Club to use some areas of the Port Hedland Tennis Club which are felt to be underutilised.

Director Community Development advised that the Manager Community Recreation Services has had discussions with the tennis club in relation to the hockey club's use of their facility on a trial basis of 4 to 6 weeks. This trial is to determine if their mutual usage of this facility is compatible and appropriate. After this time, a decision will be made as to the ongoing use of this facility by the hockey club, and lease negotiations with all relevant parties will progress.

NOTE: Deputy Mayor G J Daccache noted that the Cooke Point Recreation Club was previously utilised as a hockey field, and asked that Council Officers consider this as another option for where the hockey club could practice.

Mayor requested a briefing be arranged so that Council can work together with other community stakeholders to determine a suitable venue for the playing of hockey in Hedland.

For the trial period of 4 to 6 weeks, which begins this Thursday, who is going to be liable for potential damages to the tennis courts?

Chief Executive Officer advised that the Director Community Development will follow this matter up with the hockey club as a matter of priority to ensure they have appropriate insurance coverage.

5:53pm Mayor closed Public Question Time

5:53pm Mayor opened Public Statement Time

4.2 Public Statement Time

4.2.1 *Mr Bob Neville*

I would like to congratulate both Gloria Jacob and Julie Hunt on being elected to Council and wish them both well over the next four years. I also congratulate previous sitting Councillors Stan Martin and George Daccache on being elected for another term.

In relation to the issue of Reserve 31895 lot 5530 Hamilton Road, which Council has requested the Minister for Lands to change the use of from recreation to transitional workforce accommodation, it is disappointing that, a month after a petition with 220 signatures was presented to Council, very little has transpired.

The petition requested Council to retract the decision to vest the portion of land as “transient workforce accommodation”, and to act immediately to consult with the recreation users and the wider community on the future use of this land.

Council has made no effort in bringing the recreation users of Marie Marland Reserve together to discuss this issue, while it has been noted that Council has gone out to consult with the community on a Community Engagement Strategy.

In the meantime I have been personally approached by two developers who have placed an Expression of Interest (EOI) with Council in developing the recreation land in question for transient workforce accommodation, or short-term stay accommodation.

A letter from the Town of Port Hedland in January 2010 addressed to me as President of the Port Hedland Baseball Association outlined the formation of the “Marie Marland Reserve Management Committee”, with the objectives being:

- To form a contact point between the Town of Port Hedland and users of Marie Marland reserve*
- Provide users with a better understanding of the reserve and budgetary requirements to maintain and improve the facilities*
- Increase ownership and pride for all users of the reserve.*
- And most importantly: Increase communication effectiveness between the Town of Port Hedland and users.*

The letter stated that it would be a condition of bookings for the use of the reserve that the user groups have a representative on this management committee which would be held bi-monthly. The one and only meeting was held in February 2010 at the Kevin Scott Oval as there were no facilities on the Marie Marland reserve to hold a meeting.

The community has made a stand on the issue of recreation land to be used for fly-in fly-out accommodation through a formal petition presented to Council on 28 September, and to date Council has not responded, while neither has the Minister for Land.

The community of the Town of Port Hedland, and specifically the recreation users of Marie Marland Reserve, including softball, baseball, rugby, t-ball and cricket, deserve much more than silence from this local authority.

Finally, Item 11.3.2 deals with a proposal for funding the installation of lighting at Marie Marland Reserve, and it is suggested that Council does consult with the users of Marie Marland Reserve prior to any final plans.

Chief Executive Officer advised that the petition was accepted and received, and a report will be presented to Council at its Ordinary Meeting of 16 November 2011.

4.2.2 *Mr Kane Williamson*

In regards to Agenda Item 11.1.2.5 'Proposed Final Adoption of Scheme Amendment No. 42 to the Town of Port Hedland Town Planning Scheme No. 5 to Recode various Lots, Reserves and closed Road Portions in South Hedland to "Urban Development" "R30" (File No.: 18/09/0056)', I would like to outline the fact that the rezoning of the land does not actually constitute a road closure, rather, it facilitates the ability to develop this land in the future.

The public actually get an opportunity to have their say during the road closure process, which is a statutory time frame during which public comment is sought. I do understand that the rezoning backs Council into a corner, however they still have an opportunity for the road closure to not go ahead in the future.

One thing that will happen if we do not rezone the land is that it will set the development back by at least 6 to 8 months. We are planning on having approximately 170 lots available for people to build houses on, and this would be delayed. At this stage we are trying to get these lots available to the public by the end of the financial year, however, if this rezoning does not go through, it will be the end of the calendar year at the earliest.

I would just like Council to reconsider adopting the Recommendation as highlighted in the report, which is for Option 2. I believe there was a mistake made in the writing of the report because if you read the report, Option 2 is the correct option to go for.

Mayor advised that Councillors will take this statement into consideration when reviewing the Item.

4.2.3 *Mr Camilo Blanco*

Bed fee or tax? Infrastructure fee, road use fee, rubbish disposal fee.

The Town does not have a policy on transient accommodation. The strain on ratepayers needs to be addressed. The fees that I just mentioned could generate millions of dollars in revenue for the Town. An example is the camp you are voting on tonight. 1,300 beds multiplied by \$10 per day times 365 days in the year would generate \$4,745,000.

There has to be a way we can do this, because there are a number of major camps that are already operating, and a number of camps that are awaiting approval for construction. A conservative number for the amount of beds would be 6,000 in the Town. At \$10 a day, that's \$21,900,000 year. We need to move quickly to harness this revenue. And this needs to start tonight.

4.2.4 *Mr Ross Ladyman*

I am the Director of a small company, Dumpna Pty Ltd, who are the applicants for a sand mining project out on the Turner River. This application is being considered tonight as part of Agenda Item 11.1.2.7 'Proposed Industry – Extractive – Sand Quarry on Mining Tenement M45/1174 being part Lot 3114 on plan P220594, Turner River (File No.: 804533G).'

The trucks carting the sand from the project pass by the Turner River Estate and have been causing dust problems there. There were a number of objections from the residents of the Estate to our project.

I would just like to point out that there are two separate issues here. The project is not going to increase the sand coming from the mine. The land has been mined there for the past 20 years, possibly even longer. The present proposal has all the planning approvals and the Department of Mining approvals for the mining of sand. This project is a continuation of the same project that has been running for years.

Nonetheless, I work very closely with Hanson Construction Materials Pty Ltd, and have done so for 20 years, and we are now prepared to fix the dust problem once and for all by proposing to go along alternate routes. We need to get the approval of the Department of Mining and the Aboriginal communities in the vicinity of our project, and this will take about four months.

We hope you can give approval to this project, even if it is just conditionally, so that we can continue carting sand.

Mayor advised that Councillors will take this statement into consideration when reviewing the Item.

4.2.5 *Ms Ricki Wilden*

NOTE: Mayor advised Ms Ricki Wilden that during Public Statement Time, statements are only to be directed to the chair.

I see in the Agenda in relation to the sand mining project, it shows a locality map. Are we going to have sand mining 50 metres from our fence?

NOTE: Mayor reminded those seated in the gallery that in accordance with the Town of Port Hedland Local Law on Standing Orders, during Public Statement Time, questions will neither be accepted nor taken on notice.

4.2.6 *Mr Peter Wilden*

I have absolutely no objection to residential building applications when people follow due process. I encourage that. Numerous people tonight have put in applications for residential buildings. I recognise that there is a shortage of homes in Port Hedland and in the Pilbara. When I say I am in favour of that, I will back those applications 110%. But where due process has not been followed, I am vehemently opposed.

4.2.7 *Mr Christopher Modra*

I would like to inform Council that the Port Hedland Tennis Club would be open to meeting with the Town's recreation department and the hockey club to discuss access to the hockey club's access to the tennis club's facilities. To date, we have been informed via email from Graeme Hall, Manager Recreation Services that the hockey club will be using our facility on a trial basis for the next 4 to 6 weeks, however the tennis club remains concerned that there are no safeguards in place for this trial period. I do not believe that Council has considered who will be liable for damages to property or persons, among other issues which need to be resolved prior to this trial beginning.

Mayor advised that a meeting will be arranged between all relevant parties before the trial begins to resolve these concerns.

6:08pm Mayor closed Public Statement Time

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

I found a couple of documents which I would like to table for review by Councillors and the executive team. One is from SBS, who are keen to see Port Hedland have access to their radio broadcasts. The other letter is from a local ballet class who are looking for funding.

Chief Executive Officer advised that the letter from the ballet class will be referred to the Donations Working Group, which meets every two months.

5.2 *Councillor J M Gillingham*

I would like to thank Mr Chris Whalley for bringing up the suggestion of renaming Cemetery Beach. He is correct, my understanding is that this is not the beach's designated name. As part of the expansion, perhaps we could think about involving the community to decide upon a more suitable name for this facility. I think we can all agree that the name 'Cemetery' does not have the most positive connotations attached to it.

Mayor advised that this question will be taken on notice.

Regarding the West End Markets which are run by FORM and the Courthouse Art Gallery, it is disappointing to hear that they have pulled out of this weekend's Heritage Market. I thought that would be something that was self-sufficient. Could they not afford to have a stall? Does this mean they have run out of funding?

Chief Executive Officer advised that FORM has a budget to run four market stalls per year, the dates of which had already been arranged before the Heritage Market was organised.

We don't seem to have had any financials come to Council regarding the Courthouse Art Gallery, and I think we should look into that.

Chief Executive Officer advised that, following the Election, there will be a review of all Committees and Working Groups. As part of this review there will be a strengthening of the Audit and Finance Committee so that quarterly reports are delivered from all community groups which we provide funding to. These reports will then come to Council as part of that process.

Also, is there anything else regarding the Visitors Centre. I remember the discussion surrounding the financial statements being reconstructed, and that something regarding this would be coming to Council in the near future.

Chief Executive Officer advised that auditors from UHY Haines Norton were in Port Hedland last week and scoped out the work required to reconstruct the Visitors Centre accounts. A quote for this service has been provided to the Director of Corporate Services. This matter will come back to Council in the future to decide whether or not to allocate the funds required to undertake these works.

5.3 *Councillor D W Hooper*

Are we aware of any studies which have been done on the impact of a fly-in, fly-out workforce on the mothers and children left down in Perth while their fathers work in the mines?

Mayor advised that a range of studies have been conducted by many organisations, from Relationships Australia to the Chamber of Minerals and Energy. The Pilbara Regional Council is also very strong in furthering this research.

Mayor advised that a selection of these studies will be made available to Councillor Hooper for his perusal.

5.4 *Councillor G A Jacobs*

I have one question in relation to Agenda Item 11.1.2.1 'Proposed Transient Workforce Accommodation at Lot 503 (Area A) Forrest Circle, South Hedland (File No.: 804485G).' Was there a planning department plan regarding the recreational use already in existence that newly elected Councillors could access to before the next meeting?

Chief Executive Officer advised that the Town has an Active Open Space strategy and a range of other planning documents which culminate in the draft Growth Plan. These documents will be circulated to new Councillors and outline the support for the expansion of that park.

In relation to a comment made by a member of the public regarding the closure of Hunt Street today, I would like to advise that through the South Hedland Business Association we have been in contact with the project engineers and small businesses in the vicinity to meet and discuss this situation. This afternoon we suggested temporary access to the street be made available via Forest Circle or Cottier Drive. I would therefore like to inform Council that action has already been taken on behalf of local businesses affected.

Mayor thanked Councillor Jacobs for the update on this situation and advised that the Town will also liaise with the project engineers regarding this matter.

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 A A Carter
Cr G J Daccache	Cr M (Bill) Dziombak
Cr G A Jacob	Cr J M Gillingham
Cr D W Hooper	Cr J E Hunt

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 21 September 2011****201112/163 Council Decision****Moved: Cr A A Carter Seconded: Cr G J Daccache**

That the Minutes of the Ordinary Meeting of Council held on Wednesday 21 September 2011 be confirmed as a true and correct record of proceedings.

CARRIED 7/0**7.2 Confirmation of Minutes of Special Meeting of Council held on Wednesday 12 October 2011****201112/164 Council Decision****Moved: Cr A A Carter Seconded: Cr G J Daccache**

That the Minutes of the Ordinary Meeting of Council held on Wednesday 12 October 2011 be confirmed as a true and correct record of proceedings.

CARRIED 7/0**ITEM 8 ANNOUNCEMENTS BY CHAIRPERSON WITHOUT DISCUSSION**

Mayor Howlett's Activity Report for the September-October 2011 period to date as follows:

September 2011

Wednesday, 14th September

- Volunteered At HSHS School Breakfast Program
- Photo For FORM Photography Project
- Meeting With Jaxon Construction (Kane Williamson)
- Meeting With WA Carers Association Representatives
- Weekly Mayor & Deputy Mayor Catchup

- Attended HSHS Staff Meeting To Discuss Housing Issues With Department of Housing
- Chair Special Council Meeting
- Attended WAFM/BHPBIO Funny Guys Comedy Tour Event

Thursday, 15th September

- Hosted Tour Of Civic Centre & Council Chambers By Port Hedland Primary School
- MPRC Panel Installation Event & Tour + Deputy Mayor + Cr Daccache + Cr Hooper + DCD + MRS

Saturday, 17th September

- Attended Hedland Playgroup Association Open Day
- Attended Opening CMO Clubhouse + Cr Daccache + MRS
- Attended NPFL Grand Final – Rovers vs Swans

Sunday, 18th September

- Attended Pilbara Music Festival Finale Concert + Deputy Mayor + Cr Gillingham

Monday, 19th September

- Precinct 3 Project Discussion + Deputy Mayor + DENG + ML
- Meeting For Short Listing HSHS Principal Appointment
- Attended Port Hedland Rotary Club Meeting & Provided A TOPH Projects Update

Tuesday, 20th September

- Weekly Spirit Radio 1026am Chat
- Weekly CEO, Deputy Mayor & Mayor Catchup
- Attended PHCCI “Meet The Candidate” Information Evening + Deputy Mayor + Cr Dziombak + Cr Martin + Cr Daccache + CEO

Wednesday, 21st September

- Attended Opening Department Health’s “How Can We Impact Aboriginal Health Across The Region” Forum
- Presentation At South Hedland Primary School – National Census
- Teleconference PDC Board
- Chair OCM

Thursday, 22nd September

- Hosted LandCorp Board Meeting & Visit + CEO
- Attended Opening LandCorp Pretty Pool Boardwalk + CEO
- Meeting Tony Carter & Detective Senior Sergeant Brian Hunter (Re: Crimestoppers) + CEO
- Weekly NWT Media Meeting
- Meeting Transforming Teams (Re: Atlas Community Day)

Friday, 23rd September

- Volunteered Atlas Community Day
- Attended St Cecillas Great Family Day Event
- Attended Hedland Schools Excellence Awards Event

Saturday, 24th September

- Opened PAWS Walk
- Mayor Coffee Session – Port Hedland
- Mayor Coffee Session – South Hedland

Monday, 26th September

- Pilbara Regional Council Meeting (Karratha)
- Officiated Citizenship Ceremony

Tuesday, 27th September

- Weekly Spirit Radio 1026am Chat
- Participated BHPBIO Dialogue Cafe Consultation + Deputy Mayor
- Attended Community Garden Meeting + MCD + CDO

Wednesday, 28th September

- Meeting Department Fisheries – Pilbara Officer
- Interviews For HSHS Principal Position
- Meeting With ITEC Employment (Re: Opportunities For ITEC Participants At TOPH) + MOD
- Attended Meet & Greet Sundowner Hosted By Relationships Australia
- Informal Briefing Precinct 3 + Deputy Mayor + Cr Dziombak + Cr Coates + Cr Martin + CEO + DCORP

Thursday, 29th September

- Attended Opening Main Roads Heavy Vehicle Forum
- Attended Police Remembrance Day (South Hedland Police Station)
- Weekly CEO, Deputy Mayor & Mayor Catch Up
- Presentation To PHPA Board + Deputy Mayor + CEO
- Weekly NWT Media Discussion Meeting
- Elected Member & Staff Dinner

Friday, 30th September

- Meeting Pilbara Cities Office (Darren Leitch)
- Precinct 3 Working Group Meeting + Deputy Mayor + CEO + DCORP

October 2011

Tuesday, 4th October

- Weekly Spirit Radio 1026am Chat
- Interview ABC NW Radio Re: Port Hedland International Flight Services
- Photo For 2011 Rates Incentive Draw
- MC 2011 Rates Incentive BBQ & Prize Draw + Deputy Mayor + Cr Daccache + CEO + MF

Wednesday, 5th October

- Informal Meeting Precinct 3 + Deputy Mayor + CEO + DCORP

- Precinct 3 Working Group Meeting + Deputy Mayor + CEO + DCORP
- Witnessed Signing Fairbridge & YIC MOU Agreement
- Attended Pre- Hedland Economic Development & Resources Forum Dinner Event + Deputy Mayor + Cr Dziombak

Thursday, 6th October

- Attended & Presentation At Hedland Economic Development & Resources Forum + Deputy Mayor + Cr Dziombak + Cr Coates
- Meeting With Premier + Cr Coates + Cr Hooper + Cr Martin + Cr Daccache + CEO
- Weekly NWT Media Discussion Meeting
- Attended Hedland Home Hardware Brithday Celebrations & Ladies Night Event

Friday, 7th October

- Videoconference Link Up Meeting Department Housing Director GROH Peter Lonsdale and Pilbara Region Manager Anne-Marie McLaughlin
- Attended Building & Development Forum – Building Commission Presentation + Cr Martin + DPD

Saturday, 8th October

- Attended Great Bike Hike Event Information Session
- Attended South Hedland Fire & Rescue Annual Dinner

Tuesday, 11th October

- Weekly Spirit Radio 1026am Chat
- Weekly CEO, Deputy Mayor & Mayor Catchup
- TOPH Donations Working Group Meeting + Deputy Mayor + Cr Dziombak + MR + MCD

Wednesday, 12th October

- Attended Meeting Royal Caribbean Cruise Line Working Group + ELDO + Events
- Attended 2011 Mental Health Week BBQ Event @ Shay Gap Park, South Hedland
- Meeting With Coates Hire Board
- Attended Council Briefing + Deputy Mayor + Cr Daccache + Cr Hooper + Cr Dziombak + CEO + A/DCD + DPD + DENG + DCORP
- Chair Special Council Meeting

Thursday, 13th October

- Photo Shoot Town Ambassadors For Upcoming Cruise Ship Visit
- Meeting Horizon Power Re: Engagement & Community Consultation
- Photo & Interview Pilbara Echo Re: Invitation To State Reception In Honour Of The Visit To WA By Her Majesty The Queen And His Royal Highness The Duke Of Edinburgh

- MC Gearing Up Event + Cr Hooper + Cr Daccache + CEO + DCORP + ELDO

Friday, 14th October

- Meeting LandCorp [Pilbara] (Jacinta Harvey)
- MC Port Art Exhibition – David Hooper
- Attended Soroptimist International – Port Hedland 40th Birthday Celebration Dinner

Mayor thanked the volunteers from the South Hedland Fire Brigade for their dedication and perseverance over the past year, with the volunteer force fighting over 240 fires in 2010.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 *Councillor G J Daccache*

Councillor Daccache congratulated Councillor Hooper on his wonderful exhibition, "Port", at the Courthouse Art Gallery.

9.2 *Councillor A A Carter*

Councillor Carter advised that last Thursday he attended the Changeover Ceremony where 'Pilbara TAFE' transformed into 'Pilbara Institution.' This was the last educational institution in Western Australia to still retain the word 'TAFE' in their name.

9.3 *Councillor J M Gillingham*

Councillor Gillingham advised that she recently went to Marley Station as part of the Port Hedland School of the Year Camp for some time away with students and parents. Councillor Gillingham said it was good to see the cattle industry getting back on its feet and also praised the staff responsible for maintaining Hedland's parks and gardens. Councillor Gillingham believes that Port Hedland's entry statement is much stronger than Karratha's entry statement.

9.4 *Councillor G A Jacob*

Councillor Jacob advised that she visited Karratha last week for the Mining Expo. She said the turnout was quite low compared to the Hedland Economic Forum. Many of the presenters at the Mining Expo in Karratha were also present at the Hedland Economic Forum, and praised Port Hedland for its vibrancy.

9.5 *Councillor J E Hunt*

Councillor Hunt advised that the Pilbara branch of Soroptimists International turned 40 over the weekend

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

Previous approvals

Council considered a proposed Development Plan for the site at its Ordinary Meeting on the 27th July 2011 which has now been approved. The 9.7ha portion of the land proposed to be developed is identified as “Transient Workforce Accommodation” on the “Short/Medium Term Land Use Plan” and shown as part “Residential R50-R80” and part “Public Open Space” on the “Long Term Land Use Plan”.

Consultation

Significant consultation has been undertaken with the applicant and internal departments which has led to a number of changes being made to the plans. This is further expanded on in the Officer Comments section of the report.

The application was also advertised to adjoining landowners with no comments being received.

Statutory Implications

In accordance with the Planning and Development Act 2005, the proposed development of the land must be done in accordance with TPS 5.

Policy Implications

Council does have a “Guidance note for potential developers of Transient Workforce Accommodation” which needs to be considered.

Community contributions are a negotiated agreement voluntarily entered into between council and the applicant. Ordinarily and preferably, council would have a contribution policy adopted, implemented and consistently applied to all developments in the town.

Invariably, contribution plans provide for the potential impact developments have to the town’s infrastructure (roads, cycle ways, stormwater, community facilities etc). A 1,300 plus TWA development will invariably have a significant impact on the town’s infrastructure.

In the absence of an adopted contributions plan the above community contribution has been negotiated with the proponent.

Strategic Planning Implications

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

Key Result Area 1:	Infrastructure
Goal Number 1:	Roads, Footpaths and Drainage

Immediate Priority 1:	Undertake road works in South Hedland to improve road permeability (particularly in the CBD)
Key Result Area 4:	Economic Development
Goal Number 2:	Mining/Roads
Immediate Priority 1:	Actively seek funding partnerships with mining companies and contractors on the development of services and facilities within the community.
Key Result Area 4:	Economic Development
Goal Number 2:	Mining/Roads
Immediate Priority 2:	Actively pursue integration of FIFO workers into the local community.
Key Result Area 4:	Economic Development
Goal Number 2:	Mining/Roads
Other Actions:	Ensure that integrated accommodation options are available for resource related projects that do not artificially inflate the local real estate market.
Key Result Area 4:	Economic Development
Goal Number 4:	Land Development Projects
Immediate Priority 1:	Fast track the release and development of commercial, industrial and residential land.

Budget Implications

An application fee of \$31,350.00 was paid on lodgement.

Officer's Comment

The original plans submitted for consideration were identified as being undesirable for the following reasons:

Amenity/streetscape

The buildings presented poorly to adjoining properties (including Marie Marland Reserve and the TAFE) due to the monotonous clustering of identical buildings and large car parking areas on the periphery of the site.

TWA containment

The facility was designed to be fully self sufficient (Kitchen/Diner, Tavern and Recreation facilities) and did not promote inclusion/interaction with the general community.

Inconsistencies with "Long Term Land Use Plan"

The facility was designed prior to the endorsement of the Development Plan and therefore was not entirely consistent with the "Long Term Land Use Plan". The Development Plan had been submitted prior to the application for TWA however, had not been endorsed due to further information and amendments being required.

Ability to transition to permanent land use

The design of the accommodation units will be difficult to transition to permanent residential uses (being the intended long term use for the site). Issues such as a functional internal layout, car parking and streetscape will be difficult to achieve and likely to result in most buildings being removed at the conclusion of the TWA use. It has been identified that transition of some buildings to student accommodation would be possible assuming the need is there.

Car parking

Under TPS 5, a parking requirement of 1239 bays plus 124 oversize parking bays. The proposal provides 291 bays on site with no oversize parking being provided. This equates to one space per 4.25 accommodation units and is supported by a Transport Assessment prepared by Parsons Brinckerhoff. The planning unit still has some reservations on the functionality of the car parking solutions proposed however, accept that Parsons Brinckerhoff are experts in the field of traffic and parking assessment/management.

Response to issues

To address these issues the following changes were requested:

Amenity/streetscape

1. Requested buildings adjacent to boundaries to present to the neighbouring land and incorporate more features/articulation.
2. Requested that car parking areas be located behind buildings.

Whilst the design of periphery buildings has been amended significantly it is still considered that the outcome being achieved is to the minimum standard for a development of this scale. No change was made to car parking with the applicant contending that for safety reasons vehicle movements within the complex was not appropriate.

TWA containment

1. Requested that tavern be relocated to adjacent land (Kevin Scott/Marie Marland reserve) and be adaptable for use as a future sports complex clubhouse.
2. Requested no gymnasium be provided.
3. Requested access to kitchen/diner for general public.
4. Requested kitchen/diner be relocated to better facilitate dining by general public.

The applicant has conceded on the size of a gymnasium but is adamant about retaining a “minimal” gymnasium on site for occupants. The applicant requires that the kitchen/diner be restricted to occupants only for the first three years but will then make available to the general public. The kitchen/diner will remain in the original location. The relocation of the tavern to adjoining lands was not agreed to due to operational and safety issues.

Inconsistencies with “Long Term Land Use Plan”

1. Requested layout be amended to better reflect the “Long Term Land Use Plan” so as to maximize infrastructure and buildings that may be retained as legacy items once the TWA ceases.

Some changes have been made to the TWA layout that assist in achieving the “Long Term Land Use Plan”. However, the focus remains on not compromising the ability to implement the “Long Term Land Use Plan” which is considered reasonable given that the applicant is intending to lease the site on a 10yr + 10yr option.

Ability to transition to permanent land use

This issue was discussed with the applicant who has advised that it is not their intention to transition buildings to other permanent land uses.

Need and desirability

It is undeniable that there is currently significant demand for TWA related to major current and upcoming construction projects. What isn't clear is the length of time that these construction projects and specifically the accommodation needs that result, will continue to exacerbate the accommodation shortage within the town.

Having regard to Council's “Guidance Note for Potential Developers of Transient Workforce Accommodation”, the proposal would be best described as “Higher quality, more permanent accommodation facilities (inc hotels/motels)”. The guidance note includes the South Hedland CBD area as being a preferred location. Noting that for the “Long Term Land Use Plan” for the site would require the majority of proposed buildings to be removed or significantly altered, the length of time any approval would be valid is critical.

Traditionally TWA facilities have been approved for a short period of time (up to 5yrs) but due to demand have been reapproved or extended (e.g. Mia Mia, Pundulmurra and ESS Wedgefield). With a more recent focus on developing more aesthetically pleasing and permanent buildings, the length of time needed to be viable for a developer increases (Port Haven was approved for a period of 10yrs).

With the proposed site being strategically important land (close to the Town Centre, TAFE and recreation facilities and been identified as catering for a dwelling yield in the vicinity of 300 dwellings) it would be preferable to limit the length of any "Temporary" approval to 5yrs. The applicant is intending to operate the site for TWA purposes for a period of 20yrs (being a 10yr + 10yr option).

Guidance Note for Potential Developers of Transient Workforce Accommodation

This guidance note identifies key principles that Council would like addressed with all development application for TWA uses. The key principles are; Town Centre Development Focus; Community Benefit; Integration; Quality; and, Safety.

- Town Centre Development Focus

The facility is proposed in close proximity to the South Hedland CBD which will provide occupants easy access to the Town Facilities and shops.

- Voluntary Community Contributions

Since the matter was laid on the table at the Council's Ordinary Meeting on 21 September 2011, the Chief Executive Officer has secured a voluntary community contribution consisting of the following:

1. Faye Gladstone Netball Courts - \$325,000 for sub surface stabilisation, court remediation, resurfacing and upgraded court lighting
2. Multi Purpose Recreation Centre - \$420,000 for car parking
3. 20 community rooms (upon completion of all construction works)
4. Marie Marland Oval - \$700,000 for reserve lighting
5. Public access to the dining facility after year 3

- Integration

The applicant has argued that their proposal is consistent with the Expression of Interest for the land (State Land Services ran the EOI the land is Unallocated Crown Land) and that they have provided pedestrian linkages and minimized onsite active recreation facilities to also encourage integration of occupants. Furthermore, the TWA operator employs trained event coordinators to encourage occupants engage in recreational activities which include integration with local sporting groups and community events.

Encouraging integration of occupants into the community still remains of some concern to the planning unit as the facility is designed in a manner that makes it substantially self contained. Whilst the applicant has agreed to allowing public access to the kitchen/diner in the future, the provision of a tavern and (minimal) gymnasium encourages the containment of occupants. The Finicane Club, Bowls Club, Last Chance Tavern, Multipurpose Recreation Centre and Edge gymnasium are all facilities that are in close proximity to the proposed site.

- Quality

The applicant contends that the facility has been designed as a high quality accommodation facility that will enhance the South Hedland CBD and provide a visually attractive, modern and residential appearance built feature. From a planning unit perspective, negotiations with the applicant have resulted in an improved built form that would be considered the minimum standard expected for a development of this scale. Council must consider the design in context of any approval period that may be granted.

- Safety

Buildings have been designed to comply with latest Building Code requirements. The kitchen/diner has been designed to double as a cyclone shelter and can comfortably accommodate the facility population. The site is proposed to be securely fenced and CCTV installed. In addition, the gatehouse at the main entrance will be staffed at all times.

In summarizing, it is considered that TWA remains a necessity to facilitate major construction projects. Furthermore, this site is a preferred location for TWA to occur due to the ability to better integrate occupants and obtain legacies of community benefit for the town at the conclusion of the TWA use.

The design of the facility is not perfect, however, due consideration needs to be given to the time period the use will exist and the needs of the occupants of TWA facilities. The community will obtain benefit through an agreed community contribution, rate revenue and infrastructure benefits. The infrastructure benefits the development will provide to the land will assist in its transition to permanent residential development in the future.

Options

Council has the following options for dealing with the application:

1. Approve the application in its current form.

This option should be chosen if Council is of the opinion that the development is only a temporary land use and the design is appropriate for the length of that temporary use.

2. Approve the application subject to amended plans.

This option should be chosen if Council is of the opinion that the development is more permanent in nature and the design is inappropriate for the length of time it will remain.

This option should include the following condition:

“Prior to the submission of a building license application, amended plans incorporating the following amendments shall be submitted and considered by Council’s Manager Planning:

All periphery buildings being appropriately articulated to provide a desirable streetscape and/or amenity when viewed from public lands.

3. Refuse the application

This option should be chosen if Council is of the opinion that the site is inappropriate for a TWA or the design is unacceptable.

It has been recommended that the application be approved in its current form for a period of 10 years only.

Attachments

1. Location Plan
2. Site Plan
3. Floor and Elevation Plans

201112/165 Officer’s Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- i) **Approves the planning application submitted by Compass Group (Australia) Pty Ltd on behalf of the Crown, for Transient Workforce Accommodation – 1301 person facility at Lot 503, Forrest Circle, South Hedland subject to the following conditions:**

1. **This approval relates only to the proposed Transient Workforce Accommodation Facility (1301 bed facility) and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.**

2. The development area must only be used for purposes, which are related to the operation of a “*Transient Workforce Accommodation*” business. Under the Town of Port Hedland’s Town Planning Scheme No. 5 “*Transient Workforce Accommodation*” is defined as:

“Dwellings intended for the temporary accommodation of transient workers and may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes a contractors camp and dongas”
3. A voluntary community contribution of \$1.45 million is to be provided for the following purposes:
 - a) Faye Gladstone Netball Courts - \$325,000 for sub surface stabilisation, court remediation, resurfacing and upgraded court lighting
 - b) Multi Purpose Recreation Centre - \$420,000 for car parking
 - c) Marie Marland Oval - \$700,000 for reserve lighting
4. A contribution equivalent to 50% of the construction cost (inclusive of verge works including pedestrian paths) to extend Forrest Circle to the western boundary of lot 503 must be provided to the satisfaction of the Manager Planning.
5. A contribution proportional to the benefit obtained by lot 503, must be provided for the extension of North Circular Drive to the satisfaction of the manager Planning.
6. Upon completion of construction works approved by this permit, 20 rooms are to be made available for public use to the satisfaction of Council’s Manager Planning.
7. Commencing 1 January 2015, the dining facility is to be made available to the general public to the satisfaction of Council’s Manager Planning.
8. Prior to commencement of works, a written agreement must be entered into with the Town of Port Hedland regarding the access to the site by heavy vehicles including maintenance and times of use.
9. This approval is only valid for a period of 10years calculated from the date of this approval.

- 10. On expiry of the time stipulated in condition 9 above, the applicant is to enter negotiations with Council on the extent of returning the land back to its original state.**
- 11. Within 60 days of the date of this approval the applicant/operator of the camp is to submit an emergency evacuation plan approved by the relevant authority to the Town**
- 12. All vehicle parking (both small - cars etc and heavy - trucks etc) associated (resident and visitor) with the Transient Workforce Accommodation shall be contained within the development area (i.e. no parking is permitted on the adjacent recreation reserve, road verge or any other land) and within designated vehicle parking locations/areas all to the satisfaction of the Manager Planning.**
- 13. The development is to be connected to reticulated sewer. Alternatively, an effluent disposal system to the specification of the Department of Health and Council's Environmental Health Services is to be installed to the satisfaction of Council's Manager Planning.**
- 14. A minimum of 291 car bays are to be provided on site to the satisfaction of Council's Manager Planning.**
- 15. No oversize vehicles are permitted to park on the site.**
- 16. Loading/unloading areas for oversize vehicles must be constructed, line marked, time limited and signposted to the satisfaction of Council's Manager Planning.**
- 17. Any roof mounted or freestanding plant or equipment such as air conditioning units to be located and/or screened so as not to be visible from beyond the boundaries of the development site.**
- 18. All dust and sand to be contained on site with the use of suitable dust suppression techniques where any works/operations on the site is likely to generate a dust nuisance to nearby land uses to the specifications of Council's Engineering Services and Environmental Health Services and to the satisfaction of Council's Manager Planning.**

19. A Rubbish Collection Strategy / Management Plan shall be submitted to and approved by the Town prior to the commencement of works. The strategy / plan shall consider service vehicle manoeuvring on the internal roads of the development. Any alterations to the approved plans required as a result of the strategy / plan shall be incorporated into the building licence plans. The approved strategy / plan shall be implemented to the satisfaction of Council's Manager Planning.
20. Further to condition 19, Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Council's Manager Planning Services.
21. The development is to comply with the *Health (Public Buildings) Regulations 1992*.
22. Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of Council's Manager Planning.
23. Prior to the submission of a building licence application, a detailed landscaping plan is to be submitted and approved by Council's Manager Planning. The plan to include species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.
24. Prior to occupation of any part of the development, landscaping and reticulation to be established in accordance with the approved plans with the use of mature trees and shrubs, and thereafter maintained to the satisfaction of Council's Manager Planning.
25. The premises to be kept in a neat and tidy condition at all times by the occupier to the satisfaction of Council's Manager Planning.
26. Prior to the submission of a building licence application a construction management plan is to be submitted detailing how it is proposed to manage:
 - a) The delivery of materials and equipment to the site;
 - b) The storage of materials and equipment on the site;
 - c) Impact on traffic movement with particular regard given to the use of Marie Marland Reserve;
 - d) Operation times including delivery of materials; and
 - e) Other matters likely to impact on the surrounding residents and land;

to the satisfaction of Council's Manager Planning.

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

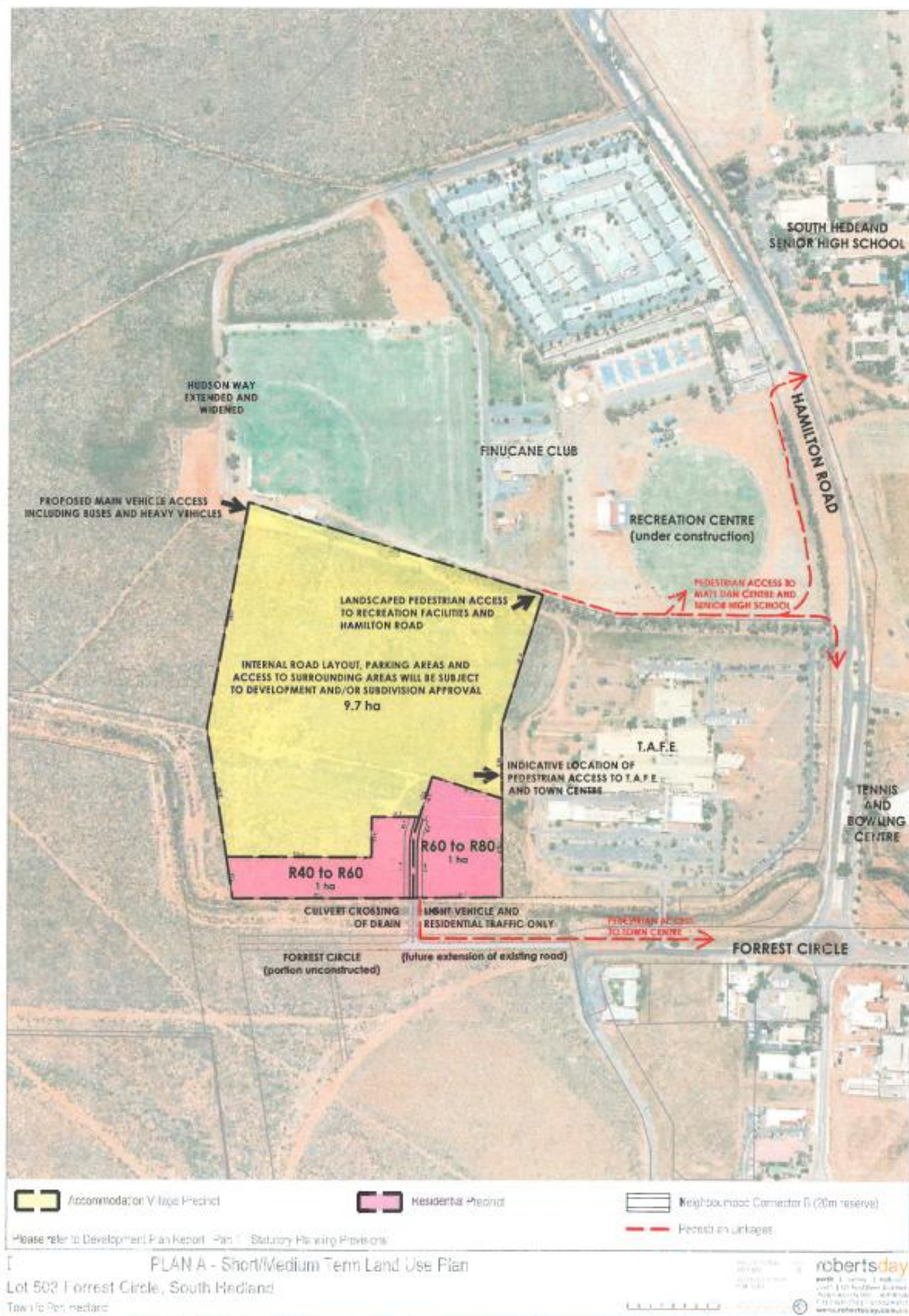
FOOTNOTES:

- 1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
- 2. A Building Licence to be issued prior to the commencement of any on site works.
- 3. The development must comply with the *Environmental Protection (Noise) Regulations 1997* at all times.
- 4. Be advised that the Town's Environmental Health Services Department has raised the following matters. If any of these matters require clarification please contact the Department on 9158 9325.
 - a. It is a requirement under the Food Act 2008 that all food premises be registered prior to beginning operations;
 - b. The applicant is advised that the construction and use of the proposed premises is required to comply with the Food Regulations 2009 and the Food Safety Standards;
 - c. Prior to the issue of a building licence, a fit out plan of all internal fixtures, finishes and fittings must be provided and approved to the specifications of Town's Environmental Health Services; and
 - d. Be advised that the food premises may be required to be connected to a grease trap prior to effluent entering the disposal system.
- 5. Be advised that all lodging houses are required be registered under the *Health Act 1911* and operate in accordance with that Act and the *Town of Port Hedland Health Local Laws 1999*.

6. Be advised that at the building licence stage a detailed floor plan is required to be submitted in order for Town's Environmental Health Services to assess compliance to the *Town of Port Hedland Health Local Laws 1999*.
7. If mains water connection is unavailable the development is to be connected to an adequate potable water supply to the specifications of the Council's Health Local Laws 1999.
8. In relation to condition 21, all stormwater drainage (and associated infrastructure maintenance) is to be managed on site except where otherwise agreed by Council's Manager Infrastructure Development.
9. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year Annual Recurrence Interval cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.

CARRIED 4/3

ATTACHMENT 1 TO AGENDA ITEM 11.1.2.1



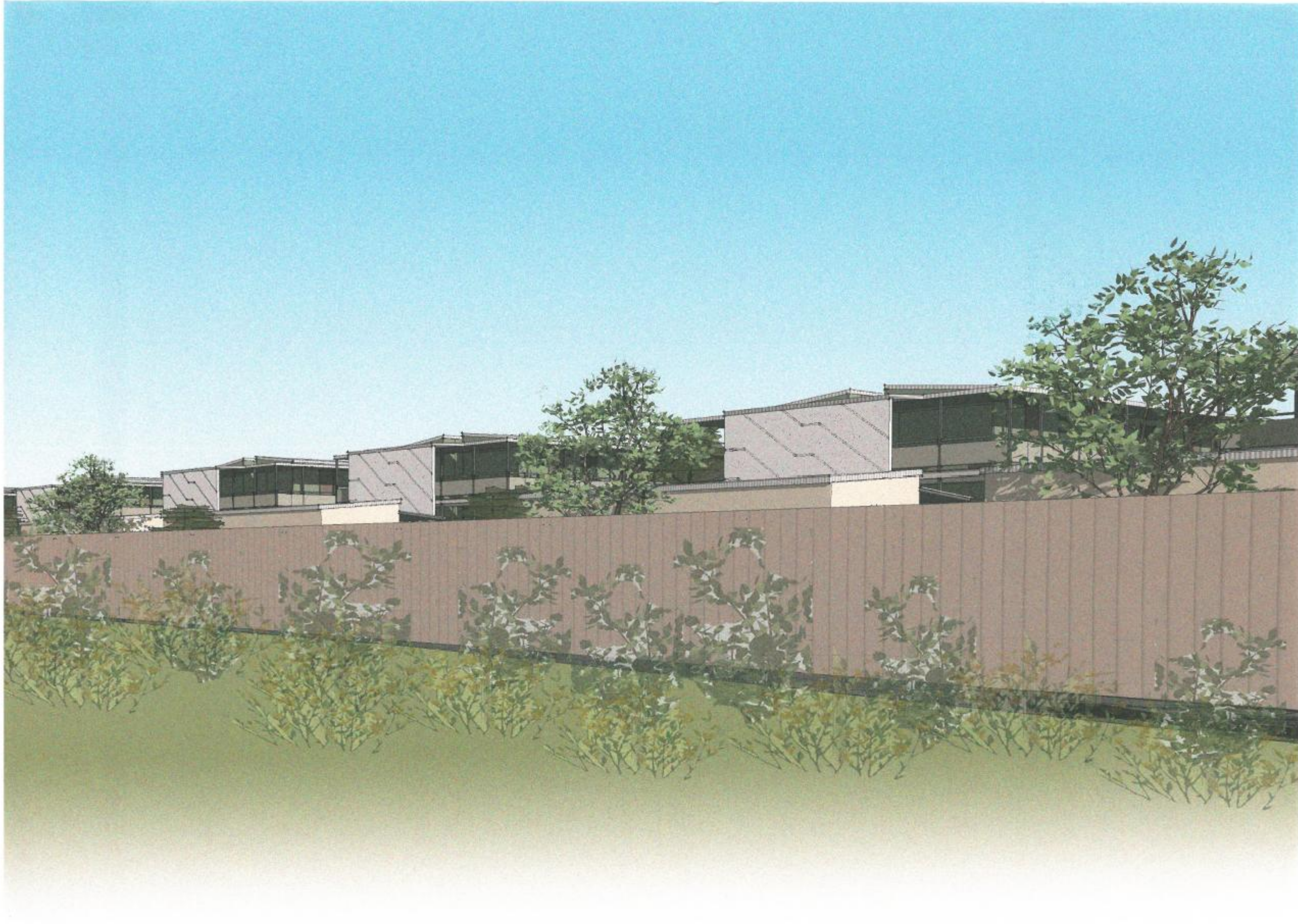
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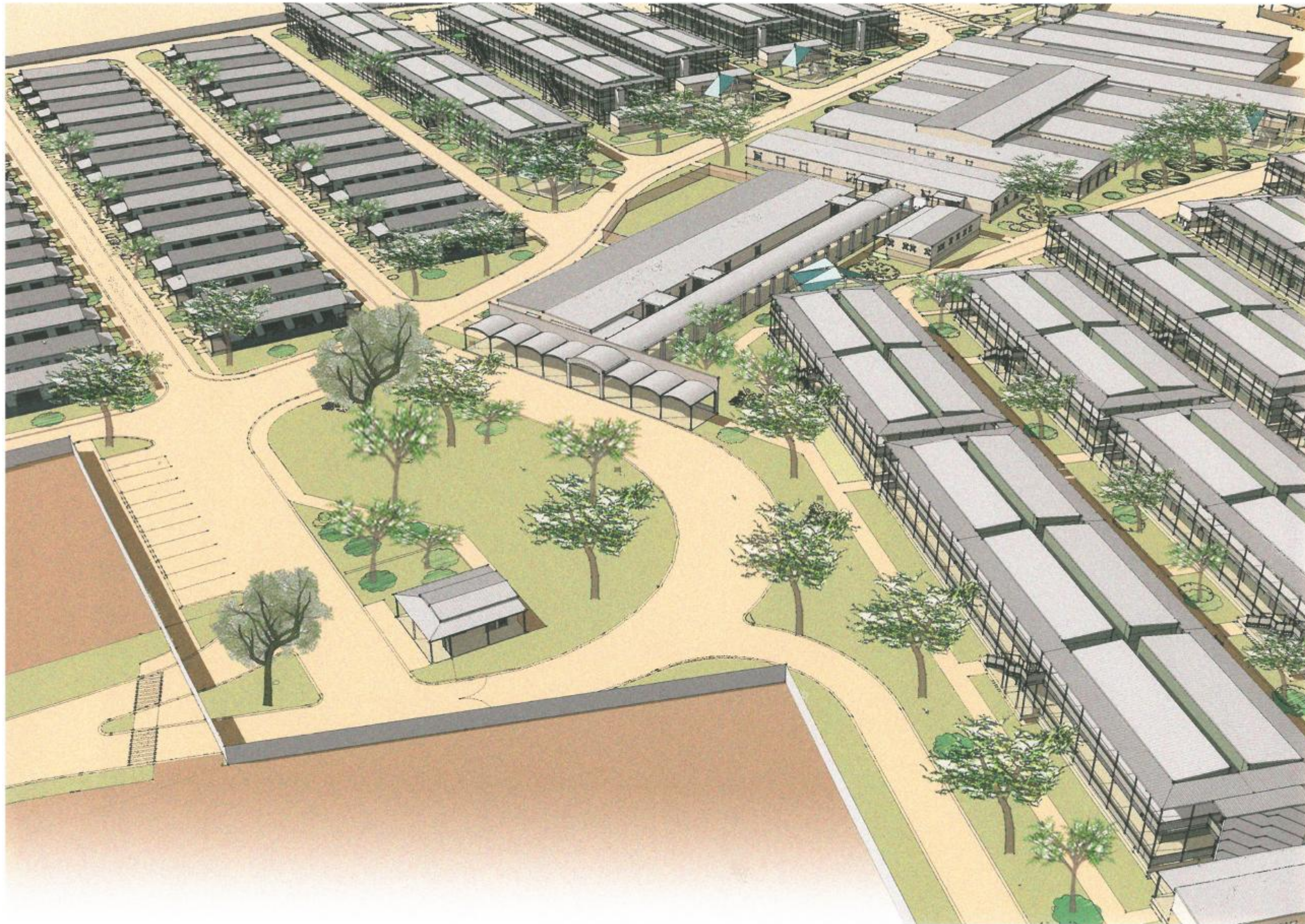
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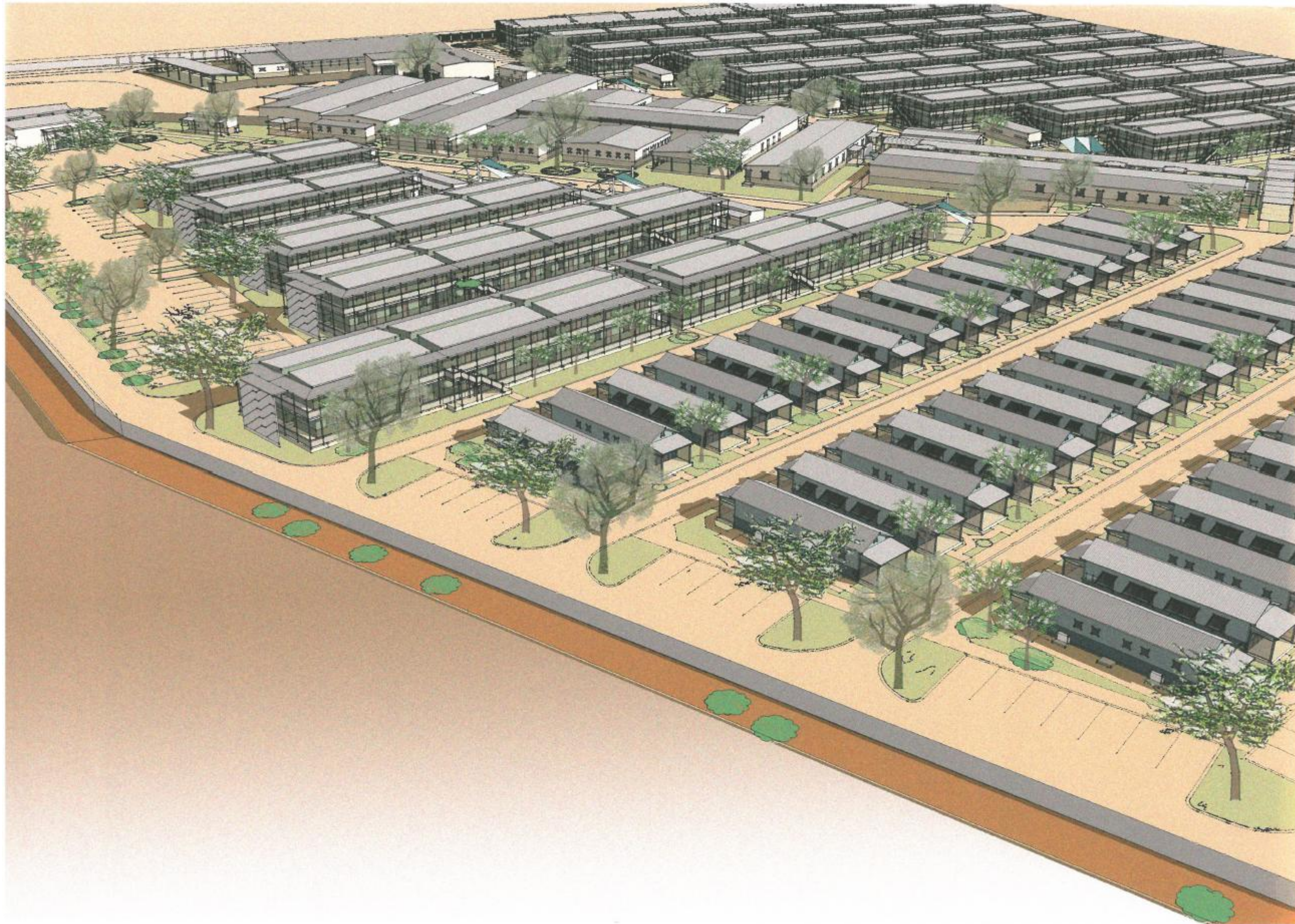
ATTACHMENT 3 TO AGENDA ITEM 11.1.2.1











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6:30pm Councillors A A Carter and J E Hunt declared a financial interest in Agenda Item 11.1.2.2 'Proposed Grouped Dwellings on Part Lot 5551 Dempster Street, Port Hedland' as they are BHP Billiton shareholders with shares over the statutory limit.

6:30pm Councillor G J Daccache declared a financial interest in Agenda Item 11.1.2.2 'Proposed Grouped Dwellings on Part Lot 5551 Dempster Street, Port Hedland' as he is a BHP Billiton shareholder with shares over the statutory limit and lives in the immediate area of where this development is proposed to take place.

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

11.1.2.2 Proposed Grouped Dwellings on Part Lot 5551 Dempster Street, Port Hedland

Officer Michael Pound
Planning Officer

Date of Report 12 September 2011

Disclosure of Interest by Officer Nil

Summary

RPS has submitted an application on behalf of the Town of Port Hedland for the development of seven (7) Grouped Dwellings on Part Lot 5551 Dempster Street, Port Hedland (subject site).

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

Background

At its Special Meeting of 12 October 2011 this item was laid on the table and there was no quorum to consider the matter.

At its Ordinary Meeting of the 21 September this item was laid on the table. The General Practitioner (GP) Housing project is a Partnership Project between Royalties for Regions, BHP Billiton Iron Ore and the Town of Port Hedland. The aim of the project is to provide high quality housing to attract additional medical professionals to service Port Hedland's growing population.

The subject site was identified through a detailed land investigation process which considered several factors including land tenure, site location, amenity, services etc. In summary, this site was recognized as a location which would deliver the highest quality housing for GP's in the timeframe required.

To facilitate the development of GP Housing, Council in October 2010 resolved to:

“Request the Department of Regional Development and Lands to amend the management order of part Reserve 30768 from “Recreation” to “Health Services Housing”

This has been actioned and the Department of Regional Development and Lands is in the process of finalising the change.

Site Description (ATTACHMENT 1)

The subject site has an area of approximately 1 hectare with access from Dempster Street via a battle axe leg.

It is generally flat however slopes downward steeply along the northern boundary. It is located within the coastal dune system containing some vegetation however large portions of the area are degraded or appear to have been used for the disposal of waste and spoil material.

Geotechnical investigations have confirmed development on the subject site can proceed and preliminary servicing investigations have confirmed water, sewer, power and communications is achievable.

Proposal (ATTACHMENT 2)

The application seeks approval for the development of two, 4 bedroom, 2 bathroom dwellings and five, 3 bedroom 2 bathroom dwellings on the subject site. All dwellings will be serviced by an internal common driveway which connects to Dempster Street. The proposed dwellings will have a high quality external appearance.

Consultation

Nil

Statutory Implications

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

Scheme Amendment No. 45

Scheme Amendment No.45 (GP Amendment) was initiated at Councils Ordinary Meeting on 27 July 2011. The GP Amendment proposes to, when gazetted, rezone part lot 5551 on plan 240246 from “Park and Recreation” Reservation to “Health Services Housing”.

Policy Implications

Nil

Strategic Planning Implications

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

Key Result Area 3:	Community Development
Goal Number 4:	Healthy Community
Immediate Priority 1:	Implement plans for the development of subsidised housing for general practitioners within the Town.
Other Actions 1:	Ensure that future planning for health services covers both Port and South Hedland's growth plans, including attracting and retaining specialist health services.

Budget Implications

A payment of \$11,581.00 was received on lodgement of the application.

Officer's Comment

Need & Desirability

As the population is expected to surge in both Port and South Hedland, the demand and need for quality housing is imperative to supporting the Town's future growth. The proposed development is an important community initiative, tied into the sustainable growth of Port and South Hedland. It will improve access to health services for the local population of Port Hedland securing accommodation for professionals within the health service sector.

It is recognised that there is a severe shortage of accommodation for healthcare professional throughout the Town. The proposed development will begin to address this need by providing seven (7) Grouped Dwellings.

The proposed development has arisen from a combination of the need for more accommodation options serving a wider demographic and the imperative to move towards providing professional accommodation options. As such, the location is considered to be an ideal showcase for the proposed development.

Statement of Planning Policy 2.6

The site is located within an existing area of coastal foreshore reserve and therefore Statement of Planning Policy 2.6 (SPP2.6) is relevant to this application. Cardno were engaged to undertake a formal assessment of the coastal setback having regard to the requirements of SPP2.6. The report determined the majority of the subject site, including the proposed development is located outside of the defined coastal setback.

The assessment has also been referred to the Department of Planning – Coastal Planning Unit who have endorsed the assessment and recommended no development occur within the detailed 1 in 500 year inundation area.

The majority of the proposed development is outside the defined inundation area. The Planning Unit notes that the proposed internal access way has a few minor incursions into the inundation areas. The Planning Unit considers this acceptable for the following reasons:

- It does not place any significant infrastructure at risk to damage;
- A suitable drainage solutions can be developed to address any ponding issues; and
- All habitable areas are outside the setback area.

Accordingly, it can be considered that the proposed development remains consistent with the recommendations of the Cardno Report and SPP 2.6.

Options

Council has the following options when considering the matter:

1. Approve the application as submitted subject to conditions:

The proposed development will provide much needed housing assistance for General Practitioners looking to reside and work in Port Hedland.

2. Refuse the application as submitted:

Refusal of the application would be inconsistent with Council's resolution to initiate Scheme Amendment 45.

It is recommended that option 1 be supported.

Attachments

1. Locality Plan
2. Site Plan, Floor Plan and Elevations
3. Cardno Proposed Development Area

Officer's Recommendation

That Council:

- 1 Approves the application submitted by RPS on behalf of the Town of Port Hedland, for Grouped Dwellings – 7 Grouped Dwellings on Part Lot 5551 Dempster Street Port Hedland, subject to the gazettal of Scheme Amendment 45, and further subject to the following conditions:

2. This approval relates only to a GROUPED DWELLINGS - 7 Grouped Dwellings and other incidental development, as shown on plan number 2011/.drg/1 to 2011/.drg/8. It does not relate to any other development on this lot.
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. Access ways, parking areas, turning areas to be designed and constructed in accordance with Town Planning Scheme No. 5 (including kerbed, formed, drained & finished with a sealed or paved surface).
5. The parking areas and / or associated access ways shall not be used for storage (temporary or permanent) without the prior approval of the Town of Port Hedland.
6. The driveways and crossovers shall be designed and constructed to specifications of Council's Manager Infrastructure Development, and to the satisfaction of Council's Manager Planning, prior to the occupation of the building.
7. Stormwater disposal is to be contained onsite and designed in accordance with Council's Engineering Department Guidelines, and to the satisfaction of Council's Manager Planning.
7. 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 Council's Manager Planning.
8. An Erosion Prevention and Sediment Control plan is to be submitted to prior to the commencement of any works to Councils Manager Planning.
9. The submission of a construction management plan at the submission of a Building License application stage for the proposal detailing how it is proposed to manage:
 - i) The delivery of materials and equipment to the site;
 - ii) The storage of materials and equipment on the site;
 - iii) The parking arrangements for the contractors and subcontractors;
 - iv) Impact on traffic movement;
 - v) Operation times including delivery of materials; and
 - vi) Other matters likely to impact on the surrounding residents;to the satisfaction of Council's 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. This approval should not be construed that the Town will support a survey strata or green title subdivision application for the development. Assessment has been based on a 'Grouped Dwelling' containing common property. A subdivision application for Survey Strata without common property or green title subdivision will need to meet the minimum and average site areas for the dwelling type, as prescribed in the Residential Design Codes.
3. In relation to Conditions 5 and 6 please contact Councils Manager Infrastructure Development on 9158 9650 for further details.
4. 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.
5. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

6:30pm Mayor advised that permission for a reduction of quorum was not sought from the Minister of Local Government, therefore this item will be laid on the table for want of a quorum.

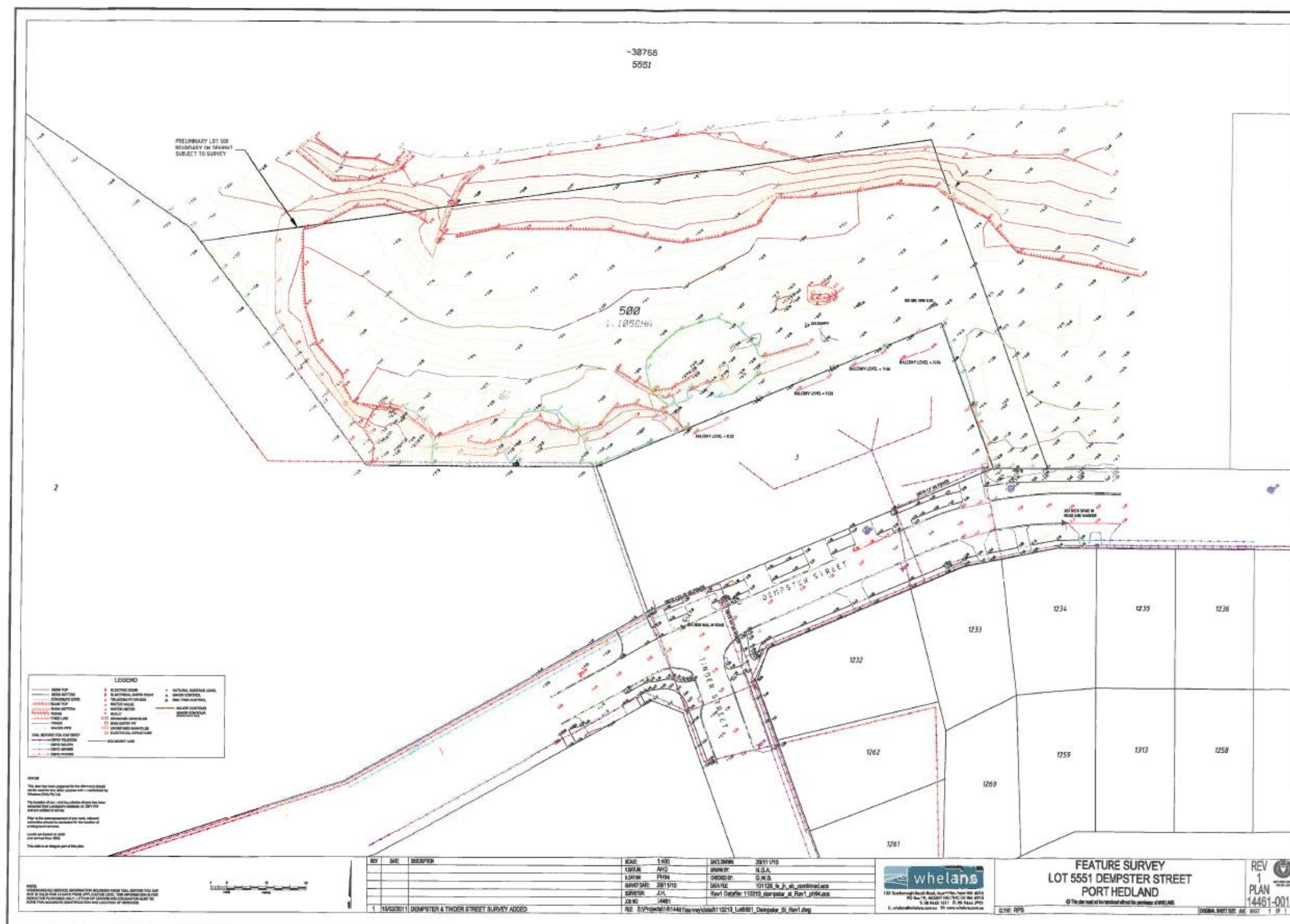
6:30pm Councillors A A Carter, G J Daccache and J E Hunt re-entered the room and resumed their chairs.

Mayor advised Councillors A A Carter, G J Daccache and J E Hunt that due to a lack of quorum this Item was not considered.

ATTACHMENT 1 TO AGENDA ITEM 11.1.2.2



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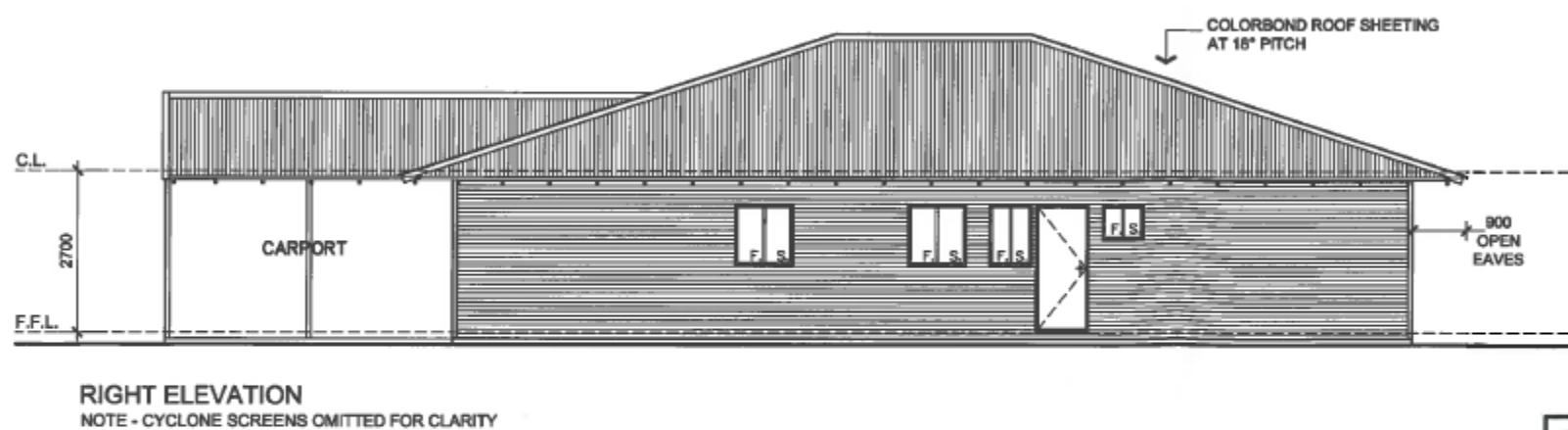
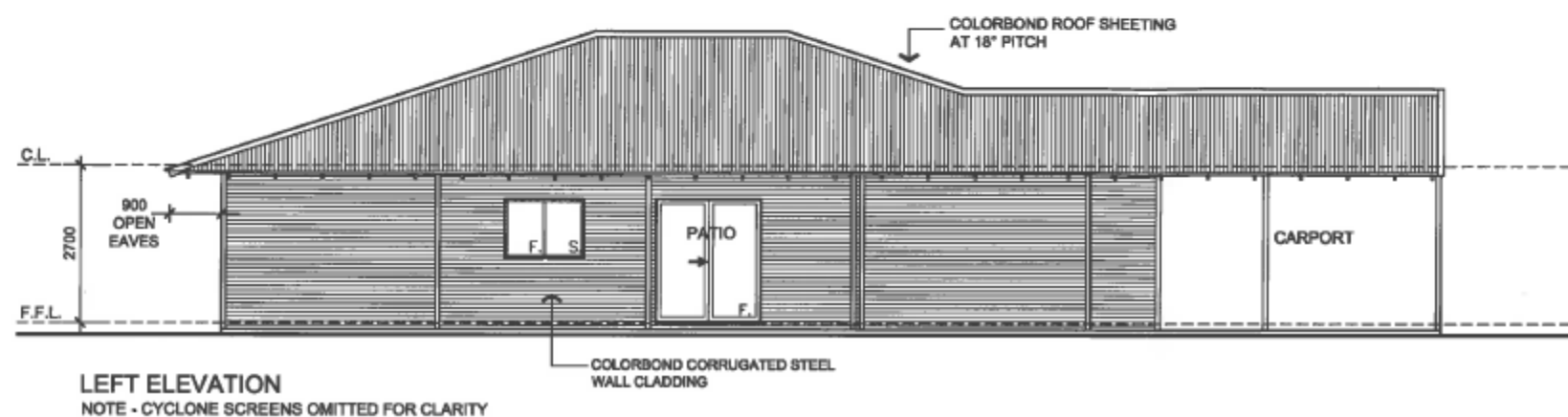
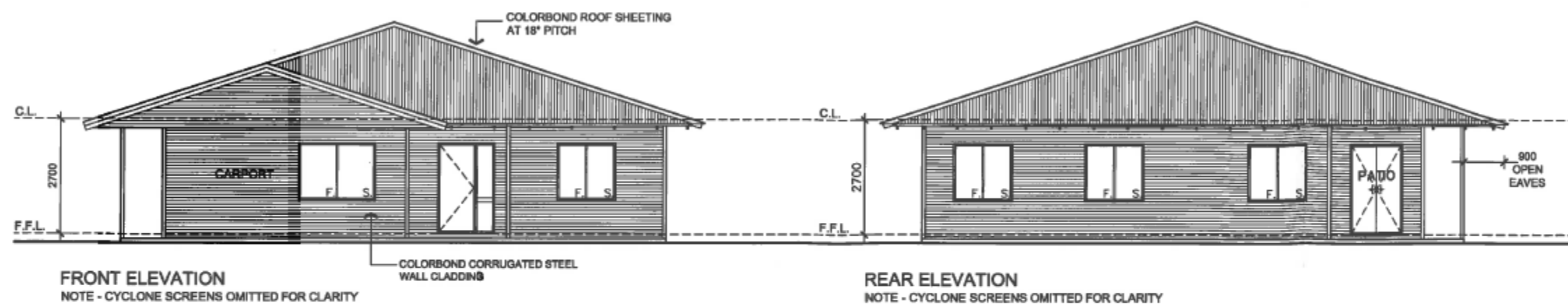




Hodge Collard Preston
ARCHITECTS

Third Floor, 38 Richardson Street,
West Perth, WA 6005
PO Box 743, West Perth, WA 6872
Ph: (08) 9322 5144
Fax: (08) 9322 5740
Email: admin@choparch.com

SCALE 1:100 DATE: 23.08.2011 DWG No. 26.11 PELSART

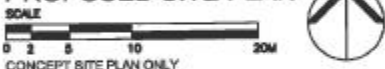


4 X 2 RESIDENCE
PROPOSED ELEVATIONS
SCALE 1:100
PILBARA CONSTRUCTION DESIGN

BROOME STYLE HOUSE		Third Floor, 38 Richardson Street, West Perth, WA 6005 PO Box 743, West Perth, WA 6872 Ph: (08) 9322 5144 Fax: (08) 9322 5740 Email: admin@hpcparch.com
GP HOUSING – PORT HEDLAND		
Hodge Collard Preston ARCHITECTS		
SCALE 1:100	DATE: 23.08.2011	DWG No. 26.11 B/ELEV



PROPOSED SITE PLAN



NOTE
AERIAL PHOTOGRAPH SHOWING INDICATIVE 1:500 TIDAL SURGE
BOUNDARY LINEWORK CORRECT TO WHELAN'S SURVEY
(LANDGATE DEPOSITED PLAN 59987)



SITE AREA SCHEDULE

*All areas to be confirmed		
SITE No.	SITE AREA	OPEN SPACE
SITE 1	386 sqm	64 %
SITE 2	387 sqm	64 %
SITE 3	458 sqm	66 %
SITE 4	388 sqm	64 %
SITE 5	470 sqm	67 %
SITE 6	427 sqm	66 %
SITE 7	419 sqm	66 %

PROPOSED SITE PLAN
GP HOUSING – PORT HEDLAND

Hodge Collard Preston
ARCHITECTS

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PO Box 743, West Perth, WA 6872
Ph: (08) 9322 5144
Fax: (08) 9322 5740
Email: admin@hcoparch.com

SCALE 1:500 DATE: 09.09.2011 DWG No. 26.11 SK02_K



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6:30pm Councillors A A Carter and J E Hunt declared a financial interest in Agenda Item 11.1.2.3 'Organisational Policy for CCTV (Closed Circuit Television) Operations (File No.: 13/04/0001)' as they are BHP Billiton shareholders with shares over the statutory limit.

Councillors A A Carter and J E Hunt left the room.

6:31pm Councillor G J Daccache declared an impartiality interest in Agenda Item 11.1.2.3 'Organisational Policy for CCTV (Closed Circuit Television) Operations (File No.: 13/04/0001)' he is a BHP Billiton shareholder.

Councillor G J Daccache remained in the room.

11.1.2.3 Organisational Policy for CCTV (Closed Circuit Television) Operations (File No.: 13/04/0001)

Officer Clare Fletcher
Community Safety
Facilitator
Environmental Health

Date of Report 22 August 2011

Disclosure of Interest by Officer Nil

Summary

This item relates to Council considering the adoption of a new council organisational policy for its new CCTV (Closed Circuit Television) Operations.

The proposed Organisational Policy for CCTV Operations is to be supported by a CCTV Management & Operation Manual which is still under development but is in draft form and will detail the general operation of the system. Both documents outline the manner in which the CCTV Operation will be operated, managed and the reporting protocols to the Town of Port Hedland's Community Safety and Crime Prevention Committee, Council and WA Police.

Background

At its Special Meeting on 12 October 2011 this matter was laid on the table as there was no quorum to consider the item. This item is now presented to Council for its determination.

In 2009, the Town of Port Hedland, in conjunction with BHP Billiton and the Office of Crime Prevention embarked on an ambitious project to roll out CCTV Video Surveillance across Port and South Hedland.

The aim of implementing the CCTV system is to improve the safety of members of the community, the town's businesses and retailers, workers and visitors to Hedland and to deter offences against property in the Town.

The CCTV system will attain an appropriate balance between the personal privacy of individuals utilising the Town's infrastructure or public spaces with the objective of recording incidents of alleged criminal or unwanted behaviour.

Consultation

- Office of Crime Prevention
- WA Police
- BHP Billiton
- South Hedland New Living
- CCTV Working Group
- Community Safety Crime Prevention Committee.

Statutory Implications

Commonwealth Legislation

- Privacy Act 1988
- Surveillance Devices Act 2004

Western Australian Legislation

- Criminal Investigation Act 2006
- Occupational Health and Safety Act 1984
- Surveillance Devices Act 1998
- Security and Related Activities Act 1996
- Security and Related Activities Regulations 1997

Policy Implications

A copy of the proposed Organisational Policy for CCTV Operations is attached as part of Attachment 1

Copies of the CCTV Management and Operation Manual are available for Councillor perusal

Strategic Planning Implications

Key Result Area 3: Community Development

Goal Number 5: Community Safety Crime Prevention

Strategy 1: Ensure that the CCTV network is working at its optimum and identify further CCTV growth opportunities.

Budget Implications

A total of \$1,270,000 was allocated towards getting the CCTV network up and running in Hedland.

Funding partners include; BHP Billiton, Office of Crime Prevention, Royalties for Regions, Regional Grants Scheme, Country Local Government Fund, South Hedland New Living and Town of Port Hedland.

Officer's Comment

The purpose of developing a CCTV Operational Policy and Operation Manual is to provide a functional means of managing CCTV in accordance with the WA CCTV Guidelines and related publications, legislation and standards.

The Organisational Policy for CCTV Operations sets out a number of statements that will result in the Town maintaining best practice and standards for operating the CCTV system in Hedland.

Monitoring screens are located at the South Hedland Police Station, Coordinators of Rangers office at the Depot and the Manager of Environmental Health's office and access is password protected.

Attachments

1. Organisational Policy for CCTV Operations

201112/166 Officer's Recommendation / Council Decision

Moved: Cr D W Hooper

Seconded: Cr J W Gillingham

That Council adopt policy 15/003 "Organisation Policy for CCTV Operations."

CARRIED 5/0

6:32pm Councillors A A Carter and J E Hunt re-entered the room and resumed their chairs.

Mayor advised Councillors A A Carter and J E Hunt of Council's decision.

*ATTACHMENT 1 TO AGENDA ITEM 11.1.2.3***TOWN OF PORT HEDLAND
ORGANISATION POLICY FOR CCTV OPERATIONS**

The Town of Port Hedland's CCTV Organisation Policy provides for the manner in which the CCTV Operation will be operated, managed and the reporting protocols to the Town of Port Hedland's Community Safety and Crime Prevention Committee, Council and WA Police.

The CCTV Organisational Policy will ensure the operations will be conducted in accordance to the following policy statements:

1. Maintain best practice and standards with reference to the Western Australian CCTV Guidelines, available at www.crimeprevention.wa.gov.au.
2. Manage CCTV Operations in compliance with Australian Standards 4802:2006, Parts 1 – 4, and future or superseding standards.
3. Manage CCTV Operations in compliance with Commonwealth and Western Australia legislation and amendments which may affect the use of CCTV and recorded material. The relevant and primary areas of compliance are privacy laws, camera field's of view and recording parameters, data storage, access control, and freedom of information provisions
4. The CCTV System will be operated within applicable law, and for the ethical and beneficial purposes for which it is established or which are subsequently agreed in accordance with these approved policy statements.
5. The CCTV System will be operated with due regard to the privacy and civil liberties of individual members of the public, including the rights to freedom of religious and political expression and assembly.
6. The public interest in CCTV Operations will be recognised by ensuring the security and integrity of recorded material.
7. Access to designated monitoring areas will be restricted to Authorised Personnel or with authorisation from the Manager Environmental Health.
8. The Town of Port Hedland will be accountable to its Stakeholders for the effective management and control of CCTV Operations.

9. CCTV Operations will be monitored and evaluated to verify compliance and report annually to the Community Safety and Crime Prevention Committee, WA Police and the Town of Port Hedland Council on nominated key performance indicators.
10. The Town of Port Hedland will prepare an annual report in relation to CCTV Operation to the Community Safety Crime Prevention Committee.
11. The retention of, and access to any recorded material will be only for the purposes provided by the CCTV Policy Statement.
12. Recorded material will be retained for thirty one (31) days unless otherwise specified or required in relation to an approved police operation or the investigation of crime or events for court or formal review proceedings by the Town of Port Hedland. Recorded material, hard copy or electronic will then be erased, deleted or destroyed, with released material destroyed following written confirmation on the original release request.
13. Contact and exchange of information between the Town of Port Hedland and WA Police will be conducted in accordance with a signed Memorandum of Understanding.
14. Legitimate access may be allowed to live CCTV images which may be required by Town of Port Hedland staff, authorised by the CEO, to view public areas for convenient public area familiarisation or reviewing, monitoring or verifying Town of Port Hedland maintenance services and public works.
15. CCTV Operations will make all reasonable attempts to serve the interests of all who may be affected by public space surveillance with a focus on community safety and crime prevention, and not be confined to the interests of the Town of Port Hedland or operational needs of the WA Police.

11.1.2.4 Proposed Various Signs – Lot 27 Wedge Street, Port Hedland (File No.: 400020G)

Officer Caris Vuckovic
Lands Officer

Date of Report 3 October 2011

Disclosure of Interest by Officer Nil

Summary

Council has received a request from Russell Signs Pty Ltd on behalf of the Commonwealth Bank of Australia to erect various signs at their premises located at Lot 27 Wedge Street, Port Hedland. The signs will accompany the refurbishment of the exterior of the location.

This item is referred to Council for determination as required by Clause 6.12 of the Port Hedland Town Planning Scheme No. 5.

Background

The owners of Lot 27 Wedge Street, Commonwealth Bank Australia seek to display a number of signs on the exterior of their premises. The proposed signs are listed as follows:

- Rooftop sign
- Illuminated logo sign
- Locator sign
- Illuminated under awning light box
- Entry decal to inside of glass at premises entrance
- Safety decal to inside of glass at premises entrance
- Amendments to the existing ATM cladding
- Wall signs located within car parking facilities

Consultation

The proposal has been referred to Council's internal departments. Council's Building Services have indicated that a Building Licence Application is required as part of the approval of the signs.

Statutory Implications

Nil

Policy Implications

Council has local laws governing signage - Signs, Hoardings and Bill Postings Local Law. An assessment of how the proposed signs comply with the local law provisions is provided within the Officer Comments section of this report.

Strategic Planning Implications

Nil

Budget Implications

The application fee of \$139.00 has been received in accordance with Council's adopted Town Planning Fees and Charges.

Officer's Comment*Signs, Hoardings and Bill Postings Local Law*

The proposed signs best fit in the definitions of 'Horizontal Signs' and 'Illuminated Signs' under the Town of Port Hedland Local Law (Signs, Hoardings and Bill Posting).

The definition of 'Horizontal Sign' under the Local Law states the following:

*"5.11.1**A horizontal sign shall:*

- (a) *afford a minimum headway of 2.75m;*
- (b) *be fixed parallel to the wall of the building to which it is attached;*
- (c)

<i>Minimum Distance of</i>	<i>Maximum Depth of</i>
<i>Sign above Street</i>	<i>Letters on Sign</i>
<i>Less than 7.5m</i>	<i>900mm</i>
<i>7.5m to 9m</i>	<i>1100mm</i>
<i>9m to 12m</i>	<i>1300mm;</i>
- (d) *no project more than 600mm from the wall to which it is attached; and*
- (e) *not be within 600mm of either end of the wall to which it is attached, unless the end of the sign abuts against a brick, stone or cement corbel, pier or pilaster which is at least 225mm wide and project at least 25mm in front of and 75mm above and below the sign."*

“5.11.2

The name of the building, owner or occupier may be shown on the façade of a building, however:

- (a) unless otherwise specifically approved by the Council, only one such name shall be placed on any façade;*
- (b) the letters of the name shall not exceed 1.5m in height;*
- (c) the letters shall be of metal or other incombustible material; and*
- (d) the letters shall not be lit or illuminated unless all illuminated lettering has been approved by the Council.”*

The definition of ‘Illuminated Sign’ under the Local Law states the following:

“5.12

An illuminated sign shall:

- (a) have any boxing or casing in which it is enclosed constructed of incombustible material;*
- (b) have its electrical installation constructed and maintained to the satisfaction of Western Power or the appropriate electricity supply authority and in accordance with AS3000-1989;*
- (c) be maintained to operate as an illuminated sign; and*
- (d) not have a light of such intensity as to cause annoyance to the public.”*

The applicant’s proposal to install various signs at their premises is consistent with current town centre standards.

Options

Council has the following options for determining the application:

1. Approve the application with or without conditions.

Should Council approve the application, it will result in Commonwealth Bank Australia being able to advertise their logo and branch information at their operating premises at Lot 27 Wedge Street, Port Hedland.

2. Refuse the application.

Should Council resolve to refuse the application, the site will remain as is in Wedge Street.

Approving the application will result in an improved streetscape in allowing the applicant to modernise the appearance of the premises.

As this proposal is consistent with current town centre standards, it is recommended that Council approve the application subject to conditions.

Attachments

1. Proposed sign graphics and locations

201112/167 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council:

1. **Approves Planning Application 2011/477, for Various Signs at Lot 27 Wedge Street, Port Hedland, subject to the following conditions:**
 - a. **The applicant is to obtain a building licence for the proposed signs to the satisfaction of Council's Manager Building Services.**
 - b. **The signs are undertaken in accordance with Diagrams in Attachment 1.**

FOOTNOTES:

1. **The applicant is advised that drawings submitted for a Sign Licence are to be properly drawn and signed by a practicing structural engineer.**
2. **The applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.**

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.2.4

Commonwealth Bank

Roll-out T4

Port Hedland, WA

Rev No.01

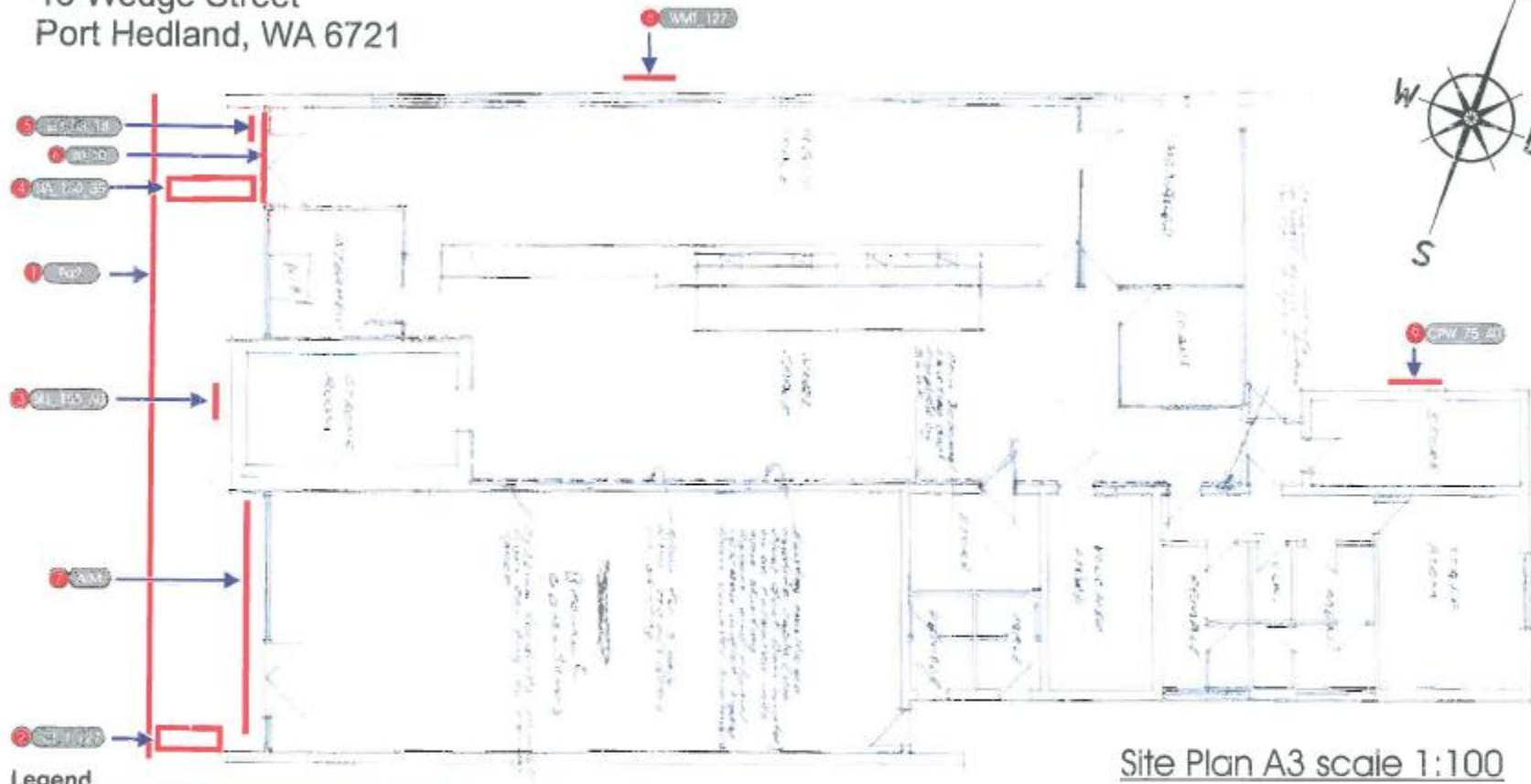


The**Signcraft**Group
CREATING AN IMAGE

MELBOURNE • SYDNEY • BRISBANE • ADELAIDE • PERTH • INDIA • CHINA

CBA Port Hedland

13 Wedge Street
Port Hedland, WA 6721



The Signcraft Group
CREATING AN IMAGE

1300 744 633 www.signcraft.com.au

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CLIENT APPROVAL

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Revision Details
In Release
Changes as per request

Author

EM

TD

Revision Date

19/05/11

06/09/11

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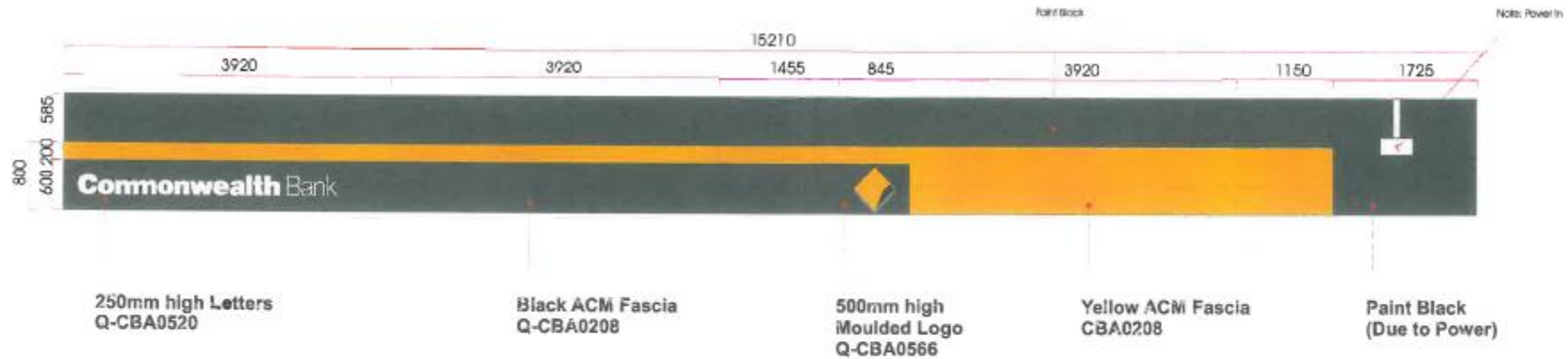


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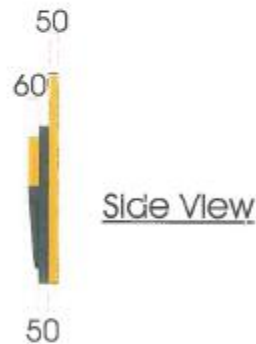
NOT FOR CONSTRUCTION

The Signcraft Group 1300 744 633 www.signcraft.com.au COPYRIGHT-ALL RIGHTS RESERVED <small>This drawing is the property of The Signcraft Group and is not to be reproduced or used in any way without the written consent of The Signcraft Group. All rights reserved. The Signcraft Group is not responsible for any errors or omissions in this drawing.</small>		CLIENT APPROVAL NAME: _____ SIGNATURE: _____ DATE: _____	File name: CBA_Port Hedland_T4_WA_rev01.cdr Description: Site Plan Scale: <input checked="" type="checkbox"/> A3 <input type="checkbox"/> A4 <input type="checkbox"/> Other (N x M)	Page: _____ Drawn by: CM	ENGINEERING MANAGER CHECK NAME: _____ SIGNATURE: _____ DATE: _____	PROJECT MANAGER CHECK NAME: _____ SIGNATURE: _____ DATE: _____	00 Revision Details 01 Initial Release 02 Changes as per request 03 04	Author: _____ Date: 18/08/11 09/09/11
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Fascia Fa2

Proposed Works - Location 1

Action:	Install New Fa2 Fascia		
Quantity:	1 off note list		
Code:	FA2		
Type:	Fascia		
Dimensions (mm):	As per drawing		
Comments:	Code	Part	Quantity
	Q-CBA0520	250mm high letters	1
	Q-CBA0208	Black ACM Fascia	4
	Q-CBA0566	500mm high logo	1
	Q-CBA0208	Yellow ACM Fascia	2



NOT FOR CONSTRUCTION

The Signcraft Group
1300 744 633 www.signcraft.com.au

CLIENT APPROVAL

NAME:

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File name: CBA_Port Hedland_T4_WA_rev01.cdr

Description: Site Post

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Tavern Sign

CBA0542
 Proposed CL_T_127 Tavern Sign
 Size: 1491mm x 1287mm
 LED Illuminated

353.6

353.6

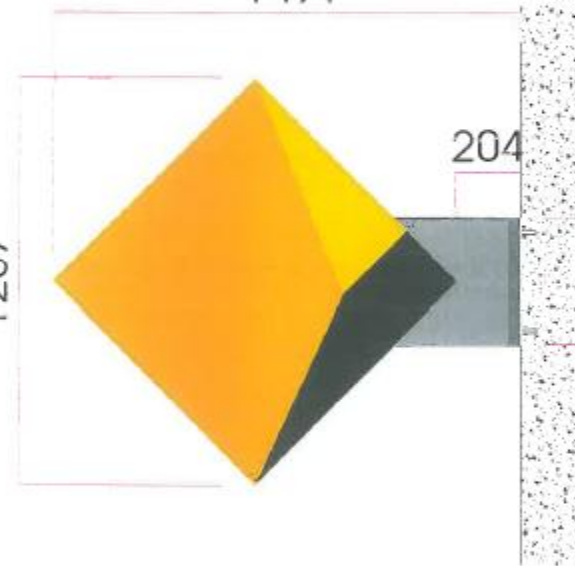


304

Side View

1287

1491



204

401

Front ViewProposed Works - Location 2

Action	Install New Double Sided Conditional Tavern Sign
Quantity	1 off required
Code	CL_T_127
Type	Tavern Sign
Dimensions (mm)	1491mm (width) x 1287mm (height)
Comments	

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CLIENT APPROVAL

NAME:

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File name: CBA_Port Hedland_T4_WA_rev01.cdr

Description: Site Pack

Scale:



Drawing Size

ARTWORK FILES:

Graphics Design File Path: S:\Project Team\Projects\Commonwealth Bank\WA\Port Hedland - T4\Design\Graphics Design & Montage
 PDF Quoting File Path: S:\Project Team\Projects\Commonwealth Bank\WA\Port Hedland - T4\Design\PDF File

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Street Level Locator**CBA to Confirm Services**

Note: Existing SLL unremovable

**Proposed Works - Location 3**

Action	Install New Street Level Locator
Quantity	
Code	SLL 155 60
Type	
Dimensions (mm)	1550mm x 600mm
Comments	

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File name: CBA_Port Hedland_T4_WA_rev01.cdr

Description: SLL Pack

Scale

Drawing Size

A3 A4 Other (W x H)

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PROJECT MANAGER CHECK

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Revision Details

Initial Release

Changes as per request

Author

EM

TO

Revision Date

18/09/11

08/09/11

ARTWORK FILES:

Graphic Design File Path: S:\Project Team\Projects\Commonwealth Bank\WA\Port Hedland - T4\Design\Graphic Design & Montage
 Print Drawing File Path: S:\Project Team\Projects\Commonwealth Bank\WA\Port Hedland - T4\Design\PDF Files

PRODUCTION READY FILES:

Printed Cutline File: Insert File Path Once Prepared
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 Digital Printing File: Insert File Path Once Prepared

Under Awning

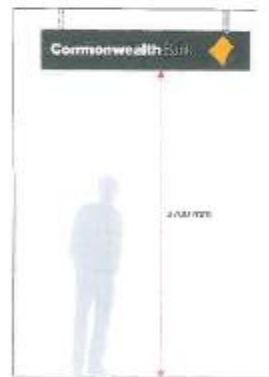
CBA0529

Proposed UA_180_35 Under Awning Sign



Proposed Works - Location 4

Action	Install New Under Awning Sign
Quantity	
Code	UA_180_35
Type	
Dimensions (mm)	1800mm (W) x 350mm (H)
Comments	



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File name: CBA_Port Hedland_T4_WA_rev01.cdr

Description: Site Pack

Scale

Drawing Size
☒ A1 ☐ A4 ☐ Other (A1 x 10)

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Revision Details
 Initial Release
 Changes as per request

Author
 EM
 TD

Revision Date
 19/08/11
 09/09/11

ARTWORK FILES:

Graphic Design File Path: \\Project Team\Project\Commonwealth Bank\WA\Port Hedland - T4\Design\Graphic Design & Montage
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PRODUCTION READY FILES:

Signage Cutting Files: Insert File Path Once Prepared
 Vinyl Cutting Files: Insert File Path Once Prepared
 Digital Printing Files: Insert File Path Once Prepared

Entry Decal

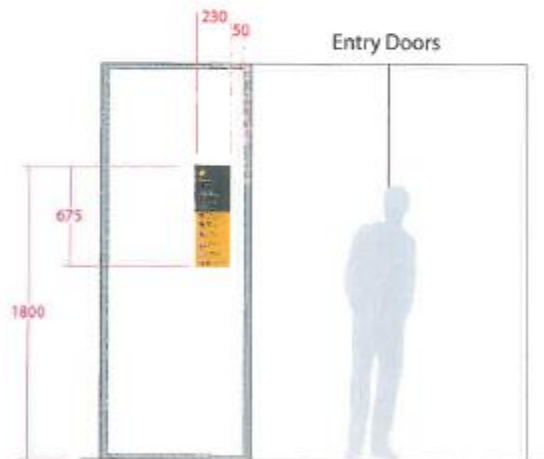
ED_58_18

CBA0519

Proposed ED_58_18 Entry Decal
Size: 230mm x 675mm
Printed in reverse on clear vinyl
for application to inside of glass.
Backed up with white vinyl.

**CBA to Confirm Branch
Name & Trading Hours****Proposed Works - Location 5**

Author	Install New Entry Decal to glass
Quantity	1 off required
Code	ED_58_18
Type	Entry Decal
Dimensions (mm)	230mm (Width) x 675mm (Height)
Comments	



230



675

With ECD

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Description: Site Plan

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☒ A3 ☐ A4 ☐ Other (W x H)

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Revision Details

Initial Release

Changes as per request

Author:

EM

TD

Revision Date:

19/08/11

08/08/11

Safety Decal**CBA0510**

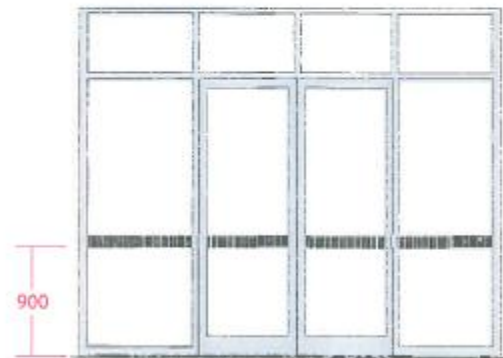
Proposed SD_10 Safety Decal

Overall Glass Length: 2500mm

Supply 3 off 1000mm x 100mm Safety Strips

**Proposed Works - Location 6**

Action	Install New Safety Decal to glass entry
Quantity	3 off required
Code	SD_10
Type	Safety Decal
Dimension (mm)	1000mm (Length)
Comments	



Decal Height example

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Author:

EM

TD:

Revision Date

10/08/11

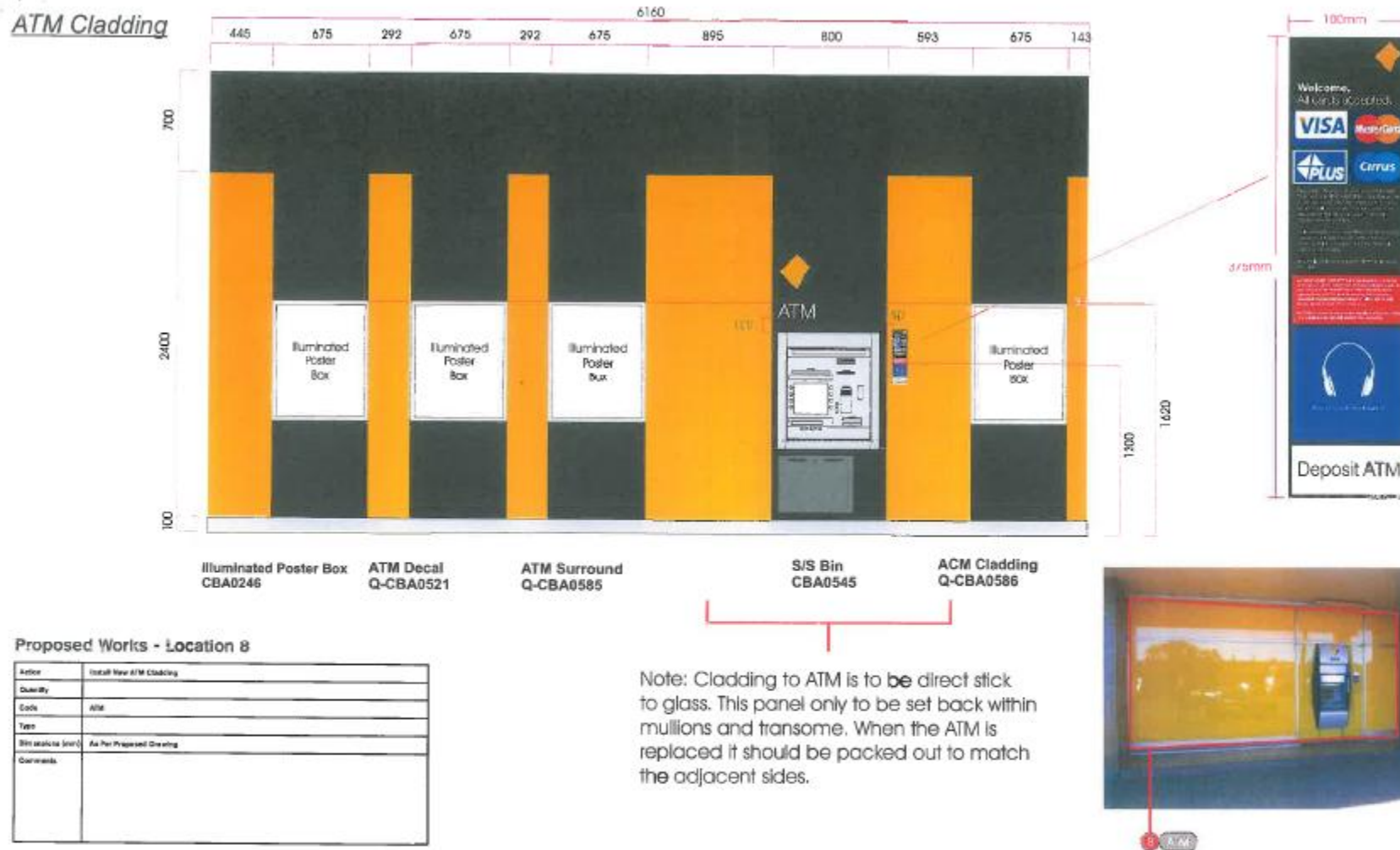
09/08/11

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Description: Site Pack

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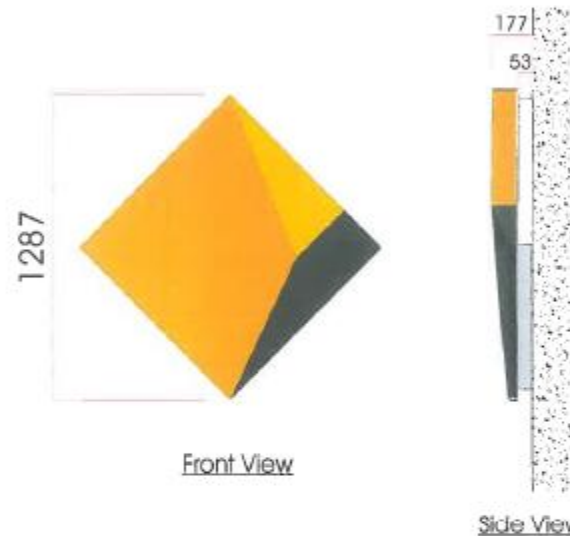
319

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Wall Mounted Tavern Sign (non illum)

CBA 0546 (non illum)
Proposed WM_T_127 Tavern Sign Logo Only
Size: 1287mm x 1287mm

Proposed Works - Location 9

Action:	Install New Single Sided Tavern Sign Logo
Quantity:	1 off required
Date:	WM_T_127
Type:	Tavern Sign
Dimensions (mm):	1287mm x 1287mm
Comments:	

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DATE: _____

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Revision Details

Initial Release

Changes as per request

Author:

EM

TD

19/08/11

Revision Date:

19/08/11

19/08/11

19/08/11

19/08/11

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Carpark Sign

Standard Height Example



Proposed Works - Location 10

Action	Install New Carpark Sign
Quantity	
Code	CPW_75_40
Type	
Dimensions (mm)	750mm x 400mm
Comments	



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	ARTWORK FILES: Graphic Design File Path: D:\Project Team\Projects\Commonwealth Bank\WA\Port Hadland - T4 Design\Graphic Design & Montage Print Drawing File Path: D:\Project Team\Projects\Commonwealth Bank\WA\Port Hadland - T4 Design\PDF Files		PRODUCTION READY FILES: Route Cutting File: Insert File Path Once Prepared Vinyl Cutting File: Insert File Path Once Prepared Stencil Cutting File: Insert File Path Once Prepared					

Paint

Dark
P3
Black N61
Paint
approx 115 sqm required

Tiles



11 P3

Proposed Works - Location 11

Issue	Paint Existing building
Quantity	
Cost	
Type	
Site details (incl)	
Comments	

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File name: CBA_Port Hedland_T4_WA_rev01.cdr

Description: 5 to Paint

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Drawing Size: ☒ A3 ☐ A4 ☐ Other (W x H)

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Paint



Light
P1
Pearl Grey N11
Paint
approx 50 sqm required

12 P1



Proposed Works - Location 12

Action	Paint Existing building
Quantity	
Code	
Type	
Dimensions (m ²)	
Comments	

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CLIENT APPROVAL	File name: CBA_Port Hedland_T4_WA_rev01.cdr
NAME	Description: Site Pack
SIGNATURE:	Scale
DATE:	Drawing Size <input checked="" type="checkbox"/> A3 <input type="checkbox"/> A4 <input type="checkbox"/> Other (W x H)

Page	ENGINEERING MANAGER CHECK	PROJECT MANAGER CHECK	00	Review Details	Author	Revision Date
Drawn by	NAME:	NAME:	00	Initial Release	EM	19/09/11
EM	SIGNATURE:	SIGNATURE:	01	Changes as per request	TD	09/09/11
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Raster Casing Files: Raster File Path Once Prepared
Way Finding Files: Raster File Path Once Prepared
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Signage List

Sign No.	Size	SQM	Description
1	1521mm x 800mm	1.21	Install new Fa2
2	1491mm x 1287mm	1.91	Install new illuminated cantilever tavern sign
3	1550mm x 600mm	0.93	Install new locator sign
4	1800mm x 350mm	0.63	Install new illuminated underawning lightbox.
5	230mm x 675 mm	0.15	Install new entry decal to inside of glass.
6	2500mm x 100 mm	0.25	Install new safety decal to inside of glass
7	6100mm x 2890mm	17.6	Install new ACM to ATM area
8	1287mm x 1287mm	1.65	Install new illuminated wall mounted tavern.
9	750mm x 400 mm	0.30	Install new car park wall sign
10	115	Paint selected areas P3 Black
11	50	Paint soffit P1 Pearl Grey

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Existing Signage LocationsExisting Signage List

No.	Size	SQM	Description
1	3000mm x 500mm	1.5	Remove existing letters & logo from fascia
2	800mm x 1600mm	1.28	Remove existing ATM surround. (1 off)
3	2440mm x 305mm	0.74	Remove existing under awning lightbox.
4	500mm x 700mm	0.35	Remove existing entry decals from glass
5	2500mm x 100mm	0.25	Remove existing safety decal
6	1520mm x 470mm	0.71	Remove existing locator sign
7	900mm x 500mm	0.45	Remove existing car park sign

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	ARTWORK FILES: Graphic Design File Path: X:\Project Team\Projects\Commonwealth Bank\WA\Port Hedland - T4\Design\Graphic Design & Montage PDF Drawing File Path: S:\Project Team\Projects\Commonwealth Bank\WA\Port Hedland - T4\Design\PDF Files		PRODUCTION READY FILES: Folder Copying Task: Insert File Path Once Prepared Image Copying Task: Insert File Path Once Prepared Digital Printing File: Insert File Path Once Prepared						

11.1.2.5 *Proposed Final Adoption of Scheme Amendment No.42 to the Town of Port Hedland Town Planning Scheme No. 5 to Recode various Lots, Reserves and closed Road Portions in South Hedland to “Urban Development” “R30” (File No.: 18/09/0056)*

Officer	Ryan Djanegara Planning Officer
Date of Report	8 September 2011
Disclosure of Interest by Officer	Impartiality Interest (Member of the Mosque)

Summary

On 8 June 2011 Council initiated a Scheme Amendment to amend the coding / zoning of Lot 5997 Limpet Crescent, Lot 6082 Lovell Place, Lot 5999 Limpet Crescent, Lot 6000 Trumpet Way, Lot 5981 Pepper Street, Portion of Limpet Crescent road reserve, Portion of Pepper Street road reserve, Portion of Lovell Place road reserve.

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

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

Background

The land included in the initiation request is currently vacant land or unused road reserves which are in the process of being closed.

The ultimate aim of the scheme amendment is to enable the subdivision and development thereof. The Department of Housing together with South Hedland New Living have been responsible for a number of infill developments and renovations throughout South Hedland. These infill developments and renovations have resulted in much improved streetscapes and passive surveillance over public areas.

Consultation

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

- North West Telegraph: 20/7/11 – 31/8/2011.
- Written notification to: Telstra,
Optus,
Horizon Power,
Water Corporation,
Main Roads WA.
- Written notification to all adjoining property owners.
- Display of site notices on each of the subject sites.

As a result of the above advertising, submissions were received from the Water Corporation and Main Roads WA. Main Roads WA has raised no objection to the proposed amendment. The Water Corporation also raises no objection the proposed amendment in principal subject to the following advice (summarized):

- The East Pilbara Water scheme is under extreme pressure and is unable to immediately service any development resulting from this proposal.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

At the time the report was written, there were some remaining outstanding fees of \$7,556.20 to be paid. A request for payment has been made.

Officer's Comment*Proposed parking*

The initial scheme documentation included a portion of Trumpet Way which is yet to be considered by Council for closure. The implications of the proposed road closure would impact the South Hedland Mosque with regards to the loss of car parking. At the previous Council's meeting it was resolved that prior to any request being put forward to Council to consider a road closure, the applicant will have to provide the Planning Unit with a parking solution that will be acceptable to both the Town and the Mosque.

The applicant has submitted a proposed parking plan to the Town of Port Hedland aimed at resolving the proposed parking issues. The plan has been reviewed by Council's Engineering Department whom has objected to the proposed layout.

The concerns of the Council's Engineering department have identified the following:

- Traffic implications and potential safety concerns with regards to reversing vehicles onto Trumpet Way and Limpet Crescent. The location of these bays also present a potential blind spot issue at either end of Trumpet Way.
- The proposed bays located along Limpet Crescent would impact on the existing footpaths.

In light of the above, the proposed parking area requires further investigation before it could be supported by Council.

Incorporating portion of Trumpet Way

Council was given an opportunity to include the portion of Trumpet Way during the initiation of the Scheme Amendment. At this time Council resolved to exclude this portion of the road due to its potential impact on the Mosque's parking. Council Officers sought advice from the Department of Planning. The verbal advice from the Department of Planning was that Council could consider incorporating the road reserve as part of the Scheme Amendment if it was considered to be of a minor nature. However, the Department also advised that the Minister may not accept the Scheme Amendment and/or request the Amendment to be re-advertised.

Options

Council has the following options when considering the matter:

1. Adopt the Scheme Amendment as advertised with the exclusion of portion of Trumpet Way.

The parking area along Trumpet Way will not be subject to urban development however the adoption of the Scheme Amendment would require the applicant to redesign their concept subdivision and development plan.

2. Modify the Scheme Amendment to include the excluded portion of Trumpet Way without re-advertising the scheme amendment.

The inclusion of the excluded portion of Trumpet Way would allow the applicant to precede their proposed subdivision and development. The Scheme Amendment would not impact on the Mosque parking at this stage and can be further investigated during the road closure process. Council can decide whether the modifications to the amendment amount to significant change that would require the application to be re-advertised.

Should Council seek this option, it has been acknowledged that the inclusion is of minor nature. Council was given an opportunity to include the portion of Trumpet Way during the initiation of the Scheme Amendment. Council previously resolved to exclude this portion of the road due to its perceived impacts on the Mosque's parking. Should Council be seeking this option, it is advised that the Minister may not accept the inclusion of the amended area or alternatively require the amendment to be re-advertised.

3. Modify the Scheme Amendment to include the excluded portion of Trumpet Way with re-advertising the scheme amendment.

The inclusion of the excluded portion of Trumpet Way would allow the applicant to precede their proposed subdivision and development. The Scheme Amendment would not impact on the Mosque parking at this stage and can be further investigated during the road closure process. Council can decide whether the modifications to the amendment amount to significant change that would require the application to be re-advertised.

Should Council seek this option, it is recommended that the document be re-advertised to the members of the public and referral agencies for a period of 6 weeks

4. Abandon the Scheme Amendment.

Refusal of the proposed Scheme Amendment will reduce housing options within the region to respond to the ongoing demand for housing requirements and population pressures.

It is recommended that Option 2 be considered.

Attachments

1. Revised Scheme Amendment Documentation
2. Proposed parking layout
3. Modified Scheme Amendment Documentation
4. Late Attachment

Officer's Recommendation

That Council:

1. Adopts Scheme Amendment 42, to Town of Port Hedland Town Planning Scheme No. 5, without any modifications.
2. Forwards all required documentation to the Western Australia Planning Commission for Ministerial Consent in accordance with the Town Planning Regulations 1967 (as amended).
3. Authorises 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), including the fixing of the Council's seal in the event that the Minister for Planning approves the Amendment.
4. Notifies the applicant that with regard to clause 6.4.2 of the Port Hedland Town Planning Scheme No. 5, Council requires a Development Plan to be submitted and approved prior to any development taking place.

201112/168 Council Decision

Moved: Cr A A Carter

Seconded: Mayor K A Howlett

That Council:

- 1. Adopts Scheme Amendment 42 to Town of Port Hedland Town Planning Scheme No. 5.**
- 2. Forwards all required documentation to the Western Australia Planning Commission for Ministerial Consent in accordance with the Town Planning Regulations 1967 (as amended).**
- 3. Authorises 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), including the fixing of the Council's seal in the event that the Minister for Planning approves the Amendment.**

4. Notifies the applicant that with regard to clause 6.4.2 of the Port Hedland Town Planning Scheme No. 5, Council requires a Development Plan to be submitted and approved prior to any development taking place.
5. Notifies the applicant that this decision is subject to the payment of overdue fees amounting to \$7,556.20.
6. Includes the excluded section of Trumpet Way without re-advertising the Scheme Amendment.

CARRIED 7/0

REASON: Council believes that the Officer's Recommendation contained some editing errors that made it inconsistent with the Officer's Comment. The amended decision is now consistent with the Officer's Comment.

ATTACHMENT 1 TO AGENDA ITEM 11.1.2.5

**Town of Port Hedland
Town Planning Scheme No. 5
Amendment No. 42**

June 2011



Prepared for
Jaxon

Taylor Burrell Barnett
Town Planning & Design

*TOWN OF PORT HEDLAND
LOCAL PLANNING SCHEME No. 5
AMENDMENT No. 42*

File No:

Part of Agenda:

MINISTER FOR PLANNING**Proposal to amend a Local Planning Scheme**

- | | | |
|----|---------------------------------------|--|
| 1. | Local Authority: | Town of Port Hedland |
| 2. | Description of Local Planning Scheme: | Town Planning Scheme No. 5 |
| 3. | Type of Scheme: | Town Planning Scheme |
| 4. | Serial No. of Amendment: | 42 |
| 5. | Proposal: | To rezone several sites to 'Urban Development' with an applied density code of 'R30' and to introduce new provisions to the Scheme Text to enable preparation and adoption of Detailed Area Plans. |

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

Town of Port Hedland
Local Planning Scheme No. 5
Amendment No. 42

RESOLVED that the Council, in pursuance of Section 75 of the Planning and Development Act 2005, amend the above Town Planning Scheme by:

1. Rezoning the following lots and portions of closed road reserves located in South Hedland to 'Urban Development' with Residential Density code of 'R30':

Lot No.	Current Scheme Reservation	Proposed Zoning
5997 Limpet Crescent	Other Public Purposes – Water and Drainage	Urban Development - R30
6082 Lovell Place	Other Public Purposes – Water and Drainage	Urban Development - R30
5999 Limpet Crescent	Other Public Purposes – Water and Drainage	Urban Development - R30
6000 Trumpet Way	Other Public Purposes – Water and Drainage	Urban Development - R30
5981 Pepper Street	Parks and Recreation	Urban Development - R30
Portion Limpet Crescent road reserve	Local Road	Urban Development - R30
Portion Pepper Street road reserve	Local Road	Urban Development - R30
Portion Lovell Place road reserve	Local Road	Urban Development - R30

2. Amalgamating existing 'Appendix 5 – Development Plan Areas' with 'Appendix 6 – Matters to be addressed by Development Plans';
3. Introducing 'Appendix 6 – Detailed Area Plans' into the Scheme:
 1. Detailed Area Plans
 - 1.1 A Detailed Area Plan will relate to a particular lot or lots and may be prepared:
 - 1.1.1 To modify, elaborate, or enhance the provisions of the Scheme, an approved Structure Plan or Development Plan
 - 1.1.2 In the place of an application for Development Approval required to satisfy clause 6.3.2 – Buildings on boundary, of the *Residential Design Codes*; or
 - 1.1.3 For any other planning purpose.
 2. Detailed Area Plan may be prepared
 - 2.1 Council or the Western Australian Planning Commission may by written notice require a landowner or developer to prepare and submit a Detailed Area Plan within a specified time:

- 2.1.1 As a condition of subdivision approval; or
 - 2.1.2 In accordance with an approved Structure Plan or Development Plan;
 - 2.2 A landowner or developer may prepare and submit for approval a Detailed Area Plan for any land.
 - 2.2.1 Where land is subject to an approved Structure Plan or Development Plan, any proposed Detailed Area Plan shall be generally in accordance with the Structure Plan or Development Plan.
- 3. Approval process
 - 3.1 Where a Detailed Area Plan is prepared under clause 2, the proponent shall submit four (4) copies of each Detailed Area Plan to Council for assessment.
 - 3.2 Within 60 days of receipt of a Detailed Area Plan, or such time as agreed in writing between Council and the proponent, Council shall consider the Detailed Area Plan and:
 - 3.2.1 Approve the Detailed Area Plan with or without modifications; or
 - 3.2.2 Refuse to approve the Detailed Area Plan.
 - 3.3 Council shall advise the proponent in writing of its decision.
 - 3.4 Should Council require modifications to the Detailed Area Plan as a condition of approval the proponent shall modify the Detailed Area Plan in consultation with the Council and resubmit the Detailed Area Plan within an agreed timeframe.
 - 3.5 Following the approval of the Detailed Area Plan by Council including any modifications required under clause 3.2.1 the Detailed Area Plan shall be endorsed by an officer authorised by the Council.
- 4. Advertising a proposed Detailed Area Plan
 - 4.1 Council shall advertise the Detailed Area Plan in accordance with clause 4.3 of the Scheme
- 5. A Detailed Area Plan shall address the following matters:
 - a) Building envelopes and setbacks;
 - b) Distribution of land uses within a lot;
 - c) Private open space;
 - d) Services;
 - e) Vehicular access, parking, loading and unloading areas, storage areas, and rubbish collection enclosures;
 - f) The location, orientation, and design of buildings and the space between buildings;
 - g) Advertising signs, lighting, and fencing;
 - h) Landscaping, earthworks, and stormwater drainage;
 - i) Finished building and ground levels;
 - j) Protection of significant heritage, conservation, or environmental sites;
 - k) Special development controls and guidelines; and
 - l) Any other matter deemed relevant by Council.
- 6. Submission of Detailed Area Plan to the WAPC
 - 6.1 Where a Detailed Area Plan is prepared as the basis for supporting subdivision of land, or where the Detailed Area Plan proposes to modify any policy of the WAPC , Council shall

submit the Detailed Area Plan to the WAPC within 42 days of adoption and request that the WAPC endorse the Detailed Area Plan

7 Operation of Detailed Area Plans

7.1 A Detailed Area Plan becomes effective when endorsed by a duly authorised officer of Council

7.2 Where a Detailed Area Plan is submitted to the WAPC pursuant to clause 6(a), it shall become effective on the date Council receives notification from the WAPC of its endorsement of the Detailed Area Plan

8. Amendment or Revocation of a Detailed Area Plan

8.1 A Detailed Area Plan may be amended by resolution of Council

8.1.1 Where Council is of the opinion that a proposed modification to a Detailed Area Plan significantly affects the content or operation of a Detailed Area Plan, the proposed modification shall be advertised in accordance with section 4

8.1.2 An amendment to a Detailed Area Plan shall come into effect in accordance with clause 7

8.2 Council may resolve to revoke a Detailed Area Plan.

8.2.1. Where Council makes a resolution to revoke a Detailed Area Plan endorsed by the WAPC under clause 6(a) it shall advise the WAPC within 42 days of such resolution.

Dated this day of June 2011.

.....
Chief Executive Officer

AMENDMENT REPORT

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APPENDIX 1 LOCATION PLAN

APPENDIX 2 ROAD CLOSURE PLANS

APPENDIX 3 DRAFT PLAN OF SUBDIVISION



1 INTRODUCTION

Council has initiated an amendment to the *Town of Port Hedland Town Planning Scheme No. 5 (TPS5)* to:

1. Rezone all the following lots and portions of closed road reserves in South Hedland to 'Urban Development' with an applied density code of 'R30'.

The land subject to this scheme amendment is detailed below:

Lot No.	Plan No.	Current Scheme Reservation	Tenure	Area
5997 Limpet Crescent	219941	Other Public Purposes – Water and Drainage	UCL ^a	4,382 m ²
6082 Lovell Place	194553	Other Public Purposes – Water and Drainage	UCL ^a	2,441m ²
5999 Limpet Crescent	219941	Other Public Purposes – Water and Drainage	UCL ^a	1,951m ²
6000 Trumpet Way	219941	Other Public Purposes – Water and Drainage	Crown Reserve (46653) ^b	7,546m ²
5981 Pepper Street	219823	Parks and Recreation	Crown Reserve (44827) ^b	58,740m ²
Portion Limpet Crescent road reserve		Local Road	Road Reserve ^c	2,782m ²
Portion Pepper Street road reserve		Local Road	Road Reserve ^c	444m ²
Portion Lovell Place road reserve		Local Road	Road Reserve ^c	970m ²

a. Unallocated Crown Land to be purchased by Department of Housing

b. Council to request relevant portions of Crown reserves be cancelled

c. Council has commenced actions to close roads

2. Introduce new provisions into the Scheme text as Appendix 6 to enable the preparation and adoption of Detailed Area Plans:

1. Detailed Area Plans

- 1.1 A Detailed Area Plan will relate to a particular lot or lots and may be prepared:

- 1.1.1 To modify, elaborate, or enhance the provisions of the Scheme, an approved Structure Plan or Development Plan

- 1.1.2 In the place of an application for Development Approval required to satisfy clause 6.3.2 – Buildings on boundary, of the *Residential Design Codes*; or

- 1.1.3 For any other planning purpose.



2. Detailed Area Plan may be prepared
 - 2.1 Council or the Western Australian Planning Commission may by written notice require a landowner or developer to prepare and submit a Detailed Area Plan within a specified time:
 - 2.1.1 As a condition of subdivision approval; or
 - 2.1.2 In accordance with an approved Structure Plan or Development Plan;
 - 2.2 A landowner or developer may prepare and submit for approval a Detailed Area Plan for any land.
 - 2.2.1 Where land is subject to an approved Structure Plan or Development Plan, any proposed Detailed Area Plan shall be generally in accordance with the Structure Plan or Development Plan.
3. Approval process
 - 3.1 Where a Detailed Area Plan is prepared under clause 2, the proponent shall submit four (4) copies of each Detailed Area Plan to Council for assessment.
 - 3.2 Within 60 days of receipt of a Detailed Area Plan, or such time as agreed in writing between Council and the proponent, Council shall consider the Detailed Area Plan and:
 - 3.2.1 Approve the Detailed Area Plan with or without modifications; or
 - 3.2.2 Refuse to approve the Detailed Area Plan.
 - 3.3 Council shall advise the proponent in writing of its decision.
 - 3.4 Should Council require modifications to the Detailed Area Plan as a condition of approval the proponent shall modify the Detailed Area Plan in consultation with the Council and resubmit the Detailed Area Plan within an agreed timeframe.
 - 3.5 Following the approval of the Detailed Area Plan by Council including any modifications required under clause 3.2.1 the Detailed Area Plan shall be endorsed by an officer authorised by the Council.
4. Advertising a proposed Detailed Area Plan
 - 4.1 Council shall advertise the Detailed Area Plan in accordance with clause 4.3 of the Scheme
5. A Detailed Area Plan shall address the following matters:
 - a) Building envelopes and setbacks;
 - b) Distribution of land uses within a lot;
 - c) Private open space;
 - d) Services;
 - e) Vehicular access, parking, loading and unloading areas, storage areas, and rubbish collection enclosures;
 - f) The location, orientation, and design of buildings and the space between buildings;
 - g) Advertising signs, lighting, and fencing;
 - h) Landscaping, earthworks, and stormwater drainage;
 - i) Finished building and ground levels;

Various Lots
 Trumpet Development Stage
 Scheme Amendment No 42







- j) Protection of significant heritage, conservation, or environmental sites;
 - k) Special development controls and guidelines; and
 - l) Any other matter deemed relevant by Council.
6. Submission of Detailed Area Plan to the WAPC
- 6.1 Where a Detailed Area Plan is prepared as the basis for supporting subdivision of land, or where the Detailed Area Plan proposes to modify any policy of the WAPC, Council shall submit the Detailed Area Plan to the WAPC within 42 days of adoption and request that the WAPC endorse the Detailed Area Plan
7. Operation of Detailed Area Plans
- 7.1 A Detailed Area Plan becomes effective when endorsed by a duly authorised officer of Council
- 7.2 Where a Detailed Area Plan is submitted to the WAPC pursuant to clause 6(a), it shall become effective on the date Council receives notification from the WAPC of its endorsement of the Detailed Area Plan
8. Amendment or Revocation of a Detailed Area Plan
- 8.1 A Detailed Area Plan may be amended by resolution of Council
- 8.1.1 Where Council is of the opinion that a proposed modification to a Detailed Area Plan significantly affects the content or operation of a Detailed Area Plan, the proposed modification shall be advertised in accordance with section 4
- 8.1.2 An amendment to a Detailed Area Plan shall come into effect in accordance with clause 7
- 8.2 Council may resolve to revoke a Detailed Area Plan.
- 8.2.1. Where Council makes a resolution to revoke a Detailed Area Plan endorsed by the WAPC under clause 6(a) it shall advise the WAPC within 42 days of such resolution.



1.0 REZONING - BACKGROUND

The subject lots and portions of road reserves form part of an overall project site to be developed as part of the South Hedland New Living Project (SHNL), an initiative of the Department of Housing with the cooperation of the Town of Port Hedland, the State Government, and the local community. The aims of the SHNL are to improve the physical and social capital in South Hedland through the subdivision and development of vacant Crown land, the renovation of existing public housing stock, and significant contribution to community organisations and events.

The development of the overall subject site comprises one of the most significant SHNL project sites, not only with respect to the overall size of the development, but also due to the central location of the site. **Plan 05/087/091D** identifies all the land included in this rezoning request in the context of the overall development site that, in addition to the subject land, includes:

-  Lots 5992, 5993 and 5996 Cottier Drive (currently zoned 'Urban Development – R30');
-  Lot 2 Limpet Crescent (currently zoned 'Urban Development – R30');
-  Lot 3091 Kennedy Street (currently being rezoned to 'Residential – R30');
-  Lots 6115 and 3098 Jibson Court (currently being rezoned to 'Residential – R30');
-  Lots 3087, 3734, 3735 (currently being rezoned to 'Residential – R30'); and
-  Portions of Kennedy Street, Brown Place, and Jibson Court (in the process of being closed and rezoned to 'Residential – R30').

As each of these land parcel is either zoned, or in the final stage of being rezoned to 'Residential' or 'Urban Development', and either has or will have a density code of 'R30', no further amendments are required for land within the development area beyond this Scheme amendment. Those lots currently being rezoned are subject to Amendment 30 that is currently being assessed by the Western Australian Planning Commission.

1.1 SITE LOCATION AND DESCRIPTION

1.1.1 LOCATION

Located centrally to the South Hedland town site, the lots subject to this request are bordered by Cottier Drive, Kennedy Street, Pepper Street, Trumpet Way, and Limpet Crescent. The site is therefore extremely well serviced by the existing road network. In addition, the overall site is located adjacent to the Marquee Park and Memorial Park sites, and the JD Hardie Centre. The South Hedland, Cassia, and Baler primary schools are each located within 300 metres, or walking distance, of the overall development site.

Plan 05/087/091D identifies both the amendment and the project areas within the local context.



1.1.2 DESCRIPTION

The land subject to this rezoning request is generally flat, with no significant vegetation. The small neighbourhood playground previously located at Lot 5981 has not been replaced following its destruction by fire several years ago. In addition to this demolished playground, Lot 5981 is traversed by two dual-use paths linking Kennedy Street to Limpet Crescent. These connections will be preserved as part of the subdivision of Lot 5981 via dual use paths constructed in new road reserves linking Kennedy Street with Trumpet Way.

While not technically part of the development site, it is intended to preserve the established eucalypt trees in the Kennedy Street road reserve bordering Lot 5981 in the final subdivision design. These trees will form an integral part of a new pedestrian link between Marquee and Memorial Park.

Lots 5997, 6082, 5998, and 6000 are currently developed as open stormwater drains. These lots are included in this scheme amendment report to facilitate either the realigning of these drains to enable a more efficient development of the adjoining lots, or the integration of the drainage function into newly constructed roads. Detailed civil engineering investigation and subsequent design will determine the extent of any potential modifications to the stormwater drainage system. Subsequent subdivision of this development site will include the formalisation of any realigned or new stormwater reserves into Crown reserves to be ceded to the Town under Management Order in accordance with standard subdivision practice.

While not part of Amendment No 42, it is noted that Lot 2 contains a treated effluent water tank that Council's engineering services has advised were previously part of a water reuse scheme irrigating public open space and local primary school sporting ovals. This tank and associated pumps and piping is no longer in use and will be demolished in association with future subdivision works.

Also outside the rezoning area, but part of the overall project site, Lot 5993 also contains two buildings understood to previously been used by the Girl Guides Association, but now disused. These buildings are currently vacant and will be demolished prior to future subdivision works.



2.0 DETAILED AREA PLANS – BACKGROUND

In addition to rezoning land, this amendment proposes to introduce Detailed Area Plans into the Scheme text. This proposal is in part a response to the desire by the Town to impose more restrictive development controls over residential land than currently possible under existing Scheme provisions and policies, or under the *Residential Design Codes of Western Australia* (the Codes). These additional development controls generally concern passive surveillance of public spaces such as roads, parks, and stormwater drainage reserves. In particular, the ability to control the development and interface of single dwellings with adjacent public space has proved problematic, with such development generally excluded from requiring planning approval where compliant with the Codes. Detailed area plans will provide Council with the most appropriate planning instrument to vary the Codes where appropriate to achieve overall streetscape and passive surveillance goals.

Previously, and at the Town's request, the Western Australian Planning Commission has required subdividers to prepare design guidelines for lots identified by the Town as requiring specific guidance with regard to final built form. While generally effective, this approach is potentially problematic as these guidelines have no statutory head of power and therefore may be difficult to enforce in the case of any breach.











While the design guidelines are supported with a range of local planning policies, introducing the ability for Council to require the preparation of statutory planning controls tailored to specific lots will create a more robust mechanism ensuring consistent application of desired streetscape outcomes.

Detailed area plans will be particularly useful where applied to the 12 metre wide, rear-loaded residential lots proposed for the subject lots in the draft plan of subdivision included as **Appendix 3** to this report. As a new product to the South Hedland residential land market, there are no local examples demonstrating desirable built form outcomes for these proposed lots. Accordingly, it is considered appropriate to introduce the ability to prepare and adopt detailed area plans prior to the creation of these lots as the best planning instrument to ensure the best possible outcome for South Hedland. These DAPs will be prepared in accordance with *Liveable Neighbourhoods*.



3.0 PROPOSED SUBDIVISION

A proposed subdivision plan for the overall project area has been prepared that addresses the following general design principles:

-  New lots will ensure that roads, drainage reserves, and public open space are provided with suitable passive surveillance through considered lot orientation;
-  The newly constructed dual use path heading south along Stanley Street and currently terminating at Cottier Drive (Marquee Park) will be extended through the site to link to Memorial Park;
- Wherever possible, new road intersections will be located away from the dual use path to ensure limited road crossings are required for pedestrians and cyclists;
-  The existing cul-de-sacs of Brown and Lovell Place will be connected through to the new local road network, improving traffic permeability and legibility;
-  Crossovers and new road intersections to Kennedy Street will be limited to ensure the preservation of mature eucalypt trees located within the road reserve;
-  Opportunities to realign the Trumpet Way road pavement to the eastern edge of the road reserve (currently developed as a generally underutilised public carpark) will be investigated to allow the western edge of the existing road reserve to be absorbed into the development site;
-  The existing Cottier Drive/Dale Street intersection will be replaced with a four-way roundabout to slow traffic in the vicinity of Marquee Park;
-  The alignment of new local roads will consider and respect existing public infrastructure (water, sewerage, power, telecommunications) where possible to eliminate the need to encumber freehold lots with easements or relocate these services;
-  A variety of lot types are to be created to encourage housing diversity and options and make most efficient use of available land;
-  New public open space will be located to create desirable and easily accessible destinations;
-  The existing Catholic Church site to be provided with increased accessibility to capitalise on this community asset.



4.0 SITE CONSTRAINTS

In addition to the area's constraints imposed by surrounding development, this overall site is significantly constrained by stormwater drains, above and below ground services, mature eucalypt trees along Kennedy Street, and the dimensions and shape of the parent lots.

Stormwater drainage is a particularly significant site constraint as all overland flows will require directing into new road reserves and subsequently into the existing stormwater drainage system. The enclosed draft plan of subdivision has been designed to ensure existing stormwater flows and storage are either maintained or improved. The integrity of this plan is yet to be determined and it is anticipated that an Urban Water Management Plan will be required as a condition of subdivision.

Integrating the subject land and the overall development site into the existing sewerage network is also a significant constraint as sufficient fall is required to adequately service new development. This matter will be addressed in greater detail during the subdivision approval process, although preliminary assessment of the enclosed draft plan of subdivision (Plan 05/087/093B) indicates that the land may be developed without the need to significantly lift existing ground levels.

An existing 600mm trunk water main is also located on the western boundary of site. The alignments of these mains has influenced the proposed local road network to ensure that wherever possible, any easements protecting these mains is located within new road reserves, thereby avoiding the need to encumber residential lots.

St Johns Catholic Church located at the end of Lovell Place (Lot 1) is another significant development constraint. In order to respect these lot boundaries, while still meeting the proposed subdivision design principles, the adjacent stormwater drain will require realignment to create the desired road links and frontage to the church. This in turn requires the rezoning of the drain that is currently reserved for 'Other Purposes – Water and Drainage' to 'Urban Development'.

The Lot 1 cadastral boundaries also determine the location of the new culvert crossing over the stormwater drain at Lot 3017 (Reserve 46653), thereby requiring rezoning of the affected land from 'Other Public Purposes – Water and Drainage' to 'Local Road'.

The rezoning of land required to respect the existing Lot 1 boundaries acknowledge the importance of the church in the local community, providing greater access to the site and highlighting this destination within the proposed new local road network.



5.0 CROWN RESERVES

Following an assessment of underutilised Crown reserves and unallocated Crown land by RPS Koltasz Smith, the Town of Port Hedland advised the Department of Regional Development and Lands (State Lands) of those reserves with management orders in favour of the Town of Port Hedland that were surplus to the Town's requirements. Accordingly, Reserve 39660 (Lot 5993) that currently has a Management Order in favour of the Town of Port Hedland has been identified as land to be offered to the Department of Housing for inclusion in the SHNL. This land is also part of a formal agreement between the Town of Port Hedland and the Department of Housing that involves the surrendering of the land by the Department for the construction of Marquee Park in exchange for the surrendering of Reserve 39660.

As noted earlier, any proposed modification to the stormwater drainage network will be supported by technical investigation demonstrating that the overall drainage function will not be compromised.

Should any stormwater drainage reserve be realigned during subdivision, the new drains will be created as new lots and ceded as Crown reserves with Management Orders in favour of the Town of Port Hedland. Should the plan of subdivision be approved prior to the completion of this Scheme Amendment, these Crown reserves may be reserved under the Scheme as 'Other Public Purposes – Water and Drainage'. Otherwise, these lots shall remain zoned 'Urban Development'.

As a separate process to this Scheme Amendment, the Town of Port Hedland will be required to formally advise the Department of Regional Development and Lands that it wishes to either cancel, or modify the management orders for Reserves:

- 39660 (Lot 5993);
- 41675 (Lot 5992);
- 44827 (Lot 5981); and
- 46653 (Lot 6000)

This will enable the Department of Housing to purchase all or parts of these reserves as recommended in the *Port Hedland Public Land Rationalisation Plan* prepared by RPS Koltasz Smith.

4.1 ROAD CLOSURES

Separate to this scheme amendment process, the Town of Port Hedland has resolved to close portions of the, Limpet Crescent, Lovell Place, and Pepper Street road reserves. While these road closure actions are still underway, it is anticipated that these closures will be complete prior to the final adoption of this proposed scheme amendment.



6.0 ENVIRONMENTAL CONSIDERATIONS

Based on previous experience with scheme amendments in South Hedland, no significant environmental constraints that will impact this proposed rezoning and subsequent development are anticipated. This assumption will be confirmed following referral of the Scheme Amendment to the Environmental Protection Authority.

7.0 NATIVE TITLE

The lots subject to this proposed amendment are currently subject to Native Title process. The Department of Regional Development and Lands (State Lands) has commenced the necessary actions in order to clear these lots of Native Title, and in accordance with the *Native Title Act 1993*, a Notice of Intent to Take (NOITT) was advertised on 15 December 2010. Any objections from Native Title claimants are due to be submitted by 15 February 2011.

At the time of preparation of this report, State Lands have advised that the Native Title process is expected to be resolved prior to the final adoption of this proposed amendment.



8.0 PROPOSED ZONING

As illustrated on the Scheme Amendment Plan, it is proposed to rezone the subject lots to 'Urban Development' zone. This zoning is proposed as it allows the greatest design flexibility for the subdivision and development of this land and is also consistent with the adjacent lots that are part of the overall development site.

The provision of TPS5, Section 6.4 'Urban Development' zone states:

6.4.1 The purpose of the Urban Development Zone is to identify land where detailed planning and the provision of infrastructure is required prior to the future subdivision and development of land. This planning should be documented in the form of a Development Plan. Although subdivision and development may take place prior to the Scheme maps being amended to reflect the details of Development Plans; the Scheme maps should be amended as soon as practicable following the creation of lots and Crown reserves.

6.4.2 Subject to the provisions of clause 5.2, the Council may require the preparation of a Development Plan for the whole or any part of the Urban Development zone.

As the final subdivision design, including the location of public open space, is yet to be completed this zoning is considered the most appropriate as the 'Urban Development' zoning specifically provides the necessary subdivision design flexibility.

Further, as the proposed plan of subdivision for the overall development site is nearing completion and has been informally discussed with Council's planning staff, it is submitted that the preparation of a development plan is unnecessary and need not be a requirement of Council prior to development of the land.

Given the time required to amend the local planning scheme, it is considered likely that the final subdivision design for the land subject to this amendment request will be completed prior to Council considering final approval. Should this eventuate, when adopting the amendment for final approval, Council may recommend to the Western Australian Planning Commission that road reserves, public open space, drainage reserves, and any other land uses are appropriately zoned or reserved on the Scheme Amendment Map in accordance with the approved plan of subdivision.

Should the subdivision not be determined prior to Council considering final adoption of this Scheme Amendment, and therefore the final location of roads, drainage, public open space etc not be determined, the 'Urban Development' zone may be retained until such time as Council initiates a Scheme review to rezone the land in accordance with the final development.



9.0 JUSTIFICATION

This scheme amendment is required to provide the statutory framework for the subject land to be subdivided and developed. As noted earlier, the overall development site includes three other lots already zoned 'Urban Development' with an 'R30' density coding, and a further six lots in the process of being rezoned to 'Residential' with an 'R30' density coding. The proposed zoning and residential density is therefore entirely consistent with the existing zoning and residential density of other lots within the development site.

When completed, the pending scheme Amendment (Amendment 30), in association with this Amendment No 42, will rezone all land bounded by Cottier Drive, Kennedy Street, Pepper Street, Trumpet Way, and Limpet Crescent either 'Residential' or 'Urban Development' with a uniform density coding of 'R30'.

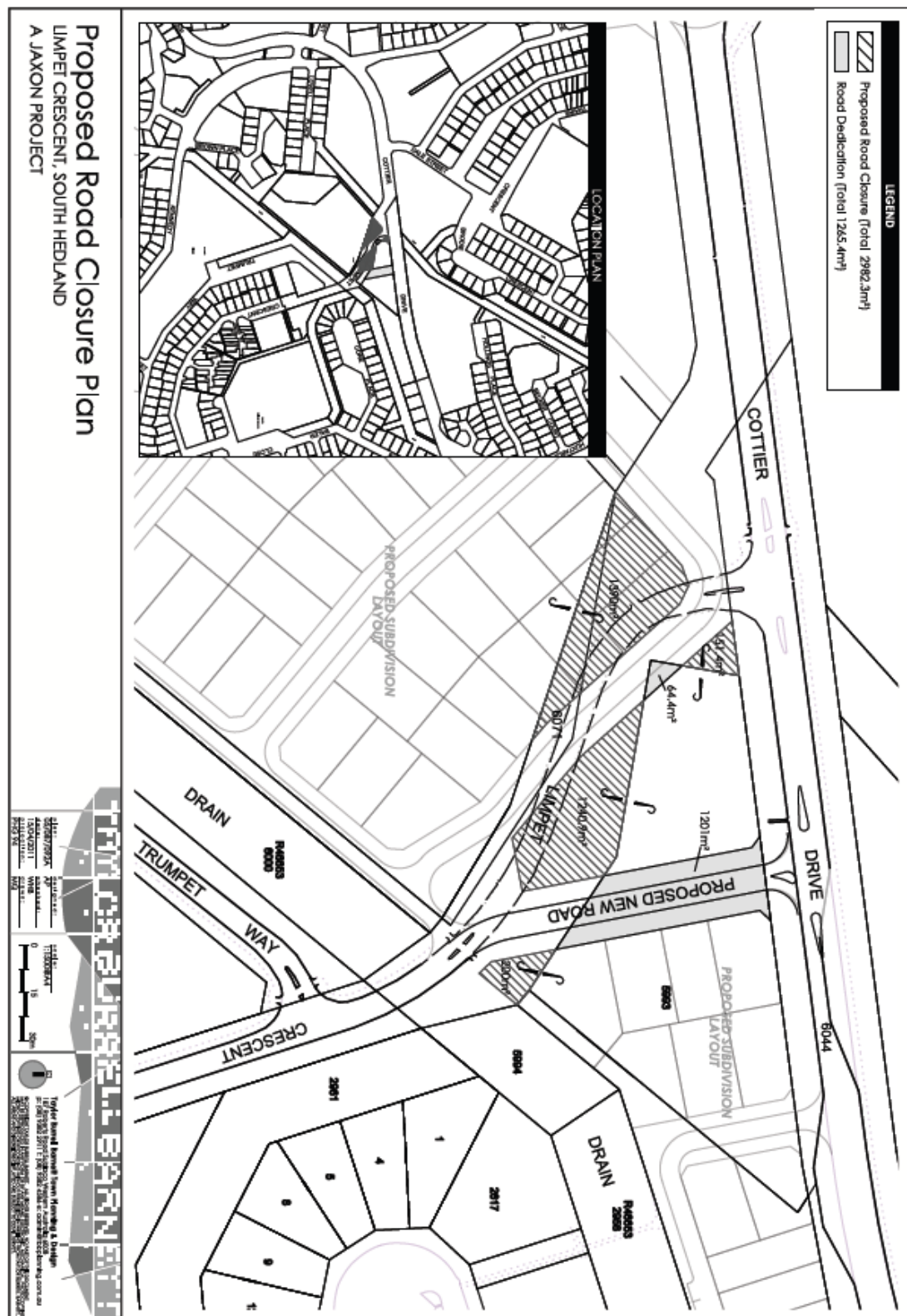


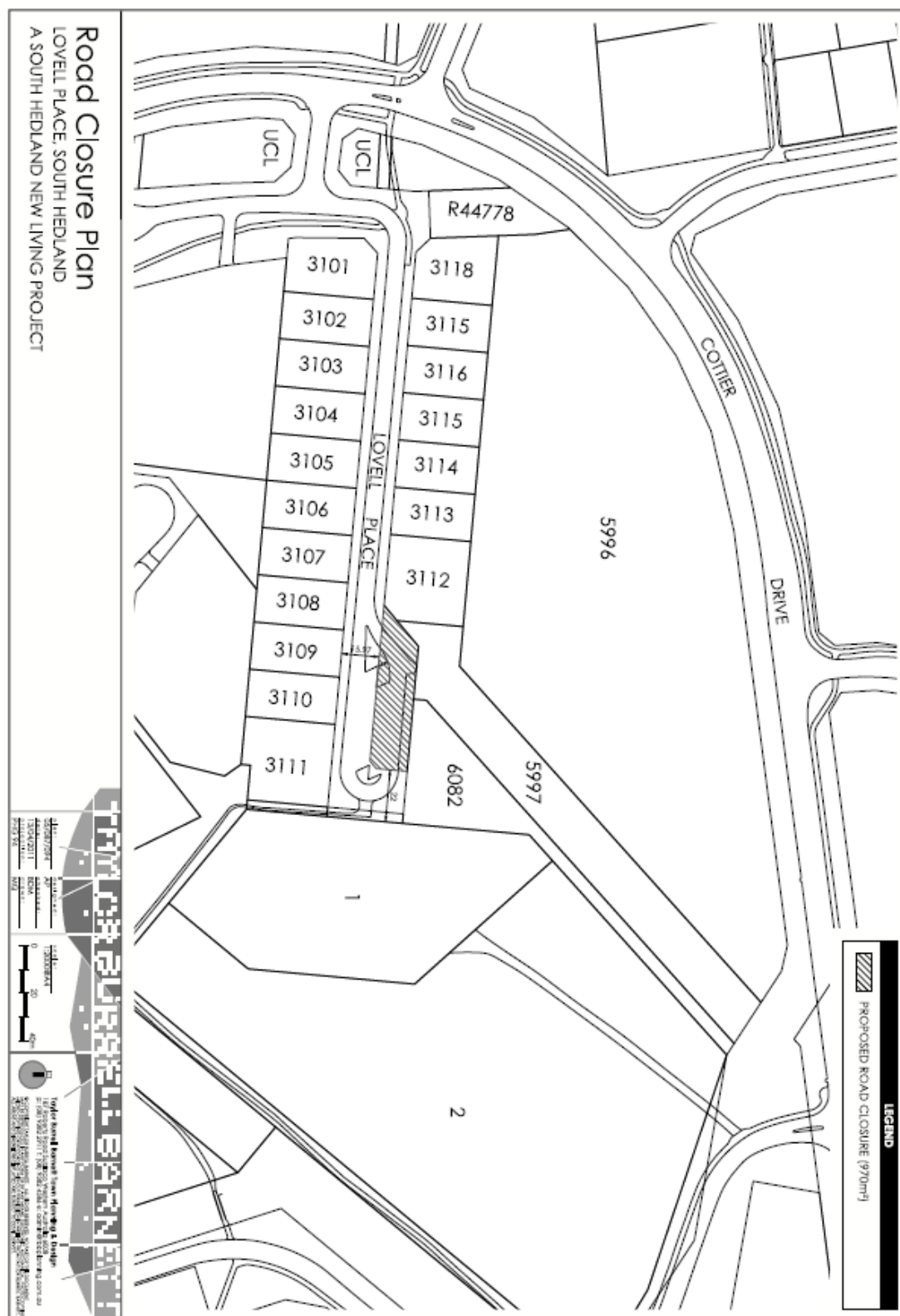
APPENDIX 1
LOCATION PLAN

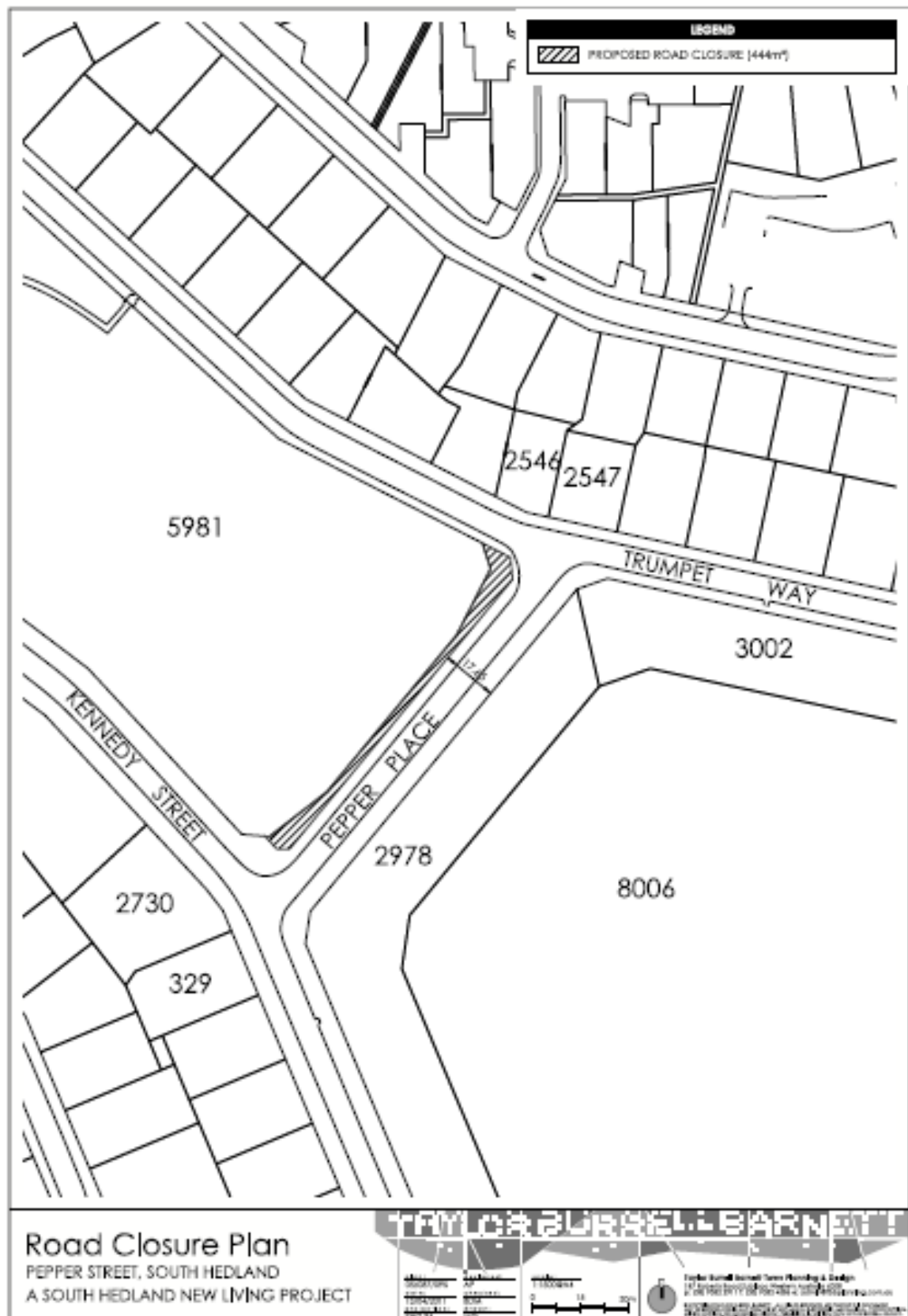




APPENDIX 2 ROAD CLOSURE PLANS

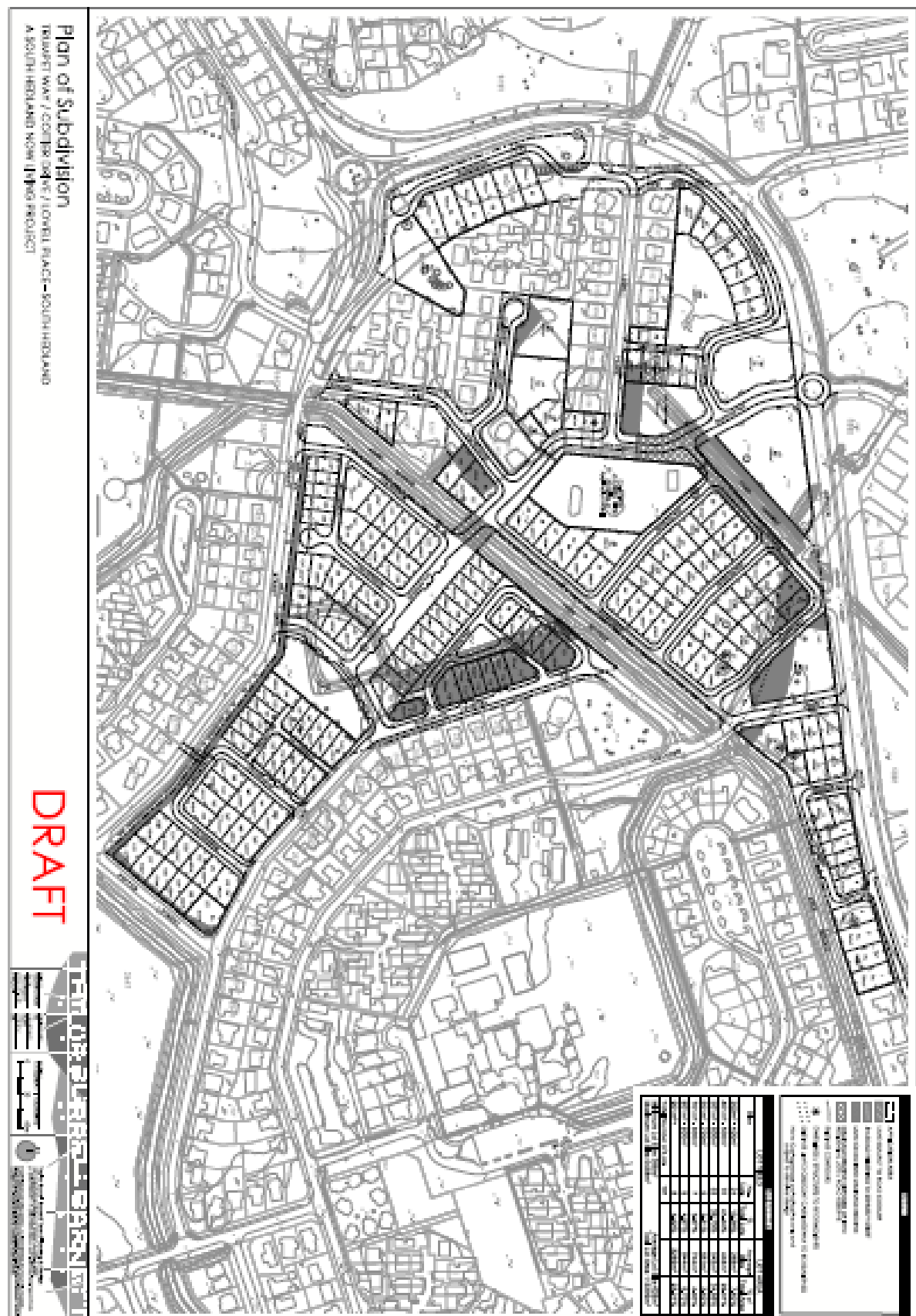








APPENDIX 3 DRAFT PLAN OF SUBDIVISION



PLANNING AND DEVELOPMENT ACT 2005

Town of Port Hedland
Local Planning Scheme No. 5
Amendment No. 42

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 Town Planning Scheme by:

1. Rezone all the following lots in South Hedland to 'Urban Development' with Residential Density code of 'R30':

Lot No.	Current Scheme Reservation	Proposed Zoning
5997 Limpet Crescent	Other Public Purposes – Water and Drainage	Urban Development - R30
6082 Lovell Place	Other Public Purposes – Water and Drainage	Urban Development - R30
5999 Limpet Crescent	Other Public Purposes – Water and Drainage	Urban Development - R30
6000 Trumpet Way (portion)	Other Public Purposes – Water and Drainage	Urban Development - R30
5981 Pepper Street	Parks and Recreation	Urban Development - R30
Portion Limpet Crescent road reserve	Local Road	Urban Development - R30
Portion Pepper Street road reserve	Local Road	Urban Development - R30
Portion Lovell Place road reserve	Local Road	Urban Development - R30

2. Introduce new provisions into the Scheme text as Appendix 6 to enable the preparation and adoption of Detailed Area Plans:

1. Detailed Area Plans

- 1.1 A Detailed Area Plan will relate to a particular lot or lots and may be prepared:

- 1.1.1 To modify, elaborate, or enhance the provisions of the Scheme, an approved Structure Plan or Development Plan
- 1.1.2 In the place of an application for Development Approval required to satisfy clause 6.3.2 – Buildings on boundary, of the *Residential Design Codes*; or
- 1.1.3 For any other planning purpose.

2. Detailed Area Plan may be prepared

- 2.1 Council or the Western Australian Planning Commission may by written notice require a landowner or developer to prepare and submit a Detailed Area Plan within a specified time:
 - 2.1.1 As a condition of subdivision approval; or
 - 2.1.2 In accordance with an approved Structure Plan or Development Plan;



- 2.2 A landowner or developer may prepare and submit for approval a Detailed Area Plan for any land.
 - 2.2.1 Where land is subject to an approved Structure Plan or Development Plan, any proposed Detailed Area Plan shall be generally in accordance with the Structure Plan or Development Plan.
3. Approval process
 - 3.1 Where a Detailed Area Plan is prepared under clause 2, the proponent shall submit four (4) copies of each Detailed Area Plan to Council for assessment.
 - 3.2 Within 60 days of receipt of a Detailed Area Plan, or such time as agreed in writing between Council and the proponent, Council shall consider the Detailed Area Plan and:
 - 3.2.1 Approve the Detailed Area Plan with or without modifications; or
 - 3.2.2 Refuse to approve the Detailed Area Plan.
 - 3.3 Council shall advise the proponent in writing of its decision.
 - 3.4 Should Council require modifications to the Detailed Area Plan as a condition of approval the proponent shall modify the Detailed Area Plan in consultation with the Council and resubmit the Detailed Area Plan within an agreed timeframe.
 - 3.5 Following the approval of the Detailed Area Plan by Council including any modifications required under clause 3.2.1 the Detailed Area Plan shall be endorsed by an officer authorised by the Council.
4. Advertising a proposed Detailed Area Plan
 - 4.1 Council shall advertise the Detailed Area Plan in accordance with clause 4.3 of the Scheme
5. A Detailed Area Plan shall address the following matters:
 - a) Building envelopes and setbacks;
 - b) Distribution of land uses within a lot;
 - c) Private open space;
 - d) Services;
 - e) Vehicular access, parking, loading and unloading areas, storage areas, and rubbish collection enclosures;
 - f) The location, orientation, and design of buildings and the space between buildings;
 - g) Advertising signs, lighting, and fencing;
 - h) Landscaping, earthworks, and stormwater drainage;
 - i) Finished building and ground levels;
 - j) Protection of significant heritage, conservation, or environmental sites;
 - k) Special development controls and guidelines; and
 - l) Any other matter deemed relevant by Council.
6. Submission of Detailed Area Plan to the WAPC
 - 6.1 Where a Detailed Area Plan is prepared as the basis for supporting subdivision of land, or where the Detailed Area Plan proposes to modify any policy of the WAPC, Council shall

submit the Detailed Area Plan to the WAPC within 42 days of adoption and request that the WAPC endorse the Detailed Area Plan

7 Operation of Detailed Area Plans

7.1 A Detailed Area Plan becomes effective when endorsed by a duly authorised officer of Council

7.2 Where a Detailed Area Plan is submitted to the WAPC pursuant to clause 6(a), it shall become effective on the date Council receives notification from the WAPC of its endorsement of the Detailed Area Plan

8. Amendment or Revocation of a Detailed Area Plan

8.1 A Detailed Area Plan may be amended by resolution of Council

8.1.1 Where Council is of the opinion that a proposed modification to a Detailed Area Plan significantly affects the content or operation of a Detailed Area Plan, the proposed modification shall be advertised in accordance with section 4

8.1.2 An amendment to a Detailed Area Plan shall come into effect in accordance with clause 7

8.2 Council may resolve to revoke a Detailed Area Plan.

8.2.1. Where Council makes a resolution to revoke a Detailed Area Plan endorsed by the WAPC under clause 6(a) it shall advise the WAPC within 42 days of such resolution.

Dated this day of 20.....

.....
Chief Executive Officer

ADOPTION

Adopted by resolution of the Council of the Town of Port Hedland at the Meeting of the Council held on the day of 20....

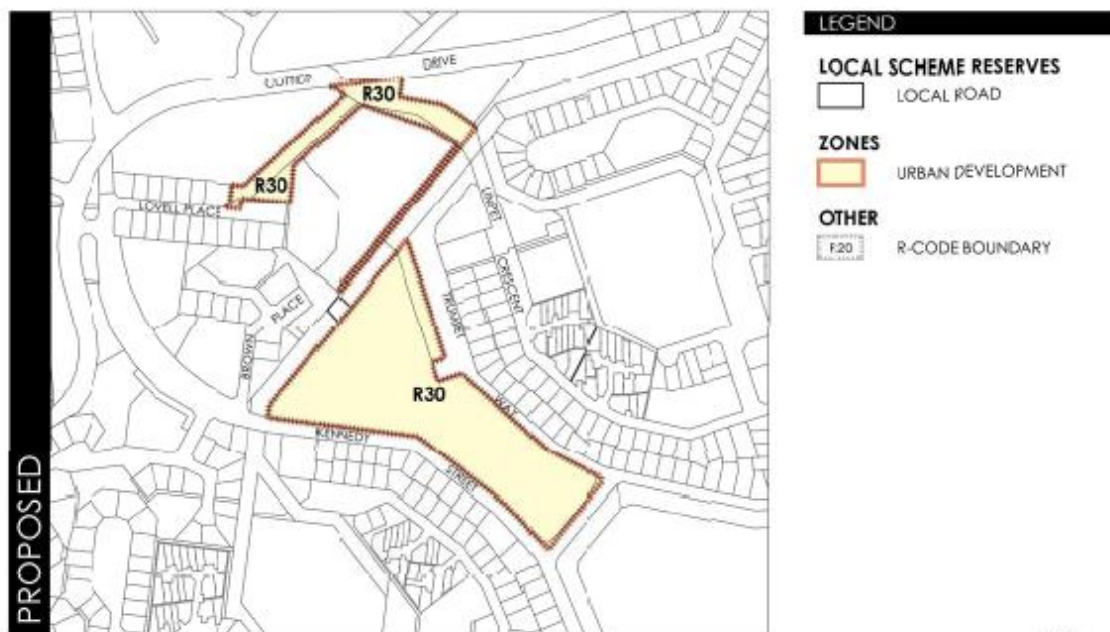
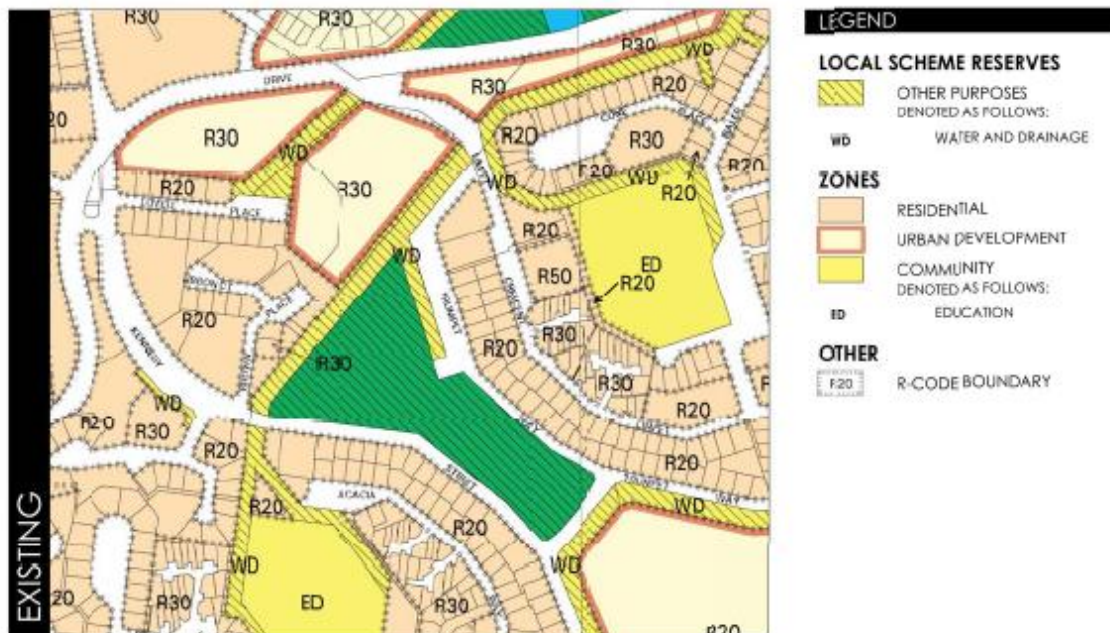
.....
Mayor

.....
Chief Executive Officer

TOWN OF PORT HEDLAND

Town Planning Scheme No.5

Amendment No. 42



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FINAL APPROVAL

Adopted for final approval by resolution of the Council of the Town of Port Hedland at the Meeting of the Council held on the day of 20.... and the Common Seal of the Town was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
Mayor/Shire President

.....
Chief Executive Officer

Recommended/Submitted for Final Approval

.....
Delegated under S.16 of PD Act 2005

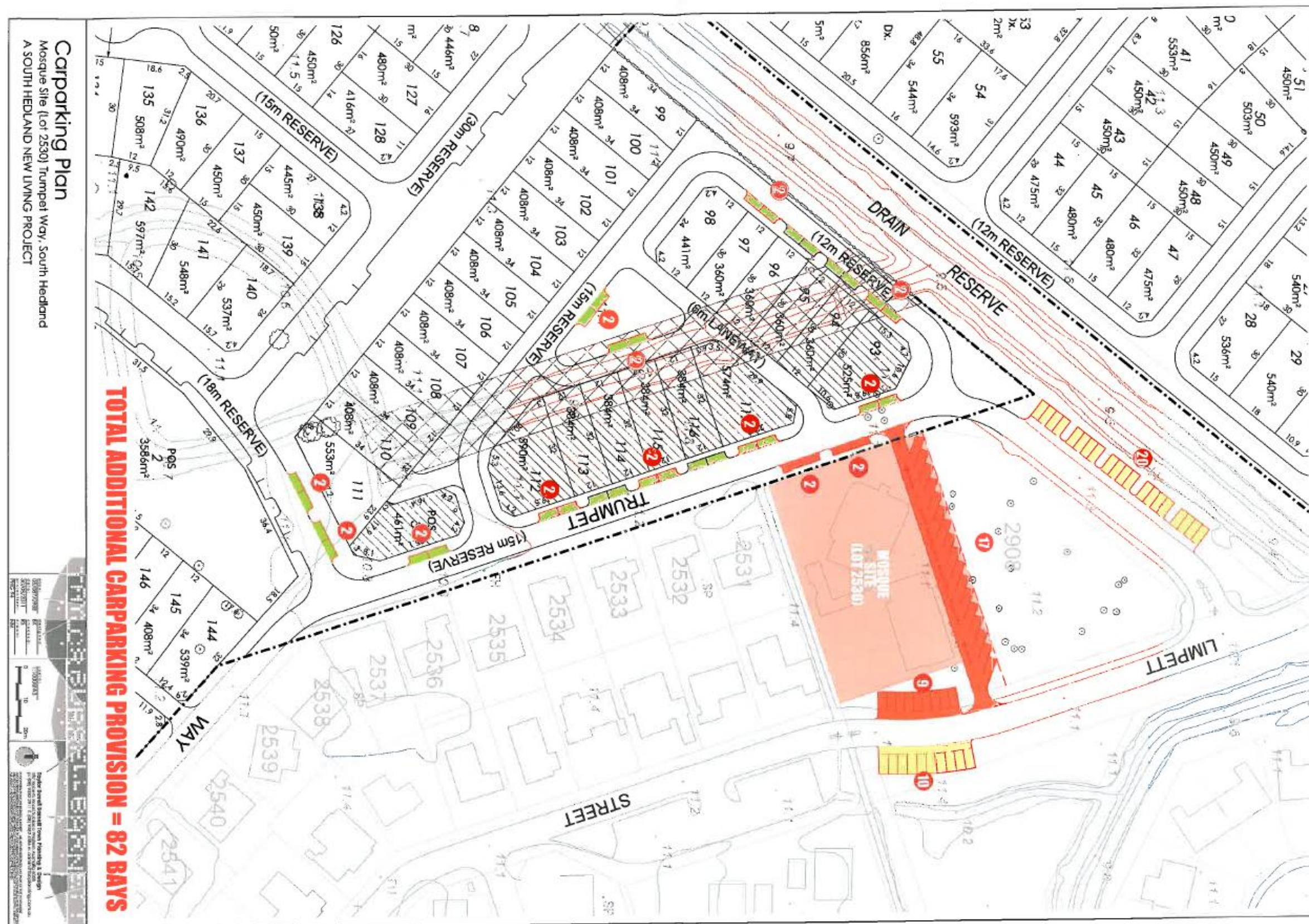
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Date

Final Approval Granted

.....
Minister for Planning

.....
Date

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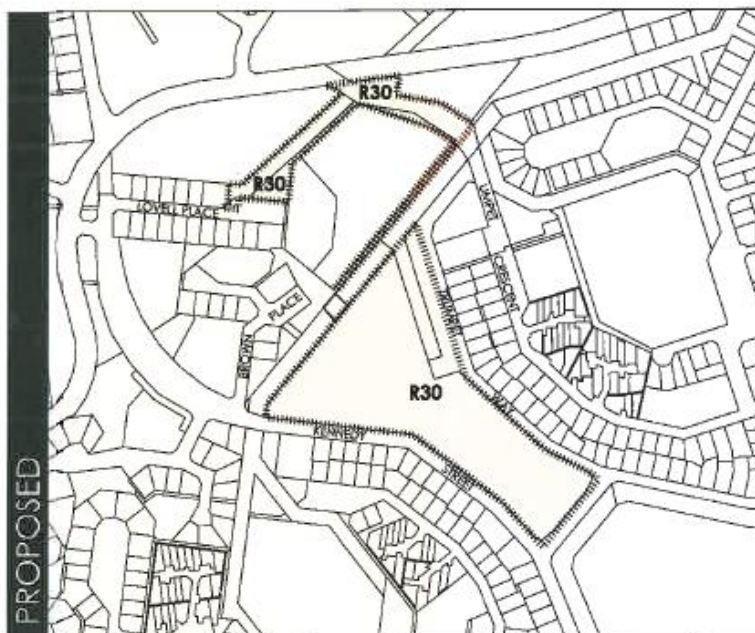
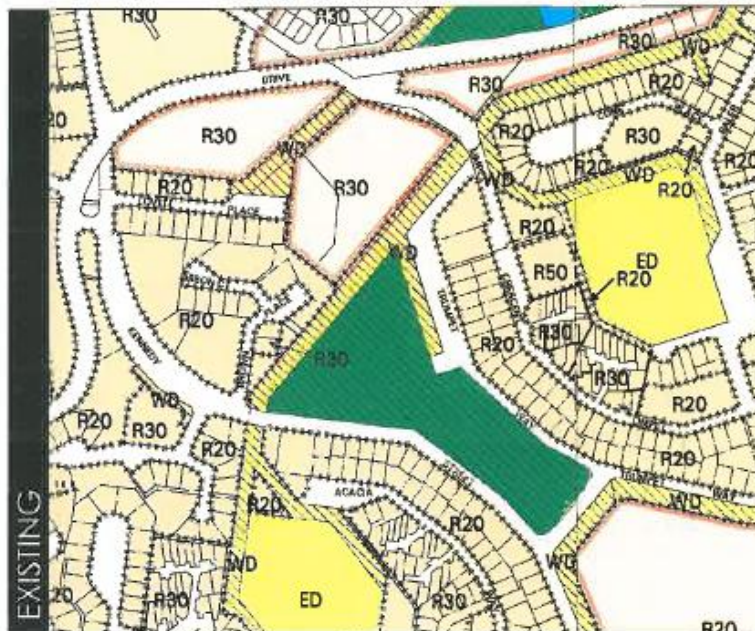
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ATTACHMENT 3 TO AGENDA ITEM 11.1.2.6

TOWN OF PORT HEDLAND

Town Planning Scheme No.5

Amendment No. 42



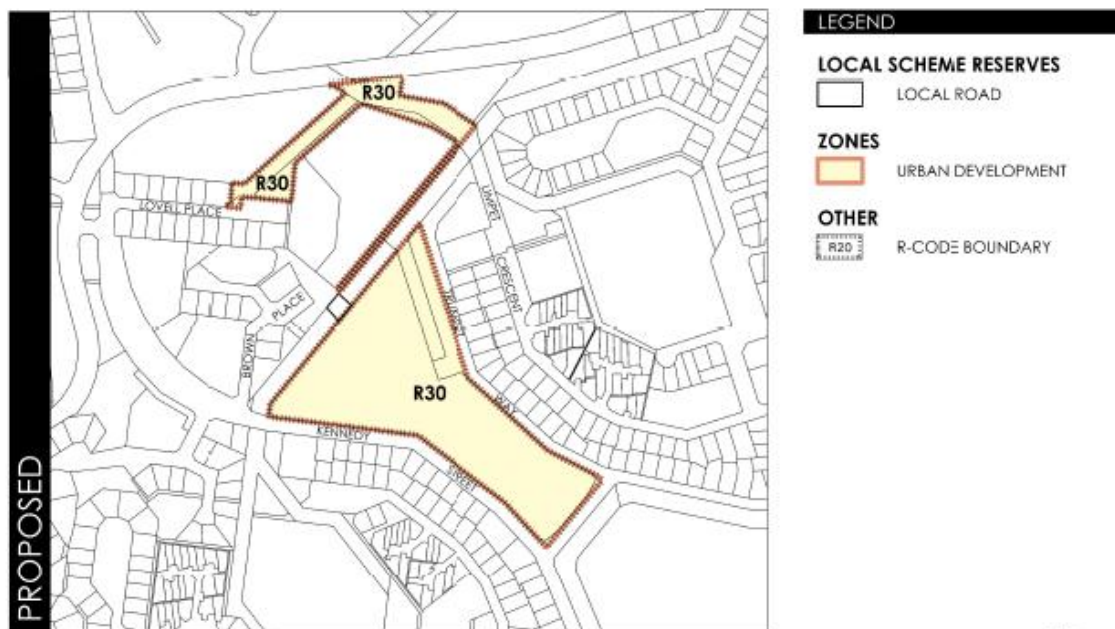
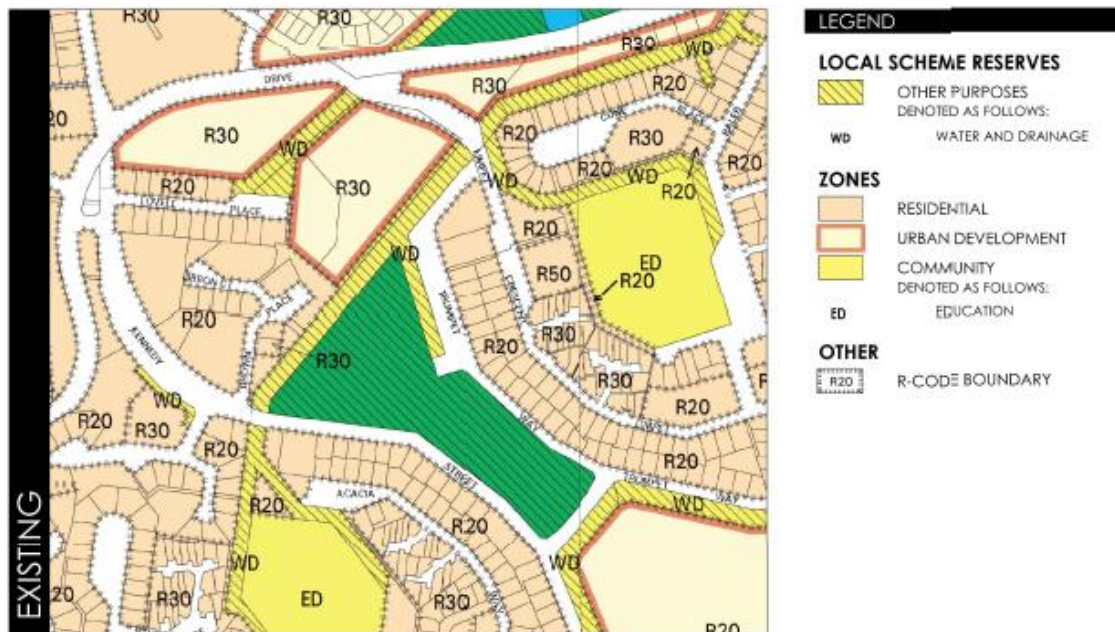
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ATTACHMENT 4 TO AGENDA ITEM 11.1.2.5

TOWN OF PORT HEDLAND

Town Planning Scheme No.5

Amendment No. 42



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Our Ref: 05/087 DR:ct

31 August 2011

Attention: Leonard Long

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

Dear Sir

**SUBMISSION ON AMENDMENT NO. 42
TOWN OF PORT HEDLAND TOWN PLANNING SCHEME NO. 5**

We present this submission on behalf of the South Hedland New Living Project to request that Council modify Amendment 42 to the *Town of Port Hedland Town Planning Scheme No. 5* (TPS 5) prior to adopting the amendment for final approval.

AMENDMENT BACKGROUND

Prior to Council consideration and subsequent initiation, the extent of Amendment No. 42 was reduced to exclude the western portion of the Trumpet Way road reservation, on the grounds that existing car parking in this area should be retained for use by adjoining development, specifically the South Hedland Mosque.

Whilst the removal of this land from the project was identified as being of considerable concern to the New Living Project, a decision was made not to object at that time, in the interest of continuing to progress the rezoning in a time effective manner.

Having now had the opportunity to review the implications of the change in a more comprehensive manner, it is respectfully requested that the Town review the decision to exclude this land, and that it be re-inserted as a modification to the Amendment, on the following grounds.

EXISTING NEGOTIATIONS

The New Living Project has extensive history where numerous decisions have often been made having regard for the collective outcome of negotiations across the total project area. With respect to the Trumpet Development area, officer discussion, detailed design and subsequent feasibility analysis have proceeded on the understanding that the excess road reservation would be included.

IMPLICATIONS ON SUBDIVISION DESIGN

Due to the unique shape and contained nature of the Trumpet Development area, removal of this land will significantly compromise the resultant subdivision design. In particular, without the road reserve being included, there may be little benefit in the Project acquiring and developing the adjacent drain reservation, resulting in the potential sterilisation of a large portion of readily serviceable inner town site land. This represents an extremely inefficient use of land, one that fails to address the escalating housing needs of the rapidly expanding local resource sector.

Taylor Burrell Barnett Town Planning & Design

167 Roberts Road Subiaco PO Box 8196 Subiaco East Western Australia 6008

Telephone (08) 5362 2911 Facsimile (08) 5362 4588 admin@tbpdesign.com.au

Mobile Property Pty Ltd ABN 74 630 437 926

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OWNERSHIP AND USE OF EXISTING PARKING

It is our understanding that the existing car park is rarely utilised, other than during peak periods (typically Friday afternoon) relating to operations of the adjacent Mosque. In our consideration it is important to recognise that this parking is not in the ownership of the Mosque and was not created for this purpose. In fact, the intent of clause 6.3 and Appendix 7 of TPS 5 is clear in that all land use should demonstrate self sufficiency in terms of parking generation and supply.

With this in mind, it should also be recognised that through an earlier outcome of the New Living Project (the Limpet Development – **WAPC Ref. #140225**), the project has already transferred a 10m wide strip of land along its northern boundary (equating to around 700m²) to the Mosque at no charge. We see no reason why this land cannot be developed and/or used for car parking should the Mosque deem it necessary to offset any perceived loss of service generated by this proposal.

AVAILABILITY OF ALTERNATIVE PARKING

As part of the design review process, the availability of space to accommodate a similar number of car bays within alternative nearby Crown reservations was also considered. The attached plan clearly demonstrates that this can be achieved whilst still allowing the excess road reserve to be developed for residential purposes.

A number of the bays are included within the Trumpet Development area and will therefore be delivered by the New Living Project. These bays have been highlighted in green on the attached plan and far exceed the 1 visitor bay per 4 laneway lot requirement expressed in Western Australian Planning Commission planning policy (by approximately 22 bays). They will also go a significant way towards accommodating overflow parking from adjoining development during peak events.

In consultation with the Shire, the New Living Project may also consider the construction of 30 additional bays (highlighted in yellow) within the Limpet Street and Trumpet Way road reservations. It will not however, construct the parking highlighted in orange, as it is our consideration that this should specifically be funded and constructed by the generator of the parking need. It will also constrain future access to the Mosque.

IMPLICATIONS ON ADVERTISEMENT

Due to the minor nature of the proposed modification we do not believe reconsideration of the amendment by the Environmental Protection Authority or readvertising for public comment is necessary prior to adoption by the Town of Port Hedland, as the fundamental principles of the Scheme Amendment remain unaltered.

In anticipation of the Town's support of this submission, we have prepared and enclosed the new amendment plan to be inserted in the documentation for submission to the WAPC for consideration and final approval. This plan clearly demonstrates the minor nature of our request.

Furthermore, as the advertised Amendment Report included at Appendix 3 a Draft Plan of Subdivision (**05/097/0938**) that clearly shows the relevant portion of road reservation as being subdivided and re-developed for residential purposes, it can justifiably be assumed that the public is aware of that potential outcome and has had sufficient opportunity to review and provide comment on that portion of the total proposal.

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Should you have any queries regarding this request, please do not hesitate to contact the undersigned or Andrew Patterson on 9382 2911.

We would be happy to organise a meeting between the Town and New Living Team Project representatives to discuss this matter in further detail, should you consider it appropriate.

Yours faithfully
TAYLOR BURRELL BARNETT



ROGER STEIN
ASSOCIATE

CC: Jaxon



11.1.2.6 *Proposed Scheme Amendment No. 49 to the Town or Port Hedland Town Planning Scheme No. 5 to Recode Various Lots in South Hedland to “Urban Development” (File No.: 18/09/0063)*

Officer	Michael Pound Planning Officer
Date of Report	8 October 2011
Disclosure of Interest by Officer	Nil

Summary

Council have received a request from RPS on behalf of Jaxon to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5* (TPS5) to amend the zoning of Lots 3505, 3506 and 3508 Koojarra Crescent, Lots 3625 and 3570 Captains Way, Lot 3435 Dorrigio Loop and Lot 3509 Kabbarli Loop, South Hedland (subject site) from part “Community – Education” and part “Residential R20” and part “Parks and Recreation” and part “Other Public Purpose – Water and Drainage” Reserve to “Urban Development.”

Background

The subject site was previously earmarked as a site for a future Primary School (Koombana Primary School), however it has since been identified as surplus to the needs of the Department of Education and is therefore no longer required as a school site. Similarly the areas of land reserved for Parks and Recreation purposes have been identified as surplus to the requirements of the Town of Port Hedland.

The subject site was therefore identified as a key urban development opportunity by the State Government, and was included in the Stage 1 land release by the Department of Regional Development and Lands (DRDL).

Jaxons has since entered into a contractual agreement with the DRDL to purchase the land, subject to meeting a number of milestones, including rezoning of the land to “Urban Development”

As part of the Land Use Rationalisation Plan Jaxon were awarded the land parcels known as the subject site.

Scheme Amendment No. 49 has been lodged as a precursor to a Development Plan which will allocate density, road networks and areas of Public Open Space and Drainage, and which is required for land zoned ‘Urban Development’ as per Clause 6.4 of TPS 5.

The proposal will result in the utilisation of undeveloped land for residential purposes and provide residential development that generally reflects the surrounding density of development.

Consultation

Should Council resolve to initiate this amendment to TPS 5 as recommended, the documentation is to be submitted to the Environmental Protection Authority (EPA) for consideration pursuant to section 81 of the Planning and Development Act 2005 (PDA) and then advertised for public comment.

At the completion of this consultation, Council is to consider all submissions and determine whether to adopt the amendment, adopt the amendment with modifications, or not adopt the amendment.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

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

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

Budget Implications

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

Officer's Comment

It is proposed to apply an "Urban Development" zoning to the land which will enable the land to be developed in accordance with a "Development Plan". The Development Plan will identify how the land will develop.

Summary

The proposal contains two distinct phases:

Phase 1: – Rezone the land to Urban Development.

It is proposed that the Urban Development zone be applied to the land. The Urban Development zone provides flexibility for the land to be developed for a number of purposes including residential, commercial, etc. Clause 6.4 of TPS5 states that the purpose of the Urban Development zone is to:

“identify land where detailed planning and the provision of infrastructure is (sic) required prior to the further subdivision and development of the land. This planning should be documented in the form of a Development Plan”;

Phase 2 – Adopt a Development Plan.

The change in zone will facilitate the preparation of a Development Plan over the site to guide the development of low to medium density residential development, community facilities and any other land uses deemed appropriate through the Development Plan process. The Development Plan will identify and provide guidance as to how the land is developed.

The Planning Scheme has the following provisions relating to Development Plans:

- A Development Plan shall address matters set out in Appendix 6 (Matters to be Addressed by Development Plans) of the Scheme, such as – services, road/paths, heritage, public open space, environment, drainage, demand for development, staging.
- A Development Plan may require additional conditions and these shall be outlined in Appendix 10.
- Appendix 6 also requires Development Plans in the Urban Development zone to address:
 - a. Location and density of housing, including lot and dwelling yields, population outcomes, net density and detailed subdivision standards relating to solar access, efficient use of water resources, design features and density rationale; and
 - b. Demand for commercial and community facilities, generated by the development and implications for the provision of these within the site or elsewhere.

Summary

Rezoning the land will provide added certainty to the landowner/developer that the land will be able to be developed for residential and community purposes.

Options

Council has the following options when considering the matter:

1. Initiate the Scheme Amendment

The rezoning of the subject site will allow for the consolidation of residential development in an established and well serviced area.

2. Refuse to Initiate the Scheme Amendment

Refusal of the proposed Scheme Amendment will reduce housing options within the region to respond to the ongoing demand for housing requirements and population pressures.

Council Officers recommend to proceed with Option 1.

Attachments

1. Scheme Amendment Report

201112/169 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council:

1. **Approve the request from RPS on behalf of Jaxon to initiate an amendment to the Town of Port Hedland Town Planning Scheme No. 5 to amend the coding of Lots 3505, 3506 and 3508 Koojarra Crescent, Lots 3625 and 3570 Captains Way, Lot 3435 Dorriga Loop and Lot 3509 Kabbarli Loop, South Hedland from "Community – Education" and "Residential R20" and "Parks and Recreation" and "Other Public Purpose – Water and Drainage" Reserve to "Urban Development.**
2. **Advise the applicant accordingly and request that the applicant prepare the formal amendment documentation to enable referral to the Environmental Protection Authority.**

3. Following approval from the EPA to advertise the amendment, Council advertises the proposed amendment in accordance with section 83 of the PDA to consult persons likely to be affected by the amendment, and also advertise the amendment for a minimum of 42 days pursuant to section 84 of the PDA.
4. Should there be no submission received during the statutory advertising period, Council formally adopts Scheme Amendment 49, in accordance with the provisions of the Planning and Development Act, and
5. Delegates the Director Planning and Development to forward Town Planning Scheme Amendments to the Planning Commission for final approval in the case of:
 - a. No adverse submissions received during the public advertising of the Scheme Amendment.
 - b. The date of adoption of Council's final approval shall be the date of the next Council Ordinary Meeting following the closing date of the advertising period

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.2.6



**PROPOSED SCHEME AMENDMENT
(KOOMBANA SCHOOL SITE, SOUTH
HEDLAND)**

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

Prepared by:

RPS

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Prepared for:

JAXON

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Report No: ~~40019~~

Version/Date: Rev 1, September 2011

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

RPSKoombana School Site
Scheme Amendment Request**Document Status**

Version	Purpose of Document	Orig	Review	Review Date	Format Review	RPS Release Approval	Issue Date
Draft A	Draft for Client Review	TC	FV	29.09.11	FV 29.09.11	29.09.11	29.09.11
Rev 1	Issue for Approval	TC	FV	30.09.11	FV 30.09.11	30.09.11	30.09.11

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40019, Rev 1, September 2011

REV 1

RPS

Koomana School Site
Scheme Amendment Request**TABLE OF CONTENTS**

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RPSKoombara School Site
Scheme Amendment Request**FIGURES**

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1.0 INTRODUCTION

This submission has been prepared on behalf of Jaxon and seeks support from the Town of Port Hedland to rezone Lots 3505, 3506 and 3508 Koojarra Crescent, Lots 3625 and 3570 Captains Way, Lot 3435 Dorrigo Loop and Lot 3509 Kabbarli Loop, South Hedland (the 'subject land') from 'Community - Education' and 'Residential – R20' zone, and 'Parks and Recreation' and 'Other Public Purpose – Water and Drainage' reserve to 'Urban Development' zone under the Town of Port Hedland Town Planning Scheme No. 5 (TPS 5).

The Scheme Amendment has been lodged as a precursor to a Development Plan which will allocate density, road networks and areas of Public Open Space and Drainage, and which is required for land zoned 'Urban Development' zone as per Clause 6.4 of TPS 5.

1.1 Location and Context

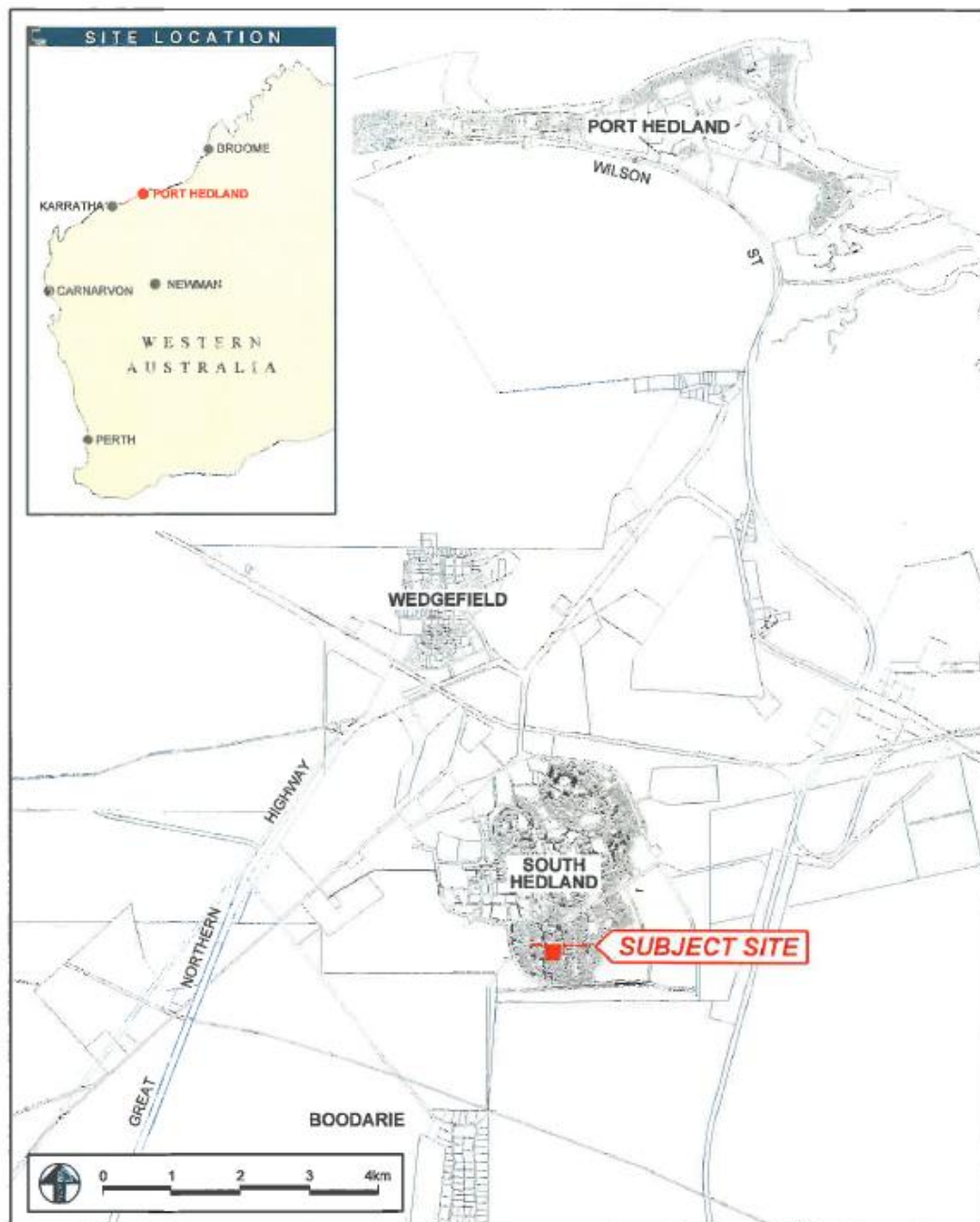
The subject land is located to the south east of the South Hedland Town Centre in the locality of Koombara. The subject land is generally bounded by Captains Way to the east, Koojarra Crescent to the South, Karballi Loop to the north and a drainage swale to the west (refer **Figure 1 - Location Plan**).

The subject land is located approximately 750 metres from the main town centre of South Hedland. The town centre is currently undergoing significant expansion consistent with the South Hedland Town Centre Development Plan (SHTCDP), which envisages the development of a new vibrant centre supported by increased commercial and retail development; and increased housing diversity. The revitalised town centre will be oriented around a new main street along Colebatch Way.

The new South Hedland Regional Hospital is located at the corner of Wise Street and Colebatch Way in the South Hedland Town Centre and is approximately 800 metres to the west of the subject site. Regional recreational and education facilities including the South Hedland Oval and South Hedland TAFE are located further to the north of the subject site (refer **Figure 2 - Local Context Plan**).

1.2 Site Details

The subject land is vacant, with some degraded areas of remnant scrub and numerous informal vehicle and pedestrian paths intersecting to site (refer **Figure 3 - Aerial Plan** and **Plates 1 - 3**).



LOCATION PLAN

Property Description

KOOMBANA SCHOOL SITE
 Lot 3435 Daylesford Close, Lots 3505, 3506 &
 3508 Koojarra Crescent, Lot 3509 Kabbarli
 Loop and Lots 3570 & 3625 Captains Way,
 SOUTH HEDLAND

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

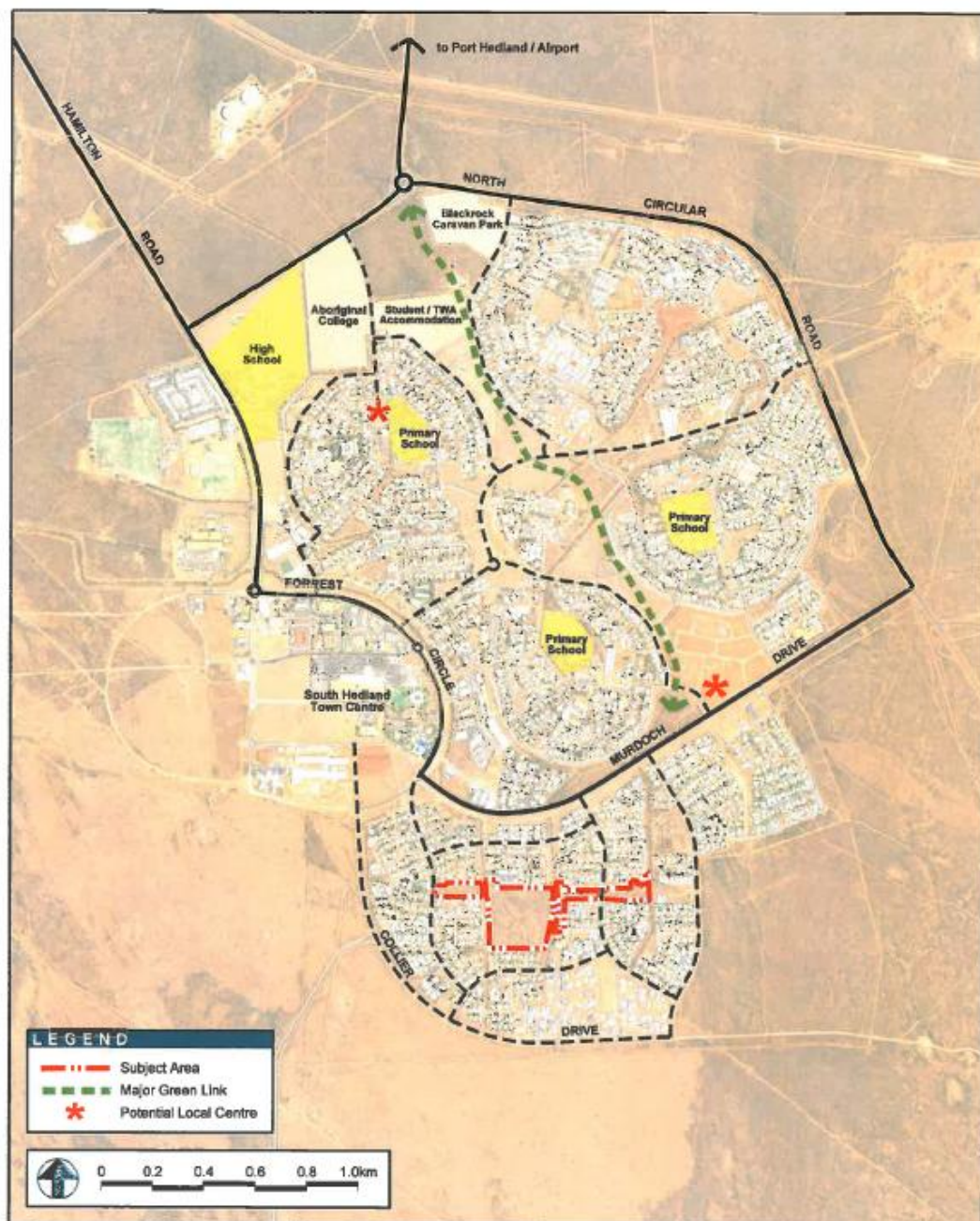
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 22 September 2011 : DATE
 40010-5-001.dgn : PLAN No
 - : REVISION
 T.C. : PLANNER
 R.F. : DRAWN
 N.T. : CHECKED



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FIGURE 1



LOCAL CONTEXT PLAN

Property Description

KOOMBANA SCHOOL SITE
 Lot 3435 Daylesford Close, Lots 3505, 3506 &
 3508 Koojarra Crescent, Lot 3509 Kabbarli
 Loop and Lots 3570 & 3625 Captains Way,
 SOUTH HEDLAND

Base data supplied by Landgate.
 Accuracy +/- 4m. Projection MGA Zone 50.
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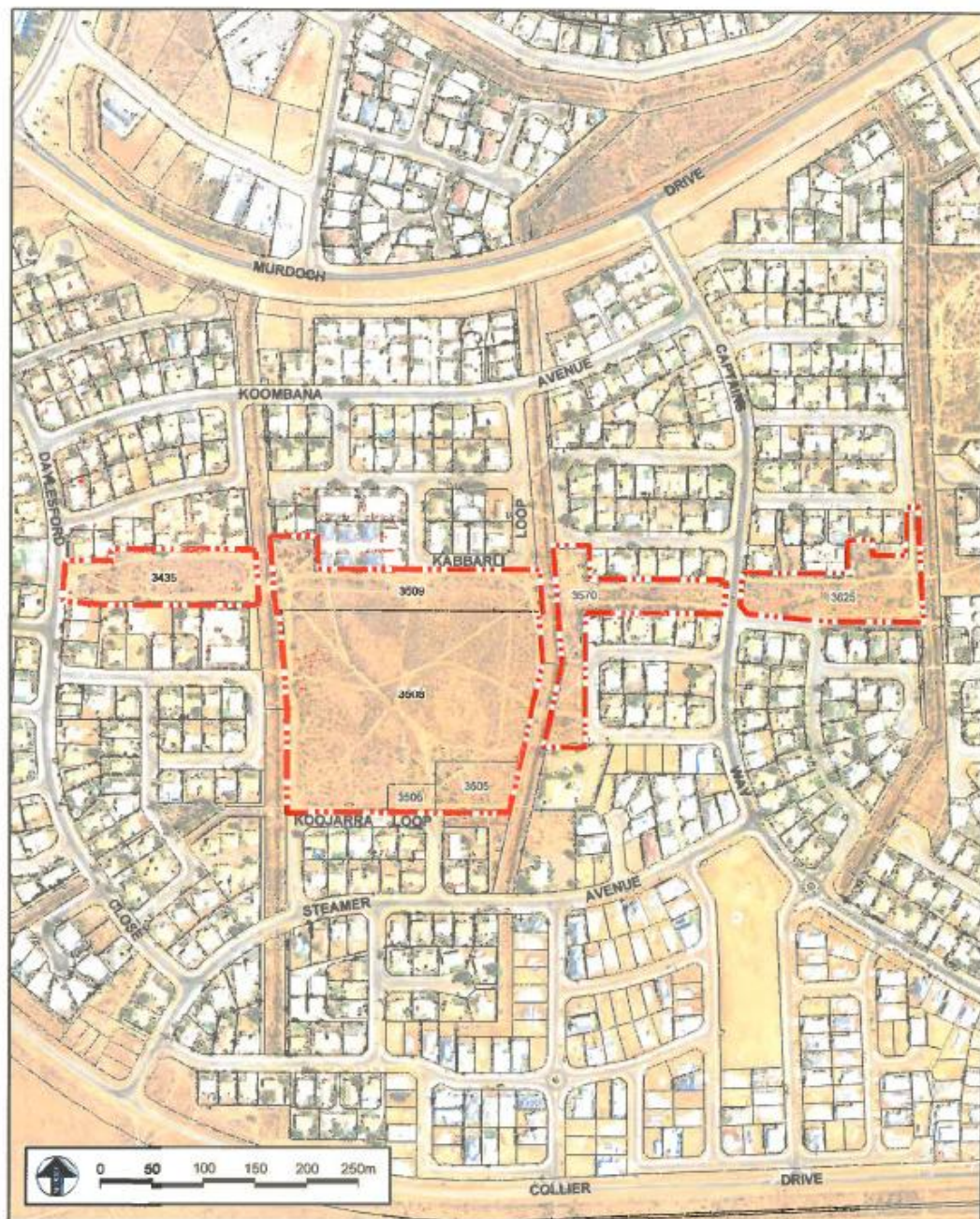
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FIGURE 2



AERIAL PLAN

Property Description:

KOOMBANA SCHOOL SITE
 Lot 3435 Daylesford Close, Lots 3505, 3506 &
 3508 Koojarra Crescent, Lot 3509 Kabbard
 Loop and Lots 3570 & 3625 Captains Way,
 SOUTH HEDLAND

Base data supplied by Landgate.
 Accuracy +/- 4m. Projection MGA Zone 50.
 Areas and dimensions shown are subject to final survey calculations.
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FIGURE 3

RPS

Koombana School Site
Scheme Amendment Request



Plate 1: View north along eastern drainage line



Plate 2: View north along western drainage line



Plate 3: View east along Koojarra Loop

1.3 Background

The subject land was previously earmarked as a site for a future Primary School (Koombana Primary School), however it has since been identified as surplus to the needs of the Department of Education and is therefore no longer required as a school site. Similarly the areas of land reserved for Parks and Recreation purposes have been identified as surplus to the requirements of the Town of Port Hedland.

The subject land was therefore identified as a key urban development opportunity by the State Government, and was included in the Stage I land release by the Department of Regional Development and Lands.

Our client Jaxon has since entered into a contractual agreement with the Department of Regional Development and Lands (DRDL) to purchase the land, subject to meeting a number of milestones, including rezoning of the land to the 'Urban Development' zone.

A Development Plan consistent with Town of Port Hedland Town Planning Scheme No. 5 (TPS 5) requirements is being prepared to reflect the proposed scheme amendment. The Development Plan will be lodged for Council's consideration shortly.

1.4 Land Ownership

The subject land is predominantly 'reserved land' vested in favour of a number of government agencies including Town of Port Hedland, the Department of Planning and Infrastructure and the Department of Regional Development and Lands. The 'zoned' parcels of land are owned by the Department of Planning and Infrastructure.

1.4.1 Vesting Orders

The Vesting Orders associated with the reserves held in favour of the Town of Port Hedland will need to be revoked. This process will be initiated between the Proponent and the Town of Port Hedland upon the land being rezoned to 'Urban Development'.

The Town of Port Hedland will be required to provide written confirmation to the Department of Regional Development and Lands that the Town of Port Hedland will relinquish the management order in favour of the State of WA.

2.0 TOWN PLANNING CONSIDERATION

2.1 Statutory Planning Framework

2.1.1 Town of Port Hedland Town Planning Scheme No. 5

The Town of Port Hedland Town Planning Scheme No. 5 (TPS No. 5) is the operative Town Planning Scheme in the area and was gazetted on 31 August 2001.

Under TPS 5, the subject land is partially zoned 'Community – Education' and 'Residential R20', and partially reserved for 'Parks and Recreation' and 'Other Public Purposes – Water and Drainage'.

2.2 Port Hedland Land Use Master Plan (LUMP)

The Port Hedland Land Use Master Plan (LUMP) was initially prepared to guide the growth and development of Port Hedland for the next 20 - 25 years. Following its adoption by the Town of Port Hedland, it was endorsed by the Western Australian Planning Commission (WAPC) in September 2008. The LUMP provides insight into the desired land-use framework for the study area.

The LUMP identifies the Koombara area as suitable for renovation and infill development.

2.3 Port Hedland Draft City Growth Plan

The Town of Port Hedland recently commissioned the preparation of a comprehensive Pilbara Port 'City Growth Plan' document, as a strategic response to the many growth pressures being faced by the Town of Port Hedland.

The Draft City Growth Plan will fulfil a number of important functions, in line with the broader Pilbara Cities Framework, including:

- To provide key overarching strategies for the integrated response to growth requirements, including a range of initiatives such as 'diversifying the economy'; community development; youth development; Fly-in/Fly-out (FIFO) integration, and the like;
- To address the need for a Strategic Plan (Growth Plan) and formally identify and prioritise in one overarching document the many priority land release areas (Growth Plan Precincts);
- To provide the Town of Port Hedland (ToPH) with a Strategic Plan which will ultimately be adopted as the Town's Local Planning Strategy as a precursor to the Scheme Review of Town Planning Scheme No. 5 (TPS5);
- To provide a planned land use response to the Port Hedland Dust and Noise Management Plan recommendations; and

RPSKoombana School Site
Scheme Amendment Request

- To facilitate the continued, where possible and appropriate, simultaneous progression of agreed priority 'Growth Plan Precincts' to ensure the further de-risking of land for release and development.

The Draft City Growth Plan has recently been endorsed for advertising by the Town of Port Hedland and the WAPC. It is understood that the public advertising period (42 days) will commence in early October 2011.

The plan identifies a number of Growth Precincts; the subject land is located within Precinct 12. Precinct 12 specifically identifies Koombana as an area suitable for immediate term housing supply. The proposed Scheme Amendment is therefore consistent with the objectives of Precinct 12 and the broader Growth Plan initiatives.

3.0 PROPOSED TOWN PLANNING SCHEME AMENDMENT

3.1 Amendment Details

The amendment seeks to rezone the subject land from 'Community - Education' and 'Residential - R20' zone, and 'Parks and Recreation' and 'Other Public Purpose - Water and Drainage' reserve to 'Urban Development' zone under TPS 5 (refer **Figure 4 - Zoning Map**).

The Zoning Table in TPS 5 provides for a range of land uses under the 'Urban Development' zone, with a focus on residential development and health and community land uses. This provides a general outline of the range of land use desired for the Urban Development zone and its intended purpose. It is however possible to nominate alternative land use within the 'Urban Development' zone through the Development Plan process.

Rezoning the land to 'Urban Development' zone is therefore considered the most suitable outcome for the subject land. This has regard for the desire to achieve a mix of residential uses and scale of land use through a Development Plan process, rather than pursuing the rezoning the land to a more restrictive 'Residential' zone.

Generally, TPS 5 provides a very robust set of provisions to guide and manage the land use and development of the site through a Development Plan over the short and long-term. The approach to rezone the land to 'Urban Development' under TPS No. 5 is also consistent with preliminary discussions had with Town of Port Hedland officers.

Critically, the proposed amendment will facilitate the delivery of approximately two hundred and sixteen (216) residential dwellings, which is vital to assisting the Town of Port Hedland in its efforts to reduce the critical shortage of 'residential ready' land in the municipality.

3.2 Development Plan

The subject area is currently zoned 'Community - Education', 'Parks and Recreation' and 'Other Public Purpose - Water and Drainage'.

Rezoning of the subject land to 'Urban Development' zone will facilitate the preparation and endorsement of a Development Plan that depicts the land uses, road layout, residential densities as well as matters relating to open space, services, drainage. The Development Plan will be prepared consistent with the requirements of Appendix 6 of TPS 5 and Town of Port Hedland and WAPC Policy requirements.

A draft Development Plan has previously been discussed with Town of Port Hedland officers, and in-principle agreement has been provided. The Development Plan and accompanying justification report will be provided under separate cover.

SCHEME AMENDMENT MAP

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



4.0 SUMMARY AND JUSTIFICATION

The purpose of the amendment is to rezone the subject land to the 'Urban Development' zone to facilitate the preparation of a Development Plan over the site to guide the development of residential uses.

The current zoning of the land as 'Community - Education' and 'Residential - R20', and 'Parks and Recreation' and 'Other Public Purpose - Water and Drainage' reserve does not represent an appropriate use for the subject land and does not facilitate residential development in the manner contemplated.

Rezoning of the land to 'Urban Development' under TPS No. 5 will facilitate the development of appropriate land use and development that will contribute towards the ongoing expansion of the South Hedland area.

11.1.2.7 *Proposed Industry – Extractive – Sand Quarry on Mining Tenement M45/1174 being part Lot 3114 on plan P220594, Turner River (File No.: 804533G)*

Officer	Ryan Djanegara Planning Officer
Application No	2011/219
Date of Report	4 October 2011
Disclosure of Interest by Officer	Nil

Summary

Council has received an application from Animal Plant Mineral Pty Ltd on behalf of Dumpna Pty Ltd with regards to a proposed sand quarry on mining tenement M45/1174, being part Lot 3114 on plan P220594, which is located at Turner River.

Whilst the use is regarded as “Industry - Extractive”, an “AA” use within the “Rural” zoning which can be considered by the Director Planning and Development Services via delegated authority, there has been a number of objections submitted against the proposed quarry.

Council officers are recommending approval of the proposed sand quarry subject to conditions.

Background

Site Description

The subject site is located approximately 7.8 kilometres south-east of the Turner River rural residential estate. Vehicular access is achieved via land adjoining the site and running west of the residential estate along a private road before connecting onto Great Northern Highway. In terms of the Port Hedland Town Planning Scheme No. 5, the mining tenement M45/1174 is zoned “Rural” and “Industry – Extractive” is identified as an “AA” use within the scheme.

The Proposal

Dumpna Pty Ltd (Dumpna) is proposing to mine sand and river shingle on mining tenement M45/1174 and supplying the materials for Hanson Construction Materials Pty Ltd (Hanson). The sand will be stockpiled on an existing general purpose lease G45/50 that is next to the proposed site.

The sand is then transported along an existing private road that runs behind the Turner River rural residential estate. It is proposed that the site will be used temporarily for a period of 12 to 18 months.

It is Dumpna intentions to establish a new sand quarry on Mining Tenements M45/1193 and M45/1173 being part of Lot 3114, which is located east of Turner River and north-east of the rural residential estate. Once the site has been established, the applicant has advised within 3 to 6 months the scales of operations from M45/1174 will reduce significantly to negligible levels before ceasing entirely.

Consultation

The application has been circulated internally and externally to the following State Government departments:

- Department of Mines and Petroleum (DMP)
- Environmental Protection Authority (EPA)
- Department of Environment and Conservation (DEC)
- Department of Water (DOW)
- Main Roads Western Australia (MRWA)

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

Notwithstanding that the scheme does not require a use determined to be an "AA" to be advertised, it is the Officers opinion that sand quarries can impact on the amenity of neighbouring properties. Therefore, neighbouring residents were given a period of 14 days to comment on the proposed sand quarry.

As a result of the above external advertising Council received 6 written submissions who have objected to the proposal. One of the submissions was noted to represent 4 landowners. The comments and concerns raised in the written submissions have been summarized and captured in the report but are attached to this report.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

An application fee of \$676.00 has been received as per the prescribed fees approved by Council.

Officer's Comment

In accordance with the Port Hedland Town Planning Scheme No. 5, the proposed development is classified as "Industry –Extractive" and defined as:

"An industry:

- a) the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals or similar substance from the land and also includes the manufacture of products from any of those materials when the manufacture is carried out on the land from which any of the materials so used is extracted or on land adjacent thereto, and the storage of such materials or products, or*
- b) the production of salt by the evaporation of salt water."*

Summary of Written Submission

The submissions received can be summarized as follows:

- The proposal will exacerbate an already existing dust and noise issue;
- The removal of the natural wildlife habitat for existing flora and fauna within the proposed area; and
- The change in the natural riverbed composition which also has an effect on flora and fauna; and
- The impacts on natural groundwater storage areas and the effect downstream from the proposed location

*Planning Department Response**Dust emissions*

The emission of dust was identified by all the submissions written as being their main concern to objecting to the proposal. The dust issue arises not from the sand mining operations itself but the haulage of the mineral from the stockpile to Great Northern Highway and then later to Wedgefield. This issue can be further exacerbated by Truck drivers not following the 25km/hour speed limit, prevailing westerly winds and unsealed access roads.

Applicant's justification

The applicant has explained that Dumpna will not be increasing the truck haulage movements nor intending on expanding Hanson's mining operations. The availability of sand that can be mined on Hanson's mining tenements M45/75 and M45/707 is diminishing and so they are seeking alternative sources.

The purpose of the proposal is to allow Dumpna to supply Hanson with sand by stockpiling the mineral on their General Purpose Lease G45/50 and utilize already existing infrastructure. Therefore the applicant will not be increasing the number of haulage and truck movements.

Traffic management plan

Notwithstanding this however, in light of the concerns raised, the applicant has worked in conjunction with Hanson to supply the Town with a traffic management plan that will be designed to address the residents' concerns with regards to dust management. The techniques and measurements used to mitigate dust include (but are not limited to):

- reducing speed limits from 25km/hour to 15km/hour past the Turner River estate;
- a water cart on site when required; and
- possible look at an alternative access route to Great Northern Highway.

This plan has been revised by Council's Environmental and Health department whom are generally satisfied with the proposed plan. Council's Environmental and Health department has required an amendment such that all complaints are to be forwarded to the Town of Port Hedland within 24 hours of being received.

Notably whilst the Traffic Management Plan provides a tool by which to mitigate dust emissions, Council may not necessarily have the resources to monitor, regulate and enforce the Traffic Management Plan.

Alternatively, to address the adverse dust impacts of the proposed development (haulage route) Council may consider requesting the proponent to seal a portion of the road so that dust emissions are not an issue. Council may consider the proponent sealing the road from the Great Northern Highway through to past the rural residential enclave or alternatively, just sealing that portion of road adjacent to the rural residential housing.

Environmental concerns – Flora and Fauna

In addition to dust, one submission raised some concerns with regards to the impacts of the proposal on the removal of the natural wildlife habitat. During the advertising period, the application was referred to the Department of Environment and Conservation (DEC), the Department of Mines and Petroleum (DMP) and the Environmental Protection Authority (EPA).

The DMP's Native Vegetation Assessment Branch are responsible for providing Mining Tenements permits to clear any native vegetation. A Permit to Clear Native Vegetation has been issued by the DMP subject to conditions.

In addition to the above permit, the applicant has sought works approval from the DEC. The DEC's works approval permit has advised that the applicant is proposing to clear 6ha of vegetation in the river bed over a 20ha area, where areas targeted for excavation have little to no vegetation. The proposed quarry would not adversely affect species of conservation significance, such as the Australian Bustard and the Northern Quoll by the sand extraction process.

Groundwater concerns

Another concern raised during the advertising period was the impacts of the proposal on groundwater sources and the downstream flow of the river. The Department of Water (DOW) has advised that the proposed location of the tenement is within the Turner River Public Drinking Reserve gazetted under the Country Areas Water Supply (CAWS) Act 1947.

After considering the proposal and in light of their policies, the site is considered unlikely to be viable as a public drinking source. The applicant has applied to DOW to de-proclaim the site as a Water Source Protection Area.

Impacts on the downstream river flow

Another issue raised was the impact on the downstream flow of Turner River. DOW has advised that any disturbance to waterways or the taking of water from the environment within the proclaimed management areas would require to be licensed. Therefore any concerns regarding any potential impacts on the downstream flow of the river would be addressed via licenses through DOW.

Options

Council has the following options when considering the application:

1. Approve the proposal subject to conditions

This option should be resolved if Council are satisfied that all the concerns raised by the residents of Turner River have been adequately addressed and can be conditioned if necessary.

2. Refuse the application

This option should be resolved if Council consider that the concerns raised by the residents has not adequately been addressed via the dust management plan.

It is recommended that Council approves the application as it gives Council the opportunity to resolve the existing dust mitigation issues.

Attachments

1. Locality Plan
2. Site Plan
3. Written submissions
4. Proposed Traffic Management Plan
5. Potential Alternative Route

201112/170 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council:

1. Approves the planning application submitted by Animal Plant Mineral Pty Ltd on behalf of Dumpna Pty Ltd with regards to a proposed sand quarry on mining tenement M45/1174 being part Lot 3114 on plan P220594 subject to the following conditions:
 - a. This approval relates only to the proposed **INDUSTRY – EXTRACTIVE – SAND QUARRY** and other incidental development, as indicated on the approved plans (2011/205/drg.01 to 2011/205/drg.03). It does not relate to any other development on this lot.
 - b. The development must only be used for purposes, which are related to the operation of an “Industry - Extractive” business. Under the Town of Port Hedland’s Town Planning Scheme No. 5 an “Industry - Extractive” is defined as:

“an industry which involves:

 - i. the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals or similar substance from the land and also includes the manufacture of products from any of those materials when the manufacture is carried out on the land from which any of the materials so used is extracted or on land adjacent thereto, and the storage of such materials or products, or*
 - ii the production of salt by the evaporation of salt water.”*
 - c. This approval to remain valid for a period of twelve (12) months only.

- d. Prior to the commencement of any works whatsoever a Dust Management Plan shall be submitted to and approved by the Town.**
- e. Prior to the commencement of works the applicant is required to enter into an agreement with the Town of Port Hedland with regards to road improvement and maintenance works to the specifications of Council's Manager Infrastructure Development and to the satisfaction of Council's Manager Planning.(this would entail sealing of a portion of road to mitigate dust emissions emanating from truck haulage related to the sand extraction operations).**
- f. The developer shall be responsible for all road maintenance during and after haulage campaigns to the specifications of Council's Manager Infrastructure Development and to the satisfaction of Council's Manager Planning.**
- g. An approved effluent disposal system shall be installed to the specification of the Town's Environmental Health Services and to the satisfaction of the Manager of Planning. Be advised that the effluent disposal system may also require the approval of the Western Australian Department of Health.**
- h. 1 car parking bay per employee and 1 visitor car parking bay per 10 employees is to be provided on-site to the satisfaction of Council's Manager Planning.**
- i. The car parking bays and access way shall be designed in accordance with the requirements of Town Planning Scheme No. 5 – Appendix 8.**
- j. Within 3 months of the expiry of this permit, the site is to be restored to its original state to the satisfaction of Council's Manager Planning.**

FOOTNOTES:

- a. 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.**

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

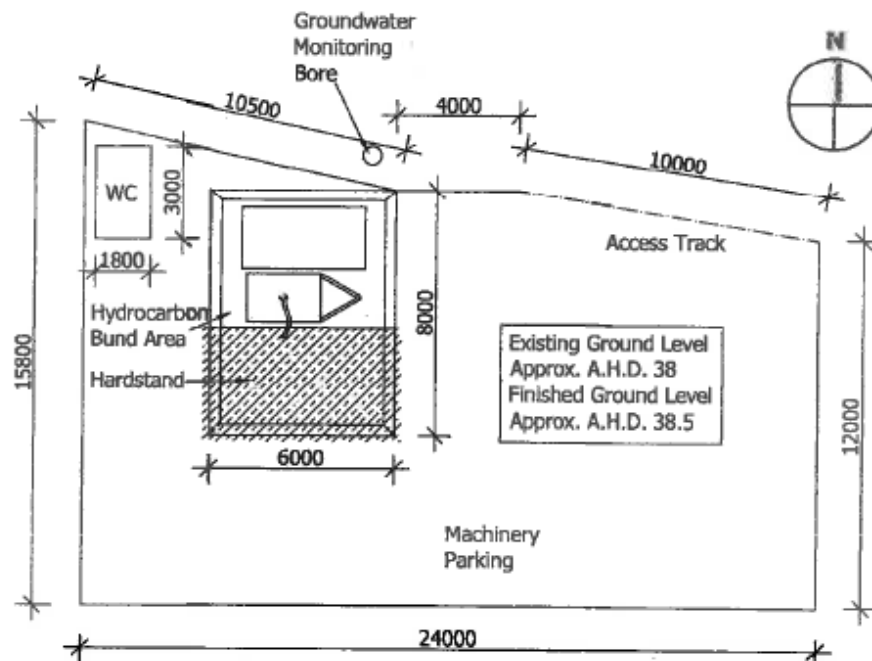
CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.2.7

Attachment 1 – Locality Plan



ATTACHMENT 2 TO AGENDA ITEM 11.1.2.7



SITE PLAN

SCALE 1:200

TURNER RIVER SAND PROJECT M45/1174
SITE LAYOUT

SCALE 1:200

5th April 2011

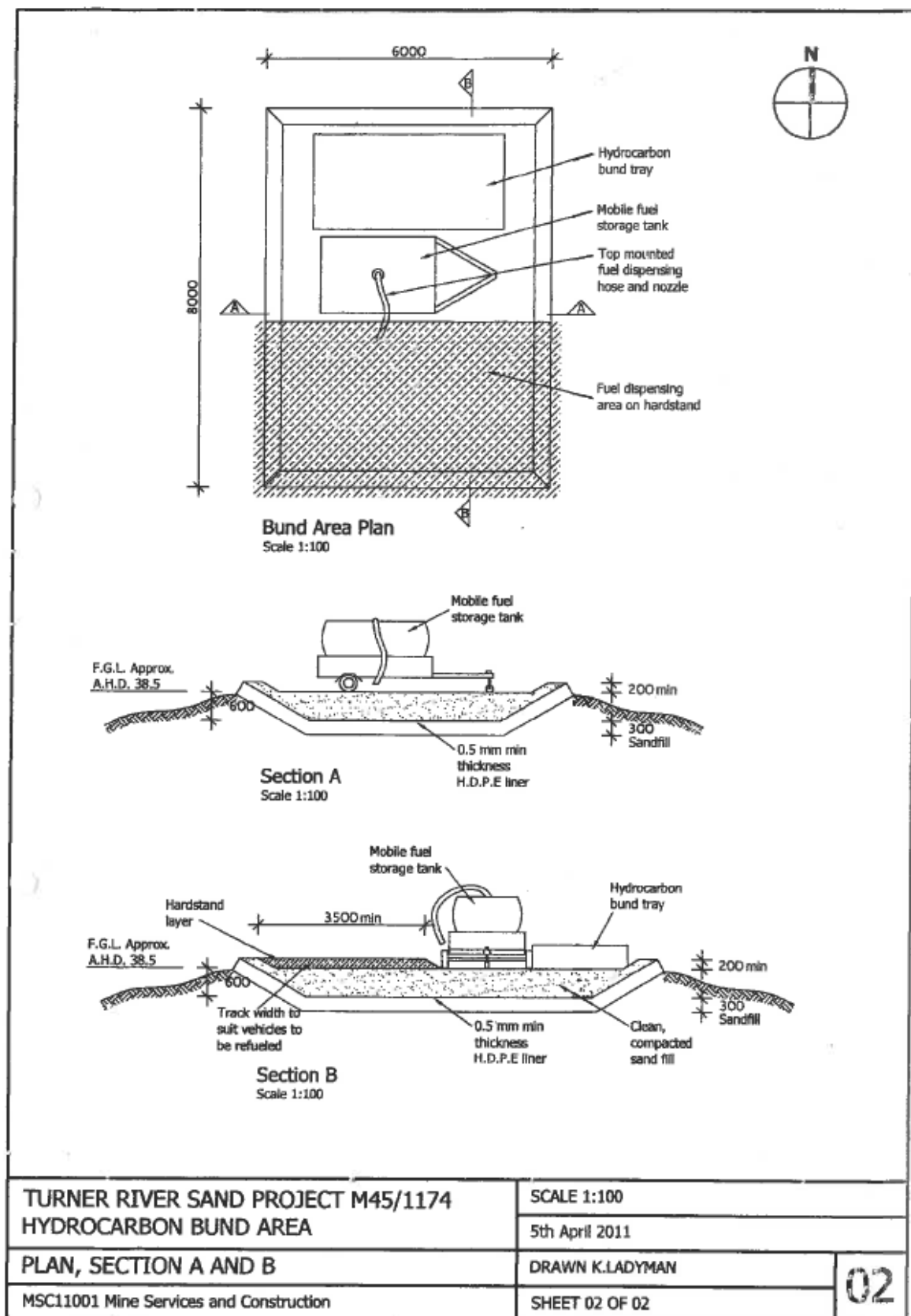
SITE PLAN

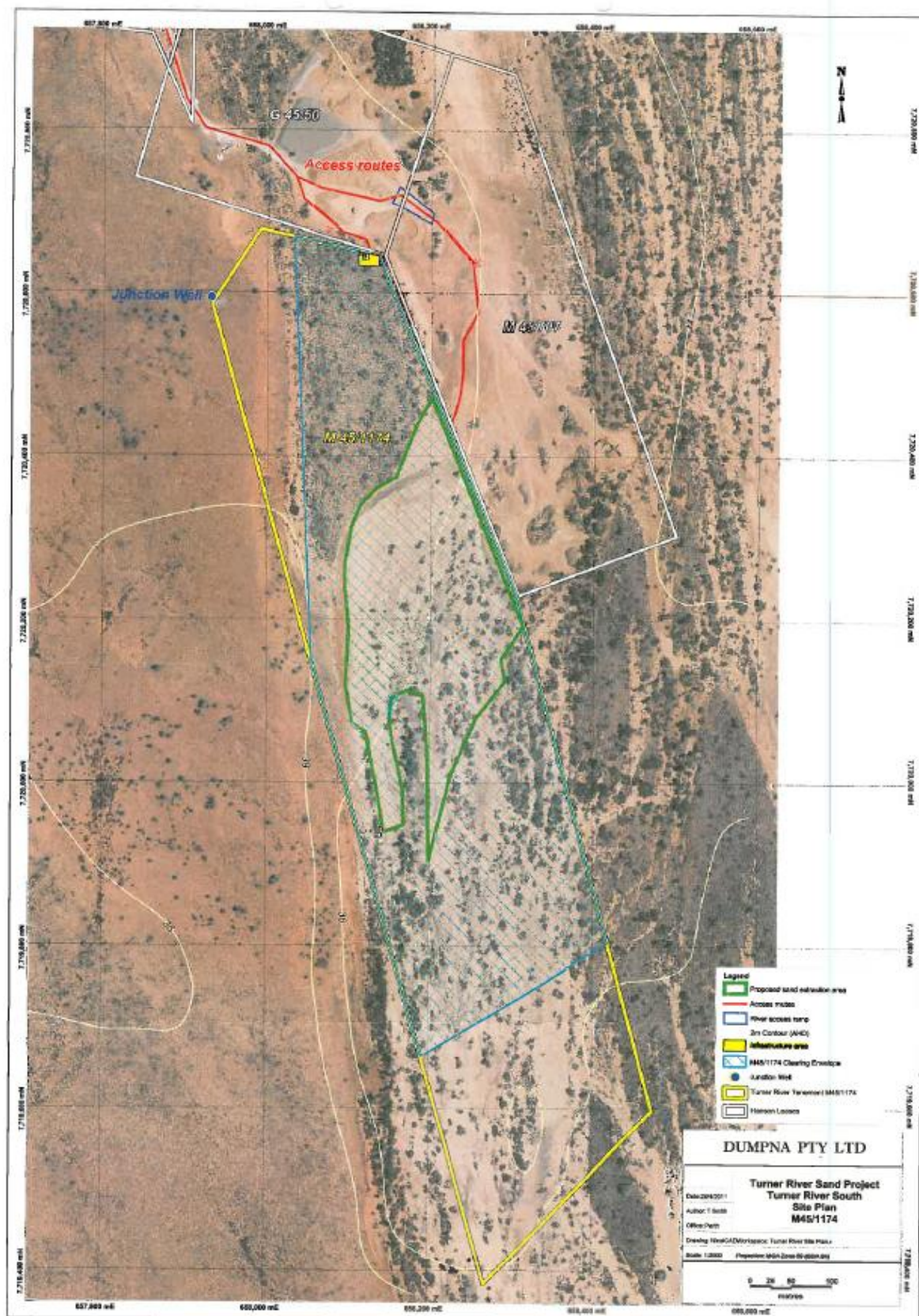
DRAWN K.LADYMAN

MSC11001 Mine Services and Construction

SHEET 01 OF 02

01





ATTACHMENT 3 TO AGENDA ITEM 11.1.2.7

Djanegara Ryan

From: dingosoasis [dingosoasis@westnet.com.au]
Sent: Wednesday, 1 June 2011 7:33 AM
To: Djanegara Ryan
Subject: sand quarrying from turner river - 2011/219

Dear Ryan,

i have no objection to a sand quarry along the Turner River, however access to the quarry needs to be addressed.

if this application is near the sand quarry to the south of the highway on the west side of the river, then where is the access road going to be run?

there is an existing sand quarry at that location and the current access road goes right past the settlement here.

the current road is graded sand plain material with soft areas treated with low quality blue metal and waste from concrete suppliers.

there is no dust suppression and the road trains raise a lot of dust into the air.

the prevailing westerly winds carry the dust across the village.

apart from coating our property and possessions in a film of dust, there is the unknown health hazard of the intake of the dust when breathing.

as the current quarry uses scalps from the cement factory to stabilise the road, those scalps carry cement dust and other materials used in concrete production, and those materials may be a hazard to the health of the residents.

there are 18 blocks here, and if you average that at 2 people per property, then 36 people are regularly being exposed to fine dust particles of an unknown type that could effect their health.

there are currently 8 young children living in the village, and they need to be considered.

so, before any approvals are given, the access to the current quarry and the proposed quarry should be addressed.

although we see it just as sand and a 'low end commodity' we have to remember that it is a vital part of concrete that is sold for very high prices.

the sand from these quarries is sent to most Pilbara towns and mining facilities, not just a couple of locations in Hedland.

the current quarry works around the clock with semi trailers passing the village at all hours of the day and night.

then empty trailers rattle and bang on the often ungraded and corrugated road.

in the recent wet season, we had to go out twice and tow 4x4's from the bog holes along the existing access road, which shows that it is a poorly developed and maintained road.

having said that, they recently graded the road - probably to impress potential visitors in the application process.

we have had on going liaison with Hanson's (and the new owners) and they have erected speed restriction signs and warning to drivers when passing the village.

that reduces but does not stop the fine dust.

there is open country to the west of the quarries with existing fence lines, giving access to the Great Northern Highway.

they can build a new haul road straight to that location like the existing blue metal quarry has.

their road is sealed.

blue metal and sand are mixed together to make cement/concrete, so they must be of equal value as a commodity.

sand is mined by simple digging and removing larger particles.

blue metal is mined by blasting and crushing - more expensive method.

that is the only thing that changes the core value of the materials.

so, in short, i object to the quarry if the existing road is to be used.

and i hereby lodge a formal complaint about the dust from the existing road to the existing quarry.

Chris & Kaye Ferris

Phone: 9172 5666

Fax: 9172 5900

Email: dingosoasis@westnet.com.au

Mobile: 0417 094 911

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To: Ryan DJANEGARA
Planning Officer
Town of Port Hedland
PO Box 41
PORT HEDLAND WA 6722

From: Peter K WILDEN
Lot 7 Manilinha Drive
PO Box 2294
SOUTH HEDLAND WA 6722
02 June 2011-06-03

Dear Ryan,

RE: PLANNING APPLICATION NO: 2011/219

Having viewed the above application for proposed Extractive-Quarrying from Turner River currently being Mining Tenement 01174 I have the following concerns.

Having been a resident of this Estate for the past 5 years, having purchased the property as a lifestyle change, I am concerned that this above change in use application will add to the existing problems of dust and noise associated with the current quarry trucks hauling from the existing quarry and that additional trucks using the same unsealed road will increase dust and noise beyond an acceptable level.

Existing trucks rumble past at all hours of the day and night often paying no attention to the existing speed limit of 25kph, increased trucks associated with this proposal will only add to the existing noise and dust which is not acceptable, even at this stage with the minimal dust suppression currently in place.

A possible alternative route would be to use the existing haul road of the Newman road of the Great Northern H/W this would at the very least reduce noise and dust associated with line hauling of materials out of this area.

Additionally I am concerned about:

- The removal of the natural wildlife habitat for existing flora and fauna within the proposed area.
- The change in the natural riverbed composition which also has an effect on flora and fauna as well as natural groundwater storage areas and the effect downstream from the proposed location.
- The promise that the area will be revegetated after such a project is impossible to achieve as the natural river sand would have been removed leaving scars on the land and a costly exercise to revegetate has never been achieved successfully in this type of proposal.
- The proposal for dust monitoring when there is already a dust issue is quite absurd.

I trust these comments are taken onboard as a reflection that I am opposed to this proposal, in its current form.

Regards



Peter K WILDEN
2nd June 2011

*PO Box 2959, South Hedland, WA 6722
Lot 17 Manilinha Drive, Turner River*

6 June 2011

Planning Officer
Town of Port Hedland
PO Box 41
PORT HEDLAND 6721

Dear Ben

APPLICATION No: 2011/219 – Quarrying Sand from Turner River

We write in response to the proposal to change the existing use of Lot 0000001, Unit 45/01174 Mining Tenement, Port Hedland, 6721.

Our understanding is that there is already a sand quarry operating and assume that this application is for an expansion of that tenement. Our concern is that the current operation does not appear to be governed by any rules or regulations. When we first moved out to Turner River we were told that there was an "agreement" with the owners of the quarry that there would be minimal traffic and no night time movements at all. This didn't last long and they now appear to do whatever they want, whenever they want, on what is, in fact, a non-gazetted road!!

The traffic (predominately truck and trailer units) currently using the non-gazetted road out to the existing tenement creates a huge dust hazard and an expansion would compound the issue. Although there are speed restrictions (25km) past the Turner River Estate very few of the trucks adhere to it and we are regularly covered in dust – whether at our property or walking down Manilinha Drive. It's a chalky white dust and is very invasive – what is it doing to our health let alone our property, gardens, washing, vehicles, etc?

All other mine sites are required to abide by dust emission rules but this mining tenement would appear to be exempt and we do not understand why! No effort is made to provide any dust suppression and as previously stated even the speed restrictions are largely ignored. The tenement should be made responsible and accountable for ensuring that every effort is made to eliminate dust.

There are many possible solutions, but one would be to have a sprinkler system triggered as the trucks enter the road (or before they reach the Turner River Estate) and it deactivates as the trucks pass a certain point further down the road. This could be operated via solar and water supplied from a bore.

Our point is that something must be done with the dust problem that we currently have before any consideration should be given to an expansion. Whatever controls are put in place also need to be monitored, audited and not just paid lipservice! Without ~~these~~ assurances we would object to the current proposal.

Yours sincerely

Ken Whiteman
Wendy Pallister

Chris & Deb Baum (Lot 14 Manilinha Dv)

Kris & Kelly Baum (Lot 5 Manilinha Dv)

Peter Meaney (Lot 8 Manilinha Dv)

Norm Woods (Lot 12 Manilinha Dv)

Wednesday, 1 June 2011

Ryan Djanegara

PLANNING OFFICER

TOWN OF PORT HEDLAND

Dear Sir

**Re: Application No: 2011/219 notice of planning proposal Industry-extractive-quarrying from
turner river**

The above parties object to the above proposal. At present the trucks from the quarry create a dust hazard, travel at speeds more than 25km per hour and can be heard day and night all of which impinge on the lifestyle that we all strive to achieve.

It would be preferable if the route to and from the quarry was relocated to the great northern highway, as ready-mix/CEMEX is currently using.

Should the proposal go ahead we would like to have regular dust monitoring with the results being given to the residents of the turner river estate and would like to see that a water truck is regularly wetting down the track that they currently use. The truck speeds also need to be monitored to cut down on the noise that they generate. At present none of these are happening.

Yours faithfully

C & D Baum

K & K Baum

P Meaney

Norm Woods

Speakman Chloe

From: Long Leonard
Sent: Monday, 20 June 2011 11:15 AM
To: Records
Subject: ICR16819 - FW: Planning concerns

SynergySoft: ICR16819

File Number: 8045334

Int. Correspondent: Leonard

Lot 145/1174 MT

Regards



Leonard Long

Manager Planning | Town of Port Hedland | PO Box 41 Port Hedland WA 6721
Ph: (08) 9158 9342 | Fax: (08) 9158 9399 | Mob: 0429 083 698
Email : mgrpl@porthedland.wa.gov.au
Web: www.porthedland.wa.gov.au

From: J&N Will [<mailto:will.contracting@westnet.com.au>]
Sent: Tuesday, 7 June 2011 5:07 PM
To: Long Leonard
Subject: Planning concerns

As per our conversation regarding Application No:2011/219 Notice of Planning Proposal Industry Extractive - Quarrying Sand From Turner River, I would like to submit the following comments and concerns:

The Mining tenement above is in operation up the road from our estate, and no major concern is involved in regard to their actual mining, However- the trucks which transport the sand to and from the quarry currently drive past the rear of our property (lot 11 Manilinha Drive Turner River), and with increased development means increased operations.

We are concerned that with an increase of movements we will suffer further dust problems & increased noise levels due to sand/gravel trucks also causing loud banging noises caused by the bumpy gravel track.

In the past the management at the quarry have made an agreement to restrict the truck speed along this section of gravel road, but many of the truck drivers ignore these request and speed along causing a blanket of dust over our property.

We would consider a bitumised track for the section which runs behind the turner river estate and would also assist the quarry as that section has washed out many times with heavy rain.

Thank you for taking our concerns into account when dealing with this approval.
Regards,

Nathan Will
A: Po Box 2863 South Hedland WA 6722
M: 0424 799 215

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Document #: ICR16435
Date: 08.06.2011
Officer: DARRYL EASTWELL + EB + CEO + RD
File: 800035G

8 JUN 2011

WA.

B m c cagh + L Gibbs
PO BOX 8493
South Hedland 6722
WA.

To whom it may concern,

We are writing to you in regards to the proposal to change the existing use to allow a Industry - extractive - Quarrying Sand from the Turner River.

We are residents of the Turner River Estate and strongly disagree with the proposal. AS it is we eat the dust of the semis coming through now. They have a 25km speed limit zone around the estate and none of the semis abide by the speed limit.

on many occasions we have rung Hansons in Karratha to complain about the semis and to slow them down and nothing has ever happens and to this day we still eat there dust. The road base is made from a cement powder and we are breathing that every day. So tell me what that is doing to our lungs? When we have many families with small children out here so what is that doing to them? There is NO water trucks in place to water the road. WHY ????. BHP + FMG do it so why can't the quarry? The quarry know when the semis are coming and going out so how hard is it to water the road before the semis come + go? We may live in the bush but we still!

Know our rights. Council and the EPA should come out and dust monitor when these semis go through or are the council to scared to find out the real truth. What are we meant to walk around all day with dust masks on? Upon doing research on the affects of inhaling dust it causes many problems to the body such as lung function impairment, restrictive lung disease, pneumoconiosis, carcinoma of the lungs, stomach and colon. The list goes on. Is the council or the quarry going to compensate us or our families if the dust makes us sick or even death? NO I DON'T THINK SO. If the quarry was in town the road would be watered without a second thought. You the council are pretty quick to take our council rates every year and its about time you helped us so think about it. How would you and your families like to ~~time~~ breathe this dust everyday? Its time council do there research on the affects this quarry is doing to our health and community and come have a look when the semis do come through and will see why we don't want more semis and want a solution to our ongoing problem not make it worse.

Thank you.
Brad McCagh + Lee-Ann Gibbs
Lot 9 Marilynha Drive
2nd June 2011

Djanegara Ryan

From: Eastwell Darryal
Sent: Friday, 3 June 2011 3:45 PM
To: leeanngibbs@bigpond.com
Cc: Records
Subject: ICR16639 - RE: QUARRING SAND FROM TURNER RIVER ATT RYAN

Brad McCagh & Lee Ann Gibbs

Thank you for your comment and these have been passed onto the Planning section who are considering the application.

Kind Regards

**Darryal Eastwell**

Manager Environmental Health | Town of Port Hedland | PO Box 41 Port Hedland WA 6721
 Ph: (08) 9158 9352 Fax: (08) 9158 9399 Mob: 0427110533
 Email : managerehs@porthedland.wa.gov.au
 Web: www.porthedland.wa.gov.au

From: leeanngibbs@bigpond.com [mailto:leeanngibbs@bigpond.com]
Sent: Friday, 3 June 2011 11:55 AM
To: Eastwell Darryal
Subject: Fwd: QUARRING SAND FROM TURNER RIVER ATT RYAN

On 03/06/2011 1:48 PM leeanngibbs@bigpond.com wrote:

ATTENTION RYAN DJANEGARA

We are writing to you in regards to the proposal to change the existing use to allow a
 INDUSTRY-EXTRACTIVE-QUARRYING SAND FROM THE TURNER RIVER.

We are residents of the Turner River Estate and strongly disagree with the proposal. As it is we
 eat the dust of the semis coming through now . They have a 25km speed limit zone around the
 estate and none of the semis abide by the speed limit.

On many occasions we have rung Hansons in Karratha to complain about the semis and to slow
 them down and nothing has ever happen and to this day we still eat there dust. The road base
 is made from a cement powder and we are breathing that every day. So tell me what that is
 doing to our lungs? We have many families with small children out here so what is that doing to
 them ? There is NO water trucks in place to water the road. WHY ?????????? . BHP and FMG
 do it so why can't the quarry ? The quarry know when the semis are coming and going out so
 how hard is it to water the road before the semis come and go ?

We may live in the bush but we still know our rights. Council and the EPA should come out and
 dust monitor when these semis go through or are the council scared to find out the real truth.

What are we meant to walk around all day with dust masks on?

Upon doing research on the affects of inhaling dust it causes many problems to the body such as lung function impairment, restrictive lung disease, pneumoconiosis carcinoma of the lungs, stomach and colon. The list goes on. Is the council or the quarry going to compensate us or our families if the dust makes us sick or even death? NO I DON'T THINK SO.

If the quarry was in town the road would be watered with out a second thought. You the council are pretty quick to take our council rates every year and it's about time you helped us so think about it . How would you and your families like to breathe this dust every day ?

Its time council do there research on the effects this quarry is doing to our health and community and come have a look when the semis do come through and will see why we don't want more semis and want a solution to our ongoing problem not make it worse.

thank you

Brad McCagh & Lee Ann Gibbs

Lot 9 Manilinha Drive

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ATTACHMENT 4 TO AGENDA ITEM 11.1.2.7

**MINE SERVICES & CONSTRUCTION PTY LTD
SAFETY, HEALTH, ENVIRONMENT AND COMMUNITY
MANAGEMENT SYSTEM**

TITLE: Traffic Management Procedure

DOCUMENT OWNER: Director Minserco

Revision	Approved	Date	Description
1	APM - TS	13/7/2011	Draft
2	APM - TS Minserco - RL	14/9/2011	Draft
3	APM - TS Minserco - RL	16/9/2011	Final

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Doc. Title: "Traffic Management Procedure "

Revision No: 3

Document No: MSC01

Issue Date: 16/09/2011

Page: 1 of 8

MINSERCO**SAFETY, HEALTH, ENVIRONMENT & COMMUNITY MANAGEMENT SYSTEM**

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MINSERCO**SAFETY, HEALTH, ENVIRONMENT & COMMUNITY MANAGEMENT SYSTEM**

1.0 INTRODUCTION*Preamble*

Dumpna Pty Ltd (Dumpna) has been granted mining leases M45/1173, M45/1174 and M45/1193, which are on the Turner River in the Port Hedland area. It is proposed that these leases be progressively developed to mine sand and river shingle. Collectively the project will be known as the Turner River Sand Project (TRSP). This traffic management procedure relates to traffic associated with Mining Lease M45/1174.

Dumpna's sister company Mine Services and Construction Pty Ltd (Minserco) will carry out the mining and processing of the sand and shingle for the TRSP which will be stockpiled and sold to Hanson Construction Materials Pty Ltd (Hanson) who will be responsible for hauling the sand from site.

Dumpna and Minserco have had a long-term relationship (approximately 22 years) with Hanson, as Dumpna have supplied sand and aggregate from their Mining Lease M47/246 and Minserco have screened and processed sand and shingle on a number of Hanson mining leases on a contract basis.

Minserco has worked Hanson's Turner River leases for approximately 20 years on a campaign basis. The TRSP will in effect be an almost seamless continuation of that work.

Aim

This procedure seeks to minimise safety, health, environmental and community impacts associated with traffic from mining operations at the TRSP Mining Lease M45/1174.

Scope

Hazards at the TRSP site have been identified and risk assessments completed to determine the level of risk associated with each of these hazards. Traffic management has been assessed as a hazard with a *Medium* level of risk. In order to comply with regulatory requirements and community expectations, Minserco has developed a range of strategies to minimise the risk associated with traffic from the TRSP including dust management and truck entry/exit from Great Northern Highway. This procedure covers commuting to and from the site, road train movement to and from the site and requirements for traffic while at the TRSP Mine Site.

2.0 DEFINITIONS

MRWA –	Main Roads Western Australia
TRSP –	Turner River Sand Project
Minserco –	Mine Services and Construction Pty Ltd
Dumpna –	Dumpna Pty Ltd
Hanson –	Hanson Construction Materials Pty Ltd

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Figure 1 Location of Turner River Sand Project Mining Lease M45/1174

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MINSERCO**SAFETY, HEALTH, ENVIRONMENT & COMMUNITY MANAGEMENT SYSTEM**

3.0 PROCESS – TRAFFIC MANAGEMENT***Risk : Traffic Movements*****Background**

There is an existing road-train access route immediately to the west of Manilinha Drive, from the Great Northern Highway, west of the Turner River Bridge, which is used for existing haulage operations from a sand mine adjacent to the proposed TRSP Mining Lease M45/1174 (Figure 2).

The TRSP will be mining sand which is sold to Hanson, virtually replacing their exhausted sand supplies on their Mining Lease M45/75 and M45/707 adjacent to the proposed TRSP on M45/1174. Hanson will be hauling this sand and as such there will be *no increase* in haulage and truck movements down the access road.

The proposal to mine sand and shingle from Mining Lease M45/1174 is part of a suite of Mining Proposals that will be seeking approval over the next 12-18 months. The M45/1174 project is relatively small in comparison to other proposed projects and it is expected that the other proposals (M45/1193 and M47/1438) would become the main supply of sand for Hanson. Approval and commencement of these projects will virtually eliminate operations at M45/1174 within 3-6 months, thereby progressively reducing haulage and vehicle movements over that time.

Management Strategies

The following strategies will be implemented for all vehicle and plant operators employed by Minsenco and for access to the site:

- Ensure all employees have a valid WA driving licence appropriate to the vehicle being operated.
- Incorporate fatigue management to ensure there is at least a 10 hour clear break between shifts.
- Ensure that any driving to site is undertaken after a 10 hour clear break from the end of the previous shift and any driving from site is within the 12 hour maximum shift length.
- Erect signage that signifies trucks entering the highway from the road train access route.
- Sign the mine access road as a 'Private Road'.
- Require all mine site vehicles to be equipped with UHF radio and make mine site staff aware via radio when entering the mine site.
- Ensure that all loads from the TRSP Mine Site are to be covered to reduce potential for fugitive dust emissions.
- Require speed restrictions of 25km/h for all plant and vehicles on site.
- Require speed restrictions of 15km/h on signed part of the access roads past the Turner River Estate settlement. A 50km/h speed limit will apply on the remainder of the access road.
- Require that WA road rules will apply on site including rules relating to operation of mobile phones while driving. All signage on site will comply with WA standard road signs.
- Ensure that all employees undergo training and induction relating to traffic management.

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SAFETY, HEALTH, ENVIRONMENT & COMMUNITY MANAGEMENT SYSTEM



Figure 2 Road Train Route from Great Northern Highway to Mining Lease M45/1174

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MINSERCO**SAFETY, HEALTH, ENVIRONMENT & COMMUNITY MANAGEMENT SYSTEM**

Risk : Dust Generation**Background**

Dust generated by moving vehicles can reduce visibility to dangerous levels and pose a threat to the health of native vegetation. Dust has the potential to impact on neighbouring land users with the properties of the closest residents in Turner River Estate less than 300 metres from the existing road train route.

Minsenco will work with project partners to take all reasonable steps to minimise the generation of dust. Dust on the haul road does not present a safety risk due to the low number of vehicles using the haul road. Nevertheless, dust will be managed as a commitment to reduce safety, environmental and community impacts.

Management Strategies**Dust prevention**

Minsenco will:

- Ensure that all employees undergo training and induction relating to traffic management including the requirement that all vehicle operators comply with WA road rules, including speed restrictions.
- Require speed restrictions of 25km/h for all plant and vehicles on site and 50km/h on access roads apart from the signed area for 15km/h speed restrictions past the Turner River Estate settlement.
- Ensure that all loads from the TRSP Mine Site are to be covered to reduce potential for fugitive dust emissions.
- Consider applying chemical dust suppressant or sheeting problematic parts of the access road with river shingle in order to minimise dust generation.
- Investigate an alternative access route through neighbouring tenements to avoid travelling close to the Turner River Estate.
- Consider a water cart onsite to suppress dust as required.

Dust monitoring

- Visual monitoring of dust will be regularly conducted and activities halted if adverse weather conditions lead to excessive dust generation.

Complaint investigation

- Minsenco will undertake an investigation of any complaint it receives regarding excessive dust generation. The investigation will be undertaken by the Director, who will work in conjunction with any complainant to resolve issues as soon as practicable. All complaints will be forwarded to the Town of Port Hedland within 48 hours of receipt.

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MINSERCO**SAFETY, HEALTH, ENVIRONMENT & COMMUNITY MANAGEMENT SYSTEM**

4.0 REVIEW

Annually or as required by Director Minserco Pty Ltd.

5.0 PRESENTATION TO SITE / AREA

All employees of Minserco and Hanson Construction Materials that travel on the access road west of Manilinha drive at induction, via presentation and email from the Director of Minserco and Hanson's representative.

6.0 RELATED DOCUMENTS

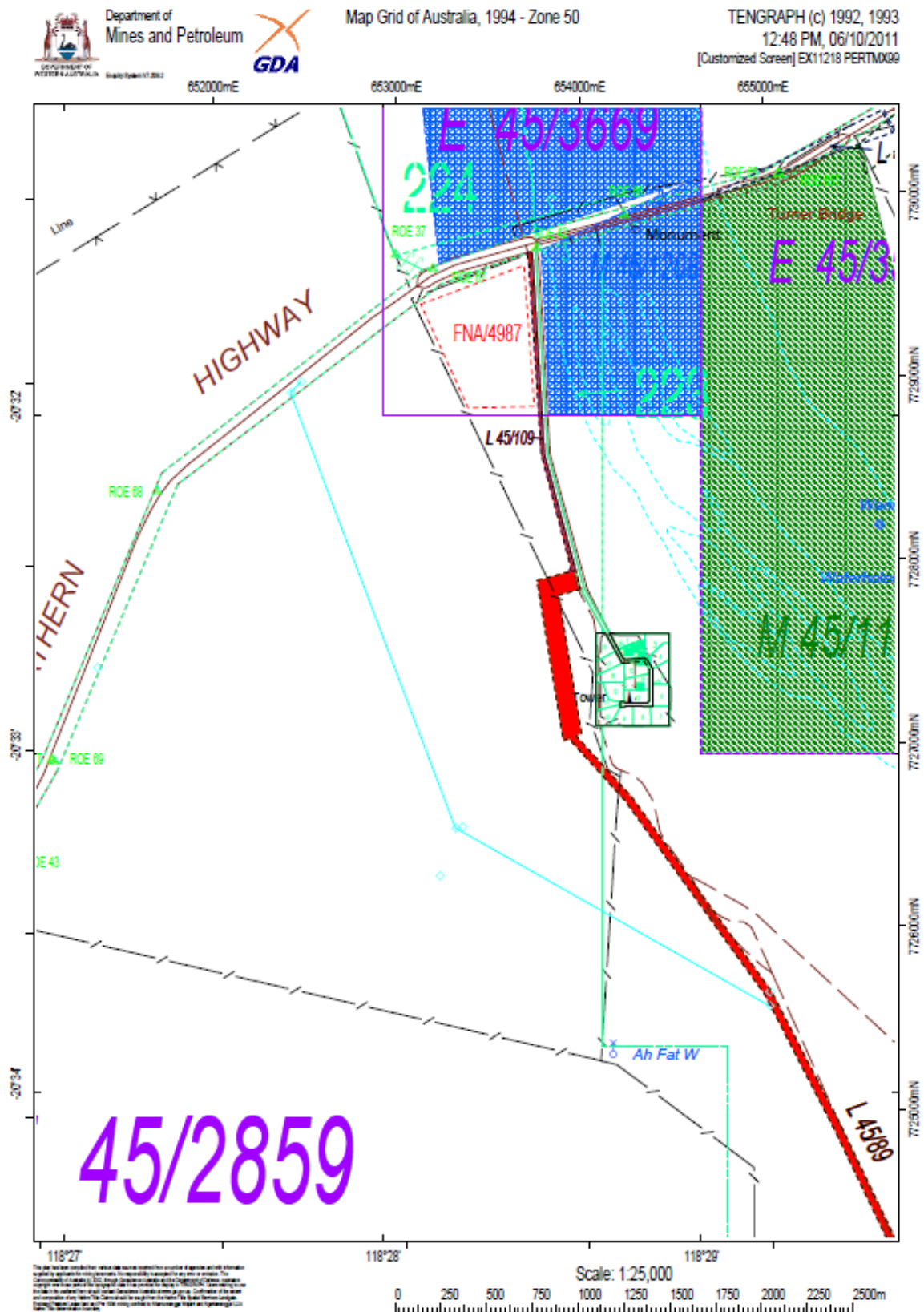
M45/1174 Turner River Sand Project - Project Management Plan
M45/1174 Turner River Sand Project Mining Proposal
M45/1174 Turner River Sand Project Operating Licence Conditions

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ATTACHMENT 5 TO AGENDA ITEM 11.1.2.7



11.1.2.8 *Delegated Planning, Building & Environmental Health Approvals and Orders for September 2011 (File No.: 18/07/0002 & 07/02/0003)*

Officer Liz Gaborit
Executive Assistant
Planning & Development

Date of Report 5 October 2011

Disclosure of Interest by Officer Nil

Summary

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the month of August 2011. A list of current legal actions is also incorporated.

Background

A listing of Planning, Building and Environmental Health approvals and Orders issued by Council's Planning, Building and Environmental Health Services under Delegated Authority for the month of August 2011 are attached to this report. Further to Council's request a listing of current legal actions is also attached to this report.

Consultation

Nil

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

Nil

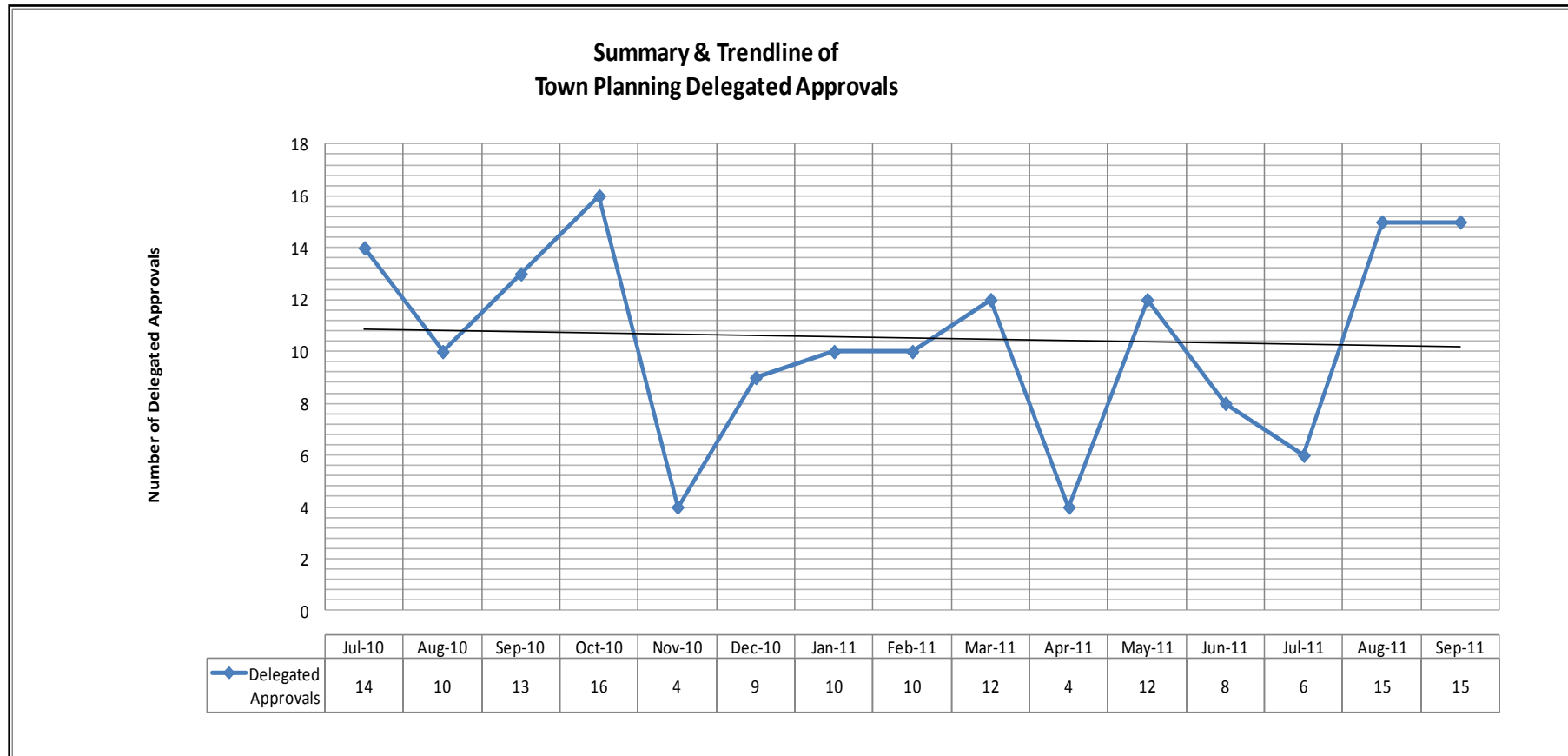
Budget Implications

Nil

DELEGATED PLANNING APPROVALS FOR SEPTEMBER 2011

PLANNING APPROVALS - DELEGATED AUTHORITY - SEPTEMBER 2011							
Applic No	Applic date	Date Determined	Description	Location	Owners Name	Applicants name	Development Value
2011/238	30/05/2011	05/09/2011	PROPOSED WAREHOUSE AND INCIDENTAL OFFICE	WEDGEFIELD	IVAN YUJNOVICH	DALE LENSON	\$ 200,000
2011/266	15/06/2011	01/09/2011	AIR QUALITY MONITORING STATION	PORT HEDLAND	MTSUI-ITOCHU IRON PTY LTD	ECOTECH PTY LTD	\$ 40,000
2011/289	23/06/2011	13/09/2011	PYLON SIGNAGE, GATES AND FENCING ON FRONT BOUNDARY	WEDGEFIELD	JAXON CONSTRUCTIONS PTY LTD	JAXON GROUP HOLDINGS PTY LTD	\$ 35,000
2011/307	28/06/2011	22/09/2011	PROPOSED "USE NOT LISTED" - MIXED USE DEVELOPMENT, CONSISTING OF RETAIL, PERMANENT RESIDENTIAL AND HOLIDAY ACCOMODATION	PORT HEDLAND	ENDEAVOUR HOLDINGS GROUP PTY LTD	CAMPION DESIGN GROUP	\$ 8,500,000
2011/313	23/06/2011	08/09/2011	INDUSTRY - LIGHT - WORKSHOP AND INCIDENTAL OFFICE	WEDGEFIELD	ROBERT GREGORY PADDON	NORTHWEST SHEDMASTERS PTY LTD	\$ 629,820
2011/323	25/07/2011	28/09/2011	5 SHOPS	PORT HEDLAND	WERNER KEMMRIES	PROPERTY DEVELOPMENT SOLUTIONS	\$ 2,000,000
2011/335	23/06/2011	08/09/2011	STORAGE FACILITY/DEPOT/LAYDOWN AREA - OFFICE AND WAREHOUSE	WEDGEFIELD	TRENTWOOD CORPORATION PTY LTD	NORTHWEST SHED MASTERS PTY LTD	\$ 1,741,714
2011/356	09/08/2011	21/09/2011	PROPOSED RURAL SETTLEMENT	PORT HEDLAND	GRAHAM DAVID BUCKLEY	NATALIE MARTIN	\$ 890,000
2011/361	09/08/2011	15/09/2011	RESIDENTIAL - GROUPED DWELLINGS	SOUTH HEDLAND	HELEN MARGARET FARREL	HELEN MARGARET FARREL	\$ 700,000
2011/363	10/08/2011	15/09/2011	TOWN CENTRE - RESTRICTED PREMISES	PORT HEDLAND	HARVEY LEON KING	CATHERINE PALMER	\$ -
2011/367	15/08/2011	15/09/2011	GROUPED DWELLING - 2 x GROUPED DWELLINGS	SOUTH HEDLAND	RYAN GRAY CRAWFORD	LEN MCDONNELL	\$ 700,000
2011/372	16/08/2011	22/09/2011	CHANGE OF USE FROM WAREHOUSE TO INDUSTRY LIGHT	WEDGEFIELD	CAB ASSET PTY LTD	CAB ASSET PTY LTD	\$ 430,000
2011/380	18/08/2011	13/09/2011	INDUSTRY LIGHT - ANCILLARY OFFICE	WEDGEFIELD	DORIC CONSOLIDATED PROPERTIES PTY LTD	GERRY MURPHY	\$ 600,000
2011/393	19/08/2011	01/09/2011	CHANGE OF USE - INDUSTRY - MOTOR VEHICLE AND/OR MARINE REPAIR	WEDGEFIELD	PAUL FRANCIS ROBERTS	KEN DAWSON	\$ -
2011/442	05/09/2011	20/09/2011	SINGLE DWELLING - HOME BUSINESS	SOUTH HEDLAND	LIAM JOSEPH KING	LIAM JOSEPH KING	\$ -

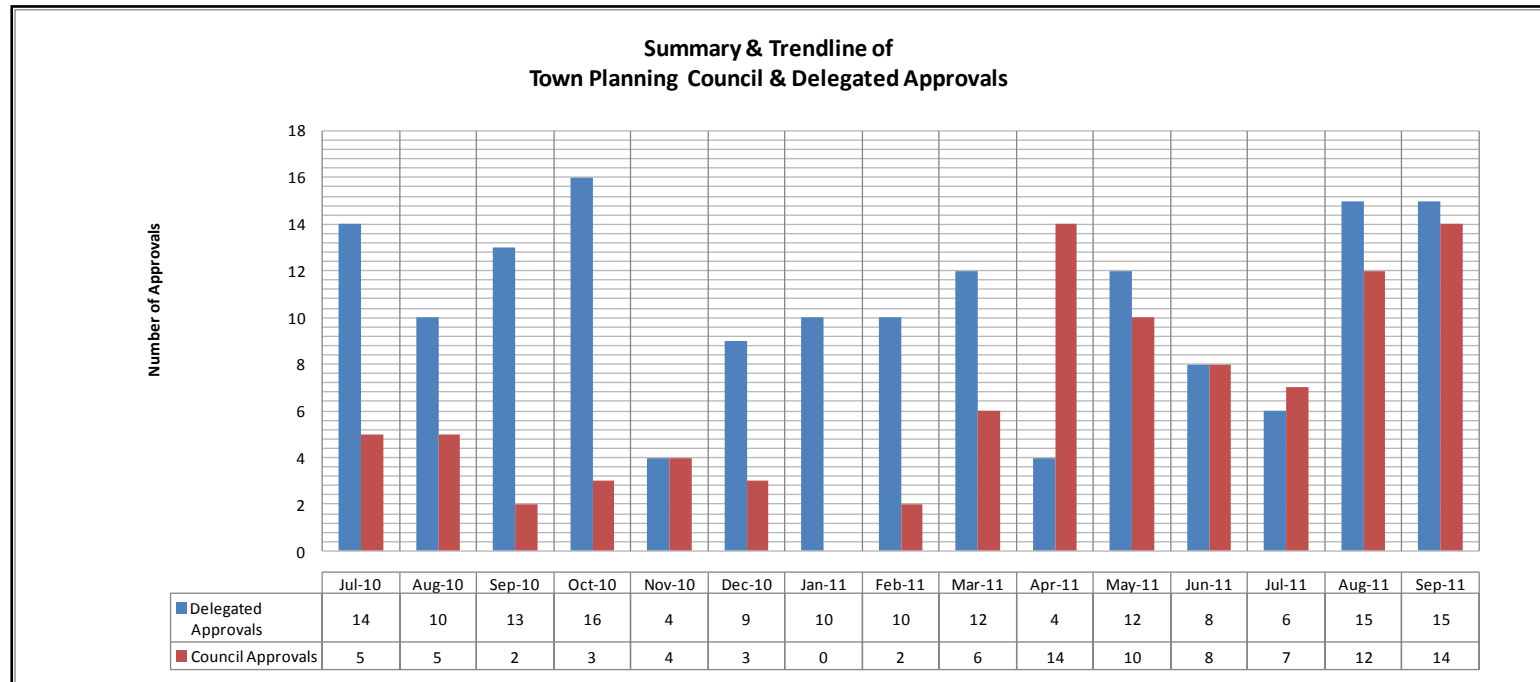
DELEGATED PLANNING APPROVALS FOR SEPTEMBER 2011 Cont'd....



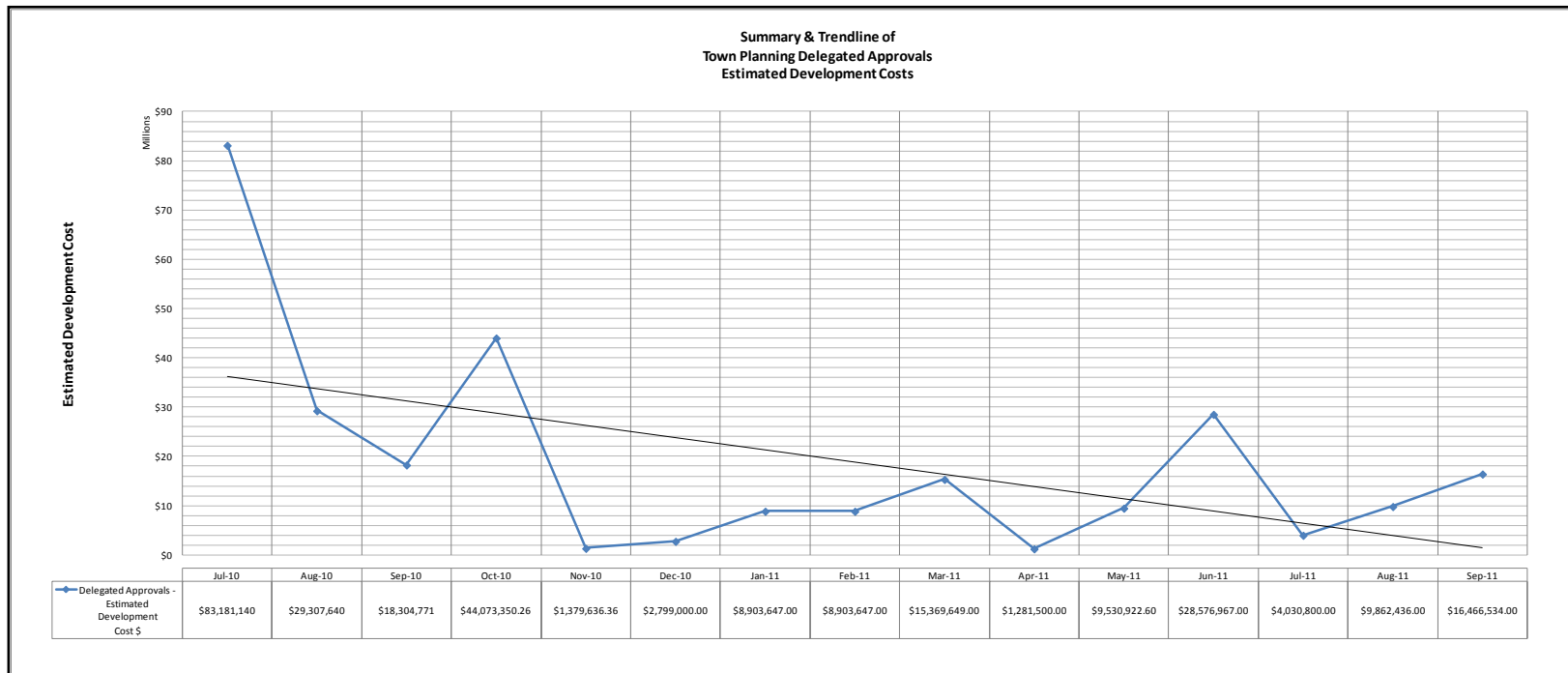
* PLEASE NOTE THE ABOVE STATISTICS FOR 2010 HAVE BEEN UPDATED DUE TO A PLANNING ADMINISTRATION ERROR

* STATISTICS FOR APRIL 2011 ARE LOW DUE TO 14 APPROVALS BEING GRANTED BY COUNCIL

DELEGATED PLANNING APPROVALS FOR SEPTEMBER 2011 Cont'd...



DELEGATED PLANNING APPROVALS FOR SEPTEMBER 2011 Cont'd...



*PLEASE NOTE THE ABOVE STATISTICS FOR 2010 HAVE BEEN UPDATED DUE TO A PLANNING ADMINISTRATION ERROR

* STATISTICS FOR APRIL 2011 ARE LOW DUE TO 14 APPROVALS BEING GRANTED BY COUNCIL

DELEGATED BUILDING APPROVALS FOR SEPTEMBER 2011

BUILDING LICENCES						
Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
102032	01.09.2011	PORT HEDLAND	1 x Existing Outbuilding	\$ 38,740.00	7	Class 10a
100379	05.09.2011	PORT HEDLAND	1 x Patio	\$ 6,050.00	18	Class 10a
100381	06.09.2011	SOUTH HEDLAND	1 x Enclosed Patio	\$ 15,000.00	25	Class 10a
100382	06.09.2011	SOUTH HEDLAND	Patio and Enclosure of Existing Carport	\$ 36,740.00	169	Class 10a
100384	08.09.2011	SOUTH HEDLAND	1 x Outbuilding	\$ 13,750.00	24	Class 10a
100383	08.09.2011	SOUTH HEDLAND	1 x Patio	\$ 10,000.00	65	Class 10a
100385	08.09.2011	SOUTH HEDLAND	1 x Patio	\$ 18,000.00	36	Class 10a
100395	19.09.2011	SOUTH HEDLAND	1 x Outbuilding	\$ 18,000.00	36	Class 10a
100406	23.09.2011	SOUTH HEDLAND	1 x Shed	\$ 17,000.00	36	Class 10a
100410	27.09.2011	SOUTH HEDLAND	1 x Patio	\$ 21,680.00		Class 10a
100409	27.09.2011	PORT HEDLAND	1 x Patio	\$ 26,944.00	37	Class 10a
100414	29.09.2011	PORT HEDLAND	1 x Patio	\$ 40,000.00	59	Class 10a
105062	13.09.2011	SOUTH HEDLAND	1 x Below Ground Swimming Pool	\$ 33,000.00	31	Class 10b
105063	19.09.2011	SOUTH HEDLAND	1 x Below Ground Swimming Pool	\$ 40,000.00	45	Class 10b
105064	19.09.2011	PORT HEDLAND	1 x Below Ground Swimming Pool	\$ 30,000.00	20	Class 10b
100396	19.09.2011	SOUTH HEDLAND	1 x Retaining Wall	\$ 2,500.00		Class 10b
100377	02.09.2011	SOUTH HEDLAND	1 x Single Dwelling	\$ 650,000.00	154	Class 1a
100386	08.09.2011	PORT HEDLAND	8 x Grouped Dwelling	\$ 2,412,634.00	360	Class 1a
100388	09.09.2011	SOUTH HEDLAND	1 x Single Dwelling	\$ 460,000.00	214	Class 1a
100415	29.09.2011	SOUTH HEDLAND	1 x Single Dwelling	\$ 460,000.00	146	Class 1a
100380	05.09.2011	SOUTH HEDLAND	1 x Single Dwelling Carport & Fencing	\$ 472,528.00	181	Class 1a 10a and 10b
100389	09.09.2011	SOUTH HEDLAND	1 x Single Dwelling 1 x Garage 1 x Ver	\$ 460,000.00	214	Class 1a and 10a
100387	09.09.2011	SOUTH HEDLAND	1 x Single Dwelling 1 x Garage 1 x Ver	\$ 460,000.00	252	Class 1a and 10a
100392	15.09.2011	SOUTH HEDLAND	Grouped Dwelling (2 Units) 2 x Carports	\$ 660,000.00	250	Class 1a and 10a
100397	19.09.2011	PORT HEDLAND	1 x Single Dwelling 1 x Alfresco 1 x V	\$ 500,275.00	606	Class 1a and 10a
100400	19.09.2011	SOUTH HEDLAND	1 x Single Dwelling 1 x Carport 1 x Ve	\$ 450,000.00	193	Class 1a and 10a

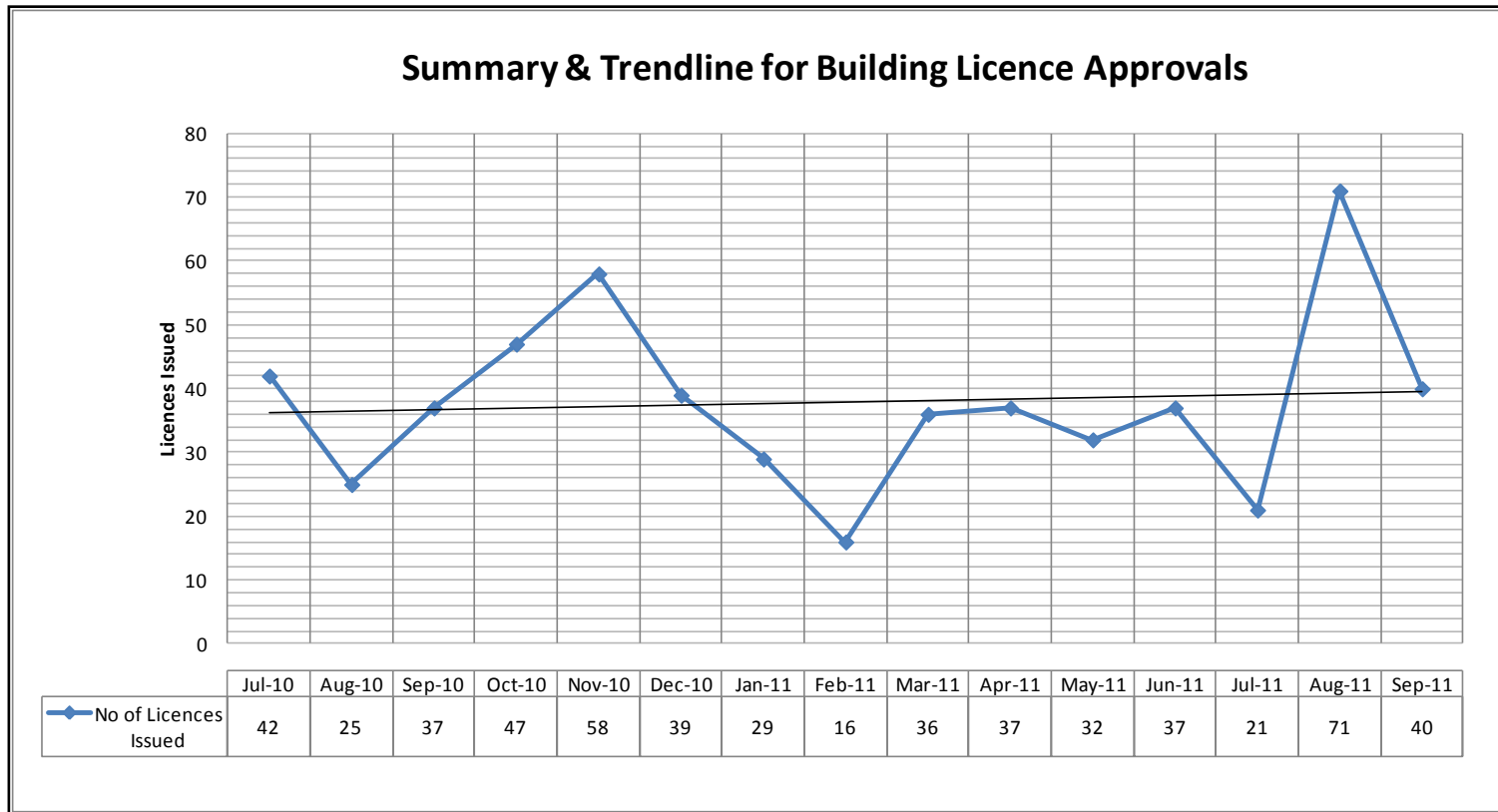
DELEGATED BUILDING APPROVALS FOR SEPTEMBER 2011 Cont'd...

100398	19.09.2011	SOUTH HEDLAND	1 x Single Dwelling 1 x Carport 1 x Al	\$ 460,000.00	123	Class 1a and 10a
100399	19.09.2011	SOUTH HEDLAND	1 x Single Dwelling 1 x Carport 1 x Al	\$ 460,000.00	123	Class 1a and 10a
100404	23.09.2011	SOUTH HEDLAND	1 x Dwelling 1 x Carport 1 x Alfresco	\$ 460,000.00	123	Class 1a and 10a
100405	23.09.2011	SOUTH HEDLAND	1 x Single Dwelling 1 x Carport 1 x Al	\$ 460,000.00	119	Class 1a and 10a
100411	27.09.2011	SOUTH HEDLAND RURAL EST	1 x Alterations and Additions to existin	\$ 450,000.00	211	Class 1a and 10a
100412	28.09.2011	SOUTH HEDLAND	1 x Single Dwelling 1 x Garage 1 x Alf	\$ 553,056.00	284	Class 1a and 10a
100413	29.09.2011	SOUTH HEDLAND	1 x Single Dwelling 1 x Carport 1 x Ve	\$ 446,000.00	140	Class 1a and 10a
100393	19.09.2011	PORT HEDLAND	Grouped Dwelling (7 Units) Carpark	\$ 1,980,000.00	270	Class 2
100394	19.09.2011	PORT HEDLAND	Replace Existing Roof Sheeting	\$ 63,000.00	360	Class 6
100403	21.09.2011	WEDGEFIELD	Additions to Existing Warehouse & Office	\$ 220,000.00	482	Class 7b
100416	29.09.2011	SOUTH HEDLAND	Forward Works	\$ 1,000,000.00	14300	Class 2
			37 Building Licences	\$ 13,904,897.00		

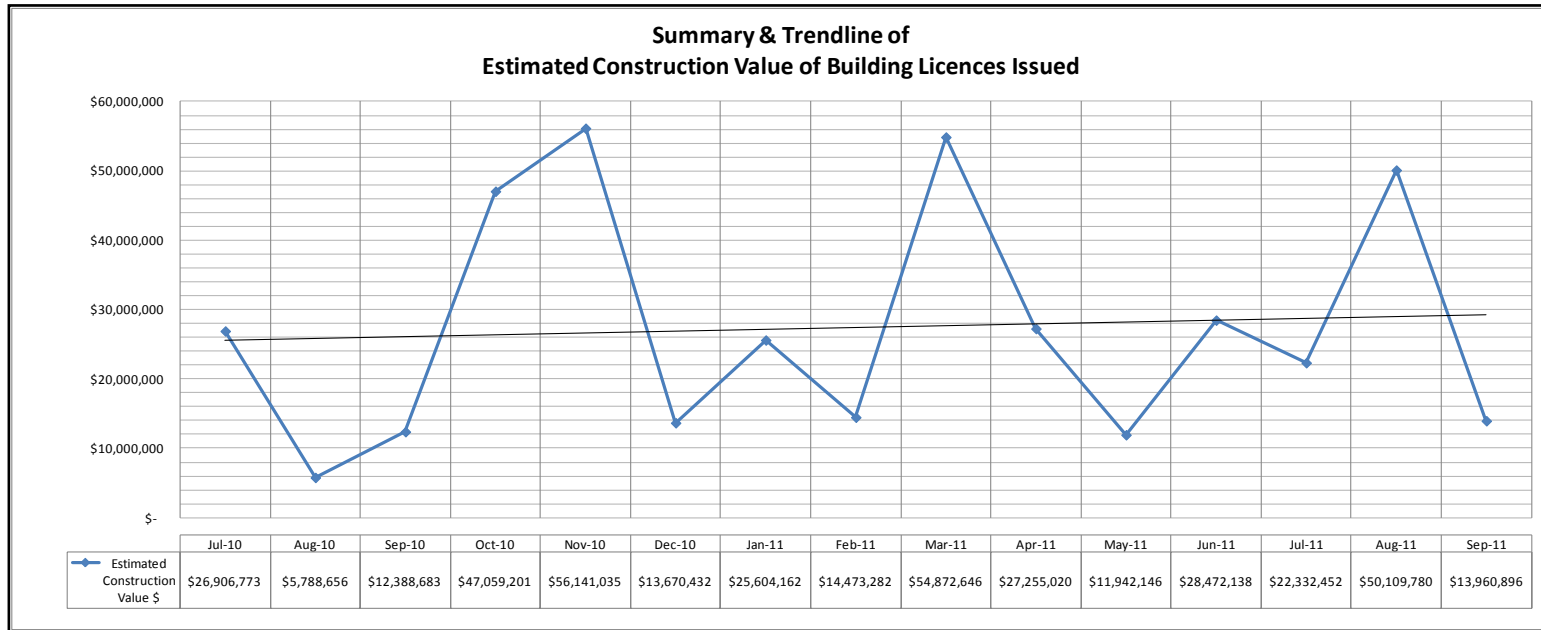
DELEGATED BUILDING APPROVALS FOR SEPTEMBER 2011 Cont'd...

SUMMARY				
No of Licences	Licence Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
3	Demolitions	\$56,000	0	
17	Dwellings	\$10,274,493	3,693	\$2,782
12	Class 10a	\$261,904	512	\$512
4	Class 10b	\$105,500	96	
4	Commercial	\$3,263,000	15,412	\$212
	Other			
40		\$13,960,897	19,713	

DELEGATED BUILDING APPROVALS FOR SEPTEMBER 2011 Cont'd...



DELEGATED BUILDING APPROVALS FOR SEPTEMBER 2011 Cont'd...



CURRENT LEGAL ACTIONS BEING UNDERTAKEN AS OF SEPTEMBER 2011

CURRENT LEGAL MATTERS					
File No.	Address	Issue	First Return Date	Current Status	Officer
WEDGEFIELD					
121670G	Lot 3 Trig Street (J Yujnovich)	Non-compliance with planning conditions	~ First return date 21/1/09	<ul style="list-style-type: none"> ~ Trial set down for 13 & 14 September 2010 in Perth. ToPH witnesses to attend. ~ Magistrate has found J Yujnovich guilty sentencing will be in +/- 3 weeks ~ Fine imposed of approx \$20,000 ~ Fine paid in full ~ Appointment of Compliance Office has been completed, Matter is being investigated ~ No improvement made to property ~ Letter requesting commitment to remove materials prepared by Geoff Owen ~ If commitment not received within 14 days of issue further proceeding to commence ~ Mr Yujnovich has demonstrated a willingness to comply with planning condition. Has been given a further 6 weeks to clean site 	MP
REDBANK					
116770G	Lot 134 Roche Road (Western Desert)	Illegal laydown area - Second Offence		<ul style="list-style-type: none"> ~ Referred to Council Solicitors ~ Notices have been issued ~ Extension granted to February ~ Magistrate has moved matter to be heard in Perth 28th March ~ Matter has been heard and found guilty, fined \$20,000 plus \$2500 in legal costs ~ Memorial has been placed against the property ~ Costs have not been paid Geoff Owen to initiate another memorial, this means costs will be recovered if Western Desert sell property. 	MP
SOUTH HEDLAND RURAL ESTATE					
SOUTH HEDLAND					
PORT HEDLAND					
400330G	83 Athol Street (P Oldenhuis)	Health - Asbestos removal	~ First Return date 25/2/09	<ul style="list-style-type: none"> ~ No appearance by Mr Oldenhuis ~ Court hearing date 28/4/09 adjourned until 29/5/09. ~ Plea hearing date 13/7/09 ~ Trial 16/11/09 heard to 7pm. ~ Decision handed down 23/11 - guilty and issued \$250 in fines and \$4250 in costs. ~ Fine registered with FER by Solicitors as not paid by due date. ~ Fine unpaid to date. Warrant of execution issued 19th June 2010, issued under S45 (2) & Part 7 of the Fines, Penalties and Infringement Notices Act 1994 ~ Waiting on report from FER from the South Hedland Magistrates Court 	MEH

CURRENT HEALTH ORDERS AS OF SEPTEMBER 2011

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

Attachments

Nil

201112/171 Officer's Recommendation / Council Decision

Moved: Cr G A Jacob

Seconded: Cr A A Carter

That the Schedule of Planning and Building approvals, Environmental Health Orders issued by Delegated Authority and the listing of current legal actions for the month of September 2011 be received.

CARRIED 7/0

11.1.2.9 *Proposed Retrospective Application – Residential Building, Shed and Ancillary Development on Lot 2 Manilinha Drive (File No.: ...)*

Officer Luke Cervi
Senior Planning Officer

Date of Report 3 October 2011

Disclosure of Interest by Officer Nil

Summary

The Town received an application from Christopher W Ferris for the retrospective change of use from “Shed” to “Residential Building”, Retrospective Approval of 4 “Outbuildings” and other incidental development at Lot 2 Manilinha Drive, Turner River.

The proposal has been referred to Council for determination as there are concerns relating to defining the proposed use and submissions have been received in relation to the application

Background

At its Special Meeting of 12 October 2011 this item was laid on the table as Councillors wanted to undertake a site inspection prior to considering the proposed development.

Location and description

The subject site is located along Manilinha Drive, Turner River Estate (Attachment 1), and measures approximately 10,319m².

Current Zoning and Use

In terms of the Port Hedland Town Planning Scheme No. 5 the subject site is zoned “Rural Residential” and is currently developed with a single dwelling and associated outbuildings.

The Proposal

The Applicant is seeking retrospective approval for the following completed works:

1. Conversion of an existing building approved by permit 2007/003 as a "Single House – shed addition" to a "Residential Building". The Building consists of 2 transportable buildings joined together and includes bathroom and laundry facilities.
2. Four outbuildings which have been constructed using Shipping Containers that are clad with colorbond sheeting.
3. A screen fence within the street setback area that has been constructed with a mix of railway sleepers and colorbond sheeting.

Consultation

The Application has been circulated internally with the comments captured in the report.

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

As a result of the above external advertising Council has received 2 written submissions objecting to the proposed development. The objections can be summarized as follows:

- The proposed development would impact on the amenity of neighbours and the surrounding area;
- The proposed development poses a safety risk, having utilized second hand materials

Statutory Implications

The Development of the land must be done in accordance with the Town of Port Hedland Town Planning Scheme No.5 which includes:

"4.10.1. Approval of Existing Developments

The Council may grant approval to a development already commenced or carried out regardless of when it commenced or was carried out. Such approval shall have the same effect for all purposes as it had been given prior to the commencement or carrying out of the development, but provided that the development complies with the provisions of the scheme, with or without the exercise of a discretion provided in the Scheme, as to all matters other than the provisions requiring Council's approval prior to the commencement of development."

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

An application fee of \$2,240.00 has been received as per the prescribed fees approved by Council.

Officer's Comment

The buildings/structures requiring retrospective approval are:

1. Residential Building
2. Four (4) outbuildings
3. Fence within the street setback

Submissions were received after advertising and in the most part focused on the neighbouring amenity. The concerns are assessed in context of each aspect of the approval below:

1. Residential Building

Submissions related to the residential building contend that the neighbouring property's 'Quality of life' would be adversely affected if this development – Residential Building, was to receive approval. This is based on the following concerns:

- Privacy (separation from lot 3)
- Visual amenity (materials used)
- Safety (structural integrity of the structure)

The building is setback from the eastern boundary (lot 3) in accordance with the R Codes and therefore complies with acceptable standards relating to privacy. However, the applicant has acknowledged the concern and is willing to provide screen planting to assist in addressing the concerns.

The buildings external is clad in colorbond sheeting, contains a number of windows/openings and a verandah on the eastern side. The view from lot 3 is that of the verandah and colorbond sheeted wall including a number of windows. From the street, the southern elevation is visible which is a predominately solid colorbond clad wall which provides limited interest due to the lack of openings, colour or materials to break up the bulk of the wall.

It is considered that the visual amenity from lot 3 is of an acceptable standard having regard to the setback of the building, materials used and articulation of the elevation (verandah and openings provide interest and break up the bulk of the wall). The appearance of the building from the street is considered substandard due to the scale of the wall and lack of articulation including windows which would need to be provided to enable passive surveillance of the street.

Planning does not assess the structural integrity of buildings. However, the applicant has obtained a report from an engineer that will be included as part of the building certificate application in the event planning approval is obtained.

From a planning perspective the greatest concern relates to the defining of the building. The applicant has requested that the building be approved as a "Residential Building" which is defined in the Port Hedland Town Planning Scheme No. 5 as being:

"a building or portion of a building, together with rooms and outbuildings separate from such building but ancillary thereto; such building being used or intended, adapted or designed to be used for the purposes of human habitation:

- a. temporarily by two or more persons, or*
- b. permanently by seven or more persons*

Who do not comprise a single family; but does not include a hospital, nursing home, prison, juvenile detention centre, school, hotel, and motel or holiday accommodation".

It is the Planning Unit opinion that proposal is best defined as a "Grouped Dwelling", which is defined as:

"A dwelling which is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate".

A Grouped dwelling is a prohibited use within a Rural Residential area. Council considered a similar matter at its Ordinary Council Meeting held 23 February 2011 where it was resolved to approve an application for a "Residential Building" which the Planning Unit contended was better defined as a "Chalet" which is a prohibited use. At that Council meeting it was expressed classifying the building as "Residential Building" may create a precedent that may result in similar applications being received.

2. *Four (4) outbuildings*

The outbuildings that are requiring retrospective approval are constructed from shipping containers and clad to provide the appearance of a colorbond shed. One outbuilding also incorporates an extended roof which provides an unenclosed work/hobby space. The total area of outbuildings/sheds will be dependent on the outcome of item 1 of the proposal (change of use of an existing shed to a residential building).

The acceptable development standards enable 208m² of combined outbuildings/sheds. In the event Council refuse the Residential Building (therefore maintaining its current approved shed use), the total area of outbuildings would be 323m². This is significantly greater than the acceptable 208m². It is the planning unit opinion that if Council refuse the residential building, the applicant would be able to utilize this building again as a shed and removing the need for additional sheds to be approved. Planning approval is not needed for up to 208m² of outbuildings/sheds on the site and can therefore be negotiated between Council's Manager Planning and the applicant to identify which sheds will be removed so as not to exceed the 208m².

3. *Fence within the street setback*

The fence/screen within the street setback could be considered a feature wall/privacy screen, some concerns have been raised on how this impacts on the streetscape and in this regard it is considered that a solid fence is inconsistent with a Rural Residential area. However, the fence is setback a minimum of 9 metres which provides for landscaping in front of the fence that can soften the impact. The applicant has commenced landscaping works.

Options

Council has the following options when considering this application:

1. Approve the Application

This option should be chosen if Council agrees with the applicant that the proposal includes a "Residential Building" as opposed to "Group Dwelling" as contended by the Planning Unit and is satisfied that the concerns raised through the submissions can be appropriately addressed.

2. Refuse the Application

This option should be chosen if Council agrees with the Planning Unit that the proposal includes a "Grouped Dwelling" which is a prohibited use in the Rural Residential zone or does not consider that the concerns raised through submissions can be appropriately addressed.

It has been recommended that Council refuse the application due to the proposal containing a prohibited use being a "Grouped Dwelling".

Attachments

1. Locality Map
2. Site Plan
3. House Plan
4. Elevations
5. Justification for "Change of Use"
6. Submissions from neighbouring properties
7. Applicants response to submissions
8. Photo 1
9. Photo 2

Officer's Recommendation

That Council:

- i) Refuses the application submitted by Chris W Ferris for Retrospective change of use from "Shed" to "Residential Building", Retrospective Approval of 4 "Outbuildings" and other incidental development at Lot 2 Manilinha Drive, Turner River for the following reasons:
 1. The proposed use does not meet the definition of a "Residential Building" as defined by the Town Planning Scheme No. 5
 2. In terms of TPS5 the proposed use is better defined as "Grouped Dwelling" being a prohibited use within a "Rural Residential" zone.
- ii) Advises the applicant:
 1. The area of outbuildings/sheds permitted on the site is 208m² subject to building certificate approvals being obtained in the event building approval does not currently exist.
 2. To avoid legal action, agreement is to be made with the Council's Manager Planning in regard to the outbuildings/sheds to be removed and timing of such removal.

201112/172 Council Decision

Moved: Cr G J Daccache Seconded: Cr A A Carter

That Council resolve to approve the application from Christopher W Ferris for the retrospective change of use from “Shed” to “Residential Building”, Retrospective Approval of 4 “Outbuildings” and other incidental development at Lot 2 Manilinha Drive, Turner River with the following conditions to be imposed:

- 1. This approval relates only to the proposed RESIDENTIAL 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. The colours and materials of the proposed carport shall match the existing dwelling where possible, to the satisfaction of the Manager Planning.**
- 4. An approved effluent disposal system shall be installed to the specification of the Town’s Environmental Health Services and to the satisfaction of the Manager of Planning. Be advised that the effluent disposal system may also require the approval of the Western Australian Department of Health.**
- 5. Application is to be made for the installation of an approved apparatus for the treatment of effluent to the specification of the Manager of Environmental Health and to the satisfaction of the Manager of Planning**
- 6. 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.**
- 7. 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).**

8. Within 30 days of this approval, a detailed landscaping and reticulation plan including the adjoining road verge(s) must be submitted to and approved by the 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.
9. Within 60 days, or such further period as may be agreed by the Manager Planning, landscaping and reticulation to be established in accordance with the approved detailed plans to the satisfaction of the Manager Planning.
10. Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of the 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 air handling system is to comply with the Health (Air-handling and Water Systems) Regulations 1994
3. 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.
4. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED 7/0

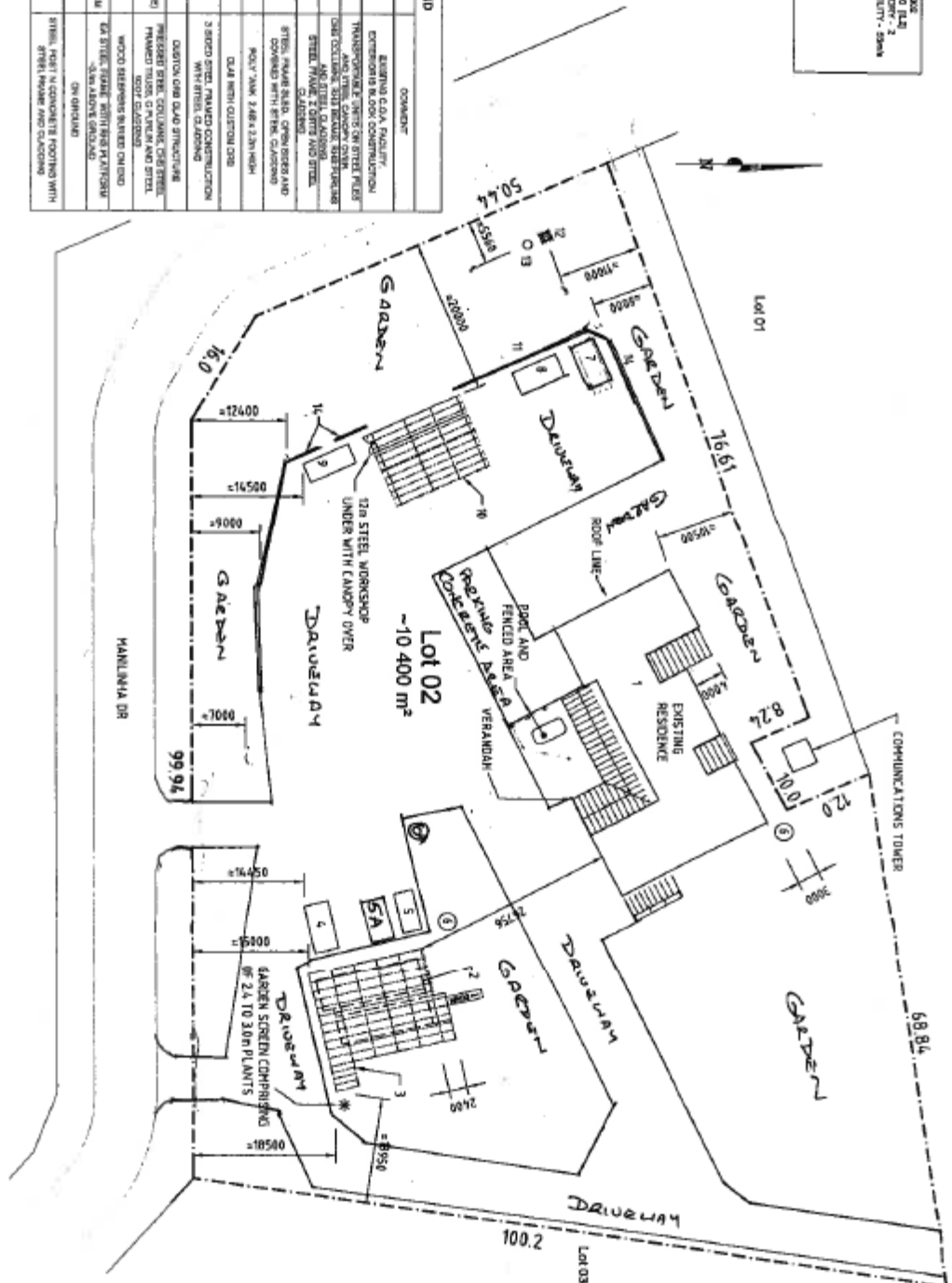
REASON: Council is satisfied with what was presented by the applicant and acknowledges that accommodation is in short supply in Hedland.

ATTACHMENT 1 TO AGENDA ITEM 11.1.2.9



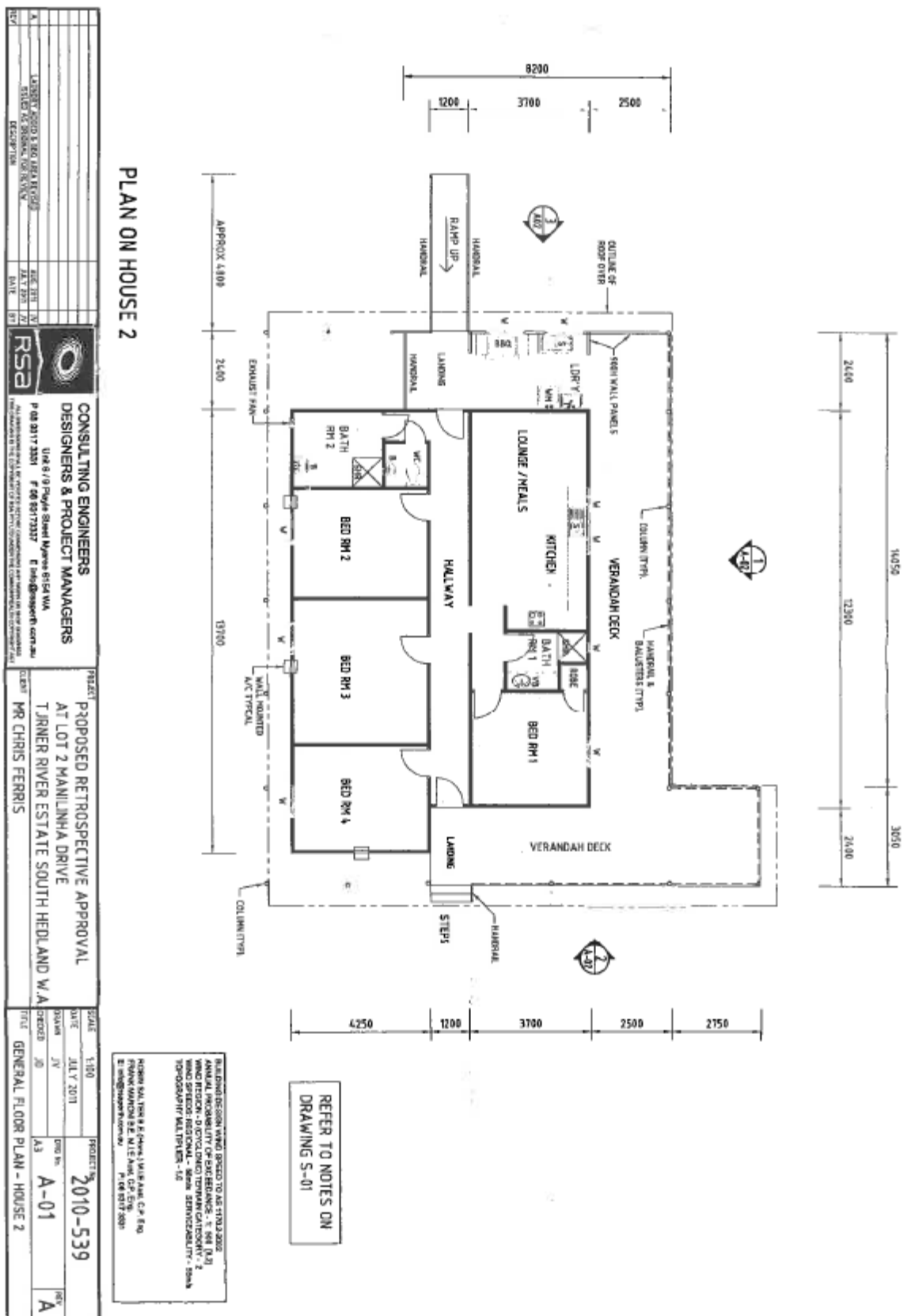
KORN SALTEN & FENN, MUELLER & CO. INC.
 ANKON BANCORP INC., 6121 AMT. CP. BLDG.
 E. MONTGOMERY, ALA. 36107-2235
 P. 08 0017 2235

LEGEND		COMMENT
MARK	DESCRIPTION	
1	CONCRETE MAIN FLOOR	EXISTING C.O.A. FACILITY
2	ROOF	EXTENSION IS WOOD CONSTRUCTION
3	ROOF	TRANSFORMER 2 INITS ON STEEL PILES
4	STEEL MAIN FLOOR	EXISTING ROOF TO BE REMOVED AND REPLACED WITH STEEL
5	STEEL MAIN FLOOR	EXISTING ROOF TO BE REMOVED AND REPLACED WITH STEEL
6	STEEL MAIN FLOOR	EXISTING ROOF TO BE REMOVED AND REPLACED WITH STEEL
7	STEEL MAIN FLOOR	EXISTING ROOF TO BE REMOVED AND REPLACED WITH STEEL
8	STEEL MAIN FLOOR	EXISTING ROOF TO BE REMOVED AND REPLACED WITH STEEL
9	STEEL MAIN FLOOR	EXISTING ROOF TO BE REMOVED AND REPLACED WITH STEEL
10	STEEL MAIN FLOOR	EXISTING ROOF TO BE REMOVED AND REPLACED WITH STEEL
11	STEEL MAIN FLOOR	EXISTING ROOF TO BE REMOVED AND REPLACED WITH STEEL
12	STEEL MAIN FLOOR	EXISTING ROOF TO BE REMOVED AND REPLACED WITH STEEL
13	CONCRETE MAIN FLOOR	EXISTING ROOF TO BE REMOVED AND REPLACED WITH STEEL
14	STEEL MAIN FLOOR	EXISTING ROOF TO BE REMOVED AND REPLACED WITH STEEL

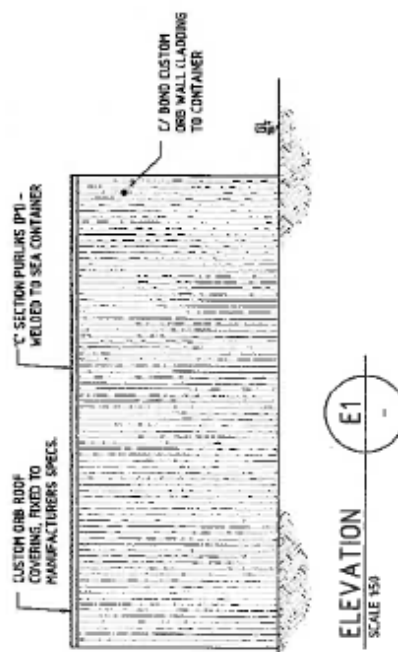
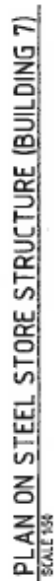


		CONSULTING ENGINEERS DESIGNERS & PROJECT MANAGERS		PROPOSED RETROSPECTIVE APPROVAL		2010-539	
Unit 6 / 8 Punga Street Western B154 WA P 08 10317 3331 F 08 103175257 E info@rdsd.com.au		AT LOT 02 MANILINHA DRIVE TURNER RIVER ESTATE SOUTH HEDLAND WA		SCALE 1:500 DATE JULY 2011		PREPARED BY DR. N.	
ALL INFORMATION MUST BE CHECKED AGAINST CONDITIONS AND NOTED ON SITE BY THE APPLICANT THIS DRAWING IS THE PROPERTY OF RDS DESIGN & PROJECT MANAGEMENT. THE CONSULTANT WILL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE APPLICANT.		CLIENT MR CHRIS FERRIS		DRAWN BY RSCA		REV A	
RDS RDS DESIGN & PROJECT MANAGEMENT 10/11/11		DATE 2/7/11		CHECKED BY JO		TITLE GENERAL SITE PLAN	

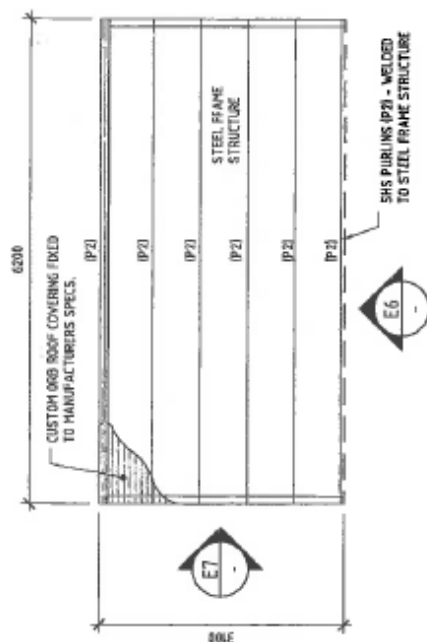
ATTACHMENT 3 TO AGENDA ITEM 11.1.2.9



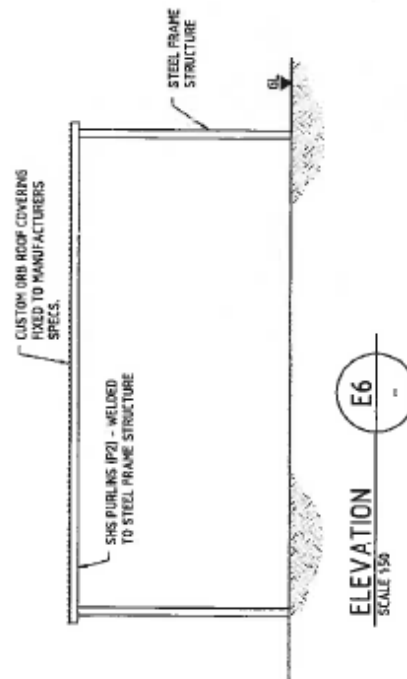
PAGE 208



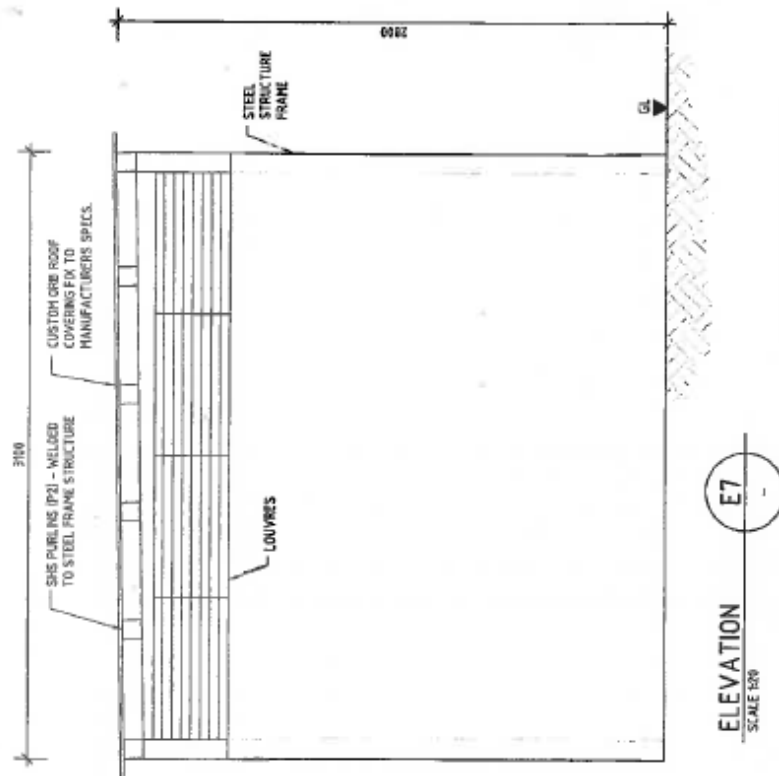
A	FOR REVIEW DATE	18/07/2010	CONSULTING ENGINEERS DESIGNERS & PROJECT MANAGERS Unit 13 The Old School House, 215A, WY, P 08 9377 2031 F 08 9377 8837 E info@cepm.com.au 13 THE OLD SCHOOL HOUSE, 215A WY, WYBORNSIDE, VIC 3009 P 08 9377 2031 F 08 9377 8837 E info@cepm.com.au NOT FOR CONSTRUCTION PURPOSES - FOR INFORMATION PURPOSES ONLY	PROJECT PROPOSED RETROSPECTIVE APPROVAL AT LOT 2 MANILINHA DRIVE TURNER RIVER ESTATE SOUTH HEDLAND W.A. CLIENT MR CHRIS FERRIS	TABLE AS SHOWN DATE SEP 2011 BY NL CHECKED JO	PROJECT No. 2010-539 ISS No. A-05 REV A	TITLE STEEL STORE STRUCTURE 6x2.4m (BUILDING 7)



PLAN ON STEEL STORE STRUCTURE (BUILDING 8)
SCALE 1/50



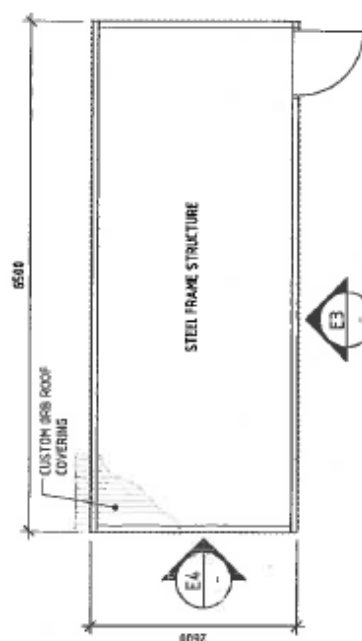
ELEVATION
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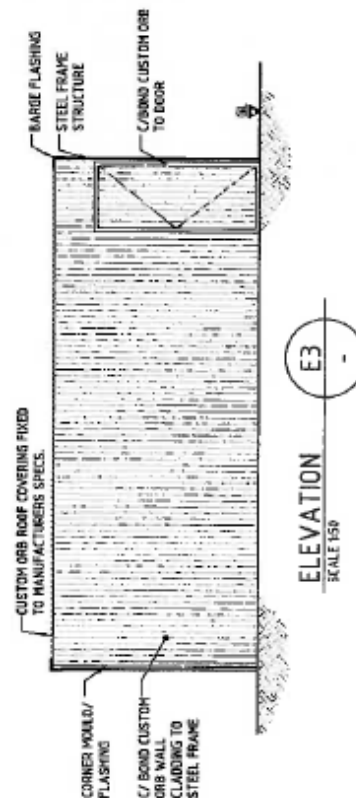
ELEVATION
SCALE 1:200

ROBIN SALTER R.E. JONES, M.L.E. AUST, C.P. FRY
FRANK HUGHES J.C. MILES AUST, C.P. FRY
B. HUGHES@earth.com P.O. BOX 1200

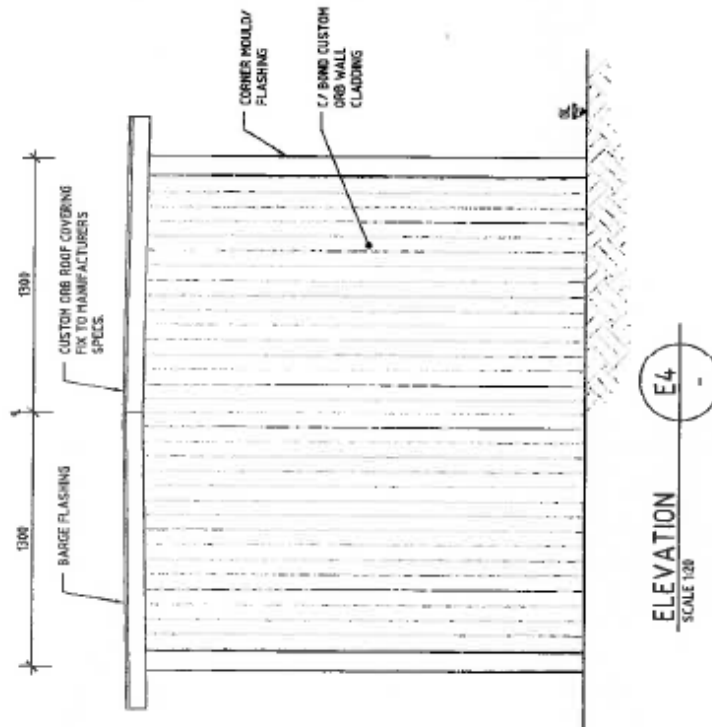
		CONSULTING ENGINEERS DESIGNERS & PROJECT MANAGERS Level 19/190 Pyrale Street, Victoria Park WA P 08 9417 2391 F 08 9417 5537 E info@rsewa.com.au 190 Pyrale Street, Victoria Park WA 6100 190 Pyrale Street, Victoria Park WA 6100 190 Pyrale Street, Victoria Park WA 6100		PROJECT PROPOSED RETROSPECTIVE APPROVAL AT LOT 2 MANILINHA DRIVE TURNER RIVER ESTATE SOUTH HEDLAND W.A. MR CHRIS FERRIS		SCALE AS SHOWN DATE SEP 2011 DESIGNED J.D. CHECKED A. DATE SEP 2011 DATE SEP 2011		PROJECT NO. 2010-539 ISS NO. A-07 REV. A		TITLE STEEL STORE 6.2x3.1x2.3m HIGH (BUILDING 8)	
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PLAN ON STORE SHED (BUILDING 9)
SCALE 1/8"



ELEVATION E3
SCALE 150'



ELEVATION

BUILDING DESIGN WIND SPEED TO AS 1701-2-005
ANNUAL PROBABILITY OF EXCEEDANCE - 1:100 3.22
WIND REGION - D (CYCLOTRON THERAPEUTIC CATEGORY - 2)
WIND SPECTRUM REGIONAL - Bunkle SEVERABILITY - 10m/s
TOP-CORNER WALL PRESSURES - 1.6

ROBIN SALTHER D.E.(Biora) MJR Aust. C.P. Eng.
FRANK MARSON D.E. M.Lit Aust. C.P. Eng.
E. info@nsp.com.au P: 08 6317 3333

CONSULTING ENGINEERS DESIGNERS & PROJECT MANAGERS		 Unit 10 Riche Street, Brisbane, QLD, WA P 08 9377 3307 F 08 9377 3307 E info@rsp.com.au All drawings shall be subject to the conditions of sale on the back of the drawing. The user shall be responsible for ensuring that the drawings are used in accordance with the conditions of sale.		PROJECT PROPOSED RETROSPECTIVE APPROVAL AT LOT 2 MANILINHA DRIVE TURNER RIVER ESTATE SOUTH HEDLAND W.A. CLIENT MR CHRIS FERRIS		SCALE AS SHOWN DATE SEP 2011 DRAWN JDL CHECKED JDL DESIGNED A3		PROJECT NO. 2010-539 REV. A A-06		TITLE STORE SIZED 6.5x2.6m (BUILDING 9)	
A FULL REVIEW INTERPRETATION		SEP 2011 DATE		15 16		17 18		19 20		21 22	

ATTACHMENT 5 TO AGENDA ITEM 11.1.2.9

**Application to Convert Existing Building
from 'Shed' to 'Residential Building' @
2 Manhilinah Drive, Boodarie 6722.**

**Christopher William Ferris
Kaye Lorraine Ferris**

Mr Luke Cervi
Town of Port Hedland
P O Box 41
Port Hedland WA 6721

Dear Luke,

Kaye and I wish to convert the approved existing 'Shed' situated on this site to 'Residential Building'.

REASON FOR THE CHANGE:

Reason 1: The original 'Shed' was built by converting two recycled transportable buildings and enclosing them with a new roof and support system.

The outcome of the project was so good that it was a shame to waste that space by use as a shed and storage.

Reason 2: There is an acknowledged lack of accommodation for people and workers right across the Pilbara, including the Town of Port Hedland.

Demand for accommodation outstrips supply.

The cost to the Government and Local Government to supply infrastructure to permit more accommodation elsewhere is very high.

Reason 3: Applying for an additional 'residential building' with 4 bedrooms and 2 bathrooms and plentiful outdoor living is a win - win for all parties.

Us as the owners – we have an asset.

Government/Local Government – they do not have to expend any money or effort to get 1 additional house into the town to alleviate the shortage.

Potential residents attracted to the area to help make the growth of the Pilbara as the Engine Room of the Nation - get to have 4 quality bedrooms to sleep in, in a peaceful rural environment.

More people can share the rural environment.

Reason 4: We help to Save the Environment – by transforming 2 recycled buildings into a modern and engineered development.

We do not need to acquire certain new building materials that will take raw materials and naturally grown materials that would require energy /carbon emissions to develop them into useable products.

There are no new emissions, as the original production of the materials has already occurred

Reason 5: The Wilden's application for a similar proposal at Lot Number 7 at the Turner River Estate was successful at Council's meeting on February 23, 2011, and that paves the way for the process to follow for other potential applicants.

A precedence has been set, and on a level playing field, all future applications should be considered on that merit.

So Council Staff have a Council direction to follow, alleviating their work load.

Residential Building:

We have considered Ancillary Accommodation is usually allowed for the situation where the children in a family build a dwelling for their parent/parents.

In our case, we have two adult children and 7 grandchildren, who from time to time may require accommodation for one reason or another.

Ancillary accommodation has a size limit, and is primarily designed to allow for children to supply housing for the parents. IE: granny flat.

It could be argued that if we allowed anyone other than a close – immediate family member to live in the premises, then we would be breaching the rules.

So the right thing to do is to apply for the right use, and that is a general purpose residential building with 4 bedrooms, 2 bathrooms, kitchen/living area, laundry and extensive outdoor covered living space to allow the potential residents a quality of life.

PROPERTY SIZE & DESCRIPTION:

Our property is a corner block and has 2 street frontage.

It is slightly larger than 1 hectare – 2.5 acres.

It is being developed with screen/privacy fences well inside the property boundary and groves of trees planted around the boundary and around the existing buildings.

Several groves are already well advanced, and as they reach the stage of growth where they tap into the natural water and no longer need manual watering, we will add further groves of trees.

Bearing in mind that this area is a semi arid region and water limited, we have done well to grow and maintain a number of trees and areas of lawn to improve the street scape.

We have owned the property for about 6 years having bought it as a derelict building with little or no garden infrastructure.

90% of the trees you see here now were grown from local seeds collected around town.

Our water is from underground sources and we have to be mindful of not over taxing that resource.

There is more than ample space for the development and the habitation.

The two houses on the property are situated to allow both to operate independently.

IMPACT ON NEIGHBOURS:

Lot 3:

The neighbours on Lot 3 are situated directly to our east and have recently taken delivery of their new house.

For several years they lived in two converted sea containers while they went about developing their new house. So they are used to dealing with unsightly structures while it suits their needs.

The front of their house has a road facing aspect, and the development is on the downhill – river side of our property.

They have developed an entertainment area on the north east side of their property, overlooking the bush land to the east.

That is on the far side of their house in relation to us.

The west side of their property that faces our property houses bedrooms and laundry facilities that do not, usually, require a view aspect, just privacy.

Privacy can be achieved by growing trees down our joint boundary.

This is being done, with their trees in the ground and shrubs on our side of the fence.

With the slope on the two blocks, our new building will overlook lot 3 to enjoy the panoramic view of the river system, which is some distance away.

We look over the developments on Lot 3 and the roof of the house on Lot 3 is low enough for our property to look across that roof line to the trees in the riverbed and towards the towns of Port and South Hedland

The neighbours have already planted a line of trees down their boundary that will help them to be screened from our property.

We have planted the first of a grove of trees close to our new building, so that we too have privacy from the neighbours, as the veranda's are open.

I intend to grow a small forest in that area.

Lot 4:

Lot 4 is further to the south, and is currently a greater eyesore than our property.

We intend to grow a new grove of trees on our north east corner to limit the visual impact looking in that direction.

As well, to limit the night intrusion from car lights travelling around that corner.

Anything that we do will greatly improve the outlook of their property.

It would be reasonable to assume that the residents of both Lot 3 and 4 would position their outdoor entertainment areas to make the most of the view to the east, and their existing buildings would give visual protection from anything happening on our property.

This is based on the limited areas between their buildings and their fence lines to the west (our side), and the fantastic view they have to the east, over the river.

DESCRIPTION OF OUR SECOND RESIDENTIAL BUILDING:

The building is made from 2 transportable buildings that have been placed on supports, 1.2 metres apart.

These buildings are not Dongas or sea containers. The buildings are genuine buildings made from conventional building materials.

A new roof system has been placed over the two buildings, and that is supported by free standing posts around the outer edge.

Effectively, you could dismantle the 2 transportable buildings and with just a couple of internal posts, the roof would be free standing.

The exterior of the buildings have been clad in a blend of new corrugated iron and new fibro weather boards, using modern fasteners.

The building incorporates covered verandas on three sides, so that you can walk from the front door to the back door under cover.

All the windows are new cyclone rated aluminium sliding windows.

Front and back door are both commercial grade aluminium and glass hinging doors.

The whole building has been rewired and plumbed with new materials and the walls and ceilings have been clad and finished with new gyproc.

There are 4 bedrooms, 2 bathrooms and an open plan living/kitchen area.

There is an outdoor BBQ area with kitchen sink and laundry facilities.

It is fully airconditioned.

The building can be used as a conventional 4 bed 2 bath home to accommodate people in a typical Australian habitat.

ALSO ON THE PROPERTY:

Lot 2 has the original DECCA Communications building on the centre of the northern boundary.

That building is an approved structure and can pass any engineering test.

It has 5 bedrooms, 3 bathrooms and 5 other living rooms.

Being an ex Government structure, built in the 1970's to be standing after the worst storm, the building is best described as 'over built'.

It has patio's and covered areas and a swimming pool for entertainment.

We have added several outbuildings for storage of property and equipment.

The weather being so harsh, means that things need to be stored out of the weather and heat.

We have designed and developed the property so that it has the ambience of a Cattle Station Homestead/home block, where you would expect to see old buildings used for maintaining the plant and equipment needed for a cattle station.

In keeping with my desire to recycle the discarded building materials that this Town throws away, I have incorporated many old building features and materials.

ENGINEERING:

Robin Salter and Associates originally examined the buildings when we applied for the 'shed' approval, and have been engaged to examine the works done to completion, to ensure that the development complies with structural requirements.

BUILDER – BUILDER'S REGISTRATION BOARD:

As our property is not in the townsite's defined in the Town of Port Hedland's charter, the Builder's registration Board advises that we can be an owner builder.

ESSENTIAL SERVICES:

Power is serviced through the existing power grid, and we have a new underground power line fitted from the Government Meter Board to the building as a stand alone service.

The new building does not link to the existing developments.

Water is serviced through our underground bore and pump and tank system.

Sewerage feeds into one of the two existing in ground leach drain type sewer systems. We are in sandy soil on an elevated block that allows easy dispersal of the grey water developed by the system.

Additionally we have grown and will grow many trees that will consume the grey water.

Telephone services are supplied by Telstra and there is access to the mobile services. Should someone require a landline, they would liaise with Telstra and deal direct accordingly.

TV and Internet is available through various means, including free to air TV, satellite TV, satellite Broadband and mobile service Broadband.

RURAL RESIDENTIAL ZONING: The Reality in the Pilbara.

This is a wonderful idea, with intended usage for people who wish to enjoy a rural lifestyle.

They can have a vegy patch, a few chooks, horse, goat, sheep and such domestic animals, and grow a few fruit trees and generally play at being on a farm.

The reality in the Pilbara, is we live in a semi arid area, with very limited rain, and even more limited town water.

So, to be able to run a hobby farm is simply just not viable.

Who can afford the water, and because you cannot grow crops, you cannot afford to transport grain and hay from the south.

Look at and analyse all the existing rural residential blocks in the area, and you can see that most struggle to grow a few trees and a postage size patch of lawn.

So the blocks lay fallow as 'bush blocks' and storage areas for the dreams the owners have.

Additionally, the cost of living in Hedland is so high, that generally, both members of the adult family have to work, and in many cases work long hours, often 10-14 hours a day, 13 days a fortnight.

The demographics and dynamics of the workforce has changed dramatically over the years.

Years ago, people came and stayed until retirement, working in their chosen field. But now we work on short to medium term stays in the Pilbara.

Government workers come for relatively short stays, with some exceptions:-

- Police 2-3 years

- School teachers 3 months – 3 years

- Main Roads 3 months – 3 years

- Medical 2 weeks to 1 year if we are lucky

Local Government workers in the administration field tend to change every 2-3 years. Ask your HR department for feedback. It seems that people come for as long as it takes them to get experience to move to the next promotion or better location.

Mining Companies are pushing for more and more FIFO. The field is so competitive that the major players seem to constantly poach suitable people.

Look at the push to build bigger and better SPQ's. Club Hamilton – Port Haven – Camp Wedgefield – Pundalmurra Camp.

So the reality is, Port Hedland really does not attract a lot of people to the region who would be interested in having a hobby farm.

People come here to earn the money to buy the hobby farm in the South West Land Division or other States, where you can actually achieve success with raising food and pet farm animals.

KARRATHA – Rural Residential Zoning

I have lived in Karratha and regularly visit Karratha and neighbouring towns.

I am yet to find an area designed and denoted 'Rural Residential' in Karratha..

Karratha is destined to be the first Pilbara City, and if it were a viable option, I am sure they would have earmarked land suitable for the rural residential/hobby farms.

So, by comparison, Port Hedland is out of step with our competitor to be the First Pilbara City.

NEEDS OF THE PILBARA:

Throughout Port and South Hedland there is the push to modernise the old suburbs and develop housing options to accommodate more people in the same land area.

IE: demolishing the old fibro homes and building new, modern homes.

This is good business sense, as existing essential services can accommodate the additional population, and by downsizing the land around a dwelling, the residents have more time to work and rest, not having to look after large gardens.

Smaller blocks use less water, require less maintenance and stay cleaner for longer.

This reduces Councils annual Cyclone Clean Up problems.

Roads don't have to be built and existing services can cope with the additional requirements.

OUR APPLICATION:

We are asking the Council to approve the change of use of the existing building currently approved as a 'shed', so that we can have a second 'residential building' on the property.

ATTACHMENT 6 TO AGENDA ITEM 11.1.2.1

Replies to reasons as below.

Reason 1- There was only one ex four room donga onsite as we bought the land in early 2008, in which Chris told us it was to be a shed. If we had of known it was going to be a house overlooking our property, we would have reconsidered the sale. The second donga was delivered to lot 2 in early 2010, so it was never a shed at all. Most residents when deciding to obtain a shed have one engineered by a shed company and would not consider to use 2 transportables as a cat5 shed at all. Especially ones that are discarded by mining companies.

Reason 2- One mans ideals of solving this is like a drop in the ocean. At least if the Government decide to solve this problem it would be done by permit and using local tradesmen and fully engineered buildings. Lot 2 has been mostly put together by a young man which we have watched happen over the last year.

Reason 3- An additional residential building on Lot 2 is a win lose. It's a win for Chris only. It is a lose for us due to the value loss of our property, it is a loss to the neighbourhood due to much more traffic on the road, water usage from our limited supply which "we have to mindful of not overtaxing that resource" (quote). It is also a loss to the local government with the already advancing headaches due to this application. Being a nightshift worker it is not a peaceful rural environment during the day whilst a forklift is busy moving scrap materials etc around Lot 2 all day every weekday.

Reason 4- Our argument to this is, have all the steel components that are recycled materials been xrayed to see the depth of rust and corrosion in defence of their original integrity as supplied by the manufacturer when originally made. Once again one mans ideals of saving the environment do not have an impact in this area.

Reason 5- The Wilden's application was done by correct means of obtaining permits first and also the buildings are much smaller and do not have any impact on neighbouring properties privacy. We believe that a precedence has not been set with regards to Lot 2's residential building.

Residential Building- Referring to Chris's comment on breaching rules on the lower page 2 the rules have been breached by him for the last 16mths by having people living in this building. In the past 3 mths there has been up to as many as 5 tenants as well as the occasional 2 or 3 caravans camping there, enjoying looking out over our property. This has had a serious impact on our "quality of life".

Property size and description- 'Our water is from underground sources and we have to be mindful of not overtaxing that resource'. As on Page 4 Chris intends to grow a small forest. We are constantly bewildered to the use of sprinkler systems at Lot 2 being turned on in the heat of the day and also windy conditions, this is not being mindful.

Impact on neighbours- Lot 3- We lived in the sea containers for only 2 years and created a neat and tidy outdoor area that was not unsightly because it was well hidden from Lot 2's construction in progress. We have an entertainment area in progress on the north side of our house due to the fact we have no other option for a private area. The west side of our property which council has plans of and we have a family/living room on the west side which has an outlook to Lot 2's storage of derelict bridge timber poles and also the residential building, due to this outlook we must build a fence so as we can create an alfresco area for different times of the day to enjoy, this comes at a great cost to us. We have planted 41 trees and shrubs at a reasonable cost of money and

our time to try and screen this building. It will take many years and more trees and shrubs to screen off the building due to its elevation. We counted today only 6 trees put in front of this building, which is minimal effort. In defence to planting a grove of only 6 in front of the new building because the verandas are open then why would one build the veranda in the first place and as the plans, elevation 2 it is marked alfresco, is this not a contradiction.

Lot 4- As per page 5 the assumption of Lot 3 & 4 positioning outdoor areas viewing to the east is only now a necessity due to the fact that Lot 2 has so many people residing and causing our dog to lose its bark because of people walking around the area trying to get phone coverage and as once discovered trying to take photo's of the beautiful trees in the valley of our property, which breached the privacy of our north facing entertainment area. We have 10 metres between our house and fence line which we want to develop peaceful and shady areas around our whole house.

Description of second residential building- Whatever the title of these buildings are the fact remains they have been discarded and probably unsafe. The roof system has free standing posts on only one side. It is attached to the two transportables. The windows are not all cyclone rated due to the fact of the installation of second hand timber windows, and there are not any cyclone shutters. This is not safe practice and do not want to see another instance as in Cyclone George when there were buildings blown around and killed people.

Also on the Property- We have toured the inside of this property and believe that it has a floor space of approx 180sqm plus. We have seen the self contained one bedroom living quarters under the same roof and due to the amount of bedrooms this is ample for one couple with the occasional visits from their children and grandchildren. With the outdoor patios and swimming pool being sufficient for these uses we only see the use of a second residential building to fuel greed. There is no ambience of a cattle station homestead next door to us. One can see by the supplied photos that Lot 2 is a recycling junk yard full of trucks and repossessed vehicles and there is not enough room on his land now that the owner has at most times two or three trucks and trailers parked on the verge. Being on a corner block with the items on the verge it is also a problem for drivers because the road is barely wide enough for two vehicles to pass at once. We don't want our neighbour to use and recycle materials that the town throws away because we believe this is unsafe in cyclonic conditions.

Essential Services- Sewerage- We have a concern being slightly lower down hill with the amount of people residing there before being permitted, this could increase if permitted and cause and overflow effect and obviously would run into our property. The residential building has approx 223sqm of roof and Chris has only just put a concrete gutter in diverting this water to an area within two metres of our west boundary. We due to being on the lower side of the road already have a problem with rain water and drainage and do not want to deal with Lot 2 water excess.

Additional Comments- If Lot 2 are going to house workers working such long hours there is no need for balcony or an alfresco area. We believe the comments of the dynamics of the workforce is based on assumption and cannot see where this information has been referred. We have been here for 4 years with the intention to stay a lot longer so we don't agree with the information supplied.

Summary- Overall we totally oppose the building existing on Lot 2 at all. We have invested 600k in our property and due to his dwelling we need more funds to create private areas around our home. We have not used discarded building materials (quote) to create any screening to the

present date, we have paid dearly for steel and other components to only make a slight impact to blocking out the building and its residents. We feel that the owner of Lot 2 has inconsiderately lied to us, totally ignored and abused the town planning systems in place and being an ex officer of the WA Police force we find this an outrageous act, and if not dealt without hearing our concerns, we will seriously consider taking this as far as we can. We challenge planning to take a tour of lot2, to see that it does not fully reflect all that is stated in the proposal, groves of trees etc. The noise that the outdoor kitchen creates morning and night and the flagrant use of the so precious water during the day. We have a watering system that only runs during the night. We feel that Lot2 has gone ahead with an over the top effort and its basically a subdivision. We don't want to be a part of this, it will only make the estate so much busier.

We have had Les Best from First national Real Estate visit and he ensured us that until adequate trees have established our property would not get its true value in a sale at present.

We state that all information is true and correct, we have seen with our own eyes exactly what has been going on there for the past 18mths and we have photographic material to back up any of our statements.

Thankyou

James Reus and Kate Wilson.

Lot3.

*6-8 Manilinha Drive, Turner River
PO Box 2959, South Hedland, 6722*

13 September 2011

Luke Cervi
Senior Planning Officer
Town of Port Hedland
PO Box 41
PORT HEDLAND 6722

Dear Luke

LOT 2, MANILINHA DRIVE, TURNER RIVER

We write in regard to the application to change use from shed to residential building and retrospective approval of four outbuildings on the above Lot.

Whilst in principal we have no objections to the application we do have a number of queries/concerns:

1. We applaud the use of recycled materials to construct the sheds in question but wonder at the structural integrity and adherence to cyclone standards, ie are the buildings built to sufficient engineering standard? Some of the material would appear to be lightweight for the structures.
2. The application talks of neighbours being able to deal with "unsightly structures while it suits their needs" but these are permanent structures and as such we would assume they have to meet a certain standard, ie streetscape, plantings, etc.
3. The buildings/fences/screens are made of different materials, different colours – will there be a requirement to standardise? – at least in colour?
4. Will there be additional work carried out on the shed that is being converted to a residence? – assume there are different standards for sheds and houses, ie streetscape, colours, etc.
5. The total shed area is in excess of 190sq metres – will there be any other conditions applied to the application?

As indicated, we have no objection in principal, but seek assurance that the application meets the rules and regulations set out by Council and imposed on other applicants, including those that are at Council prerogative.

Yours sincerely

Ken Whiteman
Wendy Pallister

ATTACHMENT 7 TO AGENDA ITEM 11.1.2.9

Christopher William FERRIS
Kaye Lorraine FERRIS
PO Box 3042
SOUTH HEDLAND 6722



Town of Port Hedland
McGregor Street
PORT HEDLAND 6721

September 27, 2011

Attention **Luke CERVI and/or Leonard LONG**

Response to Objections to Our Planning Application to Convert our Existing Shed into a Second Residential Building and Retrospective Approval of Four Outbuildings.

Thank you for supplying the details of the objections to our application.

Narrowing the objections to the details of the application, we can focus on 3 issues.

First is the use of recycled materials.

Second is the privacy issue on **Lot 3**.

Third is the approval's for the people at **Lot 7** to build a second residential building.

So my answers in that order are:

1: Use of Recycled Materials - Engineering:

In today's society there is much said about recycling and the effect of materials on the carbon output during manufacture.

So the ability to recycle materials is very important.

The engineering of this and all structures on my property is handled by Robin Salter and Associates, who are well known and highly regarded in the Pilbara Region.

Council has guidelines that can guide the engineers.

2: Privacy of Lot 3:

The privacy of Lot 3 can be achieved with the **planting of Green Screens of vegetation.**

Our property has been developed to enjoy the **universal outlook** towards the river bushland beyond the village.

Everyone out here bought their land to be able to enjoy that view.

No one bought their properties, or developed them to snoop, eavesdrop and ogle the neighbours.

The topography of the location is natural, and no one has built up or excavated land to get a better view.

Our property and the building in question were already here when the neighbours at Lot 3 bought their property. It was easy to see.

Council can negotiate on the planting of trees and hedges to assist in each others privacy.

Remember that there is a requirement for a firebreak around the properties.

3: Privacy of Lot 7:

Nothing built on Lot 2 **impacts on** the privacy of Lot 7.

The residents of Lot 7, when passing Lot 2 are visually guarded against any activities on Lot 2 by several privacy fences linking the new sheds, and covered with a Green Screen around the boundary of the property.

A safe driver should be concentrating on driving and not be looking in to another's property, and others should respect the privacy of those living on Lot 2 and not pry into and ogle what is happening there.

Privacy is not a privilege limited to those on the other blocks and includes our privacy.

4: Approval Already Granted to Lot 7 to Build a Second Residential Building:

Back on February 23, 2011, the WILDEN'S application for a second residential building on Lot 7 was granted by a vote of 4 to 1 at the local Council Meeting.

This approval is for a commercial development to house visitors and workers to the area and reflects the need for alternative cheap accommodation to relieve the current housing and accommodation shortage

Mr WILDEN is a Council Employee, holding a position as a Senior Ranger, and his wife is a Senior Police Officer.

If they are deemed suited to build a second residential building on their block out here, then the same favour should be passed to all others who request the same style development.

Conclusion:

All we are asking for is a fair play response on a level playing field so that we can all live in harmony.

We feel that what has been approved for one applicant has set the precedence, and all other applications of a like nature should be met in the same way.

Kind regards


Chris Ferris

ATTACHMENT 8 TO AGENDA ITEM 11.1.2.9



ATTACHMENT 9 TO AGENDA ITEM 11.1.2.9



11.2 Engineering Services

6:39pm Councillors A A Carter and J E Hunt declared a financial interest in Agenda Item 11.2.1 'Expression of Interest (EOI) 11/24 Artwork Integration into Adventure Playground Cemetery Beach Community Park Duplication Port Hedland - (File No.: 21/07/0016)' as they are BHP Billiton shareholders with shares over the statutory limit.

6:39pm Councillor D W Hooper declared a financial interest in Agenda Item 11.2.1 'Expression of Interest (EOI) 11/24 Artwork Integration into Adventure Playground Cemetery Beach Community Park Duplication Port Hedland - (File No.: 21/07/0016)' as his paintings are sold by FORM.

6:39pm Councillor G J Daccache declared an impartiality interest in Agenda Item 11.2.1 'Expression of Interest (EOI) 11/24 Artwork Integration into Adventure Playground Cemetery Beach Community Park Duplication Port Hedland - (File No.: 21/07/0016)' as he is a BHP Billiton shareholder with shares over the statutory limit.

Councillors A A Carter, G J Daccache, D W Hooper and J E Hunt left the room.

11.2.1 *Expression of Interest (EOI) 11/24 Artwork Integration into Adventure Playground Cemetery Beach Community Park Duplication Port Hedland - (File No.: 21/07/0016)*

Officer Rob Bailly
Projects Coordinator

Date of Report 19 September 2011

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide the Council an assessment process and outcome to pre qualify artists for the artwork integration phase of the Cemetery Beach duplication project, prior to the Request for Tender (RFT) stage for those artworks.

The Town received eight applicants that were assessed using the selection criteria supplied as part of the Expression of Interest (EOI).

Background

This item was previously considered at the Special Council Meeting on 12 October 2011 though, due to lack of quorum the item has been resubmitted for council review.

The Cemetery Beach Park duplication project is being undertaken as a joint BHP Billiton Iron Ore (BHPBIO), Town of Port Hedland (TOPH) and Royalties for Regions (R4R) initiative.

The project has been to the Council for approval twice to date, those being at the Ordinary Council meeting on the 27/1/2011 to acknowledge the consultation process (Council decision 201011/231) and again on the 27/4/2011 to acknowledge the Concept Plan Design (Council decision 201011/ 349).

Council resolution 201011/231 stated:

“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”

To further develop the connectivity of the artwork integration and adventure playground elements, the concept plan identified two separate areas for the development of artwork and adventure space. As part of the Cemetery Beach duplication project it was identified in the Council resolution for the Concept Plan 201011/349 on the 27 April 2011.

“That Council:

1. *Acknowledge and recommend the Concept Plan shown as Attachment 1, to be shown as public information ending 31 May 2011 as the preferred Concept Plan for Cemetery Beach Community Park.*
2. *Approves the Concept Plan shown as Attachment 1 and requests the Chief Executive Officer to progress to detail design and tender documentation.”*

The EOI addresses the artworks component of the project and helps identify particular artists that can provide specialist skills that address children’s interactions, sense of fun, sensory and physical adventure, creative space as well as interpretation of the Town’s natural and cultural heritage.

Consultation

Following a detailed public consultation phase endorsed through Council decision 201011/231 and further public information delivery for the Concept Plan through Council decision 201011/349, the EOI project has been progressed by the Town's Infrastructure Development and Community Development departments and the civil design architect for the project.

The main consultation team for the EOI consisted of:

- Manager Infrastructure Development
- Projects Coordinator Infrastructure Development
- Manager Community Development
- Coordinator Community Development
- GHD Architect

Statutory Implications

The EOI document is the preferred Western Australian Local Government Association (WALGA) document and has been used to ensure compliance to the Local Government Association requirements. Under Section 1 Principal's Request, 1.5 Evaluation Process, a portion of 1.5 states:

"The EOI is the first stage of a two stage process. Following the close of the EOI the Principal may proceed to the calling of a restricted Request for Tender (RFT) or commence direct negotiations in the Principles sole discretion. The issuing of an EOI does not commit the Principal to proceeding with an RFT"

This Tender was called in accordance to the *Local Government Act (1995)*.

"3.5.7 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 EOI was called in accordance with Council's Procurement Policy 2/007 and Tender Policy 2/011.

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.

Budget Implications

The full budget allocated for the Cemetery Beach Park duplication project is based on \$1.5 million from BHPBIO and \$1.5 million from Royalties for Regions (R4R) providing a total of \$3 million.

The allocated budget amount for the artworks/adventure space will be \$290,000 and is included in the \$3 million total project budget.

Officer's Comment

The Selection Criteria was based on the following information:

To address the Expression of Interest (EOI), the Town of Port Hedland will require the following selection criteria to be addressed for prequalification towards stage two - design and construction of the adventure playgrounds.

- Previous experience on designing and constructing creative outdoor play areas or on external sculptural elements.
- Previous examples of work that have integrated artworks with creative play areas or similar types of external sculptural elements.
- Methodology of approach to the project, considering all the factors of structural strength, safety and fun with reference to the natural and cultural heritage themes.
- The resources available to undertake the works and complete within the proposed time if successful in pre qualifying for the RFT
- The local content that can help support local industry

The EOI 11/24 closed on 2.30pm WST on Wednesday, 14 September 2011 with the EOI's opened and recorded by the Deputy Mayor and Council staff members. No artists attended the EOI opening and no prices were part of the EOI submission process. The Town received eight respondents' submissions.

Table 1 below indicates the evaluation criteria as described in the EOI documentation. Price was not part of the evaluation criteria for the EOI stage.

Table 1

Assessment Criteria	Max Score (%)
Previous Experience	30%
Previous Examples	30%
Methodology	20%
Resources	10%
Local Industry Development	10%
Max Score	100%

The comparison of each of the assessment criteria for the EOI submissions received is as follows and is summarised in Table 2 below:

Table 2

Contractor/ Assessment Criteria	Previous Experience (30%)	Previous Examples (30%)	Methodology (20%)	Resources (10%)	Local Industry Development (10%)	Total Score (100%)
	Score	Score	Score	Score	Score	
Sculpture Sitoara	13	12	9	4	4	42
N2 Public Art & Design	21	21	15	7	5	69
Jon Denao & Bec Juniper	24	23	13	8	6	74
Judith Forrest	26	25	15	7	6	79
Natural Play & Terry Farrell Architect	28	28	14	7	7	84
Artventure	18	18	10	7	4	57
FORM	26	24	17	9	9	85
Arterial Design	20	19	13	7	5	64

As part of the prequalifying process set out in the EOI documents there were to be between one and four artist/s and/or artist/s teams to prequalify for the next stage of the process.

All submissions were evaluated with the evaluation scores developed from four independent scorers providing a cumulative value and divided by four to give a final score.

The evaluation process looked at previous experience, understanding and previous works as the three main objectives as well as the ability to do the works within the timeframe and local industry development as part of the Town's Tender Policy 2/011.

Since evaluating the eight EOI's it was acknowledged there were two very close submissions being FORM (85%) and Natural Play and Terry Farrell Architect (84%) with the third score from Judith Forrest (79%) being 6% from the highest score. The next submission from Jon Denao & Bec Juniper (74%) although very highly qualified was 11% less than the highest score.

It is proposed the three highest scores move through to the modelling and Request for Tender (RFT) stage of the project with more detail requests made for the evaluation of design and modelling of the art works.

The three preferred artists or artist teams to be prequalified are:

- FORM
- Natural Play & Terry Farrell Architect
- Judith Forrest

Although all submissions were of a good standard, the three highest scores brought three different approaches to the proposed works and at this stage are only conceptual ideas that will be further developed.

The reasons for the three preferred artists were selected are based on a multitude of strengths in professionalism and previous experience but they also bring the following as a contrast to each other:

- FORM – *Aboriginal culture*
- Natural Play and Terry Farrell Architect – *creative play elements*
- Judith Forrest – *understanding of children*

The next stage is to request the artists to create a design sketch and /or Marquette as part of the RFT process.

Attachments

Nil

Officer's Recommendation

That Council:

1. Advise the following applicants that their submission for Expression of Interest 11/24 Artwork Integration into Adventure Playground has been successful:

- FORM
- Natural Play & Terry Farrell Architect
- Judith Forrest

2. Invite the successful applicants to submit a tender for the artwork integration into adventure playground for the Cemetery Beach expansion project for a budget amount up to \$290,000.

6:40pm Mayor advised that permission for a reduction of quorum was not sought from the Minister of Local Government, therefore this item will be laid on the table for want of a quorum.

6:40pm Councillors A A Carter, G J Daccache, D W Hooper and J E Hunt re-entered the room and resumed their chairs.

Mayor advised Councillors A A Carter, G J Daccache, D W Hooper and J E Hunt that due to a lack of quorum this Item was not considered.

6:41pm Councillors G J Daccache and J E Hunt declared an impartiality interest in Agenda Item 11.2.2 'Tender 11/14 Road Construction and Remedial Works Buttsweld Road (File No.: 28/16/0007)' as they are BHP Billiton shareholders and BHP Billiton may use this road.

Councillors G J Daccache and J E Hunt remained in the room.

11.2.2 *Tender 11/14 Road Construction and Remedial Works Buttsweld Road (File No.: 28/16/0007)*

Officer Anthony Williams
Project Development
Officer

Date of Report 26 September 2011

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 11/14 Road Construction and Remediation Works Buttsweld Road.

Background

This item was previously considered at the Special Council Meeting on 12 October 2011 though, due to lack of quorum the item has been resubmitted for council review.

Buttsweld Road is 4.95km long and connects Great Northern Highway (Broome Road) to North Circular Road, South Hedland. It intersects the Bing level crossing and is also the primary access point to the Flashbutt rail yard. The road west of the rail crossing was formalized in 2007 with an 8m seal construction. The road east of the rail crossing is a dilapidated sealed road that varies from 3.6m – 6m wide.

In December 2009 a road safety audit was carried out on Buttsweld road with the following recommendations; improve sight distances at intersections, reconstruct approaches at the rail crossing, widen the road seal, repair road shoulders, improve drainage, upgrade signage, line marking, guideposts and upgrade pavement surface. This will enable Buttsweld Road to meet Austroads & Main Roads design safety standards.

The road safety audit recommendations were incorporated into road reconstruction design drawings which divided the proposed works into 2 stages. Stage 1 works covered the essential area between the Great northern Highway and the rail crossing. Stage 2 Works involved then area immediately around the rail crossing and Flashbutt rail yard. (See project layout on the next page)

The relevant project designs, cost estimates and approvals are complete; therefore the road is ready for construction pending budget approvals and awarding the contract to a suitably qualified company.



Consultation

- Main Roads WA
- Council's Engineering staff

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.”

Policy Implications

This tender was called in accordance with Council's Procurement Policy 2/007 and the Tender Policy 2/011.

Strategic Planning Implications

Key Result Area 1: Infrastructure
 Goal 1: Roads, Footpaths and Drainage
 Immediate Priority 1: Undertake road works in South Hedland to improve road permeability

Budget Implications

A total of \$1,032,838.00 has been allocated towards this project held in account GL 1201447. Funding has been provided from a variety of funding sources as seen in table below -

Budget Summary:

Funding Sources	Funding Amount
Main Roads – Regional Road Group 10/11	\$ 200,000.00
Main Roads – Regional Road Group 11/12	\$ 293,541.00
Roads to Recovery 10/11 & 11/12	\$ 408,327.00
Main Roads – Direct Grant 10/11	\$ 100,970.00
Town of Port Hedland 09/10	\$ 30,000.00
Total 11/12 Budget	\$ 1,032,838.00

Expenditure Summary:

11/12 Budget	\$ 1,032,838.00
Expenditure to date (10/11 & 11/12)	\$ 36,861.37
Future project management & design costs	\$ 15,000.00
Budget remaining for Construction	\$ 980,976.63

Pre-tender estimates for the project indicated that the budget allocation would be sufficient.

Officer's Comment

Tender 11/14 closed at 2.30pm on Wednesday 30 March 2011. Tender packages were sent out to 15 companies and submissions were received from 8 companies as listed below:

- MACA Civil
- Industrial Road Pavers
- DeGrey Civil
- Dean Contracting
- Alliance Contracting
- CARR Civil
- Downer EDI works
- Australian Civil

The submissions from MACA Civil and Dean Contracting were considered nonconforming due to discrepancies in their tender packages. Both companies included documents from other companies without supplying any information regarding their relationship to company. It was unclear as to who was submitting the tender and evaluation was unable to proceed due to conflicting documentation.

Table 1 below indicates the lump sum GST exclusive prices submitted by the above conforming tenderers for stage 1 works only.

Table 1

Tenderer	Stage 1 Price (ex GST)
Industrial Road Pavers	\$ 1,310,977.50
DeGrey Civil	\$ 1,666,611.00
Alliance Contracting	\$ 2,050,415.13
CARR Civil	\$ 2,233,251.62
Downer EDI Works	\$ 2,593,710.00
Australian Civil	\$ 3,364,056.81

Although all tender submissions are in excess of the project budget, evaluations were still completed. This may assist in further negotiations if the project is staged or if more funding becomes available.

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

Table 2

Assessment Criteria	Max Score
Price	50
Experience	20
Resources (supervisory, plant and equipment)	10
Demonstrated understanding of <i>WUC</i>	10
Local Industry Development	10
Max Score	100

The lowest price Tender (Tlp) shall be awarded a score of 50 for the Price criterion. The remaining priced Tenders (Tslp) were awarded a score determined in the following manner:

$$(Tlp \div Tslp) \times 50$$

This was to ensure that all conforming Tenders were ranked fairly and consistently.

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

Table 3

Contractor/ Assessment Criteria	Score Price (50%)	Score Experience (20%)	Score Resources (10%)	Score Understand WUC (10%)	Score Local Industry Dev. (10%)	Total Score (100%)
	Score	Score	Score	Score	Score	
Industrial Road Pavers	50	4.5	4	1	4	63.5%
DeGrey Civil	39.33	13	6	5	8	71.33%
Alliance Contracting	31.96	10	3	1.5	4	50.46%
CARR Civil	29.35	16	7	6	6	64.35%
Downer EDI Works	25.27	16	8	5.5	8	62.77%
Australian Civil	19.48	10	6	4	8	47.48%

Experience

Industrial Road Pavers have demonstrated very minimal remote or mining road construction experience. All other tenders demonstrated a high level of experience. DeGrey Civil, CARR Civil & Downer EDI have demonstrated extensive experience working with mining companies and working in rural/remote areas.

Resources

Industrial Road Pavers and Alliance Contracting supplied insufficient information regarding resource roles for this project. All other tenderers demonstrated the necessary information regarding supervisory roles & responsibilities and have nominated all required plant/machinery.

Understanding of Works Under Contract

Most tenderers displayed a good understanding of the scope though Alliance Contracting and Industrial Road Pavers did not supply sufficient reiteration of scope or project methodology.

Local Industry Development

All tenderers have advised that they intend to use locally sourced materials and contractors where possible, although DeGrey Civil, Australian Civil & Downer EDI have existing facilities in Port Hedland and employ local people for the majority of their workforce.

Summary

Due to the lack of available funding (\$980,976.63) we are unable to award a contract for the tendered works. This leaves us with two options for possible ways to complete the Buttsweld Road reconstruction project. At the works depot we have the resources necessary to complete a majority of the earthworks and access to all required materials. We can also award parts of the proposed works to our preferred suppliers under our current period contracts for services that we can't perform internally. We also have the option of revising the scope of works in order to provide a works package that will be better suited to available funding.

Attachments

Nil

Officer's Recommendation

That Council:

1. Reject all tenders submitted for Tender 11/14 Road Construction and Remediation Works Buttsweld Road.

2. Notes that the road construction and remedial works to Buttweid Road will be undertaken internally with any external works required being undertaken pursuant to Council's Procurement Policy.

201112/172 Council Decision**Moved: Cr A A Carter****Seconded: Cr G J Daccache****That Council:**

1. **Reject all tenders submitted for Tender 11/14 Road Construction and Remediation Works Buttweid Road.**
2. **Notes that the road construction and remedial works to Buttweid Road will be undertaken internally with any external works required being undertaken pursuant to Council's Procurement Policy.**
3. **Requests the Chief Executive Officer to investigate these works as a matter of priority and provide an update to Council on its progress and completion.**

CARRIED 7/0

REASON: Council believes that this road could potentially present a safety hazard; therefore it is important that work on this project begins immediately.

11.3 Community Development**11.3.1 *Donations Working Group: Endorsements of Funding Requests (File No.: 02/05/0003)***

Officer Graeme Hall
Acting Director
Community Development

Date of Report 24 August 2011

Disclosure of Interest by Officer Nil

Summary

This report presents to and requests Council endorse the recommendations from the Town of Port Hedland Donations Working Group meeting of the 11 October 2011.

Background

The Donations Working Group met on the 11 October 2011 to consider applications received. The following applications were considered:

- Hedland Well Women's Centre and Frontier Services: \$2,000 cash towards a recipe book incorporating recipes from the multicultural 'Cooking Up A Storm' sessions held at the Well Women's Centre.
- Alana Lockyer: \$1,909 cash support for flights to attend the National Aboriginal and Torres Strait Islander Education Conference in Darwin in October 2011.
- Pilbara Indigenous Women's Aboriginal Corporation (PIWAC): \$1,905 cash support towards the development of a PIWAC website.

The Donations Working Group also reconsidered an application from South Hedland Lotteries House that had originally submitted to the Donations Working Group meeting on 10 August 2011. Since that meeting, South Hedland Lotteries House had provided more details regarding the intended use of the donation, as requested by the Donations Working Group.

- South Hedland Lotteries House: \$2,000 cash towards surveillance equipment to increase safety and security at Lotteries House.

In response to a request made at the meeting on 10 August 2011 the Donations Working Group was provided with a plan of anticipated expenditure (based on past trends) and suggested budget distribution for the meetings in this financial year (Attachment 1).

An overview of the budget situation is:

Funds expended year to date	\$10,706
Recommended applications October 2011	\$5,905
Balance Remaining	\$28,388

At the Council meeting on 27 January 2011 it was resolved in part that:

“COMMUNITY FUNDING AND DONATIONS POLICY

Council will work in collaboration with the community to support the delivery of all manner of events, celebrations and community activities which reflect the unique identity of the Town Port Hedland.

Previous Council resolutions have identified a series of community recreation, cultural celebrations and events of significance and regularity and accordingly determined levels of support to be provided by the Council. This information forms the later part of this policy (see section 8)

Council will encourage excellence and innovation and inclusive community participation.”

(Council Decision 201011/232)

The January 2011 resolution 201011/232 did not specify:

- The value of the previous resolutions.
- Whether existing resolutions should be met by the Community Funding and Donations GL Account.

During August 2011, the relevant officers have collated the actual cost associated with the previous resolutions by Council, as detailed in the table in the Community Funding and Donations Policy, and determined that these commitments would amount to approximately \$27,051. This amount represents a substantial portion of the current Donations Working Group funds. The current Donations Working Group budget would have \$1,337 remaining if it were required to meet these previously determined commitments.

Consultation

- Donations Working Group
- Director Community Development
- Manager Community Development
- Manager Recreation Services and Facilities

Statutory Implications

Nil

Policy Implications

Community Funding and Donations Policy applies to this report.

Strategic Planning Implications

Key result area 2:	Community Pride
Goal 2:	Events
c.	Supporting Community groups who are operating community events, through training, support, advice and, where appropriate, financial support.

Budget Implications

Should the Officer's Recommendation be adopted \$5,905 will be allocated from GL Account 813274, with an estimated remaining balance of \$28,388. This figure does not allow for the level of support previously determined by Council resolutions.

Officer's Comment

The Donations Working Group meeting of 11 October 2011 considered submissions and recommended applications for approval as detailed in the Officer Recommendation.

Attachments

1. Proposed Budgetary Distribution for 2011-2012
2. The Community Funding and Donations Policy

201112/173 Officer's Recommendation / Council Decision

Moved: Cr J M Gillingham Seconded: Cr G A Jacob

That Council:

1. **Endorses the recommendations from the Donations Working Group meeting of 10 October 2011, being;**
 - a. **Hedland Well Women's Centre and Frontier Services: \$2,000 cash towards a recipe book incorporating recipes from the multicultural 'Cooking Up A Storm' sessions held at the Well Women's Centre.**
 - b. **Pilbara Indigenous Women's Aboriginal Corporation (PIWAC): \$1,905 cash support towards the development of a PIWAC website.**

- c. **South Hedland Lotteries House: \$2,000 cash towards surveillance equipment to increase safety and security at Lotteries House.**
- 2. **Endorses the request from the Donations Working Group meeting on 11 October 2011 that support to community groups from previous Council resolutions, as detailed in the table in the Community Funding and Donations Policy, not be funded from within the existing budget in GL Account Number 813274.**
- 3. **Endorses that additional funds may be requested through the budget review process to ensure that the Donations Working Group Council is able to meet future requests for financial support.**

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.3.1



Financial Year 2011 – 2012

Month of DWG Meeting	% Allocated	Value of Allocation	Automatic Fee Waivers	Carryover from Previous DWG Meeting	Potential Budget Allocation for DWG Meeting*	Actual Support Committed at Meeting
1 August 2011	15%	\$6,750	- \$800	n/a	\$5,950	\$3,391
2 October 2011	10%	\$4,500	- \$1,090	+ \$2,559	\$5,969	
3 December 2011	10%	\$4,500	- \$1,000 (estimated cost)	tbc	\$3,500	
4 February 2012	15%	\$6,750	- \$1,000 (estimated cost)	tbc	\$5,750	
5 April 2012	20%	\$9,000	- \$1,000 (estimated cost)	tbc	\$8,000	
6 June 2012	30%	\$13,500	- \$1,000 (estimated cost)	tbc	\$12,500	

*The forecast figures are currently estimates, since they depend on:

- the actual value of fees automatically waived in each two-month period, and
- any potential carryover from the previous meeting.

The actual figure will be confirmed prior to each meeting.

ATTACHMENT 2 TO AGENDA ITEM 11.3.1

XXXX COMMUNITY FUNDING & DONATIONS POLICY

Council will work in collaboration with the community to support the delivery of all manner of events, celebrations and community activities which reflect the unique cultural identity of the Town of Port Hedland.

Previous Council resolutions have identified a series of community, recreation, sporting, cultural celebrations and events of significance and regularity and accordingly determined levels of support to be provided by the Council. This information forms the later part of this policy (see section 8).

Council will encourage excellence and innovation, and inclusive community participation.

1. Objectives

- a) To support community initiatives that strengthen the capacity of local organisations and which deliver valuable outcomes to the Town's residents.
- b) To enable the Town to implement a consistent response to requests received from community organisations, individuals and not for profit organizations for financial and in-kind support.
- c) To provide event budget certainty to applicants
- d) To provide both local residents and community organisations with guidance in respect to the Town's expectations of such requests.

2. Scope

- a) This policy is limited to the consideration of requests up to a maximum of \$2,000 cash component in value. This maximum value may comprise of cash funding and/or in-kind support (please refer to point 4.1) to a maximum of \$6,000 in total. In order to assess the value of a request, a dollar (\$) value will be estimated for the in-kind component.
- b) Requests for funding greater than \$6,000 and not for pre-approved significant events will be considered as part of the annual budgetary process.
- c) Funding applications outside this policy will be requested through a public advertising process as part of the annual budget and will not be considered as part of this policy.

3. Financial Contributions / In-Kind Support / Waiver of Fees To A Maximum of \$6,000**3.1 Financial Contributions**

- a) The monies required to fund financial requests approved under this policy will be drawn from a community funding and donations account established within the annual budget.
- b) A maximum of two (2) applications per financial year per organization may be funded to ensure equity. However, the Town may waive this limit, at its discretion, if it considers a third or subsequent application is worthy of support, and will require an individual request to council.

3.2 In-Kind Contributions

- a) In-kind contributions include the provision of facilities, equipment and purchases, either free of charge, or at reduced rates if a charge is normally applied. These will usually not require a significant contribution of staff time.

- b) Where a significant amount of staff time is required, such as packing, dispatching, setting-up, dismantling and returning sizeable pieces of equipment, the request may be declined.
- c) In-kind contributions will be considered subject to their availability, the need to protect the security and value of the assets and their use for required Council purposes.

3.3 Waiver of Hire Fees

- a) Waiver of fees for Hire of Community Facilities will be considered as part of the \$6,000 total contributions.
- b) Waiver of fees of 100% will apply for:
 - 1. not for profit organisations that host alcohol free events that are open to the public free of charge to attend/enter,
 - 2. Junior Sports and School Groups during school hours (School Groups excludes use of JD Hardie Centre and Matt Dann Cultural Centre).
- c) Waiver of fees of 50% will apply for Junior Community Groups, excluding use of JD Hardie Centre and Matt Dann.
- d) Waiver of fees of 25% will apply for Community Groups, excluding use of JD Hardie Centre and Matt Dann.
- e) Bonds and key bonds must still be paid for all events and use of community facilities and will be fully refundable after the event provided Council are satisfied with state and cleanliness of the facility.
- f) Cleaning fees may apply if not left in a satisfactory state.
- g) A maximum of two (2) applications per financial year per organisation may be considered to ensure equity.

4 Development of Talented Local People

- a) Financial contributions may be made towards the costs associated with the attendance by local people of all ages at development programs for talented individuals. These programs will usually be located elsewhere in Western Australia or beyond.
- b) The person concerned must have been invited to attend on the basis of exceptional sporting, artistic or other talent.
- c) A maximum contribution of \$500 in one financial year *may* be considered to each person who is eligible for this support.

5. Application Process

- a) Requests for assistance will be made in writing through completion of an application form. Form A is to be completed by individuals and community Organisations. Form B is to be completed by Not For Profit Organisations. Applications may be made at any time, however they must be received at least ten working days before the next meeting of the Community Funding and Donations Working Group for consideration at that meeting on the basis of submission of a satisfactory application.
- b) Application forms are available on the website or from the Customer Service Counter. Applications must provide all information required.
- c) The Working Group will make recommendations to the next Ordinary Meeting of Council in regard to the approval or otherwise of applications received.
- d) The Community Funding and Donations Working Group will meet bi-monthly on the second Tuesday of the month.

6. *Selection Criteria*

In considering the relative merits of applications the Town will apply the following criteria:

- a) The positive contribution the event or project will make to the Hedland community.
- b) The information requested meets the requirements of this policy.
- c) Sufficient financial information has been provided to clearly identify the items on which monies will be spent, their discrete costs and their importance to the success of the event or project.
- d) The level of resource contribution to be made by the applicant, relative to their capacity to do so, as well as the accessibility of funds from other sources.

7. *Acquittals*

A brief report will be required by successful applications who receive more than \$1,000 in support. This will include information measuring qualitative aspects such as the success of the activity, as well as quantitative aspects such as receipts accounting for the expenditure of monies.

8. *Level of support previously determined by Council Resolutions to significant and regular community, recreation and cultural celebrations and events*

Event	Key Partner	Council Support
Sports Group Forums	Department Sport and Recreation WA	Use of Council Venues at no cost Advertising, photocopying and postage at no cost Contribute to hosting event
Port Hedland Cup Day	Port Hedland Turf Club	Provision for 20 extra bins at no cost. Waiver all stall fees and street trading ground hire for one day. Ground hire included in race meeting fees. No additional hire charges. Staff member on Committee. Use of Council Flag to fly at event.
Premier Regional Lawn Bowls	PHTBA Main Street Committee Port and South Hedland Bowling Clubs	Provide sponsorship towards event of \$25,000 Staff member on Committee. Advertising/photocopying, fax and postage.
Nindji Nindji Festival	Bloodwood Tree Association	Provide sponsorship towards event Use of Council Venue at no cost Provision for up to 20 extra bins at no cost.
Pilbara Music Festival	Pilbara Music Festival	Patron at Festival Use of Council Venue at no cost Provide administrative and photocopying assistance
Australia Day Breakfast	Soroptimist International	Administration/organisation of Premier's Australia Day Active Citizen Awards Use of Council equipment and facilities at no cost Advertising and photocopying of events

		proceedings Free Pool Open Day at Gratwick Provide sponsorship towards event of \$1,000.
Australia Day	YMCA	Free Pool Open Day at Gratwick
Reconciliation Week	Australians for Reconciliation Port Hedland	Use of Council equipment and facilities at no cost Advertising
NAIDOC Week	Pundulmurra Campus EPCT	Council display.
Chamber of Commerce Business of the Year Awards	Chamber of Commerce	Additional trophies for community of the Year Award Categories
Carols by Candlelight	Ministers Fraternal	Use of Council venue at no cost
ANZAC Day Ceremony	RSL	Use of Gratwick Hall, Training Room and Council Chamber at no cost Wreath Advertisement
Port Hedland Art Award	Hedland Arts Council	Use of Gratwick Hall and Courthouse at no cost Access to Council photocopier, fax machine and postage at no cost Acquisitive Sponsorship – Best work by a Local Artist
Annual Rotary Ball	Rotary	Use of Council Venue and entrance area to Civic Centre at no cost
SES Annual Ball	State Emergency Services	Use of Council Venue and entrance area to Civic Centre at no cost
Achievement Award	All Schools	Available to all schools at end of year graduation ceremony Quite Achiever Award for a student who demonstrated community leadership. \$100 book award
Hip Hop Classes at JD Hardie Centre	The Hood	Use of Council Venue at no cost
Regional Championships	Any Affiliated Association hosting Regional Championships	Use of two (2) Council venues at no cost for duration of the Championship Provision of bins at no cost In-Kind Council support in all promotion, advertising and logistical needs Recognition of TOPH during all promotion surrounding the Regional Championship
Family Variety and Christmas & Easter Concerts	Pilbara Music Festival	Use of Gratwick Hall, the Courthouse and Matt Dann at no cost Access to Council photocopier and fax machine at no cost

Taekwondo Club		Use of Council venue at no cost for end of year event
Cultural Celebration Events	Various	To be determined by Council's Donations Working Group

9. Definitions

Definitions for terms used throughout this policy are as follows:

Organisation: is an incorporated body under the Associations Incorporation's Act 1987 or a recognised corporate not for profit body created by government or with an Australian Companies Number

Sponsorship: is the provision of cash, in-kind support or subsidy in return for specifically identified promotional opportunities for Council.

Qualitative aspects: information relating to distinctions based on quality or qualities, not normally easily measured in the traditional sense, often subjective

Quantitative aspects: information that can be expressed as a quantity (amount or size), capable of being objectively measured

Not For Profit: A not-for-profit organisation is one that:

- a) Uses all monetary surplus solely for the purposes of its objectives and not to financially benefit its members in any way.
- b) Has a wind up clause in its constitution or memorandum of articles of association that provides for assets to be distributed to a 'like' organisation and not to its own members. (For an organisation that is incorporated under the Associations Incorporation Act but has no wind up clause in its constitution, satisfaction of this may be assumed as the Act prevails.)
(Source: Lotteries West FAQ)

11.3.2 Department of Sport and Recreation – Community Sport and Recreation Facilities Fund Application (File No.: 26/04/0018)

Officer **Nicole Roukens**
Recreation Coordinator

Date of Report 28 September 2011

Disclosure of Interest by Officer	Nil
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Summary

As part of the Department of Sport and Recreation's Community Sport and Recreation Facilities Funding round, the relevant local government authority is required to approve and endorse funding applications to the state government department for contributions towards applicable projects.

The Town is proposing to submit two applications for funding:

1. Installation of a new overhead lighting system at Marie Marland Reserve in South Hedland.
2. Resurface of the JD Hardie Centre external courts and installation of a new overhead lighting system.

The purpose of this report is to seek Council's endorsement to submit these applications for funding to the Department of Sport and Recreation.

Background

The Community Sporting and Recreation Facilities Fund (CSRFF) program is administered by the Department of Sport and Recreation (DSR). This program invites sporting associations and local governments to submit proposals for funding assistance, providing all relevant guidelines are met. It is a requirement of the DSR that all applications be approved by the local government before being submitted to the Department of Sport and Recreation regional office.

CSRFF assistance is available for local sporting groups, associations and local governments to develop infrastructure that will encourage physical activity and healthy communities, through the development of recreation related facilities.

The role of the Town of Port Hedland within this process is to rank the order of priority of the projects that have been received (two projects may not be equally ranked and all projects must be given a ranking). The local government is also required to rate all applications as high, high/medium, medium, medium/low, low or not recommended. This rating reflects how worthwhile the project is considered to be and indicate its importance, actual need and benefit to the community.

Recreation Services have developed funding applications for the following projects:

- Installation of a new overhead lighting system at Marie Marland Reserve in South Hedland.

This project is a key recommendation from the Active Open Space Strategy and will see the installation of a new overhead lighting system suitable for large ball sports at the reserve. Currently only approximately 25% of the reserve is lit; this project will see the lit space increased to approximately 75%. There is currently a shortage of lit green sporting spaces in the Town; this project will help to address this problem.

- Resurface of the JD Hardie Centre external courts and installation of a new overhead lighting system.

The redevelopment of the JD Hardie Centre into the new Youth Centre finished in early 2011. The project did not include an upgrade to the three external courts at the front of the centre. These courts are currently in very poor condition and the overhead lighting does not comply with Australian Standards. These courts are currently well used; not upgrading them may risk duty of care to patrons of the Centre.

This item has therefore been prepared to request Council approval for the two submissions to the DSR.

Consultation

The Department of Sport and Recreation advertised the CSRFF round via all standard media avenues, including newspaper, email, written letters and website promotion.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

- Key Result Area 3: Community Development
One of the Town's biggest positives is the strong sense of community that exists. The Town Council plans on building on this positive by providing a more extensive range of facilities, services and opportunities for community interaction.
- Goal 1: Youth and Children
That parents and young people in the Town have access to a range of facilities and services that is comparable to a metropolitan area.
- Immediate Priorities 1: Convert the JD Hardie Centre into an integrated Youth Centre.
- 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.
- Develop plans for future recreation and leisure facility upgrades to accommodate population growth.

Budget Implications

The DSR will fund up to 33% of a project, with other funding to be sourced from additional avenues.

Estimates received for the installation of overhead lights at Marie Marland Reserve have indicated that the project will cost \$1 million. The Town is seeking to fund the remainder of this project from developer's contributions from the Area A development.

The overall project costs for the upgrade to the external courts and overhead lighting at the JD Hardie Centre is estimated to cost \$300,000. Additional funds for this project will be sought from the 2012/2013 Council budget.

Officer's Comment

The Department of Sport and Recreation's CSRFF round is an annual program aimed at improving the sporting and recreational infrastructure within the state. The DSR will give consideration to projects that do not request more than 1/3 of the total project amount, will not commence prior to the funding being announced, and encourage/promote physical activity through the development/upgrade of recreational infrastructure.

The DSR Pilbara Regional Manager has been consulted and has indicated their support for both of the projects. Both projects have been identified as feasible projects for CSRFF for the 2012/2013 and 2013/2014 financial year.

It is recommended that the projects are ranked in the following order of priority:

1. Installation of a new overhead lighting system at Marie Marland Reserve in South Hedland. (Ranking – High)
2. Upgrade of the JD Hardie Centre external courts, including an upgrade to the overhead lighting and court resurfacing. (Ranking – High)

Please note that the endorsement of this agenda item by Council does not require a commitment of funding as part of the 2012/2013 budget process.

Grant applications for CSRFF funding are due to DSR on 29 October 2011. Council will be advised of the success of the funding applications in March 2012, which will allow for deliberations as part of the budget process.

Attachments

Nil

201112/174 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council:

1. **Endorses the two applications to the Department of Sport and Recreation for the Community Sport and Recreation Facilities Fund as a high priority and in the following order:**
 1. **Installation of a new overhead lighting system at Marie Marland Reserve South Hedland**
 2. **Upgrade to the external courts at the JD Hardie Centre, including an upgrade the overhead lighting and court resurfacing.**

CARRIED 7/0

11.4 Corporate Services**11.4.1 Finance and Corporate Services*****11.4.1.1 Interim Financial Reports to Council for Period Ended 30 September 2011 (File No.'s: FIN-008, FIN-014 and RAT-009)***

Officer Lorraine Muzambwa
Finance Officer

Date of Report 30 September 2011

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the interim financial activities of the Town to 30 September 2011, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2010/11. The reports are considered to be interim as the Finance Department is still in the process of finalising the 2010-11 financial year that will affect the actual results for June 2011 onwards, until the auditors sign off the final accounts.

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

Presented (see attachments) in this report for the financial period ended 30 September 2011, are the:

- Statements of Interim Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Statements of Interim Financial Activity for the period ending 30 September 2011;
- Review of Transaction Activity.

Note: Interest Rates for investments are selected from those provided from the following financial institutions: National Australia Bank, BankWest, Commonwealth Bank, AMP, Westpac Bank, Big Sky, Citigroup and the Australian and New Zealand Bank.

2. Utility and Fuel Costs

Presented in graph form (see attached), is the 2011/12 monthly water, power and fuel costs compared with 2010/11.

3. *Schedule of Accounts Paid*

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 19 October, 2011 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costs.

Voucher No's		Value \$	Pages		Fund No.	Fund Name	Description
From	To		Frm	To			
NMF010911	NMF010911	\$569.14	1	1	1	Municipal Fund	Photocopier lease
NMF010911	NMF010911	\$1,244.32	1	1	1	Municipal Fund	Photocopier lease
NMF060911	NMF060911	\$284.57	85	85	1	Municipal Fund	Photocopier lease
CHQ20781	CHQ20786		1	2	1	Municipal Fund	
CHQ20787	CHQ20787		-	-	1	Municipal Fund	Cheque cancelled
CHQ20788	CHQ20853	\$328,480.02	2	11	1	Municipal Fund	
EFT36373	EFT36837	\$4,147,410.69	11	85	1	Municipal Fund	
PAY060911	PAY060911	\$338,107.40	85	85	1	Municipal Fund	
PAY200911	PAY200911	\$427,227.02	85	85	1	Municipal Fund	
CMS070911	CMS070911	\$192.39	85	85	1	Municipal Fund	Photocopier lease Eng dept
WOW150911	WOW150911	\$1,279.28	85	85	1	Municipal Fund	Woolworths Direct debit
BOQ270911	BOQ270911	\$891.10	85	85	1	Municipal Fund	Equipment
	Municipal Total	\$5,245,685.93					
3002118	3002132	\$94,654.87	85	87	3	Trust Fund	
	Trust Total	\$94,654.87					
	Sub-Total	\$5,340,340.80					
LESS: one-off pays		-					
	Total	\$5,340,340.80					

Consultation

Nil

Statutory Implications

Financial Statements

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

“34. Financial activity statement report - s. 6.4

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

(a) annual budget estimates, taking into account any expenditure

- incurred for an additional purpose under section 6.8(1)(b) or (c);*
- (b) budget estimates to the end of the month to which the statement relates;*
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) the net current assets at the end of the month to which the statement relates.*
- (2) Each statement of financial activity is to be accompanied by documents containing:*
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) such other supporting information as is considered relevant by the local government.*
- (3) The information in a statement of financial activity may be shown:*
- (a) according to nature and type classification;*
 - (b) by program; or*
 - (c) by business unit.*
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be:*
- (a) presented to the council:*
 - (i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or*
 - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and*
 - (b) recorded in the minutes of the meeting at which it is presented.*
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.*

In this regulation:

“committed assets” means revenue unspent but set aside under the annual budget for a specific purpose;

“restricted assets” has the same meaning as in AAS 27.

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

- “(1) Subject to subsection (2) and any other written law, a local government may –*
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) waive or grant concessions in relation to any amount of money; or*
 - (c) write off any amount of money, which is owed to the local government.*

- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges."*

Policy Implications

2/003 Financial Statements – Copies for Councilors

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

1. Monthly

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

2. Quarterly

- Quarterly Budget Review
- Report on all Budgeted Grants of \$50,000 or more
- Irregular Financial reports will be presented to Council on request.

Strategic Planning Implications

Key Results Area 5:	Environment
Goal 2:	Natural Resources
Strategy 1:	Continue to monitor and report on the level of Council's energy, fuel and water use.

Strategic Planning Implications

Nil

Budget Implications

At the Special Meeting held on 7 July 2010, Council resolved to adopt item 6.1.1.1 '2010/2011 Budget Adoption' en block, which included Recommendation 13 as follows:

"Recommendation 13

That Council adopts the following percentage or dollar value for determining and reporting material variances as follows:

1. *10% of the Function amended budget; or*

2. *\$100,000 of the Function amended budget whichever is the lesser, for the following categories of revenue and expenditure:*
 - a. *Operating Revenue*
 - b. *Operating Expenditure*
 - c. *Non-Operating Revenue*
 - d. *Non-Operating Expenditure*

Officer's Comment

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

Period Variation

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

Primary Reason

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

Budget Impact

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

Attachments

1. Monthly Statement of Business Activity
(Under Separate Cover)
 - 1.1 Page 2–4. Schedule 2 being a Statement of Interim Financial Activity
 - 1.2 Pages 5 to 16. Notes 3 to 11 which form part of the Statements of Interim Financial Activity.
Also Note 10–September 2011 Bank Reconciliations.
 - 1.3 Pages 17 to 67. Detailed Interim Financial Activity by Program.
 - 1.4 Pages 68 to 70. Comparison Between 2011/12:2010/11 Utility & Fuel Costs
2. September 2011 Accounts for Payment
(Under Separate Cover)

201112/175 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr G A Jacob

That Council note the:

- i)**
 - a) Statements of Interim Financial Activity (represented by Schedules 3 to 14);**
 - b) Notes (1 to 11) to and forming part of the Statements of Interim Financial Activity for the period ending 30 September 2011; and**
 - c) Review of Transaction Activity, as attached and/or presented be received;**
- ii) Graphic representation of the Town's energy, water and fuel use as attached be received; and**
- iii) List of Accounts paid during September 2011 under Delegated Authority, as presented and/or attached be received.**
- iv) Financial statements presented are interim until the auditors undertake their audit in October and the accounts can be officially closed.**

CARRIED 7/0

11.4.2 Governance and Administration**11.4.2.1 *Nomination for Pilbara Development Commission Board Membership (File No.: 02/07/0004)***

Officer Kate Bale
Executive Assistant

Date of Report 14 October 2011

Disclosure of Interest by Officer Nil

Summary

To endorse the nomination of Council's representative to fill one (1) Local Government authority vacancies on the Pilbara Development Commission's Board of Management.

Background

The Pilbara Development Commission (PDC) has advised that it currently has one (1) Local Government vacancies on its Board of Management. The position is for a term of up to twelve (12) months from the date of appointment.

The objectives of the Pilbara Development Commission is to –

- maximise job creation and improve career opportunities in the Region;
- develop and broaden the economic base of the Region;
- identify infrastructure services to promote economic and social development within the region;
- provide information and advice to promote business development within the Region;
- seek to ensure that the general standard of government services and access to those services in the Region are comparable to that which applies in the metropolitan area; and
- generally take steps to encourage, promote, facilitate and monitor the economic development of the Region.

Officer's Comment

It is recommended that Council nominate one (1) elected member representative for membership of the Board of Management of the Pilbara Development Commission. Nominations close on Monday 31 October 2011.

Statutory Implications

The Pilbara Regional Council was established under the Regional Development Commissions Act 1993.

Part 3, Division 1, Section 15 of the Regional Development Commission Act 1993 advises that the Board consists of a maximum of nine (9) members who are to be appointed by the Minister for Local Government and Regional Development, as follows (in part):

“15. Board of management of a commission

- (1) Subject to section 16, a commission is to have a board of management comprising — ...*
- (b) a prescribed number of other members, not exceeding 9, who are to be appointed by the Minister in the prescribed manner. ...”*

with the following section, Section 16 detailing three (3) members of the Board are to be elected from a local government authority within the Pilbara Region, unless particular circumstances require otherwise, as stated (in part):

“16. Method of appointment of appointed members

Regulations made for the purposes of paragraph (b) of section 15(1) are to be consistent with the following, unless particular circumstances require otherwise — ...

- (b) one third of those members are to be members of the council of a local government in the region and are to be nominated by local governments in the region in accordance with the regulations; and ...”*

[Section 16 amended by No. 14 of 1996 s. 4; No. 16 of 1997 s. 4.]

Schedule 2, Part 1 of the the Regional Development Commissions Act 1993 outlines the constitution and proceeding of a Board, particularly Section 1 as stated (in full):

“1. Term of office of appointed member

- (1) An appointed member holds office for such term, being not more than 3 years, as is specified in the member's instrument of appointment, but he or she is eligible —*
 - (a) for further reappointment, if the reappointment is consecutive to a previous appointment and will not result in the member holding office continually for a time which exceeds 6 years; or*
 - (b) to be reappointed from time to time, if the term of the reappointment is not consecutive to a previous appointment.*
- (2) An appointed member, unless the member sooner dies or resigns or is removed from office, continues in office until a successor comes into office, despite the fact that the term for which the member was appointed may have expired.”*

[Clause 1 amended by No. 16 of 1997 s. 6(1).]

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 4: Economic Development
Goal 3: Business Development
That the Town of Port Hedland is recognised as a local government authority that works closely with businesses to achieve sustainable economic growth.

Budget Implications

Nil

Attachments

1. Letter from Pilbara Development Commission

201112/176 Officer's Recommendation / Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council advises the Pilbara Development Commission and the Minister for Regional Development, the Honourable Brendon Grylls MLA, of Council's nominations of Councillor G A Jacob for membership of the Board of Management for the Pilbara Development Commission.

ATTACHMENT 1 TO AGENDA ITEM 11.3.2.4



Government of Western Australia
Pilbara Development Commission



Mayor Howlett
Town of Port Hedland
PO Box 41
PORT HEDLAND WA 6721

Item to Council



Document #: ICR19568
Date: 19.09.2011
Officer: CR KELLY HOWLETT
File: 02/07/0004

Dear Mayor Howlett,

PILBARRA DEVELOPMENT COMMISSION BOARD VACANCY

The Pilbara Development Commission is seeking nominations to fill one Local Government position on its Board of Management. The position is for a term of up to 12 months from date of appointment.

In accordance with the Regional Development Commissions Act 1993, each of the four local government authorities in the Pilbara is invited to nominate a Councillor for the vacant position.

Nominee details will be forwarded to the Minister for Regional Development; Lands, the Hon Brendon Grylls MLA, for consideration and selection. The Minister will forward details of the successful candidates to the WA State Cabinet for endorsement.

The Town of Port Hedland is encouraged to forward its nomination together with a completed application form and brief CV for its nominee to the Commission at its earliest convenience.

If you require further assistance please contact Mrs Joy Chelchowski by telephone on 08 9185 0608 or by email at joy.chelchowski@pdc.wa.gov.au.

Yours sincerely

31st October

Mr Stephen Webster

Mr Stephen Webster
Chief Executive Officer

CC. Mr Paul Martin
CEO Town of Port Hedland

Karratha Office
Cnr Scarborough and Warburton Roads
PO Box 204
Karratha, Western Australia, 6714
Tel: (08) 9165 0800 Fax: (08) 9165 0160

Port Hedland Office
Shop 2, 5 Wedge Street
PO Box 641
Port Hedland, Western Australia 6721
Tel: (08) 9173 5400 Fax: (08) 9173 5401

Mourmou Office
Newman, Broom, Ann-Gis Parade
PO Box 215
Mourmou, Western Australia, 6753
Tel: (08) 9173 5400 Fax: (08) 9173 5401

www.pdc.wa.gov.au

pdc@pdc.wa.gov.au



NOMINATION FOR APPOINTMENT TO THE BOARD OF THE PILBARA DEVELOPMENT COMMISSION

To be completed by all nominees seeking nomination or re-nomination to the Board of the Pilbara Development Commission

Nomination must be accompanied by a copy of the current nominee's curriculum vitae.

SECTION ONE – PERSONAL DETAILS			
SURNAME:		FIRST NAME:	
RESIDENTIAL ADDRESS:			
POSTAL ADDRESS:			
HOME PHONE NUMBER:		MOBILE NUMBER:	
WORK PHONE NUMBER:		FAX NUMBER:	
EMAIL ADDRESS:			
DATE OF BIRTH:		OCCUPATION:	

SECTION TWO – NOMINATING ORGANISATION <small>NE: Individuals may nominate themselves</small>			
NOMINATED BY:			
ORGANISATION:			
ADDRESS:			
NOMINATOR SIGNATURE:		NOMINEE SIGNATURE:	



SECTION THREE -- STATEMENT
HOW YOU WOULD LIKE THE PILBARA REGION TO DEVELOP

A large, empty rectangular box with a thin black border, intended for a statement or response to the section header above it.



**SECTION FOUR – STATEMENT
HOW YOU COULD CONTRIBUTE TO THE DEVELOPMENT OF THE PILBARA REGION THROUGH
APPOINTMENT TO THE BOARD**



SECTION FIVE – STATEMENT
WHAT DO YOU CONSIDER ARE THE KEY ISSUES IMPACTING ECONOMIC DEVELOPMENT IN REGIONAL WA

All nominations should be made by submitting relevant details and a current Curriculum Vitae to:

Mrs Joy Chelchowski, Executive Officer, Pilbara Development Commission

Post: PO Box 294, Karratha WA 6714

Fax: (08) 9185 0189

Email: joy.chelchowski@pdc.wa.gov.au

Nominations are open until the close of business Wednesday 15th October 2011.

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

NOTE: Chief Executive Officer advised that the following Item, advertised to the public in the Agenda, have been withdrawn from consideration and will be presented to Council at a future Meeting:

- *'Tender Award 11/25 Landscape Civil Works for Cemetery Beach'*

12.1 Regional Cities Alliance Membership (File No.: ...)

Officer **Paul Martin**
Chief Executive Officer

Date of Report **14 October 2011**

Disclosure of Interest by Officer **Nil**

Summary

This item relates to Council's ongoing financial involvement in the Western Australian Regional Cities Alliance (WARCA).

Council has previously resolved to participate in the WARCA as an "Associate Member" and become involved financially in projects as they related to the Town of Port Hedland. Recently however, the WARCA has indicated that to remain involved Council must financially contribute to two key projects at a cost of \$50,000 per annum.

Officers are recommending Council contribute financially to these projects and remain involved in the WARCA.

Background

In 2010 the Cities of Geraldton, Bunbury, Kalgoorlie/Boulder and Albany formed the WARCA. The WARCA, at the suggestion of the Premier, extended an invitation to Port Hedland, Broome and Karratha to join the WARCA.

At its meeting on the 11th May 2011 Council resolved the following:

"201011/379 Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council accepts an Associate level membership to the WA Regional Cities Alliance on the provision that:

1. *Council is not required to contribute \$50,000 annually towards projects;*

2. *The Mayor, CEO and Deputy Mayor can attend a reduced number of meetings annually when topics on the agenda are relevant to Port Hedland; and*
3. *Requests the CEO to write to the Premier to thank him for suggesting the Town of Port Hedland become involved in the WA Regional Cities Alliance."*

This position was recommended by Officers as it would provide Council with the opportunity to increase its commitment once City status is achieved.

Since this resolution the WARCA has met on one occasion in Perth and one occasion in Canberra. The Town of Port Hedland was not represented at these meeting due to other commitments of the CEO and Mayor in Port Hedland.

Consultation

The Shire of Roebourne and the Shire of Broome have agreed to contribute the required funds and remain involved in the WARCA.

The Shire of Busselton has been denied access to the WARCA.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 6:	Governance
Goal 1:	Leadership
Immediate Priority 2:	In conjunction with other stakeholders, develop and implement a coordinated, lobby campaign for additional resources from the State and Federal Governments for infrastructure and community projects that are needed to transform the Town into a City.

Budget Implications

Given the previous resolution of Council no allocation has been made towards the WARCA in the 2011/12 financial year budget.

If Council wanted to contribute the required \$50,000 towards the two initiatives it could support this proposal and source funding in the 1st quarter budget review.

Support for any other initiatives of the WARCA would still be considered on a case by case basis.

Officer's Comment

The WARCA has recently resolved that members of the WARCA need to financially contribute to at least the following two projects:

1. WARCA – University of Western Australia (UWA) Partnership at a cost of \$35,000 per member.
2. The secretariat (if and when that system commences) at a cost of \$15,000 per member.

These two initiatives are explained further below.

Partnership with UWA

A key initiative has developed around formalising a partnership with the UWA. This partnership would see substantial benefits through leveraged participation in the program and the result of beneficial data, research and analysis and policy statements.

Based on the discussions the following partnership's specific objectives were developed:

- Analysis and modeling of demographic, social and economic indicators;
- The definition of current and future service and infrastructure needs and standard;
- Collaboration on the analysis of strategic planning needs, and in the development of responses;
- Engagement in research and strategy related to the distribution of population and economic activity within the broader context of Western Australia; and
- Development education and research capacity in areas relevant to the needs of regional cities.

The partnership has a number of apparent benefits to the WARCA including:

- A research programme dedicated to the specific strategic needs of Western Australia's regional cities;
- The development of further partnerships with individual research groups and individuals within the University according to their needs;
- The opportunity to leverage additional research funds through sources such as the Australian Research Council; and
- The opportunity to have PhD and advanced students engage in research on Western Australia's regional cities.

The benefits of the partnership with UWA include:

- Enhanced research capacity in regional development;
- Increased publications and research income in regional development;
- The development of an innovative research programme not being conducted by other Australian universities;
- Enhanced teaching capacity in regional development; and
- Increased engagement with regional Western Australia.

This unique model will provide clear, substantiated and evidenced based policy directions and guides. Having such information and clear guidance will strengthen the position of WARCA to argue its case at both a national and state level.

Secretariat

During the initial stages of the WARCA establishment the secretariat role has been undertaken by the CEO of the City of Greater Geraldton. An application has been made for funding for a secretariat function. Should this application be successful each member will need to commit \$15,000 pa.

In Summary

To date the Mayor and/or CEO have only attended one of the meetings of the WARCA due to other commitments in Port Hedland.

Council could decide not to contribute financially towards the WARCA and therefore forego ongoing involvement in the WARCA however Officers are recommending Council commit the funds and the Town of Port Hedland takes a more active role in the functions of the WARCA.

The benefits of remaining a member of the WARCA are:

- Officers believe that Council needs to become more strategic at a State and Federal level and active participation in the WARCA is one strategy to achieve this outcome.
- Financial commitment to the WARCA will also assist the Town of Port Hedland to remain recognized as a regional centre at a State and Federal level.
- Council can review this contribution and the achievements of the WARCA at the end of the financial year and determine if it wants to remain involved.
- Participating in the UWA partnership will ensure the needs of the community are analysed and documented. This will facilitate more effective lobbying, particularly at a federal level, of the needs of the Port Hedland and other regional centres.

Whilst the benefits of full membership may not be overtly evident at this stage, Officers are recommending Council commit to being a full member of the WARCA as it will assist in Port Hedland remaining recognized as a regional centre in WA.

Attachments

1. Correspondence from WARCA received 23 August 2011

2011/12/176 Officer's Recommendation / Council Decision

Moved: Cr G J Daccache Seconded: Cr D W Hooper

The Council:

1. Commits to being a "full member" of the Western Australian Regional Cities Alliance (WARCA);
2. Accepts the conditions associated with this membership of the WARCA being financial support to the value of \$50,000 per annum for the WARCA-UWA partnership and a contribution towards the secretariat (if this should occur).
3. Endorses the Mayor and Chief Executive Officer to sign the Cooperation Agreement with the UWA on behalf of Council.
4. Allocates \$50,000 towards the WARCA in the 2011/12 financial year as part of the first quarter budget review process.
5. Requests the CEO to provide regular reports to Council on the outcomes of the meetings of the WARCA.

CARRIED BY ABSOLUTE MAJORITY 5/4

ATTACHMENT 1 TO LATE ITEM 12.1



Our Ref: D-11-07946
Your Ref: n/a
File Ref: GR/10/0024
Enquiries: Tony Brun

15 August 2011



Document #: ICR18885
Date: 23.08.2011
Officer: PAUL MARTIN
File: 14/01/0014

Mr Paul Martin
Chief Executive Officer
Town of Port Hedland
PO Box 41
Port Hedland
WA 6721

Dear Mr Martin

WARCA MEMBERSHIP REQUIREMENTS

Further to discussions held at the last meeting of WARCA held in August, I would like to bring to your attention the following resolution of WARCA meeting held in June.

That the Alliance confirms its requirement to membership that a local government:

- a. *Must be a funding member and participant to the WARCA-UWA Partnership;*
- b. *Must be a contributor to the secretariat, if and when that system commences; and*
- c. *Can participate on an optional basis on any other WARCA project or initiative.*

CARRIED BY CONSENSUS

This position was resolved in recognition of that the fact that WARCA is not a separate entity or supported body. Its primary purpose is collaboration and delivery of key projects. It is noted that the key current projects of the secretariat and the UWA Partnership will provide substantial intellectual property and requires substantial in-kind and real support from the participating groups; hence on the principle request for participants it is only fair that active member contributors enjoy the direct benefit of the work.

If you have any queries please contact me on 9956 6601.

Yours sincerely

Tony Brun
CHIEF EXECUTIVE OFFICER



ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil

ITEM 14 CONFIDENTIAL ITEMS

Nil

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

201112/177 Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That the following applications for leave of absence:

- **Cr G J Daccache from 7 to 12 November 2011**
- **Cr J M Gillingham from 25 October to 2 November 2011**
- **Mayor K A Howlett from 26 to 27 October 2011**
- **Cr J E Hunt from 4 to 11 November 2011**
- **Cr G A Jacob from 7 to 11 November 2011**

be approved.

CARRIED 7/0

ITEM 16 CLOSURE**16.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 16 November 2011, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Mayor declared the meeting closed at 6:50 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of _____ 2011.

CONFIRMATION:

MAYOR

DATE