



Town of Port Hedland

MINUTES

OF THE

SPECIAL MEETING

OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

MONDAY 29TH JUNE 2009

AT 6.05 PM

IN COUNCIL CHAMBERS

McGREGOR STREET, PORT HEDLAND

Purpose of Meeting: To consider

- *Changes to the proposed Amendment to the Town of Port Hedland Town Planning Scheme No. 5 to Rezone Residential Land in the West End;*
- *Holiday Accommodation – Redevelopment of Existing Holiday Accommodation Facility - Lots 2 & 3 Great Northern Highway, Port Hedland;*
- *Proposed Holiday Accommodation and Office – Lot 9, The Esplanade, Port Hedland*
- *Hedland Youth Precinct – Contract Variation for Cadastral, Feature and Level Surveys and Quotations for Landscape Design*
- *Proposed Creation of Road Reserve Linking Channel Way to Huxtable Crescent South Hedland*
- *Tender 09-08 Fabrication and Installation of Water Re-Use Tank Covers*
- *Tender 09/09: Sale of Used Machinery*
- *Tender 09/07: Design and Construction of Colin Matheson Oval Clubhouse*
- *South Hedland Royal Flying Doctor Service House – Expression of Interest to Assist*

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*Matthew Scott
Acting Chief Executive Officer*

OUR COMMITMENT

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

TABLE OF CONTENTS

1.1	OPENING	5
ITEM 2	RECORDING OF ATTENDANCE AND APOLOGIES	5
2.1	ATTENDANCE	5
2.2	APOLOGIES	5
2.3	APPROVED LEAVE OF ABSENCE	5
ITEM 3	PUBLIC TIME	5
3.1	PUBLIC QUESTIONS	5
3.2	PUBLIC STATEMENTS	5
ITEM 4	QUESTIONS FROM MEMBERS WITHOUT NOTICE	6
ITEM 5	DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING.....	6
ITEM 6	REPORTS OF OFFICERS	8
6.2.2.1	<i>Tender 09/07: Design and Construction of Colin Matheson Oval Clubhouse (File No.: Tender 09/07)</i>	<i>8</i>
6.1	REGULATORY AND COMMUNITY SERVICES	18
6.1.1	PLANNING SERVICES.....	18
6.1.1.1	<i>Changes to the Proposed Amendment to the Town of Port Hedland Town Planning Scheme No. 5 to Rezone Residential Land in the West End (File No.: 18/09/0029)</i>	<i>18</i>
6.1.1.2	<i>Holiday Accommodation – Redevelopment of Existing Holiday Accommodation Facility - Lots 2 & 3 Great Northern Highway, Port Hedland (File No.: 119200G) 49</i>	
6.1.1.3	<i>Proposed Holiday Accommodation and Office – Lot 9, The Esplanade, Port Hedland (File No.: 10001G)</i>	<i>76</i>
6.1.1.4	<i>Hedland Youth Precinct – Contract Variation for Cadastral, Feature and Level Surveys and Quotations for Landscape Design (File No.: 20/01/0039)</i>	<i>95</i>
6.1.1.5	<i>Proposed Creation of Road Reserve Linking Channel Way to Huxtable Crescent South Hedland (File No.: 18/14/0004)</i>	<i>101</i>
6.1.2	ENVIRONMENTAL HEALTH SERVICES.....	108
6.1.2.1	<i>Tender 09-08 Fabrication and Installation of Water Re-Use Tank Covers (File No.: 21/07/0006)</i>	<i>108</i>
6.2	ENGINEERING SERVICES	111
6.2.1	MANAGER ENGINEERING SERVICES.....	111
6.2.1.1	<i>Tender 09/09: Sale of Used Machinery (File No.: 23/08/0046)</i>	<i>111</i>
6.2.2	RECREATION SERVICES.....	115
6.2.2.1	<i>Tender 09/07: Design and Construction of Colin Matheson Oval Clubhouse (File No.: Tender 09/07)</i>	<i>115</i>
6.3	GOVERNANCE AND ADMINISTRATION	116

6.3.1	GOVERNANCE	116
6.3.1	<i>South Hedland Royal Flying Doctor Service House – Expression of Interest to Assist (File No.: 02/05/0001).....</i>	<i>116</i>
ITEM 7	CLOSURE.....	122
7.1	CLOSURE	122

ITEM 1 OPENING OF MEETING**1.1 Opening**

The Mayor declared the meeting open at 6:05pm and acknowledged the traditional owners, the Kariyarra people.

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

Cr S R Martin
Cr A A Carter
Cr G D Bussell
Cr G J Daccache
Cr A A Gear
Cr K A Howlett

2.2 Apologies

Nil

2.3 Approved Leave of Absence

Cr S J Coates
Cr J E Ford
Cr J M Gillingham

ITEM 3 PUBLIC TIME**3.1 Public Questions**

6:05 pm Mayor opened Public Question Time.

Nil...

6:05 pm Mayor closed Public Question Time.

3.2 Public Statements

6:05 pm Mayor opened Public Statement Time.

Nil.

6:05 pm Mayor closed Public Statement Time.

ITEM 4 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

ITEM 5 DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING

The following Members verbally declared to have given due consideration to all matters contained in the Business Paper presented before the meeting, excluding late items.

Cr S R Martin	Cr G J Daccache
Cr A A Carter	Cr A A Gear
Cr G D Bussell	Cr K A Howlett

200809/400 Council Decision

Moved: Cr K A Howlett

Seconded: Cr G J Daccache

That Council consider Agenda Item 6.2.2.1 'Tender 09/07: Design and Construction of Colin Matheson Oval Clubhouse (File No.: Tender 09/07)' prior to Agenda Item 6.1.1.1 'Changes to the Proposed Amendment to the Town of Port Hedland Town Planning Scheme No. 5 to Rezone Residential Land in the West End (File No.: 18/09/0029)'.

CARRIED 6/0

NOTE: Council considered Agenda Item 6.2.2.1 'Tender 09/07: Design and Construction of Colin Matheson Oval Clubhouse (File No.: Tender 09/07)', prior to Agenda Item 6.1.1.1 'Changes to the Proposed Amendment to the Town of Port Hedland Town Planning Scheme No. 5 to Rezone Residential Land in the West End (File No.: 18/09/0029)'.

6:06 pm Councillor George J Daccache declared an impartiality interest in Agenda Item 6.2.2.1 'Tender 09/07: Design and Construction of Colin Matheson Oval Clubhouse (File No.: Tender 09/07)'. Councillor Daccache disclosed that he has an association with the applicant. As a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Daccache declared that he will consider this matter on its merits and vote accordingly.

Councillor Daccache did not leave the room.

ITEM 6 REPORTS OF OFFICERS

6.2.2.1 Tender 09/07: Design and Construction of Colin Matheson Oval Clubhouse (File No.: Tender 09/07)

Officer

Bec Pianta
Manager Recreation Services

Date of Report 18th June 2009

Disclosure of Interest by Officer Nil

Summary

This report provides a summary of submissions received for tender 09/07: Design and Construction of the Colin Matheson Oval Clubhouse, to seek endorsement in awarding the tender to the most suitable Contractor.

Background

The Town of Port Hedland contracted ROSS Planning in November 2007 to undertake Master Planning for Colin Matheson Oval and McGregor Street Reserve. After a series of Council and community consultation sessions, the feedback received with regards to the initial concept plans was presented at the Ordinary Council Meeting on the 28th May 2008. At this meeting, Council resolved (in part) that:

"i) with regards to Colin Matheson Oval:

- a) *all possible inclusions as received via feedback be included in the revised concept plan; and*
- b) *the current clubroom facility at the Colin Matheson Oval be retained as a change room facility whilst a second clubroom facility be constructed adjacent to the existing club room facility.”*

In line with this resolution and as part of the 2008/09 budget process, the Colin Matheson Oval Clubhouse Project was endorsed.

Tenders were called for the Design and Construction of the Colin Matheson Oval Clubhouse in May 2009, with the tender specification requesting the following:

- a) The design of a suitable clubhouse for the purpose of sporting and community use;
- b) Obtaining relevant approvals, including building license; and,
- c) The construction of the clubhouse.

Tender 09/07: Design and Construction of the Colin Matheson Oval Clubhouse closed on 10th June 2009, and two (2) bids were received. Tenders were received from:

- Georgiou Building
- Pilbara Constructions

Both tender submissions have been considered conforming.

Consultation

The following Town of Port Hedland staff members have reviewed all tender bids prior to the recommendation being presented to Council:

- Manager Recreation Services
- Director Engineering Services
- Manager Building Services

Rovers Football Club have also been involved in discussions for preparation of tender documentation and evaluation of all tender submissions.

Statutory Implications

This tender was called in accordance to the Local Government Act (1995).

“3.57. Tenders for providing goods or services

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

Policy Implications

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

Strategic Planning Implications

Key Result Area 3: Community Development

Goal 2: Sports and Leisure

Strategy 1: Progressively implement the recommendations of the Sports Facility Audit with a particular focus on:

...upgrading all existing facilities to an appropriate standard

The development of additional quality facilities at Colin Matheson Oval...

Budget Implications

The total budget allocation for the Recreation Reserve Redevelopment is \$1,750,000.

\$1,300,000 has been allocated from the BHP Billiton Iron Ore Sustainability Partnership Fund for 2008/09, with an additional \$450,000 obtained from the Department of Sport and Recreation's Community Sport and Recreation Facilities Fund.

The recommended tenderer's submitted price exceeds the budget allocation for this project. Should the officer's recommendation be endorsed, options for continuation of this project in-line with the budget allocation will be considered, including the development of a business plan.

It must be noted that the total price does not include GST, nor services connections to the facility. These figures have been included as separable portions, as it is deemed that these items can be contracted in-house.

Officer's Comment

Tender information was forwarded to 20 organisations, with two (2) tenders submitted, both of which were considered conforming. There was no site meeting held for this tender.

Table 1 below lists the evaluation criteria used to assess the tenders as per the tender documentation:

Item	Assessment Criteria	Loading Factor	Max Score	Max Loaded Score	Awarded Score	Loaded Score
1	Technical Capacity (Design)	4	5	20		
2	Organisation and Experience	2	5	10		
3	Quality	5	5	25		
4	Price		35	35		
5	Design and Construction Program	2	5	10		
	Max Loaded Score			100		

Table 1.

The comparison of the two tender submissions received based on the assessment criteria is as follows, with the assessment criteria included in attachment 1.

Technical Capacity – Design (5)

Contractor	Score	Loaded Score
Georgiou Building	4	16
Pilbara Constructions	4	16

Assessment was based upon the information included within the tender submission based on the following:

- Concept Design
- Minimum Requirements:
- Requested inclusions:

Organisation and Experience (5)

Contractor	Score	Loaded Score
Georgiou Building	5	10
Pilbara Constructions	5	10

Assessment was based on the following information included:

- The Tenderer's proposed organisation structure
- All major items of plant and equipment the Tenderer proposes to use for *WUC*
- Competing Projects

Quality (5)

Contractor	Score	Loaded Score
Georgiou Building	4	20
Pilbara Constructions	5	25

Assessment was based upon the following:

- Scope of works and technical specifications
- Allowances (fittings and inclusions)

Price (35)

• Georgiou Building:	
Design	\$ 286,000
Construct	\$4,292,298
TOTAL	<u>\$4,578,298</u>
• Pilbara Constructions:	
Design	\$145,950
Construct	\$2,168,950
TOTAL	<u>\$2,314,900</u>

Contractor	Score	Loaded Score
Georgiou Building	18	N/A
Pilbara Constructions	35	N/A

The lowest price Tender (T_{lp}) was awarded a score of 35 for the Price criterion. The second-lowest price Tender (T_{slp}) was therefore awarded a score determined in the following manner:

$$T_{slp} \text{ Score} = 35 - \frac{[(\$T_{slp} - \$T_{lp}) \times 35]}{\$T_{lp}}$$

Design and Construction Program (5)

Contractor	Score	Loaded Score
Georgiou Building	5	10
Pilbara Constructions	5	10

Assessment was based on the following:

- Design:
- Construction Methodology
- Program

The following matrix indicates the assessment of each tenderer based on the maximum loaded score in accordance with the evaluation criteria.

Contractor	Technical Capacity	Organisation & Experience	Quality	Price	D & C Program	TOTAL
Georgiou Building	16	10	25	18	10	79
Pilbara Constructions	16	10	20	35	10	91

The tender specifications and scope of work within the tender documentation is specific and detailed in its requirements. Pilbara Constructions has scored the highest rating according to the maximum loaded score, and is therefore the recommended contractor for this project.

Options

The total allocated budget for this project to date is \$1,750,000. As the preferred contractor has submitted a tender exceeding this amount, the Town of Port Hedland cannot currently award this contract.

Options that require research and consideration include:

- Sourcing income from a self-supporting loan (taken out by the Rovers Football Club)
- Reducing the scope / deliverables

- c. Management of the facility following completion.

Undertaking a business plan for the management and operation of the facility post-construction will assist in forecasting potential income and expenditure amounts. Potentially, income could be derived from the function/catering area of the facility, perhaps offsetting a loan for the shortfall amount.

Options for reducing the overall cost should also be considered in an attempt to ensure the clubhouse provides the residents and community members with a high-quality, aesthetically pleasing and functional clubhouse.

Though included in the Tender Scope there is some concern over the need for a commercial kitchen: Although it may be desirable, it could be developed at a later stage. Council should seek clarification from Tenderers of the potential cost saving if only the space for a commercial kitchen was provided, but not installed at this stage.

Attachments

Weighting Assessment Criteria – Tender 09/07

200809/401 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- i) Note the tender submissions for Tender 09/07: Design and Construction of the Colin Matheson Oval Clubhouse;
- ii) Defer the decision with regards to the outcome for Tender 09/07, in order to complete the following:
 - a. **Undertake a business plan for the management and operation of the clubhouse;**
 - b. **Consult with all stakeholders with regards to requirements, funding opportunities, management and operations;**
 - c. **Clarify separable portions of the tender price in accordance to the public building requirements, including:**
 - i. Commercial grade kitchen
 - ii. Staff ablutions
 - iii. Floor space within function area
 - iv. Coolroom
 - v. Storeroom

- d. Liaise with the Town of Port Hedland Planning and Building Department with regards to requirements should the scope alter;**

- iii) Advise all tenderers of the outcome; and,
- iv) Present outcomes and recommendations to the next available Ordinary Council Meeting.

CARRIED 6/0

NOTE: Council resumed the order of business sequentially and considered Agenda Item 6.1.1.1 'Changes to the Proposed Amendment to the Town of Port Hedland Town Planning Scheme No. 5 to Rezone Residential Land in the West End.'

Tender 09/07: Design and Construction of the Colin Matheson Oval Clubhouse
Weighting Application Process

Comprising:

- Design of a suitable clubhouse for the purpose of sporting and community use
- Obtaining relevant approvals, including building licence
- The construction of the clubhouse

Item	Assessment Criteria	Loading Factor	Max Score	Max Loaded Score	Awarded Score	Loaded Score
1	Technical Capacity (Design)	4	5	20		
2	Organisation and Experience	2	5	10		
3	Quality	5	5	25		
4	Price		35	35		
5	Design and Construction Program	2	5	10		
	Max Loaded Score			100		

Technical Capacity - Design (5)Concept Design

- A new clubhouse, including length, width and height dimensions, that includes the elements as included within Book 3 Part 5, taking into consideration:
 - Compliance with Technical Specifications
 - Maximum floor area offered
 - Functionality of building space for use as a community building / clubhouse
 - Capacity to expand at a later date
 - Energy efficiency
 - Architecture of building (features that add to the amenity of the area)
 - Suitable sewage transportation system
 - Ambience
 - Disabled access

Minimum Requirements:

- Provisions for a board room
- A viewing platform / veranda
- Separate bar and kitchen areas
- A cool room
- A storage room
- An entertaining / function area (with the capacity to accommodate a mobile stage); and
- Toilets
- No less than 260 m²

Requested inclusions:

- Bar to have sight of oval (at front of building)
- Kitchen to have sight of oval (at front of building, opposite extremity to bar)
- Viewing potential from veranda / viewing deck

- Viewing potential from function area (behind glass)
- Front of building facing oval
- Potential for additional floor in the future

Organisation and Experience (5)

- The Tenderer's proposed organisation structure:
 - Key personnel to be engaged for the design and construction activities
 - Details of experience relevant to *WUC*.
 - Details of the Contractor's Representative (see GCC 22) must be included.
- All major items of plant and equipment the Tenderer proposes to use for *WUC*
- Competing Projects

Quality (5)

- Scope of works and technical specifications

Item	Quantity	Brand / Type (if known)	Allowance (\$)
Air conditioning			
Floor coverings			
Tiling			
Plumbing – fittings and fixtures			
<ul style="list-style-type: none"> • Basins • Toilets • Urinals • Tapware • Other 			
Security Screens			
Security system			
Painting			
Ceiling Fans			
Termite Protection			
Hot Water System			
Landscaping			
Blinds / screens			
Light fittings			
Kitchen features <ul style="list-style-type: none"> • Oven • Cabinets • Basins / Trough • Other 			

Other features offered within the Lump Sum price: _____ _____ _____ _____ _____			
EXCLUSIONS (IF ANY): _____ _____ _____ _____ _____			

Price (35)

The lowest price Tender (T_{lp}) shall be awarded a score of 35 for the Price criterion. The second-lowest price Tender (T_{slp}) shall be awarded a score determined in the following manner:

$$T_{slp} \text{ Score} = 35 - \left[\frac{(\$T_{slp} - \$T_{lp})}{\$T_{lp}} \times 35 \right], \text{ and so forth for the remaining Tenders.}$$

Design and Construction Program (5)Design:

Preparation of concept designs indicating:

- Dimensions
- Elevations
- Material selection
- Location

Construction Methodology

The methodology for:

- The construction of the clubhouse at Colin Matheson Oval, including obtaining relevant approvals
- Fabrication
- The mobilisation and demobilisation of all equipment / machinery
- Warranty details

Program

The program must be based on the working hours specified in the Special Conditions of Contract, and include:

- The dependencies between items of work as normally identified in Critical Path Analysis methods
- The minimum duration of each work item
- The critical path
- All activity durations in number of days
- An adequate description of each activity

6.1 Regulatory and Community Services**6.1.1 Planning Services****6.1.1.1 *Changes to the Proposed Amendment to the Town of Port Hedland Town Planning Scheme No. 5 to Rezone Residential Land in the West End (File No.: 18/09/0029)***

Officer Richard Bairstow
Manager Planning

Date of Report 25 June 2009

Application Number 2009/251

Disclosure of Interest by Officer Nil

Summary

This report seeks to provide Council the opportunity to reconsider the changes requested for the proposed Planning Scheme Amendment relating to the West End.

Background

At its meeting on the 24th June 2009, Council resolved to make changes to a proposed Planning Scheme amendment (being rezoning in the West End) that it had previously resolved to initiate at its meeting on the 27th May 2009. One of the changes resolved by Council referred to the reference to 'Plot Ratio Area' being replaced by the term 'Internal Living Area', which is generally understood by Councillors but is not defined in Town Planning Scheme No. 5 or any relevant legislation.

Consultation

Nil

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.

As 'Internal Living Area' is not defined within any legislated planning documents applying to the Town of Port Hedland it would likely result in inconsistent interpretation and application.

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 4 – Economic Development

Goal 5 – Town Planning & Building

Strategy 2 - Work closely with the State Government and Resource Companies to ensure that key projects/action identified with the Land use Master Plan are acted upon in a timely manner

Budget Implications

As this amendment is being initiated by the Town, no application fees have been received for this application. All assessment and advertising fees will be accommodated within existing budgets.

Officer's Comment

It is understood that in making the resolution Council's intent was to clarify that the 110m² floor restrictions per dwelling did not prevent the development of outdoor areas such as patios, verandahs and the like.

The proposal to replace 'Plot Ratio Area' with 'Internal Living Area' creates a legal problem in that 'Internal Living Area' is not defined within any legislation applying to the Town of Port Hedland. The amendment documentation presented to Council had considered this and addressed the matter as follows:

"It is acknowledged that the LUMP refers to "internal floor area," however, in converting this policy recommendation into a statutory framework, it is recommended that the clearly defined and accepted definition established in the R Codes be included rather than creating a new technical definition for "internal floor space." Adopting this definition meets the intent of the LUMP recommendation, while providing a clear and established definition for developers and Council."

The definition of 'Plot Ratio Area' is as follows:

"The floor area of buildings on a site as delineated in the definition of plot ratio."

Furthermore 'Plot Ratio' is defined as follows:

*"The ratio of the gross total of all floors of buildings on a site to the area of land in the site boundaries. For this purpose, such areas shall include the area of any walls but **not include** the areas of any lift shafts, stairs or stair landings common to two or more dwellings, machinery, air conditioning and equipment rooms, **non-habitable space** [note: an unenclosed patio is a non-habitable space] that is wholly below natural ground level, areas used exclusively for the parking of wheeled vehicles at or below natural ground level, lobbies or amenities areas common to more than one dwelling, or **balconies or verandahs open on at least two sides.**"*

Council could include a definition for 'Internal Living Area' and have it included in the Planning Scheme definitions (Appendix 1). However, it is considered inappropriate to do this as:

- a) The definition of 'Plot Ratio Area' is an existing readily known and utilised definition within the R Codes. The use of 'Plot Ratio Area' meets the intent of the LUMP and as identified above, addresses Council concerns in regard to outdoor areas.
- b) The introduction of a new definition is likely to result in greater scrutiny of the amendment and could result in lengthy delays.

A key aspect in gaining support to date from key stakeholders has been that the amendment does not create any new issues and is in line with the LUMP which they have previously supported. A new definition, even a minor one, would be perceived to be a new issue resulting in reduced support for the amendment as a whole.

Options

Council has the following options in dealing with the matter:

- 1. Reiterate its resolution of 24 June 2009 and amend the Scheme amendment documentation accordingly.
- 2. Resolve to initiate the scheme amendment with reference to 'Plot Ratio Area'. Given that Council's intent has not changed it will not be necessary to rescind the previous motion.

If option 1 is preferred it is recommended that 'Internal Living Area' be defined and included in Appendix 1 – Definitions, of the Town Planning Scheme.

Attachments

Scheme amendment documentation to be referred to EPA.

200809/402 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council Initiate a Town Planning Scheme Amendment to the *Town of Port Hedland Town Planning Scheme No. 5* by:

- a) Rezoning the land bounded by Anderson, Withnell, Sutherland and Taplin Streets and The Esplanade, Port Hedland currently zoned "Residential" to "West End Residential", with an applied density code of "Minimum R30" as depicted on the amendment map;
- b) Rezoning the land bounded by Withnell, McKay and Anderson Streets and The Esplanade, Port Hedland from "Residential" to "Town Centre" as depicted on the amendment map;
- c) Amending the Scheme text by:

1. Inserting section "3.1 (a) iv. West End Residential"

2. Inserting in section 6.3:

'General Provisions' prior to section 6.3.1

'West End Residential' prior to section 6.3.8

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

6.3.9 Development within the West End Residential Zone shall be in accordance with any local planning policy, development plan or design guideline adopted by Council for this zone.

6.3.10 Notwithstanding anything contained within the Residential Design Codes, all residential development in the West End Residential Zone, other than the development identified in section 6.3.15, shall comply with the following:

- a. The maximum plot ratio area for all dwellings is 110 m².

- b. No dwelling shall have greater than two (2) bedrooms or rooms capable of being used as bedrooms

6.3.11 Notwithstanding Section 6.1.1 of the Residential Design Codes of Western Australia, Council shall not recommend approval for the creation of lots that are less than 600m², unless the lots are developed or it is demonstrated that the lots can be developed for grouped or multiple dwellings.

6.3.12 The West End Residential Zone has no prescribed maximum residential density. The R30 minimum density coding is prescribed to ensure efficient use of available land and prevent the development of additional single dwellings within this zone.

6.3.13 When considering an application for planning approval within the West End Residential Zone, Council shall consider impact on streetscape, building setbacks from the boundary, open space and outdoor living provision, car parking provision and any other matter it deems appropriate prior to determining the application.

6.3.14 Council shall require as a condition of any planning approval granted for land in the West End Residential Zone, and prior to the commencement of any associated works, that the landowner prepare a notification, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:

- a. The Western Australian Department of Health has advised in a preliminary investigation that it does not support medium density residential development in this area due to a potential causal link between the dust generated by nearby ore mining processes and port facilities, and increased likelihood of respiratory health impacts;
- b. Seniors, children, and persons with existing heart or lung disease appear to be at an elevated risk of dust-related health impacts;

Should additional information be required in regard part 'a' or 'b', the prospective landowners should contact the Western Australian Department of Health."

6.3.15 Where any lot is listed in Appendix 2 – Additional Development and Uses with the additional use of "Single Dwelling," clause 6.3.10 shall not apply.

3. Inserting the following column in the Zoning Table:

**Town of Port Hedland TPS 5
Zoning Table**

ZONING TABLE		West End Residential
Residential		
1	Aged or Dependent Persons Dwelling	~
2	Ancillary Accommodation	~
3	Caretaker's Dwelling	AA
4	Grouped Dwelling	AA
5	Holiday Accommodation	SA
6	Home Occupation	AA
7	Hotel	SA
8	Motel	SA
9	Movable Dwelling	~
10	Multiple Dwelling	AA
11	Residential Building	AA
12	Rural Settlement	~
13	Single House	~
14	Transient Workforce Accommodation	SA
Industry		
15	Abattoir	~
16	Agriculture	~
17	Arts and Crafts Centre	SA
18	Intensive Agriculture	~
19	Harbour Installation	~
20	Hire Service (Industrial)	~
21	Industry – Cottage	SA
22	Industry – Extractive	~
23	Industry – General	~
24	Industry – Light	~
25	Industry – Noxious	~
26	Industry – Rural	~
27	Industry – Service	~

ZONING TABLE		West End Residential
28	Industry – Resource Processing	~
29	Infrastructure	AA
30	Stockyard	~
31	Storage Facility/Depot/Laydown Area	~
Commerce		
32	Aerodrome	~
33	Display Home Centre	SA
34	Dry Cleaning	~
35	Market	SA
36	Motor Vehicle and/or Marine Repair	~
37	Motor Vehicle and/or Marine Sales or Hire	~
38	Motor Vehicle and/or Marine Service Station	~
39	Motor Vehicle and/or Marine Wrecking	~
40	Motor Vehicle Wash	~
41	Office	SA
42	On-site Canteen	~
43	Outdoor Display	~
44	Reception Centre	~
45	Restaurant (includes café)	SA
46	Restricted Premises	~
47	Shop	~
48	Showroom	~
49	Take-away Food Outlet	~
50	Warehouse	~
Health, Welfare & Community Services		
51	Carpark	SA
52	Child Care Service	~
53	Community Use	SA ¹
54	Consulting Rooms	SA
55	Education Establishment	SA ¹
56	Emergency Services	~
57	Funeral Parlour	~
58	Hospital	~
59	Juvenile Detention Centre	~
60	Medical Centre	~
61	Nursing Home	~
62	Place of Animal Care	~
63	Place of Public Meeting, Assembly or Worship	~
64	Prison	~
65	Public Mall	~
66	Public Utility	AA
Entertainment, Recreation & Culture		

ZONING TABLE		West End Residential
67	Equestrian Centre	~
68	Entertainment Venue	~
69	Private Recreation	SA ¹
70	Public Recreation	AA ¹

The symbols used in the zoning table have the following meanings:

- P The development is permitted by the Scheme
- AA The development is not permitted unless the Council has granted planning approval
- SA The development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3
- IP The development is not permitted unless the use to which it is put is incidental to the predominant use as decided by Council
- ~ A development that is not permitted by the Scheme
- ¹ Notwithstanding anything contained in *Appendix 1 – Definitions*, no land use shall be approved within the West End Residential Zone that is intended for use either exclusively or primarily by children or elderly persons.

4. Amending the Scheme Map accordingly.

CARRIED 5/1

***TOWN OF PORT HEDLAND
TOWN PLANNING SCHEME No. 5
AMENDMENT No. 22***

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: | Local Planning Scheme |
| 4. | Serial No. of Amendment: | 22 |
| 5. | Proposal: | <ol style="list-style-type: none">1. Rezoning the land bounded by Anderson, Withnell, and Taplin Streets, and The Esplanade, Port Hedland currently zoned "Residential" to "West End Residential", with an applied density code of "Minimum R30";2. Rezoning the land bounded by Withnell, McKay and Anderson Streets, and The Esplanade, Port Hedland from "Residential" to "Town Centre", and;3. Inserting appropriate provisions in the Scheme text relating to the new zone. |

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

**Town of Port Hedland
Local Planning Scheme No. 5
Amendment No. 22**

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 land bounded by Anderson, Withnell, Sutherland and Taplin Streets, and The Esplanade, Port Hedland currently zoned "Residential" to "West End Residential", with an applied density code of "Minimum R30" as depicted on the amendment map;
2. Rezoning the land bounded by Withnell, McKay and Anderson Streets, and The Esplanade, Port Hedland from "Residential" to "Town Centre" as depicted on the amendment map;
3. Amending the Scheme text by:
 - i) Inserting section "3.1 (a) iv. West End Residential"
 - ii) Inserting under section "6.3 Residential Zone," and above clause 6.3.1 the subheading "General Provisions"
 - iii) Following clause 6.3.7 inserting the subheading "West End Residential"
 - iv) Inserting the following clauses under the subheading "West End Residential"
 - 6..3.8 The purpose of the West End Residential Zone is to establish a residential zone in which dwellings are designed and constructed in such a way as to discourage occupation by families with children or by elderly persons.
 - 6..3.9 Development within the West End Residential Zone shall be in accordance with any local planning policy, development plan or design guideline adopted by Council for this zone.
 - 6.3.10 Notwithstanding anything contained within the Residential Design Codes, all residential development in the West End Residential Zone, other than the development identified in section 6.6.8, shall comply with the following:
 - a) The maximum plot ratio for all dwellings is 110 m²
 - b) No dwelling shall have greater than two (2) bedrooms or rooms capable of being used as bedrooms
 - 6.3.11 Council shall only support the subdivision of land in the West End Residential Zone where new lots are designed to accommodate the construction of grouped or multiple dwellings.
 - 6.3.12 The West End Residential Zone has no prescribed maximum residential density. The R30 minimum density coding is prescribed to ensure efficient use of available land and prevent the development of additional single dwellings within this zone.
 - 6.3.13 When considering an application for planning approval within the West End Residential Zone, Council shall consider impact on streetscape, building setbacks from the boundary, open space and outdoor living provision, car parking provision and any other matter it deems appropriate prior to determining the application.

6.3.14 Council shall require as a condition of any planning approval granted for land in the West End Residential Zone, and prior to the commencement of any associated works, that the landowner prepare a *notification, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:*

a) The Western Australian Department of Health has advised in a preliminary investigation that it does not support medium density residential development in this area due to a potential causal link between the dust generated by nearby ore mining processes and port facilities, and increased likelihood of respiratory health impacts;

b) Seniors, children, and persons with existing heart or lung disease appear to be at an elevated risk of dust-related health impacts;

Should additional information be required in regard part 'a' or 'b', the prospective landowners should contact the Western Australian Department of Health."

6.3.15 Where any lot is listed in Appendix 2 – Additional Development and Uses with the additional use of "Single Dwelling," clause 6.6.10 shall not apply.

6.3.16 Notwithstanding Clause 6.1.1 of the Residential Design Codes of Western Australia 2008, Council shall not recommend approval for the creation of lots that are less than 600 m² unless the lots are already developed or it is demonstrated that the lots may be developed for grouped or multiple dwellings.

v) Inserting the following column in the Zoning Table:

Town of Port Hedland TPS 5

Zoning Table

ZONING TABLE		West End Residential																
Residential																		
1	Aged or Dependent Persons Dwelling	~																
2	Ancillary Accommodation	~																
3	Caretaker's Dwelling	AA																
4	Grouped Dwelling	AA																
5	Holiday Accommodation	SA																
6	Home Occupation	AA																
7	Hotel	SA																
8	Motel	SA																

ZONING TABLE		West End Residential															
9	Movable Dwelling	~															
10	Multiple Dwelling	AA															
11	Residential Building	AA															
12	Rural Settlement	~															
13	Single House	~															
14	Transient Workforce Accommodation	SA															
Industry																	
15	Abattoir	~															
16	Agriculture	~															
17	Arts and Crafts Centre	SA															
18	Intensive Agriculture	~															
19	Harbour Installation	~															
20	Hire Service (Industrial)	~															
21	Industry – Cottage	SA															
22	Industry – Extractive	~															
23	Industry – General	~															
24	Industry – Light	~															
25	Industry – Noxious	~															
26	Industry – Rural	~															
27	Industry – Service	~															
28	Industry – Resource Processing	~															
29	Infrastructure	AA															
30	Stockyard	~															
31	Storage Facility/Depot/Laydown Area	~															
Commerce																	
32	Aerodrome	~															
33	Display Home Centre	SA															
34	Dry Cleaning	~															
35	Market	SA															
36	Motor Vehicle and/or Marine Repair	~															

ZONING TABLE		West End Residential																
37	Motor Vehicle and/or Marine Sales or Hire	~																
38	Motor Vehicle and/or Marine Service Station	~																
39	Motor Vehicle and/or Marine Wrecking	~																
40	Motor Vehicle Wash	~																
41	Office	SA																
42	On-site Canteen	~																
43	Outdoor Display	~																
44	Reception Centre	~																
45	Restaurant (includes café)	SA																
46	Restricted Premises	~																
47	Shop	~																
48	Showroom	~																
49	Take-away Food Outlet	~																
50	Warehouse	~																
Health, Welfare & Community Services																		
51	Carpark	SA																
52	Child Care Service	~																
53	Community Use	SA ¹																
54	Consulting Rooms	SA																
55	Education Establishment	SA ¹																
56	Emergency Services	~																
57	Funeral Parlour	~																
58	Hospital	~																
59	Juvenile Detention Centre	~																
60	Medical Centre	~																
61	Nursing Home	~																
62	Place of Animal Care	~																
63	Place of Public Meeting, Assembly or Worship	~																

ZONING TABLE		West End Residential															
64	Prison	~															
65	Public Mall	~															
66	Public Utility	AA															
Entertainment, Recreation & Culture																	
67	Equestrian Centre	~															
68	Entertainment Venue	~															
69	Private Recreation	SA ¹															
70	Public Recreation	AA ¹															

The symbols used in the zoning table have the following meanings:

- P The development is permitted by the Scheme
- AA The development is not permitted unless the Council has granted planning approval
- SA The development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3
- IP The development is not permitted unless the use to which it is put is incidental to the predominant use as decided by Council
- ~ A development that is not permitted by the Scheme
- ¹ Notwithstanding anything contained in *Appendix 1 – Definitions*, no land use shall be approved within the West End Residential Zone that specifically caters for children or elderly persons.

4. Amending the Scheme Map accordingly.

Dated this 27th day of May 2009..

.....
Chief Executive Officer

AMENDMENT REPORT

1.0 INTRODUCTION

This report is prepared on behalf of Landcorp and the Town of Port Hedland to support an amendment to the *Town of Port Hedland Town Planning No. 5* (TPS 5), consistent with the recommendations of the *Town of Port Hedland Land Use Master Plan* (LUMP). The LUMP is the Town's adopted Local Planning Strategy and has been endorsed by the Western Australian Planning Commission (WAPC).

The purpose of the amendment is to create a new residential zone, the West End Residential Zone. The objectives of the new zone are to:

- Discourage the long-term residency by families with children or elderly persons;
- Add vibrancy to both the Subject Land and the nearby commercial area; and
- Maximise opportunities for workers in nearby employment nodes to reside close to work opportunities and commercial and entertainment facilities..

Anticipated land uses will be predominantly residential, mixed with appropriate commercial, health and community uses. All new residential development in this zone will meet a strict criterion that creates a built form designed to meet the objectives stated above.

The land subject to this proposal comprises all land currently zoned "Residential" in TPS 5 south of Sutherland Street and The Esplanade, north of Anderson Street, west of Taplin Street and east of Withnell Street (refer Figure 1).

In accordance with recommendations from the LUMP, it is also proposed as part of this amendment to rezone the "Residential" zoned land bounded by Withnell, McKay and Anderson Streets and The Esplanade from "Residential" to "Town Centre." It is acknowledged that these lots will therefore be excluded from the specific restrictions relating to residential development proposed by this amendment, however it is considered that Council's current approach to assessing residential development in the West End Town Centre will continue to be sufficient pending either a subsequent scheme amendment or more comprehensive scheme review.

2.0 LOCATION AND SITE DESCRIPTION

As indicated in Figure 1, the Subject Area comprises all land currently zoned "Residential" in TPS 5 west of Taplin Street. This land is split-coded with a base density of R12.5, and a maximum potential coding of either R30 or R50. TPS 5 section 6.2.5 regulates the application of the higher density of these split codes with the following clause:

6.2.5 Within the areas coded R12.5/30, 12.5/50 and R30/60, Council shall only approve development at the higher code if it is satisfied that:

- i) The particular site is suitable to accommodate on-site effluent disposal or a sewer line connected to a wastewater treatment plan which has approval of the Water Corporation; and*
- ii) The development is in accordance with any design guidelines adopted by Council; or*
- iii) In the absence of adopted guidelines, addresses the impact on adjoining development and the streetscape and amenity of the surrounding locality.*

The Subject Land is predominantly developed with single residential dwellings, with new development increasingly tending towards grouped dwellings. The higher density development is generally concentrated in the area west of the Port Hedland Hospital as this land is serviced by the Water Corporation reticulated sewer. The Town of Port Hedland has been advised that no reduced systems for onsite effluent disposal will be approved on lots with no reticulated sewerage, thereby significantly restricting the development potential of lots located between the hospital and Taplin Street. The Water Corporation has advised that planning is underway to construct this infrastructure, however no completion date is yet determined.

Housing stock in the Subject Area comprises a wide variety of age and quality with a small number of undeveloped lots. The age, condition and location of many of the extant dwellings makes this area highly suitable for urban renewal and it is anticipated that the additional certainty this amendment will make to the ongoing support for residential uses in the Subject Area will stimulate redevelopment.

The land generally comprises a ridgeline running parallel to the coast with a height of approximately 10 metres AHD and falling to the south. The land within the amendment area is generally identified in the LUMP as being above the 100 year flood level, with some exceptions along Hardie, Morgans and Anderson Streets.

3.0 LAND OWNERSHIP

The majority of the land affected by this proposed amendment is in private, freehold tenure. Precise details have not been determined, however it is understood that many residential lots are currently under the ownership of a number of corporate owners for the provision of workers' accommodation.

4.0 STRATEGIC PLANNING CONTEXT

The primary stimulus for this proposed amendment is the recommendations of the *Town of Port Hedland Land Use Master Plan* that discusses and addresses the issues to be resolved by this amendment under section 3.6 *West End/Cemetery Beach*.

The Town of Port Hedland adopted the LUMP as its local planning strategy at its Ordinary Meeting on 12 December 2007, with the document subsequently endorsed by the WAPC. This proposal is consistent with recommendations of the LUMP that are the result of extensive consultation with a wide stakeholder group.

Port Hedland is not subject to any region planning scheme or other wider strategy impacting the land uses considered under this proposal.

It is therefore proposed to adopt the following policy principles outlined in the *Land Use Master Plan*:

- The development of the *West End Residential Zone* that restricts the development of land uses specifically catering to young children and elderly persons(e.g. child care and aged care facilities);
- Residential density in the new zone to be set at a minimum of R30;
- The internal floor area of each dwelling to be a maximum of 110 m².
- A maximum of two (2) bedrooms or habitable rooms that could constitute a bedroom permitted per dwelling;
- Existing single dwellings to be permitted as an additional use where already existing and upon application by the landowner, but otherwise to be a prohibited use;

- Design Guidelines to be adopted for the new zone as a Local Planning Policy that addresses built form (height and bulk), noise and dust mitigation and other amenity issues;
- Prospective landowners being advised of potential health related issues via notification on each land title.

5.0 EXISTING DEVELOPMENT

5.1 Subject Area

As noted earlier, the Subject Area is developed predominantly with low density residential dwellings on green title lots. Where reticulated sewerage is available, some lots are being redeveloped with grouped dwellings at higher densities.

The street grid provides a significant number of lots with dual frontages that will facilitate higher density development. Many of the road reserves, particularly west of the hospital, are extremely wide and may be investigated for partial road closure and amalgamation into adjoining lots, thereby increasing development potential. The Crown land rationalisation report being prepared by RPS Koltasz Smith is anticipated to inform discussion on this opportunity.

As a significant number of lots within the Subject Area already contain single dwellings that landowners may seek to retain rather than redevelop, it is proposed that all affected landowners be invited to include lots with single dwellings in TPS 5 Appendix 2 – Additional Development and Uses. Being listed in this appendix will ensure these dwellings do not become non-conforming uses under the Scheme, thereby avoiding financial and other implications associated with a non-conforming use, prevalent particularly in a cyclone-risk area.

5.2 Surrounding Development

Adjoining the Subject Area to the west is the existing Port Hedland Town Centre, comprising a mix of commercial, entertainment, recreation, health and residential development. One of the stated aims of this rezoning is to add vibrancy to this hub by increasing the residential catchment for existing businesses, thereby promoting new development in the town centre.

South of the Subject Area, land is used for a variety of industrial uses. West of the hospital, this land is used predominantly for light and general industry, with the land south of Wilson Street comprising the major facilities of the Port Hedland Port Authority and BHP Billiton.

The Spoilbank dominates the land north of the Subject Area, with this feature combining with the foreshore reserve to provide a major recreational area. The LUMP has identified this area as requiring additional detailed planning to further develop this recreational potential in synergy with the residential and other land uses through the West End and Cemetery Beach area.

Central to the proposed West End Residential Zone is the Port Hedland Hospital and adjacent vacant tourist site. It is anticipated both in the LUMP and TPS 5 that these land parcels will be developed with a mix of tourist and residential uses that will provide facilities for future residents in the West End Residential Zone and drawing additional commercial catchment from these additional residents.

Directly east of the Subject Area the land is zoned for and developed with a mix of residential, tourist, community and commercial uses.

In addition to the development and adoption of a local planning policy, the LUMP recommends the development and implementation of design guidelines to further detail developer requirements. Notwithstanding this recommendation, as the *Town of Port Hedland Town Planning Scheme No. 5* currently makes no provision for the adoption of Design Guidelines these would have no statutory authority and therefore may be difficult to enforce or defend in an appeal. It is recommended the additional detail envisioned for the Guidelines be incorporated into a single policy document for ease of administration and clarity for developers. These guidelines will either be incorporated into the Local Planning Policy section of the Local Planning Scheme or incorporated as a separate Planning Policy.

6.0 PROPOSED SCHEME AMENDMENT

It is proposed that the principles presented in the LUMP and summarised in section 4.0 of this report be translated into a statutory framework through the following amendments to the *Town of Port Hedland Town Planning Scheme No. 5*:

1. All land within the Study Area currently zoned "Residential" to be rezoned "West End Residential Zone", excepting that land west of Withnell Street that is to be rezoned "Town Centre."

As noted earlier, it is anticipated that the residential development currently permitted in the Town Centre zone be assessed and further regulated in a manner similar to the West End Residential Zone via a subsequent scheme amendment or comprehensive review.

2. The new zone to be listed and referenced as a residential category under Part III of TPS 5

In drafting the provisions to be included in this section, it is recommended that a clause be included placing restrictions on the size of freehold subdivision in the West End Residential Zone. This clause shall prevent the creation of lots of an insufficient size to develop either grouped dwellings or mixed use commercial/residential. This clause would ensure that no lots are inadvertently created that would then only be suitable for development of single dwellings as these are to be prohibited in this zone.

The new zone is to be listed at section 6.3 of TPS 5 with appropriate text establishing the intended uses and restrictions of this zone. All subsequent sections will be renumbered accordingly.

3. The new zone is to be included in the zoning table with land use permissibility similar to that in the Residential Zone with the following variations:

Residential Uses

- a) "Aged or Dependent Persons," "Ancillary Accommodation" and "Single House" all listed as prohibited uses.

Establishing single dwellings as a prohibited use is the most likely of these amendment provisions to prove controversial, particularly with regard to the insurance and other financial implications for existing landowners who intend to retain existing single dwellings. To protect these interests while maintaining the integrity of this amendment, it is recommended that those landowners with existing single dwellings in the West End Residential Zone be invited to register the additional use of "Single House" in TPS 5 Appendix 2. When these lots are redeveloped for other uses, the listing could then be deleted through omnibus scheme amendments when available.

- b) "Caretaker's Dwelling" listed as an "AA" use.

Caretaker's dwellings are currently restricted in size under existing TPS 5 provisions, including a maximum floorspace of 50 m². It is not considered necessary to advertise any proposal for a caretaker's dwelling in a residential zone as this use is unlikely to contribute to any significant detrimental impact on local amenity.

- c) "Holiday Accommodation," "Hotel" and "Motel" all permitted as an "SA" use:

While not appropriate in most residential areas, it is considered appropriate that a variety of short-term accommodation options be promoted in this area. It is acknowledged that these uses may attract families with children or elderly persons, however the short length of stay remains compatible with the recommendations from the Department of Health regarding land use in this area. Consideration shall also be made during any planning assessment to ensure that new accommodation uses shall not specifically cater to children or elderly persons.

- d) "Grouped Dwelling" and "Multiple Dwelling" listed as "AA" uses;

Grouped and multiple dwellings are both considered desirable accommodations styles, particularly when configured as mixed use developments. Grouped dwellings are listed as an "AA" instead of a "P" use due to the additional size and bedroom number constraints imposed on these dwellings in the West End Residential Zone that are to be assessed by Council or under delegated authority to ensure compliance with Council policy.

Multiple dwellings are listed as "AA" uses instead of "SA" as in a Residential Zone as it is considered unnecessary for Council to advertise such a proposed development given the particular character proposed for the West End Residential Zone.

Industry and Commerce Uses

Industrial and commercial uses considered likely to have significant and detrimental off-site amenity impacts, i.e. noise and other emissions are to be prohibited in a similar manner to that adopted in the existing Residential Zone.

The West End Residential Zone is to retain a predominantly residential character and it is recommended that land uses with the potential for off-site emissions be restricted in the same manner as in the Residential Zone. The proposed zoning table is therefore identical to the existing Residential zone apart from the inclusion of "Market" as an "SA" rather than a prohibited use as this is a use potentially compatible with the general intent of the zone..

The ability for Council to consider and approve shops and markets in this area is considered appropriate as these uses, while generally inappropriate in a normal Residential Zone, are compatible with the LUMP goals for the area of supporting the adjacent Town Centre and Tourist Zones, while creating an environment more attractive to short-term than permanent residential uses due to the development of additional activity generators.

Health, Welfare & Community Services

The land uses in this category are to be permitted in a similar manner as in the Residential Zone, with the following modifications:

- a) "Carpark," and "Education Establishment" listed as "SA" uses:

These uses may be considered appropriate in the West End Residential Zone for the following reasons:

- The development of additional car parking facilities may be necessary due to additional demand resulting from the increased activity generated in this and adjacent zones;

- The nature of Port Hedland as a mining town with a relatively fluid workforce requires a significant number of education facilities to meet site induction and other short-term education needs. As these institutions tend to provide only short educational courses specifically catered to industry requirements, it is not considered inappropriate to locate some of these institutions close to the residential areas servicing potential customers.
- e) "Child Care Service," "Nursing Home" and "Place of Public Meeting, Assembly or Worship" listed as prohibited uses;

Children and elderly persons are both identified as at-risk populations by the Department of Health and EPA and it is therefore recommended that each be prohibited in the Subject Area.

In their primary role, places of public meeting, assembly or worship do not specifically attract identified at-risk groups and it is their ancillary functions that result in their recommended exclusion from the Subject Area. Buildings used for public meetings generally also provide such services as child-minding or crèche and it is this use that conflicts with the LUMP recommendations. It is acknowledged that Council could attempt to control such uses through conditional planning approvals, however such conditions would be difficult to enforce, leading to the undermining of the general principles established for the Study Area and therefore these uses are recommended to be excluded from the Study Area.

In addition to these modifications, the uses "Community Use" and "Education Establishment" are annotated with the following footnote:

Notwithstanding anything contained in Appendix 1 – Definitions, no land use shall be approved within the West End Residential Zone that is intended specifically or primarily by children or elderly persons.

Entertainment, Recreation & Culture

This land use class is identical to that of the Residential Zone with the addition of a similar footnote to the uses "Private Recreation," and "Public Recreation" as listed above.

4. That the internal floor space restriction of 110 m² recommended in the LUMP be defined in TPS 5 as "Plot Ratio Area" as defined in the *Residential Design Codes of Western Australian 2008*.

It is acknowledged that the LUMP refers to "internal floor area," however, in converting this policy recommendation into a statutory framework, it is recommended that the clearly defined and accepted definition established in the *R Codes* be included rather than creating a new technical definition for "internal floor space." Adopting this definition meets the intent of the LUMP recommendation, while providing a clear and established definition for developers and Council.

6.1 Local Planning Policy

As noted in the introduction to this Strategy, the *Land Use Master Plan* recommends the use of both a Local Planning Policy and Design Guidelines to provide the detailed planning assessment tools required for any new development in the Study Area. The LUMP anticipates that the Policy will address dust, noise and amenity issues, and that the Guidelines will add further detailed consideration of dust and noise mitigation and amenity issues.

Part V of the *Town of Port Hedland Town Planning Scheme No. 5* establishes the method for adopting Local Planning Policies and describes its relationship to the Scheme. It is not proposed to amend these provisions through this process.

A local planning policy is a document that provides guidance to both developers in preparing, and Council in assessing applications for planning approval. Notwithstanding its lack of statutory authority, an appropriately drafted and consistently applied local planning policy will provide a robust planning instrument that resists challenge to core principles.

In accordance with the *LUMP* recommendation, it is proposed that the *West End Residential Local Planning Policy* adopt an acceptable development/performance criteria format similar to the R Codes. This approach is recommended as it will encourage developers to develop innovative projects and giving Council the ability to consider these proposals in a manner consistent with the overall policy principles. It is recommended that this local planning policy address the following matters:

1. Guidance on the development of the following land uses to ensure adequate protection of residential amenity:
 - Market
 - Shop
 - Carpark
 - Emergency Service
 - Public Mall
 - Entertainment Venue
2. Provide guidance on subdivision, e.g. minimum lot sizes.
3. Establish acceptable built form standards, including colour palates, roof pitch, external building materials and cladding.
4. Acceptable landscaping and fencing standards.
5. Mitigating dust impacts through the hermetically sealing of building openings and appropriate air filtering for air conditioners.
6. The location of clothes-drying areas.
7. Reducing the minimum private open space requirement.

It is recommend that the design guideline component of the *West End Residential Local Planning Policy* be incorporated as a discrete section to the Policy and be structured in such a manner that it provides further design guidance on matters addressed in the Policy body.

It is anticipated that additional work currently in progress by the Urban Design Centre, RPS Koltasz Smith and Whelans Town Planners specifically relating to development in the Subject Area will inform the detail of these guidelines with respect to matters such as detailed amenity issues (e.g. colour palettes, roof pitches, wall cladding) and dust and noise mitigation measures.

The West End Residential Local Planning Policy is being progressed as a matter of priority to coincide with final gazettal of this amendment in order to guide Council in its decision making and provide developers with greater certainty of Council's desired form of development for the Subject Area.

7.0 CONCLUSION

It is anticipated that, at the completion of this process, the long-term planning goals for this area already agreed by relevant stakeholders will be translated into a statutory and policy framework that provides clear and unambiguous guidance to all decision-makers responsible for this land in a variety of roles. The certainty provided by this process by local and state government will then provide developers, landowners and occupiers (both residential and non-residential) with the confidence to commit to the redevelopment of this precinct.

This strategy provides the first stage in addressing the comprehensive planning required for the Study Area. In addressing the affected residential-zoned land, this amendment and subordinate planning documents aims to set a sustainable development standard that achieves the multiple goals for the West End as stated in the *Land Use Master Plan*, namely to produce a vibrant community that is sensitive to the adjacent industry and port activities.

It is anticipated that at the completion of this strategy, the final form of the Scheme Amendment and Local Planning Policy will provide a framework for further amendments to address residential development in other zones in the West End, thereby guiding new development in the existing town centre and tourist zones.

PLANNING AND DEVELOPMENT ACT 2005

**Town of Port Hedland
Local Planning Scheme No. 5
Amendment No. 22**

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:

8. Rezoning the land bounded by Anderson, Withnell, Sutherland and Taplin Streets, and The Esplanade, Port Hedland currently zoned "Residential" to "West End Residential" with an applied density code of "Minimum R30" as depicted on the amendment map;
9. Rezoning the land bounded by Withnell, McKay and Anderson Streets, and The Esplanade, Port Hedland from "Residential" to "Town Centre" as depicted on the amendment map;
10. Amending the Scheme text by:
 - i) Inserting section "3.1 (a) iv. West End Residential"
 - ii) Inserting as section 6.6:
 - 6.6.1 The purpose of the West End Residential Zone is to establish a predominantly residential zone in which dwellings are designed and constructed in such a way as to be unsuitable for occupation by families with children or by elderly persons.
 - 6.6.2 Development within the West End Residential Zone shall be in accordance with any local planning policy, development plan or design guideline adopted by Council for this zone.
 - 6.6.3 Notwithstanding anything contained within the Residential Design Codes, all residential development in the West End Residential Zone shall comply with the following:
 - 6.6.3.1 The maximum plot ratio for all dwellings is 110 m²
 - 6.6.3.2 No dwelling shall have greater than two (2) bedrooms or rooms capable of being used as bedrooms
 - 6.6.4 Council shall only support the subdivision of land in the West End Residential Zone where new lots are designed to accommodate the construction of grouped dwellings.
 - 6.6.5 The West End Residential Zone has no prescribed maximum residential density. The R30 minimum density coding is prescribed to ensure efficient use of available land and prevent the development of additional single dwellings within this zone.
 - 6.6.6 When considering an application for planning approval for any development containing residential development, Council shall consider impact on streetscape, building setbacks from the boundary, open space and outdoor living provision, car parking provision and any other matter it deems appropriate prior to determining the application.
 - 6.6.7 Council shall require as a condition of any planning approval granted for land in the West End Residential Zone that the following notice be attached to all relevant Certificates of Title
 - 6.6.8 Where any lot is listed in Appendix 2 – Additional Development and uses with the additional use of "Single Dwelling," clause 6.6.3 shall not apply.
 - iii) Renumbering the succeeding sections accordingly;
 - iv) Inserting the following column in the Zoning Table:

Town of Port Hedland TPS 5
Zoning Table

ZONING TABLE		West End Residential																	
Residential																			
1	Aged or Dependent Persons Dwelling	~																	
2	Ancillary Accommodation	~																	
3	Caretaker's Dwelling	AA																	
4	Grouped Dwelling	AA																	
5	Holiday Accommodation	SA																	
6	Home Occupation	AA																	
7	Hotel	SA																	
8	Motel	SA																	
9	Movable Dwelling	~																	
10	Multiple Dwelling	AA																	
11	Residential Building	AA																	
12	Rural Settlement	~																	
13	Single House	~																	
14	Transient Workforce Accommodation	SA																	
Industry																			
15	Abattoir	~																	
16	Agriculture	~																	
17	Arts and Crafts Centre	SA																	
18	Intensive Agriculture	~																	
19	Harbour Installation	~																	
20	Hire Service (Industrial)	~																	
21	Industry – Cottage	SA																	
22	Industry – Extractive	~																	
23	Industry – General	~																	
24	Industry – Light	~																	
25	Industry – Noxious	~																	

ZONING TABLE		West End Residential																
26	Industry – Rural	~																
27	Industry – Service	~																
28	Industry – Resource Processing	~																
29	Infrastructure	AA																
30	Stockyard	~																
31	Storage Facility/Depot/Laydown Area	~																
Commerce																		
32	Aerodrome	~																
33	Display Home Centre	SA																
34	Dry Cleaning	~																
35	Market	SA																
36	Motor Vehicle and/or Marine Repair	~																
37	Motor Vehicle and/or Marine Sales or Hire	~																
38	Motor Vehicle and/or Marine Service Station	~																
39	Motor Vehicle and/or Marine Wrecking	~																
40	Motor Vehicle Wash	~																
41	Office	SA																
42	On-site Canteen	~																
43	Outdoor Display	~																
44	Reception Centre	~																
45	Restaurant (includes café)	SA																
46	Restricted Premises	~																
47	Shop	~																
48	Showroom	~																
49	Take-away Food Outlet	~																
50	Warehouse	~																
Health, Welfare & Community Services																		
51	Carpark	SA																

ZONING TABLE		West End Residential															
52	Child Care Service	~															
53	Community Use	SA ¹															
54	Consulting Rooms	SA															
55	Education Establishment	SA ¹															
56	Emergency Services	~															
57	Funeral Parlour	~															
58	Hospital	~															
59	Juvenile Detention Centre	~															
60	Medical Centre	~															
61	Nursing Home	~															
62	Place of Animal Care	~															
63	Place of Public Meeting, Assembly or Worship	~															
64	Prison	~															
65	Public Mall	~															
66	Public Utility	AA															
Entertainment, Recreation & Culture																	
67	Equestrian Centre	~															
68	Entertainment Venue	~															
69	Private Recreation	SA ¹															
70	Public Recreation	AA ¹															

ZONING TABLE		West End Residential																
52	Child Care Service	~																
53	Community Use	SA ¹																
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62	Place of Animal Care	~																
63	Place of Public Meeting, Assembly or Worship	~																
64	Prison	~																
65	Public Mall	~																
66	Public Utility	AA																
Entertainment, Recreation & Culture																		
67	Equestrian Centre	~																
68	Entertainment Venue	~																
69	Private Recreation	SA ¹																
70	Public Recreation	AA ¹																

The symbols used in the zoning table have the following meanings:

- P The development is permitted by the Scheme
- AA The development is not permitted unless the Council has granted planning approval
- SA The development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3
- IP The development is not permitted unless the use to which it is put is incidental to the predominant use as decided by Council

~ A development that is not permitted by the Scheme

¹ Notwithstanding anything contained in *Appendix 1 – Definitions*, no land use shall be approved within the West End Residential Zone that is intended for use either exclusively or primarily by children or elderly persons.

4. Amending the Scheme Map accordingly.

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 2009.

.....
Mayor

.....
Chief Executive Officer

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 2009 and the Common Seal of the Town was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
Mayor

.....
Chief Executive Officer

Recommended/Submitted for Final Approval

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

.....
Date

Final Approval Granted

.....
Minister for Planning

.....
Date

6.1.1.2 *Holiday Accommodation – Redevelopment of Existing Holiday Accommodation Facility - Lots 2 & 3 Great Northern Highway, Port Hedland (File No.: 119200G)*

Officer Luke Cervi
Planning Officer

Application No 2009/258

Date of Report 15 June 2009

Disclosure of Interest by Officer Nil

Summary

An application has been received for the redevelopment of the Port Hedland Caravan Park. The redevelopment will maintain caravan, camping, and apartment facilities in a reconfigured form where the sites/rooms available for separate occupation will increase from 267 to 277.

Additionally, as a result of the recent fire that destroyed the BP service station on the site, it is proposed to locate a number of temporary buildings on the site and within the adjacent road reserve to enable the interim operation of the service station.

The application is considered to be of interest to the Council and has been referred for a determination.

Background

Council received an application for the redevelopment of the existing Holiday Accommodation facility (known as Port Hedland Caravan Park) on 13 May 2009. The proposed redevelopment consists of:

1. Re-organisation of the existing “Port Hedland Caravan Park” into:
 - a. “Port Tourist Park” – consisting of caravan and camping accommodation.
 - b. “Port Village” – Apartments and low cost accommodation retention.
2. Upgrading the communal services and amenities as follows:
 - a. Create central green space for social interaction, amenity and recreation.
 - b. Refurbish existing ablutions and laundry.
 - c. New commercial building (identified as kitchen/café on plans) incorporating a restaurant, internet café and newsagency.

- d. New recreation building and bbq facility.
- 3 Accommodation upgrade
"Port Village"
 - i. Refurbishment of 24 existing apartments
 - ii. 44 new apartments (6 apartment blocks containing 40 one bedroom apartments and 4 two bedroom apartments).
 - iii. 8 room staff accommodation (incorporated into Office building).

Essentially the application seeks to separate the Holiday Accommodation into "Port Tourist Park" which will provide for genuine short term accommodation and "Port Village" which will provide for long term accommodation.

The capacity of the Holiday Accommodation facility will increase from 267 sites/rooms for separate occupation to 277. The number and quality of permanent structures will be increased through refurbishment of existing permanent structures and construction of new apartments.

On the 17th June additional plans were provided for temporary transportable buildings on the site and within the adjacent road reserve for the interim operation of the service station. It is expected that a planning permit application will be submitted in the near future in relation to the redevelopment of the service station with an expected timeframe of 12 months for completion of works.

Consultation

The application has been referred internally to the Engineering, Building and Health Departments and externally to Main Roads and Tourism WA.

Building Department

No objection. Building licence required and will need to comply with Caravan Park & Camping Grounds Act 1995 and regulations.

Health Department

No objection. Conditions to be imposed including requirements for effluent disposal as well as numerous advice notes outlining additional requirements regulated by the Health Department.

Engineering Department

No objection. Require further detail in regard to dimensions and design of accessways, parking, stormwater, etc. Also provided comment in response to items raised by Main Roads (see officer comment).

Tourism WA

Acknowledged the upgrade and provision of new facilities. Recommended that the permanent and short term sites be separated including facilities such as ablutions and bbq areas.

Main Roads

Whilst not objecting to the proposal, Main Roads did identify a number of areas of concern. They are summarised as follows:

1. "Port Village" is very similar to "Porthaven Village" which is being constructed in close proximity, this may cause confusion to road users potentially resulting in dangerous traffic situations.
2. Lack of parking and vehicle maneuvering areas in vicinity of new office. This may lead to some users parking in the adjacent road reserve which is not supported by Main Roads. In addition, it is expected that the Town of Port Hedland would implement and police appropriate restrictions if approved.
3. How are service/delivery vehicles to be accommodated? It is understood that semi trailer sized vehicles currently service/deliver to the site.
4. The proposed access point utilises the existing access point to the Great Northern Highway in the vicinity of the truck stop. Although this location has been improved in recent years, there is still strong conflict between heavy and light vehicles at the access point to the Great Northern Highway. Recommended that serious consideration be given to utilising Stirrup Iron Street as the main access to the development.
5. Concerns regarding the accessibility and maneuverability of larger vehicles such as those towing caravans on site.
6. Would like to see a traffic report identifying such things as anticipated vehicle movements to and from the site and peak times.

In relation to the proposed temporary transportable buildings on the road reserve, informal discussions with Main Roads has identified that this would not be supported.

Statutory Implications

In accordance with the Planning and Development Act 2005, the proposed development is subject to the provisions of the Town Planning Scheme TPS 5.

The Town Planning Scheme TPS 5 identifies the land as being within a Tourism Zone. Holiday Accommodation is an AA use in the Tourism Zone, being a use that is not permitted unless the Council has granted planning approval.

Policy Implications

Nil

Strategic Planning Implications

The following section of the Plan for the Future is considered relevant to the proposal:

Key Result Area 4 – Economic Development

Goal 1 – Tourism

Strategy 4 – Identify sites for the development of new caravan park/eco tourism facilities (both permanent and temporary). Implement key priority projects.

Budget Implications

An application fee of \$11,400.00 was paid on lodgment and deposited into account 1006326 – Town Planning Fees.

Officer's Comment

The application requires a planning permit for the development and building works only as the Use of the site for Holiday Accommodation is existing.

The major issues requiring consideration are as follows:

1. Car Parking
2. Vehicle maneuverability and traffic flow
3. Access to the site
4. Incidental/ancillary uses

Car Parking Calculations

- Applicant's Calculations

Use	Quantity	Bays required	Comment
Caravan sites and camping sites	105	-	No specific requirement other than minimum size of caravan bay and that houses vehicle as well.
Accommodation unit rooms	162	213	1 bay per accommodation unit (162), 1 visitor bay per 5 accommodation units for

			visitors (35) and 1 bay per employee (16).
Restaurant/café	100 seats	25	1 bay per 4 seats
Total Required		238	
Total Provided		188	
Shortfall		50	

- Officer's Calculations

Use	Quantity	Bays required	Comment
Caravan sites and camping sites	102	20	Holiday accommodation requirements used.
Accommodation unit rooms	175	226	1 bay per accommodation unit (175), 1 visitor bay per 5 accommodation units for visitors (35) and 1 bay per employee (16).
Backpacker	8 beds	4	Residential Building requirements used.
Restaurant/café	192 seats	48	Floor plan shows 192 seats
Total Required		298	
Total Provided		188	
Shortfall		110	

General Carparking Comments

The applicant advised that as 'Caravan Park' was not defined within the planning scheme that there was no specific requirements for car parking. However, it is considered that the caravan and camping sites fit under the definition of Holiday Accommodation (under appendix 7 of TPS 5) which requires 1 bay for every accommodation unit, 1 bay for every 5 units for visitors, and 1 bay for every staff member present at one time.

It is considered appropriate to consider each site in the context of a unit (i.e. 1 bay required) and the assessing officer is satisfied that one space can be provided on each site and a condition could also be used to ensure this. However, visitor parking is not addressed. Under the TPS 5 requirements, 20 visitor spaces are required. Due to the permanent nature of many of these sites, it is considered reasonable that visitors will need to be catered for. Additionally it has been observed that some sites have more than one vehicle.

The facility figures (quantity in above table) provided by the applicant vary from those identified on the Master Building Reference Plan and Restaurant/Cafe Floor Plan.

Under the Master Building Reference Plan, the accommodation type is listed in the accommodation schedule. I have made the officer's calculation based on the Master Building Reference Plan and Restaurant/Café Floor Plan.

Carparking Shortfall Comments

The applicant has acknowledged a shortfall of 50 spaces and is seeking a cash in lieu contribution. The applicant contends that 60 spaces (visitor and restaurant parking) in practicality are not likely to be required as these facilities are targeted at park guests only. Public traffic is expected to be captured by the truck stop in accordance with existing provisions.

It is considered reasonable that the restaurant/café parking requirements could be waived subject to conditions that the restaurant/café only being available to park guests and not the general public. However, a shortfall of 62 spaces would still exist. Cash in lieu of parking is considered inappropriate due to the concerns raised by Main Roads (i.e potential for parking in the road reserve) and the generally inability for Council to provide appropriate public parking in close proximity. It may be possible to provide for parking on the airport land however, a safe pedestrian access across the Great Northern Highway would be required and the impacts on future development of the Airport would need to be considered.

Car parking facilities are currently provided for by the size of each caravan/camping site which provides for one parking space in an informal way. However, parking has become a problem as the holiday accommodation has shifted from short term to predominately permanent residents. Vehicles are parked along the internal roads or encroach onto the road from the caravan site.

Although the proposal will only result in a minimal increase to the occupation capacity, it will significantly alter the traffic flow and maneuverability by altering internal roads. As these internal roads are currently utilised for parking albeit in an informal manner, parking will also be significantly affected. The only other parking currently available in the vicinity is at the adjoining Walkabout Hotel. It should be noted that a significant relaxation was granted for this development. Main Roads WA have identified issues with parking in the Great Northern Highway road reserve and this is not supported. The applicant has advised that they are in discussions to obtain Lot 5169 (UCL) at the rear of the site. Although not discussed with the applicant, assuming Lot 5169 is obtained, it could be used for the parking shortfall.

Vehicle Maneuverability And Traffic Flow Comments

The maneuverability and flow of traffic at the site has also been questioned by Main Roads. A site inspection revealed that some internal roads within the park are narrow and inappropriate for two way traffic and limited turning opportunities exist. The problem is exasperated by the encroachment of vehicles parked within the trafficable area of road.

Access to the Site Comments

The existing access to the site has and continues to contribute to the general confusion surrounding access to and from the Caravan Park and Truck Stop. A condition is recommended requiring all access to the Holiday Accommodation be via Stirrup Iron Street and the existing access be appropriately fenced to prevent access to the Holiday Accommodation on the site. This will enable the existing access to continue to operate in conjunction with the truck stop in a temporary manner until such time as the redevelopment is submitted for consideration.

Incidental/Ancillary Uses Comments

The proposed restaurant/café is intended predominately for Holiday Accommodation guests. TPS 5 identifies restaurant (including café) as a separate use however, due to the proposed use being for the holiday Accommodation guests, it is appropriate to consider it as incidental to the holiday accommodation use. It is recommended that a condition be imposed that restricts the facility to guests of the holiday accommodation facility.

Concluding Comments

The applicant has acknowledged the problems associated with carparking and vehicle maneuverability but has requested that the application be approved subject to a Traffic Management Plan. Whilst this can be considered, Council needs to carefully consider the issues identified above. The current situation is considered unacceptable and there are real concerns regarding the ability of the developer to address the issues on the proposed development site.

Temporary Transportable Buildings Comments

It is considered inappropriate to address this matter as part of this planning application. The information provided at this point is insufficient (e.g. Main Roads consent as the owner has not been obtained) and there has not been enough time to do formal referrals. Informal discussions with Main Roads suggest that the buildings proposed within the Road Reserve will not be supported.

This equates to 5 of the proposed 7 buildings unlikely to gain support.

It is recommended that a separate planning application be submitted. Council officer's could determine the application under existing delegations and it would enable officer's to meet with the applicant and other parties to discuss potential locations of the required buildings and achieve the best interim outcome for all parties.

Options

Council has the following options for dealing with the application:

1. Approve the application with or without conditions
2. Refuse the application

It has been recommended that the application be approved subject to conditions. It should be noted that a number of the conditions are required to be fulfilled prior to works commencing. There are concerns that the fulfillment of a condition relating to a Traffic Management Plan may not be achievable to an acceptable level within the boundaries of the proposed site.

Attachments

1. Site plans of holiday accommodation.
2. Floor and elevation plans of new buildings.
3. Site plan of proposed temporary buildings for interim operation of the service station.

200809/403 Council Decision/Officer's Recommendation

Moved: Cr K A Howlett

Seconded: Cr A A Carter

That Council:

- i. APPROVES the Planning Application for Holiday Accommodation – Redevelopment of existing Holiday Accommodation, at Lots 2 & 3 Great Northern Highway, Port Hedland subject to the following conditions:
 1. **This approval relates only to the proposed Holiday Accommodation – Redevelopment of existing Holiday Accommodation and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.**

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

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

3. Prior to the commencement of any works, a Traffic Management Plan must be submitted to and approved by the Manager Planning. The Traffic Management Plan must provide comment / justification / explanation / agreement as a minimum on the following issues:

- i. Vehicle maneuverability and traffic flow:
 - a. Access to the Great Northern Highway via Stirrup Iron Street to the satisfaction of Main Roads WA.
 - b. Feasibility assessment of closing or restricting access to the Holiday Accommodation from the Great Northern Highway through the Truck Stop.
 - c. Internal roads with dimensions suitable for anticipated vehicle usage (including service vehicles). This is to include provisions for the turning of vehicles towing a caravan where dead end roads are proposed/existing.
 - d. Interaction/separation of traffic accessing the ‘Port Tourist Park’ and ‘Port Village’
 - e. Traffic flow details including any existing or proposed traffic calming devices.
 - f. Anticipated vehicle movements including daily movements and peak period movements.
 - g. Reconsideration of the name ‘Port Village’ having regard to the existing ‘Porthaven Village’ located in close proximity to the site.

- ii. Carparking:
 - a. The provision of 298 carparking spaces and sufficient oversized vehicle bays to accommodate such vehicles.
 - b. Location of all carparking spaces to be within acceptable vicinity of the use creating demand for that space.
 - c. How carparking associated with each use is to be policed to ensure spaces remain available for that use (i.e accommodation unit parking and visitor parking spaces).
 - d. Carparking spaces designed in accordance with Appendix 8 of Town Planning Scheme 5.
- 4. **The implementation of any recommendation of the Traffic Management Plan and/or advice from the Town as a result of the assessment of the Traffic Management Plan to the satisfaction of the Manager Planning.**
- 5. **Prior to the commencement of works, a report by an appropriately qualified person showing that the anticipated load from the development will not compromise existing effluent disposal must be provided or appropriate upgrade works undertaken in accordance with relevant standards to the satisfaction of the Manager Planning.**
- 6. **Prior to the submission of a Building Licence, a detailed landscaping plan for the development site and the adjoining road verge(s) shall 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.**
- 7. **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**
- 8. **The restaurant/cafe may only be used in conjunction with the Holiday Accommodation and must not be made available to the general public.**

9. Any roof mounted or freestanding plant or equipment such as air conditioning units to be located and/or screened so as not to be visible from beyond the boundaries of the development site.
10. Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of the Manager Planning.
11. Prior to the determination of further planning applications, an overall concept plan at the development site and/or any surrounding land or adjoining development site, shall be submitted to the Town.

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. In regard to condition 3, this condition has been imposed to ensure that the vehicular use of the site is designed in a manner appropriate to the proposed use. You are advised that significant issues and concerns have been raised by Main Roads WA and Council. The resolution of these issues and concerns may not be achievable within the boundaries of the present development site and may require the applicant to:
 - i. Obtain adjoining lands
 - ii. Provide a monetary contribution for the upgrade of public roads and/or parking in the vicinity of the development site.

All negotiations with respect to this condition will have regard to the provisions of Section 6.13 of the Town Planning Scheme 5. All negotiations and any resulting agreement will involve and be to the satisfaction of the Director of Regulatory & Community Services.
3. In regard to condition 3.i.d., dependant on the findings of the Traffic Management Plan, relocation of the 'Port Tourist Park' may be required.

4. In regard to condition 11, the concept plan is required due to the strategic significance of the site and to enable Council to make informed decisions that do not compromise the ultimate development of the site or surrounding land.
 5. The applicant is advised that the construction and use of the proposed premises is required to comply with the Health (Food Hygiene) Regulations 1993.
 6. Dining rooms to comply with Health (Public Buildings) Regulation 1992.
 7. Be advised that it is a requirement under the Health (Swimming Pool) Regulations 1964 that all public swimming pools be approved by the Health Department of Western Australia and Town's Environmental Health Services prior to use.
 8. Compliance to and approvals required to Caravan Park and Camping Grounds Act 1995 and Regulations.
 9. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year Annual Recurrence Interval cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
 10. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
- ii) Advise the applicant that:
- a) The temporary buildings proposed for the interim operation of the service station will require a separate planning application.

- b) The Director of Regulatory & Community Services has delegation to determine any planning application outlined in a) above.**
- c) It is recommended that pre application discussions are had with planning staff prior to the submission of any application.**

CARRIED 6/0

ATTACHMENT 1.1 TO AGENDA ITEM 6.1.1.2



ATTACHMENT 1.2 TO AGENDA ITEM 6.1.1.2

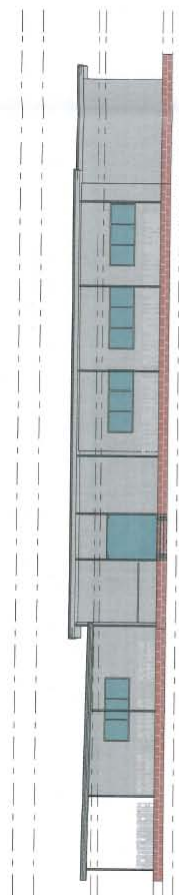
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ACCOMM TYPE	Code	DESCRIPTION	SITES/ BUILDINGS/ ROOMS	TOTAL
A	VA HA	19-21m single bed ensuited apartments	18	72
B	VA HA	42m double bed ensuited apartment	1	4
C	PC	Powered caravan site	82	-
D	UC	Unpowered camping site	10	-
E	BU	Backpacker single dormitory style bed	1	-
F	GC	General chalet single bed non ensuited room	40	81
G	GC	General chalet single bed ensuited room	8	16



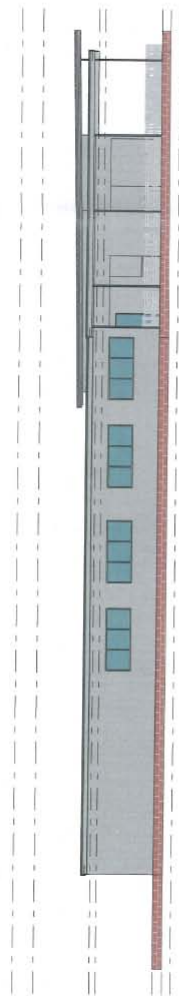
Carparking Schedule		
Type	Size	No off
90°	3m x 5.4m	163
45°	3m x 5.3m	25
Total		188



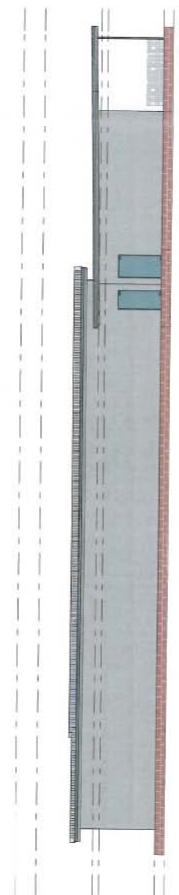
ATTACHMENT 2 TO AGENDA ITEM 6.1.1.2



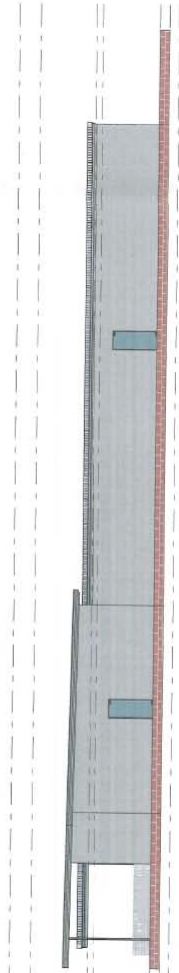
Elevation 1
scale 1:200



Elevation 2
scale 1:200



Elevation 3
scale 1:200



Elevation 4
scale 1:200

REV	DATE	DESCRIPTION
06.05.09	ISSUED FOR APPROVAL	

Project: Port Village Stage 1
 Lots 2 & 3, Great Northern Highway,
 Port Adelaide
 Client: Centaury Property Group

Drawing Title: Port Village Accommodation Pty Ltd
 Kitchen Door Elevations

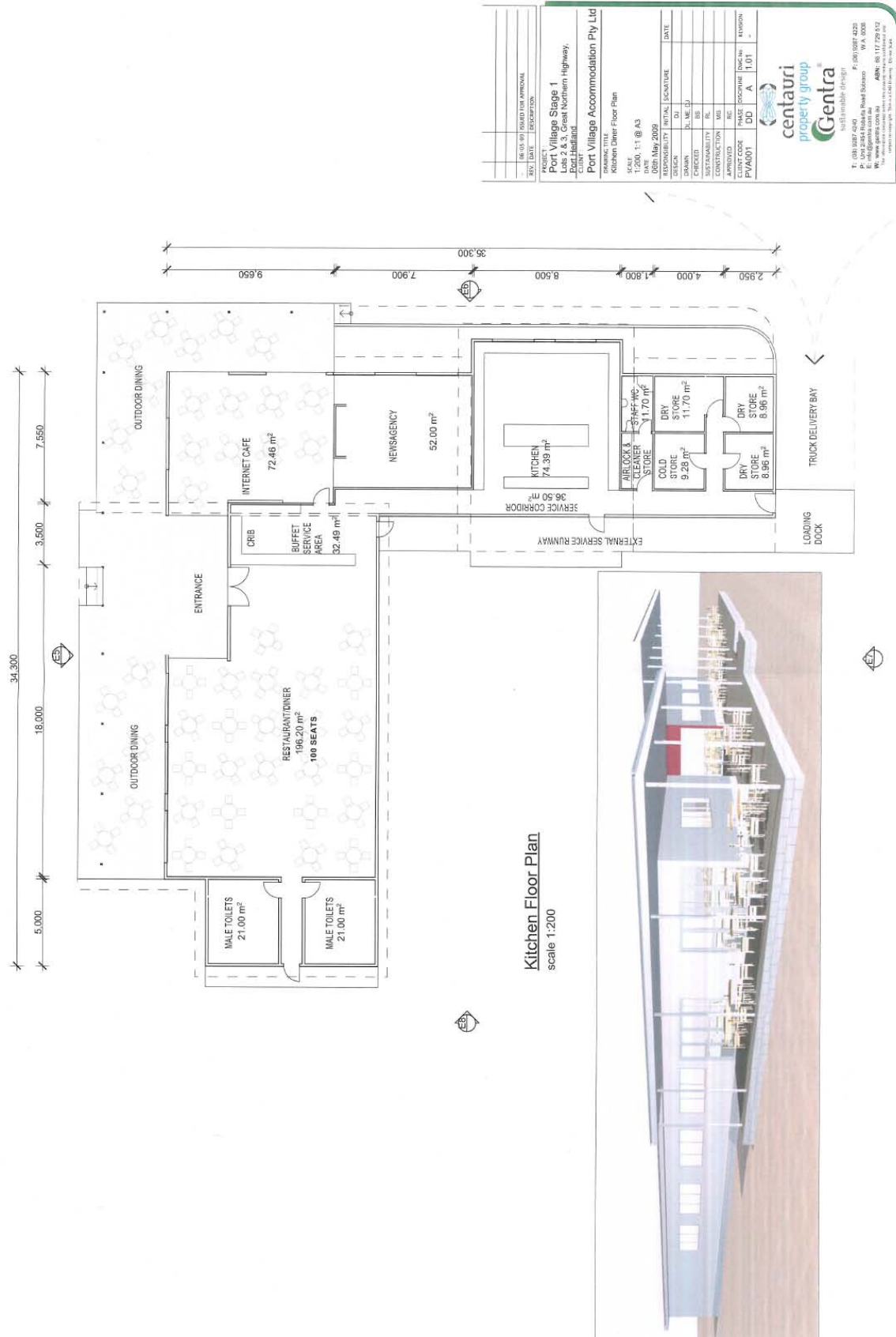
SCALE: As Shown
 DATE: 06th May 2009

RESPONSIBILITY	INITIAL	SIGNATURE	DATE
DESIGNED			
CHECKED			
DRAWN			
CONSTRUCTION			
SAFETY			
CLIENT CODE	PVA001	DD	1.02

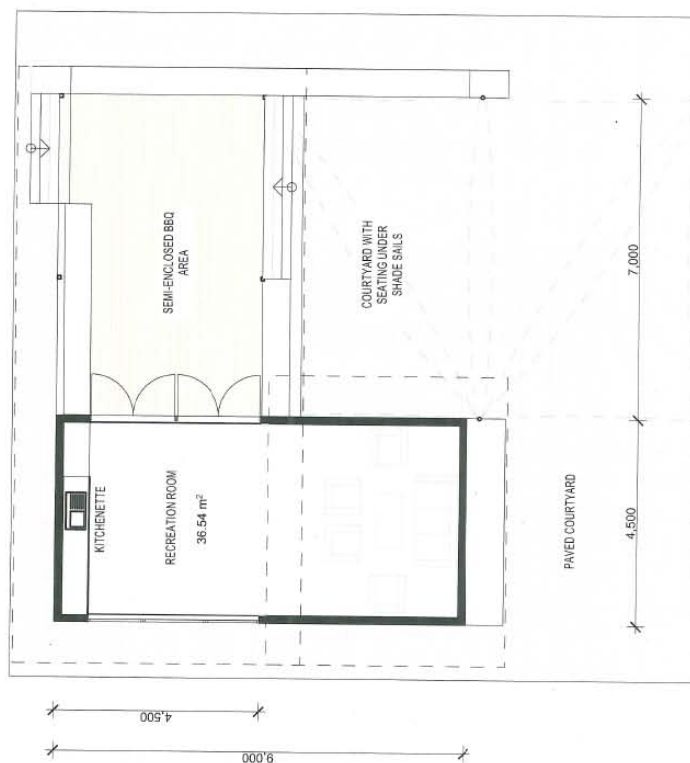
centauri
 property group
 Centra
 sustainable design

T: 08 9387 4240 F: 08 9387 4220
 P: 100 South Beach Road, Port Adelaide SA 5015
 W: www.centauri.com.au E: info@centauri.com.au
 ABN: 56 117 729 512
 CRICOS Provider No. 30859A
 RMIT is an Equal Opportunity Employer

ATTACHMENT 2.1 TO AGENDA ITEM 6.1.1.2

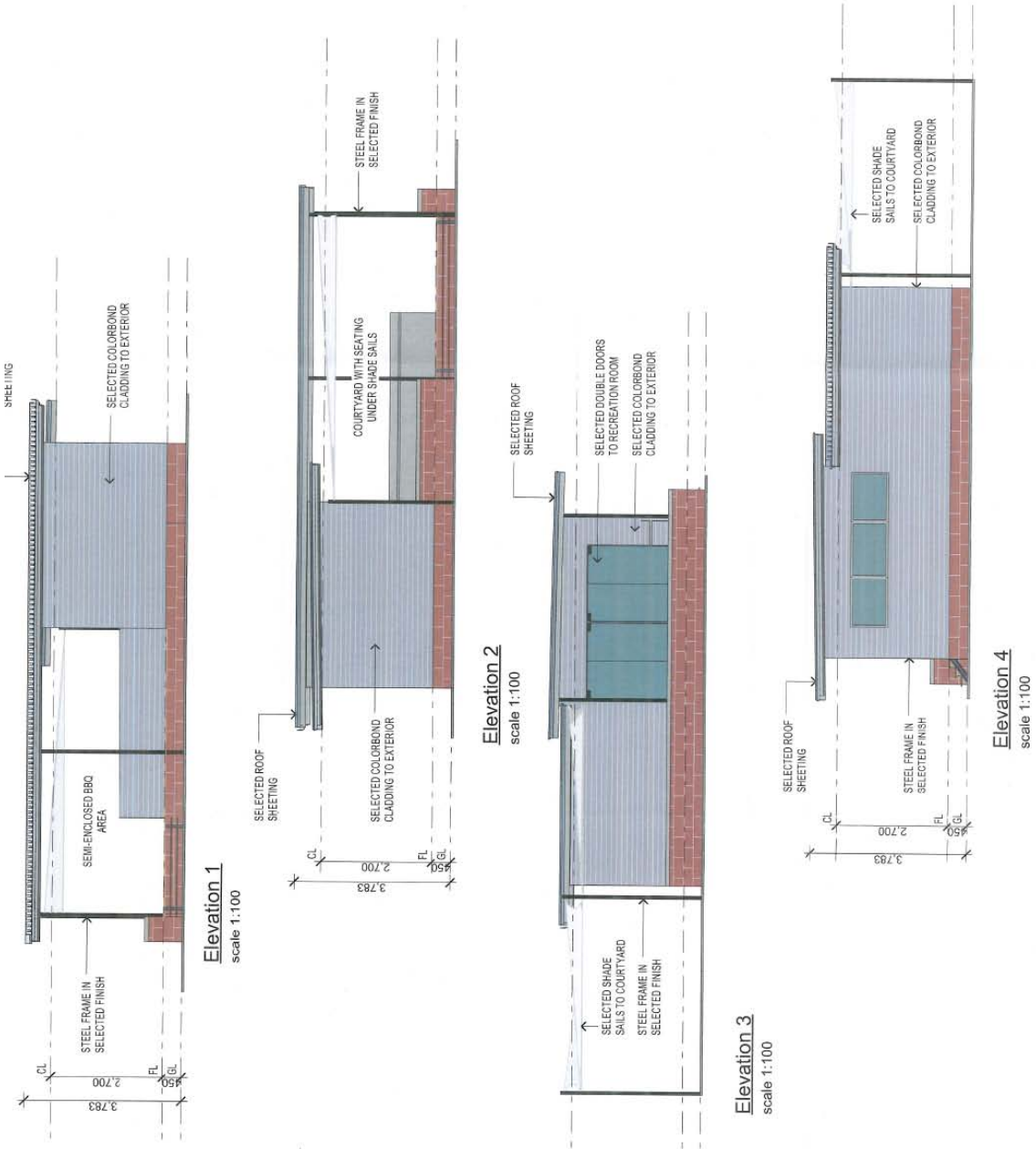


ATTACHMENT 2.3 TO AGENDA ITEM 6.1.1.2

[illegible]

Recreation Floor Plan
scale 1:100

ATTACHMENT 2.4 TO AGENDA ITEM 6.1.1.2



REV	DATE	DESCRIPTION	BY	CHKD	APP'D
01	01 May 2009	ISSUED FOR APPROVAL			

PROJECT
Port Village Stage 1
Port Village 2 & 3, 1000 Port Northern Highway,
Port Hedland

CLIENT
Port Village Accommodation Pty Ltd

DESIGNER
centauri property group
Gentra

SCALE
1:100 @ A3

DATE
01 May 2009

RESPONSIBILITY	INITIALS	SIGNATURE	DATE
DESIGN	DD		
CHECKED	DD		
SUSTAINABILITY	ME		
CONSTRUCTION	ME		
APPENDIX	REC		

PHASE
P1A001

DOC No
A

REVISION
2.02

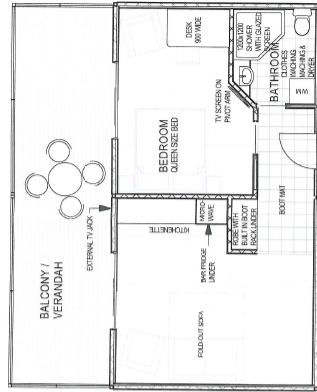
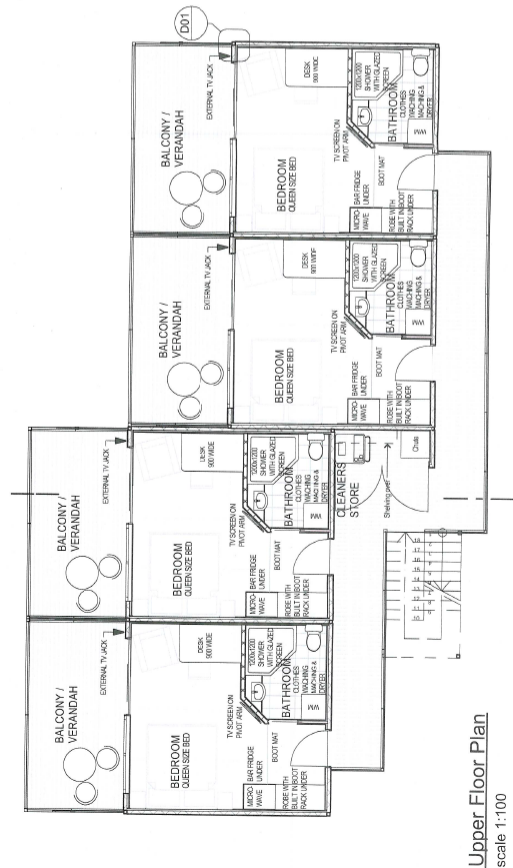
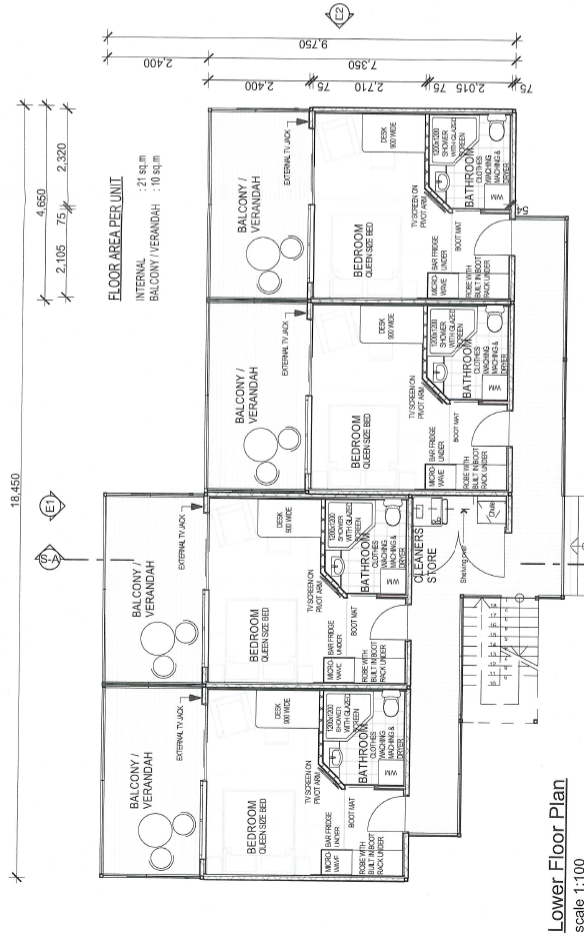
centauri property group
Gentra

centauri
property group

Gentra
architectural design

T: (08) 937 4200
F: (08) 937 4220
P: Unit 2/40 North Road, Subiaco WA 6008
E: info@centauri.com.au
W: www.centauri.com.au
ABN: 55 117 729 912

ATTACHMENT 2.5 TO AGENDA ITEM 6.1.1.2

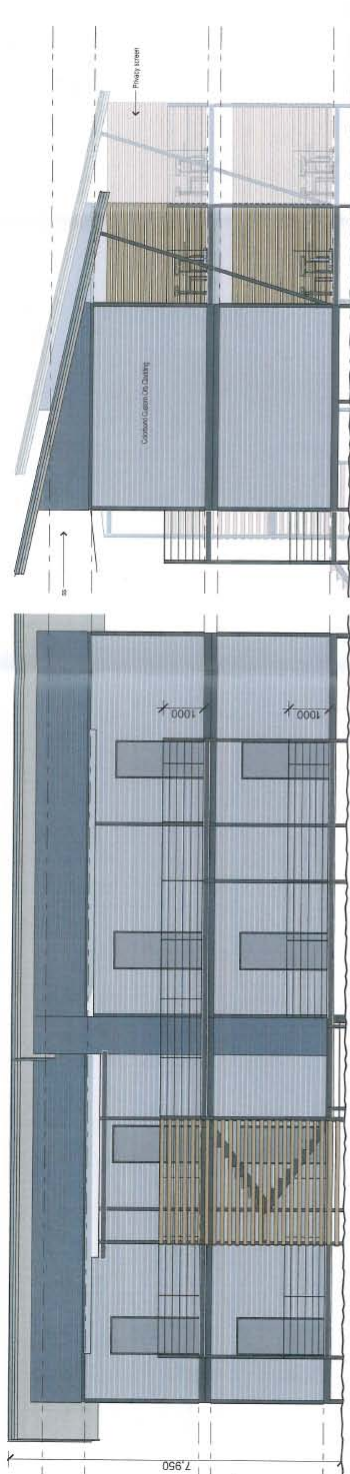


PROJECT	Port Village Stage 1 Lots 2 & 3, Great Northern Highway, Perth, Western Australia
DRAWING TITLE	Port Village Accommodation Pty Ltd Two Storey Village 1 Bed Studio Apartment Floor Plan
DATE	10th May 2009
DESIGN	DD
CHECKED	DD
SUSTAINABILITY	DD
APPROVED	DD
CLIENT CODE	PVA001
PHASE	A
DOCK No.	3.01
REVISION	-

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property group
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T: (08) 9297 4200
F: (08) 9297 4202
E: info@centauri.com.au
W: www.centauri.com.au
A: 100/101 Stirling Highway, Perth, WA 6008

ATTACHMENT 2.6 TO AGENDA ITEM 6.1.1.2



Elevation 3
scale 1:100

Elevation 2
scale 1:100



Elevation 1
scale 1:100

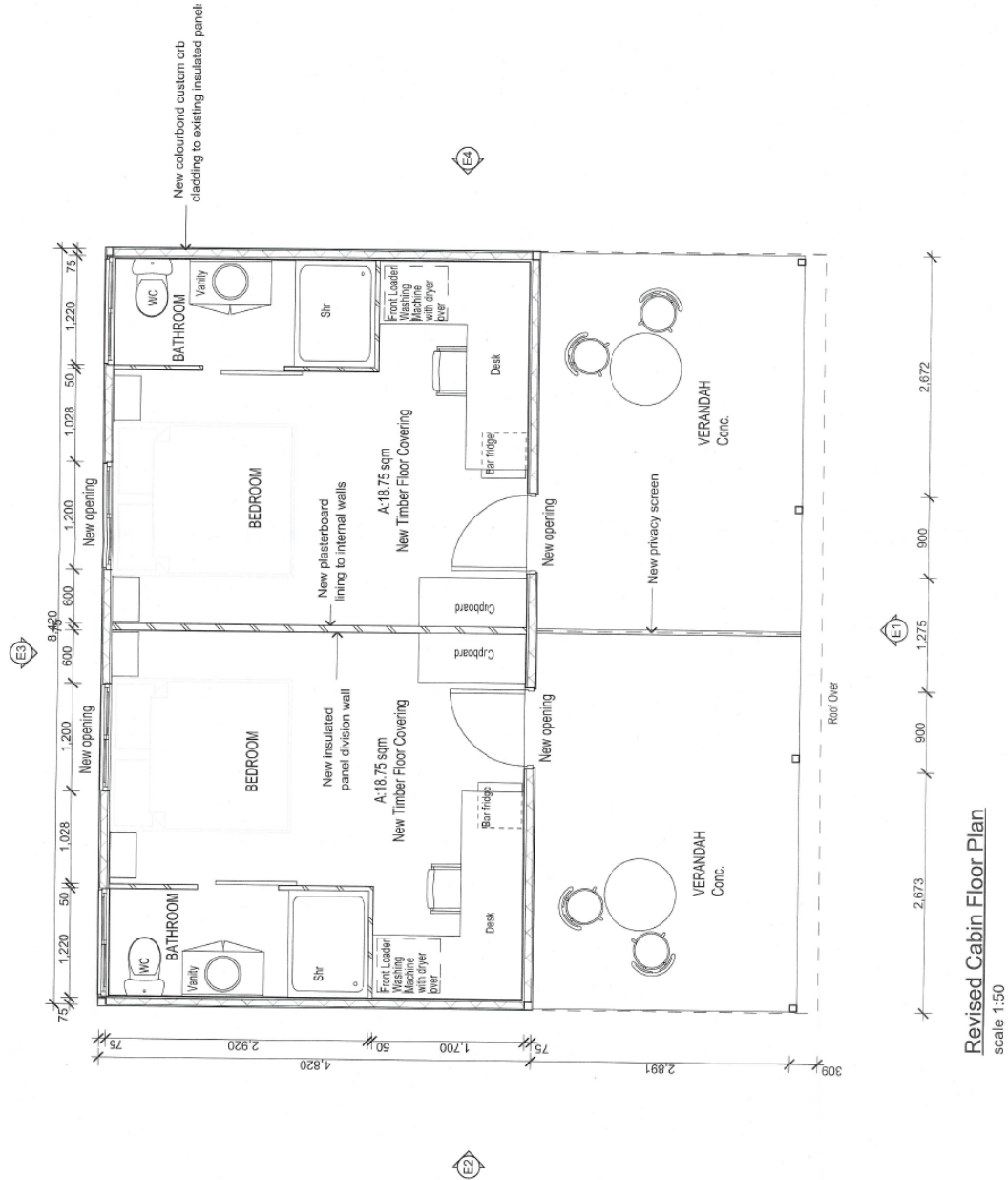
Elevation 4
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REV.	DATE	DESCRIPTION	DESIGNER	DATE	DATE
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2	08/05/2009	ISSUED FOR APPROVAL			
3	08/05/2009	ISSUED FOR APPROVAL			
4	08/05/2009	ISSUED FOR APPROVAL			
5	08/05/2009	ISSUED FOR APPROVAL			
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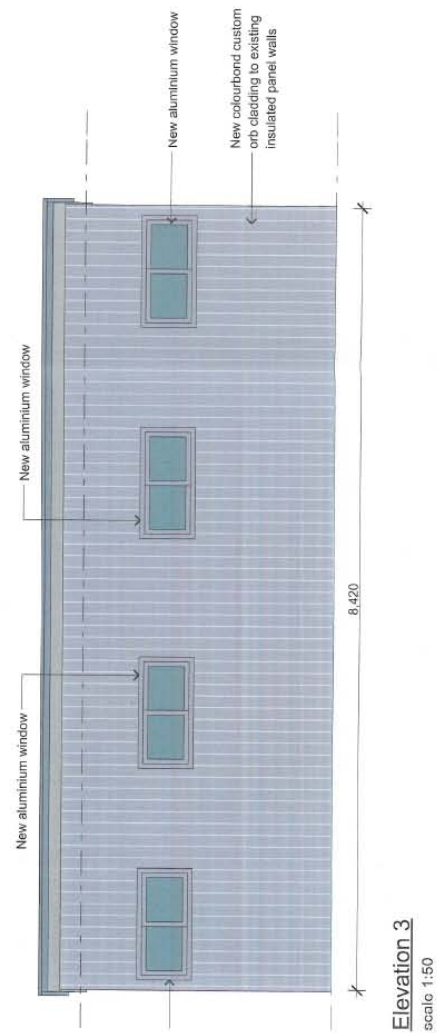
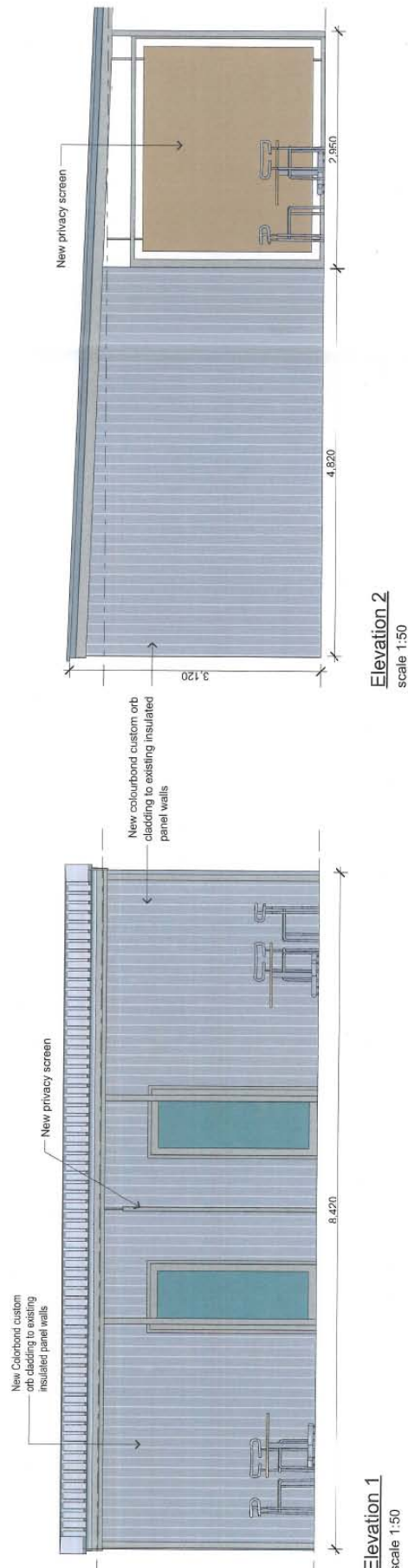
T: 081 537 2400
P: 081 537 4229
F: 081 537 4229
W: www.gentra.co.nz
A: 081 537 229 512
E: info@gentra.co.nz

ATTACHMENT 2.7 TO AGENDA ITEM 6.1.1.2

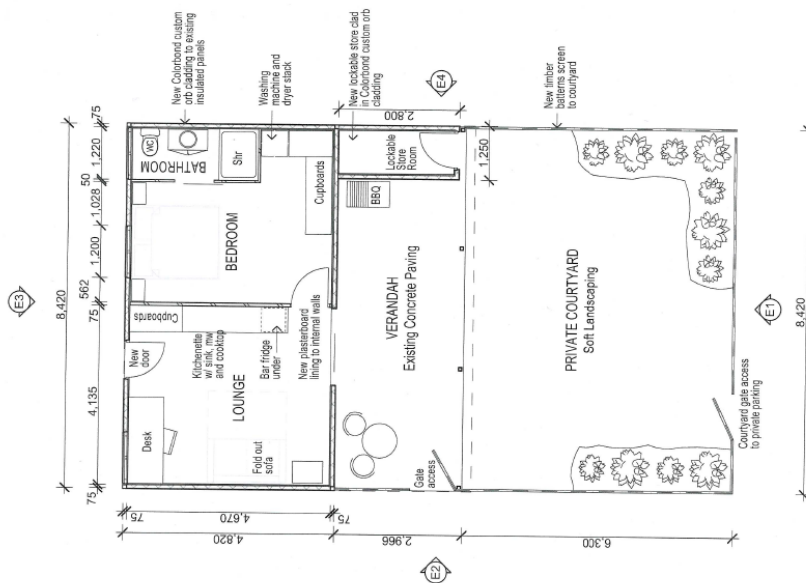


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ATTACHMENT 2.8 TO AGENDA ITEM 6.1.1.2



ATTACHMENT 2.9 TO AGENDA ITEM 6.1.1.2



REV	DATE	DESCRIPTION
1	08/05/09	ISSUED FOR APPROVAL

PROJECT: Port Village Stage 1
 CLIENT: Port Village Accommodation Pty Ltd
 DRAWING TITLE: Single Storey Village Apartment Floor Plan Type B
 SCALE: 1:100 @ A3
 DATE: 08/05/2009

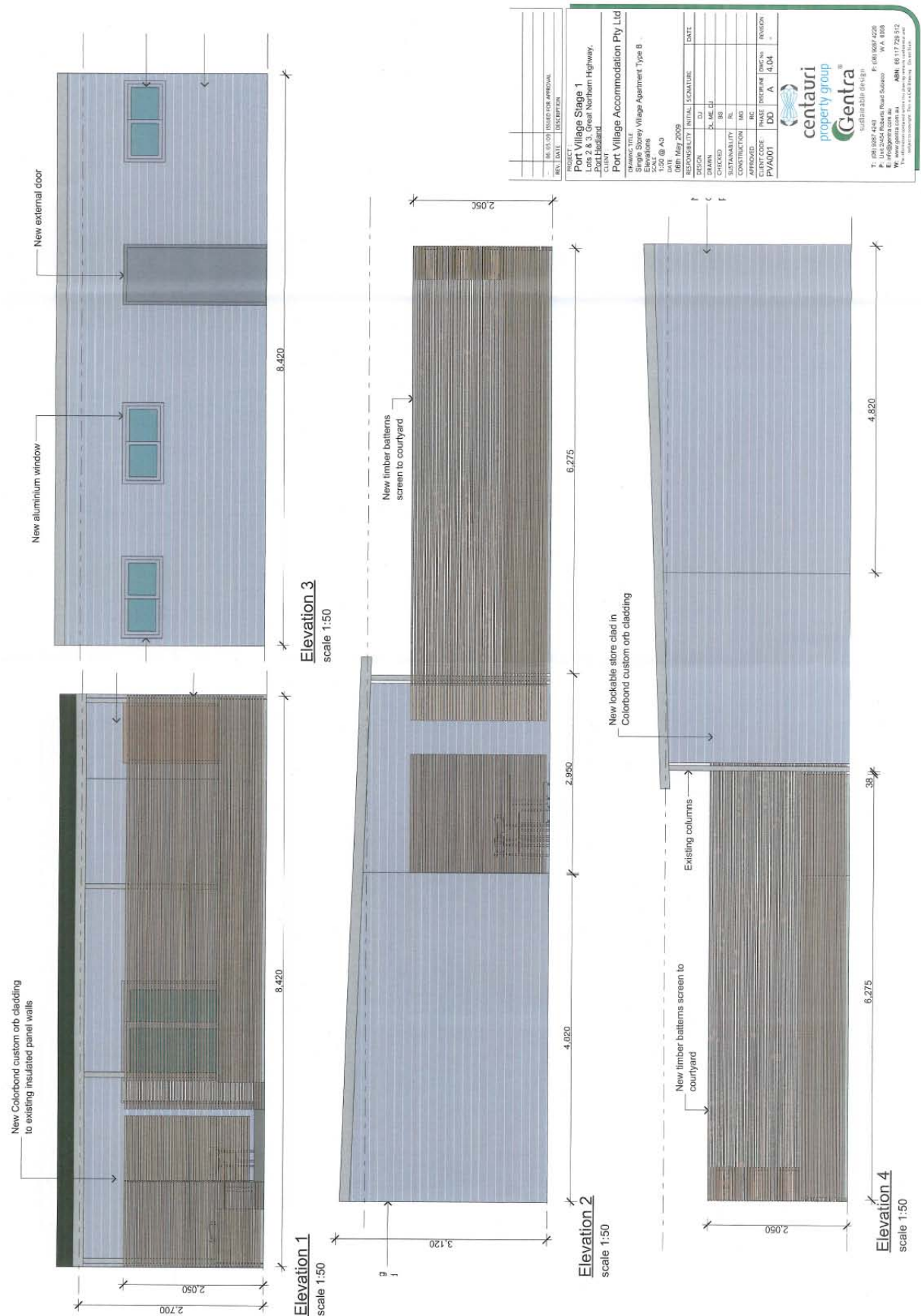
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CHECKED	08/05/09	1:100	08/05/09
CONSTRUCTION	08/05/09	1:100	08/05/09
APPROVED	08/05/09	1:100	08/05/09

CLIENT CODE: PVA001
 PHASE: A
 SHEET NO: 4.03
 REVISION: -

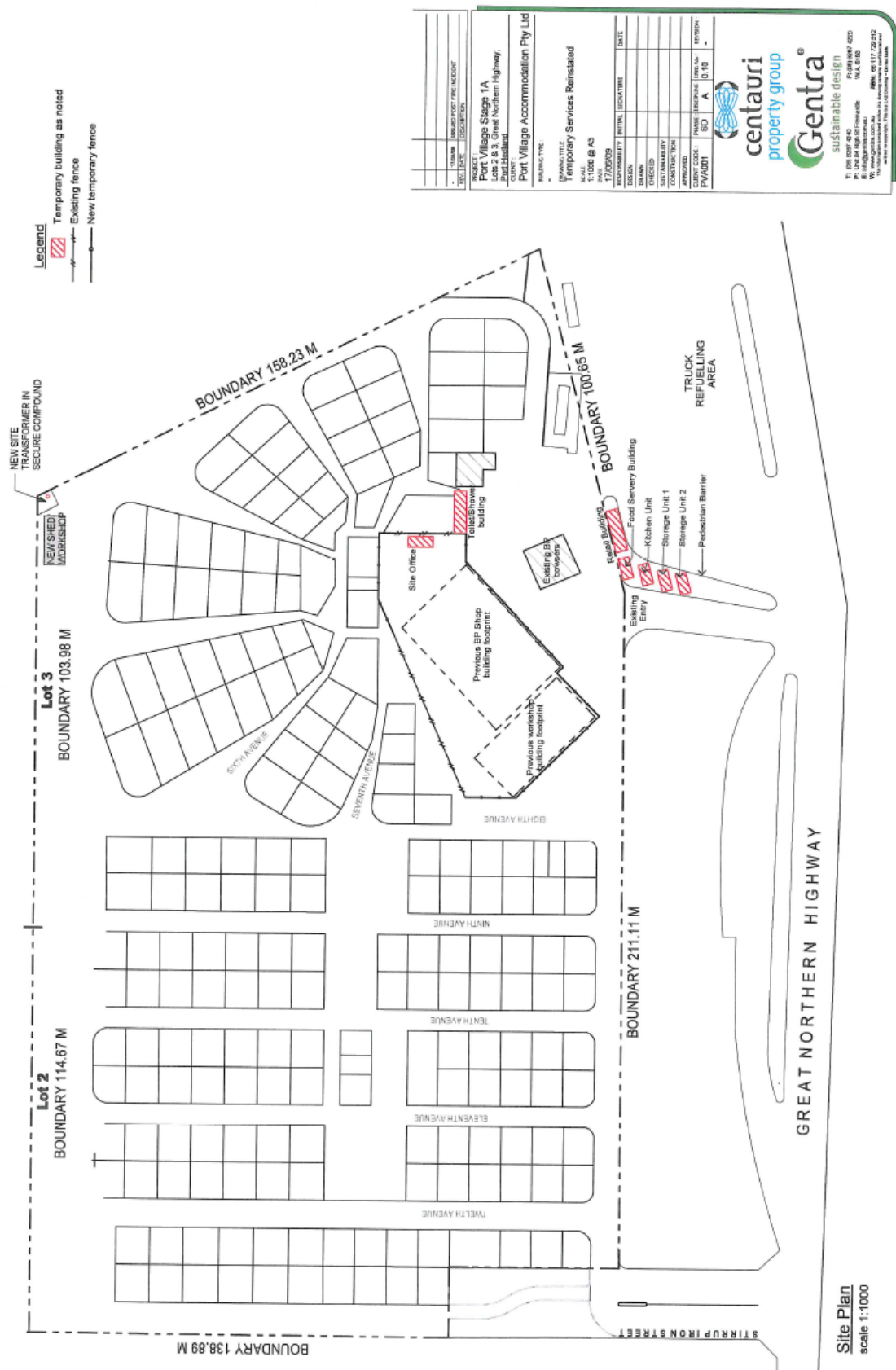
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property group
Centra

T: 08 9494 4444
 P: Unit 2/404 Roberts Road Subaco WA 6008
 W: www.centauri.com.au
 ABN: 88 177 729 312

ATTACHMENT 2.10 TO AGENDA ITEM 6.1.1.2



ATTACHMENT 3 TO AGENDA ITEM 6.1.1.2



6.1.1.3 Proposed Holiday Accommodation and Office – Lot 9, The Esplanade, Port Hedland (File No.: 10001G)

Officer Richard Bairstow
Manager Planning

Date of Report 18 June 2009

Application No 2009/313

Disclosure of Interest by Officer Nil

Summary

An application has been submitted by Whelans (WA) Pty Ltd, on behalf of the owner Maximise Pty Ltd, for a proposed 6 storey building on Lot 9 The Esplanade, Port Hedland (See Attachment No.1). A presentation on the proposal was made to Council's May informal briefing session.

The application is referred to Council for determination due to its significance to Council. The applicant has also requested a relaxation of car parking requirements.

The application is recommended for approval subject to those conditions and footnotes as noted within the recommendation.

Background

Site

Lot 9, The Esplanade is zoned “Town Centre” under Town Planning Scheme No. 5 (TPS5), and has an area of 1012m².

Proposal

The application proposes two uses under TPS5. These and their components follow (See Attachment No. 2 - 4):

Holiday Accommodation

1. 22 Units – floors 5 & 6

Office

2. 1174m² – floors 3 & 4

Other features

1. 34 on-site car parking bays – floors 1 & 2

The application has been assessed in accordance with the relevant TPS5 and other statutory requirements. This assessment is discussed within the officer's comment section.

Consultation

The application has been referred internally for comment and, where appropriate, the comments have been included as conditions and/or footnotes within the recommendation.

The development has been discussed externally with various government agencies (including Tourism WA, Water Corp, Horizon Power).

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

Key Result Area – 4 - Economic Development

Goal 5 – Town Planning and Building

Strategy 1 – Work with key stakeholders to ensure that the Land Use Master Plan is implemented.

Budget Implications

An application fee of \$19200 was paid on lodgement and deposited into account 1006326 – Town Planning Fees.

Officer's Comment

The application is considered to be an example of redevelopment possibilities within the Westend Town Centre.

Whilst recognising the opportunities provided by the development, its assessment has also identified several major issues that Council will need to consider and determine whether it is appropriate to place conditions on these matters. These issues are:

- Street interface
- Carparking
- Plot Ratio – including building height
- Awnings in road reserve
- Setbacks

Street Interface

A concern with the development is the lack of public interface at a street level, with the first 2 floors of the development being dedicated to carparking with the exception of a small foyer area.

A possible alternative is the inclusion of a small commercial space interface as shown in attachment No. 5. The inclusion of this space would result in a loss of between 3 and 7 bays and an additional requirement of 3 bays. This change has been discussed with the applicant however a response to the proposal is yet to be received. It is recommended that this issue be addressed by the requirement for amended plans.

An appropriate condition has been included to require amended plans to address this street interface issue prior to the submission of a building licence.

Carparking

The Carparking requirements for the development are as follows:

Use	Calculation	#	Area	Requirement
Office	1 bay per 30m ² NLA	N/A	1177m ² (total)	39
Holiday Accommodation	1 bay per unit / room	22 rooms	N/A	22
	1 bay per 5 units for visitors	22 rooms	N/A	4
	1 bay per staff member	1 staff*	N/A	1
Total				66
Provided on Site				32
Adjacent Bays				5
Shortfall				29

(Note the street interface has not being included in these calculations)

The applicant has submitted the following justification and request for the carparking shortfall:

- *“The likelihood is that most users of the serviced apartments will be fly in fly out visitors and as such not possess vehicles;*
- *The office component and short stay apartment components will have opposite peak demand times for the car parking spaces and therefore reciprocal use of the bays should be considered; and*

- *There is a Council carparking facility on Richardson Street within walking distance of the subject site."*

Previously Council has supported the following principles when determining the applications for the Esplanade Hotel and Bruno's development sites. Those relevant to this application are:

- *"Hotel guests rarely receive visitors, and it is considered that the need for visitor bays is redundant; and*
- *Additionally, given that a significant number of guests arrive via alternate methods, such as coaches and transfers, the total number of bays required will be less than for a typical residential purpose. It is estimated that up to 25% of visitors will arrive this way."*

The applicant's justification, and Council's previously supported principles, have the following impact on the carparking calculation:

Use	#	Area	Requirement
Office	N/A	1174m ² (total)	39
Holiday Accommodation	22 rooms	N/A	22 reciprocal
	22 rooms	N/A	0
	1 staff*	N/A	1
Total			40
Provided on Site			32
Adjacent Bays			5
Shortfall			3

(Note the street interface has not being included in these calculations)

The applicant's justification is considered reasonable, however it is recommended that Council requires the original amount of bays, with advice to the applicant that, subject to a 12 month review from the final completion date of the development, the carparking requirements will be reassessed and the numbers finalised. This action is recommended to allow the development to operate and demonstrate that there is sufficient carparking. If the applicant's justification is correct then only 3 additional bays will be required. It should be noted however, there is a 29 bay shortfall in the numbers provided, and, it is recommended that this matter be further negotiated between the applicant/owner and the Director Community and Regulatory Services at a later stage, when an assessment of the Westend Carparking has been completed. Initial concept drawings indicate that there are approximately 20 bays within the public realm and in close proximity to the development (See Attachment 6). Conditions have been included to appropriately deal with this matter.

Building Height and Plot Ratio

Council appeared enthusiastic about the proposal, including its height and composition.

The proposal is within the parameters of State Planning Policy 2.6 Coastal Planning Policy (SPP), which limits height to a maximum of 5 storeys, or not exceeding 21 metres. The proposal has 6 storeys, but is under the 21metres.

Awnings Within the Road Reserve

The awnings provided extend 2.5m out from the property into the road reserve. This is considered an appropriate distance and condition are recommended

Setbacks

The setbacks of the extension reflect those of the existing building and are supported as proposed on the attached plans.

It should be noted that there are a number of issues and potential fatal flaws for this project, and the recommendation has been worded to protect both Council and the Applicant/Land Owner. Normally, these matters would be resolved prior to a report being presented to Council, however, the matter has been specifically requested to be presented to Council without delay.

In conclusion the development is recommended for approval subject to those conditions detailed within the recommendation.

Attachments

- Location Plan
- Site Context & Analysis Plans
- Site & Floor Plans
- Elevations
- Potential Street Interface
- Potential carparking layout

200809/404 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council Approves the application submitted by Whelans (WA) Pty Ltd on behalf of the owner Maximise Pty Ltd for a proposed 6 storey building on Lot 9 The Esplanade, Port Hedland, as indicated on the approved plans, and subject to the following conditions and footnotes;

- a. This approval relates only to the proposed Holiday Accommodation, Office and other incidental development associated with these uses, as indicated on the approved plans. 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 a “*Holiday Accommodation*” and “*Office*” as indicated on the approved plans. Under the Town of Port Hedland’s Town Planning Scheme No. 5 a “*Holiday Accommodation*” and “*Office*” are defined as:

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

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

- c. 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.
- d. Prior to the submission of a Building Licence the plans being amended to include a commercial interface with The Esplanade to the satisfaction of the Manager Planning.
- e. The development shall have a maximum of 22 holiday accommodation rooms.
- f. A minimum of 66 car parking spaces are to be provided in accordance with Appendix 7 of Council's Town Planning Scheme No.5, and to the satisfaction of the Council's Manager Planning.

- g. Two (2) disabled carparking bays are to be provided in locations close to the restaurant/hotel entrances and with a minimum width of 3.8 metres, all to the satisfaction Manager Planning.
- h. In regard to conditions f and g, such areas are to be constructed, drained, kerbed, and marked to the specifications of the Manager Infrastructure Development, and thereafter maintained to the satisfaction of the Manager Planning, prior to the development first being occupied.
- i. Prior to the commencement of works appropriate arrangements with the appropriate authorities being made for the awnings which protrude into the road reserve all to the satisfaction of the Manager Planning Services.
- j. A detailed landscaping and reticulation plan (including common areas) to be submitted, and approved by the Manager Planning, within 30 days of the date of this approval. The plan to include location, species, and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.
- k. Landscaping and reticulation to be established in accordance with the approved detailed plans prior to the development first being occupied, and thereafter maintained to the satisfaction Manager Planning.
- l. Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of the Manager Planning.
- m. A Rubbish Collection Strategy/Management Plan shall be submitted to, and approved by the Town prior to the commencement of works. The strategy / plan shall consider service vehicle manoeuvring on the internal roads of the development. Any alterations to the approved plans required as a result of the strategy / plan shall be incorporated into the building licence plans. The approved strategy/plan shall be implemented to the satisfaction of the Manager Planning.
- n. 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 the Manager Planning.

- o. The driveways and crossover shall be designed and constructed to specifications of the Manager Infrastructure Development, and to the satisfaction of the Manager Planning, prior to the occupation of the Buildings.
- p. The pedestrian pathways, landscaping areas, parking areas, and/or associated accessways shall not be used for storage (temporary or permanent) and/or display and/or be obstructed in any way at any time, without the prior approval of the Town.
- q. All storage/service areas shall be suitably screened and access doors/gates closed other than when in use, to the satisfaction of the Manager Planning.
- r. The submission of a construction management plan at the submission of a Building Licence application stage for the proposal detailing how it is proposed to manage:
 - 1. **The delivery of materials and equipment to the site;**
 - 2. **The storage of materials and equipment on the site;**
 - 3. **The parking arrangements for the contractors and subcontractors;**
 - 4. **Impact on traffic movement;**
 - 5. **Operation times including delivery of materials;**
 - 6. **Other matters likely to impact on the surrounding residents;**
 - 7. **Building waste management control; and**
 - 8. **Point of contact personnel for control of enquiries and any complaints; and**all to the satisfaction of the 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.

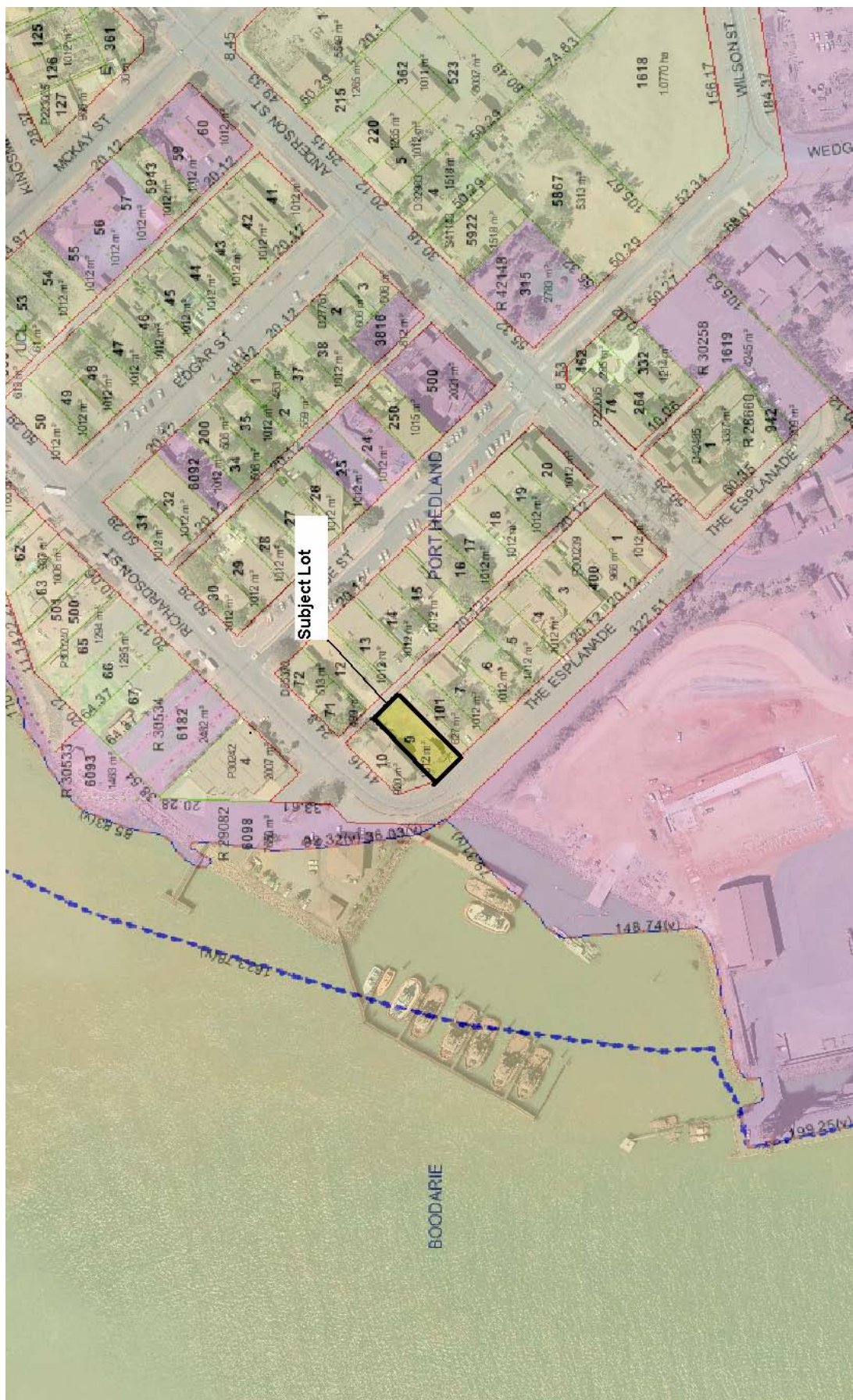
- b. In regard to condition f, the Council may consider a cash in lieu of car parking contribution or other suitable arrangement for any shortfall. However, given the significant variation, numbers will be finalised after a 12 month review from the final completion date of the development, including suitable negotiations with Council's Director Community and Regulatory in accordance with clause 6.13.3 of Council's Town Planning Scheme No.5. The applicant is further advised that the initial carparking justification is considered reasonable, and that the 12 month review will allow these assumptions to be verified.
- c. 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
 - 1. **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;**
 - 2. **The development must not interfere with property and effluent mains and/or effluent disposal systems.**
 - 3. **The operations to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 in respect to noise but, notwithstanding, the operations to have due regard to the health and amenity of any person in the vicinity.**
 - 4. **Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999.**
 - 5. **Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 1999.**
 - 6. **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.**
 - 7. **Be advised that at the building licence stage a detailed floor plan is required to be submitted in order for Town's Environmental Health Services to assess compliance to the Town of Port Hedland Health Local Laws 1999.**

- d. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year average recurrence interval (A.R.I) cycle of flooding could affect any property below the ten (10) 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.

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

CARRIED 6/0

ATTACHMENT 1 TO AGENDA ITEM 6.1.1.3



ATTACHMENT 2 TO AGENDA ITEM 6.1.1.3



PROPOSED MULTIPLE USE DEVELOPMENT
9 The Esplanade Port Hedland

SITE CONTEXT & ANALYSIS

29 MAY 2009
DRAWING: 50.09.548

HODGE + COLLARD
ARCHITECTS

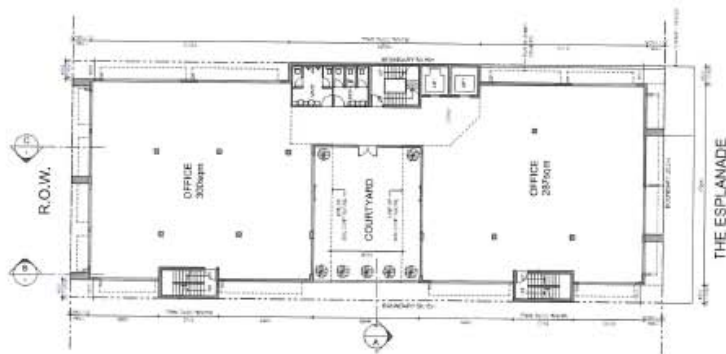


PROPOSED MULTIPLE USE DEVELOPMENT
9 The Esplanade Port Hedland
PERSPECTIVE VIEW

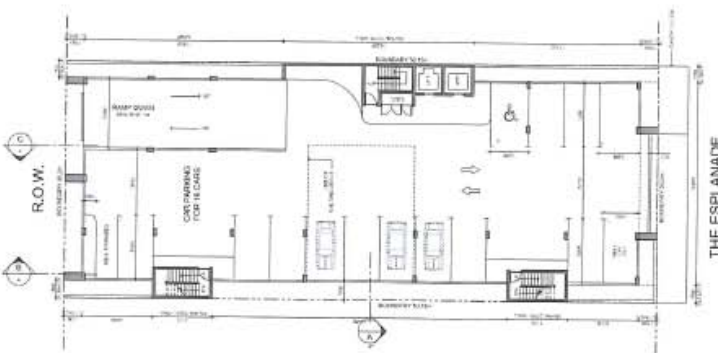
29 MAY 2009
DRAWING: 50.09 SK9

HODGE + COLLARD
ARCHITECTS

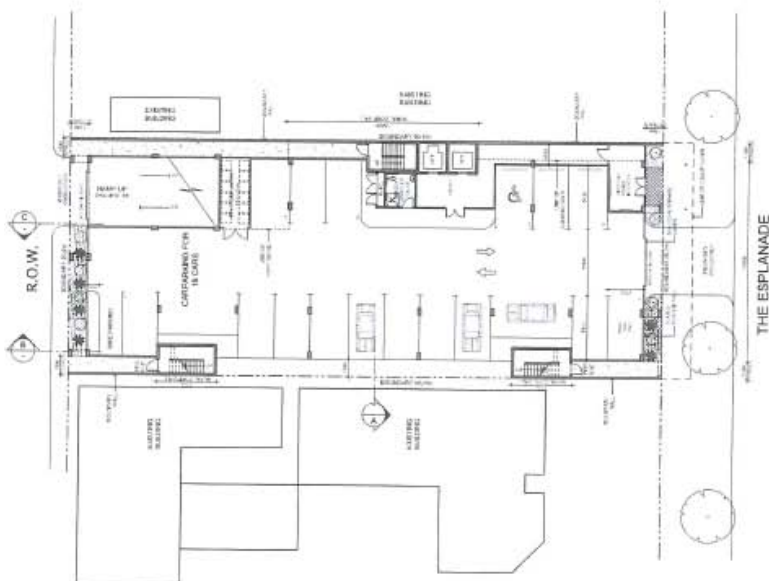
ATTACHMENT 3 TO AGENDA ITEM 6.1.1.3



SECOND & THIRD FLOOR PLAN
SCALE 1/8" = 1'-0"



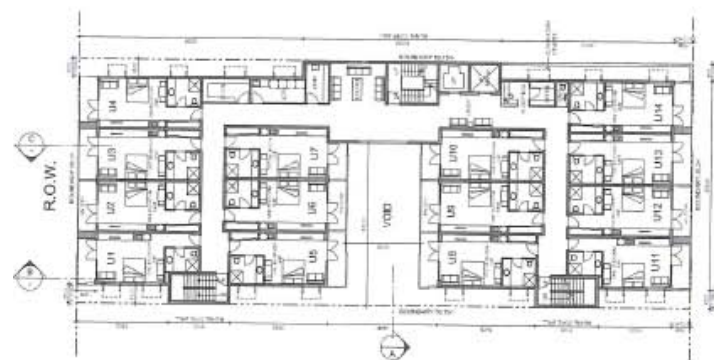
FIRST FLOOR PLAN



GROUND FLOOR PLAN
SCALE 1/200

100205
A. ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.
B. ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.
C. ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.
D. ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

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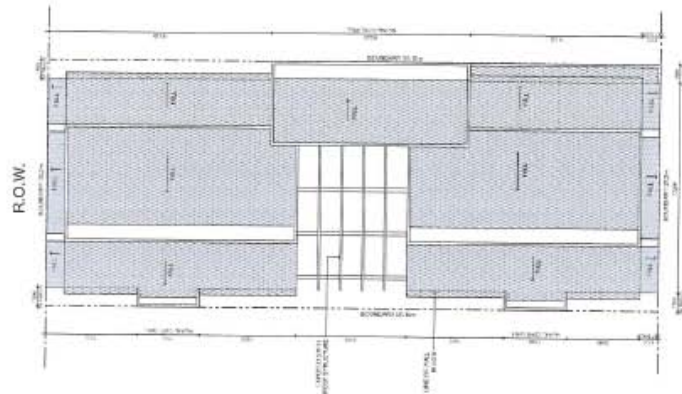
THE ESPLANADE

FOURTH FLOOR PLAN
SCALE 1:500



THE ESPLANADE

FIFTH FLOOR PLAN
SCALE 1:500



THE ESPLANADE

ROOF PLAN
SCALE 1:500



TYPICAL ONE BEDROOM UNIT
SCALE 1:50



TYPICAL TWO BEDROOMS UNIT
SCALE 1:50

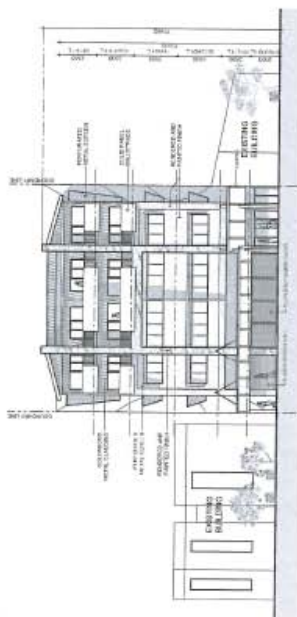
NOTES:
1. ALL DIMENSIONS ARE GIVEN IN METERS UNLESS OTHERWISE SPECIFIED.
2. ALL DIMENSIONS ARE GIVEN TO THE CENTERLINE OF WALLS UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS ARE GIVEN TO THE EXTERIOR FACE OF WALLS UNLESS OTHERWISE SPECIFIED.
4. ALL DIMENSIONS ARE GIVEN TO THE EXTERIOR FACE OF WALLS UNLESS OTHERWISE SPECIFIED.

PROJECT NO.	17	PROPOSED FLOOR PLANS & ROOF PLAN
DATE	17 MAY 2009	
SCALE	1:500	
DESIGNER	HODGGE & COLLARD	
PROJECT NO.	50.09	
SCALE	1:500	
DATE	17 MAY 2009	
DESIGNER	HODGGE & COLLARD	

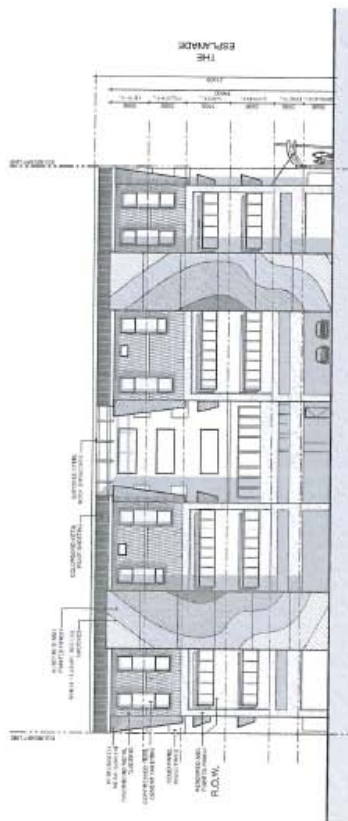
ATTACHMENT 4 TO AGENDA ITEM 6.1.1.3



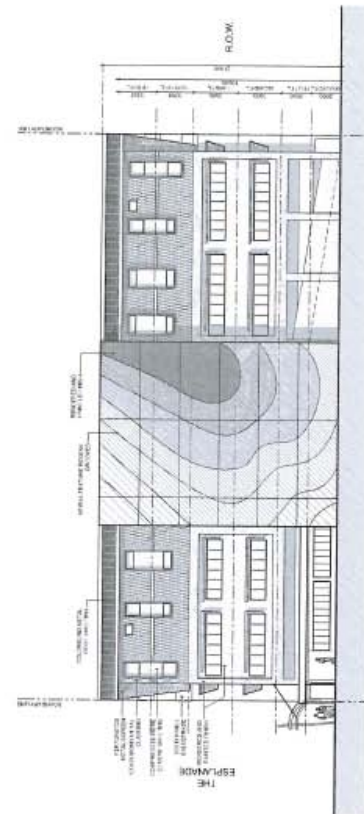
NORTH EASTERN ELEVATION (REAR)



SOUTH WESTERN ELEVATION (FRONT)



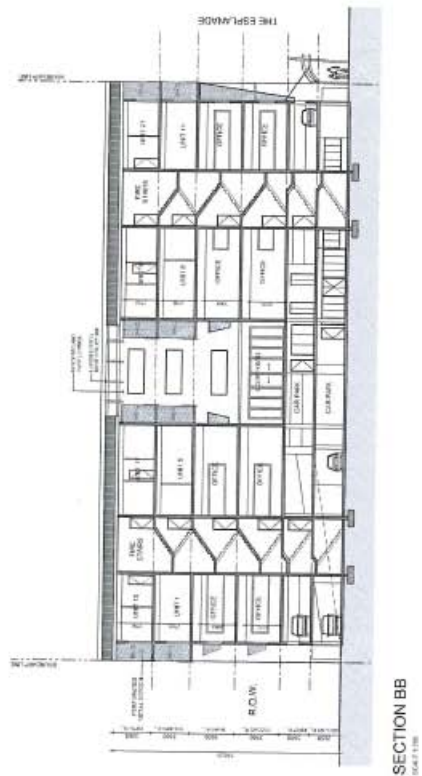
NORTH WESTERN ELEVATION



SOUTH EASTERN ELEVATION

- [illegible]

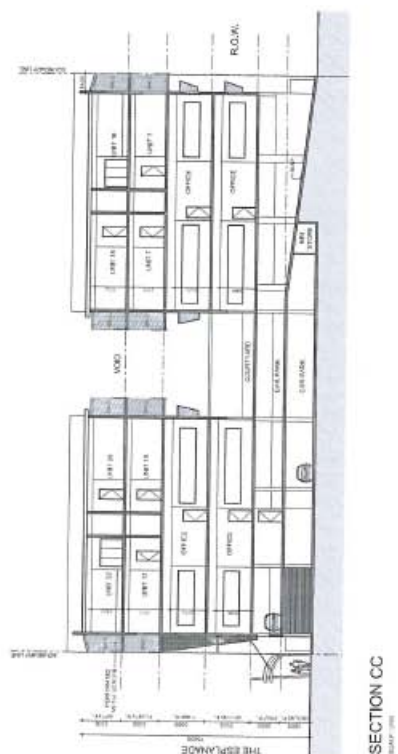
PROPOSED MIXED USE DEVELOPMENT LOT 9 THE ESPRANDE, PORT HEDLAND		Release 0.5 Proposed 1.0	15/04/2008 15/04/2008	PROPOSED ELEVATIONS	MAY 2008 SK6
HODGE + COLLARD ARCHITECTS		1/200	50.09		



SECTION BB
Scale 1:100



SECTION AA
Scale 1:100

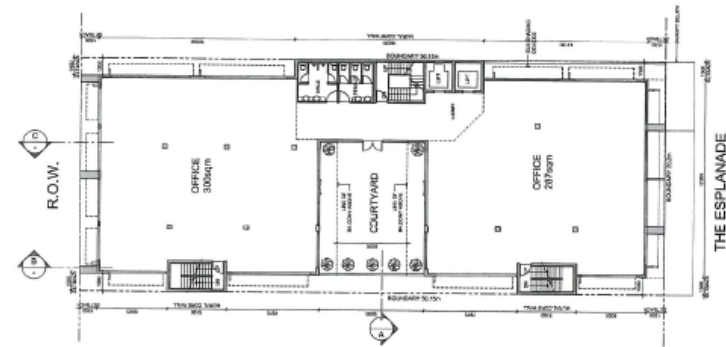


SECTION CC
Scale 1:100

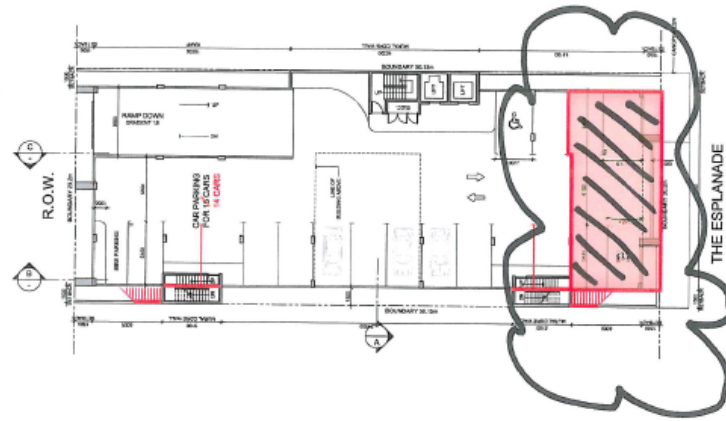
NOTES:
1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

PROJECT	PROPOSED MIXED USE DEVELOPMENT LOT 9 THE ESPLANADE, PORT HEDLAND	DATE	12.08.09
DESIGNED BY	HODGE + COLLARD ARCHITECTS	DATE	12.08.09
CHECKED BY	SK7	DATE	12.08.09
APPROVED BY	SK7	DATE	12.08.09
SCALE	1:100	DATE	12.08.09
PROJECT NO.	2009-09	DATE	12.08.09

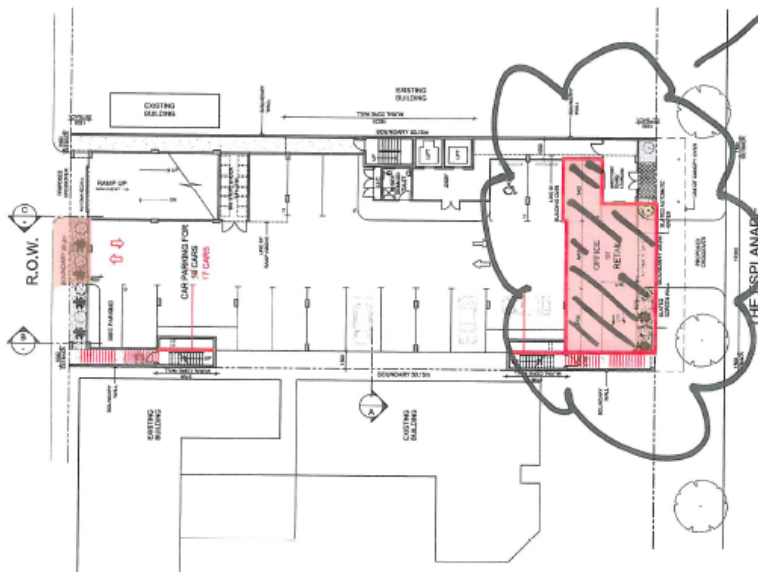
ATTACHMENT 5 TO AGENDA ITEM 6.1.1.3



SECOND & THIRD FLOOR PLAN
SCALE 1:200



FIRST FLOOR PLAN
SCALE 1:200



GROUND FLOOR PLAN
SCALE 1:200

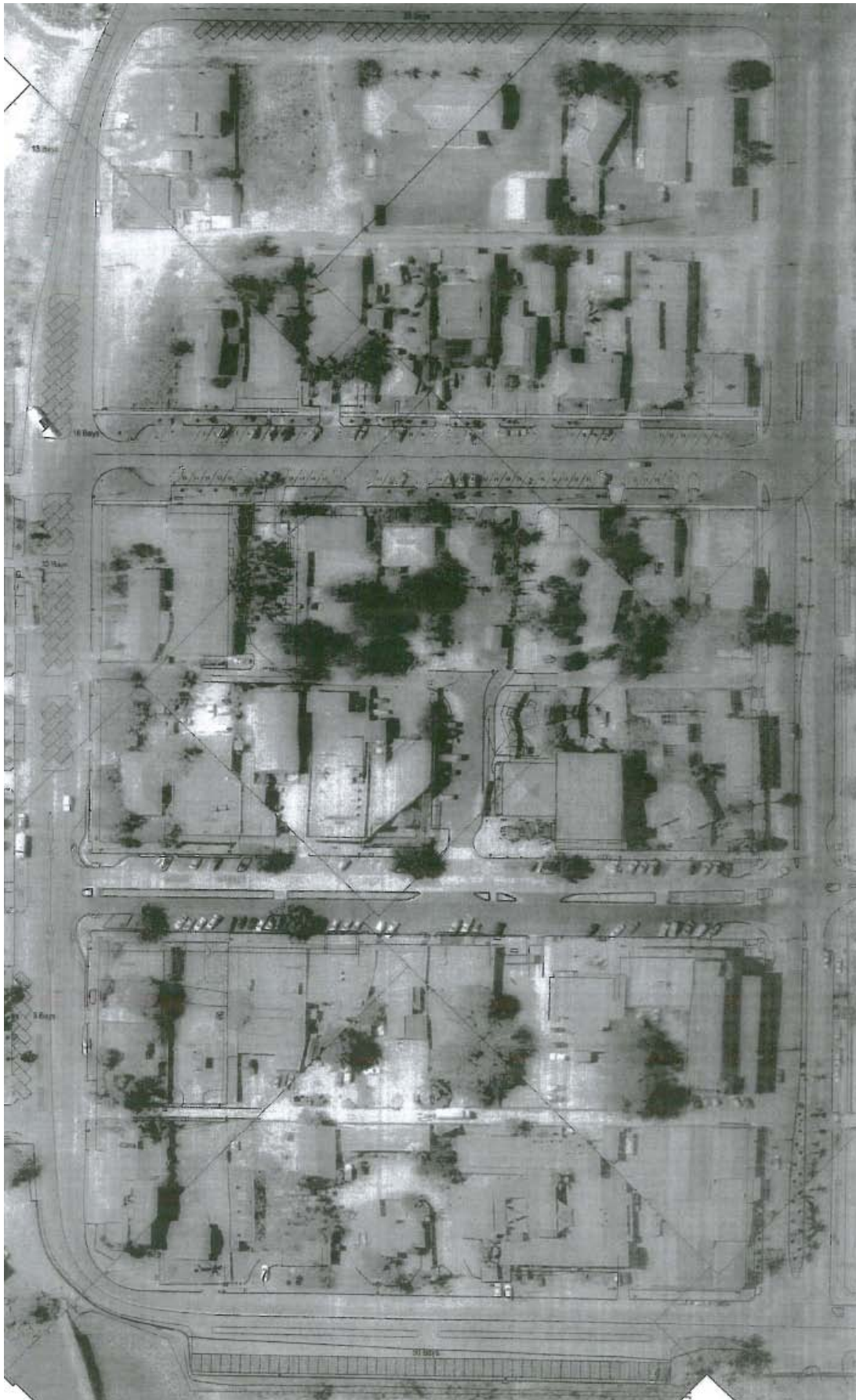
Street
Interface

- NOTES:
1. ALL DIMENSIONS AND DISTANCES TO BE AS SHOWN ON THIS PLAN.
 2. ALL DIMENSIONS AND DISTANCES TO BE AS SHOWN ON THIS PLAN.
 3. ALL DIMENSIONS AND DISTANCES TO BE AS SHOWN ON THIS PLAN.

PROPOSED MIXED USE DEVELOPMENT LOT 9 THE ESPLANADE, PORT HEDLAND	PROPOSED FLOOR PLANS	DATE: 29 JUNE 2009	SCALE: 1:200
PREPARED BY: HILL + COLLARD	NO: 1200	DATE: 29 JUNE 2009	SCALE: 1:200
PROJECT NO: 1200	DATE: 29 JUNE 2009	SCALE: 1:200	SCALE: 1:200



ATTACHMENT 6 TO AGENDA ITEM 6.1.1.3



6.1.1.4 Hedland Youth Precinct – Contract Variation for Cadastral, Feature and Level Surveys and Quotations for Landscape Design (File No.: 20/01/0039)

Officer Julie Broad
Manager Community &
Economic Development

Date of Report 24 June 2009

Disclosure of Interest by Officer Nil

Summary

The aim of this report is to consider a variation in the contract for cadastral, feature and level surveys, and approval to seek quotations for landscaping design for the Hedland Youth Precinct Redevelopment project.

Background

The Hedland Youth Precinct project is a Council-led initiative to create a greater youth focus in the activities and services provided from the current JD Hardie Centre, and its conversion to a fully operational Youth Centre when Council's Multi-Purpose Recreation Facility is completed and current Recreation Services move across to this new facility.

In September 2008 Council accepted a tender from architects Holton Connor for the provision of architectural services for the design of the Hedland Youth Precinct, with a budget of \$318,208.

Surveying is excluded from the scope of the current contract. Tenderer Holton Connor noted in their tender submission that:

"Fee includes all sub-consultants as scheduled, but excludes site surveying, landscaping and geotechnical."

Consultation

- Youth & Recreation Facility Working Group
- Council staff
- Holton Connor Architects
- Creating Communities

Statutory Implications

Nil.

Policy Implications

Nil.

Strategic Planning Implications

Key Result Area 3 – Community Development

Goal 1 – Youth & Children

Strategy 2 - Convert the J D Hardie Centre into a more youth focused facility.

Budget Implications

The Hedland Youth Precinct originally had a budget of \$3.4 million. The promised contribution from the Youth Involvement Council of \$600,000 was not able to be delivered, and additional funding is currently being sourced. This leaves the project with a current budget of \$2.8 million.

The proposed contract variation for cadastral, feature and level surveys will be taken from this budget amount.

Officer's Comment

Cadastral, Feature and Level Surveys:

Cadastral, feature and level surveys are required to allow the detailed engineering design work to proceed. Holton Connor have sought quotes from suitably qualified surveyors, and elected MakJaP to undertake the work.

The cost of this work is \$7,601. (Appendix 1) A contract variation is required for the work to progress.

Geotechnical:

Geotechnical work is also being sub-contracted by Holton Connor and the proposed variation to contract will be presented to Council when the provider of this service has been determined.

Landscaping:

As noted, landscaping design is excluded from the scope of the current contract. Holton Connor noted in their tender submission that:

“At this stage it is recommended that landscaping be excluded as the full scope of work will not be determined until more detailed designs are prepared and information on the existing conditions is available.”

The landscaping component of the project is designed to improve the function and aesthetics of the J D Hardie Centre, particularly along the Cottier Drive approach to the facility. It will be a key factor in attracting interest and participation in activities of the centre, and signaling the change in function of the facility.

Detailed floor plans have now been completed, which identify the footprint of the built structure and allows the landscaping design to progress. (See Appendix 2)

The Youth & Recreation Facility Working Group in its meeting on Tuesday 23rd June 2009 recommended that quotations for the landscaping design be sought by Council, not by Holton Connor. This will allow Holton Connor, which is a relatively small architectural practice, to focus solely on the detailed design work. This is essential as the architectural work of the contract is well behind the proposed timelines of Holton Connor's tender.

The Youth & Recreation Facility Working Group recommended that a tender for the work be called when the landscape design is completed. Tenders will be called as soon as that information is at hand.

Attachments

1. Quotation for survey work: MAKJaP Pty Ltd
2. Conceptual site map of Hedland Youth Precinct

Officer's Recommendation

That Council approves the Hedland Youth Precinct contract variation of \$7,601 for cadastral, feature and level surveys of the Hedland Youth Precinct site.

AC/KH 6/0



MAKJaP PTY LTD
Consulting Engineers and Surveyors
 A.B.N. 66 009 183 831

REPLY TO: Dan Grogan

YOUR REF:

OUR REF: MJ09-3648(P)



Unit 1
 61 Walters Drive
 Osborne Park WA 6017
 AUSTRALIA

Postal:
 P.O. Box 144
 Mt Hawthorn WA 6915
 AUSTRALIA

Telephone: (08) 9444 3555
 Facsimile: (08) 9443 2987 Email: perth@makjap.com.au

Holton Connor Architects
 (Attention: Mr Michael Connor)
 56 Thomas Street
 WEST PERTH WA 6005

Thursday, 4 June 2009

Dear Sir,

JD HARDIE CENTRE, COTTIER DRIVE, SOUTH HEDLAND

Thank you for the opportunity to provide a fee proposal to carryout a feature survey of the JD Hardie Centre, South Hedland.

Scope of Works:

- i. Field work and travel
- ii. Data reductions and processing
- iii. Search of service information through Dial Before You Dig
- iv. Plan preparation and internal checks

Fee Proposal:

i.	Field Crew	\$4,740.00
ii.	Surveyor	\$320.00
iii.	Plan Preparation	\$950.00
iv.	Disbursements	
	a. File Charge	\$100.00
	b. Search	\$200.00
	c. Materials	\$50.00
	d. RTK GPS Hire	\$550.00
		<u>\$900.00</u>
	Sub-Total	\$6,910.00
	GST	<u>\$691.00</u>
	Total	\$7,601.00



MAKJaP PTY LTD
A.B.N. 66 009 831

The survey will be carried out using a combination of traditional survey methods and RTK GPS observations. The coordinate system used will be Port Hedland Grid 94 (PHG94).

The boundaries of the site will be not be marked, but will be plotted from plan dimensions and information sourced from Landgate. The positions of the boundaries should have an accuracy of $\pm 25\text{mm}$. Any visible survey marks will be located for verification purposes.

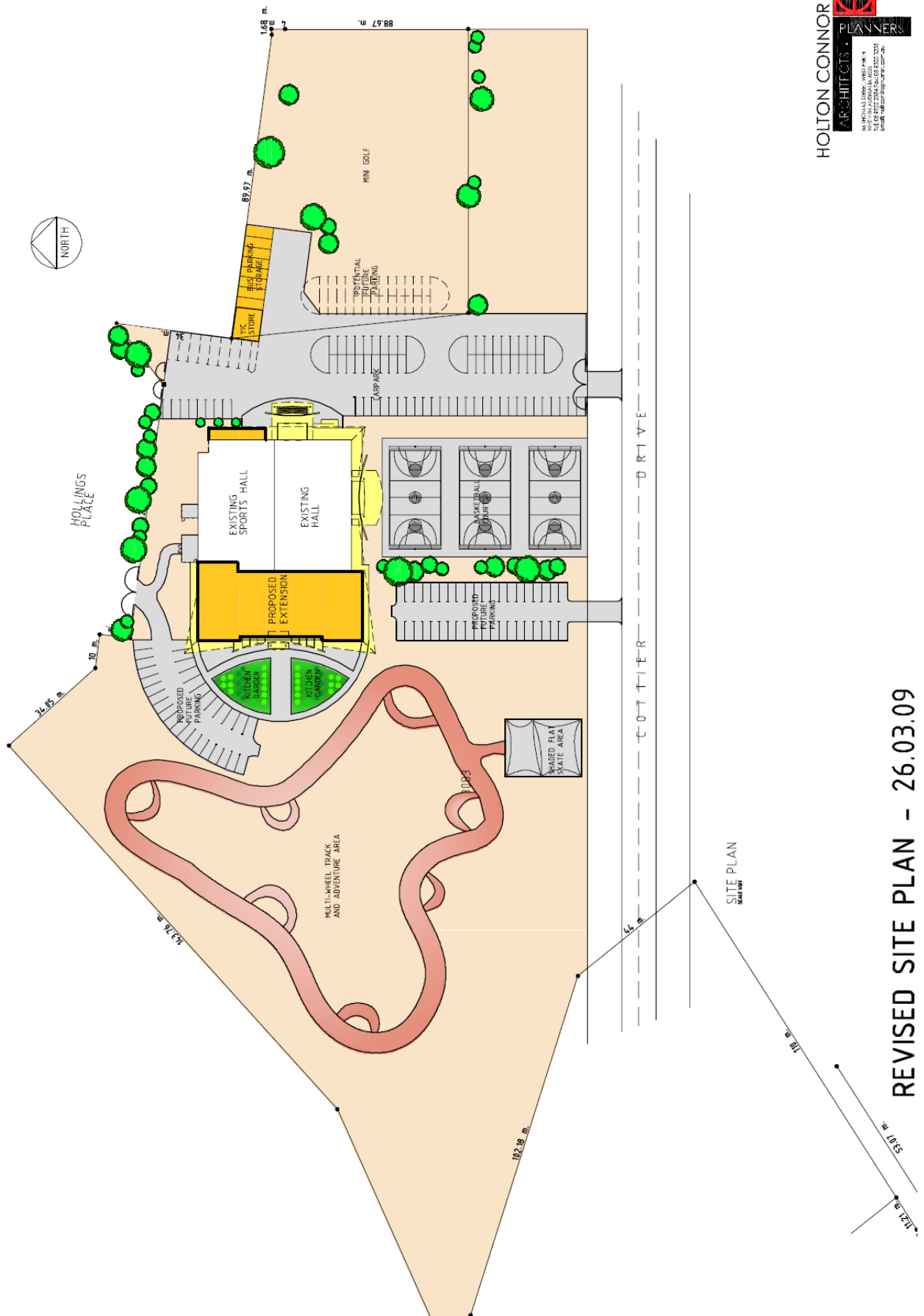
We should be able to commence work on the survey within one week of receiving your acceptance of our proposal.

Should you require any further information, please do not hesitate to contact our office.

Yours faithfully



MAKJaP Pty Ltd



6.1.1.5 Proposed Creation of Road Reserve Linking Channel Way to Huxtable Crescent South Hedland (File No.: 18/14/0004)

Officer Richard Bairstow
Manager Planning

Date of Report 19 June 2009

Application No 2009/128

Disclosure of Interest by Officer Nil

Summary

Council has received a request from Taylor Burrell Barnett, Town Planner's on behalf of the South Hedland New Living Project (SHNL), to create a road reserve linking Channel Way to Huxtable Crescent.

Background

At its Ordinary Meeting, on 27 June 2007, Council considered a request for comment from the Western Australian Planning Commission (WAPC) for an application to subdivide Lots 2411, 5940, and 5924 Paton Road, South Hedland (WAPC No. 134834) to create 17 residential lots. This application formed part of the SHNL land development program. At this meeting Council resolved to support the application, subject to a number of standard conditions.

This subdivision (see attached Plan No. 05/087/022) shows a potential extension of the proposed new south/west local road over the existing drainage reserve (Reserve 46658) via a culvert crossing to connect to Huxtable Crescent.

As it is now intended to make this road connection, via a culvert crossing, SHNL request that Council make the required formal request to the Department for Planning and Infrastructure (State Land Services) to create the road reserve within which the road may be constructed.

As indicated on the attached plan, the road reserve crosses three (3) lots:

1. Lot 5965 (Reserve 31395) which is managed by the Water Corporation for "Access Sewage Pumping"

Notwithstanding that the road reserve crosses only a small corner of this reserve, consent is required from the Water Corporation ceding this land for the road reserve.

SHNL is in negotiation with the Water Corporation to acquire this approval and shall make this advice available to the Town when received.

2. Lot 5990 (Reserve 46658) managed by Town of Port Hedland for "Drainage"

As noted in this report, the road shall be constructed on a culvert crossing that shall be designed so as not to interfere or obstruct the drainage function of the reserve.

3. Lot 3744 that is unallocated Crown land

This land is undeveloped and existing desire lines indicate that this land is already used as a public thoroughfare.

The only freehold lot fronting the new road connection is Lot 3745 (12) Huxtable Crescent that is developed with two grouped dwellings, one of which presents a side boundary to the new road. While it is generally not desirable to have solid boundary fencing facing a public road, the relatively short length of the road, combined with overlooking from the new development at the Paton Road subdivision, shall provide adequate passive surveillance opportunities.

The cul-de-sac bulb at the end of Huxtable Crescent will require reforming as part of any roadworks to ensure traffic direction is clearly delineated. Whilst this application does not propose the closure of this portion of road reserve, the landowner of Lot 3745 may elect to request that this portion of road reserve be closed to enable its purchase and amalgamation into Lot 3745.

SHNL are in the process of preparing and lodging an application for subdivision approval for the development of Lot 6128 Paton Road, that will create a direct link from Huxtable Crescent to Paton Road, whilst closing the direct link to Becker Court. This potential connection is shown on the attached plan to indicate the overall traffic permeability strategy. It is noted that Council will not prejudice any decision regarding this future subdivision application should it resolve to support this request.

As this proposed road connection intersects Paton Road at both ends, it is also proposed to rename the as yet unconstructed Channel Way, and change the suffix of Huxtable Crescent to "Way" to better reflect the new connection.

Whilst this is the ultimate intention, it is not intended to make this request to the Geographic Names Committee at this stage, as it will be more appropriate to address this matter when considering the Huxtable Crescent road closure. This matter may be addressed when considering the subdivision referral for Lot 6128 Paton Road.

Consultation

Council's Engineering Services has maintained an ongoing discussion with the SHNL regarding this road connection and culvert crossing and have advised that the proposal can be accommodated within the current design. Specific engineering drawings will be required to be approved by the Town prior to its installation.

Whilst no formal public consultation is required for this request, and it meets Council's overall objective of improving traffic permeability in South Hedland, it is recommended that the landowners and residents of Huxtable Crescent be advised of this new road connection.

As noted earlier in this report, consent from the Water Corporation is required to support this request to the Department for Planning and Infrastructure (State Land Services). The applicant has advised that the negotiation for this consent is underway, and Council shall be advised in writing of this consent as soon as possible.

Statutory Implications

Section 56 of the *Land Administration Act 1997* gives the Minister for Lands the authority to create a road reserve at the request of a local government.

Regulation 8 of the *Land Administration Regulation 1998* establishes the process for a local government for making a request to the Minister to dedicate land as a road.

Policy Implications

Local Planning Policy No. 2 – Residential Road Reserve Widths

Strategic Planning Implications

Key Result Area 4 – Economic Development

Goal Number 4 – Land Development Projects

Strategy 1 – Fast-track the release and development of commercial, industrial, and residential land, in a sustainable manner including:

- South Hedland New Living Developments

Budget Implications

When the road reserve is created, the SHNL shall construct the new road within this reserve that shall then become the responsibility of the Town of Port Hedland to manage and maintain in good repair. Maintenance and cleaning costs for the new road shall be incorporated into future budgets.

Officer's Comment

The request is part of the New Living Project and will improve permeability in the general area. The connection was previously endorsed as part of the subdivision associated with the land to the north.

The request is recommended for support subject to Water Corps agreement to the cancelling of the portion of Reserve 31395.

Attachments

1. Proposed Subdivision Plan: Lots 2411, 5924 & 5940 Unallocated Crown Land Paton Road, South Hedland (Plan 05/087/022);
2. Proposed Road Reserve Plan: Huxtable Way, South Hedland (Plan 05/087/064a)
3. Proposed Huxtable Way Road Reserve Context Plan

200809/405 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

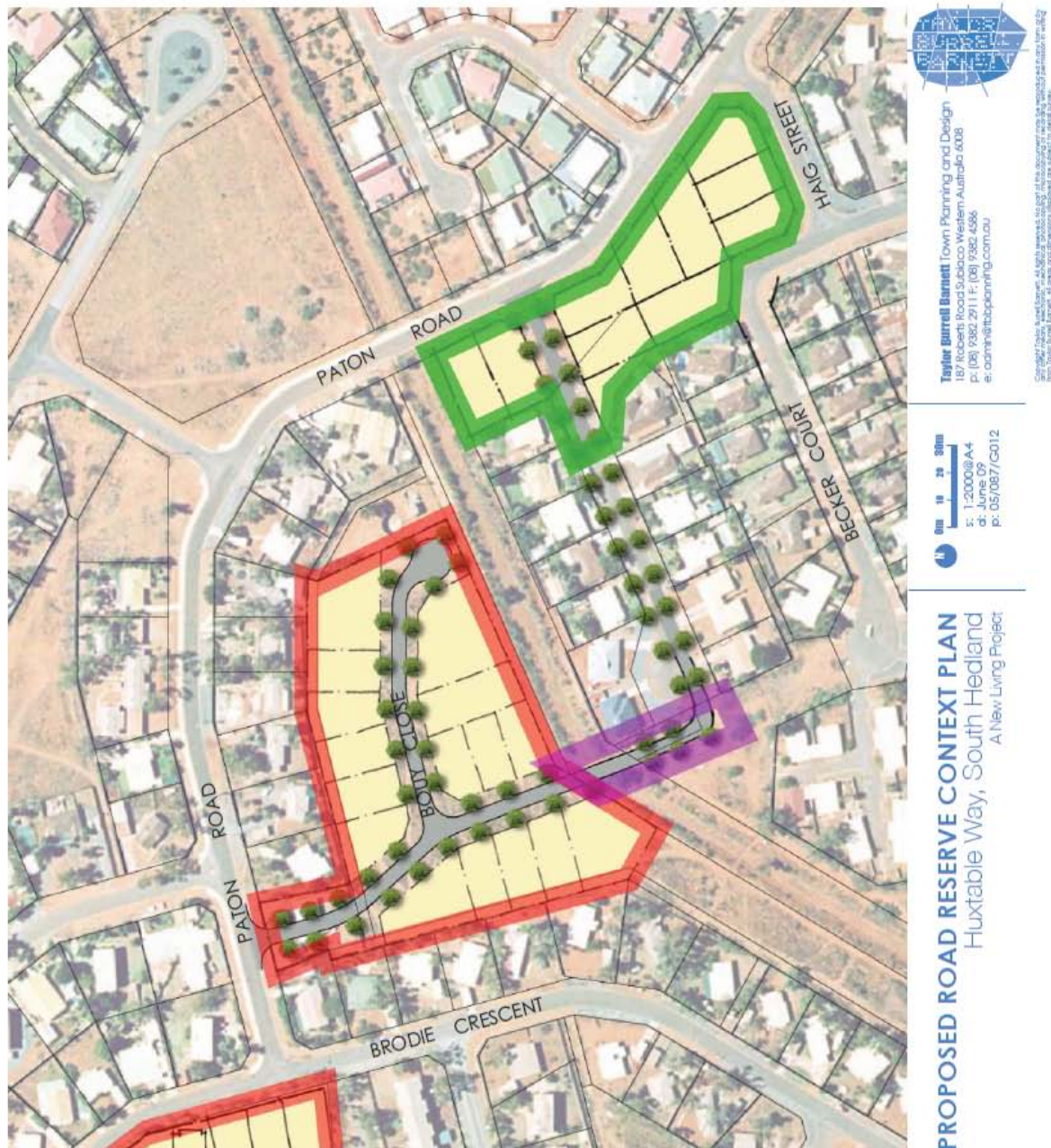
Seconded: Cr A A Gear

That Council:

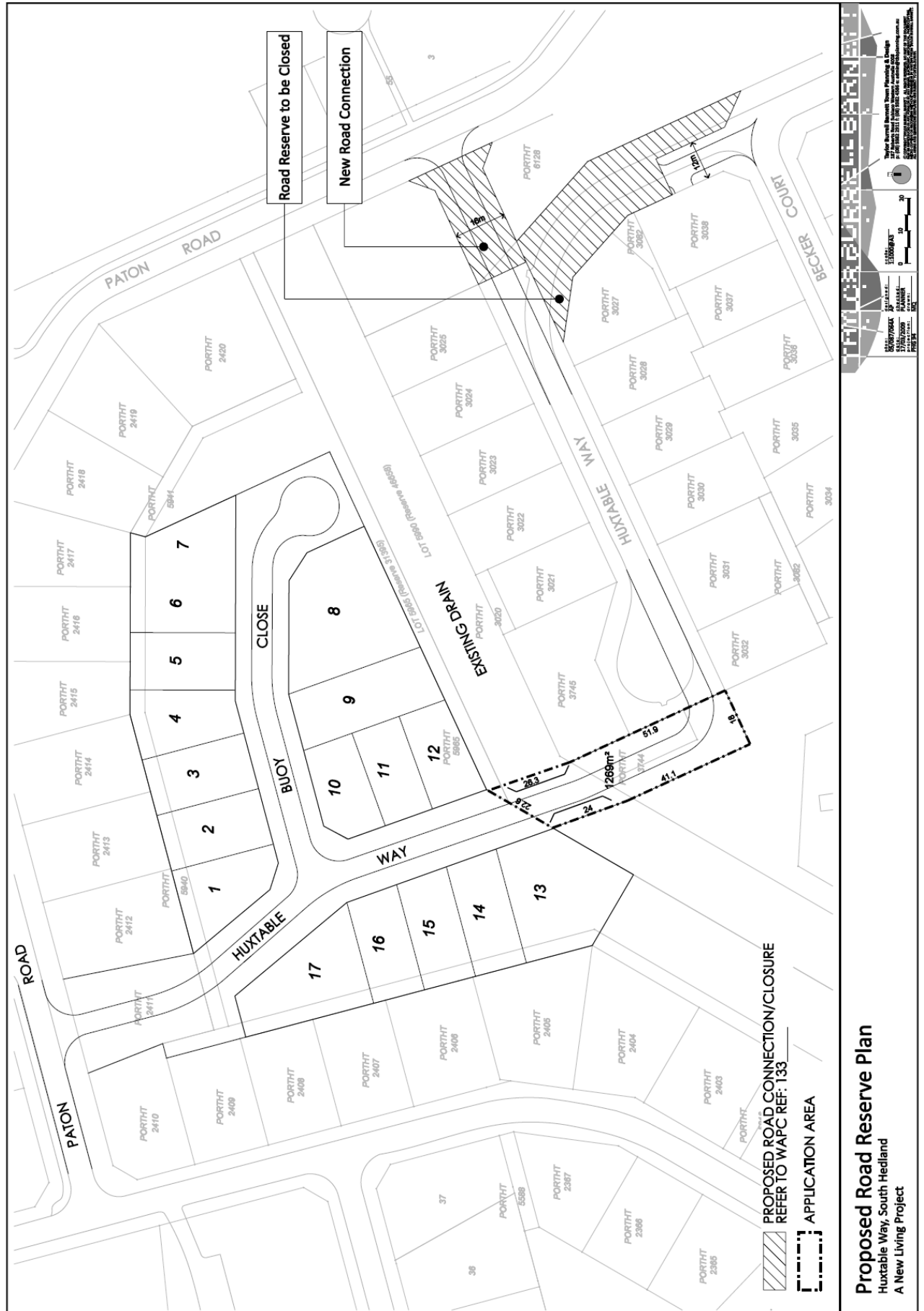
- a. Subject to the Water Corporation advising in writing that it does not object to the cancelling of the portion of Reserve 31395 required for the proposed road reserve described in the attached Plan 05/087/064a:
 1. **Requests the Minister for Lands to create a road reserve in accordance with the attached plan (05/087/064a);**
 2. **Advises the residents and landowners of Numbers 1 – 12 (inclusive) Huxtable Crescent South Hedland of this resolution**
- b. Requires the applicant, to submit and have approved by the Town's Manager Infrastructure Services, engineering drawings for the proposed road and bridge crossing prior to the commencement of any works.

CARRIED 6/0

ATTACHMENT 1 TO AGENDA ITEM 6.1.1.5



ATTACHMENT 2 TO AGENDA ITEM 6.1.1.5



ATTACHMENT 3 TO AGENDA ITEM 6.1.1.5



6.1.2 Environmental Health Services**6.1.2.1 *Tender 09-08 Fabrication and Installation of Water Re-Use Tank Covers (File No.: 21/07/0006)***

Officer Darryal Eastwell
Manager Environmental
Health

Date of Report 24 June 2009

Disclosure of Interest by Officer Nil

Summary

This report provides a summary of submissions received for tender 09-08 for the removal of existing covers, supply of materials, fabrication and installation of four (4) new roof/covers to the re-use water tanks situated at the South Hedland High & Primary Schools, Cassia Primary and Baler Primary School to Engineered specifications.

Background

Tenders were called for the supply of materials, fabrication and installation of new roof covers at the four schools, closing on 24th June 2009.

The installation of new covers will assist in mosquito control at these tanks, assist with odour control, improve the amenity of the compounds and will make the tanks safer by full enclosing the tanks.

Consultation

- Council staff.
- Robin Salter & Associates – Chartered Consulting Engineers & Designers.
- Western Australian Local Government Association.
- The tender was advertised in the West Australian newspaper once and locally twice.

Statutory Implications

This tender was called in accordance with the Local Government Act (1995).

“3.57. Tenders for providing goods or services

(1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

(2) *Regulations may make provision about tenders.*”

Other statutory implications:

- Health Act 1911 – Re-use water reticulation is permitted on school ovals and Council reserves under approval from the Department of Health.
- Guidelines for Effluent Reuse in Western Australia 2007

Policy Implications

This tender was called in accordance with Council’s Procurement Policy 2/007.

Strategic Planning Implications

Key Result Area 5 - Environment

Goal 2 – Natural Resources

Strategy 2 – Ensure that all available non-potable wastewater is being re-used appropriately on Council reserves and school ovals.

Budget Implications

Funding for this project has been supplied by the State Government under the “Royalties for Regions” programme with \$150,000 being allocated to complete the project. Costs will include the tendered works themselves, advertising the tender, preparation of tender documentation and preparation of engineer certified plans.

Officer’s Comment

Tender documentation was distributed to seventeen (17) businesses and the Town received 4 submissions, all from local companies. Companies were permitted to inspect the facilities at an agreed time and several inspections were undertaken.

The tenders received are listed below.

Table 1 (note: prices indicated are exclusive of GST):

Tenderer	Total
Carey Gardner Engineering	\$133,194.00
Broadspectrum WA P/L	\$155,570.00
Ribshire Pty Ltd T/A Goodline	\$189,75.80
Maanen Holdings T/A Munda Fabrication	\$218,440.00

Table 2 below indicates the Assessment criteria as per tender documentation:

Table 2:

Item	Assessment Criteria	Loading Factor	Max Score	Max Loaded Score
1	Price		50	50
2	Organisation Capabilities	3	5	15
3	Key Personnel	2	5	10
4	Methodology	2	5	10
5	Local Industry content	3	5	15
	Max Loaded Score			100

Table 3 below indicated the assessment of each tenderer in accordance with the evaluation criteria.

Table 3:

Company	Price	Organisation Capabilities	Key Personnel	Methodology	Local Industry content	Total Score
Carey Gardner Engineering	50	10	7.5	7.5	12.5	87.5
Broadspectrum WA P/L	41.6	10	10	10	15	86.6
Ribshire Pty Ltd T/A Goodline	28.7	-	-	-	-	28.7
Maanen Holdings T/A Munda Fabrication	18	15	10	10	15	68

As can be seen above Carey Gardner Engineering achieved the highest score when considering price and the evaluation criteria and it will be recommended to Council that their tender be accepted.

Attachments

Nil

200809/406 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council award Tender 09-08 Fabrication/Installation of Water Re-use Tank Roof Covers to Carey Gardner Engineering for the price of \$133,194 exclusive of GST.

CARRIED 6/0

6.2 ENGINEERING SERVICES**6.2.1 Manager Engineering Services****6.2.1.1 *Tender 09/09: Sale of Used Machinery (File No.: 23/08/0046)***

Officer Russell Dyer
Manager Engineering
Services

Date of Report 23 June 2009

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is for Council to consider the Tenders received for the sale of miscellaneous used machinery.

Background

Several pieces of used machinery were identified as being surplus to Council's needs, so it was decided to offer this machinery for sale under public tender.

In line with this decision, Tenders were recently called for the Sale of Used Machinery (Tender 09/09), which closed on the 19th June 2009.

The equipment that was included for sale in this Tender is as follows:

- MacDonald Johnston 19 m rear loader
- MacDonald Johnston 600 Road Sweeper
- Mitsubishi Canter Tray Top
- Cat 963B track type loader
- Mitsubishi FK617 tipper (5 ton)

Consultation

Director Engineering Services
Manager Engineering Services

Statutory Implications

Section 3.58 – Disposing of Property in accordance with the Local Government Act 1995 (as amended)

*“3.58. Disposing of property
(1) In this section —*

“dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;

“property” includes the whole or any part of the interest of a local government in property, but does not include money.

- (2) *Except as stated in this section, a local government can only dispose of property to —*
 - (a) *the highest bidder at public auction; or*
 - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
 - (a) *it gives local public notice of the proposed disposition -*
 - (i) *describing the property concerned;*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*
 - (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
 - (a) *the names of all other parties concerned;*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.*
- (5) *This section does not apply to —*
 - (a) *a disposition of land under section 29 or 29B of the Public Works Act 1902;*
 - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59;*
 - (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
 - (d) *any other disposition that is excluded by regulations from the application of this section.*

[Section 3.58 amended by No. 49 of 2004 s. 27.]”

Policy Implications

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

Strategic Planning Implications

Nil

Budget Implications

Non Operating Revenue

Sale/ Trade In – Veh /Plant 1208396

Officer's Comment

Tenders were received from a total of five (5) companies for the equipment that was offered for sale. A summary of the Tenders received is included in the table below (all figures shown below are inclusive of GST):

Equipment	Tenderer 1	Price	Tenderer 2	Price
MacDonald Johnston 19 m rear loader	Western Maze	\$23,000	360 Recycling	\$80,000
MacDonald Johnston 600 Road Sweeper	Kalamunda Sweeping	\$60,500	Western Maze	\$11,500
Mitsubishi Canter Tray Top	P & S Reibel Concrete Contractors	\$8,000	NA	NA
Cat 963B track type loader	Swantrax	\$27,500	NA	NA
Mitsubishi FK617 tipper (5 ton)	P & S Reibel Concrete Contractors	\$15,000	NA	NA

Attachments

Nil

200809/407 Council Decision/Officer's Recommendation

Moved: Cr K A Howlett

Seconded: Cr G D Bussell

That Council awards Tender 09/09 'Sale of Used Machinery' to the highest Tender received for each piece of equipment offered, as follows:

- a) the Tender for the sale of the MacDonald Johnston 19m rear loader be awarded to 360 Recycling for the value of \$80,000; and

- b) the Tender for the sale of the MacDonald Johnston 600 road sweeper be awarded to Kalamunda Sweeping for the value of \$60,500; and
- c) the Tender for the sale of the Mitsubishi Canter Tray Top be awarded to P & S Reibel Concrete Contractors for the value of \$8,000; and
- d) the Tender for the sale of the Cat 963B track type loader be awarded to Swantrax for the value of \$27,500; and
- e) the Tender for the sale of the Mitsubishi FK617 tipper (5 ton) be awarded to P & S Reibel Concrete Contractors for the value of \$15,000.

CARRIED BY ABSOLUTE MAJORITY 6/0

6.2.2 Recreation Services

NOTE: Council considered Agenda Item 6.2.2.1 'Tender 09/07: Design and Construction of Colin Matheson Oval Clubhouse (File No.: Tender 09/07)', prior to Agenda Item 6.1.1.1 'Changes to the Proposed Amendment to the Town of Port Hedland Town Planning Scheme No. 5 to Rezone Residential Land in the West End (File No.: 18/09/0029)'.

6.2.2.1 Tender 09/07: Design and Construction of Colin Matheson Oval Clubhouse (File No.: Tender 09/07)

6.3 GOVERNANCE AND ADMINISTRATION**6.3.1 Governance****6.3.1 South Hedland Royal Flying Doctor Service House – Expression of Interest to Assist (File No.: 02/05/0001)**

Officer Gaye Stephens
Executive Assistant

Date of Report 11 June 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider involvement in The Royal Flying Doctor Service (RFDS) Home Project, which is the construction of a home in South Hedland for staff housing.

Background

Council has received a letter from the General Manager – Business Development at Jaxon, dated 4 June 2009, outlining the RFDS Home Project. The letter (in part) states:

“For some time now JAXON has been working behind the scenes identifying a project that can provide some real assistance to the RFDS. That project has been identified as being staff housing.

The RFDS Home Project has commenced with the donation of a block of land by the Western Australian Government through the Department of Housing’s South Hedland New Living Project. The block is situated at Lot 770 Mindaroo Avenue, South Hedland in the brand new Collier Subdivision.

The design has been completed with input from the RFDS to ensure it meets their needs. The site survey, full drawings, estimates and quantities have all been completed.

To make this project a truly community effort it now requires you, your time, services, materials and products. So this is now your opportunity to be a part of the landmark project.”

Consultation

Council’s Director Regulatory and Community Services.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

The following table of planning and building fees demonstrates fees payable on the construction of a residential property valued at \$500,000 as an example:

Fee based on Residential Construction Estimate of \$500,000	\$
Planning Application Fee	1,450.00
Building Application Fee	1,590.90
Building and Construction Industry Training Fund (BCITF)	\$1,000.00
Builders Registration Board (BRB) Levy	\$40.00
TOTAL FEES PAYABLE	\$4,080.90

Two of the above fees are collected by Council on behalf of the State Government, being the Building and Construction Industry Training Fund (BCITF), and the Builders Registration Board (BRB) Levy.

The training levy is applied to all residential, commercial and civil engineering projects undertaken in Western Australia where the total value of construction is over \$20,000. The rate of the levy is 0.2% of the total contract price (inclusive of GST) or \$200 in every \$100,000 worth of project value.

The BRB Levy will be \$40, effective 1 July 2009.

Officer's Comment

Council may chose to, or chose not to, Express Interest in supporting the RFDS Home project for Lot 770 Minderoo Avenue in South Hedland.

It is recommended that Council consider waiving fees and charges associated with the provision of Planning, Building and Environmental Health Services, for the construction of the RFDS staff house at Lot 770 Minderoo Avenue, South Hedland.

Attachments

Letter received from Jaxon, dated 4 June 2009.

Officer's Recommendation

That Council formally advises Jaxon of its Expression of Interest to participate in the Royal Flying Doctor Service (RFDS) Home Project for the construction of staff housing for RFDS at Lot 770 Minderoo Avenue, South Hedland, by:

- i) waiving all fees associated with the consideration of the Planning Application;
- ii) waiving the fees associated with Council's consideration of the Building Application, excluding
 - a) the Building and Construction Industry Training Fund (BCITF) Fee; and
 - b) the Builders Registration Board (BRB) Levy:
- and
- iii) waiving all fees association with Building and Environmental Health Inspections of the property.

200809/... Council Decision

Moved: Cr K A Howlett

Seconded: Cr G J Daccache

That Council formally advises Jaxon of its Expression of Interest to participate in the Royal Flying Doctor Service (RFDS) Home Project for the construction of staff housing for RFDS at Lot 770 Minderoo Avenue, South Hedland, by:

- i) waiving all fees associated with the consideration of the Planning Application;
- ii) waiving the fees associated with Council's consideration of the Building Application, excluding
 - a) the Building and Construction Industry Training Fund (BCITF) Fee; and
 - b) the Builders Registration Board (BRB) Levy:
- and
- iii) waiving all fees association with Building and Environmental Health Inspections of the property.
- iv) extend an offer to contribute to the landscaping of a waterwise and native landscaping of the property, through Council's Parks and Gardens to a maximum value of \$6,000 for materials.

NOTE: Mayor advised his casting vote in favour, resulting in 4/3. As Council Decision required was required by an absolute majority the Decision was not carried.

200809/408 Council Decision/Officer's Recommendation

Moved: Cr G D Bussell

Seconded: Cr A A Gear

That Council formally advises Jaxon of its Expression of Interest to participate in the Royal Flying Doctor Service (RFDS) Home Project for the construction of staff housing for RFDS at Lot 770 Minderoo Avenue, South Hedland, by:

- i) waiving all fees associated with the consideration of the Planning Application;
 - ii) waiving the fees associated with Council's consideration of the Building Application, excluding
 - a) the Building and Construction Industry Training Fund (BCITF) Fee; and**
 - b) the Builders Registration Board (BRB) Levy:**
- and
- iii) waiving all fees association with Building and Environmental Health Inspections of the property.

CARRIED BY ABSOLUTE MAJORITY 6/0

ATTACHMENT TO AGENDA ITEM



To Chris Adams

Town of Port Hedland

Civic Centre McGregor Street
Port Hedland WA 6721

Date 4th June 2009

Dear Chris

Subject: The South Hedland Royal Flying Doctor Service House: -
Registration of Interest – Your chance to take part!

Eighty years ago a clergyman had a vision about bringing health care to people in remote areas. Through his hard work Reverend John Flynn managed to get enough support to put together the first Flying Doctor flight which flew out of Cloncurry in Queensland in 1928.

John Flynn's bold and daring vision has translated into what we know today as the Royal Flying Doctor Service. The RFDS now provides aero-medical evacuations across Western Australia, in addition to a range of fly in visiting medical services to remote and rural areas.

Operating from five bases in Western Australia at Jandakot, Kalgoorlie, Meekatharra, Port Hedland and Derby the RFDS provides a 24-hour response to medical emergencies.

The RFDS Doctors have very broad medical experience including obstetrics, paediatrics, anaesthetics and emergency medicine. The RFDS Flight Nurses too are all highly experienced nursing professionals that also have qualifications as midwives and in critical care. RFDS pilots are amongst the most experienced and well trained pilots in the country.

The RFDS Medical Teams do long shifts with individual emergency retrievals from more distant parts of the State taking up to 12 hours.

Last year the RFDS transferred over 6000 patients and flew in excess of 7 million kilometres in bringing high quality medical care to the people of Regional Western Australia.

The people of the RFDS form a very special part of our regional community. Spend a minute and think about who you know in your community that has been helped by the RFDS and you'll realise just how important their role is, particular when that someone has been you, your partner, brother, sister, mum, dad or a work mate.

Well now it's our turn to return a few favours to the RFDS!

JAXON Pty Ltd ABN 69 117 411 104

4 Gwentyfred Road, South Perth WA 6151 GPO Box U1906, Perth WA 6845
Telephone: (08) 9368 9999 Facsimile: (08) 9367 8999
Email: info@jaxon.net.au Web: www.jaxon.net.au





For some time now JAXON has been working behind the scenes identifying a project that can provide some real assistance to the RFDS. That project has been identified as being staff housing.

The RFDS Home Project has commenced with the donation of a block of land by the Western Australian Government through the Department of Housing's South Hedland New Living Project. The block is situated at Lot 770 Mindaroo Avenue, South Hedland in the brand new Collier Subdivision.

The design has been completed with input from the RFDS to ensure it meets their needs. The site survey, full drawings, estimates and quantities have all been completed.

To make this project a truly community effort it now requires you, your time, services, materials and products. So this is now your opportunity to be a part of this landmark project.

Participation in the project will mean having your company's name displayed on the site hoarding and at the completion of the project having your company's name on the Honour Role Plaque that will be affixed to the RFDS house.

This is a marvellous opportunity to show once again the 'spirit of the bush' in getting this project completed and providing much needed accommodation for the RFDS staff that work from Hedland.

If you would like to participate in this wonderful project, and to be considered part of the RFDS Family, please call Craig Donaldson at JAXON on 9368 9233, mobile 0409 291 419 or email craig.donaldson@jaxon.net.au to register your interest.

I look forward to receiving your responses and to working with you to deliver this project.

Remember, having additional RFDS staff housed in South Hedland may make the difference in saving your life or the life of someone that is near and dear to do!

Yours faithfully

A handwritten signature in black ink, appearing to read "Ross Napier", with a stylized flourish at the end.

Ross Napier
General Manager – Business Development

JAXON Pty Ltd ABN 69 117 411 104

4 Gwentyfred Road, South Perth WA 6151 GPO Box U1906, Perth WA 6845
Telephone: (08) 9368 9999 Facsimile: (08) 9367 8999
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ITEM 7 CLOSURE

7.1 Closure

There being no further business, the Chairman declared the meeting closed at 6:25 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 22 July 2009.

CONFIRMATION:

MAYOR

DATE