



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 24 OCTOBER 2012

AT 5.30 PM

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

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

OUR COMMITMENT

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

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ITEM 1 OPENING OF MEETING**1.1 Opening**

The Mayor declared the meeting open at 5:33pm and acknowledged the traditional owners, the Kariyarra people.

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

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

Officers

Mr Malcolm Osborne	Chief Executive Officer
Mr Russell Dyer	Director Engineering Services
Ms Natalie Octoman	Director Corporate Services
Mr Eber Burton	Director Planning & Development
Mr Gordon MacMile	Director Community Development
Ms Debra Summers	Manager Organisational Development
Ms Grace Waugh	Administration Officer Governance

2.2 Apologies

Nil

2.3 Approved Leave of Absence

Councillor Michael (Bill) Dziombak
Councillor Julie E Hunt

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 26 September 2012****3.1.1 *Camilo Blanco***

The Local Government Act clearly states that Local Governments cannot charge for a service that has not been provided. Can the Town explain how it can legally charge for the underground power in areas that already have it and in areas that have not been connected to the service yet? Can the Mayor also quote the section in the Act that confirms your answer?

The Acting Chief Executive Officer advised that Section 6.38(1) of the Local Government Act 1995 refers to service charges and states that:

*(1) A local government may impose on —
(a) owners; or
(b) occupiers,
of land within the district or a defined part of the district a
service charge for a financial year to meet the cost to the local
government in the provision of a prescribed work, service or
facility in relation to the land.*

Section 54 of Local Government (Financial Management) Regulations 1996 specifies that for the purposes of Section 6.38(1) of the Local Government Act 1995, underground electricity is a prescribed works, service or facility.

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 26 September 2012**3.2.1 *Councillor Carter***

Can I please have the number of Freedom of Information requests received by the Town in the last 6 months and be advised as to whether the Town responded to all the ones that have been received?

Acting Chief Executive Officer advised that within the last six months from 26 March 2012 to the date of this question 26 September 2012, the Town has received 13 applications under the Freedom of Information Act 1992. Of those 13 applications, two were withdrawn and 10 have been responded to within the statutory timeframe of 45 days. The remaining one is at external review and ongoing.

3.2.2 *Councillor Hunt*

In regards to the motocross track which has been relocated, is there a timeline as to when this will be completed?

Acting Director Community Development advised that an overview of the current situation has been sent out to Elected Members explaining that the Town is currently awaiting written approval from the Department of Mines and Petroleum for the Motor Cross Club to use its nominated site.

ITEM 4 PUBLIC TIME

Mayor opened Public Question Time at 5:34pm.

4.1 Public Question Time

4.1.1 *Mr Chris Whalley*

I have been away for five weeks and there is now a build up of rubbish around where I live. I ask that Council consider banning all delivery of newspapers to households in the Town of Port Hedland because there are shops in the area that sell newspapers.

Mayor advised that this has been brought up with newspaper distributors and will continue being brought up with them. Members of the public can report addresses where newspapers are piling up and the newspaper distributors will stop delivering to those addresses.

What is Council doing about sealing the carpark next to the Boulevard Shopping Centre?

Mayor advised that the Town has written to the Department of Regional Development and Lands and will be following this up. The car park is not Council property so permission of the land owner is needed.

4.1.2 *Ms Terri Kirkpatrick*

My question relates to the recent article in the local newspaper regarding the rail crossing on Wallwork road, that states the funding to build Wallwork Road bridge has been increased to \$30 million. Where will that extra funding be coming from and why has it taken so long to execute given that the Town has had funding from BHP and Main Roads two years prior? Where is that funding sitting right now?

Mayor advised that the funding for Wallwork Road Bridge is only from BHP Billiton.

Director Engineering Services advised that the funding from BHP Billiton is subject to the award of the tender. The Town will be given the funding from BHP Billiton once the tender has been awarded.

Do you have a timeframe as to when the tender will go out?

Mayor advised that the tender will go out once all the funding has been committed.

4.1.3 Ms Jasmine Person on behalf of Mr Camilo Blanco

What is the balance of the Town's municipal fund?

Director Corporate Services advised that the balance of the municipal fund as of close of business yesterday was \$49,447,062.42.

Can you advise as to how the Town spent in excess of \$11.5 million last month when the municipal fund only had \$46,806,028.20 as of the 20 August 2012 and \$40 million of that was restricted money? The restricted money was being redirected into the marina reserve and only in the municipal fund because of the process to redirect funds and the rates had not been issued at that time.

Director Corporate Services advised the municipal fund balance changes every day as money is received daily into the account and is spent weekly.

Has the Town used funds that are restricted or reserved to pay for day to day accounts of the Town of Port Hedland?

Director Corporate Services advised in the negative.

Have funds for the Marina Reserve been put into a specific dedicated account? And what is the balance of this account?

Director Corporate Services advised that the funds are being transferred today into a reserve account that holds all the funds for each reserve. It is not just for the Spoilbank Marina or the Airport or any other reserve.

This question has been asked at a previous meeting; what is happening with the interest generated from the \$40 million? It was meant to come back to Council for a decision as per Council resolution. It was said that this would happen as part of the budget process and the budget has now been adopted. What was the decision in relation to the money generated by the interest?

Mayor advised that this matter is still to come to Council.

Where is the interest that is generated by the \$40 million being kept as no Council decision has been made?

Director Corporate Services advised that the money is being held in a specific account and will be transferred into the Marina Fund.

In regards to the accounts listed tonight with the total being \$7,286 038.55, these accounts have been paid, is that correct?

Chief Executive Officer advised in the affirmative.

If the payments have already been made and a list prepared under Financial Management regulation 13.2 is being presented to Council tonight, then Council must not authorise the payments requested as per Local Government Act Financial Management Regulations 1996 under regulation 12.2. Is that correct?

Chief Executive Officer advised that there are delegations provided to staff to make payments and those payments are recorded and provided to Council in accordance with the Local Government Act 1995 and Financial Management Regulations 1996.

Has the review into the Multi Purpose Recreation Centre been finalised and when will it be available for inspection?

Mayor advised that the review is currently underway and the Town has not been provided with a date as to when the review will be available for inspection.

Has the reconstruction of the Visitor's Centre books been finished, and if not, when will it be finalised?

Mayor advised that the Town is still waiting on information from the Port Hedland Visitor's Centre Management Committee and once the information is provided the reconstruction will be completed.

On the 30 April 2012 Haines Norton was paid \$20,350 for the reconstruction of the Visitor's Centre accounts. Why are the documents taking so long to finish and how much more has the reconstruction cost?

Mayor advised that the documents have not been completed yet because information has not been provided by the Visitor's Centre Management Committee.

Director Corporate Services advised that Council endorsed a budget allocation for the reconstruction of the Visitor's Centre accounts in the order of about \$35,000. The \$20,000 was a part payment and there are further payments yet to come through.

On 10 October 2012 Mr Blanco attended the Audit and Finance Committee Meeting and asked for the balance of the municipal fund, that question was taken on notice. Can you explain the reason why the unconfirmed minutes say "Chairperson advised that questions need to relate to the matters of the meeting"?

Mayor advised that this is the standard procedure for the Audit and Finance Committee meeting.

At the last Ordinary Council Meeting Mr Blanco asked about Councillors having to submit Freedom of Information applications to receive audio recordings of Council meetings and the answer received was that "it is practice in regards to the Local Government Authority." Section 5.92 of the Local Government Act states:

*"5.92. Access to information by council, committee members
(1) A person who is a council member or a committee member can have access to any information held by the local government that is relevant to the performance by the person of any of his or her functions under this Act or under any other written law."*

Can you tell me how you came to the decision to restrict any information access to Councillors?

Mayor advised that there is standard procedure with regard to audio recordings which all Elected Members have been advised of. This procedure outlines the nature of public meetings and how members of the public can speak at these meetings.

4.1.4 Mr Frank Weir

Three weeks have passed since the announcement of funding for the South Hedland Bowls and Tennis Club. What can the club do to expedite the start of the project?

Director Community Development advised that the tender documentation for the construction is ready to be advertised. The funding has been confirmed with the exception of the agreement between the Town and the club in regards to the self supporting loan. The only condition that needs to be completed is a formal recognition of the self supporting loan.

When is this likely to happen?

Director Community Development advised that conversations are currently underway between the Town's finance team and the club.

Who is the Town's point of contact for the project and when will they arrange a meeting?

Mayor advised the Director Community Development will be the point of contact and a meeting will be held as soon as it is practically possible.

4.1.5 Ms Joan Foley

The significance of our bird flower emblem needs to be recognised by Town of Port Hedland staff. It is a perennial flower unique in many ways. It is the only lime green flower that can be found all year round. It is native to the area and grows in your garden without you having to plant it.

The bird flower bush grows here easily and is a significant aboriginal medicine plant and food. It is difficult for locals to watch the continual diminished presence of our emblem on Council signage, staff clothing, letterheads and vehicles. Councillor Carter has a full history of this emblem's selection. Were members of the community consulted about whether they would like to see less of the Town of Port Hedland emblem?

Mayor advised that Councillors and staff tonight are wearing badges with the crest on it. It is also on business cards which are used every day. Staff will continue to ensure the crest is present on Town of Port Hedland documentation.

It is my understanding that the original opening of the Wanangkura Stadium saw the Minister for Mental Health, Helen Morton concerned with the lack of accessible doorway entrance. The Director General of the Disabilities Department was sent to Port Hedland to meet with the then Acting Chief Executive Officer Mr Ian Hill where he was told that the situation would be remedied when the other works for the re-opening were carried out. Why hasn't this work been carried out on the Stadium's entrance?

Mayor advised that the Disability Access and Inclusion Plan working group are looking into this matter and working towards resolving it. This question is taken on notice to ensure it is looked into further.

The not-for-profit JaBaT dance school has been struggling with finding a suitable venue for the last 10 years. Why has the Town allowed the Men's Shed to use the Scout Hall and has rejected the JaBaT dance school request?

Mayor advised that Town of Port Hedland officers are looking into current issues with the Scout Hall and at other suitable facilities for the dance school.

With Ms Maureen Kelly being given the National Indigenous Elder of the Year award and Mrs Fran Carter the Medal of the Order of Australia, where is Council's recognition of these tremendous achievements? Does Council plan to hold a Civic reception for these two wonderful stalwarts' of our town to acknowledge their years of hard work and dedication? The principle teacher for JaBaT should also be included.

Mayor advised the people that were just named have received letters from her commending them for their awards but that this matter would be taken on board by the Council.

4.1.6 Ms Michelle Cook on behalf of Miss Mayac Cook

I am a student at JaBaT and auditioned for a place at the Australian Ballet School and was accepted. Next year JaBaT does not have a studio to dance in and I am worried I will not be able to train and sit my ballet exams. Is there anything you can do to help our school so we can continue to dance?

Mayor congratulated Miss Cook on being accepted into the Australian Ballet School. She also advised that the Town's staff is currently looking into facilities for JaBaT to practice in next year.

The end of year performance is coming up and one of the props is a miniature pony. JaBaT have been given different advice from different Town of Port Hedland staff regarding whether they can use the miniature pony as a prop. I have brought this matter to Council tonight to get an answer as to whether the pony can be used. The school was asked to fill in a risk assessment which has been done. The school has also had a professional horse trainer come and look at the pony. This pony is a children's pony that performs at all festivals in town. It is used to being around children, noise and bright lights. The pony is the focus of the show.

Director Community Development advised that the JaBaT dance school was initially asked to fill in a risk assessment and on further investigation and internal consultation the Town has established that under the Health Act the only live animal allowed inside a public venue is a registered guide dog. Therefore the pony is not allowed to be used as a prop inside the Matt Dann Centre.

In previous years there has been a circus perform at the Matt Dann Centre and they have had ponies on stage, is this correct?

Director Community Development advised that he is not aware of the circumstances surrounding previous use of the facility and the Town can only comment on the current situation.

In the 2009 concert held by JaBaT a little dog was used as Toto for the Wizard of Oz and he was not a guide dog.

Mayor advised that Town officers would be happy to meet with the dance school but unfortunately it appears that the miniature pony will not be able to be used in the show.

Does this restriction apply to shopping centres as well since they have petting zoo's?

Mayor advised that the shopping centres are considered a private building and restrictions are determined by the insurance and liability of the shopping centre.

JaBaT's insurance has no problem covering the miniature pony.

Mayor advised that the Matt Dann Centre is a joint facility owned by the Town of Port Hedland and the Education Department and this is the rule that applies to public buildings.

4.1.7 Ms Jasmine Person on behalf of Mr Camilo Blanco

The process that was referred to in the September Ordinary Council Meeting to obtain an audio recording was by way of a Freedom of Information request. As the previous process has always been 'ask and you shall receive', can Mr Blanco please obtain a copy of the policy that Council has adopted that restricts Councillors and the public from receiving the audio of a public meeting?

Mayor asked the Chief Executive Officer if the Town could provide Mr Blanco with the instruction that was given to Elected Members about the procedure of obtaining audio recordings of public meetings.

Chief Executive Officer advised that there are no restrictions on providing this same information to Mr Blanco. It is a procedure that has been put in place to ensure that clarity of information is being provided across the board and also to ensure no third parties, which may be involved in those transcripts, have their information released without their knowledge.

It is an internal policy, and not a Council resolution or a Council adopted policy?

Mayor advised that it is not a resolution, it is an instruction.

At the Ordinary Council Meeting on 26 September 2012, Mr Blanco asked if the Town could legally charge for underground power considering that the service is not being provided yet. The response from the Acting Chief Executive Officer was

"The Acting Chief Executive Officer advised that section 6.38(1) of the Local Government Act 1995 refers to service charges and states that:

*(1) A local government may impose on —
(a) owners; or
(b) occupiers, of land within the district or a defined part of the district a service charge for a financial year to meet the cost to the local government in the provision of a prescribed work, service or facility in relation to the land."*

Section 6.16 of the Local Government Act states that:

"(1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed"

Our power bills have a supply or service charge attached to them so section 6.38 subsection 1 is not correct. If the Town cannot prove that it can legally charge for the underground power service without actually providing the service, can the Town allow people to pay if they want to without interest penalties until the service is provided?

Mayor advised that the Town can legally charge for the service as can the Shire of Roebourne and the Shire of Ashburton.

In relation to the last Council Meeting, you said you could not make one Councillor apologise to another Councillor relating to Councillor Gillingham's question. You also said you cannot answer for another person in relation to Councillor Dziombak's question. Town of Port Hedland Local Law on Standing Orders Section 5.2 states:

"(2) A member may at any time ask a question, through the chairperson, of any other member or officer. The question shall relate to the matter under consideration and the chairperson shall have the power to refuse to have any question answered when the chairperson is of the opinion that the question is irrelevant, repetitious, mischievous or unnecessary."

In view of the section, on what basis did you refuse to allow those questions to be asked?

Mayor advised that the reasoning was the lack of relevance in regards to Councillors being able to perform their duties prescribed under the Local Government Act 1995.

Has the water allocation for the Precinct 3 project been finalised by the Water Corporation and is there a start date for the water supply infrastructure to be put in place by the Water Corporation?

Director Planning and Development advised that the Town are in constant consultation with BHP Billiton in regards to the infrastructure provided and they have not given the Town a date as of yet.

In relation to Ms Irene Coffin's painting which was paid for by the ratepayers of Port Hedland and that was hung in Council Chambers, why was the painting mistreated and discarded at the back of Gratwick Hall resulting in damage to the people's property?

Mayor advised that she is not aware of this and the question is taken on notice.

Mr Blanco would like a copy of the audio recording of tonight's meeting.

Mayor advised that Mr Blanco will need to submit a Freedom of Information request.

Mayor closed Public Question Time at 6:08pm.

Mayor opened Public Statement Time at 6:09pm.

4.2 Public Statement Time

4.2.1 *Mr Chris Whalley*

I would like to thank the staff that replanted all the saplings along the Great Northern Highway. Before I left to go on holidays they were all dying and now they are green and growing.

4.2.2 *Mr Doug Gerloff*

I am speaking on behalf of my daughter who is the registered proprietor of Lot 1 (73A) Sutherland Street which adjoins the proposed development in Item 11.1.3 Proposed Four Multiple Dwellings on Lot 2 (73B) Sutherland Street Port Hedland (File No.: 130622G). We recognise that this application for development is being considered under the Planning and Development Act 2005 and not the Strata Titles Act 1985; however there are significant aspects of the proposal which will make it difficult to proceed past this stage. Our objection was made under Section 8 of the Strata Titles Act which requires consent of both parties for strata subdivision. The new proposal will not be in keeping with the rest of the development and we believe the effects on the structural integrity of the building are potentially disastrous in a cyclone zone. We believe that if this proposal proceeds our tenants could be exposed to life threatening risks and that the long term structural integrity of our building will be severely compromised. We suggest that Council give consideration to withholding approval at this stage and that the two parties negotiate a settlement which would be beneficial to all.

4.2.3 *Ms Jasmine Person on behalf of Mr Camilo Blanco*

I have a statement by Mr Camilo Blanco. For the purposes of Freedom of Information requests there are no restrictions on any of Mr Blanco's comments or questions. The audio or transcripts of Mr Blanco's name or voice can be requested by any member of the community, his permission is granted.

4.2.4 *Mr Andrew Olding*

I am speaking in favour of Agenda Item 11.1.4 Proposed Residential Building and Outbuilding on Lot 96 (7) Councillor Road South Hedland Rural Estate (File No.: 154437G). I would like to point out that no submissions were received when the application was advertised. A building with six bedrooms in Port Hedland that is not for a single family is likely to be used by people working in the Town. As most are from other parts of Australia or the world and come and go as work permits, they are not permanent. The statement which has been used against the proposal was meant to reflect the positive aspects of the application, not to suggest that it is a workers camp.

In regards to the manganese fill, Council was aware of this when the initial building application was received. The proposed building would be 35 metres from the manganese contamination. I note that the rising number of applications for residential buildings is of concern to the planning department but I would hope that each application is assessed on its merits. It appears all applicants are coming from the same need to provide housing for people in Port Hedland in an affordable way.

Mayor closed Public Statement Time at 6:23pm.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

5.1 *Councillor Daccache*

Has there been any progress in regards to the Port Hedland Motorcycle club rooms?

Chief Executive Officer advised that the Town is waiting on formal advice from the Department of Mines and Petroleum relating to the change and purpose of the reserve.

Director Community Development advised that written advice has been received today and the next step between the Town and the club would be to talk about tender arrangements.

Director Engineering Services advised that the Town is meeting with the club tomorrow. At the moment there isn't a leasing policy in place that deals with community leases so the Town will be looking at a short term 12 month lease until the policy is put in place.

Is it possible for an item regarding the Port Hedland Motorcycle club to come up to Council at the next Ordinary Meeting in November?

Director Engineering Services advised that it is not necessary for an item to be presented to the next Council meeting because a lease will be entered into regardless. The community leasing policy will be coming up to Council to be adopted once it has been created.

Director Community Development advised that the Town's focus will be to make temporary arrangements in preparation for the 2013 season; this can happen without Council approval. Once the community leasing policy is developed an item to this regard will be presented to Council.

Can Council be advised once an agreement has been made?

Chief Executive Officer advised in the affirmative.

Is there any chance that all the memorabilia that Council is given or purchased be displayed in an area that the public can view?

Director Community Development advised that the Town proposes to display the range of memorabilia that has been given to the Town at the new stadium and other Town facilities.

Can Council receive a presentation from Council staff and Police on the CCTV program and its effectiveness and if there are any specific areas where CCTV's are required in the future?

Chief Executive Officer advised that this question is taken on notice.

5.2 Councillor Carter

At what stage is the allocation of the GP Housing at? Can I have some information as to when the houses will become available?

Director Community Development advised that Expression of Interests have closed and five organisations have applied. The assessment panel met yesterday and an item should be coming up to Council in November.

5.3 Councillor Gillingham

In regards to Councillor Daccache's question about the memorabilia, is there any update on the trophy cabinets?

Director Community Development advised that the provision of the cabinets was included in an agenda item surrounding the stadium previously presented to Council and is currently being arranged. The Town is having conversations with sporting clubs as to how they wish to display their trophies in the common area.

How is the construction on Wedge street going and when will it be finished?

Director Engineering Services has received advice from BHP Billiton that they are ahead of schedule. The Town has not been advised of a finish date as of yet.

In regards to parking in that area, there are a lot of people who work in that part of town who are getting parking tickets. Is there some sort of sign local workers can display to show that they work there so they no longer get tickets?

Chief Executive Officer advised that the Rangers will be spoken to in regards to parking tickets in the area.

Down the median strip of Hamilton road as you approach the round-about before the police station, there are a lot of dead plants. Can the Town look into getting the plants watered?

Chief Executive Officer advised that this question is taken on notice.

I would like to put a resolution to Council. "As a result of the comments allegedly made by Deputy Mayor Daccache at the special meeting held on 6 September 2012. Regarding this resolution submitted by myself, and the derogatory remarks made, as expressed in the North West Telegraph newspaper, and I believe is voice recorded as per Council requirements, I request a public apology from Deputy Mayor Daccache regarding these comments."

Chief Executive Officer advised that this is a proposed resolution referred to in the Standing Orders as a "Notice of Motion". The Town of Port Hedland Standing Orders Local Law states that:

"Notice of Motions

6.1 (1) Unless otherwise permitted by the Act or the standing orders, a member may only bring forward at a council meeting business in the form of a motion of which notice has been given, in writing, to the CEO.

(2) Notice of motion shall be given to the CEO either -

a) at the previous council meeting, or

b) at least seven clear days before the council meeting at which it is to be brought forward.

Motion to be considered

6.2 Every such motion as is mentioned in clause 6.1 shall be considered by the council unless -

a) the member who gave notice thereof, or some other member authorised by the member, in writing, is not present to move the motion when called on; or

b) the council by resolution agrees to defer consideration of the motion to a later stage or date."

I attended a meeting in Perth two weeks ago with Ms Jenni Law from the Department of Local Government and she informed me this would be the best course of action at this time. Can it be considered at the next meeting?

Mayor advised that this would be considered at the next Ordinary Council Meeting in November.

5.4 Councillor Hooper

Is the Town putting bollards in the walkway on Pedlar street? I was talking to a parent on the walkway when a vehicle drove over it while children were going home.

Director of Engineering Services advised that he is not aware of any works planned for this location at the moment and the best course of action is to submit a works request.

There is a railway sleeper power pole in Pedlar street that blocks off half the walkway and there is a streetlight that will be taken down after the underground power has been installed. Is it possible to cut the streetlight off at bollard height and put another one next to it?

Mayor advised that it would have to comply with Australian Standards and that a works request should be submitted.

What feedback has the Town received regarding the new 'Dreamers Corner'?

Mayor advised that she has received positive feedback.

Chief Executive Officer advised that the new 'Dreamers Corner' is being well used and its sign is currently at the depot.

5.5 Councillor Jacob

With regard to the lighting around North Circular and Murdoch roads' there is a new development in this area and the light globes on the street lights are not working. Is it the public's responsibility to report broken lights?

Mayor advised that anyone can report faulty streetlights to Horizon Power.

Can the Town suggest that Horizon Power look towards issuing a plan for lighting in that area considering that the development will have approximately 150 new houses?

Director Engineering Services advised that there will be street lighting going through the development as per Australian Standards.

I understand the development will have street lighting but can lighting be put on the section of North Circular and Murdoch roads that do not have street lighting at the moment?

Director Engineering Services advised that with the upgrade of underground power happening in South Hedland, Council would need to request and pay for lighting to go up in that area.

Can a formal request be submitted so the Town can get the costing?

Chief Executive Officer advised that the Town would have to reassess diagrams and drawings from the underground power project to see if any lighting was allocated to that area. If lighting has not been allocated, a direct request from Town officers to Horizon Power can be submitted for consideration. The Town would then need to get a budget estimation if Horizon Power is not going to cover the costs.

Can we get some feedback or an answer either way by the next meeting?

Mayor advised that the process outlined by the Chief Executive Officer will need to be followed in first instance.

Director Planning and Development advised that officers are currently in discussions with the Department of Housing in regards to the Osprey development which is in close proximity. Officers are currently discussing the design and layout which includes street lighting.

The sign at the Wanagkura Stadium still says the opening of the stadium is the 27 July 2012. Is it possible to get this removed?

Chief Executive Officer advised in the affirmative.

Was there any feedback from two Council meetings ago when we questioned the camping that is occurring down the side of the Regional Health Centre. Has an assessment been made with cyclone season coming? What steps need to be taken to make sure we do not have children and families camping in this area?

Mayor advised that like every other year rangers have been patrolling this area and redirecting people to the evacuation centre. The Department of Housing and the Department of Indigenous Affairs have been doing survey work to rectify the situation and will continue with this.

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

Mayor Howlett	Councillor Gillingham
Councillor Daccache	Councillor Hooper
Councillor Carter	Councillor Jacob

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 26 September 2012

201213/128 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Jacob

That the Minutes of the Ordinary Meeting of Council held on Wednesday 26 September 2012 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

NOTE – The Extraordinary Election date set out in point 3 on page 229 of 26 September Minutes has had to be rescheduled to Saturday 15 December 2012.

This is because the date of Friday 14 December stipulated at the Ordinary Council of 26 September meeting is the 79th day after Council has made its decision, and the LG Act stipulates the earliest date should be the 80th day after a Council decision. The legislative requirements have therefore made Council's decision invalid.

In order to move forward, the Electoral Commission has been contacted to set the earliest date available, this now being Saturday 15 December 2012.

The reason for which the Electoral Commission has been requested to set the date is due to the fact that Council can only make a decision on the Election date within one month of an Elected Members' resignation, and as Cr Martin resigned on 31 August, Council could no longer reschedule an Election date.

The above comment will be included in the 26 September Minutes as an explanatory note.

7.2 Confirmation of Minutes of Special Meeting of Council held on Wednesday 10 October 2012

201213/129 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Daccache

That the Minutes of the Special Meeting of Council held on Wednesday 10 October 2012 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

ITEM 8 ANNOUNCEMENTS BY CHAIRPERSON WITHOUT DISCUSSION

Mayor Howlett's Activity Report for the September/October 2012 period to date is as follows:

September 2012

Wednesday, 19th September

- Meeting VP External Affairs BHP Billiton Iron Ore (Julius Matthys)
- Attended TOPH Cruise Ship Working Group Meeting + ELDO
- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Attended Concept Briefing Session

Thursday, 20th September

- Attended Pilbara Leaders Symposium/RDA Business Breakfast, Karratha
- Conducted Citizenship Ceremony
- Attended Port Hedland Netball Association 2012 Junior Presentation Night
- Attended Cassia Primary School Learning Journey Open Night
- Attended Baler Primary School Learning Journey Open Night

Friday, 21st September

- Attended Media Launch BHP Billiton Aquatic Super Series
- Attended Port Hedland RFDS Base Re-Development Official Opening + Cr Gillingham + Cr Hunt
- Attended 2012 Port Hedland Netball Association Grand Finals Evening

Saturday, 22nd September

- Photo For KidSport Program + RO
- Attended Torres Strait Islander Railway Event
- Attended Alliance Dance Company Concert Event

Monday, 24th September

- Fortnightly Pilbara Shire President/Mayor Phone Link Up
- Teleconference RDA-Pilbara Chairperson

Tuesday, 25th September

- Weekly Spirit Radio 1026am Mayor Chat
- Participated In Connect Pink – Media Interview
- Visited HACC House, South Hedland

Wednesday, 26th September

- Attended South Hedland Business Association Breakfast Function + Cr Jacob + Cr Hooper + A/DENG
- Attended Town of Port Hedland Steering Committee Meeting + A/CEO + DPD
- Attended QuickSmart Information Session
- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Attended Pilbara JDAP Meeting + Cr Carter + Cr Daccache
- Attended Agenda Briefing Session
- Chair OCM

Thursday, 27th September

- Fortnightly Teleconference CEO RDA-Pilbara

Friday, 28th September

- Attended Police Remembrance Day Service + Cr Daccache

Saturday, 29th September

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

October 2012

Monday, 1st October

- Teleconference RDA-Pilbara Chairperson

Tuesday, 2nd October

- Weekly Spirit Radio 1026am Mayor Chat
- Launch Of “Keep It Safe” Anti Burglary Project + Cr Daccache + CSF
- Attended Soroptimist International – Port Hedland Meeting + Cr Hunt

Wednesday, 3rd October

- Attended Well Womens Centre “Pink Morning Tea” Event + Cr Hunt
- Meeting With Green Energy – Proposal For Port Hedland + A/DPD + PO
- Attended TOPH Cruise Ship Visit Working Group Meeting + ELDO
- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Meeting With Local Resident (Penny Taylor)
- Meeting With Local Resident (Donna Lewis)

Friday, 5th October

- Attended Arabella Opening (Edgar St) + Cr Daccache + Cr Carter

Saturday, 6th October

- Attended South Hedland Bowls & Tennis Club Funding Announcement

Monday, 8th October

- Fortnightly Pilbara Shire President/Mayor Phone Link Up
- Teleconference RDA-Pilbara Chairperson

Tuesday, 9th October

- Weekly Spirit Radio 1026am Mayor Chat
- Visited HACC House, South Hedland
- Meeting With Belgian Ambassador Patrick Renault + MM
- Briefing Regarding Port Hedland Pony Club Lease + LO

Wednesday, 10th October

- Meeting With Local Resident Dalene Bramley
- Meeting With Australia Post + A/CEO
- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Attended TOPH Audit & Finance Committee Meeting + Cr Carter + Cr Dziombak
- Attended Planning Briefing + Cr Daccache + Cr Carter + Cr Hunt + Cr Hooper + A/CEO + DENG + DPD + DCD
- Attended Concept Forum + Cr Daccache + Cr Carter + Cr Hunt + Cr Hooper + A/CEO + DENG + DPD + DCD
- Chair Special Council Meeting

Thursday, 11th October

- Attended Opening Of DrugArm WA Youth Bail Options Facility, South Hedland
- Fortnightly Teleconference CEO RDA-Pilbara

Monday, 15th October

- Interview With ABC NW Radio Re: Call For Town Ambassadors

Tuesday, 16th October

- Weekly Spirit Radio 1026am Mayor Chat
- Hosted Information Session For Cruise Ship Visit Town Ambassadors

Mayor also advised there is one day to go until the Cruise Ship comes into Port Hedland. The Town will have an influx of over 2,000 people. The Cruise Ship Committee which is made up of mostly community members has been working very hard to organise this event. I encourage all community members to come and see the cruise ship when it arrives and support the town.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 *Councillor Carter*

The Town of Port Hedland's 116th anniversary was held on Monday at Dalgety House. There was a barbeque to celebrate this fantastic event.

9.2 *Councillor Gillingham*

I attended the anniversary of the Town of Port Hedland where Mrs Fran Carter's Medal of the Order of Australia was acknowledged. On Tuesday I attended the candidate information night held for prospective candidates for the upcoming extraordinary election. I would like to thank Mr Mal Osborne for giving us his expert advice on the night and welcome him to the Town.

9.3 *Councillor Hooper*

At the last special meeting I mentioned that I was fortunate enough to participate in painting a piano with the South Hedland primary school. I have a follow on from that story, my brother phoned me up and said he was walking through the BHP building in Perth and saw that there were pianos everywhere. He found the one with South Hedland written on it and wanted to tell me that Port Hedland is being represented in Perth.

9.4 *Councillor Jacob*

I would firstly like to welcome Mr Malcolm Osborne and his family to Port Hedland. This morning I attended the Service Workers Accommodation Committee, 50 houses have been allocated to date and 33 have taken up residence. We have worked through the full

allotment of single applications and there is another 50 to be allocated. The second round is opening in mid November.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

10.1 *Dave Chitty, Managing Director of Sunset Events*

Dave Chitty spoke about the North West Festival Agenda Item 11.3.2 'Outcomes of 2012 North West Festival and Delivery of 2013 North West Festival'. Since the festival Sunset Events were able to meet with all the stakeholders and the feedback has been overly positive. We have started to work on dates, subject to the item being carried tonight. There is some interest from international talent wanting to perform at next year's event. The dates we would be looking at is Saturday 24 August 2013. This would offer the artists two venues which will increase the profile of the event. Confirmation from all the sponsors has been given for funding future events, they are all interested in extending their commitment.

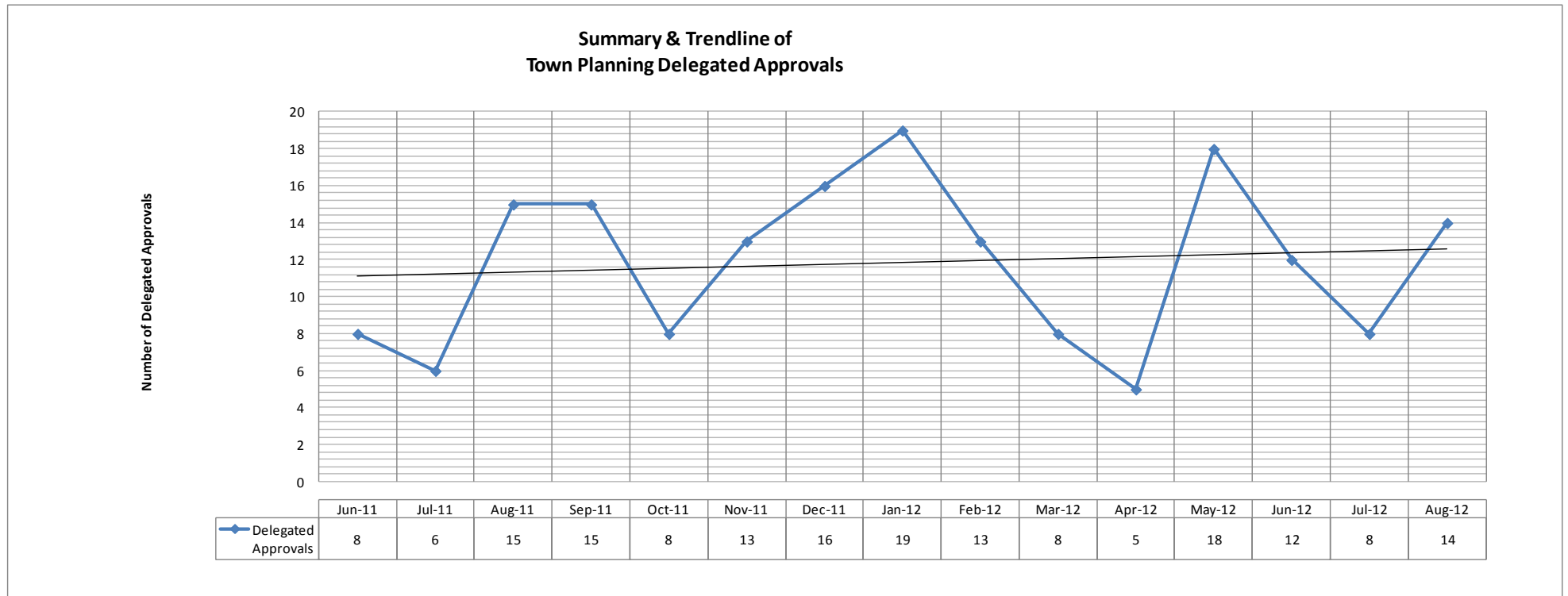
Disclaimer

IMPORTANT NOTE:

Members of the public are cautioned against taking any action on Council decisions, on items on this evening's Agenda in which they may have an interest, until formal notification in writing by Council has been received. Decisions made at this meeting can be revoked, pursuant to the Local Government Act 1995.

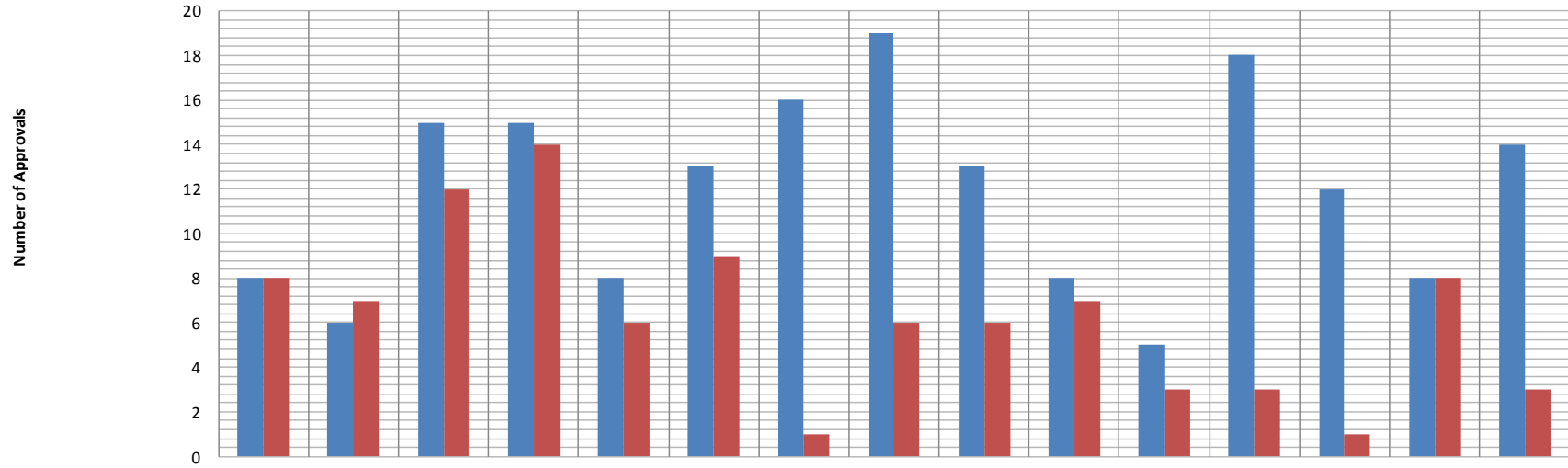
DELEGATED PLANNING APPROVALS FOR AUGUST 2012

Application No.	Description	Location	Application date	Date approved	Applicants name	Development Value
2012/188	Four (4) Multiple Dwellings	SOUTH HEDLAND	14/05/2012	14/08/2012	BRAVO DEVELOPMENTS	\$ 1,000,000.00
2012/194	2 x GROUPE D DWELLINGS	SOUTH HEDLAND	15/05/2012	15/08/2012	LMCD HOLDINGS PTY LTD	\$ 900,000.00
2012/195	10 MULTIPLE DWELLINGS	SOUTH HEDLAND	15/05/2012	03/08/2012	GDD (WA) PTY LTD	\$ 1,700,000.00
2012/210	Multiple Dwelling - 12 Multiple Dwellings	SOUTH HEDLAND	22/05/2012	15/08/2012	Megara Four Pty Ltd	\$ 3,600,000.00
2012/226	Use Not Listed - Temporary Fly Camp	SOUTH HEDLAND	01/06/2012	03/08/2012	Projex Management & Construction Pty Ltd T/A NICHEQ	\$ 25,000.00
2012/235	Proposed New Residence and Ancillary	BOODARIE	07/07/2012	15/08/2012	GEORGIOS ANAGNOSTOPOULOS	\$ 850,000.00
2012/241	SINGLE HOUSE - R CODE VARIATION - VERANDAH	PORT HEDLAND	12/06/2012	03/08/2012	EUAN JAMES BUCKNALL	\$ 9,300.00
2012/264	Four (4) Grouped Dwellings	SOUTH HEDLAND	22/06/2012	15/08/2012	LMCD HOLDINGS PTY LTD	\$ 1,800,000.00
2012/265	TRANSPORT DEPOT - WORKSHOP, WAREHOUSE	WEDGEFIELD	22/06/2012	15/08/2012	T & Z Architects	\$ 4,500,000.00
2012/266	MULTIPLE DWELLINGS - 4 ADDITIONAL	PORT HEDLAND	22/06/2012	01/08/2012	DOEPEL MARSH ARCHITECTS	\$ 1,500,001.00
2012/272	ANCILLARY ACCOMMODATION	SOUTH HEDLAND	27/06/2012	01/08/2012	Leimac Building Pty Ltd	\$ 148,200.00
2012/282	cafe addition to Marquee Park	SOUTH HEDLAND	04/07/2012	01/08/2012	TOWN OF PORT HEDLAND	\$ 1,203,000.00
2012/301	Change of Use - Motor Vehicle Marine Repair	WEDGEFIELD		30/08/2012	Dallas Little	\$ -
2012/350	Use Not Listed - Temporary Fly Camp	PORT HEDLAND	15/08/2012	29/08/2012	MAIN ROADS DEPARTMENT	\$ -
	Total					\$17,235,501.00

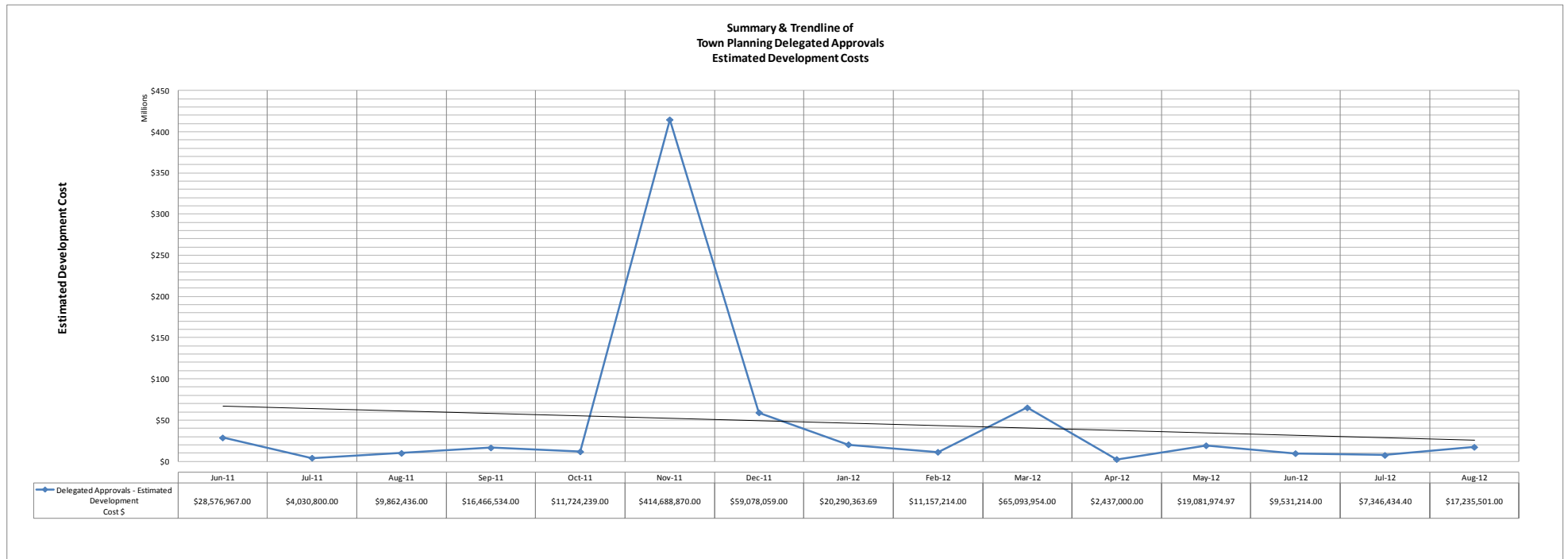


* STATISTICS FOR APRIL 2012 ARE LOW DUE TO 14 APPROVALS BEING GRANTED BY COUNCIL

Summary & Trendline of
Town Planning Council & Delegated Approvals



	Jun-11	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	Jul-12	Aug-12
■ Delegated Approvals	8	6	15	15	8	13	16	19	13	8	5	18	12	8	14
■ Council Approvals	8	7	12	14	6	9	1	6	6	7	3	3	1	8	3



DELEGATED BUILDING APPROVALS FOR AUGUST 2012

Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres
12-058	01.08.2012	SOUTH HEDLAND RURAL EST	Construction Of Shed	\$ 40,000.00	112
12-082	03.08.2012	PORT HEDLAND	Pedestrian Shelters & Footings	\$ 750,000.00	
12-135	17.08.2012	SOUTH HEDLAND	Patio	\$ 18,800.00	20
12-136	17.08.2012	SOUTH HEDLAND	Carport	\$ 12,000.00	45
12-140	29.08.2012	PORT HEDLAND	1 x Carport	\$ 13,936.00	36
12-092	01.08.2012	PORT HEDLAND	Below Ground Swimming Pool	\$ 27,500.00	20
12-060	03.08.2012	SOUTH HEDLAND	1 x Below Ground Swimming Pool and Fenci	\$ 38,000.00	30
12-062	03.08.2012	SOUTH HEDLAND	1 x Below Ground Swimming Pool and Fenci	\$ 25,000.00	12
12-112	10.08.2012	PORT HEDLAND	Inground Swimming Pool & Barrier Systems	\$ 32,000.00	30
12-113	10.08.2012	PORT HEDLAND	In Ground Swimming Pool & Barrier System	\$ 32,000.00	30
12-114	10.08.2012	PORT HEDLAND	In Ground Swimming Pool & Barrier System	\$ 32,000.00	30
12-115	10.08.2012	PORT HEDLAND	1 x In Ground Swimming Pool & Barrier Sy	\$ 32,000.00	30
12-116	10.08.2012	PORT HEDLAND	x 3 In Ground Swimming Pools & Barrier S	\$ 96,000.00	30
12-071	10.08.2012	WEDGEFIELD	3 x Signs	\$ 10,000.00	2
12-086	20.08.2012	PORT HEDLAND	Front Fence	\$ 46,000.00	
12-139	23.08.2012	PORT HEDLAND	Footings & Statue	\$ 12,000.00	4
12-152	23.08.2012	SOUTH HEDLAND	Fencing (Gateway Village)	\$ 292,292.00	
12-107	03.08.2012	SOUTH HEDLAND	Grouped Dwelling	\$ 475,095.00	237
12-109	10.08.2012	PORT HEDLAND	3 x New Dwellings with carport and store	\$ 1,944,200.00	248
12-097	14.08.2012	SOUTH HEDLAND	16 x Residential Dwelling Units	\$ 8,890,157.00	1856
12-070	14.08.2012	SOUTH HEDLAND	x 12 Residential Dwelling Units	\$ 3,900,000.00	1160
12-096	15.08.2012	SOUTH HEDLAND	16 x Residential Dwelling Units	\$ 10,285,724.00	2181
12-110	17.08.2012	SOUTH HEDLAND	New Residential Dwelling	\$ 572,000.00	161
12-104	17.08.2012	SOUTH HEDLAND	New Dwelling	\$ 495,000.00	157

12-121	20.08.2012	WEDGEFIELD	Caretakers Facilities & Fencing	\$ 240,000.00	193
12-122	20.08.2012	WEDGEFIELD	Caretakers Facilities & Fencing	\$ 240,000.00	193
12-131	20.08.2012		New Residential Dwelling	\$ 650,000.00	258
12-132	20.08.2012	SOUTH HEDLAND	New Dwelling	\$ 650,000.00	246
12-105	21.08.2012	SOUTH HEDLAND	New Residential Dwelling	\$ 395,000.00	163
12-155	31.08.2012	SOUTH HEDLAND	Dwelling & Carport	\$ 650,000.00	153
12-157	31.08.2012	SOUTH HEDLAND	Dwelling & Carport	\$ 650,000.00	147
12-156	31.08.2012	SOUTH HEDLAND	Dwelling & Carport	\$ 650,000.00	153
12-154	31.08.2012	SOUTH HEDLAND	Dwelling & Carport	\$ 650,000.00	245
12-150	30.08.2012	SOUTH HEDLAND	Dwelling Carport Store Alfresco & Fen	\$ 396,076.00	124
12-083	09.08.2012	SOUTH HEDLAND RURAL EST	Ancillary Accommodation Caport & Store	\$ 200,000.00	60
12-074	10.08.2012	SOUTH HEDLAND	1 x Single Dwelling and 1 x Alfresco	\$ 200,000.00	128
12-149	24.08.2012	SOUTH HEDLAND	New Dwelling Carport Store & Alfresco	\$ 396,076.00	124
12-147	30.08.2012	SOUTH HEDLAND	Dwelling Carport Store & Alfresco	\$ 396,076.00	124
12-148	30.08.2012	SOUTH HEDLAND	New Dwelling Carport Store & Alfresco	\$ 396,076.00	124
12-084	03.08.2012	SOUTH HEDLAND	Forward Works for Preparation of Footing	\$ 450,000.00	2340
12-087	09.08.2012	VIA PORT HEDLAND	200 Rooms 50 x 4 Bed Accomodation Buildi	\$ 18,698,260.00	2660
12-081	11.08.2012	WEDGEFIELD	Caretakers Dwelling Fencing & Landscapi	\$ 240,000.00	190
12-106	14.08.2012	SOUTH HEDLAND	Stage 4a 4b Bulk Earth Works Basic Conc	\$ 514,000.00	
12-145	30.08.2012	PORT HEDLAND	Accomodation Camp & Laundry Building	\$ 2,860,000.00	1693
12-124	20.08.2012	PORT HEDLAND	Stage 1 Accomodation Buildings & Baggage	\$ 2,958,000.00	2346
100402	21.08.2012	SOUTH HEDLAND	104 x Sole Occupancy Units 3 x Offices	\$ 48,400,000.00	14300
12-090	07.08.2012	SOUTH HEDLAND	Stage 3 Club Hamilton Occupancy Permit	\$ 18,911,594.00	
12-137	17.08.2012	PORT HEDLAND	Occupancy Permit Authorised & Unauthoris	\$ 376,000.00	
12-128	20.08.2012	SOUTH HEDLAND	Forward Works for Preparation of Footing	\$ 46,200.00	485
12-129	21.08.2012	WEDGEFIELD	Change of Classification from Warehouses	\$ 10,000.00	
12-119	10.08.2012	SOUTH HEDLAND	OPSM Shop Fit Out	\$ 52,000.00	
12-125	20.08.2012	SOUTH HEDLAND	Installation of Stage 1 Modular Temporar	\$ 1,392,000.00	1026
12-141	27.08.2012	SOUTH HEDLAND	Tennancy Fit out (Freechoice Tobacconist	\$ 66,000.00	35
12-159	29.08.2012	SOUTH HEDLAND	Patial Demolition of Existing Kitchen	\$ 65,460.00	510
12-142	30.08.2012	PORT HEDLAND	Early Works Kitchen Diner Extension - Pi	\$ 20,000.00	192
12-133	20.08.2012	WEDGEFIELD	Mechanical Workshop	\$ 650,000.00	534
TOTAL 56			TOTAL	\$ 130,540,522.00	

DEMOLITION LICENCES FOR AUGUST 2012

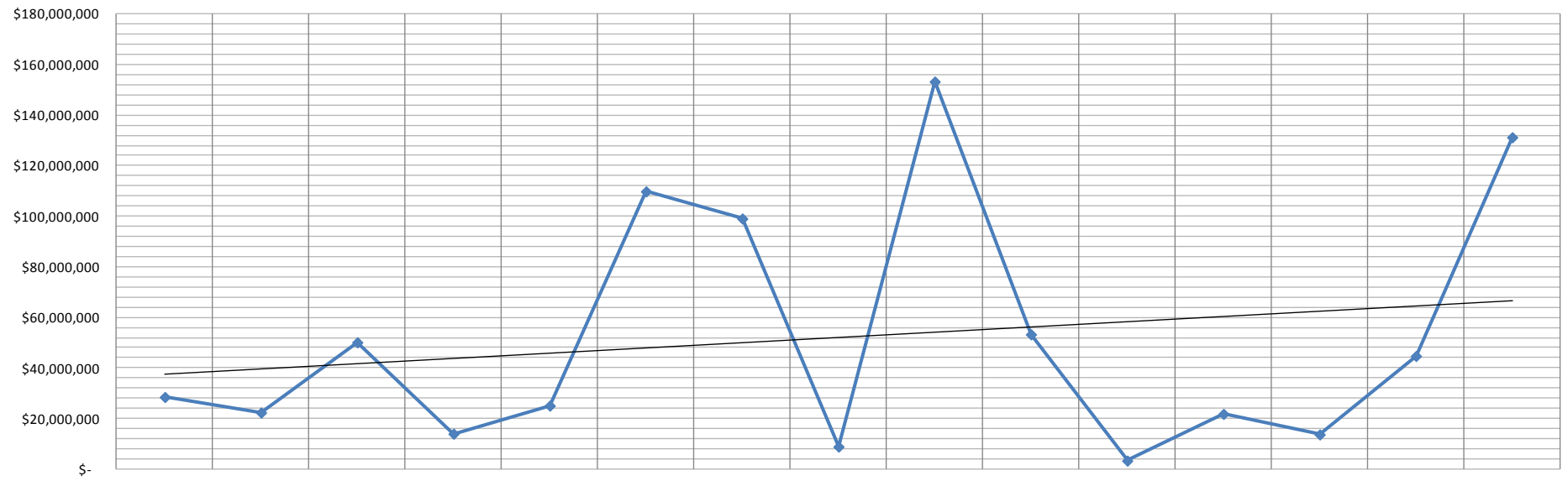
DEMOLITION LICENCES						
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor Area	Classification
12-103	03.08.2012		Demolition of Existing Shed	\$ 10,000.00	40	Class 10a
12-111	11.08.2012	SOUTH HEDLAND	Demolition of Carport & Shed	\$ 15,000.00	40	Class 10a
12-098	03.08.2012	SOUTH HEDLAND	Demolition of 2 x Existing Dwellings	\$ 20,500.00	250	Class 1a
12-099	03.08.2012	SOUTH HEDLAND	Demolition of 2 x Existing Dwellings	\$ 20,500.00	250	Class 1a
12-100	03.08.2012	SOUTH HEDLAND	Demolition of 2 x Existing Dwellings	\$ 20,500.00	250	Class 1a
12-146	29.08.2012	PORT HEDLAND	Demolition of Existing House and Carport	\$ 35,000.00	95	Class 1a
12-118	08.08.2012	SOUTH HEDLAND	Demolition of 193 Single Person Quarters	\$ 375,388.00	3220	Class 1a 10a and 10b
12-091	08.08.2012	SOUTH HEDLAND	Demolition of 84 Single Person Dongas	\$ 190,557.00	1400	Class 3
Total 8		Demolition Licences Issued		\$ 687,445.00	5545	

OVERVIEW SUMMARY FOR AUGUST 2012

SUMMARY				
No of Licences	Licence Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
8	Demolitions	\$687,445	5545	\$123.98
22	Dwellings	\$33,321,480	8,435	\$3,950
5	Class 10a	\$834,736	213	\$3,919
12	Class 10b	\$674,792	218	\$3,095
12	Commercial	\$72,947,254	19,428	\$3,755
5	Other	\$22,762,260	6883	\$3,307.03
64		\$131,227,967	40,722	\$18,150

DELEGATED BUILDING APPROVALS FOR AUGUST 2012

Summary & Trendline of
Estimated Construction Value of Building Licences Issued



	Jun-11	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	Jul-12	Aug-12
Estimated Construction Value \$	\$28,472,138	\$22,332,452	\$50,109,780	\$13,960,896	\$25,069,333.0	\$109,817,975.	\$99,078,721.0	\$8,861,015.00	\$153,262,016.	\$53,254,451.0	\$3,312,976.00	\$21,796,768.0	\$13,671,151.0	\$44,721,437.0	\$131,227,967.

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

CURRENT HEALTH ORDERS AS OF AUGUST 2012

Current Health Orders under Delegated Authority by Environmental Health Services			
File No.	Address	Issue	Current Status
803367G	Lot 2052 McGregor St Port Hedland	Metal frame spectator/grand stand seating erected on a trailer chassis.	~ Health order placed on temporary spectator stand ~ No public building application received by Town of Port Hedland, as such no approval has been granted for use as a temporary spectator stand ~ Town has notified Turf Club of issue
121270G	Lot 833 Webster St Port Hedland/ Hospitality Inn	Septic System Failure/ Sewage Enterin Street	Health Order issued requiring works to be undertaken. Works Completed as required- 14/5/2012.

Attachments

Nil

201213/130 Officer's Recommendation/Council Decision

Moved: Cr Jacob

Seconded: Cr Carter

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

CARRIED 6/0

11.1.2 *Delegated Planning, Building & Environmental Health Approvals and Orders for September 2012 (File No.: 18/07/0002 & 07/02/0003)*

Officer	Carly Thompson Executive Assistant Planning & Development
Date of Report	02 October 2012
Disclosure of Interest by Officer	Nil

Summary

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the month of September 2012.

Background

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

Consultation Nil

Statutory Implications

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

Policy Implications Nil

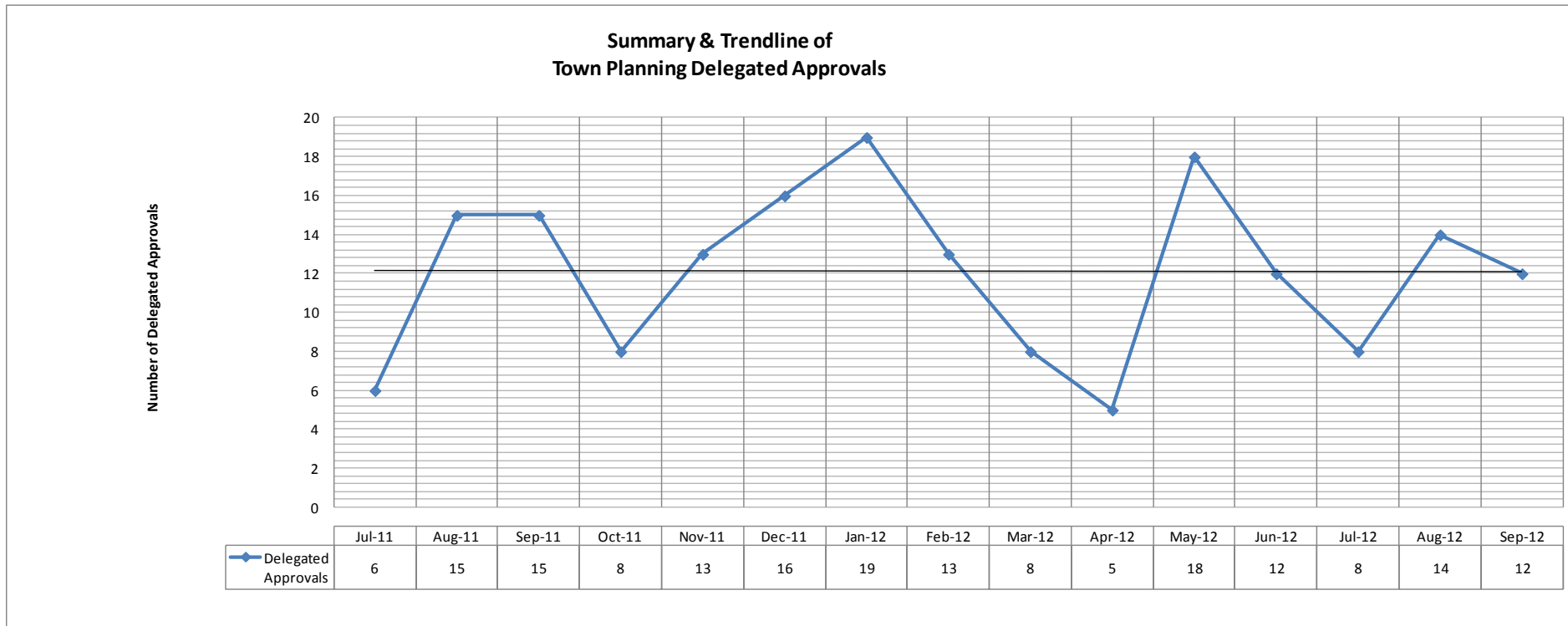
Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment Nil

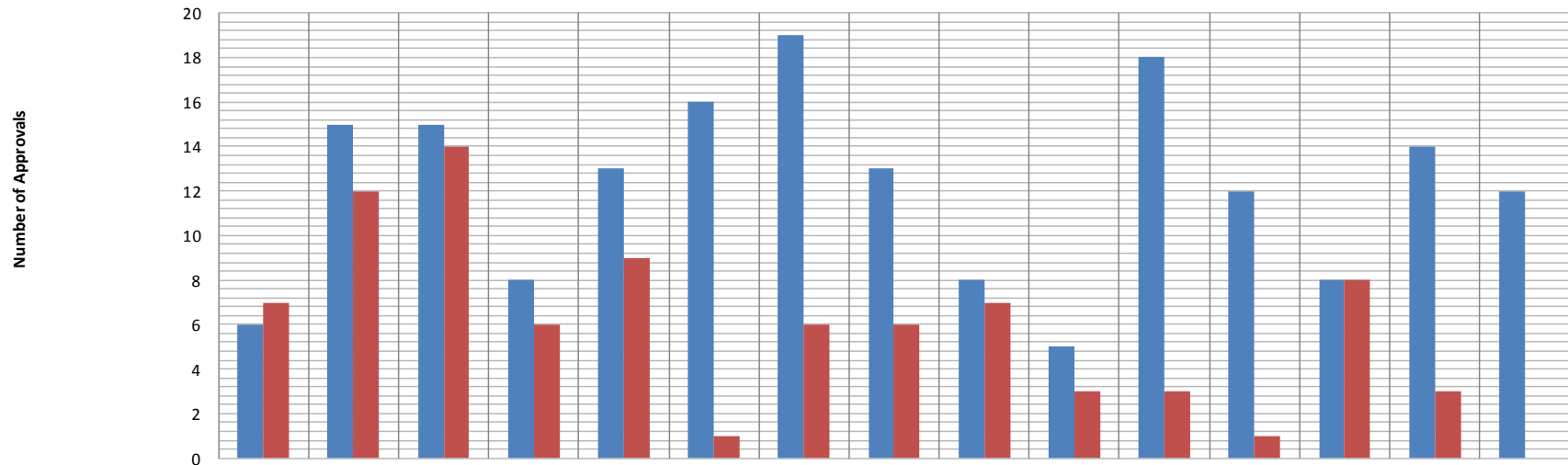
DELEGATED PLANNING APPROVALS FOR SEPTEMBER 2012

Application No	Description	Location	Application date	Date approved	Applicants name	Development Value
2012/260	RESIDENTIAL - 18 MULTIPLE DWELLINGS	SOUTH HEDLAND	19/06/2012	03/09/2012	Megara Four Pty Ltd	\$ 5,900,000.00
2012/278	six (6) multiple dwellings	SOUTH HEDLAND	03/07/2012	04/09/2012	Developtions	\$ 875,000.00
2012/287	seven (7) two storey multiple dwellings	PORT HEDLAND	10/07/2012	06/09/2012	Wilcox & Associates Pty Ltd	\$ 2,500,000.00
2012/296	Single House & Ancillary Accommodation	PORT HEDLAND	24/07/2012	03/09/2012	Andrew Olding	\$ 500,000.00
2012/298	Three Grouped Dwellings	PORT HEDLAND	26/07/2012	03/09/2012	CRAIG MICHAEL BRAMLEY	\$ 1,200,000.00
2012/305	INDUSTRY- LIGHT - 9 UNITS	WEDGEFIELD	31/07/2012	17/09/2012	Merge Building Design	\$ 1,690,909.00
2012/310	Single House - Retrospective Patio and Carport Addition	SOUTH HEDLAND	01/08/2012	21/09/2012	PILBARA CONSTRUCTIONS PTY LTD	\$ 12,140.00
2012/325	Home Business - Patisserie	PORT HEDLAND	10/08/2012	04/09/2012	Claire Foti	\$ -
2012/344	TWO GROUPE D DWELLINGS - ONE EXISTING	SOUTH HEDLAND	24/08/2012	25/09/2012	AK Homes Construction	\$ 450,000.00
2012/353	Infrastructure - Street lighting on Hudson Way, Parola Court, Forrest Circle, Nimingarra Court	SOUTH HEDLAND	29/08/2012	24/09/2012	Compass Group (Australia) Pty Ltd	\$ 320,000.00
2012/411	RADIO BASE STATION UPGRADE	PORT HEDLAND	14/09/2012	21/09/2012	Silcar Energy Solutions	\$ 125,000.00
2012/414	Spoilband works - Removal of Excavator	PORT HEDLAND	18/09/2012	18/09/2012	Cervan Marine	\$ -

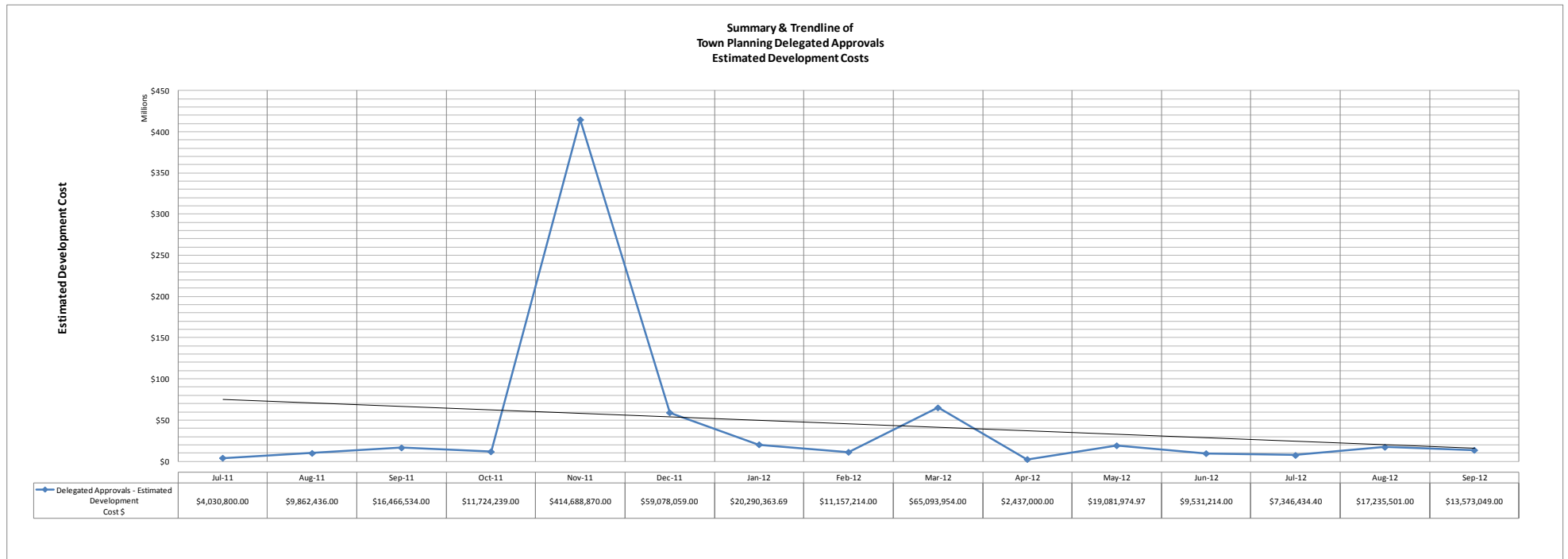


** STATISTICS FOR APRIL 2012 ARE LOW DUE TO 14 APPROVALS BEING GRANTED BY COUNCIL*

Summary & Trendline of
Town Planning Council & Delegated Approvals



	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	Jul-12	Aug-12	Sep-12
■ Delegated Approvals	6	15	15	8	13	16	19	13	8	5	18	12	8	14	12
■ Council Approvals	7	12	14	6	9	1	6	6	7	3	3	1	8	3	0



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

DELEGATED BUILDING APPROVALS FOR SEPTEMBER 2012

Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
12-164	19.09.2012	SOUTH HEDLAND	Carport	\$ 50,000.00	54	Class 10a
12-191	20.09.2012	SOUTH HEDLAND	x 2 Laundry Buildings	\$ 47,000.00	94	Class 10a
12-199	28.09.2012	SOUTH HEDLAND	Enclose Carport	\$ 14,300.00	0	Class 10a
12-143	28.09.2012	SOUTH HEDLAND	1 x Below Ground Swimming Pool and Fencing	\$ 25,000.00	20	Class 10a
12-200	28.09.2012	PORT HEDLAND	Enclose Existing Carport	\$ 14,300.00	0	Class 10a
12-127	06.09.2012	SOUTH HEDLAND	Retaining Walls	\$ 522,000.00	0	Class 10b
12-170	14.09.2012	SOUTH HEDLAND	Install Light Poles	\$ 70,000.00	0	Class 10b
12-171	14.09.2012	SOUTH HEDLAND	Install 7x 5m Light Poles	\$ 12,000.00	0	Class 10b
12-047	18.09.2012	SOUTH HEDLAND	Swimming Pool	\$ 34,000.00	255	Class 10b
12-181	18.09.2012	SOUTH HEDLAND	In Ground Swimming Pool	\$ 34,000.00	28	Class 10b
12-192	20.09.2012	SOUTH HEDLAND	x 15 Laundry Buildings	\$ 352,500.00	705	Class 10b
12-162	07.09.2012	SOUTH HEDLAND	Ancillary Accommodation	\$ 173,892.00	47	Class 1a
12-160	07.09.2012	SOUTH HEDLAND	Additional Dwelling	\$ 140,916.00	47	Class 1a
12-163	10.09.2012	SOUTH HEDLAND	Ancillary Accommodation	\$ 145,188.00	47	Class 1a
12-161	12.09.2012	SOUTH HEDLAND	Ancillary Accommodation	\$ 142,546.00	47	Class 1a
12-166	13.09.2012	SOUTH HEDLAND	Granny Flat	\$ 163,020.00	47	Class 1a
12-172	14.09.2012	SOUTH HEDLAND	Ancillary Accommodation	\$ 310,784.00	60	Class 1a
12-178	14.09.2012	SOUTH HEDLAND	Dwelling	\$ 370,345.00	120	Class 1a
12-179	17.09.2012	SOUTH HEDLAND	Dwelling Carport & Alfresco	\$ 370,345.00	120	Class 1a
12-180	17.09.2012	SOUTH HEDLAND	Dwelling	\$ 370,345.00	120	Class 1a
12-186	25.09.2012	SOUTH HEDLAND	New single bedroom modular residence	\$ 255,206.00	55	Class 1a
12-203	28.09.2012	SOUTH HEDLAND	2 x Bedrooms Additions to Ground Floor	\$ 15,000.00		Class 1a
12-196	28.09.2012	SOUTH HEDLAND	Dwelling	\$ 500,000.00	273	Class 1a
12-183	18.09.2012	PORT HEDLAND	Remove and Replace Roof Sheeting	\$ 100,000.00	0	Class 1a
12-190	21.09.2012	SOUTH HEDLAND	18 x 2 Storey Units	\$ 5,981,000.00	28	Class 1a

12-151	06.09.2012	SOUTH HEDLAND	New Dwelling Carport Store Alfresco & Fencing	\$ 396,076.00	124	Class 1a and 10a
12-197	26.09.2012	PORT HEDLAND	Extension to Existing Dwelling re Furbishment	\$ 495,000.00	14	Class 1a and 10a
12-158	05.09.2012	PORT HEDLAND	5 Holiday Accomodation Buildings 9 Able	\$ 500,000.00	347	Class 1b
12-173	14.09.2012	SOUTH HEDLAND	x 12 Dwellings	\$ 3,409,956.00	548	Class 2
12-169	03.09.2012	PORT HEDLAND	9 X SINGLE OCCUPANCY UNITS and 1 X COMMON ROOM	\$ 2,189,669.00	522	Class 3
12-168	14.09.2012	WEDGEFIELD	Warehouse & Office	\$ 2,640,000.00	1200	Class 5 and 7b
12-198	24.09.2012	WEDGEFIELD	Additional Roller Door	\$ 13,500.00	0	Class 5 and 7b
12-182	10.09.2012	SOUTH HEDLAND	Fit out bakery	\$ 100,000.00		Class 6
12-153	12.09.2012	PORT HEDLAND	Kitchen & Diner (Occupancy Permit Unauthauthorised)	\$ 1,100,000.00		Class 6
12-185	13.09.2012	SOUTH HEDLAND	Construction of Kitchen/Dining Room	\$ 4,000,000.00	780	Class 6
12-188	19.09.2012	SOUTH HEDLAND	Retail Music Shop (Sanity)	\$ 80,000.00	83	Class 6
12-175	14.09.2012	WEDGEFIELD	Workshop	\$ 1,680,000.00	442	Class 8
12-167	12.09.2012	SOUTH HEDLAND	Advanced Administration & Recreation Building	\$ 1,017,532.00	492	Class 9b
TOTAL 38				\$ 27,835,420.00	6719	

DEMOLITION LICENCES FOR SEPTEMBER 2012

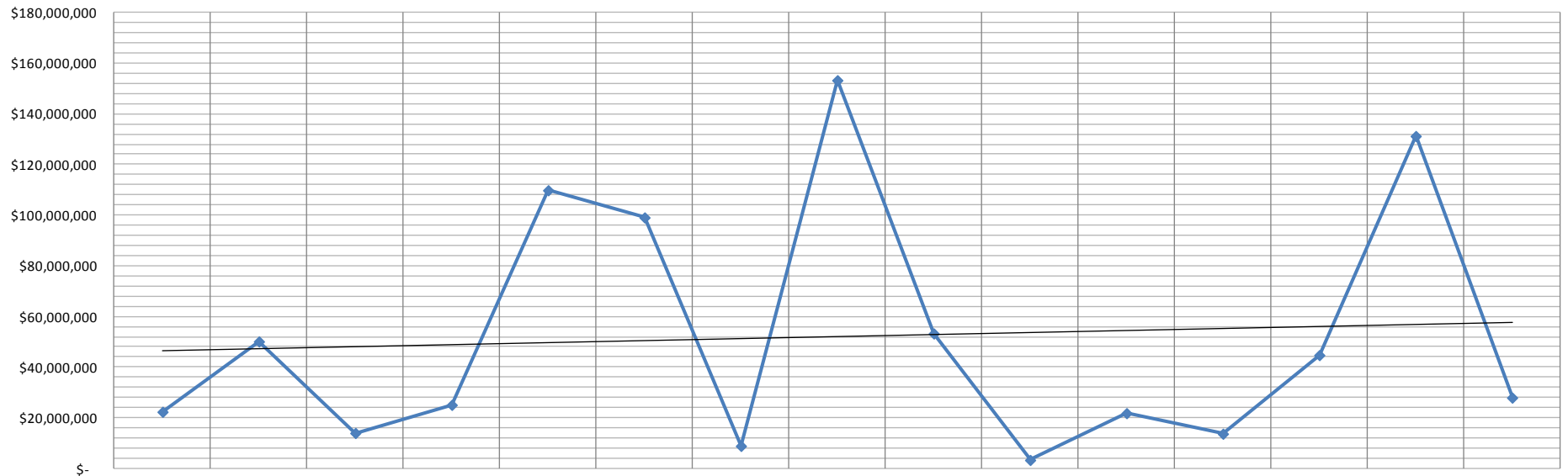
DEMOLITION LICENCES					
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value (\$)	Classification
12-176	10.09.2012	SOUTH HEDLAND	Demolition of Existing House & Carport	\$ 30,000.00	Class 1a and 10a
12-165	11.09.2012	SOUTH HEDLAND	Demolition of Dwelling & Cyclone Shelter	\$ 40,000.00	Class 1a and 10a
12-177	17.09.2012	PORT HEDLAND	Demolition of House & Shed	\$ 30,000.00	Class 1a and 10a
Total	Demolition Licences Issued	3		\$ 100,000.00	

OVERVIEW SUMMARY FOR SEPTEMBER 2012

SUMMARY				
No of Licences	Licence Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
3	Demolitions	\$ 100,000.00		
16	Dwellings	\$ 9,929,663.00	1149	\$8,642
5	Class 10a	\$ 150,600.00	168	\$896
6	Class 10b	\$ 1,024,500.00	988	\$1,037
10	Commercial	\$ 16,230,657.00	4067	\$3,991
1	Other	\$ 500,000.00	347	\$1,440.92
41		\$ 27,935,420.00	6719	

DELEGATED BUILDING APPROVALS FOR SEPTEMBER 2012

Summary & Trendline of
Estimated Construction Value of Building Licences Issued



	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	Jul-12	Aug-12	Sep-12
Estimated Construction Value \$	\$22,332,452	\$50,109,780	\$13,960,896	\$25,069,333.0	\$109,817,975.	\$99,078,721.0	\$8,861,015.00	\$153,262,016.	\$53,254,451.0	\$3,312,976.00	\$21,796,768.0	\$13,671,151.0	\$44,721,437.0	\$131,227,967.	\$27,935,420.0

CURRENT LEGAL MATTERS					
File No.	Address	Issue	First Return Date	Current Status	Officer
WEDGEFIELD					
121670G	Lot 3 Trig Street (J Yujnovich)	Non-compliance with planning conditions	~ First return date 21/1/09	<ul style="list-style-type: none"> ~ Trial set down for 13 & 14 September 2010 in Perth. ToPH witnesses to attend. ~ Magistrate has found J Yujnovich guilty sentencing will be in +/- 3 weeks ~ Fine imposed of approx \$20,000 ~ Fine paid in full ~ Appointment of Compliance Office has been completed, Matter is being investigated ~ No improvement made to property ~ Letter requesting commitment to remove materials prepared by McLeods Barristers & Solicitors ~ If commitment not received within 14 days of issue further proceeding to commence ~ A meeting is being organised onsite with J Yujnovich ~ Mr Yujnovich has demonstrated a willingness to comply with Planning condition. Has been given 3 months to comply. Mr Yujnovich is in the process of clearing property F/up in 2 weeks to ensure compliance matter has been resolved. ~ Development Application has been submitted. ~ Compliance on hold until Application has been processed. ~ Planning Application was submitted. Has been refused. ~ SAT Proceeding have been initiated by Mr Yujnovich. Next Direction/Mediation on 03/7/2012. Next Direction/Mediation 16/08/2012. - Direction Hearing 5/10/2012 	BM
	Lot 1675 (1690) Harwell Way	Non-compliance with planning conditions		<ul style="list-style-type: none"> Hearing setdown for 03/09/2012 - Case adjourned until 1/4/2013 to allow for sealing of the properties to occur. 	BM
TURNER RIVER					
800043G	Lot 13 Manilha Drive	Unauthorised Development - Storage facility/Depot/Laydown Area, Sea Containers, Outbuildings, 2 Movable Dwellings		<ul style="list-style-type: none"> Referred to Council Solicitors. - Matter on hold. Owner submitting a Planning Application. 	BM

CURRENT HEALTH ORDERS AS OF SEPTEMBER 2012

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

Attachments

Nil

201213/131 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Jacob

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

CARRIED 6/0

11.1.3 Proposed Four Multiple Dwellings on Lot 2 (73B) Sutherland Street Port Hedland (File No.: 130622G)

Officer	Ryan Djanegara Planning Officer
Date of Report	2 October 2012
Application No.	2012/300
Disclosure of Interest by Officer	Nil

Summary

Council received an application from Summit North West on behalf of the registered proprietor Kole Property Trust, to construct four Multiple Dwellings on Lot 2 (73B) Sutherland Street, Port Hedland (subject site).

During the advertising period, a written submission was received objecting to the proposed development. In accordance with the Delegation Notice, Council is required to determine the application.

Council Officer's recommend approval of the application.

Background*Site Description (Attachment 1)*

The subject site is rectangular in shape with vehicular access via Sutherland Street. The subject site, being Lot 2 (73B) Sutherland Street, covers an area of approximately 549.39m². The site is part of Strata Plan 26873 which comprises of two lots, Lot 1 (73A) and Lot 2 (73B).

The site is zoned "Residential R30" under the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

Proposal (Attachment 2)

The applicant is proposing to construct 4 multiple dwellings, with unit sizes ranging from 54m² to 74.5m².

Consultation*Internally:*

The application was circulated to the following internal units, with comments received, included in the report:

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

Externally:

Agencies:

- Horizon Power
- Water Corporation

Adjoining owners:

- 15 Moseley Street
- 17 Moseley Street
- 19 Moseley Street
- 72 Sutherland Street
- 73A Sutherland Street
- 74 Sutherland Street

The application was advertised in the North West Telegraph on the 5th and 12th September 2012, and a notice placed on site allowing for a 14 day period for any interested parties to provide comments / objections to the proposal.

As a result of the above community consultation process one (1) objection was received from:

- Lot 1 (73A) Sutherland Street, Port Hedland

Legal Advice and Neighbour consent

The objection raised was from the adjoining strata owner, Lot 1 (73A) Sutherland Street. There were some concerns as to whether consent is required from the adjoining strata owner prior to lodging an application for planning approval.

Legal advice was obtained from McLeods whom have stated, in accordance with the *Strata Titles Act 1985*, consent from the other Strata Owner is not required by Council to assess the planning application.

The other strata owner can only object to the proposal (and thereby refuse consent) in circumstances where the application is inconsistent with open space and plot ratio requirements. Where the application is consistent with the above, consent is not required. The application is consistent with the zoning requirements as per the R-Codes and therefore the application is valid.

Summary of Written Submission

The objection received can be summarized as follows:

Summary of Objection Received	Planning Response
<p>The proposal does not meet the density requirements for the R30 density code. Each dwelling must have an area of 285m²</p>	<p>The objection is referring to an older version of the R-Codes prior to 2010. Since the introduction of the Multiple Dwelling provisions in 2010, density is based on a plot ratio figure.</p> <p>An assessment of the application has determined that the proposed development is consistent with the plot ratio figure for the R30 zoning.</p>
<p>Strata Re-subdivision</p>	<p>The re-subdivision of the Strata Plan comes under the Strata Titles Act 1985 not the Town Planning Scheme or Planning and Development Act 2005.</p> <p>The application is related only to the proposed development and not for resubdivision.</p>

Statutory Implications

In accordance with the Planning and Development Act 2005, the proposed development is subject to the provisions of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

Policy Implications

Nil

Strategic Planning Implications

The following section of the "Pilbara's Port City Growth Plan" is considered relevant to the proposal:

Section 2.2:	City Growth Themes
Core Theme 3: Supply Capacity	Housing Diversity & Land

Providing an orderly and adequate supply of affordable land along with increased choice in affordable housing products and tenure option to cater for a diverse and permanent population.

The following sections of Council's Strategic Plan 2012 – 2022 are considered relevant to this proposal:

6.3 Environment

6.3.1 Housing

Attract and retain new residents to increase the population to 40,000 by 2025.

Budget Implications

An application fee of \$3,975.62 has been received as per the prescribed fees approved by Council.

Officer's Comment

Clause 7.1.1 Plot Ratio

In accordance with the "Residential R30" density code, the proposed development is permitted to have a plot ratio of 0.5 (274.7m²). The applicant is proposing to construct 4 dwellings with a total plot ratio of 0.50 (274.3m²).

Clause 7.1.3 Primary Street Setbacks

The applicant is required to have a minimum 4m primary street setback from Sutherland Street. The applicant is seeking a variation to this requirement providing a minimum setback of 3.58m. The setback can be varied in accordance with Clause 7.1.3 which states:

"P3 Buildings are set back from street boundaries (primary and secondary) an appropriate distance to ensure they:

Contribute to the desired streetscape;

Provide articulation of the building on the primary and secondary streets;

Allow for minor incursions that add interest and reflect the character of the street without impacting on the appearance of bulk over the site;

Are appropriate to its location, respecting the adjoining development and existing streetscape; and

Facilitate the provision of weather protection where appropriate."

The proposed setback is considered to be consistent with the surrounding development and contributes to the overall streetscape. It is therefore considered reasonable to support the variation.

Clause 7.1.5 – Open Space

In accordance with the “Residential R30” density code, the applicant is required to have 45% of open space (247.22m²). The applicant is proposing to provide 54% (274.3m²) which is consistent with the R-Codes.

Clause 7.3.4 – Design of Parking Spaces

The applicant is proposing to construct the visitor car parking space being partially located (2.7m²) within the Sutherland Street road reserve and onsite. This is considered a variation as the bay is not wholly contained within the proposed lot boundaries. In accordance with the performance criteria of the R-Codes, Clause 7.3.4 states:

P1 Car parking facilities designed and located to be convenient, secure and consistent with streetscape objectives.

P2 The setting of vehicle accommodation does not detract from the streetscape or appearance of the development.

The visitor bay has been designed such that it is easily accessible from the street and does not impact on the existing footpath. The proposed arrangement is considered more favourable because the setting as such will have a lesser impact on the streetscape. As proposed the car bay would occupy 2.7m along a 16m frontage.

Alternatively the visitor bay could be accessed via the driveway and positioned such that it is parallel to Sutherland Street. The consequential arrangement would have a greater street front presence. It is therefore recommended that the variation is supported subject to conditions requiring the bay to be linemarked for visitors only and the applicant to landscape the Sutherland Street road verge.

Clause 7.3.5 – Dual accessways

The applicant is seeking a variation to Clause 7.3.5 and Appendix 8 of TPS5 whereby the applicant has provided an accessway width of 3m in lieu of 5.8m. In accordance with Clause 7.3.5 A4.4 formed driveways should be designed to allow for two way access and for vehicles to enter the street in forward gear where:

- the driveway services 5 or more dwellings; or
- the distance from a car space to street alignment is 15m or more; or
- the public street to which it connects is designated as a primary distributor, district distributor or integrated arterial road.

In this instance dual access is required because the distance between a car space to a street alignment is more than 15m. The performance criteria allows some scope to reduce the access way on the basis:

“Vehicular access provided so as to minimise the number of crossovers, avoid street trees, to be safe in use and not detract from the streetscape.”

The applicant has designed the dual accessway to allow vehicles to pass in opposite directions where the driveway is extended to 7.5m. It is considered reasonable to support the reduced accessway because it is designed to be used by the residents only. The visitors car parking bay is accessed via a separate driveway and crossover.

Given that the reduced accessway impacts the residents only and allows for vehicles to pass in opposite directions, it is considered reasonable to support the variation. Furthermore Council’s Technical Services have raised no objection to the reduced access widths.

Options

Council has the following options when considering the application.

1. Approve the application subject to conditions.

Should Council approve the application, the development will provide a much needed housing resource and help alleviate the housing affordability issues experienced in Port Hedland.

2. Refuse the application.

If Council refuses the application, the applicant will have the choice to appeal the decision to the State Administrative Tribunal.

It is recommended that Council supports the application subject to conditions the proposed development is generally consistent with the R-Codes and TPS5.

Attachments

1. Locality Plan
2. Site Plan
3. Floor Plan and Elevations
4. Objection Letter

201213/132 Officer’s Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Jacob

That Council approves the application submitted by Summit North West on behalf of the registered proprietor Kole Property Trust to construct Four Multiple Dwellings on Lot 2 (73B) Sutherland Street, Port Hedland, subject to the following conditions:

1. This approval relates only to the proposed four (4) “Multiple Dwellings”, as indicated on the approved plans (DRG2012/300/1 - DRG2012/300/6). It does not relate to any other development on this lot;
 2. In terms of the Port Hedland Town Planning Scheme No 5, “Multiple Dwelling” is defined as follows:

“Multiple Dwelling,

a dwelling in a group of more than one where any part of a dwelling is vertically above part of any other.”
 3. If the development referred to in (1) above is not substantially commenced within a period of two years from the date of approval, the approval shall lapse and be of no further effect;
 4. A minimum of 5 car bays shall be provided as indicated on the approved site plan (DRG2012/300/1);
 5. No parking bays shall be obstructed in any way or used for any other purpose than parking;
 6. Front walls and fences within the primary street setback area shall be no higher than 1.8m measured from natural ground level and be visually permeable above 1.2m;
 7. Fences shall be reduced to no higher than 0.75m from the natural ground level when within 1.5m of where the Vehicle Access Point (driveway) meets a street and where two (2) streets intersect;
 8. Stormwater shall be retained on-site, in accordance with Council’s Technical Services Guidelines;
 9. Roof mounted or freestanding plant or equipment such as air conditioning units shall be located and / or screened to the satisfaction of the Manager Planning Services;
 10. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the developers cost, to the specification and satisfaction of the Manager Technical Services;
 11. Walls on the boundary shall be finished or rendered to match where practicable the colours and materials of the affected property to the satisfaction of the Manager Planning Services.
- The following conditions are to be cleared by Planning Services prior to any works taking place on the lot.

12. Prior to the commencement of any works, the landowner shall prepare a notification under section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification shall be sufficient to alert prospective landowners or occupiers of the following:
 - a. This lot is located in an area likely to be subject to inundation and flooding from rising sea levels, tidal storm surges and/or catchment flooding over the next 100 years
13. Prior to the commencement of any works a detailed landscaping and reticulation plan including any street verge, shall be submitted and approved by the Manager Planning Services. The plan to include location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001;
14. The owner / developer shall ensure refuse storage / collection is in accordance with the approved "Refuse Collection Strategy / Management Plan";
15. Prior to the commencement of any works, an "Erosion and Sediment Control Plan" shall be submitted and approved by the Manager Planning Services;
16. Prior to the commencement of any works, a "Construction Site Management Plan" shall be submitted and approved by the Manager Planning Services. The "Construction Site Management Plan" shall indicate how it is proposed to manage the following during construction:
 - a. The delivery of materials and equipment to the site;
 - b. The storage of materials and equipment on the site;
 - c. The parking arrangements for the contractors and subcontractors;
 - d. Impact on traffic movement;
 - e. Operation times including delivery of materials; and
 - f. Other matters likely to impact on the surrounding residents / businesses;

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

18. Prior to the occupation of the development landscaping and reticulation shall be established with the use of mature trees and shrubs in accordance with the approved plan and thereafter maintained to the satisfaction of the Manager Planning Services; (Refer to advice note 2)

19. Prior to the occupation of the development, lighting shall be installed along all driveway(s), access way(s), parking area(s), turning area(s) and pedestrian pathways by the developer. Design and construction standards shall be in accordance with relevant Australian Standards to the satisfaction of the Manager Planning Services;
20. Prior to the occupation of the development the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, and approved by the Manager Planning Services;
21. Prior to the occupation of the development, access ways, parking areas, turning areas shall be constructed, kerbed, formed, graded, drained, linemarked and finished with a sealed or paved surface by the developer to an approved design in accordance with Town Planning Scheme No. 5 and Australian Standards, to the satisfaction of the Manager Planning Services.

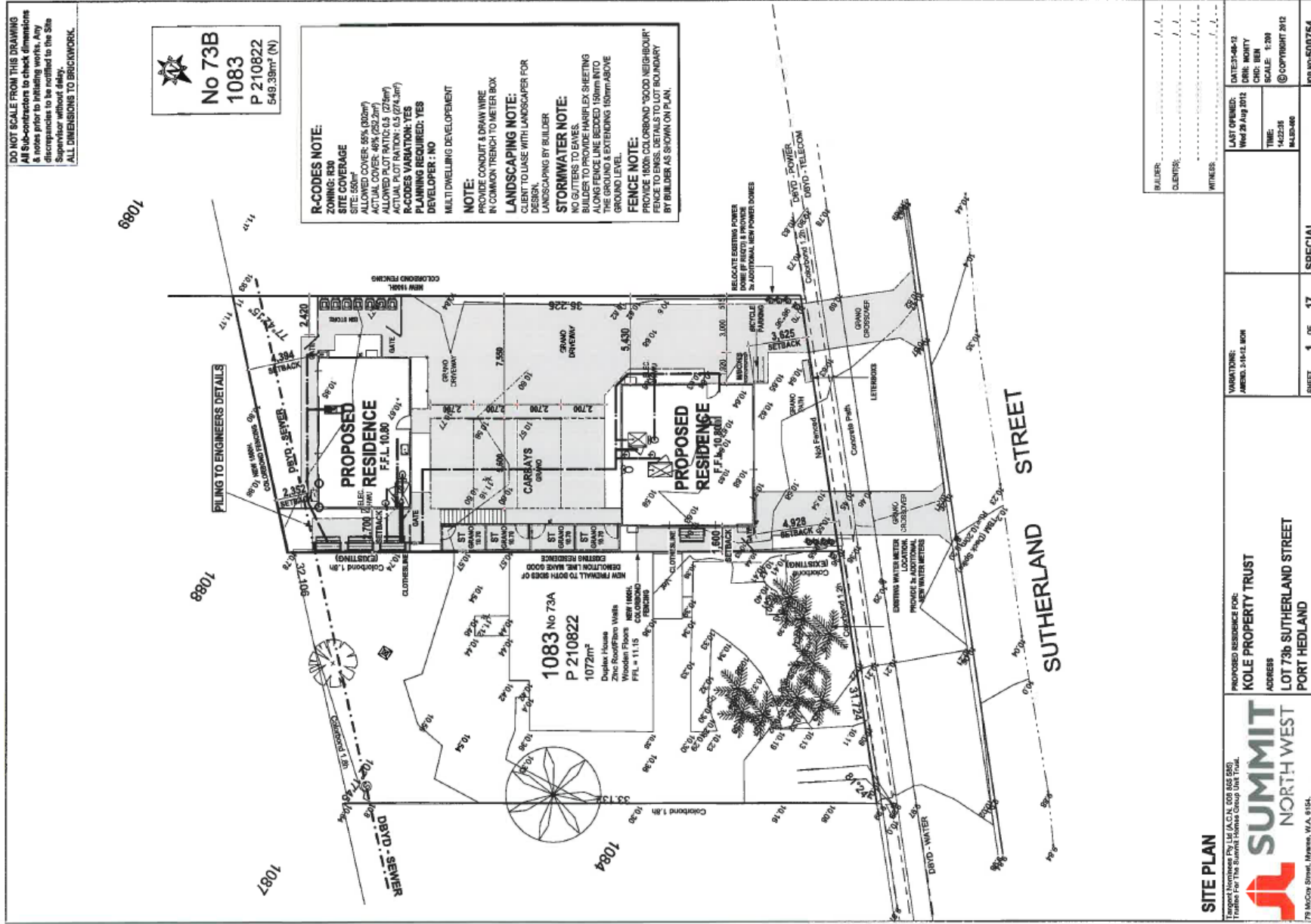
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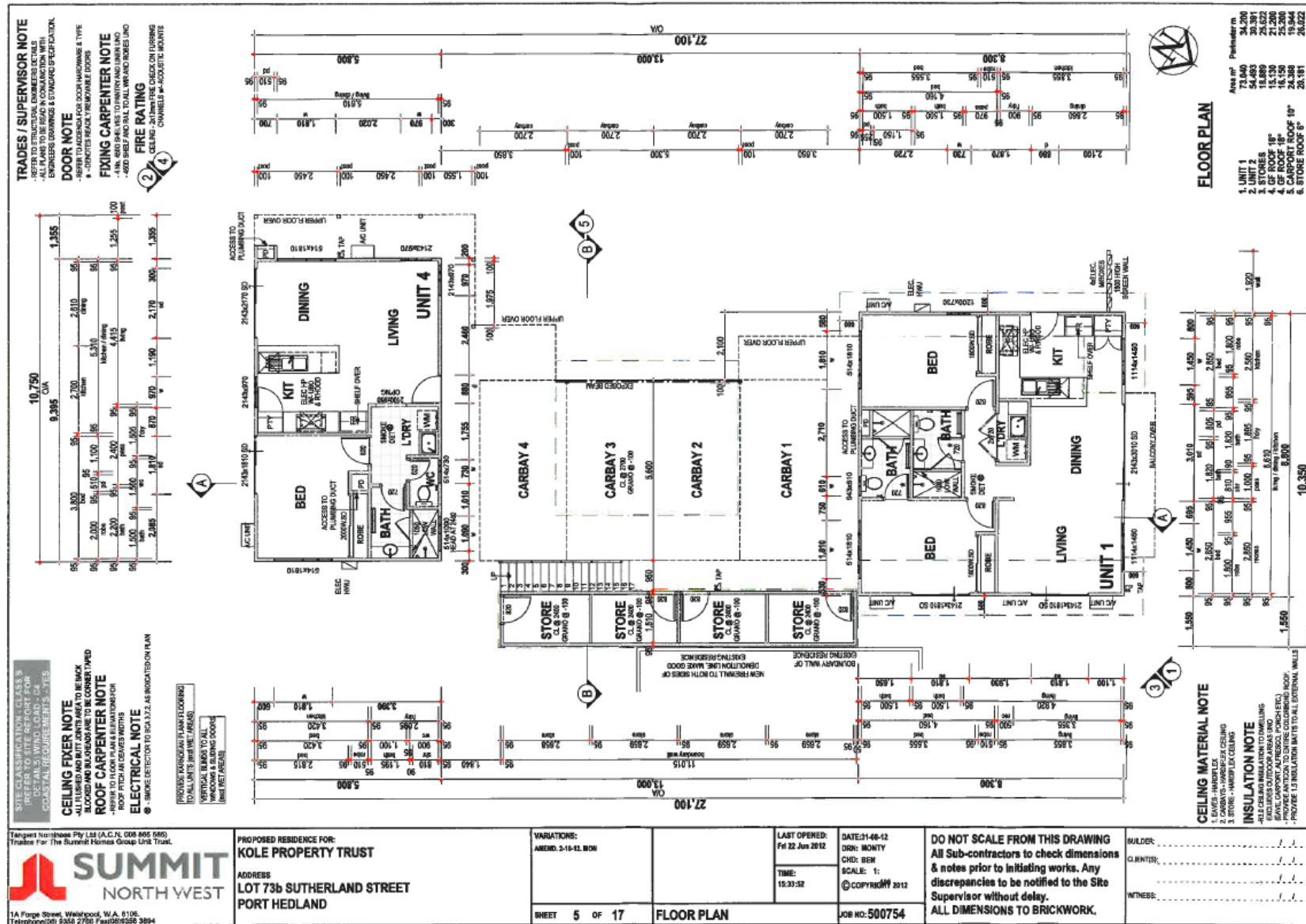
1. You are reminded this is a Planning Approval only and does not obviate the responsibility of the owner / developer to comply with all relevant building, health and engineering requirements;
2. In the absence of a clear definition of "mature trees and shrubs" within the Port Hedland Town Planning Scheme,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

CARRIED 6/0

Attachment 1 – Locality Plan







Summit North West Pty Ltd (A.C.N. 008 865 586)
 Trustees For: The Summit Home Group LPH Trust

1A Forge Street, Walshwood, W.A. 6106
 Telephone: (08) 9358 2700 Fax: (08) 9358 3044

PROPOSED RESIDENCE FOR:
KOLE PROPERTY TRUST
 ADDRESS
**LOT 73b SUTHERLAND STREET
 PORT HEDLAND**

VARIATIONS:
 AMEND: 3-10-12, NOW

SHEET **5** OF 17

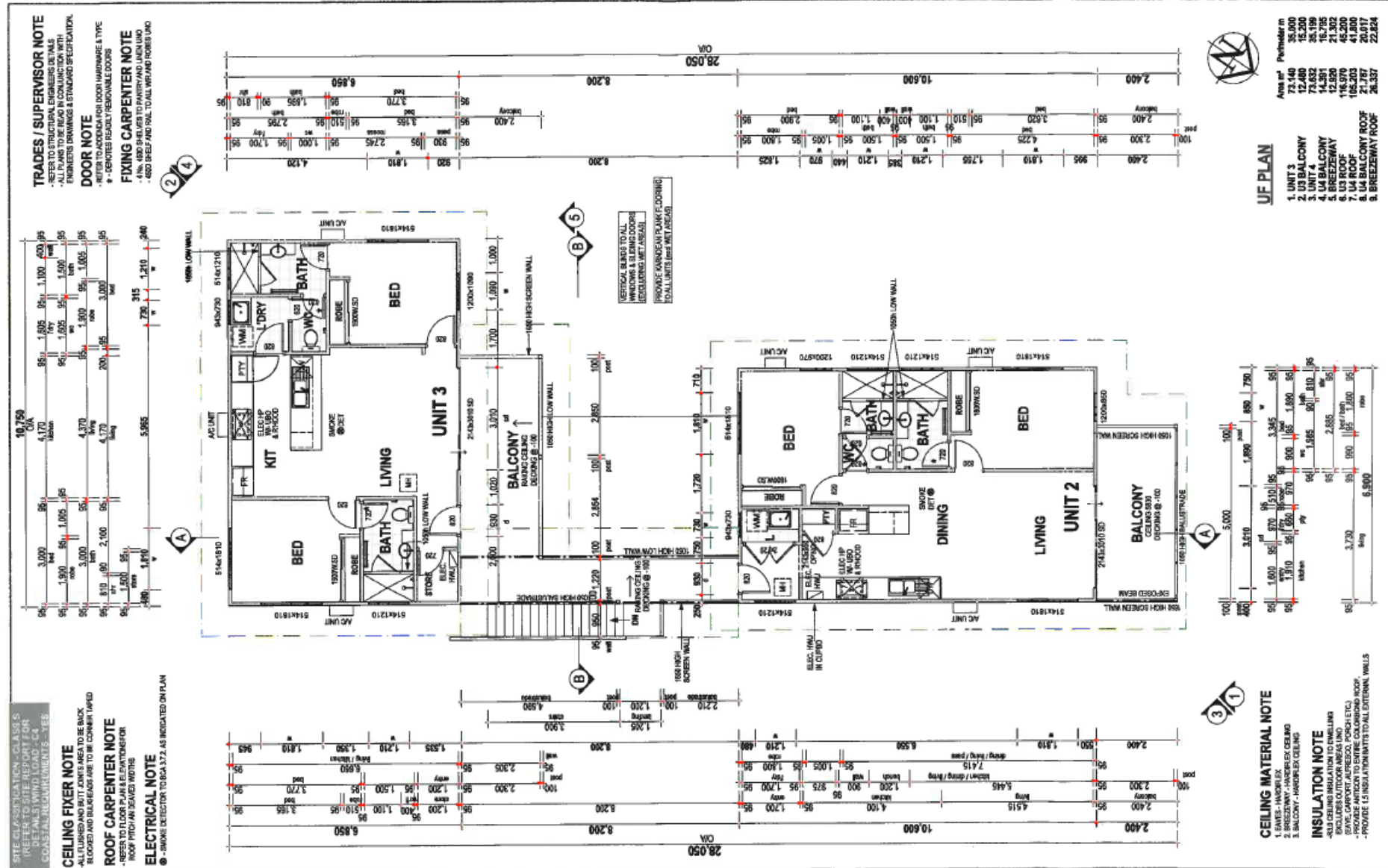
LAST OPENED:
 PM 12 JUN 2012

DATE: 31-08-12
 DRAWN: MONITY
 CHECKED: BEN
 SCALE: 1:
 © COPYRIGHT 2012

JOB NO: 500754

DO NOT SCALE FROM THIS DRAWING
 All Sub-contractors to check dimensions
 & notes prior to initiating works. Any
 discrepancies to be notified to the Site
 Supervisor without delay.
ALL DIMENSIONS TO BRICKWORK.

BUILDER: _____
 CONTRACTOR: _____
 WITNESS: _____



Tangerine Investments Pty Ltd (A.C.N. 004 006 585)
 Trustees For The Summit Homes Group Unit Trust

SUMMIT NORTH WEST
 1A Forge Street, Westport, WA, 6100
 Telephone: 08 9422 7768 Fax: 08 9422 7654

PROPOSED RESIDENCE FOR:
KOLE PROPERTY TRUST
 ADDRESS
**LOT 73b SUTHERLAND STREET
 PORT HEDLAND**

VARIATIONS:
 AMEND. 2-10-12. NOW

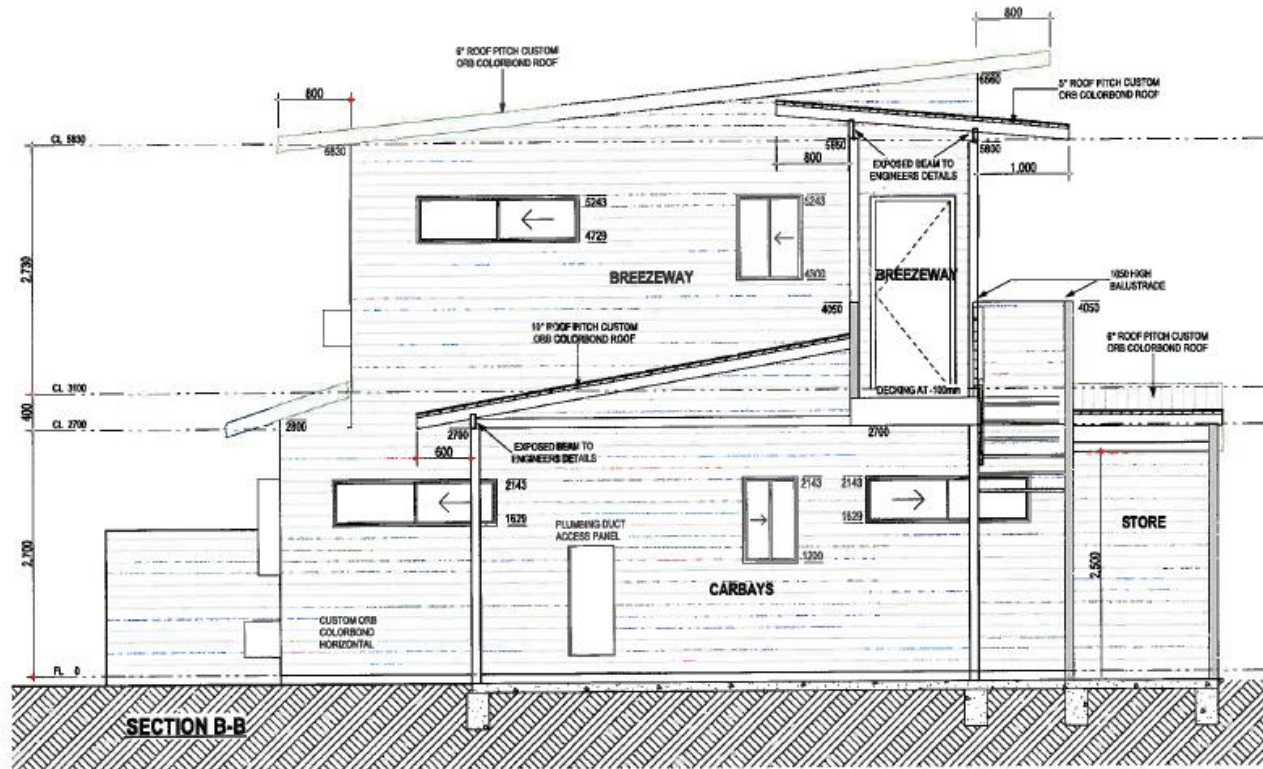
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 Fri 22 Jun 2012

DATE: 31-03-12
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 All Sub-contractors to check dimensions
 & notes prior to initiating works. Any
 discrepancies to be notified to the Site
 Supervisor without delay.
 ALL DIMENSIONS TO BRICKWORK.

BUILDER: _____
 CLIENT(S): _____
 WITNESS: _____

SHEET 6 OF 17 UF PLAN JOB NO: 500754



Tangent Nominees Pty Ltd (A.C.N. 008 865 595)
Trustee For The Summit Homes Group Unit Trust.



1A Forge Street, Welshpool, W.A. 6106.
Telephone: (08) 9424 2700 Fax: (08) 9424 2884

PROPOSED RESIDENCE FOR:
KOLE PROPERTY TRUST
ADDRESS
**LOT 73b SUTHERLAND STREET
PORT HEDLAND**

VARIATIONS:
AMEND. 2-10-12. MCM

LAST OPENED:
Fri 22 Jun 2012

TIME:
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DATE: 31-08-12
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JOB NO: 500754

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discrepancies to be notified to the Site
Supervisor without delay.
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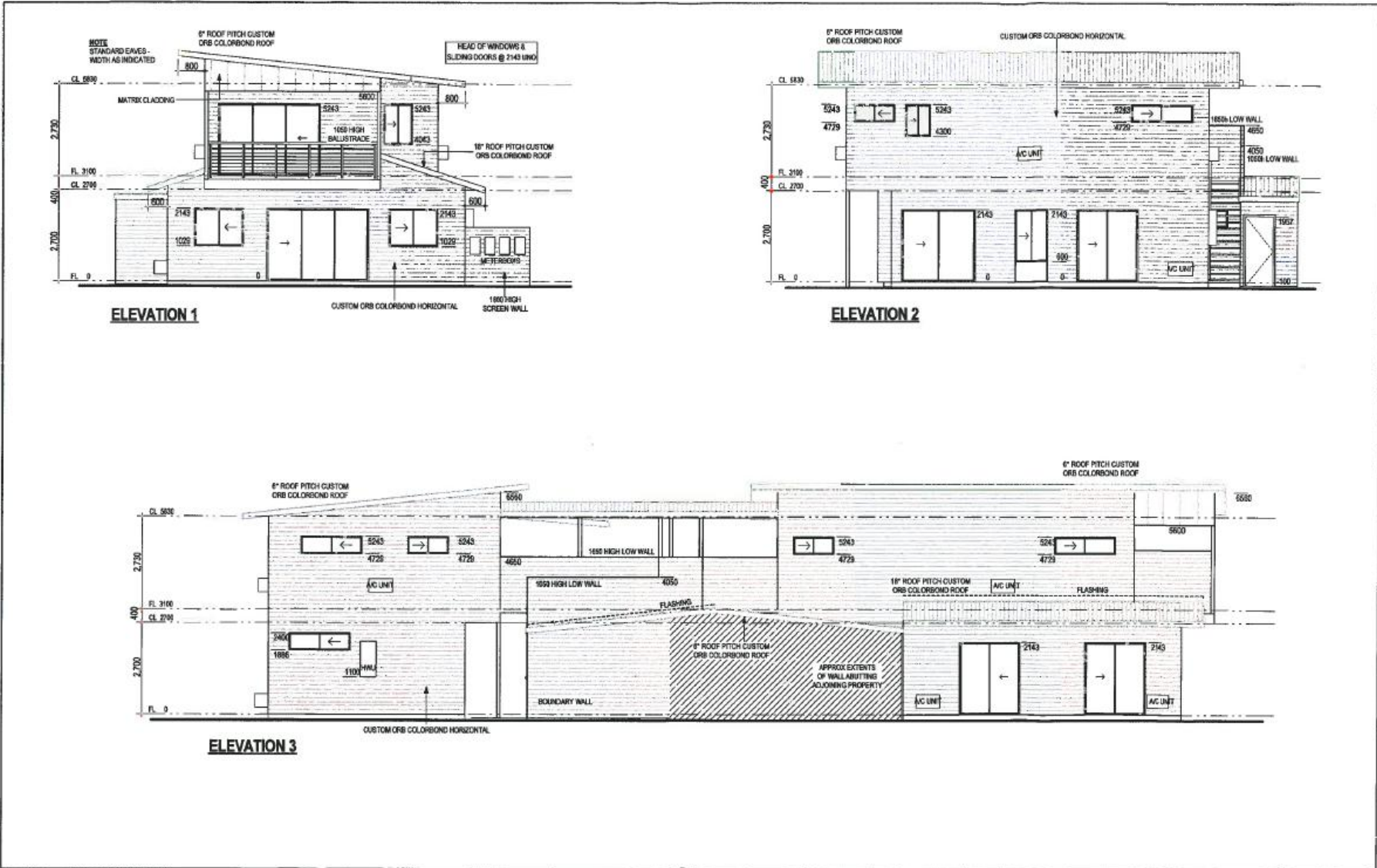
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CLIENT:

WITNESS:

SHEET 10 OF 17

DETAILS 2



Tangent Nominees Pty Ltd (A.C.N. 008 865 585)
Trustee For The Summit Homes Group Unit Trust.



1A Forge Street, Welshpool, W.A. 6105.
Telephone (08) 9355 2785 Fax (08) 9355 3094

PROPOSED RESIDENCE FOR:
KOLE PROPERTY TRUST

ADDRESS
**LOT 73b SUTHERLAND STREET
PORT HEDLAND**

VARIATIONS:
AMEND 3-16-12. MCM

SHEET **7** OF 17

ELEVATIONS 1

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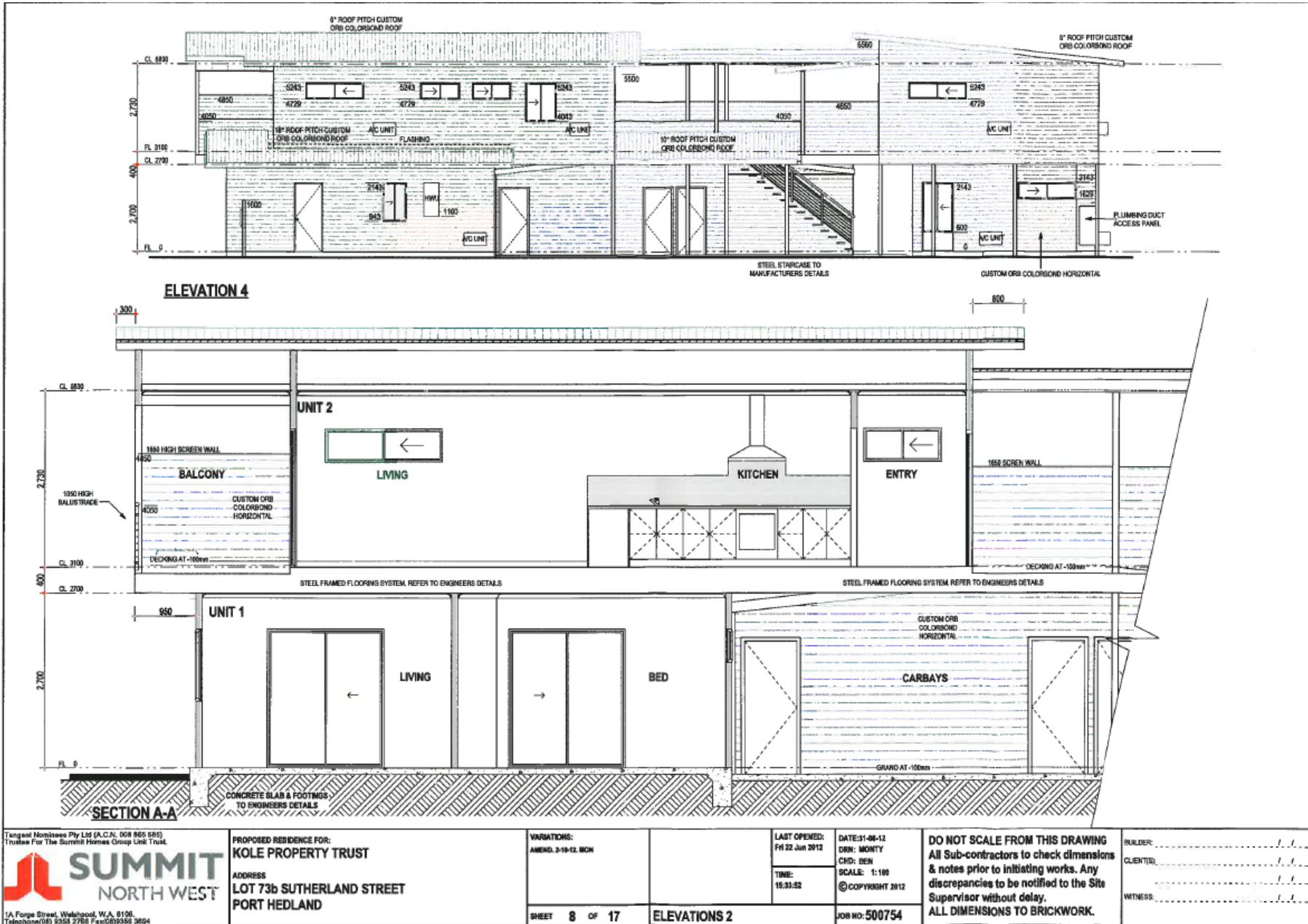
JOB NO: **500754**

DO NOT SCALE FROM THIS DRAWING
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ALL DIMENSIONS TO BRICKWORK.

BUILDER:

CLIENT(S):

WITNESS:



Tangent Nominees Pty Ltd (A.C.N. 008 865 685)
Trustee For The Summit Homes Group Unit Trust.



1A Forge Street, Welshpool, W.A. 6106.
Telephone (08) 9353 2786 Fax (08)9359 3894

PROPOSED RESIDENCE FOR:
KOLE PROPERTY TRUST

ADDRESS
**LOT 73b SUTHERLAND STREET
PORT HEDLAND**

VARIATIONS:
AMEND. 3-19-12. MOH

SHEET **8** OF **17**

ELEVATIONS **2**

LAST OPENED:
FRI 22 Jun 2012

DATE:31-08-12
DIN: MONTY
CRD: BEN
SCALE: 1:100
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All Sub-contractors to check dimensions
& notes prior to initiating works. Any
discrepancies to be notified to the Site
Supervisor without delay.
ALL DIMENSIONS TO BRICKWORK.

BUILDER: _____

CLIENT: _____

WITNESS: _____

20-09-12 14:11 FROM-Eagle & Partners

+61891925627

1-055 P0001/0002 F-000

ATTACHMENT 4 TO ITEM 11.1.3



19 September 2012
Our Ref: AVE120908 RP
Your ref: 2012/300

Initially by facsimile: 08 9158 9399

Attention: Mr Ryan Djanegara, Planning Officer

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

Dear Sir,

Re: Application 2012/300 for 4 multiple dwellings on Lot 2 (73B) Sutherland Street, Port Hedland

We act for Ms Toni Leanne Avery (formerly Gerloff) of PO Box 3629 Broome, the registered proprietor of 73A Sutherland Street Port Hedland.

The application is to replace a semi-detached dwelling on Lot 2 (73B) Sutherland St Port Hedland with four (4) multiple dwellings.

Our client objects to the application on planning grounds, inter alia on the basis that each dwelling requires a minimum site area of 285 sq. m and the entire site is only 541sq. m.

However more importantly, our client also objects to the application because it constitutes a re-subdivision within a strata scheme under section 8 of the Strata Titles Act 1985. Under that section a lot in a strata scheme may only be subdivided by a strata plan of re-subdivision.

Under section 8A of the Act a plan of re-subdivision requires unanimous consent to the proposed subdivision, and our client as the registered proprietor and strata company member in respect of Lot 1 on Strata plan of sub-division number 26873 her consent to the proposed plan of re-subdivision has never been sought, which is in breach of the said section.

Whatever the fate of the application before council, the proposed re-subdivision of strata plan 26873 is therefore doomed. Accordingly Council is invited to refuse the application on the ground that approval of the application would serve no useful purpose.

Please inform the applicant that if the application is approved by Council, and works are commenced without the necessary application for re-subdivision of the strata subdivision, our client will immediately commence proceedings for injunctive relief, and this letter will be used on the question of costs.



2/41 Carnarvon Street, Broome WA 6725
PO Box 3407, Broome WA 6725
Telephone: (08) 9192 3366 Facsimile: (08) 9192 5627
Mobile: 0427 084 877 Email: eaglepartners@westnet.com.au
ABN: 20 946 272 161

20-09-'12 14:11 FROM-Eagle & Partners

+61891925627

T-055 P0002/0002 F-660

Kindly note that our client still intends to make detailed town planning submissions concerning the application.

Yours faithfully,

EAGLE & PARTNERS

Bob Eagle

A handwritten signature in black ink, appearing to read 'Bob Eagle', written over the printed name.

11.1.4 Proposed Residential Building and Outbuilding on Lot 96 (7) Councillor Road South Hedland Rural Estate (File No.: 154437G)

Officer	Luke Cervi Senior Planning Officer
Date of Report	11 September 2012
Disclosure of Interest by Officer	Nil

Summary

The Town received an application from Andrew Olding on behalf of Scott Smith being the owner of Lot 96 (7) Councillor Road South Hedland Rural Estate (site), for a “Residential Building” and outbuilding.

The proposal has been referred to Council for determination as the application has been recommended for refusal.

Background

Previous Applications

Council has determined five (5) applications previously for “Residential Buildings” within a Rural Residential Zone. There have been four (4) applications within the Turner River precinct and one (1) within the South Hedland Rural Estate. Each application was recommended for refusal, however Council approved each respective development.

Location and description (ATTACHMENT 1)

The subject site is located on the corner of Councillor Road and Greenfield Street (Attachment 1), and is approximately 1.1948 ha.

Current Zoning and Use

In terms of the Port Hedland Town Planning Scheme No. 5 (TPS5) the subject site is zoned “Rural Residential” and is currently developed with a single dwelling and associated outbuildings. The permissibility of the proposed “Residential Building” is an “AA” use.

The Proposal (ATTACHMENT 2)

The applicant is seeking approval of a “Residential Building” consisting of a 6 bedroom, 5 bathroom single storey building and a 200m² outbuilding. The proposed location of the outbuilding also forms part of this application. The applicant has provided two (2) options for the outbuilding location.

Consultation

Internally:

The application was circulated to the following internal units, with comments received, included in the report:

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

Externally:

- Department of Water
- Department of Environment and Conservation

Department of Water (DoW) provided the following comments:

- i) The proposed buildings are not expected to detrimentally impact upon the 100 year ARI flooding regime in the area.
- ii) The proposed dwelling's finished floor level of 18.1 m AHD does not provide 100 year ARI flood protection. A minimum habitable floor level of 18.65 m AHD is recommended to ensure adequate flood protection.
- iii) The depth of flooding surrounding the proposed dwelling is ~ 1.25 m in the 100 year ARI event and the distance to higher ground is ~ 1.3 km.
- iv) The proposed buildings will be subject to potential flood damage during major flows.

Given the ambiguity of DoW's comments, clarification was sought with DoW confirming that the development is acceptable subject to the applicant meeting the specified finished floor levels and being advised of these comments.

Department of Environment and Conservation

During the assessment of the proposal, the site was identified as potentially contaminated. This matter was referred to the Department of Environment and Conservation's (DEC) contaminated lands branch for comment. As a result DEC are in the process of having the site listed as "*possibly contaminated – investigation required*". DEC has therefore recommended that any approval should include conditions in relation to assessment, and if necessary, remediation of contamination prior to the commencement of site works for the development. The recommended conditions are as follows:

1. Prior to the commencement of site works, investigation for soil and groundwater contamination shall be carried out in accordance with the Department of Conservation's Contaminated Sites Management Series guidelines.
2. Remediation, including validation of remediation, of any contamination identified shall be completed prior to the issuing of a building licence to the satisfaction of the Town of Port Hedland on advice from Department of Environment and Conservation, to ensure that the site is suitable for the proposed use.

Notwithstanding that the Scheme does not require an "AA" use to be advertised, given the nature of the proposal and its locality the application was advertised for a period of 14 days in the North West Telegraph and letters were sent out to adjoining residents.

No submissions were received.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

An application fee of \$1280.00 has been received as per the prescribed fees approved by Council.

Officer's Comment

Classification of use

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

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

- a. temporarily by two or more persons, or
 - b. permanently by seven or more persons
- Who do not comprise a single family; but does not include a hospital, nursing home, prison, juvenile detention centre, school, hotel, and motel or holiday accommodation”.*

The proposed development does not include any buildings or rooms separate from but ancillary to the main building and therefore does not fit the definition of a “Residential Building”. In addition, the proponent makes the following statement relating to the proposal (ATTACHMENT 3):

“It provides a safe and healthy living environment for the temporary accommodation of people working in Port Hedland, a town currently suffering a shortage of appropriate rooms. With the large blocks in the estate there is a temptation to provide alternative accommodation solutions that may not meet the stringent building requirements necessary in a hot climate prone to seasonal cyclones. The proposed building will be constructed to meet all the appropriate building / climate and planning conditions required in this region, especially in relation to energy consumption and water use.”

This clearly demonstrates that it is the proponent’s intention for the building to be utilised for “Transient Workforce Accommodation” which is prohibited in the zone.

“Transient Workforce Accommodation” is defined as:

Dwellings intended for the temporary accommodation of transient workers and may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes a contractors camp and dongas.

As the proposal is clearly identified as being for the purpose of “Transient Workforce Accommodation” which is prohibited within the Rural Residential Zone, the officer strongly recommends against the proposal being considered as a “Residential Building”.

Furthermore, it should be noted that six (6) “Residential Building” applications have now been received on Rural Residential zoned land in the past two (2) years with four (4) of these being received in the past four (4) months. If Council decides to continue to support “Residential Buildings” it is expected that the number of applications will continue to rise.

Flood prone land

Flooding impacts the site significantly with DoW advising that a flood depth of approximately 1.25 m would occur in the 100 ARI event and the site is approximately 1.3 kms from higher ground. This is of major concern to the Officer however, DoW who are the floodplain managers and experts in the field have advised that the development would be acceptable subject to the finished floor level being increased and the developer being made aware of the flood matters.

Should Council decide to approve the proposal it is recommended that a Section 70a Notification be placed on the title advising of the flooding issues.

Potentially contaminated land

The site is potentially contaminated as a result of Manganese fill being deposited on the site. As a consequence, DEC require further investigation to assess the level of contamination and remediation works required, prior to any building licence being issued.

Outbuilding

Proposed position 1

The proposed outbuilding position 1 has an approximate natural ground level of 17.15 m AHD resulting in a flood impact of approximately 1.0 m. The proposed wall height of 3.6 m is consistent with the maximum 4.2 m acceptable wall height development standard.

This would allow 600 mm of fill whilst still complying with the wall height standards. Alternatively Council could require the outbuilding to be raised to the approximate flood level (18.15 m) or other height. If this is the preferred option Council needs to consider the visual amenity impact of the development on the streetscape and neighbouring properties.

Proposed outbuilding position 1 also proposes a minor variation to the street setback from 10 m to 9.97 m. Whilst this variation is extremely minor, it needs to be considered in context of the required finished floor levels which impacts on the building height and bulk and scale provided by the location of the building.

Proposed position 2

The proposed outbuilding position 2 has an approximate natural ground level of 16.75 m AHD resulting in a flood impact of approximately 1.4 m. The proposed wall height of 3.6 m is consistent with the maximum 4.2 m acceptable wall height development standard.

This would allow 600 mm of fill whilst still complying with the wall height standards. Alternatively Council could require the outbuilding to be raised to the approximate flood level (18.15 m) or other height. If this is the preferred option Council needs to consider the visual amenity impact of the development on the streetscape and neighbouring properties.

All other aspects of the outbuilding would comply with the acceptable development standards.

Proposed position 2 is the preferred option.

Options

Council has the following options when considering this application:

1. Approve the Application

This option should be chosen if Council agrees with the applicant that the proposal is defined as a "Residential Building", as opposed to "Transient Workforce Accommodation". Officers consider the development to be defined as "Transient Workforce Accommodation".

2. Refuse the Application

This option should be chosen if Council agrees with the Officer that the proposal is for "Transient Workforce Accommodation" which is a prohibited use in the Rural Residential zone.

It has been recommended that Council refuse the application due to the proposal containing a prohibited use being "Transient Workforce Accommodation".

Attachments

1. Locality Map
2. Site Plan, Floor Plan and Elevations
3. Applicants Rationale

Officer's Recommendation

That Council refuse the application submitted by Andrew Olding on behalf of Scott Smith for a Residential Building at Lot 96 (7) Councillor Road, South Hedland Rural Estate for the following reasons:

1. The proposed use does not meet the definition of a "Residential Building" as defined by the Town Planning Scheme No. 5;
2. In terms of TPS5 the proposed use is better defined as "Transient Workforce Accommodation" being a prohibited use within a "Rural Residential" zone.

201213/133 Council Decision**Moved: Cr Carter****Seconded: Cr Daccache**

That Council approves the application submitted by Andrew Olding on behalf of Scott Smith for a Residential Building at Lot 96 (7) Councillor Road, South Hedland Rural Estate as indicated on the attached plans (DRG2012/317/1 – DRG2012/317/4), subject to the following conditions:

- 1. This approval relates only to the proposed “Residential Building”, and is to be generally in accordance with the approved plans;**
- 2. In terms of the Town of Port Hedland Town Planning Scheme No. 5, “Residential Building” is defined as follows and shall only be used for this purpose:**

“Residential Building,

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

- a) Temporarily by two or more persons, or**
- b) Permanently by seven or more persons,**

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

- 3. This approval shall remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval shall remain valid for twelve (12) months only;**
- 4. A minimum of eight (8) car bays shall be provided for the Residential Building;**
- 5. No parking bays shall be obstructed in any way or used for any other purpose than parking;**
- 6. Stormwater shall be retained on-site, in accordance with Council’s Technical Services Guidelines;**
- 7. Roof mounted or freestanding plant or equipment such as air conditioning units shall be located and / or screened to the satisfaction of the Manager Planning Services;**

- 8. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the developers cost, to the specification and satisfaction of the Manager Technical Services;**

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

- 9. Prior to the commencement of site works, investigation for soil and groundwater contamination shall be carried out in accordance with the Department of Environment and Conservation's Contaminated Sites Management Series guidelines;**

- 10. Remediation, including validation of remediation, of any contamination identified shall be completed prior to the issuing of a building licence to the satisfaction of the Town of Port Hedland on advice from Department of Environment and Conservation, to ensure that the site is suitable for the proposed use;**

- 11. Prior to the commencement of any works, the owner / developer shall submit and have approved by the Manager Planning Services an Erosion Prevention and Sediment Control Plan;**

- 12. Prior to the commencement of any works, a construction management plan shall be submitted and approved by the Manager Planning Services. The construction management plan shall indicate how it is proposed to manage the following during construction:**

- i) The delivery of materials and equipment to the site;**
- ii) The storage of materials and equipment on the site;**
- iii) The parking arrangements for the contractors and subcontractors;**
- iv) Impact on traffic movement;**
- v) Operation times including delivery of materials; and**
- vi) Other matters likely to impact on the surrounding residents / businesses**

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

- 13. Prior to the occupation of the "Residential Building", the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, and approved by the Manager Planning Services;**

14. Prior to the occupation of the “Residential Building”, an approved effluent disposal system shall be installed to the specification of the Town’s Environmental Health Services and to the satisfaction of the Manager of Planning. Be advised that the effluent disposal system may also require the approval of the Western Australian Department of Health;

ADVICE NOTES:

1. You are reminded this is a Planning Approval only and does not obviate the responsibility of the owner / developer to comply with all relevant building, health and engineering requirements;
2. To clear any conditions kindly contact the Town’s Compliance Officer on (08) 9158 9300. Please note the clearance of conditions may take up to 28 days to be processed;
3. The developer shall take note, 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 the one hundred (100) year Annual Recurrence Interval cycle of flooding may affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure measures adopted to avoid risk will be adequate. The issuing of a Planning Approval and/or Building Permit is not intended as, and must not be understood as, confirmation the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding;
4. Applicant shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

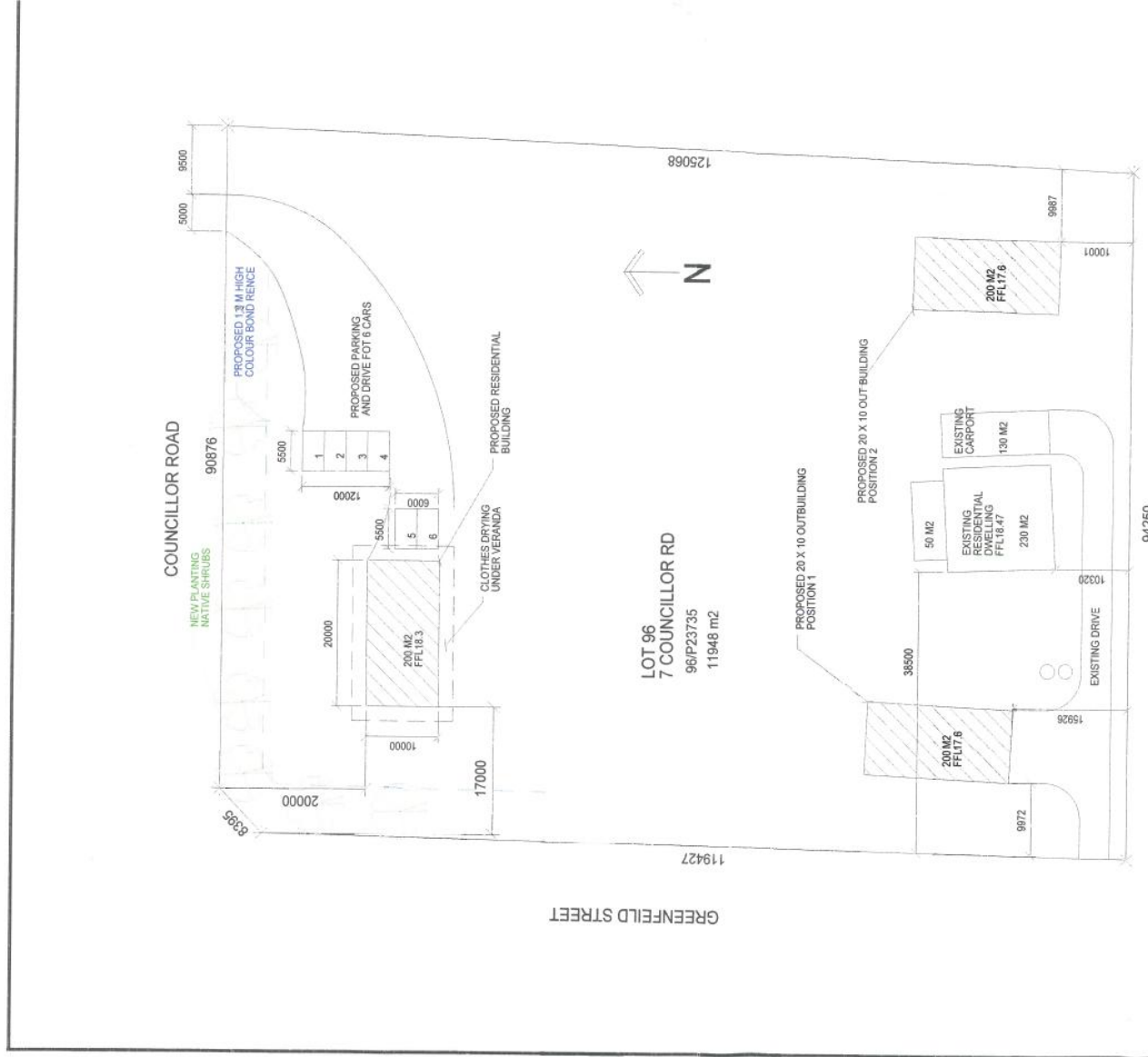
CARRIED 6/0

Reason: Council believes that this application is appropriate to be passed as the statement given by Mr Andrew Olding earlier during the meeting clarified now all the flaws that had been highlighted by the Town’s Planning Department in the agenda item have been addressed. This decision is also in line with similar, previous decisions taken by Council.

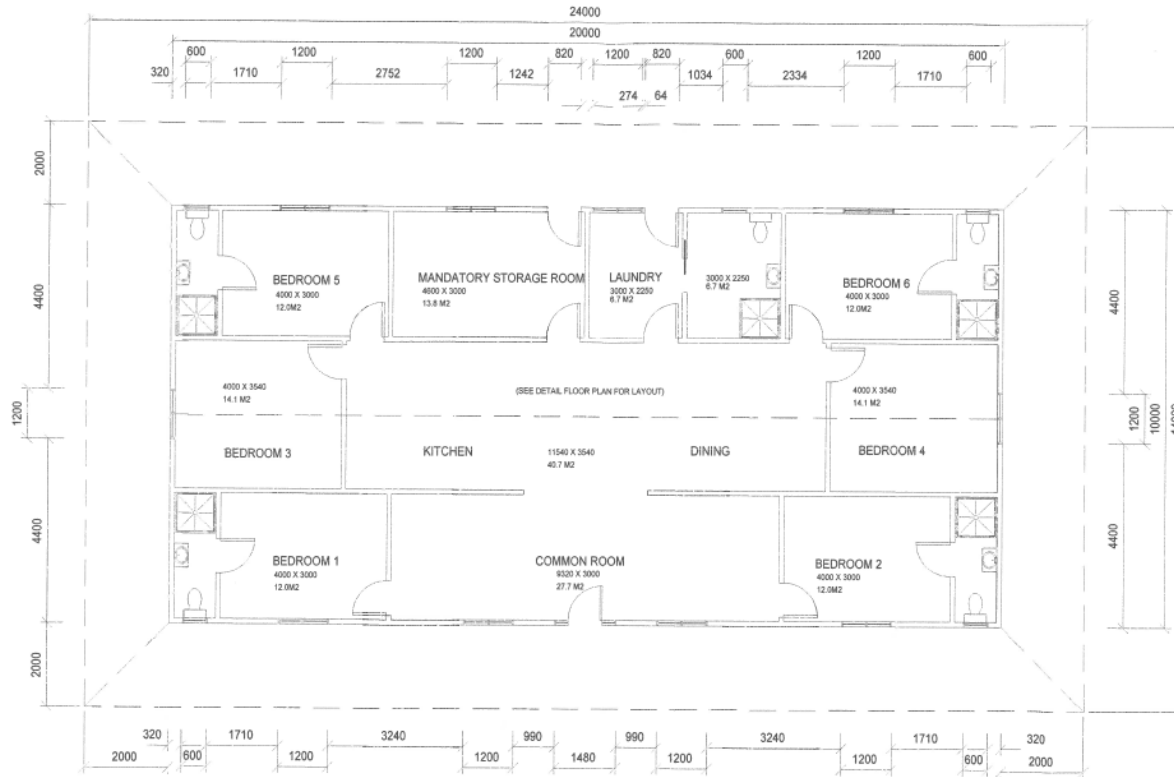
ATTACHMENT 1 TO ITEM 11.1.4



ATTACHMENT 2 TO ITEM 11.1.4



DATUM	4817 042 E 137316.666 N	GRID		DESIGNED	AO	TITLE	SITE PLAN		CLIENT	S SMITH 7 COUNCILLOR RD SOUTH HEDLAND	A01
				DRAWN	AO					PA	
				DATE	01/08/12	SITE	7 COUNCILLOR RD SOUTH HEDLAND		SCALE	1:500 @A3	
				CHECKED							SHEET
											A3



DATUM 49817.042E 137316.666 N	GRID	DESIGNED AO	TITLE PROPOSED RESIDENTIAL BUILDING & OUTBUILDING	CLIENT SCOTT SMITH 7 COUNCILLOR RD SOUTH HEDLAND 6722	SHEET 20F4
SCALE 1:100 @ A3		DRAWN AO	LOT 96 COUNCILLOR RD SOUTH HEDLAND 6722	A03	RESIDENTIAL BUILDING PLAN
SURVEY INFORMATION PLAN 93/23735		DATE 01/08/2012		PA	



DATUM 49817.042E 137316.666 N	GRID	DESIGNED AO	TITLE PROPOSED RESIDENTIAL BUILDING & OUTBUILDING	CLIENT SCOTT SMITH 7 COUNCILLOR RD SOUTH HEDLAND 6722	SHEET 30F4
SCALE 1:100 @ A3		DRAWN AO	LOT 96 COUNCILLOR RD SOUTH HEDLAND 6722	A04	RESIDENTIAL BUILDING ELEVATIONS
SURVEY INFORMATION PLAN 93/23735		DATE 01/08/2012		PA	



DATUM 49817.042E 137316.668 N	GRID	DESIGNED AO	TITLE PROPOSED RESIDENTIAL BUILDING & OUTBUILDING	CLIENT SCOTT SMITH 7 COUNCILLOR RD SOUTH HEDLAND 6722	SHEET 10F4
SCALE 1:100 @ A3		DRAWN AO	LOT 96 COUNCILLOR RD SOUTH HEDLAND 6722	A02	
SURVEY INFORMATION PLAN 93/23735		DATE 01/08/2012		OUTBUILDING PLAN / ELEVATION	A3

3 Rational

3.1 Out building

- 3.1.1 The proposed position for the outbuilding is position 1 as shown on the detail survey plan coloured green. Based on the lay of the land, position of the existing dwelling and the unsuccessful application at the ordinary council meeting 27/6/2012 (For the outbuilding to be positioned on the northwest corner of the block) this is the preferred position. The outbuilding will be positioned 88 m from the primary street frontage and 10 m from the secondary street which both comply with R Codes Table 1. With 88 m setback from the primary street the outbuilding is effectively level with the existing dwelling.
- 3.1.2 The size of the outbuilding is less than some buildings in the rural residential zone and less than the maximum allowable in local planning policy 11 for that site which would be 238 m² with a wall height of 4.2 and a ridge of 6.0. The scale, materials and colour are in keeping with the existing residential dwelling.
- 3.1.3 The preferred position from a planning position would be to put the outbuilding in position 2 as shown coloured blue on the detail survey plan. This has been discounted for a number of reasons.
- 3.1.4 Firstly the building pad necessary to elevate the floor to the 17.6 m requires a metre of fill at its lowest point. This point also corresponds with the edge of a small creek that feeds the larger creek that divides the property. With the batter required to support a metre of fill there is the likelihoods that the flow of the small creek will be restricted or more seriously the building pad undermined during flood conditions. During the last flood event in Jan 2012 which peaked at about 17.3 m the small creek flowed strongly and was met by water running down the dirt section of Greenfield Rd and across the property (see blue arrows on detail survey). The building pad and vehicle ramp will disrupt this flow and direct extra water between the proposed out building and dwelling.
- 3.1.5 Secondly because of the proximity of the creeks this section of the site has a number of small and large native white gum trees. Trees 154 and 155 will need to be removed along with a number of smaller trees to make room for the pad and batter. Reducing the bush amenity enjoyed by the owners.
- 3.1.6 Thirdly this is the lowest corner of the block and will require the largest amount of earthworks and fill.

3.2 Residential Building

The proposed residential building is a purpose designed building for two or more people to reside on temporary bases and is an appropriate development for the rural residential estate for the following reasons.

- 3.2.1 Under the Town of Port Hedland Town Planning Scheme No. 5 a residential building has an AA use.

- 3.2.2 There have been 4 applications for residential buildings in the rural residential precinct, three at Turner River and one at South Hedland Rural estate. All applications were recommended for refusal but approved by Council. The proposed building is in keeping with previous application and designed to blend into the rural residential setting with the appropriate use of materials, colour and scale.
- 3.2.3 It provides a safe and healthy living environment for the temporary accommodation of people working in Port Hedland, a town currently suffering a shortage of appropriate rooms. With the large blocks in the estate there is a temptation to provide alternative accommodation solutions that may not meet the stringent building requirements necessary in a hot climate prone to seasonal cyclones. The proposed building will be constructed to meet all the appropriate building /climate and planning conditions required in this region, especially in relation to energy consumption and water use.
- 3.2.4 The lot which is divided in half by a creek lends its self to development of two buildings. The proposed building will provide a consistent road frontage to Councillor Rd which has residences predominantly close to the street and the existing residential family home placed at the rear of the lot neatly nestled amongst the numerous native white gums that follow the creek.
- 3.2.5 The rural amenity of the area will not be adversely affected by the addition of a second building. Being a corner block with the creek passing through the middle that periodically floods restricts the use of this block especially for agricultural purposes. The proposal maintains the open natural bush setting of the block and estate while improving the legal addition of rooms.
- 3.2.6 The section of the lot allocated to parking for 6 cars is above the 17.0 m level and will be not be affected by flooding accept under exceptional circumstances, when the vehicles can easily be relocated to Councillor Rd. Access on to Councillor Rd is in a forward direction and positioned 80 m from the corner with Greenfield Rd on to a straight section of road. The additional traffic generated by the development will have a negligible effect on the well formed and wide roads in the estate.
- 3.2.7 Below is a list of conditions set by Council at the ordinary council meeting 27 June 2012. We believe that the proposed building would be able to meet all of these conditions.

This approval relates only to the proposed "Residential Building", and is to be generally in accordance with the approved plans;

2. In terms of the Town of Port Hedland Town Planning Scheme No. 5, "Residential Building" is defined as follows and shall only be used for this purpose:
"Residential Building,

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

a) Temporarily by two or more persons, or
b) Permanently by seven or more persons,
Who do not comprise a single family; but does not include a hospital, nursing home, prison, juvenile detention centre, school, hotel, motel or holiday accommodation.

3. This approval shall remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval shall remain valid for twelve (12) months only;

4. A minimum of six (6) car bays shall be provided as per the approved site plan;

5. No parking bays shall be obstructed in any way or used for any other purpose than parking;

6. Stormwater shall be retained on-site, in accordance with Council's Technical Services Guidelines;

7. Roof mounted or freestanding plant or equipment such as air conditioning units shall be located and / or screened to the satisfaction of the Manager Planning Service

11.1.5 Acceptance of Management Orders for Lot 5557 Brodie Crescent, South Hedland (File No.: 401020G)

Officer Luke Cervi
Senior Planning
Officer

Date of Report 24 July 2012

Disclosure of Interest by Officer Nil

Summary

The Town has received correspondence from Regional Development and Lands (RDL) identifying an intention to issue management orders for Lot 5557 Brodie Crescent to the Town for the purpose of Drainage.

This report is before Council to accept the proposed vesting for drainage purposes.

Background

Lot 5557 Brodie Crescent is currently Unallocated Crown Land (UCL) that contains a major drain important to the storm water drainage of the locality. RDL has received a request from the owner of Lot 2389 (59) Brodie Crescent to purchase the land.

During RDL's assessment, it was identified that the land is currently being utilized informally for drainage. As a result RDL propose to issue management orders for the land to the Town for drainage.

Consultation

The proposal was referred internally to Technical Services which had no objections to accepting the Management Orders.

Statutory Implications

The following sections of the Land Administration Act 1997 are relevant to the proposal:

- 41. Minister may reserve Crown land
- 46. Placing of care, control and management of reserves

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

If Council decides to accept the management order for Lot 5557 Brodie Crescent, Council will become responsible for its control and maintenance.

Officer's Comment

The land currently functions as part of the drainage network but remains Unallocated Crown Land (UCL). The inclusion of this land as a drainage reserve will ensure that it remains available and continues to be used for drainage purposes.

It has been recommended that Council accept the management orders for Lot 5557 Brodie Crescent.

Options

Council has the following options for responding to the request:

1. Support Lot 5557 Brodie Crescent being vested to the Town for drainage

This will see Council obtain control and responsibility for the land enabling it to continue to be utilized for drainage.

2. Object to Lot 5557 Brodie Crescent being vested to the Town for drainage.

This land may be sold and have impacts on drainage in the area.

Option 1 has been recommended.

Attachments

1. Locality Plan

201213/134 Officer's Recommendation/Council Decision

Moved: Cr Jacob

Seconded: Cr Carter

That Council advises the Department of Regional Development and Lands it would accept the management orders for Lot 5557 DP 216527 for the purpose of drainage.

CARRIED 6/0



11.1.6 *Proposed Adoption of Amendment to Local Planning Policy 11 – Regional R Code Variations (File No.: 18/01/0011)*

Officer	Ryan Djanegara Planning Officer
Date of Report	5 October 2012
Application No.	2012/304
Disclosure of Interest by Officer	Nil

Summary

At the Ordinary Council Meeting of 25 July 2012, Council resolved to initiate an amendment to Council's Local Planning Policy 11 – Regional R Code variations limiting the number of 1 bedroom dwellings ("the policy").

The application was advertised in accordance with Clause 5.1.4 required by the Port Hedland Town Planning Scheme No 5.

The adoption of the proposed policy is supported by Council Officers.

Background

In November 2010, the WAPC introduced the Multi-code provisions into the Residential Design Codes (R-Codes). These provisions were intended to allow greater flexibility in the design of Multiple Dwellings for areas coded R30 and higher.

In terms of providing housing diversity, Clause 7.4.3 of the R-Codes requires developments to provide a variety of dwelling types and sizes when proposing more than 12 dwellings. Developments proposing 12 dwellings or less are not required to provide diversity in housing options.

A review of the planning applications received by the Town of Port Hedland since November 2010 has revealed the following:

- 53 applications have been received for Multiple Dwellings as opposed to 33 applications for Grouped Dwellings;
- Of those applications, 35 applications have been approved;
- 27 of those applications proposed 12 dwellings and less; and
- 19 of those applications proposed single bedroom residential developments only.

In light of the above, smaller scale developments have predominately compromised solely of 1 bedroom dwellings. The proposed R-Code variation will require development of less than 12 dwellings to provide a diversity in housing.

Application of the draft Policy

The initial draft policy recommended the variation be applied to areas coded R50 and less. A review of various Scheme Amendments has identified that many existing and proposed residential areas have been coded R30. Areas that have been coded above R30 are generally located within the Town Centres or strategically located near areas of high amenity. It is considered that 1 bedroom dwellings would be more appropriately located within these areas.

It is recommended that the application of the policy provision be to areas coded R30. This would encourage 1 bedroom dwellings to be developed in strategic locations such as the Town Centre.

Confirmation of proposed policy variation

The Officer's initiation report recommended Council initiates the variation to Clause 7.4.3 of the R-Codes to limit the number of 1 bedroom dwellings to 25%. The attached draft policy however stated the number of 1 bedroom dwellings would be limited to 50%. The draft policy was corrected before the advertising period to reflect the Officer's report. All persons who enquired about the policy were notified about the correction.

Consultation

As per the Port Hedland Town Planning Scheme No 5, Clause 5.1.4, the following community consultation has taken place:

Newspaper Ads in the North West Telegraph allowing for a period of 21 days advertised on the:

- 8 August 2012, and
- 15 August 2012.

As a result of the above community consultation two (2) submissions has been received. These submissions are reviewed within Table 1 below (ATTACHMENT 2).

Summary of Submission

Table 1 – Summary of submissions

Submission	Planning Response
<p>Intent of Clause 7.4.3 of the R-Codes</p> <p>The R-Codes is a state wide document that has gone through the advertising and due process and has been endorsed by the WAPC. No valid reason contained within the Council report or stated reason for the regional variation The methodology behind the R-Codes clause should continue to be relied upon.</p>	<p>In terms of housing diversity and the review of the R-Codes, there was no scientific, economic or mathematical equation that explains why applications providing 13 dwellings and more are required to cater for housing diversity. Since the introduction of the Multiple Dwelling provisions, Council has been receiving more applications for multiple dwellings, particularly those proposing solely 1 bedroom dwellings.</p> <p>The need for such a variation has arisen to ensure that a variety of housing is provided in all scales of development.</p>
<p>Amendments will not create Housing Diversity</p> <p>We contend that a reduction in the allowable single bedroom for less than 12 dwellings will not provide housing diversity</p> <p>The 25% figure does not address housing diversity and a 50% reduction is more preferred outcome.</p>	<p>Currently there are no requirements for developments providing less than 12 dwellings to provide for diversity in housing. This argument is counterproductive as developments providing only one type of dwelling size does not provide housing diversity and is inconsistent with the performance criteria of the R-Codes.</p> <p>It should be understood that Council is not preventing the development of 1 bedroom dwellings but rather requiring a variety of dwelling types to be provided in all scales of development.</p> <p>Notwithstanding this however, an alternative recommendation to Council could be to increase the limit of 1 bedroom dwellings to being a maximum of 50% which reflects the</p>

	current R-Code requirement.
<p>Existing Housing Stock</p> <p>No consideration of the existing housing stock was taken into consideration as there is currently a dominate supply of 3 bedroom plus dwellings.</p>	<p>It is acknowledged that there is currently a dominate supply of 3 bedroom dwellings. However, most of the existing housing stock consists of dwellings:</p> <ul style="list-style-type: none"> - built in the 1960s or 70s; - made from asbestos; and/or - inappropriately designed to cater for additional dwellings. <p>It is expected a number of existing 3 bedroom dwellings will be redeveloped.</p> <p>In addition, Council has initiated and adopted various Scheme Amendments which have sought to increase the densification of various areas within the Town. These Scheme Amendments allow higher density to be considered in more strategic locations avoiding conflict between new and existing developments. It is important to recognise this provision only applies to areas coded up to R30.</p> <p>Furthermore, Council has sought to increase the diversity of housing stock, by relaxing the provisions of Ancillary Accommodation. These provisions allow for Ancillary Accommodation to be available to all persons not related to the principal family. This will increase the number of 1 to 2 bedroom dwellings within the town.</p>
<p>Impact on demand and supply</p> <p>The market is the best indicator of demand. The policy will create false economies and provision of housing that may not be actually required by the market.</p>	<p>There is great demand for all housing types in Port Hedland. There are many examples where statutory planning mechanisms influence or control the market.</p> <p>The West End Residential zone has been identified as an area to</p>

	<p>accommodate a maximum of 2 bedroom dwelling developments. The introduction of TWA use in TPS5 to cater for demand in single bedrooms to relieve stress on housing market.</p> <p>Furthermore it is generally preferred that such dwellings are located in areas coded above R30. The provision would therefore not apply to areas within the Town Centre, or strategically located.</p>
<p>Impact on Housing affordability</p> <p>Housing affordability is a great concern. In discussions with real estate agents, a 1 bedroom dwelling can be rented at \$1200 per week, which is arguably more affordable housing alternative than renting a 3 bedroom dwelling</p>	<p>The definition of Housing affordability is where housing cost does not exceed 30% of a household's gross income and the occupants being in the bottom 40% of household incomes. According to the latest ABS figures the average individual income is around \$1600. Based on these figures alone, rental accommodation for a 1 bedroom dwelling is considered unaffordable.</p> <p>An unfortunate reality is that most single people or couples, (who are not provided housing) live in shared accommodation. Whilst this is not a preferred outcome, it is more affordable than 1 or 2 persons living in a single bedroom unit.</p> <p>Therefore it can be argued that multiple bedroom dwelling can provide more affordable housing options allowing for shared and grouped accommodation.</p>
<p>The National Rental Affordability Scheme</p> <p>The NRAS is designed to encourage developers to reduce rents to at least 20% below the housing market by providing financial incentives. The tenant eligibility of the scheme is defined by income levels, the number of</p>	<p>NRAS aims to encourage large-scale investment in affordable housing. NRAS Incentives are unlikely to be suitable for small scale individual investors.</p>

<p>adult occupants and the family structure</p> <p>The practical limitations of the NRAS mean that lifestyles are suitable for three bedroom dwellings (for families) and one bedroom dwellings for single adults. In light of the above, the Policy is considered to impact on the viability of the NRAS and incentives towards housing affordability.</p> <p>An alternative recommendation to Council would be that:</p> <p>half of the 50% of single dwelling units is provided via dual key housing design; or the policy would exempt developments from the policy that are applying under the NRAS.</p>	<p>The policy is proposing a variation to the acceptable standard of the R-Codes and does not prevent the development of 1 bedroom dwellings. Rather it requires a variety of dwelling types to be provided in all scales of development. Developers can seek to vary this acceptable standard subject to suitable justification.</p> <p>Applications applying for proposals such as dual key housing or housing affordability initiatives under the NRAS are such developments that could be considered.</p>
<p>Fear of FIFO</p> <p>It is understood that Council fear that single bedroom dwellings would be tenanted by FIFO workers.</p> <p>The Town should be looking to accommodate essential FIFO within the Town's Urban areas instead of remote fly camps.</p>	<p>This is not the case. The concern is that the Town would not be able to attract people to bring their families and permanently live in town where there is a lack of housing choice and diversity.</p> <p>The Town Planning Scheme does provide uses to accommodate FIFO workers such as Transient Workforce Accommodation camps. These camps are considered necessary to cater for the influx of personnel required for the construction of major projects or mining operations.</p> <p>Notwithstanding this, Council does encourage greater integration of FIFO workers into the community.</p>

<p>Amending LPP11</p> <p>Given that Council are reviewing Local Planning Policy 11, it is recommended that the regional variations for grouped dwellings should be included for multiple dwellings, such as setbacks reductions.</p>	<p>The policy has been initiated responding to an identified concern relating to diversity in housing. In terms of the regional R-Codes variation policy, primary street setbacks have been reduced for grouped dwelling developments that provide car parking bay at the rear of the proposed dwelling.</p> <p>It is a requirement for multiple dwellings to have car parking areas to be located behind the development and therefore such a variation is not necessary.</p> <p>A variation for a multiple dwelling development to reduce the primary street setback would be reviewed in context of the bulk and scale of the proposal and the character of the area.</p>
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Statutory Implications

Section 5.1.9 of TPS5 enables Council to amend a Local Planning Policy and Part 5 of the R Codes enables variation to provisions of the R Codes where a Local Planning Policy exists.

Part 5 also identifies which provisions can be varied by a Local Planning Policy with or without the need for WAPC consent. The proposed variation to the Local Planning Policy requires WAPC consent.

Policy Implications

If approved, developers will be required to provide for housing diversity for multiple dwelling developments proposing 12 dwellings and less. Council will have greater control over the supply and distribution of one bedroom multiple dwellings.

Strategic Planning Implications

The following section of the “Pilbara’s Port City Growth Plan” is considered relevant to the proposal:

Section 2.2:	City Growth Themes
Core Theme 3:	Housing Diversity & Land
	Supply Capacity

Providing an orderly and adequate supply of affordable land along with increased choice in affordable housing products and tenure option to cater for a diverse and permanent population.

The following sections of Council's Strategic Community Plan 2012 – 2022 are considered relevant to this proposal:

6.3	Environment			
6.3.1	Housing			
	Attract and retain new			

residents to increase the population to 40,000 by 2025.

Budget Implications

Nil

Officer's Comment

Intent of the Policy as part of a holistic approach

Council has taken the initiative to create opportunities for housing diversity and affordability through statutory planning mechanisms. This has been achieved by increasing residential densities via scheme amendments and policies to relax the restrictions of ancillary accommodation developments.

Policy 11 – Regional R-Codes Variation (Policy) is part of an integrated approach addressing some of the housing needs of current and future residents. Since the introduction of the Multi-code provisions, Council has received an influx of applications seeking to construct one bedroom developments only. The need for such a variation has arisen to ensure that a variety of housing is provided in all scales of development.

The Strategic Community Plan 2012 and the Pilbara's Port City Growth Implementation Plan identify the need for a housing and property strategy in the immediate future. As part of that strategy, a study of the current and future market needs would be conducted, identifying the type of housing stock required to reflect the future population demography. The conclusions of such a study could result in the Policy being reviewed to reflect those recommendations.

The proposed Policy initiative does not prevent the development of 1 bedroom dwellings however it gives Council greater powers to require housing diversity in all scales of development. Developers can still seek to vary this policy subject to suitable justification.

Therefore the approach undertaken by Council is considered appropriate as an interim policy measure to ensure housing diversity in the market.

Alternative recommendations in submissions received

Various alternative recommendations have been provided within the submissions including:

- Increasing the provision of 1 bedrooms from 25% to 50%; and/or
- in addition, within the 50% requirement, half of those single dwelling units would be provided via dual key housing; and/or
- the policy would exempt developments sponsored by Government Affordable Housing Schemes such as NRAS.

Changing the maximum limit from 25% to 50%

The intent of Council's Policy is to ensure housing diversity in small scale developments. According to one of the submissions received it is expected that single person households are projected to be around 31% of all households in 10-15 years and the housing stock should reflect this need.

The recommendation from 25% to 50% would allow for more 1 bedroom dwellings to be provided. The proposed change would reflect the current requirements for more than 12 dwelling developments.

There is scope to support such a modification because the policy is an interim measure to ensure housing diversity. There is no market research which identifies the current and future housing needs of the town.

Notwithstanding this, it is generally preferred that one bedroom dwellings are mainly located in highly dense areas and within, or close proximity to Town Centres that are generally coded R50 and above. The 25% limit in areas zoned up to Residential R30 will ensure that these types of dwellings are appropriately located in such areas.

Exemptions for NRAS developments

NRAS is aimed to encourage affordable housing in large-scale investment and is generally not suitable for small scale individual investors/developers. Generally such large-scale investments are defined where developers are proposing more than 20 dwellings. This however is not limited to one site, and can incorporate numerous sites provided they are identified as part of the application to be eligible for the NRAS.

Investors and companies are generally advised to apply for the NRAS either before or during the construction of a residential development. A monthly report is produced by the Federal Government, identifying various companies that have registered under the NRAS. An exemption within the policy could be given provided those companies demonstrate that the development is part of the NRAS.

It is preferred however that no exemptions are provided. The NRAS incentives last only for 10 years, after which these properties are available to the open market and may not be used for the affordable housing. Variations to the policy can always be considered and therefore such exemptions are not considered necessary.

Options

1. Adopt the Local Planning Policy No. 11 as advertised

Should Council approve the policy as advertised and per the Council report, the policy would be forwarded to the WAPC for consideration. Once the policy has been endorsed by the WAPC, the variation will be enforced.

2. Modify the application of the variation to areas coded R30

The proposed change to the variation would apply to areas coded R30. This would encourage 1 bedroom dwellings to be developed in strategic locations such as the Town Centre.

3. Modify the variation limit to 50%

The proposed change to the variation would allow for housing diversity in all scales of developments. This is considered more consistent with the current R-Code requirements.

4. Change the variation to allow exemptions of the policy for NRAS and other affordable housing schemes

The policy would not be applied to developers undertaking affordable housing initiatives. As part of any future application submitted, the developer would be required to demonstrate that the proposal is part of the NRAS. As a consequence of this change, the policy may need to be readvertised in accordance with TPS5.

5. Change the variation to increase the limit to 50% and allow exemptions of the policy for NRAS and other affordable housing schemes

The policy would not be applied to developers undertaking affordable housing initiatives. As part of any future application submitted, the developer would be required to demonstrate that the proposal is part of the NRAS. As a consequence of this change, the policy may need to be readvertised in accordance with TPS5.

6. Abandon the Policy.

Should Council refuse the proposed amendments, no housing diversity provisions will apply to developments consisting of up to 12 dwellings. Council should consider this option, where a local housing strategy has been initiated.

In light of the above, it is recommended that Council adopts option 2.

Attachments

1. Proposed Amended Local Planning Policy 11
2. Submissions received

201213/135 Officer's Recommendation/Council Decision

Moved: Cr Jacob

Seconded: Cr Carter

That Council:

1. **Modifies the proposed amendment to Local Planning Policy 11 – Regional R Codes Variations to read:**

“All proposed multiple dwelling developments in areas coded “Residential R30” (excluding the “West End Residential Zone”) shall have:-

a maximum of 25 per cent 1 bedroom dwellings

Reason for Variation:

The purpose of the above variation is to encourage developers to provide a greater variety of housing diversity and choice. This is achieved by limiting the number of 1 bedroom dwellings provided in Residential areas coded R30. For example, should a proponent proposes seven multiple dwellings, only one of those dwellings may be 1 bedroom dwelling.”

2. **Adopts and forwards the amended Local Planning Policy 11 to the WAPC for final approval;**
3. **After obtaining the WAPC final approval adopts Local Planning Policy 11, and publishes the adoption of the Local Planning Policy in accordance with Section 5.1.6 of TPS 5, as follows:**
 - a. **Publish notice of the Policy once in a newspaper circulating in the Scheme area.**

CARRIED 6/0

*Town of Port Hedland Town Planning Scheme No.5
Local Planning Policy No. 11 – Regional R Code Variations*



TOWN OF PORT HEDLAND
TOWN PLANNING SCHEME NO.5
LOCAL PLANNING POLICY NO. 11 –
REGIONAL R CODE VARIATIONS

1. PRELIMINARY

1.1 Authority to prepare and adopt a Local Planning Policy

Clause 5.1 of the *Town of Port Hedland Town Planning Scheme No.5 (The Scheme)* allows Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Town.

This policy will be made effective once Council has completed the process provided by Clauses 5.1.4 – 5.1.7 inclusive of *The Scheme*.

1.2 Relationship of this Policy to *The Scheme*

Pursuant to section 5.1.2 of *The Scheme*, if a provision of this Policy is inconsistent with *The Scheme*, *The Scheme* prevails to the extent of the inconsistency.

This Policy is not part of *The Scheme* and does not bind Council in respect of any application for planning approval. However, Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

2. APPLICATION OF THE POLICY

This policy provides regional variances to the 'Acceptable Development Standards' of the *Residential Design Codes of Western Australia (R Codes)*.

In accordance with Section 6.2 of *The Scheme*, The R Codes apply to all residential development within the Town of Port Hedland.

3.0 POLICY OBJECTIVES

The objectives of this policy are to:

Town of Port Hedland Town Planning Scheme No.5
Local Planning Policy No. 11 – Regional R Code Variations

1. Identify areas within the R Codes that do not appropriately address the climatic, environmental and/or lifestyle needs of the Port Hedland community.
2. Encourage variations that enhance the built form of buildings and the overall appearance of the Municipality.
3. Having regard to (1) above, vary the Acceptable Development Standards of the R Codes to address the climatic, environmental and/or lifestyle needs of the Port Hedland community.
4. Ensure any variations to the R Codes are in plain English and are easily understood.

4.0 REGIONAL R CODE VARIATIONS

Section:

6.2.1 – Setback of buildings generally

Original R Code provision:

A1.1 Buildings setback from the primary street in accordance with table 1

Variation:

In relation to Acceptable Development Standard A1.1, where side and rear vehicle access is provided, setbacks of buildings from the primary street as specified in Table 1 of the Residential Design Codes may be halved.

Reason for Variation:

Due to the isolation of the Local Government Area, distance between residential areas and employment and lack of public transport, residents have a high reliance on motor vehicles. This combined with the large average household size (4.2 persons) compared to the state average (2.92 persons) results in an average of 2.7 vehicles per LGA household as opposed to 2.26 vehicles per WA household. In addition, climatic conditions make the provision of landscaping in street setback areas difficult to maintain. These factors contribute to the street setback area often being used for parking of vehicles and lacking landscaping.

By encouraging vehicle access to the rear of properties and allowing reduced street setbacks, it is envisaged that the streetscape amenity will be improved. Higher levels of landscaping are expected as a smaller area of street setback will enable easier care and maintenance. The reduced area will also limit the area available for parking in the front street setback and as access to the rear of the property is available it should be utilised as an alternative.

Section:

6.2.5 – Street walls and fences

R Code provision:

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Local Planning Policy No. 11 – Regional R Code Variations

A5 Front walls and fences within the primary street setback area that are visually permeable 1.2 m above natural ground level.

Variation:

Acceptable Development Standard A5 shall also apply to the fencing of secondary or other streets within the street setback area and boundaries with public reserves where passive surveillance is required.

Reason for Variation:

Secondary or other streets often incorporate 1.8 m solid fencing on boundaries which obstruct surveillance and detract from the streetscape. Restricting secondary and other streets fencing as well as public reserves to be consistent with the primary street fencing will encourage passive surveillance and interaction with the streetscape.

Section:

6.3.1 – Buildings setback from the boundary

R Code provision:

A1 iv Minor projections such as a chimney, other architectural feature or an eaves overhang not projecting more than 0.75 m into a set-back area and to be no closer than 0.75 m to a boundary.

Variation:

Notwithstanding Acceptable Development Standard A1 iv, eaves overhang may be closer than 0.75 m to a boundary subject to conformity with the *Building Code of Australia*.

Reason for Variation:

Environmentally sustainable development encourages eaves overhang in the municipality due to the extreme climatic conditions (eg 900 mm eaves overhang in Pretty Pool). As such, development where buildings meet with the Acceptable Development Standards for wall setback could need a permit solely due to encroachment of eaves overhang.

Section:

6.4.1 – Open Space Provision

R Code provision:

A1 Open space provided in accordance with table 1 and design elements 6.2 and 6.3. The site of the grouped dwelling, for the purpose of calculating the open space requirement, shall include the area allocated for the exclusive use of the dwelling and the proportionate share of any associated common property.

Variation:

Notwithstanding Acceptable Development Standard A1, open space includes (but is not limited to) areas beneath eaves overhangs, verandahs or patios not more than 0.5m above natural ground level, unenclosed on at least two sides

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Local Planning Policy No. 11 – Regional R Code Variations*

and covering no more than 25 per cent of the site area or 125 sq m whichever is the lesser.

Reason for Variation:

The extreme climatic conditions experienced in the Local Government Area has lead to a desire and need by residents to predominately cover outdoor living areas to make them useable.

Section:

6.4.2 – Outdoor living areas

R Code provision:

A2 An outdoor living area to be provided:

- to have at least two-thirds of the required area without permanent roof cover.

Variation:

Acceptable Development Standard A2 dot point 5 is removed. Permanent roof cover is permitted.

Reason for Variation:

The extreme climatic conditions experienced in the Local Government Area has lead to a desire and need by residents to predominately cover outdoor living areas to make them useable.

Section:

6.5.3 – Design of Parking Spaces

R Code provision:

A3.2 Spaces in accordance with AS2890.1.

Variation:

Parking spaces are to meet with the design standards identified within Section 6.13 and Appendix 8 of *The Scheme*.

Reason for Variation:

Due to the remoteness of the Local Government Area (LGA) and major employers within the LGA, the average vehicle for the LGA is larger than that identified within AS2890.1. As a result Council has consistently required parking spaces be designed to a level greater than that required by AS2890.1.

Section:

6.5.4 – Vehicular Access

R Code provision:

A4.5 Formed driveways for multiple and grouped dwellings:

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- With a minimum width of 4 m where the number of dwellings served is five or more, which may be reduced to 3 m where necessary to retain an existing dwelling; and
- Are designed to allow vehicles to pass in opposite directions at one or more points, where the number of dwellings served by the driveway is five or more.

Variation:

Notwithstanding Acceptable Development Standard A4.5, design of two way access shall be in accordance with Schedule 8 of *The Scheme*.

Reason for Variation:

To provide for greater traffic and pedestrian safety wider access has been required for two way access. The wider access enables access to and egress from the site simultaneously preventing traffic congestion on the street. Wider access also increases sightlines for both vehicular and pedestrian traffic.

Section:

6.10.1 – Outbuildings

R Code provision:

- A1 Outbuilding that:
- iii collectively do not exceed 60 sq m in area or 10 per cent in aggregate of the site area, whichever is the lesser;
 - iv do not exceed a wall height of 2.4 m;
 - v do not exceed a ridge height of 4.2 m

Variation:

Notwithstanding Acceptable Development Standard A1 iii – v, outbuildings in the following zones that comply with the following shall be permitted:

Residential and Urban Development zones

collectively do not exceed 60 sq m in area or 10 per cent in aggregate of the site area, whichever is the greater;
do not exceed a wall height of 3.0 m;
do not exceed a ridge height of 4.8 m

Rural and Rural Residential zones

collectively do not exceed 200 sq m in area or 2 per cent in aggregate of the site area, whichever is the greater;
do not exceed a wall height of 4.2 m;
do not exceed a ridge height of 6.0 m

Reason for Variation:

To provide appropriate development standards for outbuildings that reflect Port Hedland's climate, lifestyle, built form and the needs and expectations of its residents.

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Local Planning Policy No. 11 – Regional R Code Variations*

Section:
6.10.3 – Essential Facilities

R Code provision:
A3.1 An enclosed, lockable storage area, constructed in a design and material matching the dwelling where visible from outside the dwelling, with a minimum dimension of 1.5 m with an internal area of at least 4 sq m, for each grouped or multiple dwelling.

Variation:
A single house must have a store room provided in accordance with Acceptable Development Standard A3.1 and Clause 6.3.7 of *The Scheme*.

Reason for Variation:
Provides for storage of outdoor items in times of cyclone reducing potential for debris.

Section:
6.11.1 – Ancillary Accommodation

R Code provision:
A1 i the sole occupant of occupants are members of the family of the occupiers of the main dwelling.

Variation:
Notwithstanding Acceptable Development Standard A1 i, any person may occupy approved Ancillary Accommodation.

Only one ancillary accommodation dwelling will be permitted on any lot.

Reason for Variation:
Provides for housing choice and is expected to assist in addressing housing shortages and affordability issues being experienced within the municipality.

Section:
7.4.3 – Ancillary Accommodation

R Code provision:
A1 i Development that contains more than 12 dwellings are to provide diversity in unit types and sizes as follows: -

- minimum 20 percent 1 bedroom dwellings, up to a maximum of 50 per cent of the developments; and
- minimum of 40 per cent 2 bedroom dwellings.

Variation:
All proposed multiple dwelling developments in areas zoned “Residential R50” and less (excluding the “West End Residential Zone”) shall have:-

*Town of Port Hedland Town Planning Scheme No.5
Local Planning Policy No. 11 – Regional R Code Variations*

- a maximum of 25 per cent 1 bedroom dwellings

Reason for Variation:

The purpose of the above variation is to encourage developers to provide a greater variety of housing diversity and choice. This is achieved by limiting the number of 1 bedroom dwellings provided in Residential areas zoned R50 and less. For example, should a proponent proposes seven multiple dwellings, only one of those dwellings may be 1 bedroom dwelling.

5.0 REQUIREMENT FOR A PLANNING PERMIT

Where residential development does not comply with the requirements of the R Codes as varied by this Local Planning Policy, a Planning Permit must be obtained.

ATTACHMENT 2 TO ITEM 11.1.6



27 August 2012

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

Attention: Leonard Long

Dear Leonard

RE: PROPOSED AMENDED LOCAL PLANNING POLICY NO. 11 – ADVERTISING SUBMISSION

Megara writes this submission in response to the recently advertised Amended Local Policy No. 11 (LPP11) and additional variations proposed under Residential Design Codes Clause 7.4.3 (R Codes). To this end we have reviewed both the Agenda Report and attached amended draft policy (Draft Amendment 1 to LPP) presented to Council at its Ordinary Meeting on 25th July 2012 and the advertised amended policy (Draft Amendment 2 to LPP), accessed at www.porthedland.wa.gov.au 16 August 2012. Our comments, concerns and suggestions are detailed below.

1. DRAFT AMENDMENT 1 TO LPP VS DRAFT AMENDMENT 2 TO LPP

In reviewing the Agenda Report to Council we note there are some contradictions in what was presented in the body of the Agenda Report and the attached Draft Amendment 1 to LPP. The body of the Agenda Report states that there should be *"a maximum of 25% 1 bedroom dwellings"*, but the attached Draft Amendment 1 to LPP states *"a maximum of 50% 1 bedroom dwellings"*.

Following this the advertised Amended LPP11 on the Council's website states *"a maximum of 25% 1 bedroom dwellings"*. **Therefore there has been a substantive change to the amended LPP11 initiated by Council and that advertised by Council.**

We are concerned about this substantive change and Council's assertions that the amended policy will allow for more diversity in housing product. A reduction from 50% to 25% will actually mean less diversity in housing, this is detailed further below.

2. HOUSING DIVERSITY

The Agenda Report, with attached LPP11 proposal for maximum of 50% (Draft Amendment 1 to LPP), states that a reduction in allowable single bedroom dwellings to 25% will provide for more diverse housing stock. **We contend that a reduction in the allowable single bedroom dwelling ratio when proposing 12 or less multiple dwellings will provide for a less diverse mix of housing.** By way of example we present the following development scenarios and housing mix provided under the 25% and 50% development ratios.

Megara Developments T (08) 9230 3600 Level 2, 658 Newcastle St, Leederville WA 6007
F (08) 9277 0611 PO Box 104, Leederville WA 6007

www.megara.net.au



Table 1 – Housing Diversity (Development scenarios with greater diversity in yellow)

Total Dwellings	Ratio	1 Bedroom	2 or More Bedrooms	Most Diverse Scenario
2	25%	0	2	
	50%	1	1	<input checked="" type="checkbox"/>
3	25%	0	3	
	50%	1	2	<input checked="" type="checkbox"/>
4	25%	1	3	
	50%	2	2	<input checked="" type="checkbox"/>
5	25%	1	4	
	50%	2	3	<input checked="" type="checkbox"/>
6	25%	1	5	
	50%	3	3	<input checked="" type="checkbox"/>
7	25%	1	6	
	50%	3	4	<input checked="" type="checkbox"/>
8	25%	2	6	
	50%	4	4	<input checked="" type="checkbox"/>
9	25%	2	7	
	50%	4	5	<input checked="" type="checkbox"/>
10	25%	2	8	
	50%	5	5	<input checked="" type="checkbox"/>
11	25%	2	9	
	50%	5	6	<input checked="" type="checkbox"/>
12	25%	3	9	
	50%	6	6	<input checked="" type="checkbox"/>

The table clearly demonstrates that there are significantly more opportunities for a diverse mix of accommodation under the current R Codes 50% ratio, notwithstanding that the adopted and endorsed R Codes do not trigger the ratio until building more than 12 dwellings.

3. EXISTING HOUSING STOCK

The most common house type in the Town of Port Hedland is a single house with 3 or more bedrooms. This type of housing is expensive to buy and/or rent and is demonstrably an inappropriate house type for many people who work and live in the Town. There is a great demand for smaller dwellings and greater housing choice resulting from the new multiple dwelling housing products on the market. **To suggest that there is a lack of housing choice by the predominance of single bedroom dwellings as the report states, is to ignore the complete dominance of single houses with 3 or more bedrooms across the Town.**



We understand community and Council concerns regarding land tenure and FIFO workers, but the proposed introduction of the new restrictive ratio is ill considered and a blunt instrument to address a different issue to the one it purports to solve.

4. AFFORDABILITY AND SINGLE BEDROOM TENANTS

Housing affordability and the general cost of living the Town is one of, if not, the most important issue currently affecting the ability to live in the Town. In addressing these concerns we have requested a profile of the tenants of our single and two bedroom housing product in both Port and South Hedland from various managing agents in the Town.

To this end we can confirm that most tenants are employed in the mining or supporting industries and are permanent residents of Port/South Hedland. It was noted by numerous agents that the one bedroom product is particularly affordable for couples, where one family member works in the mining industry and the partner is employed in the local supporting services industry. These dwellings are generally rented for approximately \$1200 a week and while expensive generally, when compared to the cost of two or three bedroom and above multiple dwellings, single houses or grouped dwellings they are clearly an affordable product.

Single bedroom dwellings are therefore an affordable product for local professionals employed in both local small businesses and the mining industry, therefore **the policy variation will have a negative impact on the provision of affordable housing in the town.**

5. R CODES CLAUSE 7.4.3

The R Codes Clause 7.4.3 as it stands provides a framework where housing can be provided for a diverse range of tenants and was undertaken as a state-wide document put through the rigours of due process and advertising, as well as WAPC endorsement as a State Planning Policy. We agree with the need for regional variations to the R Codes, but there is nothing contained in the Council's Agenda Report or the stated reasons for the regional variation that gives rise for the proposed amended policy. **The methodology behind the R Codes clause 7.4.3 formulation should continue to be relied upon.**

6. DEMAND AND SUPPLY

The R Codes provide for appropriate dwelling mixes when building more than 12 multiple dwellings, and outside of this the market should be left to drive the diverse provision of housing product. The market is the best indicator of demand and by falsely manipulating the policy, the Council may be creating false economies and provision of housing that is not actually required by the market.

It is a fine balancing act between government intervention to ensure an appropriate mix of dwellings and leaving matters up to the market. A review of the evidence to date suggests that the current R Codes Clause 7.4.3 is entirely appropriate. The housing market in the Town of Port Hedland is going through a significant boom where market forces are appropriately providing the type of housing needed to cater for the current mining boom, with single bedroom dwellings being an important affordable accommodation option. **A building with less than 12 dwellings is hardly a significant structure to warrant a diverse housing mix, with the net effect on the Town minimal.**



7. FIFO WORKERS

It is understood Council are concerned that single bedroom dwellings are being tenanted by FIFO workers. While we have made investigations that this is not the case for our particular developments, we would contend that Council and the Town should be looking to accommodate essential FIFO workforce within the Town's urban areas instead of remote fly camps. This gives them maximum opportunity to contribute to the local community and also provides a rates base for the Town to carry out its legislated functions.

8. LPP11 AND PART 6 OF THE R CODES

Council Officers have advised that the original LPP11 was prepared prior to the new R Codes Part 7 multi-unit housing code amendments. In light of this we note that many of the R Codes variations make explicit reference to Part 6 of the R Codes, where they should also be applied to Part 7. In this regard I make particular reference to Part 6.2.1 and the allowance for reduced setbacks to address car parking access to the rear of lots.

The current LPP amendment process provides Council with an opportunity to update the Policy to refer to the current R Codes and as such could be amended at the same time.

9. SUMMARY

We thank the Town of Port Hedland for the opportunity to comment on the proposed amendments, and look forward to further consideration of the Policy and our comments. We also await a review of the appropriateness of advertising a substantive change to the policy to that that was initiated by Council. Should you require any additional information or clarification on the above please do not hesitate to contact Trent Durward on 9230 3600 or trent.durward@megara.net.au.

Yours faithfully

Megara

Megara

cc Lawrence Mann, WAPC
Ken Dawson, WAPC



28 August 2012

Mr Ian Hill
Acting Chief Executive Officer
Town of Port Hedland
PO Box 41
Port Hedland WA 6721

884 Canning Highway
Applecross WA 6153
PO Box 1348
Canning Bridge WA 6153
Telephone 08 6310 5040
Facsimile 08 9364 7333
invest@questus.com.au
www.questus.com.au
ACN 100 460 035

Attention: Mr Eber Butron, Director Planning and Development Services

Dear Sir,

RE: PROPOSED AMENDMENT TO LOCAL PLANNING POLICY 11 – REGIONAL R-CODE VARIATIONS (REF: 18/01/0011) – SUBMISSION

SUBMISSION PREFACE

Questus Limited wishes to make a submission on the Shire of Port Hedland's Proposed Amendment to its Local Planning Policy 11- Regional R Code Variations (Ref: 18/01/0011) as follows: -

Under the State Planning Policy 3.1, dated 22 November 2010, the "Acceptable Provisions" of the Residential Design Code state: -

"Section:

7.4.3

Dwelling size

A3.1 Development that contains more than 12 dwellings are to provide diversity in unit types and sizes as follows: -

- minimum 20 per cent 1 bedroom dwellings, up to a maximum of 50 per cent of the development; and*
- minimum of 40 per cent 2 bedroom dwellings.*

and

A3.2 The development does not contain any dwellings smaller than 40 sq m plot area, excluding outdoor living areas and external storage."

Proposed Variation under the Town of Port Hedland LOCAL Planning Policy 11 – Regional R Code Variations proposes the following: -

“All proposed multiple dwelling developments in areas zoned “Residential R50” and less (excluding the “West End Residential Zone”) shall have: -

Maximum of 25 per cent 1 bedroom dwellings.”

QUESTUS SUBMISSION

Questus Limited, in its capacity as facilitators of the National Rental Affordability Scheme cannot support this variation in its current form. The variation will undermine the capacity for the delivery of affordable housing for service workers under NRAS or indeed under any other scheme.

Our work with employers of service workers in Port and South Hedland confirms the greatest area of housing need is for single person accommodation.

Introduction

The National Rental Affordability Scheme was initiated by the Australian Government to offer incentives to investors and housing providers to build properties to stimulate the supply of affordable rental properties across Australia. To qualify in the Pilbara each rental property must be rented out at least 40 per cent below the market value rent.

Questus has collaborated with State and Local Governments to provide NRAS affordable housing to the North West of WA. Questus is seeking to provide over 1500 affordable dwellings across the major towns in the Pilbara and Kimberley regions over the next four years. We are aiming to deliver 350 dwellings in the Town of Port Hedland which will be a major boost to small businesses and NGO’s employing non-professional service workers.

The scheme is targeted at low-moderate income households so tenant income levels have the most significant impact on which dwelling accommodation styles can be economically effective under the NRAS scheme.

Tenant eligibility is defined by income levels. The maximum income an eligible household can earn is dependent on the number of adult occupants and the family structure.

The maximum household incomes are defined in the table below

Household Type	Annual Initial Income
One Adult	\$45,496
Two Adults	\$62,899
Three Adults	\$80,302
Four Adults	\$97,705
Sole parent with one child	\$62,943
Sole parent with two children	\$78,033
Sole parent with three children	\$93,123
Couple with one child	\$77,989
Couple with two children	\$93,079
Couple with three children	\$108,169

Using the fringe benefits tax exemption for the provision of remote area housing, employers are able to salary package rent, therefore reducing the employees assessable income for NRAS purposes and bringing them under the annual initial income limit.

There are however, limitations to this approach. For example, while one adult earning \$70,000 to \$90,000 is able to be eligible for an NRAS property while having the same or slightly greater take home pay, two working adults will be unable to meet the \$62,899 initial income limit without having a drastic reduction in take home pay.

These practical limitations mean that the styles of accommodation which are effective under NRAS are **three bedroom dwellings** suitable for families and **one bedroom dwellings** which suit single person households.

Questus Affordable Housing Solutions

Questus, in collaboration with the Federal Government, State Government and Pilbara shires has developed the dual key dwelling as a specific solution to the limitations outlined above. This solution involves a four bedroom, two bathroom home setup as a three bedroom one bathroom home with a one bedroom, one bathroom ancillary dwelling attached.

The dual key means that the dwelling appears from the street to be a standard residential house, however provides accommodation for a family and for a single person on the same property. It is also very affordable for the small business owner, with Questus successfully delivering a turn key product for as low as \$715,000, some \$200,000 or more below current market value.

The investor receives double NRAS incentives from the Federal Government and in return provides an affordable accommodation solution for both a family and a single person. This scenario is the most economically effective accommodation strategy delivered under the NRAS scheme.

Our biggest difficulty is the availability of land, a commodity which is in extremely short supply in South Hedland. So far we have obtained access to 19 lots, and have already sold all 19 affordable homes within 4 weeks of promoting the benefits of the scheme throughout the South Hedland Business community.

Over the next 3 months we will have access to 8 more lots for dual key dwellings, however beyond this we will be unable to source more land until the Department of Housing release their latest housing lots at Osprey.

Multi-Residential Housing and NRAS

In order to continue to deliver affordable dwellings, Questus are currently looking at partnering with Community Housing Groups and Native Title Organizations to deliver multi residential dwellings.

Multi-residential projects would allow Questus to deliver affordable housing in larger scale numbers and therefore reduce the delivery cost of housing as well as provide a meaningful impact on the number of affordable dwellings available in South Hedland.

The challenge Questus is facing is that although we are able to accommodate a number of two bedroom NRAS units into a development, we are unable to provide 75% as two bedroom units or greater, due to the fact that NRAS is not economically effective for households of two working adults.

We acknowledge that the Council is endeavoring to provide a sustainable and diverse mix of housing product and believe this to be important.

Questus is currently considering facilitating the delivery of multiple sites and a diverse range of housing product. Our current developments underway and being considered are as follows:-

- 2 dual key homes on R20 housing lots in Centaur Street
- 2 dual key homes on R20 housing lots in Haig Street
- 15 dual key homes on R20 housing lots in Murdoch Estate
- 5 dual key homes on R20 housing lots in Kangaroo Crescent
- A multi-residential development joint venture with Foundation Housing and YMCA in Somerset Crescent
- A multi-residential development joint venture with KMD in Murdoch Estate

- A small infill subdivision including some group housing located near Lawson Street. This would be a joint venture with Foundation Housing
- 3 dual key group dwellings in Frisby Court as a joint venture with Cedar Woods.

As the above list demonstrates Questus is striving to deliver a range of affordable housing product across South Hedland.

However, we will need to have a significant number of single bedroom units to accommodate the real demographic in need as under NRAS they cannot be accommodated in share houses as they are with the current family home focused housing stock.

It will be possible to create some two bedroom 'dual key' apartments to provide some of the longer term flexibility which the Council is after. An alternative approach to your amendment would be to provide that in larger developments half of the 50% of single bedroom apartments allowed under the existing R codes be delivered by way of dual-key two bedroom apartments.

Another alternative approach would be to provide an exemption from the proposed local variation for Government sponsored affordable housing schemes such as NRAS.

We further urge the Council to consider the emergence of the single person household as the fastest growing category across Australia and to ensure there is a proper mix of housing types to accommodate this situation. Single person households are projected to be around 31% of all households in 10-15 years and our housing stock must reflect this change.

We believe that housing affordability is the most critical issue facing the Town of Port Hedland. A variation on planning laws that will reduce cost effective provision of housing to the lowest paid workers would be a very poor outcome. A variation that would undermine the full delivery of the Federal and State Government's primary affordable housing program would be a grave disservice to the community.

We appreciate your consideration on this matter and welcome further discussion on our submission.

Yours Sincerely,



Alannah MacTiernan
Business Development Manager – North West
Questus Limited

Strategic Planning Implications

Nil

Budget Implications

If the Officer's Recommendation is adopted the Council will become responsible for its control and maintenance.

Officer's Comment

The land currently functions as part of the existing drainage network but remains Unallocated Crown Land. The inclusion of the land into the Reserve for the use of "Drainage" will ensure that it remains available and continues to be used for drainage purposes.

It is recommended that Council approve the land to be included with the adjoining Reserve and that the Council allows the land to be vested to the Town for the purpose of "Drainage".

Options

Council has the following options for responding to the request from RDL:

1. Support Lot 5994 being vested to the Town for drainage and being included within Reserve 46653.

This will see the Council obtain control and responsibility for the land enabling it to continue to be utilised for drainage.

2. Object to Lot 5994 being vested to the Town for drainage and being included within Reserve 46653.

This land may be sold in the future and have impacts on the drainage network in the area.

Option 1 is recommended.

Attachments

1. Locality Plan.

201213/136 Officer's Recommendation/Council Decision

Moved: Cr Carter

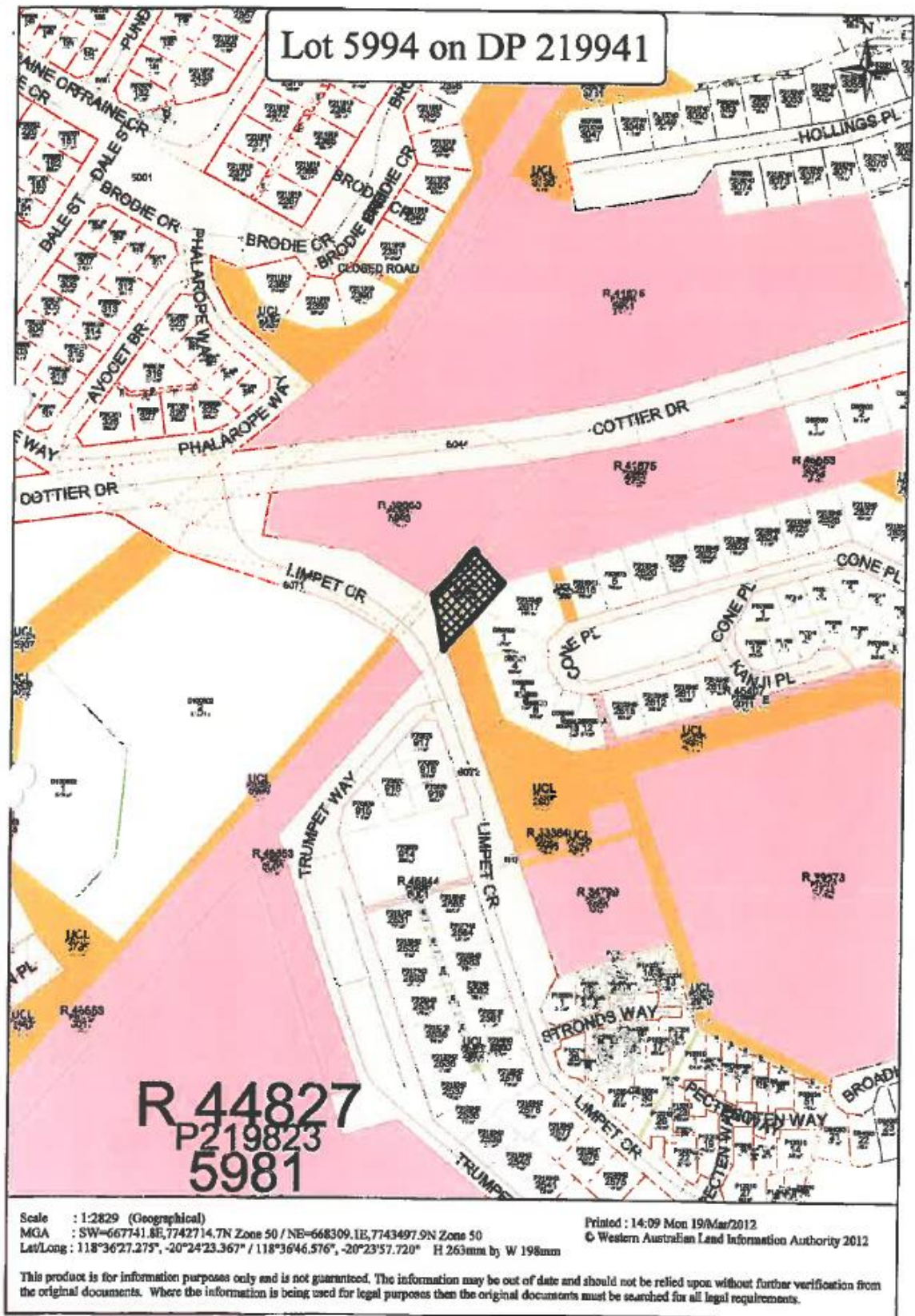
Seconded: Cr Jacob

That Council:

- 1. Approves the land at Lot 5994 on Deposited Plan 219941 to be included within Reserve 46653, South Hedland and allows the Land to be vested to the Town for the purpose of "Drainage";**
- 2. Delegates the Manager Planning Services to advise the Department of Regional Development and Lands that the Council endorses Lot 5994 on Deposited Plan 219941 to be included within Reserve 46653, South Hedland and allows the land to be vested to the Town for the purpose of "Drainage".**

CARRIED 6/0

ATTACHMENT 1 TO ITEM 11.1.7



11.1.8 Proposed Permanent Partial Closure of Reserve 30090 at Lot 6173 (4) Beart Street (File No.: 803369G)

Officer Michael Pound
Senior Planning Officer

Date of Report 9 October 2012

Disclosure of Interest by Officer Nil

Summary

The Town has received a request from the Water Corporation to permanently close a portion (1190m²) of Reserve 30090, at Lot 6173 (4) Beart Street, Port Hedland.

The partial closure is required to facilitate the development of an additional Vacuum Pumping Station.

Council officers support the partial closure of Reserve 30090 at Lot 6173 (4) Beart Street, Port Hedland.

Background

Lot 6174 (2) Beart Street is approximately 1148m² and is owned by the Water Corporation and currently contains a vacuum pumping station on the site. As part of Water Corporation's Planning Schedule for the future growth of Port Hedland, the No. 7 Vacuum Wastewater Pump Station at Lot 6174 (2) Beart Street has been identified for necessary upgrade to cater for the long term flow.

The applicant has identified the need to secure land to accommodate essential infrastructure to support the necessary upgrade. The required partial reserve closure forms part of these growth requirements.

Consultation

The request was referred internally to the following:

- Technical Services;
- Community Recreation Services;
- Investment & Business Development Services; and
- Economic Development Services.

No comments or objections were received.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

Lot 6174 (2) Beart Street does not have enough land area to accommodate another pump station on site. As such, approximately 1190m² adjacent to the existing pump station is required for the construction of the future Vacuum Pump Station Upgrade.

Reserve 30090, at Lot 6173 (4) Beart Street is approximately 2815m² and is vested to the Town of Port Hedland for "Parks and Recreation" purposes. The subject portion of land is currently not used for this purpose and remains vacant and unused.

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

Options

Council has the following options for responding to the request:

Option 1:

Support the request for partial closure of Reserve 30090 Lot 6173 (4) Beart Street, Port Hedland.

Approving the request will allow the applicant to purchase the land to facilitate the Vacuum Pump Station Upgrade.

Option 2:

Reject the request for partial closure of Reserve 30090 Lot 6173 (4) Beart Street, Port Hedland.

Should Council choose to reject the request, the applicant will be required to put forward an alternative proposal and may result in the delay of the Vacuum Pump Station Upgrade.

Option 1 is recommended.

Attachments

1. Locality Plan A.

201213/137 Officer's Recommendation/Council Decision

Moved: Cr Carter

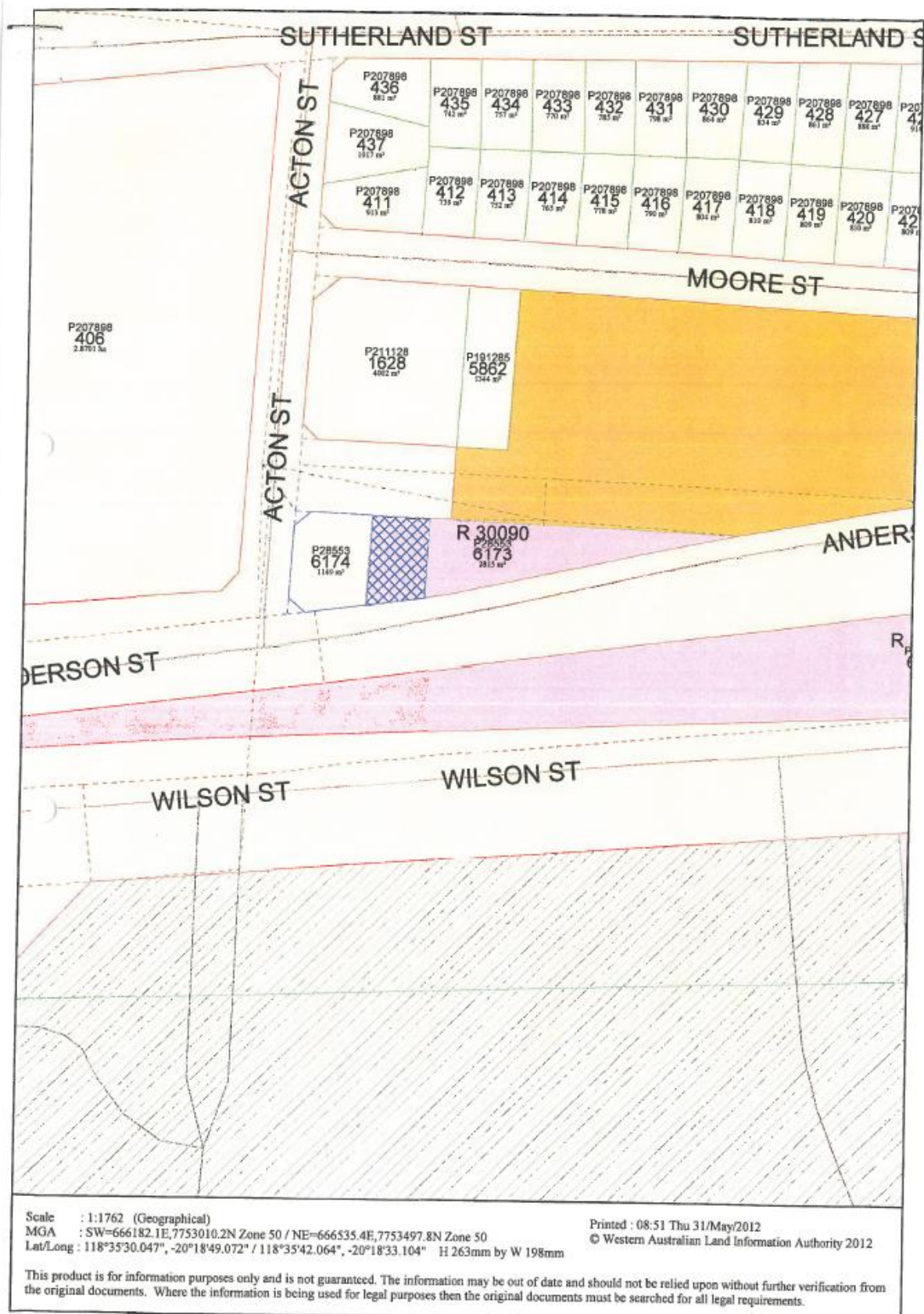
Seconded: Cr Daccache

That Council:

1. **Supports the permanent partial closure of a portion of Reserve 30090 at 6173 (4) Beart Street, Port Hedland;**
2. **Delegates the Manager Planning Services to submit the reserve closure request to the Department of Regional Development and Lands (State Land Services).**

CARRIED 6/0

ATTACHMENT 1 TO ITEM 11.1.8



Scale : 1:1762 (Geographical)
 MGA : SW=666182.1E,7753010.2N Zone 50 / NE=666535.4E,7753497.8N Zone 50
 Lat/Long : 118°35'30.047", -20°18'49.072" / 118°35'42.064", -20°18'33.104" H 263mm by W 198mm

Printed : 08:51 Thu 31/May/2012
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11.1.9 *Proposed Street Names for Wedgefield Industrial Estate, Wedgefield (File No.: 28/17/0001)*

Officer Katherine Press
Acting Lands Officer

Date of Report 29 November 2012

Disclosure of Interest by Officer Nil

Summary

The Town has received a request from Urbis to endorse street names for the proposed new roads that have been created within Wedgefield, as a result of the Wedgefield Light Industrial Area 5 proposed subdivision. The Western Australian Planning Commission has advised that a decision on the application is imminent and the application is likely to be approved.

Urbis have also requested that the new subdivision be included within the locality of Wedgefield.

Background

The subdivision of Wedgefield Industrial Estate – Area 5 (the site) will result in the creation of ninety eight Light Industrial zoned lots and five new roads.

The applicant has proposed the following names for the new roads:

No.	Name	Suffix	Description
1.	Whaleback	Entrance	Named after Mount Whaleback iron ore mine, located 6kms west of Newman and is the biggest single-pit, open-cut iron ore mine in the world.
2.	Cloudbreak	Chase	Derived from the iron ore mine Cloudbreak, located in the Chichester Range of the Pilbara. The first shipment of iron ore from Port Hedland was undertaken in 2008.
3.	Wheelarra	Crescent	The Wheelarra mine is an open pit operation running in conjunction with the adjacent Orebody 18 mine, located approximately 34kms east of Newman.

4.	Jimblebar	Way	Located 41kms east of Newman, Jimblebar is an iron ore mine and forms part of the expansion project titled <i>Rapid Growth Project</i> .
5.	Royhill	Way	Named after the Roy Hill iron ore mining project located 227kms south of Port Hedland in the Chichester Range.

(Please refer to attachment 1 for map of street locations).

Furthermore, the applicant has requested that the following street name be added to the Town of Port Hedland's Reserved Road Name Register for future use:

Name	Description
Orebodies	The Orebodies are a series of small satellite iron ore mines located outside the Town of Newman.

The site is currently situated within the locality of Port Hedland and adjoining the existing Wedgefield area. The site is zoned "Light Industry" under the provisions of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

Consultation

The applicant has advised they have undertaken preliminary consultation with the Geographic Names Committee (GNC). GNC have confirmed there are no duplication issues with the existing names within Port Hedland.

The GNC have also advised the site is currently listed within the Port Hedland locality. For consistency with the proposed industrial activities and the location of the site, GNC would support the change of suburb to Wedgefield.

Statutory Implications

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

Australian and New Zealand Standard ASNZS 4819-2011 Rural and Urban Addressing.

Policy Implications

Town of Port Hedland Policy 12-004 Road Names and Street Numbering.

“2.1 Road Names

2.1.1 Except as provided below, a road name shall not be proposed for a new or existing road if that road name is currently in use with the Town. This includes the use of:

- (a) Like-sounding names e.g. names with the addition/deletion of “s”; or*
- (b) Same name with a different suffix e.g. road as opposed to street.*

2.1.2 Where a road is closed or access denied as it crosses a main thoroughfare, one (1) portion of the road shall be renamed.

2.1.3 Roads shall be named or renamed (as the case may be):

- (a) So as to avoid repetition as outlined above specifically within suburbs; and*
- (b) From the approval reserves list of names for roads.*

2.1.4 Road Names are to be sourced from:

- (a) Persons, entities, places or events of historical or heritage significance and directly related to the Port Hedland area and its neighbourhood;*
- (b) Common or Aboriginal names of flora and fauna species and indigenous to the Port Hedland area;*
- (c) Port Hedland locality or geographic feature names in common, historical or Aboriginal usage; and*
- (d) Persons having a distinguished record of achievement within the Towns history.*

2.1.5 All nominations for road names shall be accompanied by a brief explanation of the relationship and significance of the name to the Town.

2.1.7 Support to name or rename roads in established areas can be obtained by:

- (a) Advertising the proposal in the local newspaper, inviting comments; and*
- (b) Advising residents in the area of the proposed name in writing and inviting comments.*

2.1.8 Once a name has been formally assigned to the road and adopted by the Geographic Names Committee, all relevant Government bodies, servicing authorities and Australia Post shall be notified of the final action taken and the commencement date.”

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

The proposed road names are in keeping with the general theme of the area, mainly being named after mines located within the Pilbara.

As the names have not been utilised within the Town, the following road names for the Wedgefield Industrial Estate subdivision are recommended:

1. Whaleback Entrance
2. Cloudbreak Chase
3. Wheelarra Crescent
4. Jimblebar Way
5. Royhill Way

It is also recommended the following name be added to the Town of Port Hedland's Reserved Road Name Register for future use, as it also has not been utilised within the Town:

1. Orebodies

Due to the location of the new subdivision it is recommended that the area be included within the locality of Wedgefield.

Options

Council has the following options when considering the request:

1. Support the applicant's requests for:
 - a) the new roads located within the new Wedgefield Industrial Estate – Area 5 being named as per the proposed names;
 - b) the proposed road name, Orebodies, to be included on the Town of Port Hedland's Reserved Road Name Register;
 - c) the current suburb be altered and the area be included within the locality of Wedgefield.

The approval of the applicants request will result in the roads being named as per the Land Administration Act 1997 and the Australian and New Zealand Standard ASNZS 4819-2011 Rural and Urban Addressing, the proposed name being added to the Town of Port Hedland's Reserved Road Name Register and the new subdivision's locality being changed to Wedgefield.

2. Refuse the applicant requests for:
 - a) the new roads located within the new Wedgefield Industrial Estate – Area 5 being named as per the proposed names;

- b) the proposed road name to be included on the Town of Port Hedland's Reserved Road Name Register;
- c) the current suburb be altered and the area be included within the locality of Wedgefield.

Should Council refuse the request, alternative names are required to be provided.

Option 1 is recommended.

Attachments

- 1. Locality Plan

201213/138 Officer's Recommendation/Council Decision

Moved: Cr Jacob

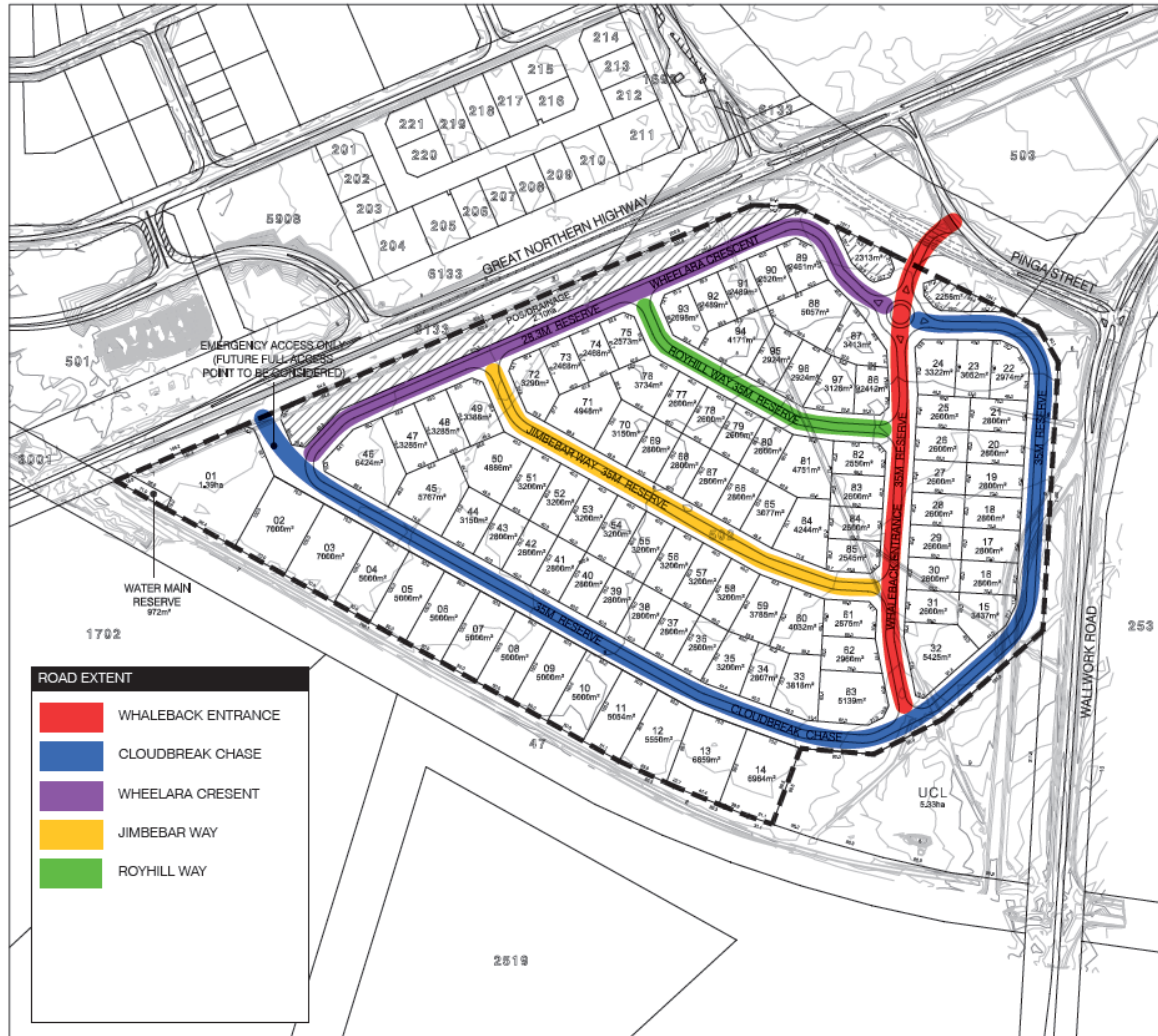
Seconded: Cr Gillingham

That Council:

- 1. **Approve the use of the following road names for the Wedgefield Industrial Estate – Area 5 subdivision:**
 - i) **Whaleback Entrance**
 - ii) **Cloudbreak Chase**
 - iii) **Wheellarra Crescent**
 - iv) **Jimblebar Way**
 - v) **Royhill Way;**
- 2. **Approve the following road name to be included on the Town of Port Hedland's Reserved Road Name Register and to be utilised in the future:**
 - i) **Orebodies;**
- 3. **Approve the locality change from Port Hedland to Wedgefield;**
- 4. **Delegates the Manager Planning Services to submit the road name requests and locality change to the Geographic Names Committee for final approval;**
- 5. **Advises the applicant that any cost associated with the required road signage will be at the cost of the applicant;**
- 6. **Advises the applicant that the proposed street signs are to be to the specifications of Councils Manager Engineering and to the satisfaction of Councils Manager Planning Services.**

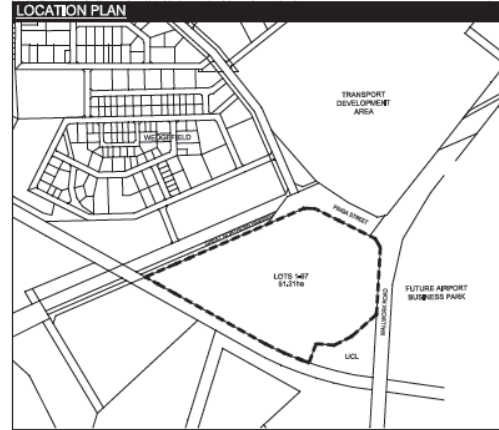
CARRIED 6/0

ATTACHMENT 1 TO ITEM 11.1.9



ROAD EXTENT

- WHALEBACK ENTRANCE
- CLODBREAK CHASE
- WHEELARA CRESCENT
- JIMBEAR WAY
- ROYHILL WAY



LEGEND

- APPLICATION AREA
- POS/DRAINAGE
- TEMPORARY ROAD ACCESS

LOT YIELD BREAKDOWN	
LOT SIZE (M ²)	LOT YIELD
2000 - 3000	46
3000 - 4000	24
4000 - 5000	13
5000 - 6000	6
6000 - 7000	5
7000+	1
TOTAL	97

APPLICATION AREA:
TOTAL AREA PART LOT 502: 51.21 hectares

RESULTANT AREAS FOLLOWING SUBDIVISION:
TOTAL LOT AREA (INDUSTRIAL x 97): 35.06 hectares
TOTAL RESERVE INTERNAL ROADS: 13.50 hectares
POS/DRAINAGE: 2.55 hectares
WATER MAIN RESERVE: 0.10 hectares

DRAFT PLAN OF SUBDIVISION
WEDGEFIELD LIA 5

Date 12/09/12 DWG NO PA0815 SDP-01 REV A SCALE 1:5000@A3
Level 1 55 St Georges Terrace Perth WA 6000 Australia Tel +618 9346 0500 Fax +618 9321 7790
Info@urbis.com.au www.urbis.com.au Urbis Pty Ltd ABN 50 105 256 228 Australia - Asia - Middle East



11.1.10 Request to Accept Management Orders for drainage purposes on Various Crown Land and Lot 5185 on Reserve 37746, South Hedland (File: 804961G)

Officer Steve de Meillon
A/Manager Planning Services

Date of Report 12 October 2012

Disclosure of Interest by Officer Nil

Summary

Council has received a request from Taylor Burrell Barnett for the Town to accept a management order for a proposed new stormwater drain to be located on various Unallocated Crown Land (UCL) and Reserve 37746, South Hedland.

This report is before Council to accept the proposed vesting for drainage purposes.

Background

Previous Approvals

On 17 May 2012 the Western Australian Planning Commission (WAPC) approved the Osprey subdivision (WAPC 145526) with the following relevant conditions:

“7. An Urban Water Management Plan shall be prepared by the subdivider to the satisfaction of the WAPC on advice from the Department of Water (Department of Water).

8. The Urban Water Management Plan shall be implemented by the subdivider, to the satisfaction of the WAPC on advice from the Local Government (Local Government).”

Proposed Drainage Channel (Attachment 1)

The disposal of water from the future developed Osprey area is designed to eventually flow into the existing stormwater basin located at Lot 2914 on Reserve 38848. A drainage channel is required to facilitate the flow of water from the Osprey subdivision area to the stormwater basin.

The proposed drain extends for approximately 2089m across various lots listed in Table 1 below. The proposed drain varies in width throughout its length, with dimensions determined by technical design.

Table 1 - Various Lots Affected

Lot No	C/T Details	Status	Primary Interest Holder
555	DP72057	UCL	Crown
5185	P184995	Reserve 27746	Water Corporation
5904	P219101	UCL	Crown
302	P72980	UCL	Crown
2517	P181089	UCL	Crown

The various lots listed in Table 1 above, excluding Lot 2517 on Plan 181089, are proposed to be included in future urban expansion of the Osprey area. The proposed drain has already been included in preliminary concept designs for future urban expansion.

Consultation

The proposal was referred internally to both Technical and Recreation Services with no objection to accepting the management orders.

Prior to construction of the drain and culvert crossing of North Circular Road, detailed technical drawings are required to be submitted and approved by the Town's Technical Services.

Statutory Implications

The following sections of the Land Administration Act 1997 are relevant to the proposal:

- 41. Minister may reserve Crown land
- 46. Placing of care, control and management of reserves

Policy Implications

Nil

Strategic Planning Implications

Acceptance of the management orders will assist in the implementation of Precinct 12 – South Hedland East as identified within the Pilbara's Port City Growth Plan.

Budget Implications

Nil

Officer's Comment

As the proposed drain is not located within the current subdivision assessed by the WAPC, it is not automatically vested to the Town. Council is therefore required to accept the management order for the reserve as a separate land administration matter.

The stormwater drain discussed in this request is a necessary piece of infrastructure required to service the Osprey subdivision. The drain will also service the future subdivision and development of the various lots listed in Table 1 above.

Pilbara's Port City Growth Plan identifies the lots listed in Table 1 to be developed as low to medium density housing in the future. The Town may request the drainage channel and associated management order be amended to incorporate future development. The Town is currently seeking opportunities for drainage channels to incorporate additional unrestricted recreational functions.

The proposed vesting is supported by the Town's officers and is recommended for approval.

Options

Council has the following options for responding to the request.

Support the management orders for drainage across the various UCL and Reserve 37746, South Hedland.

This will see Council obtain control and responsibility for the land once constructed enabling it to be utilised for drainage. The Town may request amendments to the drainage channel and management order to facilitate future development.

Refuse to accept the management orders for drainage across the various UCL and Reserve 37746, South Hedland.

Refusal to accept the management orders will prevent the timely and efficient development of the Osprey subdivision. Refusal to accept this request is considered to be against proper planning principles.

Option 1 is recommended.

Attachments

Map of proposed drainage reserve (Plan 11/016/10A)

201213/139 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Jacob

That Council:

- 1. Advise the Department of Regional Development and Lands that it is prepared to accept the Management Order for a stormwater reserve as described in Plan 11/016/10A;**
- 2. Approve the construction of a culvert crossing of North Circular Road as outlined in Plan 11/016/10A subject to detailed designs being submitted and approved by the Manager Technical Services. The approval is subject to the developer bearing all costs to undertake the necessary construction;**
- 3. Advise the applicant the capacity and width of the proposed drainage channel may require modification at the concept design stage to cater for future development.**

CARRIED 6/0

11.1.11 *Proposed Final Adoption of Scheme Amendment 54 to the Town of Port Hedland Town Planning Scheme No. 5. Rezoning from Urban Development R20 to Residential R30 and R40 and Other Purposes (File No.: 18/09/0068)*

Officer Steve de Meillon
A/Manager Planning Services

Date of Report 8 October 2012

Disclosure of Interest by Officer Nil

Summary

Council at its Ordinary Meeting held on the 11 April 2012 resolved to initiate Scheme Amendment 54. The amendment rezones Lots 3984, 4150, 5497 Osprey Drive, Lot 5496 Goshawk Way and Lot 556 on Deposited Plan 72058, South Hedland, from "Urban Development R20" to "Residential R30" and "R40", and "Other Purposes Education" and "Parks and Recreation".

This report seeks Council's approval for final adoption of the scheme amendment.

Background

At its Ordinary Meeting on the 11 April 2012, Council initiated an amendment to the *Town of Port Hedland Town Planning Scheme No. 5*.

Location (Attachment 1)

The amendment pertains to a large area of predominantly Unallocated Crown Land located in the south east corner of the existing town site (the site). The site is bordered by Osprey Drive to the north, Masters Way to the west and undeveloped bushland to the east and south. The site is currently zoned "Urban Development" with a residential density of R20.

The Amendment (Attachment 2)

The initiated amendment comprises the following:

1. Rezoning Lots 3984, 4150, 5496, 5497 and portion of Lot 556 on Deposited Plan 72058 from "Urban Development R20" to "Residential R30" and "R40";
2. Reserving POS sites A-E for "Parks and Recreation";

3. Reserving POS & Drainage sites A and B for "Parks and Recreation";
4. Reserving Drainage site for "Parks and Recreation";
5. Rezoning Lot 360 from "Urban Development R20" to "Community – Education";
6. Recoding the following proposed Lots from "R20" to "R40": 9, 17-22, 36-40, 48-52, 57-61, 67-71, 76-81, 91-96, 111- 115, 132-137, 197-202, 219-224, 244, 282-286, 296-300, and 361;
7. Recoding all other residential Lots from "R20" to "R30";
8. Amending the zoning map accordingly.

Consultation

Prior to commencing public advertising, the scheme amendment was sent to the Environmental Protection Authority (EPA) for environmental consideration. The EPA determined the scheme amendment should not be assessed under the *Environmental Protection Act 1986* and that it is not necessary to provide any advice or recommendations.

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

- North West Telegraph: 1 August 2012-12 September 2012
- Site signs: 1 August 2012-12 September 2012
- Council Website: 1 August 2012-12 September 2012

Written notification was sent to the following:

- All adjoining neighbours
- Water Corporation
- Department of Water
- Department of Housing
- Horizon Power
- Telstra
- Optus

A summary of submission received during the advertising period is contained within Table 1 below (attachment 3).

Table 2 - Submission summary

Correspondent	Issue Raised	Planning Response
Department of Water	No objection raised.	Not required.
Water Corporation	No objection raised subject to advice.	These comments shall be addressed at the subdivision and subsequent development stages.
Horizon Power	No objection raised.	Not required.

Internal Consultation

- Technical Services
- Economic Development & Strategic Planning
- Community Recreation

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

Table 2 outlines sections of the Council's Strategic Community Plan 2012 – 2022 considered relevant to the proposal:

Table 3 - Strategic Community Plan

6.3.1 – Housing	
What we do	How we know we've got there
Address housing shortage & affordability through using Council held land, providing high quality modular construction, providing incentives and other forms of inducement to deliver housing by	Increase percentage of land released to meet the demands of housing growth. Increased percentage of land released for community and

2013.	public housing. Improved housing affordability (within 25% of Perth prices). Increased percentage of home ownership.
Attract and retain new residents to increase the population to 40,000 by 2025.	Normalize demographic distribution.

The following section of the draft “Pilbara’s Port City Growth Plan” is considered relevant to the proposal:

Section 5.7.12 East Precinct Highlight 4:	Precinct 12 – South Hedland Immediate / short term expansion of residential land supply east of Koombana.
---	--

Budget Implications

The applicant has paid the prescribed fee of \$7,556.20 for the initiation of the scheme amendment and advertising.

Officer’s Comment

The previous initiation report to Council recognised the amendment is consistent with the direction outlined within the Pilbara’s Port City Growth Plan (Growth Plan). In terms of the Growth Plan the site is identified as an immediate term housing supply opportunity.

The proposal is to rezone the site from “Urban Development – R20” to a mixture of “Residential R30” and “R40”, “Education” and “Parks and Recreation”. The rezoning supports the intended land uses anticipated in the lodged plan of subdivision.

The applicant provided the following justification for the amendment:

This amendment proposes to create new residential and community zones that respond to the intended land uses anticipated in the lodged plan of subdivision.

A number of lots proposed in Plan 11/016/004K currently do not satisfy the minimum lot size established in the Residential Design Codes. Accordingly, this proposed amendment will increase the Residential density codes for these lots to ensure that the approved subdivision meets the minimum lot sizes established in Table 1 of the Residential Design Codes.

The new density codings are intended to maximise the variety of lot types and make efficient use of the existing serviceable urban land.

This design is a natural extension of the surrounding urban development.

This proposal creates a number of rear-serviced cottage lots in strategically located positions that take advantage of public open space and drainage reserves that are to be landscaped by the developer into usable open space.

The inclusion of these lots offers a new residential lot product in South Hedland that increases density at key locations with improved amenity within the subdivision design.

The new base code of R30 is proposed for the single residential lots to provide greater flexibility in building design.

The proposed amendment supports the implementation of the Growth Plan and specifically the objectives of Precinct 12 – South Hedland East. The proposed densities are supported for the following reasons:

- The proposed R30 and R40 densities support the development of a variety of housing types and densities identified within the Growth Plan (Section 5.7.12 – Implementation Indicator).
- The R40 zoned lots are located adjacent to POS and/or drainage, or are serviced via rear laneways to reduce the built impact over other residential lots.
- The proposed design and orientation of lots is expected to encourage improved development outcomes identified within the Growth Plan (Section 5.7.12 – Implementation Indicator).
- The amendment provides a contained urban development form which increases efficient use of facilities, services and infrastructure. The proposed amendment provides passive and active open space, and a “Community – Education” primary school site.

Attachments

1. Locality Plan
2. Scheme Amendment Report
3. Submissions received

Options

1. Approve final adoption of Scheme Amendment 54.
2. Approve final adoption of Scheme Amendment 54 with modifications.
3. Refuse final adoption of Scheme Amendment 54.

Option 1 is recommended to allow the site to be developed consistent with the strategic plans for the Town.

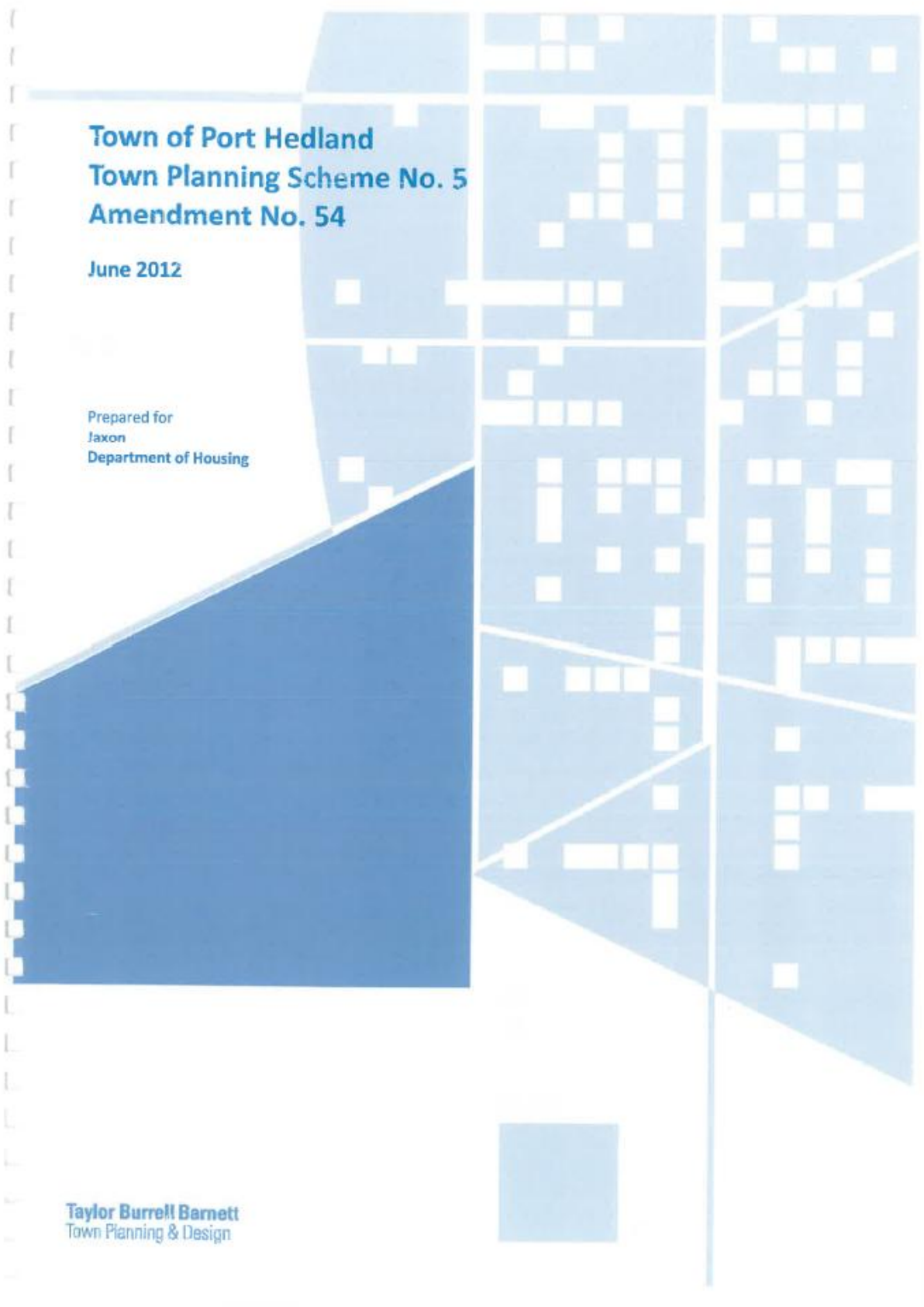
201213/140 Officer's Recommendation/Council Decision**Moved: Cr Carter****Seconded: Cr Jacob****That Council resolves to:**

- 1. Rezone Lots 3984, 4150, 5496, 5497 and portion of Lot 556 from 'Urban Development' to 'Residential';**
- 2. Rezone portions of Lot 556 from 'Urban Development' to 'Park and Recreation' as identified within the proposed Scheme Amendment No. 54 proposed zoning map;**
- 3. Rezone portion of Lot 556 from 'Urban Development' to 'Community – Education' as identified within the proposed Scheme Amendment No. 54 proposed zoning map;**
- 4. Recode any portions of Lot 3984, 4150, 5496, 5497 and 556 from 'R20' to 'R40' as identified within the proposed Scheme Amendment No. 54 proposed zoning map, being the following proposed lots; 9, 17-22, 36-40, 48-52, 57-61, 67-71, 76-81, 91-96, 111-115, 132-137, 197-202, 219-224, 244, 282-286, 296-300 and 361;**
- 5. Recoding all other residential lots from 'R20' to 'R30' as identified within the proposed Scheme Amendment No. 54 proposed zoning map;**
- 6. Amending the zoning map accordingly;**
- 7. Authorises the Mayor and Chief Executive Officer to execute three (3) copies of the amendment documents in accordance with the Town Planning Regulations 1967 (as amended), including the fixing of the Council's seal;**
- 8. Forwards three (3) copies of the adopted scheme amendment and associated documentation to the Western Australian Planning Commission for Ministerial Consent in accordance with the Town Planning Regulations 1967 (as amended).**

CARRIED 6/0

LOCALITY PLAN





File No:

Part of Agenda:

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

1. Local Authority: **Town of Port Hedland**
2. Description of Local Planning Scheme: **Town Planning Scheme No. 5**
3. Type of Scheme: **Town Planning Scheme**
4. Serial No. of Amendment: **54**
5. Proposal:
 1. Rezoning Lots 3984, 4150, 5496, 5497 and portion of Lot 556 from 'Urban Development' to 'Residential'.
 2. Reserving POS sites A-E for 'Parks and Recreation'.
 3. Reserving POS & Drainage sites 8001, 8002 for 'Parks and Recreation'.
 4. Reserving Drainage site for 'Parks and Recreation'.
 5. Rezoning Lot 360 from 'Urban Development' to 'Community – Education'.
 6. Recoding the following proposed lots from 'R20' to 'R40':
 - 9
 - 17-22
 - 36-40
 - 48-52
 - 57-61
 - 67-71
 - 76-81
 - 91-96
 - 111-115
 - 132-137
 - 197-202
 - 219-224
 - 244
 - 282-286
 - 296-300
 - 361
 7. Recoding all other proposed residential lots from R20 to R30.

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

**Town of Port Hedland
Local Planning Scheme No. 5
Amendment No. 54**

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

Rezoning Lots 3984, 4150, and 5497 Osprey Drive; Lot 5496 Goshawk Way; and Lot 556 on Deposited Plan 72058, South Hedland from "Urban Development – R20" to "Residential R30 and R40, "Education" and "Parks and Recreation".

Dated this day of 20.....

.....
Chief Executive Officer

AMENDMENT REPORT

The land subject to this request is currently zoned 'Urban Development' with a residential density of R20. On 25 January 2012, a plan of subdivision (Plan 11/016/004K) was lodged with the Western Australian Planning Commission for subdivision approval; this plan provides the basis for the proposed scheme amendment. On 17 May 2012, the WAPC issued conditional approval for this plan.

The land subject to this request is generally referred to as the 'Osprey Development Area' of the South Hedland New Living Project (SHNL), an initiative of the Department of Housing in cooperation with the Town of Port Hedland, the State Government, and local community.

The aims of the SHNL are to improve the physical and social capital in South Hedland through the subdivision and development of Unallocated Crown Land, the renovation of existing public housing stock, and to make significant contributions towards community organisations and events.

1 SITE LOCATION AND DESCRIPTION

1.1 LOT DETAILS

The Osprey Development Area comprises a large area of predominantly Unallocated Crown Land (UCL) abutting the south east corner of the existing town site. The subject land is bordered by Osprey Drive, Masters Way, a future extension of Collier Drive, and the alignment of an existing 66kv power line that defines the eastern edge of the application area. The legal description of the affected lots, their ownership and current use is outlined in the following table:

Lot No.	C/T Details	Status	Primary Interest Holder	Use
556	LR3161/429	Unallocated Crown Land	Crown	Vacant
3984	LR3161/421	Unallocated Crown Land	Crown	Vacant
4150	LR3139/532	Unallocated Crown Land	Crown	Vacant
5496	LR3139/533	Reserve #40052 Under Management Order	Horizon Power	Vacant
5497	LR3139/530	Reserve #40053 Under Management Order	Horizon Power	Transformer

1.2 NATIVE TITLE

The Native Title claimants are negotiating to acquire a site within the subject area. At this time it is yet to be determined if this will be an englobo parcel, or whether an agreement will be reached with the South Hedland New Living Project to provide a similar number of developed lots within the development area, or elsewhere in South Hedland.

Should an englobo site be required, the subdivision design for that land parcel may differ from the plan enclosed with this application, depending on the design intention of the new landowner. In this case, a new Scheme Amendment request will need to be submitted to accommodate the new design.

Given the lengthy process required for a Scheme Amendment, it is anticipated that the negotiations required to settle the options currently under discussion regarding this matter will be either finalised or at a stage where a high degree of certainty may be achieved for this proposed amendment prior to Council considering final adoption.

1.3 SITE FEATURES

The land is generally flat, with no significant vegetation. The only infrastructure currently on the land is an existing transformer located on Lot 5497. Despite also being created as a transformer site with a Management Order held by Horizon Power, Lot 5496 is undeveloped and vacant.

Horizon Power were consulted early in the design process and advised of its willingness to relinquish the management order to all sites affected by the development, on the basis that they have the opportunity to comment on and inform the replacement electrical and transformer designs (undertaken entirely at the developer's expense), through the standard WAPC subdivision referral and implementation processes.

2 LOCAL PLANNING SCHEME

2.1 EXISTING ZONING

The land is currently zoned 'Urban Development' with a Residential Density Coding of 'R20' under the Town of Port Hedland Town Planning Scheme No.5 (TPS 5). Clause 6.4.1 of TPS 5 requires the preparation of a Development Plan to facilitate the detailed planning and provision of infrastructure required for future subdivision and development of Urban Development zoned land.

Consistent with the practice established in earlier stages of the SHNL, Council staff provided input into the evolution of this proposal, which is of a size that can easily be delivered without the need for an overarching structure plan or development plan. The preparation of a Development Plan was considered by the Town of Port Hedland and senior Department of Planning officers as unnecessary in this instance and accordingly, Council have not required the preparation of a development plan prior to subdivision.

This approach reflects the agreed position reached between the Town, the Department of Planning and the Developer at a meeting at the Department's Perth Offices held on the 30th September 2011. This proposed scheme amendment complied with the approved plan of subdivision essentially fulfils all of the requirements of a development Plan, thereby making such a plan redundant. We also note that the land is to be assembled into single ownership ensuring that as issues raised by multiple landowners will arise.

3 PROPOSED ZONING

Based on the preceding information, the Town of Port Hedland has initiated this amendment to TPS 5 to:

1. Rezone Lots 3984, 4150, 5496, 5497 and portion of Lot 556 from 'Urban Development' to 'Residential';
2. Reserve POS sites A-E for 'Parks and Recreation';
3. Reserve POS & Drainage sites 8001, 8002 for 'Parks and Recreation';
4. Reserve Drainage site for 'Parks and Recreation'
5. Rezone Lot 360 from 'Urban Development' to 'Community – Education';
6. Recode the following proposed lots from 'R20' to 'R40':

- 9
- 17-22
- 36-40
- 48-52
- 57-61
- 67-71
- 76-81
- 91-96
- 111-115
- 132-137
- 197-202
- 219-224
- 244
- 282-286
- 296-300
- 361

7. Recode all other proposed residential lots from R20 to R30.

4 BACKGROUND

4.1 GENERAL PURPOSE OF AMENDMENT

As described in the tables above, this amendment proposes to create new residential and community zones that respond to the intended land uses anticipated in the lodged plan of subdivision. New stormwater drainage swales are also to be constructed servicing the new subdivision, with most of these drains landscaped into functional public open space.

A number of the lots proposed in Plan 11/016/004K currently do not satisfy the minimum lot size established in the *Residential Design Codes*. Accordingly, this proposed amendment will increase the Residential density codes for these lots to ensure that the approved subdivision meets the minimum lot sizes established in Table 1 of the *Residential Design Codes*.

4.2 INCREASED DENSITY CODING

The new density codings are intended to maximise the variety of lot types and make efficient use of the existing serviceable urban land. The sites are located in positions that are easily accessible from the internal roads with smaller cottage lots also having separate pedestrian access via laneways. This makes them ideal in terms of proximity to transport routes, public open spaces and other community resources. This design is a natural extension of the surrounding urban development.

This proposal creates a number of rear-serviced cottage lots in strategically located positions that take advantage of public open space and drainage reserves that are to be landscaped by the developer into usable open space. The inclusion of these lots offers a new residential lot product in South Hedland that increases density at key locations with improved amenity within the subdivision design.

A number of grouped housing sites are also included in the subdivision design and these are proposed to be coded at an R40 density to allow for built design flexibility and efficient use of land.

The new base code of R30 is proposed for the single residential lots to provide greater flexibility in building design and is accordance with the principles of Amendment 51 to TPS5, initiated by Council at its Ordinary Meeting on 14 December 2011.

4.3 PUBLIC OPEN SPACE AND DRAINAGE

The public open spaces at the site are located at POS A - E. Sites A – D are located adjacent to dual-purpose drainage/POS reserves that will be landscaped to integrate and add useable space to the public open space reserves. Notwithstanding the recreation use of the land, stormwater drainage will remain the primary function and landscape design will ensure this is not compromised.

The public open space reserve located adjacent to the primary school site (POS E) is to be developed as district level open space, providing a level of amenity not currently available in this part of South Hedland. This will be a facility shared by the wider community and Department of Education (DoE). Preliminary discussions with the DoE confirm that this is an acceptable proposal.

4.4 PRIMARY SCHOOL SITE

A primary school site has been located central to this new development to provide generally for the Koombana catchment. The site is flat and framed by three proposed local roads, providing a high level of passive surveillance and site access. Detailed discussions with the DoE have confirmed the acceptability of this site for a new primary school.

4.5 PORT HEDLAND LAND USE MASTER PLAN AND PILBARA'S PORT CITY GROWTH PLAN

Both of these texts address the need for housing that is affordable, of good quality and provides a range of dwellings types. Increased density in housing is also promoted where it can be supported and maintained by the services and amenities in the area.

Increasing the density from R20 to R30 as the base code, and to R40 for the proposed cottage lots and grouped housing sites addresses this strategic goal.

5 CONCLUSION

Based on the information presented above, the Town of Port Hedland initiates an amendment to TPS 5 to:

1. Rezone Lots 3984, 4150, 5496, 5497 and portion of Lot 556 from 'Urban Development' to 'Residential';
2. Reserve POS sites A-E for 'Parks and Recreation';
3. Reserve POS & Drainage sites 8001, 8002 for 'Parks and Recreation';
4. Reserve Drainage site for 'Parks and Recreation'
5. Rezone Lot 360 from 'Urban Development' to 'Community – Education';
6. Recode the following proposed lots from 'R20' to 'R40':
 - 9
 - 17-22
 - 36-40
 - 48-52
 - 57-61
 - 67-71
 - 76-81
 - 91-96
 - 111-115
 - 132-137
 - 197-202
 - 219-224
 - 244
 - 282-286
 - 296-300
 - 361
7. Recode all other residential lots from R20 to R30.
As depicted on the amendment map.
8. Update the Scheme Map accordingly.

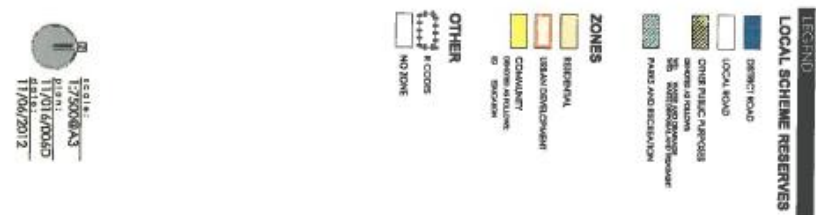
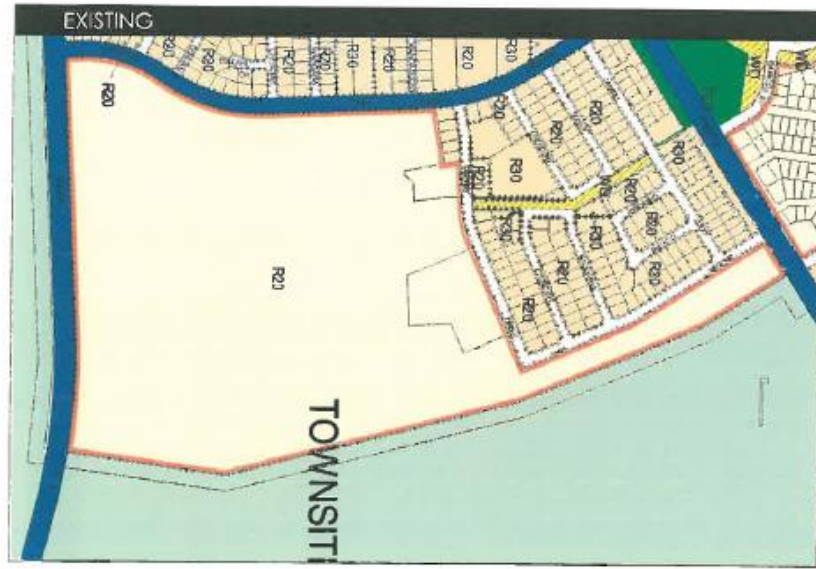
ADOPTION

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

.....
Mayor/Shire President

.....
Chief Executive Officer

TOWN OF PORT HEDLAND Town Planning Scheme No.5 Amendment No. 54



SCALE
1:250000
DATE: 11/04/2012
DRAWN BY: [Name]
CHECKED BY: [Name]

FINAL APPROVAL

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

.....
Mayor/Shire President

.....
Chief Executive Officer

Recommended/Submitted for Final Approval

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

.....
Date

Final Approval Granted

.....
Minister for Planning

.....
Date

ATTACHMENT 3 TO ITEM 11.1.11

Your Ref: 2012/70/18/09/0068
Our Ref: JT1 2008 02134 V02
Enquiries: Frank Kroll
Telephone: 9420 2221



20 August 2012

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

Attention: Steve De Meillon

629 Newcastle Street
Leederville 6007
Western Australia

PO Box 100
Leederville 6902
Perth Western Australia

Tel (+61 8) 9420 2420

www.watercorporation.com.au

ABN 28 003 434 917

**APPLICATION No. 2012/70 FOR PORT HEDLAND
SCHEME AMENDMENT No. 54 REZONING OF LAND BOUND BY MASTERS
WAY TO THE WEST AND OSPREY DRIVE TO THE NORTH FROM RESIDENTIAL
R20 TO RESIDENTIAL R30, R40,, EDUCATION, PARKS AND RECREATION**

Thank you for your letter dated 31 July 2012. The Water Corporation does not object to the application, subject to the following Condition and Advice.

Condition

Development not to exceed the number contained within the Port Hedland Regional Hotspots Land Supply Update, until advised by the Water Corporation that a future increase in water allocation has been obtained.

Advice

Pilbara Cities Vision

The development is in accordance with the Pilbara Cities Vision.

Current Infrastructure Constraints

Source water from the DeGrey and Yule schemes are being upgraded and substantial increases in our servicing capacities are expected from 2014.

Services

Water and wastewater services are available at the perimeter of the proposed rezoned area, and can be extended to serve the area. Upgrading of existing works may be required.

Water Demand

The size of meters will be determined at building application stage.

Water Efficiency

Considering the above, in conjunction with general climatic changes, water efficiency is an extremely high priority in all development proposals, and should be accompanied by a water management plan that includes appliance labelling standards, incentives for occupants to be water efficient, garden and irrigation design, leak detection and maintenance, and opportunities explored for recycling.



Comments on Report

The information within the Report is comprehensive and generally accurate.

Updated items are:-

Section 3.2 Water Supply. The Corporation conducted a planning review for South Hedland October 2011), and has included the information contained in the Port Hedland Regional Hotspots Land Supply Update (April 2011). The proposed rezoning is within the area depicted as SHB in the Hotspots Update, and is shown as a density to R20. The proposal exceeds the planned water supply for the area, and needs to be included in a future planning review.

Section 3.3 Wastewater Services. The scheme was reviewed in May 2010 based on the Hotspots information available at that time. The proposal exceeds the planned wastewater system for the area, and hence a planning review is required to update the flows in the system and any infrastructure adjustments required.

It is expected that the additional water and wastewater capacities required will be able to be met after planning and capital investment reviews are completed in the mid term future.

Should you have any further planning level queries, please do not hesitate to contact the undersigned.



Frank Kroll
Senior Development Planner
Development Services
Planning & Capability



Government of Western Australia
Department of Water



Looking after all our water needs



Your ref: 2012/70 / 18/09/0068
Our ref: RF741-08, WRD174249
Enquiries: Natalie Leach 08 9144 0200

Steve De Mellion
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland WA 6721

25/8/12 R - D SA
Document #: IPA30781
Date: 27.08.2012
Officer: LEONARD LONG
File: 18/09/0068



Dear Mr De Mellion,

RE: APPLICATION NO: 2012/70 FOR SCHEME AMENDMENT NO 54 – REZONING OF LAND BOUND BY MASTERS WAY TO THE WEST AND OSPREY DRIVE TO THE NORTH FROM RESIDENTIAL R20 TO RESIDENTIAL R30, R40 AND THE DESIGNATION OF LAND FOR OTHER PURPOSES – EDUCATION, PARKS AND RECREATION

Thank you for the opportunity to provide comment on the above application. The Department of Water (DoW) has recently provided comment on the Stormwater Management Strategy, submitted by Parsons Brinkerhoff, to support this amendment request.

The DoW advises that the document is suitable to for the amendment to proceed to the next stage of planning approval.

If you wish to discuss the above please do not hesitate to contact the Department of Water's Pilbara Office on (08) 9144 0200.

Yours Sincerely,

**Hamid Mohsenzadeh
Regional Manager
Department of Water
Pilbara Region**

9 August 2012

Pilbara Region
Lot 4608 Cherratta Road KIE
Karratha Western Australia 6714
PO Box 836 Karratha Western Australia 6714
Telephone (08) 9144 0200 Facsimile (08) 9144 2610
www.water.wa.gov.au
wa.gov.au

Your Ref: 2012/70
Enquiries: Ray Deall
Telephone 9173 8201



PO Box 314
PORT HEDLAND WA 6721
ABN 57 955 011 697

14th August 2012

Mr Steve De Meillon
Town of Port Hedland
PO Box 41
PORT HEDLAND WA 6721

Dear Steve

RE: APPLICATION NO: 2012/70 FOR SCHEME AMENDMENT NO 54 – REZONING OF LAND BOUND BY MASTERS WAY TO THE WEST AND OSPREY DRIVE TO THE NORTH FROM RESIDENTIAL R20 TO RESIDENTIAL R30, R40 AND THE DESIGNATION OF LAND FOR OTHER PURPOSES – EDUCATION, PARKS AND RECREATION.

Thank you for your enquiry concerning the above application.

Horizon Power has no objection to the proposed scheme amendment of rezoning of land bound by Master Way to the West and Osprey Drive to the North.

If I can be of any further assistance or should you have any queries please call me direct on the details above.

Yours sincerely

Ray Deall
Network Asset Management Coordinator

11.1.12 Proposed Use Not Listed – Temporary Fly Camp on Lot 2115 North Circular Road, South Hedland (File No.: 130039G)

Officer	Ryan Djanegara Planning Officer
Date of Report	25 September 2012
Application No.	2012/327
Disclosure of Interest by Officer	Nil

Summary

Council received an application from Australian Portable Camps on behalf of the registered proprietor APC Port Hedland Pty Ltd, to construct a Use Not Listed – Temporary Fly Camp on Lot 2115 North Circular Road, South Hedland (subject site).

Officer's are recommending the application be refused.

Background

Site Description (Attachment 1)

The subject site covers an area of approximately 55,805m² with vehicular access via North Circular Road. There is currently an existing caravan park on the site.

The site is zoned "Tourism" under the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

Proposal (Attachment 2)

The applicant is proposing to construct a Use Not Listed – Temporary Fly Camp on Lot 2115 North Circular Road, South Hedland. The Fly Camp will consist of two dongas, each with 4 ensuite bedrooms.

The Fly Camp will be onsite for a period of 6 months providing accommodation for 8 workers. The intended purpose of the Fly Camp is to complete the building works at the Black Rock Caravan Park which includes:

- modification of the accommodation units facing Stanley Street to improve their visual amenity as required under the current planning application (referring to application 2009/44);
- ongoing road, parking and landscaping around the new accommodation units; and
- Upgrading of services.

Previous Permits

On the 28th April 2009, Council approved the development of 15 Chalet units each consisting of 4 self contained rooms with their own kitchen and bathroom facilities (application 2009/44). The approval was issued and enacted subject to Scheme Amendment No. 25 being published in the Government Gazette.

The Scheme Amendment was published on the 4th May 2011.

Previous Building License issued

On the 5th October 2011, a building license was issued for the proposed chalets. The floor plans of the building license were consistent with the planning permit. There were some slight discrepancies between the locations of the structures against however the elevations as per the building license were inconsistent with the planning permit.

It was intended that the building license would allow the chalets to be constructed and issued with an occupancy permit prior to the completion of the external appearance of the dwellings. The applicant has requested to erect a temporary fly camp in order to finish the necessary works in order to be consistent with planning permit.

Consultation*Internally:*

The application was circulated to the following internal units, with comments received, included in the report:

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

Externally:

Agencies:

- Horizon Power
- Water Corporation

Adjoining owners:

- Lot 2116 and 2117 North Circular Road
- 9 Stanley Street
- 11 Stanley Street
- 13 Stanley Street
- 15 Stanley Street
- 1 Hawkins St
- 1 Edwins Way

- 1 Greene Place

The application was advertised in the North West Telegraph on 5th and 12th September 2012, and a notice placed on site allowing for a 14 day period for any interested parties to provide comments / objections to the proposal.

No submissions were received during the advertising process.

Statutory Implications

In accordance with the Planning and Development Act 2005, the proposed development is subject to the provisions of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

An application fee of \$139.00 has been received as per the prescribed fees approved by Council.

Officer's Comment

Use as defined in TPS5

The applicant has applied to construct a Fly Camp. A "Fly Camp" has been determined as a Use Not Listed use because it is not considered to be consistent with any other definition within TPS5. In accordance with section 3.2.6 of TPS5, it states:

"If the development of land for a particular purpose is not specifically mentioned in the zoning table and cannot reasonably be included in the definition of one of the development categories the Council may determine:

a) That the development or use is not consistent with the objectives and purposes of the particular zone or precinct and is, therefore, not permitted, or

b) By absolute majority that the proposed development may be consistent with the objectives and purposes of the zone and an application for planning approval should be determined in accordance with Party IV, including the advertising procedures of clause 4.3"

It is considered the proposed development best suits a Use Not Listed – Fly Camp for the following reasons:

- it will be used temporary for a maximum period of 18 months;
- it does not comprise of any significant self contained facilities (such as gymnasiums, wet and dry mess);
- it is to be linked to the construction of a development that has a current planning approval; and
- all other measures of accommodation have been explored with no other alternative considered as being possible.

The proposed Fly Camp is to be used for a period of 6 months. The Fly Camp will use the Caravan Park's existing kitchen and laundry facilities. The applicant has stated that a Fly Camp is necessary to undertake the building works.

Need and Desirability

A Fly Camp can be considered by Council whereby all alternative arrangements to accommodate construction workers have been exhausted. The chalets currently onsite were constructed without the need for a Fly Camp. The applicant has not demonstrated the need for such a use or that other alternative forms of accommodation are unavailable. The existing "Holiday Accommodation – Caravan Park" could potentially provide an alternative accommodation solution.

Options

Council has the following options when considering the application.

1. Refuse the application

Should Council refuse the application, the applicant will be required to find alternative arrangements to accommodate construction workers. This could include accommodation within the park's existing facilities.

2. Approve the application subject to conditions.

Should Council seek to approve the application, strict conditions would need to be applied such as streetscape and lifespan. Council is advised that an absolute majority is required to approve the use as it is a "Use Not Listed".

It is recommended that Council refuses the application for the proposed Fly Camp on the basis that the use is not appropriate given that there may be alternative arrangements available and is not considered necessary.

Attachments

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

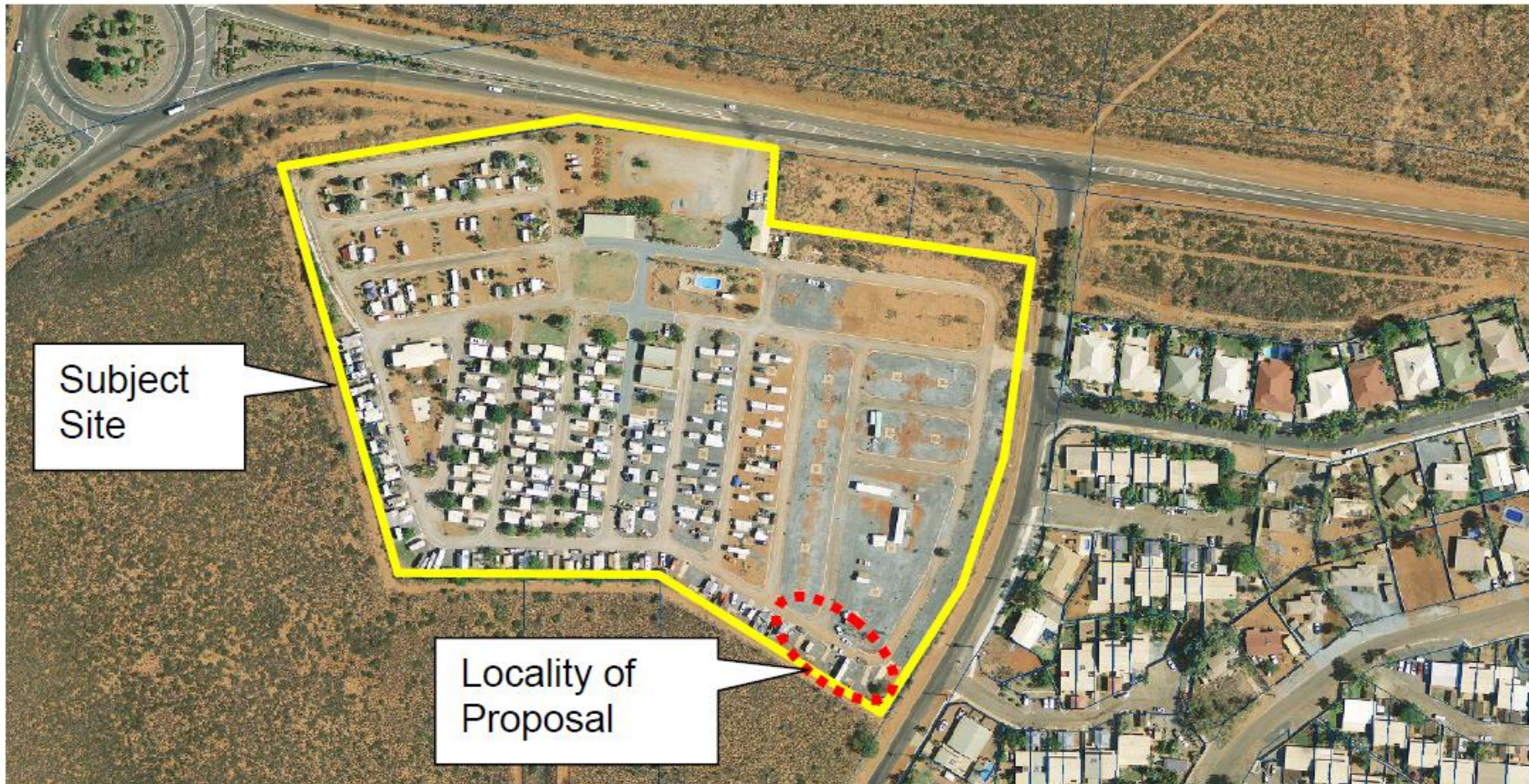
201213/141 Officer's Recommendation/Council Decision**Moved: Cr Jacob****Seconded: Cr Carter**

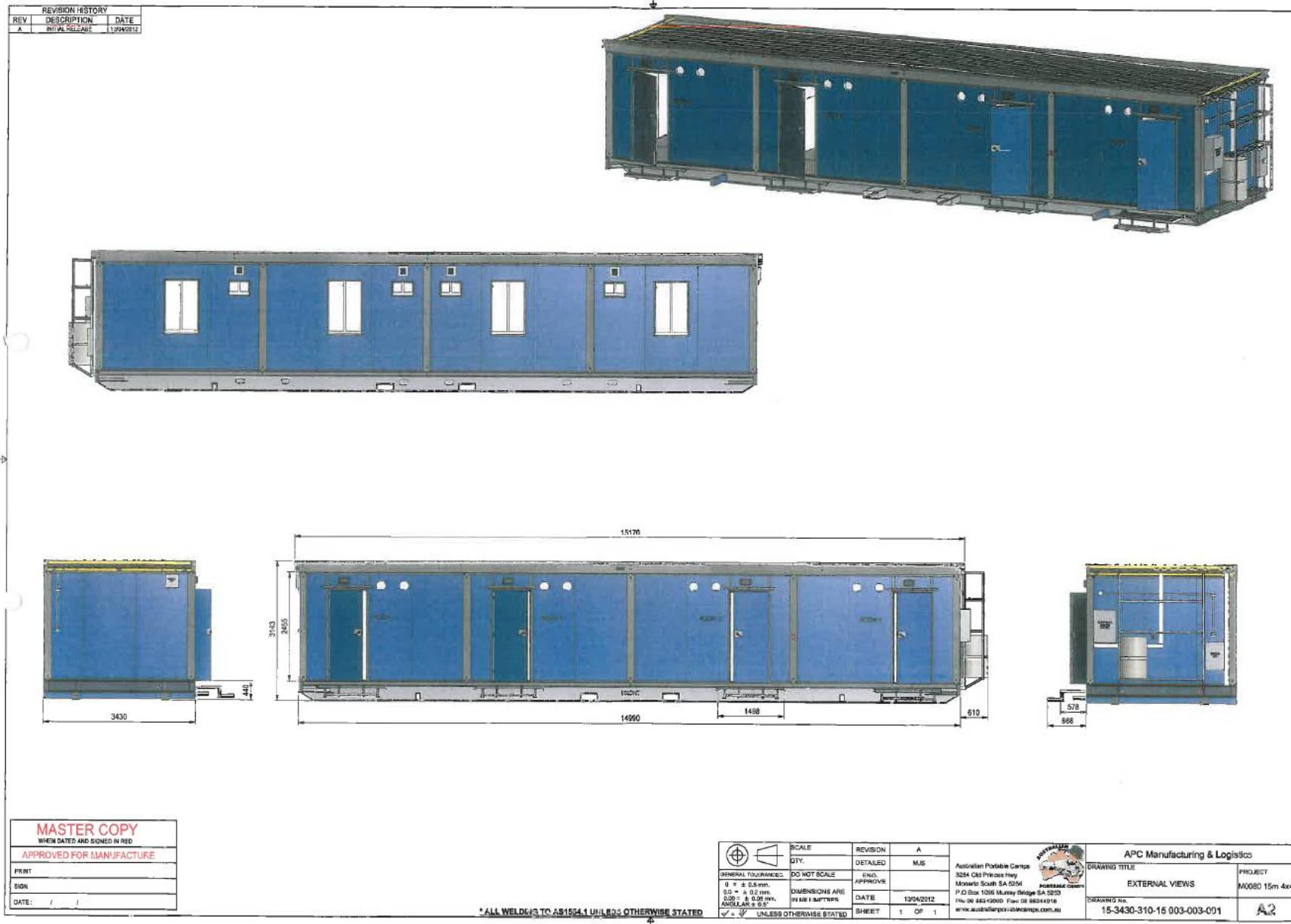
That Council refuses the application submitted by Australian Portable Camps on behalf of the registered proprietor APC Port Hedland Pty Ltd, to construct a Use Not Listed – Temporary Fly Camp on Lot 2115 North Circular Road, South Hedland for the following reasons:

1. **The proposed “Use Not Listed – Temporary Fly Camp” is not considered an appropriate use given the site has been approved as “Holiday Accommodation” which allows for temporary accommodation. Alternative arrangements could be explored using the Caravan’s existing facilities and therefore it is not considered necessary.**

CARRIED 6/0

Attachment 1 – Locality Plan





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

Externally:

Agencies:

Nil

As the development is an extension of a non-conforming use under TPS5, the application was advertised for a period of 14 days in the North West Telegraph and letters were sent out to adjoining residents. No submissions were received during the advertising period.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

The following section of the Strategic Community Plan 2012 – 2022 are considered relevant to the proposal:

6.2 Economic

6.2.1 Diverse Economy

Facilitate commercial, industry and town growth.

Increased numbers of industrial and retail businesses operating in the Town

6.2 Economic

6.2.1 Diverse Economy

Create local employment and investment and diversify the economy.

Increase in economic investments into the Town.

6.2 Economic

6.2.1 Diverse Economy

Work closely with businesses to achieve sustainable economic growth and a broad economic base.

Increase in the range and type of businesses investing and operating in the Town.

Budget Implications

An application fee of \$1,536.00 has been received as per the prescribed fees approved by Council.

Officer's Comment

The existing "Place of Animal Care" is a prohibited use in the "Mixed Business" zone. As the use is currently prohibited Council needs to have regard to the non-conforming use provisions identified in Part VIII of TPS5.

Section 8.2 Extension of non-conforming use, of TPS5 states:

"A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the planning approval of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme."

Sections 6.6 Commercial zones, 6.13 Vehicles and vehicle areas and 6.14 Landscaping, screening and fencing are the other provisions within TPS5 that are relevant.

6.6 Commercial zones

The site is not within a development plan area or affected by any policies within the policy manual. Clause 6.6.3 which requires buildings to be setback 6 metres is relevant and the development complies.

6.13 Vehicles and vehicle parking

Discussions with the applicant identified that the expansion will facilitate up to 4 vets. Under the provision of TPS5 the development requires 18 car parking bays. The development only proposes 8 car bays. Amended plans have been requested however, due to the applicant being away from the office, were not available at the time of the report being prepared. Sufficient room is available to facilitate the parking and can therefore be a conditional requirement.

6.14 Landscaping, screening and fencing

The proposal will require the existing garden area in front of the caretakers dwelling to be redeveloped with car parking. This will see an overall reduction in the area that is landscaped. The landscaping will be dependent on the layout of the redeveloped car parking and it is considered that sufficient room is available and can therefore be a conditional requirement.

Scheme Amendment 43

Scheme Amendment 43 affecting the "Mixed Business" zone proposes that "Place of Animal Care" be amended from the current "~" prohibited use to an "SA" use requiring planning approval and advertising to occur.

As the proposal will conform (subject to conditions) with 'other provisions and requirements contained in the Scheme' and having regard to Scheme Amendment 43 which proposes to make it a use that can be considered by Council in the future, approval is supported by the Officer.

Options

Council has the following options when considering the matter:

1. Approve the application

This option should be chosen if Council is satisfied that the site is appropriate for continued use and expansion as a Place of Animal Care.

2. Refuse the application

This option should be chosen if Council is of the opinion that the site is not appropriate for expanded use as a Place of Animal Care.

Option 1 is recommended as it is considered that the site is appropriate for continued and expanded use as a Place of Animal Care.

Attachments

1. Locality Plan
2. Site and Elevation Plans

Officer's Recommendation

That Council approves the application submitted by Larry Boston Design on behalf of Richard Fenny and Cameron & Penelope Mortlock for Place of Animal Care – Additions and alterations to existing Veterinary Hospital at Lot 3828 (14) Hedditch Street, South Hedland, subject to the following conditions:

1. This approval relates only to the proposed Place of Animal Care – additions and alterations of existing Veterinary Hospital, as indicated on the approved plans, it does not relate to any other development on this lot;

Prior to the plans being approved, an amended site plan showing a minimum of eighteen (18) car bays shall be provided to the satisfaction of the Manager Planning Services;

2. In terms of the Port Hedland Town Planning Scheme No. 5, a "Place of Animal Care" is defined as follows:

"Place of Animal Care,

Any land or buildings used for the keeping, boarding, breeding, display, veterinary treatment of injuries or ailments of animals and may include zoological gardens, enclosures or accommodation of animals.”

3. If the development referred to in (1) above is not substantially commenced within a period of two years from the date of this approval, the approval shall lapse and be of no further effect;
4. A minimum of eighteen (18) car bays shall be provided;
5. No parking bays shall be obstructed in any way or used for any other purpose than parking;
6. Front walls and fences within the primary street setback area shall be no higher than 1.8m measured from natural ground level and be visually permeable above 1.2m;
7. Fences shall be reduced to no higher than 0.75m from the natural ground level when within 1.5m of where the Vehicle Access Point (driveway) meets a street and where two (2) streets intersect;
8. All stormwater must be retained onsite. Disposal to be designed in accordance with Council’s Engineering Department Guidelines, and to the satisfaction of the Manager Planning Services. For applications regarding site stormwater overflow into Council’s existing drainage network, please contact Engineering Technical Officer on 9158 9608;
9. Roof mounted or freestanding plant or equipment such as air conditioning units shall be located and / or screened to the satisfaction of the Manager Planning Services;
10. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the developers cost, to the specification and satisfaction of the Manager Technical Services;
11. Access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, linemarked and finished with a sealed or paved surface by the developer to an approved design in accordance with TPS5 and Australian Standards, to the satisfaction of the Manager Planning Services;
12. Access to the property is restricted to vehicles that are a maximum of 6m in length unless the applicant/owner suitably demonstrates compliance with applicable Main Roads (MRWA) turning templates of larger vehicles;
13. The applicant shall provide aged/disabled access to the existing Council path network in accordance with Austroads Part 13 – Pedestrians. Plans shall be approved by the Manager Planning Services;

14. Maintain 4.5m verge at all times (3m clearzone and 1.5m dup);
15. The proposed development shall be connected to reticulated mains sewer;

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

16. Prior to the commencement of any works, the landowner shall prepare a notification under section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification shall be sufficient to alert prospective landowners or occupiers of the following:
 - a) This lot is located in an area likely to be subject to inundation and flooding from rising sea levels, tidal storm surges and/or catchment flooding over the next 100 years;
17. Prior to the commencement of any works a detailed landscaping and reticulation plan including any street verge, shall be submitted and approved by the Manager Planning Services. The plan to include location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001;
18. Prior to the commencement of any works, a "Refuse Collection Strategy / Management Plan" shall be submitted and approved by the Manager Planning Services. The approved "Refuse Collection Strategy / Management Plan" shall be implemented to the satisfaction of the Manager Planning Services;
19. Prior to the commencement of any works, an "Erosion and Sediment Control Plan" shall be submitted and approved by the Manager Planning Services;
20. Prior to the commencement of any works, a "Construction Site Management Plan" shall be submitted and approved by the Manager Planning Services. The "Construction Site Management Plan" shall indicate how it is proposed to manage the following during construction:
 - a) The delivery of materials and equipment to the site;
 - b) The storage of materials and equipment on the site;
 - c) The parking arrangements for the contractors and subcontractors;
 - d) Impact on traffic movement;
 - e) Operation times including delivery of materials; and
 - f) Other matters likely to impact on the surrounding residents / businesses;

The following conditions are to be cleared by Planning Services prior to occupation of the development.

21. Prior to the occupation of the development landscaping and reticulation shall be established with the use of mature trees and shrubs in accordance with the approved plan and thereafter maintained to the satisfaction of the Manager Planning Services; (Refer to advice note 3)
22. Prior to the occupation of the development, lighting shall be installed along all driveway(s), access way(s), parking area(s), turning area(s) and pedestrian pathways by the developer. Design and construction standards shall be in accordance with relevant Australian Standards to the satisfaction of the Manager Planning Services;
23. Prior to the occupation of the development the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, and approved by the Manager Planning Services.

ADVICE NOTES:

1. You are reminded this is a Planning Approval only and does not obviate the responsibility of the owner / developer to comply with all relevant building, health and engineering requirements;
2. In the absence of a clear definition of "mature trees and shrubs" within the Port Hedland Town Planning Scheme, No.5, for the purpose of this approval "mature trees and shrubs" shall mean trees of no less than 2m in height and shrubs of no less than 0.5m in height;
3. Waste receptacles shall be stored in a suitable enclosure, provided to the specifications of Council's Health Local Laws 1999;
4. The development shall comply with the Environmental Protection (Noise) Regulations 1997, at all times;
5. Applicant shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval;
6. To clear any conditions kindly contact the Towns Compliance Officer on (08) 9158 9300. Please note it may take up to 28 days to clear conditions.

201213/142 Council Decision**Moved: Cr Carter****Seconded: Cr Jacob**

That Council approves the application submitted by Larry Boston Design on behalf of Richard Fenny and Cameron & Penelope Mortlock for Place of Animal Care – Additions and alterations to existing Veterinary Hospital at Lot 3828 (14) Hedditch Street, South Hedland, subject to the following conditions:

- 1. This approval relates only to the proposed Place of Animal Care – additions and alterations of existing Veterinary Hospital, as indicated on the approved plans, it does not relate to any other development on this lot;**
- 2. In terms of the Port Hedland Town Planning Scheme No. 5, a “Place of Animal Care” is defined as follows:**

“Place of Animal Care,

Any land or buildings used for the keeping, boarding, breeding, display, veterinary treatment of injuries or ailments of animals and may include zoological gardens, enclosures or accommodation of animals.”
- 3. If the development referred to in (1) above is not substantially commenced within a period of two years from the date of this approval, the approval shall lapse and be of no further effect;**
- 4. A minimum of fourteen (14) car bays shall be provided;**
- 5. No more than 3 vets are permitted to operate from the site at any one time;**
- 6. No more than 20 animals are permitted to be accommodated at the site at any one time;**
- 7. No parking bays shall be obstructed in any way or used for any other purpose than parking;**
- 8. Front walls and fences within the primary street setback area shall be no higher than 1.8m measured from natural ground level and be visually permeable above 1.2m;**
- 9. Fences shall be reduced to no higher than 0.75m from the natural ground level when within 1.5m of where the Vehicle Access Point (driveway) meets a street and where two (2) streets intersect;**

10. All stormwater must be retained onsite. Disposal to be designed in accordance with Council's Engineering Department Guidelines, and to the satisfaction of the Manager Planning. For applications regarding site stormwater overflow into Council's existing drainage network, please contact Engineering Technical Officer on 9158 9608;
11. Roof mounted or freestanding plant or equipment such as air conditioning units shall be located and / or screened to the satisfaction of the Manager Planning Services;
12. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the developers cost, to the specification and satisfaction of the Manager Technical Services;
13. Access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, linemarked and finished with a sealed or paved surface by the developer to an approved design in accordance with TPS5 and Australian Standards, to the satisfaction of the Manager Planning;
14. Access to the property is restricted to vehicles that are a maximum of 6m in length unless the applicant/owner suitably demonstrates compliance with applicable Main Roads (MRWA) turning templates of larger vehicles;
15. The applicant shall provide aged/disabled access to the existing Council path network in accordance with Austroads Part 13 – Pedestrians. Plans shall be approved by the Manager Planning;
16. Maintain 4.5m verge at all times (3m clearzone and 1.5m dup);
17. The proposed development shall be connected to reticulated mains sewer;

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

18. Prior to the commencement of any works, the landowner shall prepare a notification under section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification shall be sufficient to alert prospective landowners or occupiers of the following:

- a) This lot is located in an area likely to be subject to inundation and flooding from rising sea levels, tidal storm surges and/or catchment flooding over the next 100 years.
19. Prior to the commencement of any works a detailed landscaping and reticulation plan including any street verge, shall be submitted and approved by the Manager Planning Services. The plan to include location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001;
20. Prior to the commencement of any works, a "Refuse Collection Strategy / Management Plan" shall be submitted and approved by the Manager Planning Services. The approved "Refuse Collection Strategy / Management Plan" shall be implemented to the satisfaction of the Manager Planning Services;
21. Prior to the commencement of any works, an "Erosion and Sediment Control Plan" shall be submitted and approved by the Manager Planning Services;
22. Prior to the commencement of any works, a "Construction Site Management Plan" shall be submitted and approved by the Manager Planning Services. The "Construction Site Management Plan" shall indicate how it is proposed to manage the following during construction:
- a) The delivery of materials and equipment to the site;
 - b) The storage of materials and equipment on the site;
 - c) The parking arrangements for the contractors and subcontractors;
 - d) Impact on traffic movement;
 - e) Operation times including delivery of materials; and
 - f) Other matters likely to impact on the surrounding residents / businesses;

The following conditions are to be cleared by Planning Services prior to occupation of the development.

23. Prior to the occupation of the development landscaping and reticulation shall be established with the use of mature trees and shrubs in accordance with the approved plan and thereafter maintained to the satisfaction of the Manager Planning Services. (Refer to advice note 3);

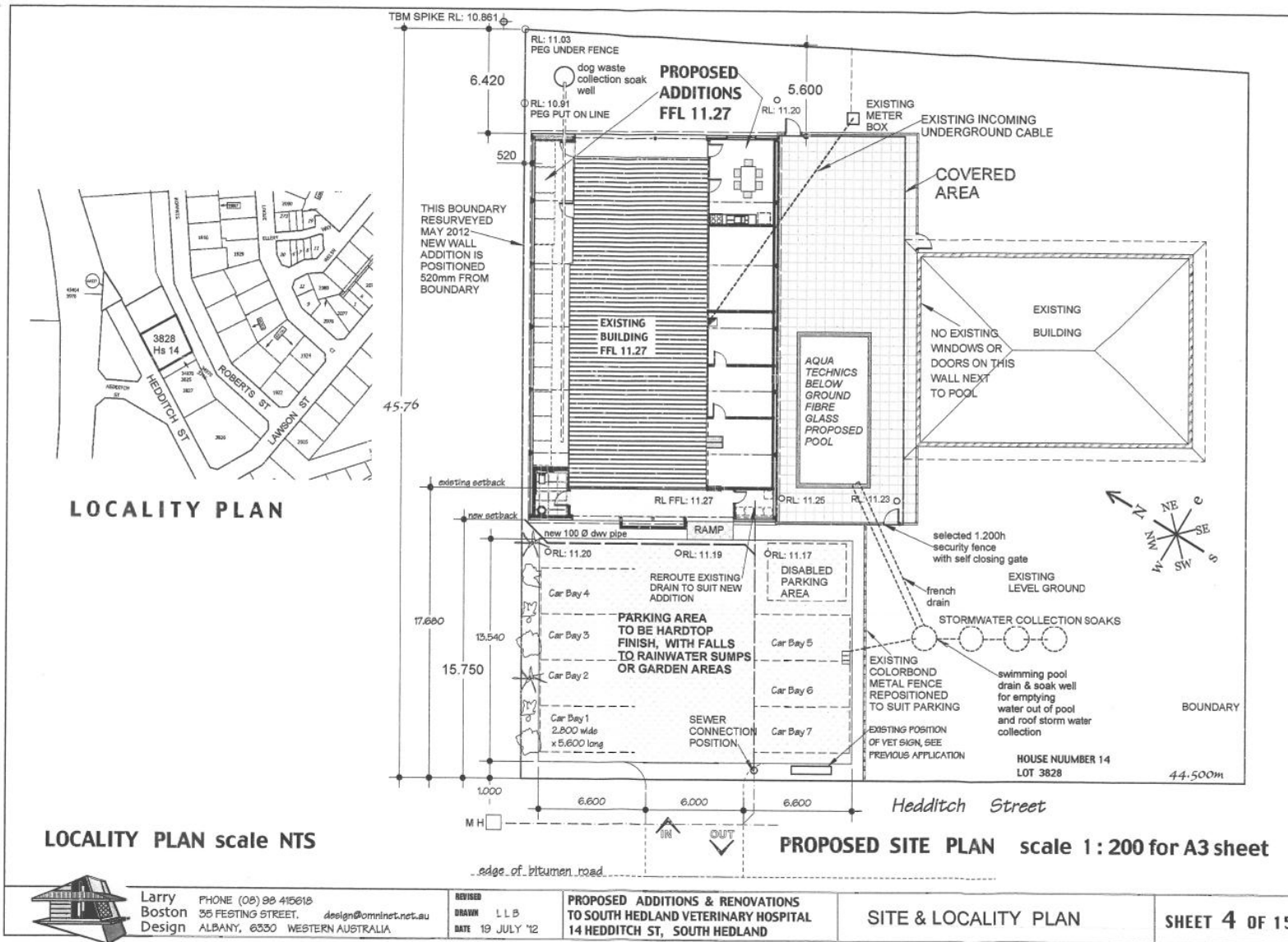
- 24. Prior to the occupation of the development, lighting shall be installed along all driveway(s), access way(s), parking area(s), turning area(s) and pedestrian pathways by the developer. Design and construction standards shall be in accordance with relevant Australian Standards to the satisfaction of the Manager Planning Services;**
- 25. Prior to the occupation of the development the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, and approved by the Manager Planning Services.**

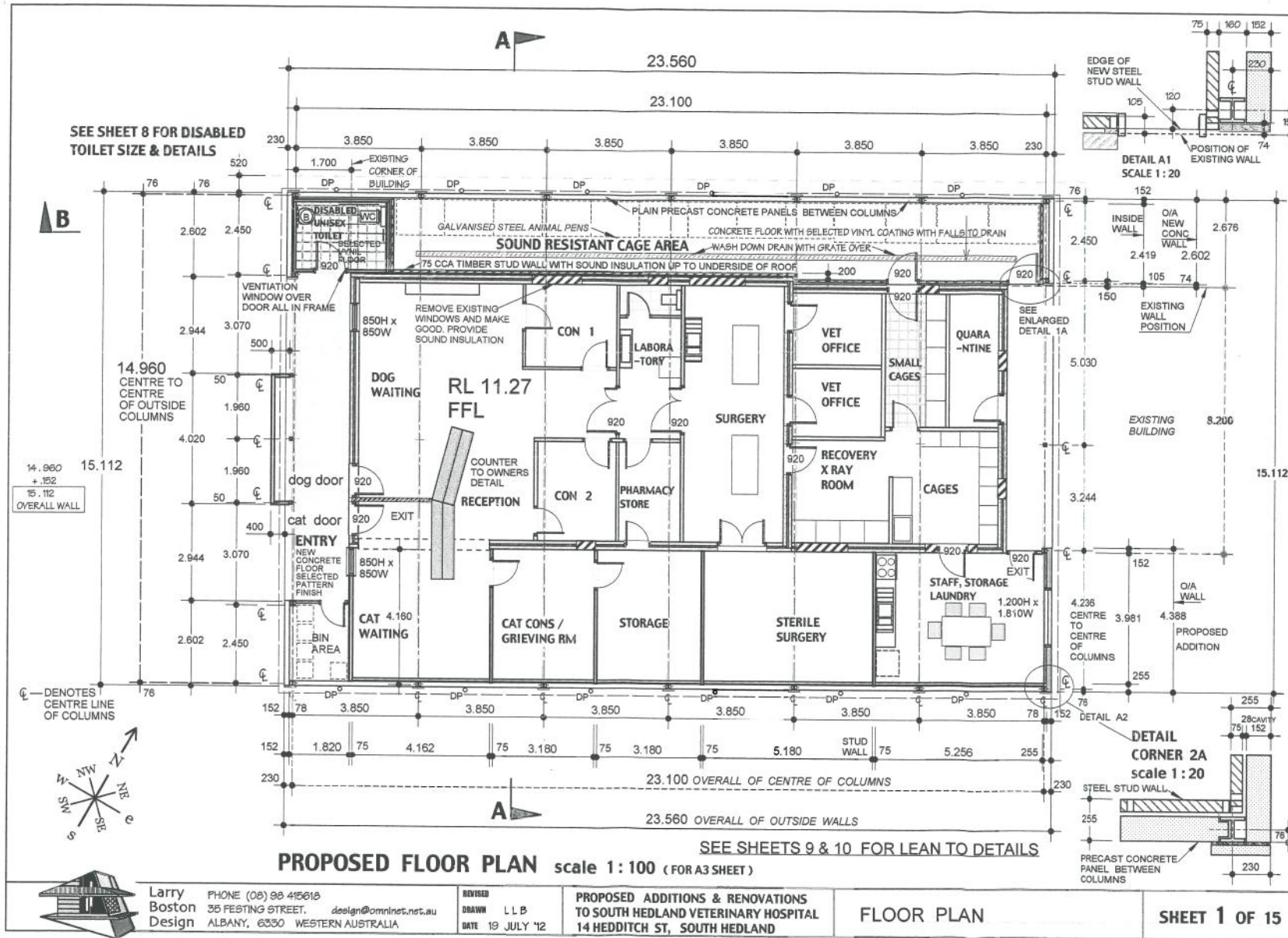
ADVICE NOTES:

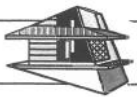
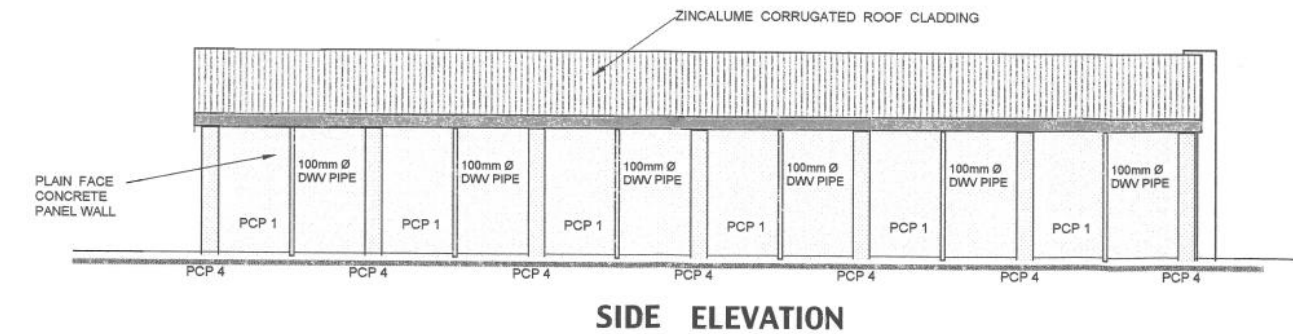
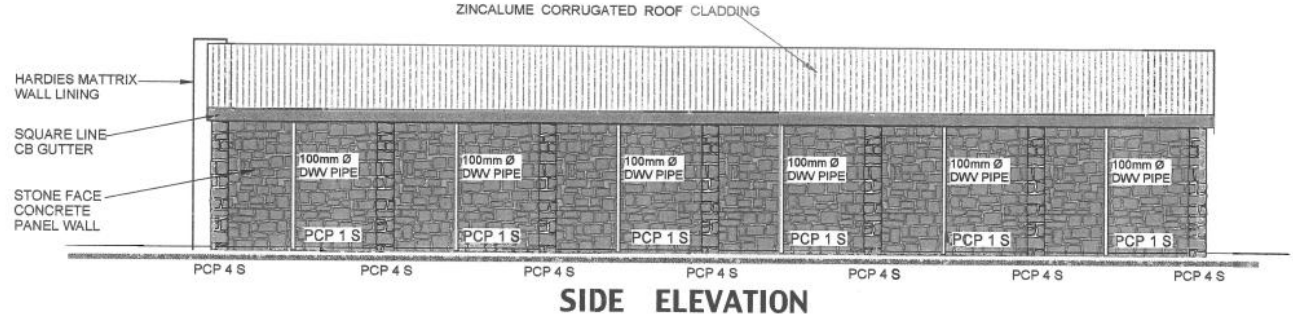
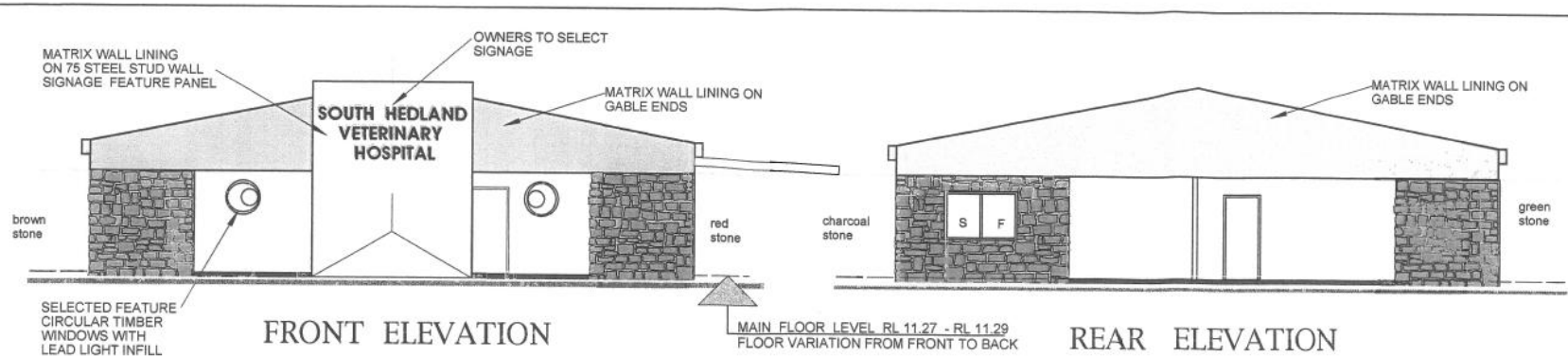
- 1. You are reminded this is a Planning Approval only and does not obviate the responsibility of the owner / developer to comply with all relevant building, health and engineering requirements;**
- 2. In the absence of a clear definition of "mature trees and shrubs" within the Port Hedland Town Planning Scheme, No.5, for the purpose of this approval "mature trees and shrubs" shall mean trees of no less than 2m in height and shrubs of no less than 0.5m in height;**
- 3. Waste receptacles shall be stored in a suitable enclosure, provided to the specifications of Council's Health Local Laws 1999;**
- 4. The development shall comply with the Environmental Protection (Noise) Regulations 1997, at all times;**
- 5. Applicant shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval;**
- 6. To clear any conditions kindly contact the Towns Compliance Officer on (08) 9158 9300. Please note it may take up to 28 days to clear conditions.**

CARRIED 6/0









Larry Boston Design
 PHONE (08) 98 415618
 35 FESTING STREET. design@omninet.net.au
 ALBANY, 6330 WESTERN AUSTRALIA

REVISED
 DRAWN L L B
 DATE 19 JULY '12

PROPOSED ADDITIONS & RENOVATIONS
 TO SOUTH HEDLAND VETERINARY HOSPITAL
 14 HEDDITCH ST, SOUTH HEDLAND

ALL ELEVATIONS

SHEET 2 OF 15

11.1.14 Re-affirm Previous Decision to Formally Adopt Scheme Amendment No.43 (File No.: 401780G)

Officer	Michael Pound Senior Planning Officer
Date of Report	16 October 2012
Application Number	2011/250
Disclosure of Interest by Officer	Nil

Summary

Council received a request from the West Australian Department of Planning (DoP) to re-advertise Scheme Amendment No. 43 (Amendment 43) to affected/ adjoining landowners for a period of 42 days.

A total of three (3) submissions were received during the advertising period and one (1) submission was received after the closure of the advertising period.

This report is before Council to consider the submissions received (during and after the advertising period) and to ascertain if Council would like to reaffirm its previous decision or to abandon the scheme amendment.

Council Officers support the previous decision of Council to formally adopt Amendment 43.

Background

At the Ordinary Council Meeting of 14 December 2011, the proposed scheme amendment was presented to Council for final adoption:

“Council resolved (14 December 2012, Council Decision 201112/258, page 150) the following:

1. Adopts Scheme Amendment 43, to the Town of Port Hedland Town Planning Scheme No. 5, with the following modifications:

- Inclusion of Lot 372 (69) Anderson Street, Port Hedland into Appendix 12;

- “Child Care Services” and “Ancillary Accommodation” becoming Non-Permitted “~“ land uses in the zoning table.

- *The inclusion of short-stay accommodation, with a minimum ceiling height of 3 metres, at ground level that can be readily transformed to retail and commercial development as required. This type of development is to be included as a "SA" use in the zoning table.*

2. Authorises the Mayor and Chief Executive Officer to execute three (3) copies of the amendment documents in accordance with the Town Planning Regulations 1967 (as amended), including the fixing of the Council's seal in the event that the Minister for Planning approves the Amendment

3. Forwards all required documentation to the Western Australia Planning Commission for Ministerial Consent in accordance with the Town Planning Regulations 1967 (as amended)

4. Advise the applicant of Council's decision".

Item's 1 – 4 above, have been actioned accordingly.

The DoP requested the Town readvertise Amendment 43 to adjoining/affected landowners amid concerns the initial consultation process was not undertaken in accordance with the Town Planning Regulations 1967.

Consultation

In accordance with the Town Planning Regulations 1967, Amendment 43 was advertised to in the North West Telegraph from 12 October 2011 – 23 November 2011 and letters were sent to affected/adjoining landowners requesting comments from 27 August 2012 – 8 October 2012 in accordance with the request from the DoP.

As a result of the above advertising, three (3) submissions were received during the advertising period and one (1) after the submission period had closed.

During the 42 day Period:

- Whelans;
- MakJap; and
- RPS

After the 42 day Period:

- BHPBIO

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

Objection	Planning Response
<p>Whelans - The provision regarding the restriction of residential uses on the ground floor be amended to allow residential uses on the ground floor albeit that it doesn't front any street; and</p> <p>The permissibility of "Grouped Dwelling" to be designated as an "AA" use.</p>	<p>Council adopted Amendment 43 at the 14 December 2012 OCM with modifications which allowed for short stay residential uses to be located on the ground floor. As such, Whelan's request for residential uses on the ground floor has been considered favourably. Grouped Dwellings are not considered to be permissible within the Mixed Business zone and shall remain within the Residential zones.</p>
<p>BHPBIO - not aware of any consultation or communication regarding Amendment 43;</p> <p>Clause 9.7.3 of TPS5 – requires Council to invite comment from those owners before initiating such an amendment;</p> <p>Clause 9.7.4 of TPS5</p>	<p>Amendment 43 was advertised in the North West Telegraph from 12 October 2011 – 23 November 2011 and letters were sent to affected/adjoining landowners requesting comments from 27 August 2012 – 8 October 2012.</p> <p>Clause 9.7.3 of TPS5 relates only to scheme amendments proposing to change the zoning or reservation of land. Amendment 43 proposes changes to the Scheme Text and not</p>

<p>– requires Council only to proceed with an amendment, where it is satisfied that the amendment would be consistent where objectives of TPS5 and would not be contrary to the public interest;</p> <p>Section 83 of the Planning and Development Act 2005 (WA) (PnD Act 2005) requires local governments to make reasonable endeavours to consult with persons likely to be affected by the scheme amendment before submitting the amendment to the Minister for approval;</p>	<p>the zoning. It is therefore considered this clause is not relevant and the Town has fulfilled clause 9.7.4 and Section 83 of the P and D Act 2005. The Town has previously never undertaken advertising to affected landowners prior to initiating a Scheme Amendment. Furthermore, the process for the preparation and adoption of a Scheme Amendment is in accordance with the Town Planning Regulations 1967.</p>
<p>Noise and Dust Management Taskforce – identified a need for planning constraints in the West End;</p> <p>EPA – better land zoning is required to manage the long term dust problem;</p> <p>State Planning Policy No. 4.1 ‘State Industrial Buffer Policy’ – proposed amendment is inconsistent with this policy;</p> <p>The Town is unable to enforce time limits on ‘short stay’ residential uses;</p> <p>Original intent of ‘Mixed Business’ Zone was to ensure an appropriate buffer</p>	<p>Amendment 43 was referred to the EPA and the advice received is in accordance with the Dust Taskforce requirements and the recently gazetted Scheme Amendment No. 22. Furthermore, Amendment 43 remains consistent with State Planning Policy 4.1 and the Pilbara Port City Growth Plan.</p> <p>As the Town grows towards a City, “Mixed Business” areas located within close proximity to the Town Centre are likely to experience pressure to increase development potential and respond to broader market pressures.</p> <p>Acknowledging this is a natural growth phenomenon of any growing Town, consideration must be given to the extent of land uses permissible in such areas.</p> <p>The intent of a “Mixed Business” zone is to provide landowners with a broad range of development opportunities which are suitable to the area. As</p>

<p>interface between industrial and residential land uses;</p> <p>Incompatibility and separation of land uses;</p> <p>Proposed amendment will intensify sensitive land uses; and</p> <p>Conflicts with Pilbara Port City Growth Plan.</p>	<p>such, Amendment 43 is designed to allow for a more extensive range of residential uses to be developed in conjunction with commercial uses. Consideration of the dust issues within the West End is noted and measures to restrict permanent residential uses have been put in place.</p> <p>Development applications proposing short stay residential uses can be monitored via a condition on the planning approval relating to a management plan.</p> <p>It is considered the provisions included in Amendment 43 are warranted and is recommended to be adopted without any modifications to the 14 December 2012 Council Resolution.</p> <p>It is important to note, Council shall consider whether BHPBIO's submission which was received by the Town once the advertising period had closed is warranted.</p>
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MakJap and RPS provided in principle support for the proposed Scheme Amendment.

Options

Council has the following options when considering the request:

1. Reaffirm Council Decision *201112/258*

This option is consistent with Council's previous decisions and would allow the Scheme Amendment to be gazetted.

2. Abandon the Scheme Amendment

This option should be utilised if Council is of the opinion that residential development is not appropriate within a Mixed Business zone.

Option 1 is recommended.

201213/143 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Jacob

That Council:

- 1. Reaffirms its decision 201112/258, as stated from page 150 of the Confirmed Minutes of the Ordinary Council Meeting held on 14 December 2011.**
- 2. Requests the Manager Planning Services to advise the Department of Planning of its decision accordingly.**

CARRIED 6/0

11.2 Engineering Services**11.2.1 *Request to prepare Licence between the Town of Port Hedland and Pilbara Cargo Terminal to establish Freight Operations at Port Hedland International Airport (File No.: 05/05/0094)***

Officer Anna Duffield
Airport Development Officer

Date of Report 10 October 2012

Disclosure of Interest by Officer Nil

Summary

This agenda item seeks Council's approval to enter into a licence agreement with Pilbara Cargo Terminal to establish international freight operations within the current airport maintenance depot. This is prior to a new freight facility being constructed as part of the airport precinct's overall redevelopment. The establishment of freight operations would be subject to Australian Customs and Border Protection Service approval.

This paper also seeks to revoke Council Decision 201112/261 to relocate Town of Port Hedland (TOPH) staff to the Airservices Australia Mechanical Workshop building. This is due to advice from a structural engineer that the refurbishment of the workshop would be cost prohibitive.

Background

As part of the Port Hedland International Airport's (PHIA) redevelopment and expansion, it is proposed that an international freight depot is established. This will increase business revenue, facilitate international shipments directly to the North West and expand the region's freight operations

The Town of Port Hedland has been exploring future development opportunities for the airport in accordance with the Town's Strategic Plan. The Airport Manager has been approached by three freight companies to establish a freight depot to better service Port Hedland and more importantly the North West of Australia.

Presently international freight is processed in Perth or other capital cities before being transported to Port Hedland by air or road. This adds additional costs for businesses. Given Port Hedland's close proximity to international ports, current operations could be greatly improved by establishing an international freight depot in Port Hedland.

At its Ordinary Council Meeting held 21 September 2011, Council resolved the following:

“That Council advertise a Request for Proposal for a Customs Act section 77G licensed freight depot nationally for a period of 4 weeks, to be located at the premises described as the Airport Maintenance Depot at the Port Hedland International Airport...”

The Council decision, noted above, was reliant on the relocation of the airport operations team and workshop facilities out of the airport maintenance depot and into the building commonly known as the old Airservices mechanical workshop which would have enabled the airport maintenance depot to be developed into a freight hub.

At its Ordinary Council Meeting held 14 December 2011, Council resolved the following (decision 201112/261):

- “1. Agree to the relocation of Airport Operations, IT staff and IT equipment from the current airport operations building adjacent to the terminal, to the property commonly known as the Airservices Australia Mechanical Workshop building, Lot 2444, Port Hedland International Airport, Great Northern highway; and*
- 2. Authorise the Chief Executive Officer or his delegate to prepare Design and Construct Tender documentation for the design, refurbishment and fit out for the property commonly known as the Airservices Australia Mechanical building, on Lot 2444, Port Hedland International Airport, Great Northern Highway; Advertise the tender document for a period of 8 weeks; and*
- 3. Report back to Council detailing any respondents’ submissions.”*

This project has been reviewed following advice from structural engineers Robin Salter Associates that the refurbishment of the workshop would be cost prohibitive. Subsequently a new item has been included in the Town’s 2012/13 budget to build a new operations facility. Once constructed this facility will accommodate Airport Operations, IT staff and IT equipment in lieu of the original decision to retain critical airport staff and equipment in the same location.

As an interim measure to enable the expansion of freight operations at the PHIA, it is proposed that a space of 35 square metres within the current airport maintenance depot be available for licence to Pilbara Cargo Terminal. This action, if agreed by Council, will ensure the development of freight operations in Port Hedland at a crucial time of development.

It is therefore recommended that Council revoke decision 201112/261.

Consultation

External

- Australian Customs and Border Protection Service
- Australian Quarantine and Inspection Service
- Toll Priority – Perth
- Kitson Group – Perth and Karratha
- Pilbara Cargo Terminal Pty Ltd – Perth

Internal

- Manager Airport Operations
- Manager ICT Operation
- Manager Investment and Business Development
- Director Engineering Services

Statutory Implications

Local Government Act 1995(WA)

“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; and

(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; and

- (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
- (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
 - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
 - (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.] “

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.*

Customs Act 1901 (Cth)

Section 31 - Goods on ships and aircraft subject to Customs control

All goods on board any ship or aircraft from a place outside Australia shall also be subject to the control of the Customs whilst the ship or aircraft is within the limits of any port or airport in Australia.

Section 77G - Depot licences

Subject to this Part, the CEO may, on an application made by person or partnership in accordance with section 77H, grant the person or partnership a licence in writing, to be known as a depot licence, to use a place described in the licence for any one or more of the following purposes:

the holding of imported goods that are subject to the control of the Customs under section 30;

the unpacking of goods referred to in paragraph (a) from receptacles;

the holding of goods for export that are subject to the control of the Customs under section 30;

the packing of goods referred to in paragraph (c) into receptacles;

the examination of goods referred to in paragraph (a) or (c) by

officers of Customs.

A depot licence may be granted:

in relation to all the purposes referred to in subsection (1) or only to a particular purpose or purposes referred to in subsection (1) as specified in the licence; and

in relation to goods generally or to goods of a specified class or classes as specified in the licence.

Policy Implications

Nil

Strategic Planning Implications

6.2 Economic

6.2.1 Diverse Economy

Create local employment and investment and diversify the economy

6.2 Economic

6.2.12 Gateway City & an attractive destination

Develop the Port Hedland International Airport as a leading regional airport in the area of passenger and freight movements and customer satisfaction

Budget Implications

On 8 October 2012 the Town obtained a market valuation for the airport operations workshop. The valuation indicated a rental value of \$365.72 per square metre per annum.

Based on an allocated space of 35 square metres, the annual rental will be \$12,800 exclusive of GST.

It is anticipated that Pilbara Cargo Terminal would process at least two flights per week. Based on landing fees of \$1,483 for a 737/400 it is anticipated that this would provide annual revenue of \$154,232. This could increase with the introduction of larger aircraft such as an Antonov 124-100 which would incur a landing fee of \$8,546.

It is proposed that an interim licence for two years (plus one year extension) is entered into, pending the construction of a specific freight facility as part of the airport's redevelopment.

Electricity and water services would be charged in addition to the licence fee.

Officer's Comment

Premises

The premises are the airport maintenance depot which comprises of the following areas:

- Workshop (comprising of workshop, office and storage) 240m²
- Crib room and ablution 58m²
- Open ended 3 bay shed 96m²

Total building area 394m²

Remaining land 3800m²

Section 77G licence

International airfreight is required to be processed by a cargo terminal operator which holds a 'section 77G licence'.

Whilst Port Hedland is an international airport, it does not hold the required licence to obtain Australian Customs and Border Protection Service and Australia Quarantine and Inspection Service clearance on freight. Consequently international freight cannot be processed in Port Hedland. This is a lost business opportunity for the Town.

The section 77G licence would be obtained by the cargo terminal operator, rather than the Town of Port Hedland.

Benefits of an international freight depot

The establishment of a freight depot in Port Hedland will increase business revenue, facilitate international shipments directly to the North West and expand the region's freight operations. Specifically, it will:

- Provide additional revenue stream from landing charges for international cargo flights. For example the landing fee for a 737/400 is \$1,483 and a Antonov 124-100 is \$8,546
- Diversify the economy, providing additional opportunities to the resources sector
- Create local employment opportunities and increase population
- Provide a port for large quantities of resources related freight, such as parts and machinery, to be flown direct from international providers
- Reduce costs for companies importing freight – they will only be required to pay landing fees once (as opposed to multiple landing fees or being transported by road)
- Reduce flight time and associated costs
- Facilitate other potential operators and grow the depot into an international freight hub for North West Australia

Proposed cargo terminal operator/licensee

It is proposed that Pilbara Cargo Terminal Pty Ltd are issued with a licence for a small space (35m²) within the airport maintenance depot at PHIA. A licence would allow non-exclusive and temporary access to the space, allowing the agreement to be revisited once the new freight building is constructed.

In the previous item that Council considered at the Ordinary Council Meeting on 14 December 2011, it was noted that the Airport Manager had also been approached by Toll Priority and Kitson Group to establish freight operations at PHIA. On consultation with both companies it was advised that::

- Toll Priority are currently liaising with Golden Eagle Airlines to conduct freight operations out of their hangar on the Southern Apron through a sub-lease or licencing arrangement. It is anticipated that both Toll Priority and Golden Eagle Airlines companies will migrate into the new freight facility.
- Kitson Group have advised that a limitation of a 35 square metre space would not be sufficient to support their operational plans for Port Hedland. They are aware of the imminent subdivision plans for transport and freight lots currently in development at the PHIA. It is anticipated that they will seek to acquire land available in this area on release of a request for proposal for the occupation of these lots.

Pilbara Cargo Terminal Pty Ltd approached the Town of Port Hedland to establish a facility at the airport. They have been deemed suitable to hold a licence for the space based on:

- Eligibility to obtain a section 77G licence
- Ability to bring the premises up to a standard acceptable by customs for the issuing of the licence, if necessary
- Demonstrated that their operations will not interfere with scheduled RPT operations
- Ability to enter into a licence agreement, hold an Australian Business Number and be registered for GST
- Demonstrated skills and knowledge of the international freight charter system
- Demonstrated existing relationships and/or connections with international freight operators

It is anticipated that Pilbara Cargo Terminal Pty Ltd would facilitate at least two flights per week with flights increasing as the business develops.

Should Council agree to dispose of portion of the Port Hedland International Airport Depot to Pilbara Cargo Terminal Pty Ltd by way of a licence agreement, the disposal would be advertised Statewide for public comment for a requisite period of two weeks in accordance with Section 3.58 (3) of the *Local Government Act 1995*.

Should no adverse submissions be received within the requisite advertising period, a licence agreement will be offered to Pilbara Cargo Terminal Pty Ltd, under the following terms:

- Floor space of 35m²;
- Licence term of two years with a one year extension option;
- Annual base rental of \$12,800 exclusive of GST;
- Annual increase to the base rental by the Consumer Price Index, Perth as published by the Australian Bureau of Statistics;
- Electricity and water services charged in addition to the licence fee
- An increase to the rental by way of a market valuation, should the option be exercised after the second year
- An application to be made to Customs for the section 77G licence within 14 days of execution of the licence.

(Note: The respondent can only make the application for the section 77G licence after the licence agreement is executed because they need to evidence tenure and the premises need to be inspected and approved as suitable by Customs)

Revocation of previous decision 201112/261

The project to refurbish the old Airservices mechanical workshop and relocate airport maintenance staff to the building has been reviewed following advice that it would be cost prohibitive.

Therefore it is recommended that Council revoke its decision (201112/261) to relocate staff and design, refurbish and fit out the property.

Attachments

Nil

201213/144 Officer's Recommendation 1/Council Decision

NOTE: Mayor called for a show of hands in favour (1/3 of members) to consider the revoking of Resolution 201112/261 of Agenda Item 11.2.1 "Airservices Australia Mechanical Workshop Building at Port Hedland International Airport (File No.: 05/05/0035)", presented to Council's Ordinary Meeting of 14 December 2011, and recorded on page 171 and 172 of those Minutes:

The following Councillors indicated their intent to do so:

*Councillor Carter,
Councillor Jacob,
Councillor Hooper.*

Moved: Cr Carter

Seconded: Cr Jacob

That Council revoke Resolution 201112/261 of Agenda Item 11.2.1 "Airservices Australia Mechanical Workshop Building at Port Hedland International Airport (File No.: 05/05/0035)", presented to Council's Ordinary Meeting of 14 December 2011, and recorded on page 171 and 172 of those Minutes, that states:

"That Council:

- 1. Agree to the relocation of Airport Operations, IT staff and IT equipment from the current airport operations building adjacent to the terminal, to the property commonly known as the Airservices Australia Mechanical Workshop building, Lot 2444, Port Hedland International Airport, Great Northern highway; and*
- 2. Authorise the Chief Executive Officer or his delegate to prepare Design and Construct Tender documentation for the design, refurbishment and fit out for the property commonly known as the Airservices Australia Mechanical building, on Lot 2444, Port Hedland International Airport, Great Northern Highway; and*
- 3. Advertise the tender document for a period of 8 weeks; and*
- 4. Report back to Council detailing any respondents submissions."*

CARRIED BY ABSOLUTE MAJORITY 6/0

201213/145 Officer's Recommendation 2/Council Decision

Moved: Cr Daccache

Seconded: Cr Jacob

That Council agree to dispose of portion of the Port Hedland International Airport Depot to Pilbara Cargo Terminal Pty Ltd by way of a licence agreement in accordance with Section 3.58 (3) of the *Local Government Act 1995* on the following terms and conditions;

- a. Floor space of 35m²;
- b. Licence term of two years with a one year extension option;
- c. Annual base rental of \$12,800 exclusive of GST;
- d. Annual increase to the base rental by the Consumer Price Index, Perth as published by the Australian Bureau of Statistics;
- e. Electricity and water services charged in addition to the licence fee;

- f. An increase to the rental by way of a market valuation, should the option be exercised after the second year;**
- g. An application to be made to Customs for the section 77G licence within 14 days of execution of the licence.**

subject to any adverse submissions being received within the requisite advertising period.

CARRIED 6/0

11.3 Community Development**11.3.1 *Schedule of Fees and Charges – Proposed Adoption of Additional Items (File Number 26/014/0006)*****Officer****Lorna Secrett
Manager Community
Development****Graeme Hall
Manager Recreation Services
and Facilities****Date of Report****10 October 2012****Disclosure of Interest by Officer****Nil****Summary**

This report seeks Council endorsement for suggested amendments to the Fees and Charges Schedule adopted as part of the 2012/2013 budget. The changes proposed within this report are a combination of new and amended fees.

The amendments requested to the fees and charges schedule have arisen since the 2012/13 annual budget was adopted.

Background

This report was originally presented to Council on 26 September 2012. The item was laid on the table pending further clarification regarding the calculation of the fees and charges. This additional information is provided in Table 1 in the final column (comment / explanation).

The amendments to the fees and charges outlined in this report respond to:

- Requests made by the YMCA
- Correspondence received from the Hedland Swimming Club
- Operational changes within the Town's Community Development Directorate.

The amendments are considered minor and believed to be of benefit to the community. The motivations for seeking Council approval to amend the fees and charges schedule are:

- The South Hedland Town Centre is a new community amenity that is now available for use by community groups and commercial organisations. The South Hedland Town Square is located directly adjacent to the South Hedland Shopping Centre. It comprises of an outdoor stage, and grassed open space area.
- The hire fees for the Town Centre will help cover the operational costs, power usage and ongoing maintenance costs of the stage. It is proposed that commercial and community groups are charged a hire fee to utilise this facility. The need for these fees has only been identified since the community has begun using the facility.
- Correspondence from the YMCA has sought amendments to the fees and charges. The changes requested seek to better reflect the programs and services they will deliver at the three leisure facilities.
- Correspondence from the Hedland Amateur Swimming Club sought a review of the cost of pool entry. The amended fees and charges address, in part, the Club's requirements.
- The JD Hardie Youth Zone and programs are evolving as the Centre transitions from a recreation to a youth facility. The changes to the fees and charges are required in order to reflect how the Centre is operating.
- In order to maximise the use of new specialist equipment, and provide a larger array of configuration options for the community and commercial operators, The Matt Dann Cultural Centre wish to add/modify some fees and charges. These changes will better reflect the operation of the Centre and align charges closer with other Performing Arts Centre's in the Western Australian Region.

The new fees and charges requested were either not identified during the budget process, or they are new program initiatives that have been identified for implementation since the budget was established.

In addition there are some fees that have been revised in order to meet the needs of the community (for example, the reduction of the court hire fee at Wanangkura Stadium to make it more affordable, and the exempting of parents/guardians of swimming club members to pay a spectator fee).

Consultation

Internal

- Director Community Development
- Manager Community Development
- Manager Recreation Services and Facilities
- Community Development Officer
- Recreation Coordinator

- Operations Coordinator Matt Dann Cultural Centre
- Coordinator Community and Cultural Development.

External

- YMCA Area Manager- Port Hedland
- Manager Wanangkura Stadium.

Statutory Implications

Section 6.16 of the Local Government Act 1995 states:

*“6.16. Imposition of fee’s and charges
A fee or charge may be imposed for the following –*

providing the use of, or allowing administration to, any property or facility wholly or partially owned, controlled, managed or maintained by the local government;

receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorization or certificate.

6.19. Local Government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of–

*its intention to do so; and
the date from which the fees or charges will be imposed.”*

Policy Implications

Policy 6/011 ‘Recreation Reserves and Facilities – Casual Hire and Events’. This policy was developed in order to provide guidance to groups hiring Council Reserves.

Strategic Planning Implications

6.1	Community
6.1.2	Vibrant

Provide access to recreational, cultural, entertainment facilities and opportunities.

Budget Implications

Table 1 below outlines the additions and amendments to the fees and charges schedule previously adopted by the Council.

Table1 - Proposed Amendments to the Fees and Charges

Fees	Current	Proposed / Amended 12/13 (inc GST)	Comment / Explanation
South Hedland Town Centre			
Town Centre Only–Not for Profit Community Groups (limited power, stage not included)			
-half day (max 4 hours)	new fee	\$50.00	New facility – hire charges calculated to offset administration and servicing costs including power, maintenance, etc.
-full day (max 8 hours)	new fee	\$100.00	
Town Centre Full Access -Not for Profit Community Group (includes power, stage and open space)			
-half day (max 4 hours)	new fee	\$200.00	New facility – hire charges calculated to offset administration and servicing costs including power, maintenance, etc.
-full day (max 8 hours)	new fee	\$400.00	
Town Centre Full Access - Commercial (includes power, stage and open space)			
-half day (max 4 hours)	new fee	\$350.00	New facility – hire charges calculated to offset administration and servicing costs including power, maintenance, etc.
-full day (max 8 hours)	new fee	\$700.00	

Wanangkura Stadium –Sports Hire and Programs			
Badminton court hire (per hour)	new fee	\$16.00	Badminton set up requires ¼ full stadium court plus equipment set up. Community half court @\$30 as below, additional \$1 for set up and net maintenance
Community - full court hire	\$90.00	\$60.00	To encourage community members to book the courts to maximize usage
Community- half court hire	new fee	\$30.00	To encourage community members to book the courts to maximize usage
Badminton/Squash racquet hire	new fee	\$10.00	Covers the cost of replacement / repair
Casual court usage	new fee	\$3.00	In line with other like facilities. Encourages groups to book the court
Ball hire (basketball, soccer, netball)	new fee	\$2.00	Covers the cost of replacement / repair
Upfront Payment Discount-Sporting Teams	new fee	10%	Encourages upfront payment. Reduces requirements to chase up teams for weekly payments.
Forfeit fine (greater than 24 hours notice)	new fee	One game fee	More than 24 hours gives the Stadium staff time to change fixtures to maximize team participation
Forfeit fine (less than 24 hours notice)	new fee	Two game fee	Less than 24 hours notice means the game will need to be cancelled, costing the Stadium two lots of game fees
Wanangkura Stadium - Memberships			
Replacement membership card	new fee	\$10.00	Each card is purchased at rate \$5.50. This covers replacement cost
Non member locker hire	new fee	\$3.00	Is a membership benefit. Encourages non-members to purchase a membership

Replacement duress necklace	new fee	\$100.00	Direct cost of replacement necklace
Gecko membership-joining fee (ages 5-13)	new fee	\$29.00	Membership fees set by and paid to Gecko (profit share to Stadium)
Gecko membership-direct debit (ages 5-13) per fortnight	new fee	\$27.90	Membership fees set by and paid to Gecko (profit share to Stadium)
TeenFit membership-joining fee (ages 14-16)	new fee	\$29.00	In line with Gecko joining fee
TeenFit membership-direct debit (ages 14-16) per fortnight	new fee	\$36.00	Cheaper than adult membership and cost reflective of use only during supervised hours. Encourages physical activity in 14-16 age groups.
Wanangkura Stadium - Facility Hire			
Internet access (per hour)	new fee	\$5.00	Covers Stadium costs. Like facilities have similar fee e.g. Aqua Jetty, Beatty Park Aquatic Centre and Challenge Stadium
Telephone access (per hour)	new fee	\$5.00	Covers Stadium costs. Like facilities have similar fee e.g. Aqua Jetty, Beatty Park Aquatic Centre and Challenge Stadium
Carpet laying for stadium floor	\$400.00	\$600.00	Accurately reflects the staff time to lay the carpet (3 staff for 4 hours at \$50 per hour). There is an option for hirers to lay the carpet themselves to decrease costs.
Carpet cleaning (post event)	new fee	\$200.00	As per quotes from cleaning company contracted to Stadium
Whole of Facility Hire (Major events) per 24 hour period. Limited to two per year, ToPH	new fee	\$3,200.00	Creates a single fee on basis of daily hire costs for each room of the facility: Stadium: \$1200; Jimblebar: \$900; Yandie

approval required			\$300; Yarri \$300; Sports Club Room \$300; (+ staffing \$200)
Aquatic Centres			
Dive Pool area – Gratwick (per hour)	new fee	\$35.00	Benchmarked with like facilities e.g. Beatty Park Aquatic Centre and Challenge Stadium. Cost of lane hire is \$15 and the size is the equivalent to three lanes
Dive Pool area – South Hedland Aquatic Centre (per hour)	new fee	\$35.00	Benchmarked with like facilities e.g. Beatty Park Aquatic Centre and Challenge Stadium. Cost of lane hire is \$15 and the size is the equivalent to three lanes
Water Polo Pool use- South Hedland Aquatic Centre (per hour)	new fee	\$135.00	Benchmarked with like facilities in Perth and based upon lane hire and dive bowl hire (8 lanes + dive bowl)
Entry Fee for swim club spectators	\$1.80	Nil	Equivalent to parents taking children to swim lessons. No spectator fees are charged for parent/guardians taking their children to aquatic programs
Single Entry for swim club members (swim club bookings only)	\$4.00	\$2.50	Reduced rate due to the swim club paying for lane hire.
JD Hardie Youth Zone			
Staffing costs after hours (per hour)			
-Program Officers (per hour)	new fee	\$70.00	Cost recovery based on O/T rates for after hours work (hourly rates at \$69.64 and \$54.39 respectively)
-Program Assistants (per hour)	new fee	\$55.00	

Matt Dann Cultural Centre			
Lighting Packages – Moving Lights Package	\$50.00	\$500.00	Current rate was previously incorrect and should have read \$500.00
Nexo GEO FOH Package (Matt Dann Cultural Centre Technical Assistant Required)			Prices have been set to industry standard and correlate with new items 'Standard In-House PA Rig' and 'Additional Monitors Per Pair'.
Choice of Console 2 x Nexo GEOS1210 2 x Nexo GEOS1230 2 x RCF Subs Amplifiers to suit Microphones as required Outboard/Processors as required			
-Commercial	new fee	\$2,000.00	
-Community	new fee	\$1,500.00	
Unique Hazer			Operating costs for supplying the fog fluid and maintenance to the hazer is more than \$85 – cost has been aligned with Perth Lighting Companies
-Commercial	\$140.00	\$140.00	
-Community	\$85.00	\$120.00	
Standard In House PA Rig (Matt Dann Cultural Centre Technical Assistant Required)			This costing has been added as an in venue cost as there is no disassembly or reassembly, minimum cleaning cost and no transport costs involved. This has been broken down into two sections to suit hirer's better (Paired with 'additional monitors per pair')
Choice of Console 2 x Nexo GEOS1210 2 x Nexo GEOS1230 2 x RCF Subs Amplifiers to suit Microphones as required	new fee	\$500.00	

Outboard/Processors as required			
<p>Additional Monitors Per Pair (Must have House PA Rig already) (Matt Dann Cultural Centre Technical Assistant Required)</p> <p>2 x QM12MP or 1 x QM15 Drumfill Amps and cabling to suit Outboard/Processors as required</p>	new fee	\$100.00	SEE ABOVE ITEM – ITEM IS LINKED. (Hirer can add as many sets of monitors to the In House PA Rig depending on amount of performers.)
<p>Cable Track per piece</p> <p>-Community -Commercial</p>	<p>new fee new fee</p>	<p>\$10.00 \$15.00</p>	New piece of safety equipment recently purchased – cable covers for cables to ensure they're not a trip hazard. Cost is only for external hires.

Officer's Comment

The amendments to the Fees and Charges Schedule are essential in order to reflect some changes to the facilities and services being provided by Council. The changes as presented in Table 1 are either new fees or amendments to existing fees. The new fees are proposed in order to enable Council to charge for the services it provides. The amended fees are changes which were required in order to provide better outcomes for the community.

In response to the Council's request for more information, the costs presented have been determined by providing a collation of information, including:

- Hours to complete tasks
- Costs of staffing
- Costs of providing services from a materials perspective
- Costs of like services

This information has been developed in a manner that will provide Council with a detailed idea as to how these costs have been calculated.

An outline of some of the amended fees is provided below. It is clear from the comments provided that the clear intent of the proposed changes is to offer better outcomes for both Council and the community:

- **Community Court Hire** - An adjustment to encourage groups to book the facility. The original fee is considered too high and would be a deterrent to user groups.
- **Carpet Laying** – The amended fee reflects the actual cost incurred to complete this task (a reduced fee option is to be offered to groups prepared to undertake this task themselves).
- **Phone and Internet Charges** - The large amount of interest in booking the facility for business purposes has identified a possible cost implication regarding the volume of phone and internet usage.
- **Whole of Facility Bookings** - The suitability of the facility for major events (concerts, trade shows and sporting events) has identified a need for an appropriate fee. A policy will be required regarding the number of events to be allowed.
- **Swimming Club Entry**- Swimming club members who choose not to have an aquatic centre membership will be offered a single entry fee (\$2.50). This fee is only applicable during swimming club bookings. The fee is in recognition of the high level of usage by swimming club members.
- **Swimming Club Spectators** - The imposing of a fee for parents/guardians of swimming club members was considered unreasonable. The spectator fee for club members is reduced from \$1.80 to nil.

- **JD Hardie Centre, Out of Hours Staffing** - The Centre is receiving a large number of requests for Sunday bookings for youth/family related activities. A fee is required so that staffing costs can be on-charged.

It should be noted that the YMCA did request to insert a member and non-member fee for the Crèche. The fee was \$6.00 for non-members and \$5.00 for members. This was not recommended by Officers on the basis that it is believed that the crèche is an important service that should be offered equitably to all users of Wanangkura Stadium.

The amendments as requested seek to ensure that there is a good outcome for all users of the Town's recreation and community facilities.

Attachments

1. Attachment 1 - Letter from the YMCA requesting changes to the fees and charges schedule
2. Attachment 2 - Letter from Port Hedland Swimming Club

201213/146 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Jacob

That Council:

1. **Endorse the amendments to 2012/2013 Schedule of Fees and Charges as outlined in the Table 1 above;**
2. **Endorse the advertising of the new fees and charges as per Local Government Act requirements on the 31 October 2012, with the date of commencement of the new Fees and Charges on the 9 November 2012.**

CARRIED 6/0

ATTACHMENT 1 TO ITEM 11.3.1



Our Ref:

YMCA Area Manager Port Hedland
Mr Daniel Murphy
Tel: (08) 9140 0400
Email: daniel.murphy@ymca.org.au

10 September 2012

Mr Graeme Hall
Manager, Recreation Services and facilities
Town of Port Hedland
PO Box 41
South Hedland WA 6722

Dear Graeme

RE: Town of Port Hedland Recreation and Aquatic Centres Fees and Charges for 2012/2013 Financial year- Request for additions

Thank you for meeting to discuss additions to the 2012/2013 fees and charges for the Town of Port Hedland Recreation and Aquatic Centres.

Please find attached to this correspondence a list of additional fees and charges the YMCA are requesting be added to the existing fee structure for the Town of Port Hedland Recreation and Aquatic Centres for the 2012/2013 financial year.

Should you require any further information regarding this matter don't hesitate to contact me on 0459 988 320.

Yours sincerely

DANIEL MURPHY
Leisure Facilities Area Manager
YMCA, Port Hedland

PORT HEDLAND LEISURE FACILITIES www.porthedlandleisure.com.au

GRATWICK AQUATIC CENTRE	McGregor Street, Port Hedland	(08) 9173 3303
SOUTH HEDLAND AQUATIC CENTRE	1 Leake Street, South Hedland	(08) 9140 1003
WANANGKURA STADIUM	Hamilton Road, South Hedland	(08) 9140 0400



Hedland Amateur Swimming Club Inc.

PO Box 351 Port Hedland, WA 6721



ABN 198 77076 473

Dear Councillors

The Hedland Amateur Swimming Club is a not for profit sporting club which operates for 20 weeks of the year with an extended season of ~26 weeks for kids opting to compete in the short course championships in Broome in October. The club is hoping to extend this season when the SHAC opens with its heated pool which will even give kids the opportunity to keep swimming all year if they wish to. Currently the club trains on all 5 days during the weekdays with 'club days' on Saturdays where the kids will do time trials to measure their ongoing improvement.

The membership of the club is primarily children from the ages of 8-16 years and as is always the case with junior sporting clubs, it is the parents of the children that make up the committee and put in the hours of volunteering to run the club and do significant fund raising through the year to allow the kids to compete in events around the Pilbara and the state. We all do this gladly of course! Unfortunately the club has to cap numbers primarily due to availability of coaches and access to lanes at the pool however ultimately the club would love to grow its membership and offer many more children the opportunity to be part of the swimming club.

Not all kids enjoy or are drawn to traditional ball sports and swimming therefore provides a fantastic alternative (and healthy) sporting option for the kids of our growing city.

I am writing to explain the costs associated with swimming for the club children and would like to appeal to council for assistance and support for the club.

The facts:

Current Pool Entry = \$4 child = \$5 adult = \$1.80 spectator	Aquatic Centre Lane Hire = \$15/hour Club member numbers in 12/13 = 70
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Some relevant context:

- Swimmers are grouped according to ability with 'Tigers' being the lower age groups and/or beginner swimmers moving progressively up to 'White Pointers' who are the stronger and/or older swimmers who are particularly keen on competing.
- The club has historically struggled to find coaching staff and has been forced to offer a nominal hourly payment in order to secure coaching time.
- The following table shows the total costs borne by individual swimmers for a 20 week season. Please note that:
 - many families have more than one child in the swim club. While a small discount is offered for subsequent children from the clubs perspective the pool entry fees remain the same.
 - some children have an extended season which means further costs on top of those shown
 - club days or time trial days are held every second Saturday and none of these fees have been included in these calculations at this point in time
- It should also be noted that for safety reasons a ratio of parents to swim club children must always be maintained so parents bear the additional costs of 'spectator entry' fees of \$1.80 per entry

Swim Groups + Numbers/per group	Days per week of training	Hours training per week	Lane Hire (per week) \$	Coaches Fees (per week)	Season Total (20 wks) \$	\$ p/person cost for lane hire + coaching per season	\$ p/person cost for Swimming WA membership, insurance and Admin charges	Total Club Membership Costs per swimmer	\$ per/person pool entry costs (20 wks)	Total costs per person/child per 20 wk season to do swimming as chosen sport
Tigers (15)	2	2	30	40	1,400	95	150	245	200	\$ 445
Hammers (15)	3	3	45	60	2,100	140	150	290	280	\$ 570
Makos (15)	3	4.5	67.50	90	3,150	210	150	360	280	\$ 640
White Pointers (15)	4	5	90	120	4,200	280	150	430	360	\$ 790
Recreational (10)	4	4	60	0	1,200	102	130	232	320	\$ 552

The Lane Hire charges and pool entry fees are charged to swimming club families by the YMCA as the Aquatic Centre operators for the use of council owned facilities.

Therefore the specific charge per/person for the use of council facilities in this case is as follows:

Swim Groups + Numbers	\$ per/person cost for lane hire per season	\$ per/person pool entry costs (20 wks)	Total costs per person/child per 20 wk season to use council facilities	Per season cost of required supervision by parents (up to ...)
Tigers (15)	40	200	\$ 240	\$ 72
Hammers (15)	60	280	\$ 340	\$ 108
Makos (15)	90	280	\$ 370	\$ 108
White Pointers (15)	120	360	\$ 480	\$ 144
Recreational (10)	120	320	\$ 440	\$ 144

For your interest I have completed a table which shows the overall cost of undertaking certain other junior sports in town.

As you can see, the financial barriers to entry for kids choosing to swim rather than engage in ball sports is significant and the club has seen smaller and smaller numbers of lower income earners being able to afford to join swimming over the years due to the high costs.

Junior Sport	Club	Fees per season per child	Charge for use of council owned facilities per season per child	Cost of required supervision by parents
Cricknet	PH Cricket Club	\$65	0	0
Netball	PH Netball Club	\$60	0	0
Tee Ball	Hedland Teeball Association	\$60	0	0
Football	Hedland Junior Football	\$80	0	0
Baseball	Hedland Baseball	\$70	0	0
Softball	Hedland Softball (no fees charged to encourage more people to compete)	0	0	0

On the grounds of equity for children undertaking sports in Port Hedland, we would therefore like to request the Town of Port Hedland's support for the following in relation to the swimming club:

1. That all pool entry charges for swimming club kids are waived on the basis of equitable access to sporting opportunities where use of council facilities are concerned.

Swim Groups + Numbers	\$ per swimmer pool entry costs (20 wks)	Cost to Council to Waive pool entry fees for 70 club swimmers
Tigers (15)	200	\$ 3,000
Hammers (15)	280	\$ 4,200
Makos (15)	280	\$ 4,200
White Pointers (15)	360	\$ 5,400
Recreational (10)	320	\$ 3,200
TOTAL		\$ 20,000

2. That consideration is given to waiving of pool lane hire charges for the swimming club. Other council owned facilities do not attract a hire charge and the club is aware that council have generously waived rates for clubs that operate as community sporting facilities.

Swim Groups + Numbers/per group	Days per week of training	Hours training per week	Lane Hire (per week) \$	Cost to Council to waive lane hire per 20 wk season
Tigers (15)	2	2	30	\$ 600
Hammers (15)	3	3	45	\$ 900
Makos (15)	3	4.5	67.50	\$ 1,350
White Pointers (15)	4	6	90	\$ 1,800
Recreational (10)	4	4	60	\$ 1,200
TOTAL			\$292.50/wk	\$ 5,850

3. That consideration is given to waiving pool entry fees for parents during swimming training and club days as they are only there to supervise swimming club children at those times.

Swim Groups + Numbers/per group	Days per week of training	Hours training per week	Maximum cost to waive pool entry for parents supervising per season
Tigers (15)	2	2	\$ 72
Hammers (15)	3	3	\$ 108
Makos (15)	3	4.5	\$ 108
White Pointers (15)	4	6	\$ 144
Recreational (10)	4	4	\$ 144
TOTAL			\$ 576

NB – Request 3 is of a lesser priority to the club than 1 and 2 however it would be a fantastic gesture to see this supported as well if council deems this appropriate.

The swim club acknowledges and is grateful for the previous support provided to it by Council and hopes that you will favourably consider this request.

Yours Sincerely



John Vandenhurk
President
Hedland Amateur Swimming Club

28 August 2012



Patrik Mellberg
Vice President
Hedland Amateur Swimming Club

28 August 2012

11.3.2 Outcomes of 2012 North West Festival and Delivery of 2013 North West Festival (File No.: 03/02/0005)

Officer Lorna Secrett
Manager Community
Development

Date of Report 24 October 2012

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide a review of the 2012 North West Festival and to progress planning and delivery for the 2013 event.

Council is requested to endorse payment of management fees and disbursement of revenue surplus for the 2012 North West Festival, and endorse the delivery of the 2013 North West Festival, in accordance with the terms of award of Tender 11/29. Council is also requested to delegate authority to amend the payment mechanism for the 2013 event.

Background

The OCM on 28 March 2012 resolved (201112/390):

“That Council awards Tender 11/29 – High Profile Event in Town of Port Hedland to Sunset Events to deliver the 2012 event (on the basis of Sunset Events’ tender submission), noting the following:

- 1. The 1 + 1 + 1 term of engagement offered in the tender, and that a review of the 2012 event will be undertaken and reported to the Council prior to delivery of subsequent events in 2013 and 2014.*
- 2. That a payment of up to \$250,000 will be provided to Sunset Events as an event management fee. This will be deducted from ticket sales and additional sponsorship received and determined at the end of the event. There is no payment of management fees to Sunset Events until after the event.*
- 3. That if the event records less than \$250,000 in ticket sales and additional sponsorship, then the shortfall will be allocated from the following year’s surplus (if a surplus is achieved). This accrued shortfall will be in addition to the management fee payable in relation to that year. If there is an accrued shortfall at the end of the contract period, whenever that may be, there will be no liability to Town of Port Hedland.*

4. *That Part 2 and 3 of the Officer's Recommendation are subject to a satisfactory review of the 2012 event and subsequent delivery of events in 2013 and 2014, as detailed in Part 1 of the Officer's Recommendation.*

5. *That Sunset Events assumes all financial risk and therefore liability associated with a shortfall of an event in any year.*

6. *That in the event of ticket sales and additional sponsorship being in excess of \$250,000 (and assuming any shortfall in management fees has also been paid) then the surplus profit will be shared by way of 40% to Sunset Events and 60% to Town of Port Hedland.*

7. *That the Town of Port Hedland will auspice the event in all relationships with corporate partners, suppliers and Government agencies and will have full audit rights of the accounts of the event.*

8. *The indicative budget supplied as Confidential Attachment 1.*

9. *That expenditure incurred by Sunset Events will be reimbursed on a monthly basis on receipt of detailed financial statements with audited financial statements being supplied within a timely manner after 30 June of each applicable financial year."*

On 28 March 2012, Sunset Events was appointed as the preferred event manager for the North West Festival (NWF). The Town of Port Hedland entered into a contract appointing Sunset Events as the event manager for the NWF 2012 on 8 May 2012.

The 2012 North West Festival was delivered on 18 August 2012. See Attachments 1 - 4 detailing the outcomes of the event.

Consultation

Nil

Statutory Implications

Attachments 3 and 4 are to be kept confidential pursuant to Section 5.23(2) of the Local Government Act (1995):

"Section 5.23(2)

(e) a matter that if disclosed, would reveal —

(iii) information about the business, professional, commercial or financial affairs of a person,"

Policy Implications

Nil

Strategic Planning Implications

- 6.1 Community
 6.1.2 Vibrant
 Provide access to recreational, cultural, entertainment facilities and opportunities
 Develop a series of well attended community events
- 6.1 Community
 6.1.3 Rich in Culture
 Promote the arts and culture

Budget Implications

At the Ordinary Council Meeting on 22 February 2012, Council resolved (201112/342) to provide \$500,000 towards establishing a high profile music event in accordance with its Strategic Plan 2010-15.

The terms of Tender 11/29 set out the following in relation to Council's continuing support:

"The sponsorship commitment to the event from Council will be considered on an annual basis as part of its budget development process for a further period of 2 years. The annual contribution from Council is proposed to remain constant up to \$500,000. The term of the contract will be 1 + 1 +1 year option by mutual agreement."

Funding for the 2012 event was as follows:

Organisation	Funding / Support
Town of Port Hedland	\$ 500,000
BHP Billiton Iron Ore	\$ 200,000
Atlas Iron	\$ 100,000
Eventscorp	\$ 150,000
Total	\$ 950,000

In addition to the sponsorship provided for the event, Sunset Events sourced a number of additional corporate sponsors in the lead up to the event. Please see Confidential Attachment 4 - Sponsorship Breakdown.

After all expenditure, the event recorded a revenue surplus of approximately \$100,000. It should be noted that an audit will be undertaken in November 2012 to confirm final budget figures. A payment of 60% of revenue surplus will be reimbursed to the Town by Sunset Events, in accordance with Item 6 of Council Resolution 201112/390 (see Confidential Attachment 5 – Final Event Budget).

Funding for the 2013 event has been committed as follows:

Organisation	Funding / Support
Town of Port Hedland	\$ 500,000
BHP Billiton Iron Ore	\$ 200,000
Atlas Iron	\$ 100,000
Eventscorp	\$ 200,000
Total	\$1,000,000

Initial indications are that existing corporate sponsors will recommit and in some cases increase their sponsorship for the 2013 event. Additional sponsors are also being sought.

Payment Mechanism

Item 9 of Council Resolution 201112/390 prescribes the payment arrangement as being:

“That expenditure incurred by Sunset Events will be reimbursed on a monthly basis on receipt of detailed financial statements with audited financial statements being supplied within a timely manner after 30 June of each applicable financial year.”

The experience of 2012 was that this reimbursement timeframe was problematic, and resulted in Sunset Events being required to finance considerable expenditure over long periods of time.

It is recommended that the payment arrangement for the reimbursement of expenses be changed. All remittances from the Town of Port Hedland to Sunset Events will be paid at the start of each month in which an agreed milestone occurs. This will reflect the cash flow profile of the 2012 event. These expense payments can be summarised as a percentage of the overall budget in accordance with the following table:

	Month of event announcement	Announcement + 1 month	Month of event	Total
Percentage	30%	14%	56%	100%
2012 actual spend pattern	\$375,573.00	\$171,531.00	\$712,232.00	\$1,259,336.28

This payment trend is common to most events, where initial costs associated with the launch of the event are borne early (such as marketing, website and artist payments). This is followed by a low period of expenditure for some months, with the majority of costs being incurred in the month of the event.

Applying similar percentages for expenditure to the remittance of funds required to be paid by Town of Port Hedland to Sunset Events, it is proposed that the following payments be agreed and processed by Town of Port Hedland at the beginning of the month for each agreed milestone.

	Month of event announcement	Announcement + 1 month	Month of event	Total
Percentage	30%	15%	55%	100%
2013 proposed spend pattern	\$300,000.00	\$150,000.00	\$550,000.00	\$1,000,000.00

Officer’s Comment

Officers have conducted a review of the 2012 North West Festival and consider that the event satisfied all criteria of Tender 11/29. The following details provide a summary of key elements of the event.

Business Development Model

The aim for the first year of the event was as follows:

2011/12	High profile contemporary Australian line up, held at the Racecourse with community engagement strategy underway, marketing program attracting local and regional audience
---------	--

The first event was held on 18 August 2012, at the Town Oval in Port Hedland.

The line-up featured the Hilltop Hoods, The Cat Empire, The Living End, Regurgitator, Dead Letter Circus, San Cisco and local band competition winners, Bad Influence.

Attendance and Audience

An estimated 3,500 people attended the event, in line with predicted attendance figures. The estimated demographic of ages in the audience was 60% between 18-25 yrs of age and 30% between 30-40 years of age. Approximately 40% of the audience were female. This is a very encouraging broad base of patron demographics, and indicates excellent community engagement with the event.

Around 50% of patrons camped at the venue, indicating that patrons are prepared to travel to attend a high quality event. This bodes well for future growth, although the figures suggest that only around 1,200 people came from around the Port Hedland area. This figure is surprisingly low and probably does not accurately reflect the likelihood that a number of local patrons also camped. It does suggest that there is capacity to increase local attendance at the event.

Financial Outcome

As detailed in the 'Budget Implications' section of this report, the event recorded a pre-audit revenue surplus of approximately \$100,000. This is after payment of the event management fee. This was a very positive result, being higher than the pre-event forecast by Sunset Events of \$4,000. This was due to cost savings achieved across all areas of expenditure through tight financial management.

Based on this assumption, this means that there will be a surplus of approximately \$60,000 for distribution back to the Town of Port Hedland. This figure will be confirmed once an audit of the event has been finalised.

Sponsorship

Sponsorship arrangements were in categories as follows:

Presenting Sponsor	Gold Sponsor	Major Sponsor	Associated Sponsor	Supported By
Town of Port Hedland	Eventscorp	Qantas	North West Telegraph	BOC
BHP Billiton	QSD	WAFM	GWN	Bundaberg
	ESS	Centauri	Carlton Dry	Jim Beam
	Atlas Iron		Strongbow	
	Department of Regional Development and Lands			
	Royalties for Regions			
	Complete Portables			

Importantly, the sponsors have committed to continuing their involvement with the event and/or increasing their involvement over the next two years.

A financial breakdown of 2012 sponsorship is included in Confidential Attachment 3.

Community Engagement

A key component of the Council’s support for the event was that a community engagement strategy be formulated. The aim was to engage with different sections of the broader Port Hedland community, at the event itself, around the event and throughout the year.

The Community Engagement Strategy put in place around the first event, has delivered meaningful outcomes and resulted in positive feedback from participants. A report on the Community Engagement Strategy is included in Attachment 2.

The Town of Port Hedland hosted a key sponsors lunch on the lawns of the Civic Centre on the day of the event. This was an opportunity to focus on the aims of the event, and the possibilities for broadening the reach of corporate partnerships throughout the Town of Port Hedland. A keynote address by Henry Boston from Australia Business Arts Foundation was successful in engaging and focusing attention on the potential growth for the event through broader participation by corporate stakeholders in the arts.

Operational

There were no major issues arising out of the event which was well managed and has received extremely positive feedback from all stakeholders, and especially the public. A summary of the feedback received is included in Attachment 1.

Planning for 2013 North West Festival

The terms of Tender 11/29 set out the following in relation to the annual presentation of the Festival:

“In order to maximise the opportunity to secure a top quality headline performer each year it is proposed that the dates remain flexible. Largely due to weather it is proposed that the event window would be between April and October each year”.

Sunset Events, in conjunction with Council officers, are currently investigating possible dates for next year. The scheduled date will avoid clashes with other key regional events and provide a high profile draw card act. This is in accordance with the business development model for Year 2 as follows:

2012/13	Mid-tier International profile act, with Australian support, held at the Racecourse with community engagement strategy further developed, marketing program attracting additional intrastate audience
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Council endorsement of the delivery of the 2013 North West Festival will enable the timely progression of planning for the event.

Summary

As stated in Tender 11/29, Council's broad aims for the event are to:

- Increase the profile of Port Hedland, as Pilbara's Port City
- Act as a platform for the development of Port Hedland as the regional centre of the Pilbara
- Promote the town as a tourism destination of significance and renown by highlighting the unique industrial and marine environment of Port Hedland
- Leave a year-round legacy of broader cultural and community benefits for the town by stimulating existing community and cultural participation in and around the event and providing a stimulus for this continued activity throughout the year
- Stimulus for economic and social activity through the development of a year round touring circuit for performers
- Development of a purpose built outdoor event space and attraction of permanent event infrastructure to the Town
- Raise the positive profile of Port Hedland as Pilbara's Port City and ultimately attract an intrastate, interstate and international audience
- Inclusion of activities by youth, cultural and environmental community groups which provide benefits to the social and cultural life of the Town at the event, around the event and year round
- Deliver an increased capacity within Port Hedland that is retained, particularly in regard to locally based infrastructure, local business development and building the capability of the broader community

It is considered that the North West Festival 2012 furthered or achieved these aims and was an outstanding success in its inaugural year. Sunset Events complied with the terms of Tender 11/29 and subsequent contract. It is therefore recommended that Council endorse the delivery of the 2013 North West Festival under the management of Sunset Events.

Attachments

1. Attachment 1. North West Festival 2012 – Feedback Report
2. Attachment 2. Community Engagement Strategy Report
3. Confidential Attachment 3. Sponsorship Breakdown
4. Confidential Attachment 4. Final Event Budget

201213/147 Officer's Recommendation/Council Decision

Moved: Cr Jacob

Seconded: Cr Carter

That Council:

- 1. Notes the review of the 2012 North West Festival;**
- 2. Endorses payment of the \$250,000 event management fee to Sunset Events for the 2012 North West Festival;**
- 3. Notes the anticipated pre audit revenue surplus of approximately \$100,000 for the 2012 North West Festival;**
- 4. Notes that 60% of the audited revenue surplus for the 2012 North West Festival will be rebated to the Town by Sunset Events;**
- 5. Endorse the delivery of the 2013 North West Festival;**
- 6. Notes that under the terms of awarding of Tender 11/29, the 2013 North West Festival will be managed by Sunset Events;**
- 7. Delegates authority to the Chief Executive Officer to negotiate a modification to the 2013 North West Festival cash flow from an expenditure reimbursement to the following milestone based payment schedule: 30% in month of event announcement, 15% in month following event announcement, and 55% in the month of the event.**

CARRIED 6/0



NORTH WEST FESTIVAL 2012 FEEDBACK

ARTIST FEEDBACK

From Paul Curtis; Manager, Regurgitator

David,

Just wanted to pass on our thanks for having Regurgitator at the North West festival on Saturday.

We had a great time and a really good show and appreciated being asked to come up and play on the first festival there.

All of your crew were excellent to deal with... and we received some excellent feedback both on the day and the yesterday when we were floating around town and the airport.

Best with all...

Thanks kindly,

Paul

From Stephen Zagami, Tour Manager, The Living End

hi

thank you for all your efforts, The Living End enjoyed the festival.. and you guys had better catering that what we could get in town !

a belated thanks, I had to get straight onto a promo fanfare with Adam Lambert

Best Regards

Stephen Zagami



From Correne Wilkie, Manager, The Cat Empire

Hi david and janelle
 Congrats on the success of the weekend.
 The guys had a blast – thanks for looking after them.
 Did everything go well from your end?
 Correne

From Dylan Liddy, Manager, Hilltop Hoods

Hi David
 I would like to extend my sincere thanks to you and the North West Festival on behalf of Hilltop Hoods. The act thoroughly enjoyed the festival as well as the experience of visiting a new township and region.
 I found the organisation and professionalism of the event in this isolated area beyond my expectation and a credit to Sunset Events and its systems. Please pass my regards on to your team as well as the key local and regional stakeholders who all 'pitched in' together to make this event happen. I have no doubt that future years will welcome this great event and it will contribute a significant cultural event to the area.
 Talk soon.
 Cheers Dylan

PUNTER FEEDBACK

Good Morning,

I just phoned your contact number in the white pages, and the recorded message says 'North West Festival Complaints Line'. I don't understand why??? I attended the festival and cannot believe how extremely well organised this event was!

I have not known an event to run this smoothly in Port Hedland or anywhere else for that matter. The toilets were clean and manned well. There was never a line up for toilets, food, drinks or drink tickets. The water taps was a brilliant idea. The camping area was neatly set up.

I think Sunset Events and staff did a fantastic job and can't wait to see how you top it next year.

Again, well done!

Jacqui Morris



Hey guys thanks for the awesome event up here..

Appreciated the professional and well set up event, new toilets (!!!!) with lights - wow, and that you set up fire pits after the main events so people could hang around and have something to eat before heading home.

Did you get the numbers that you were expecting.?

Cheers

zabia – hope we can see you back next year.

I just wanted to thank everyone involved with the Northwest Festival for a fantastic nights entertainment.

We travelled up from Newman for the event and had a great time in the VIP area.

The bands were all top notch, and our group had a great time.

My only gripe or recommendation for next year would be to separate the camping area from the general public when the event ends, as our tent ropes kept getting kicked out by those leaving.

Aside from that we all had an awesome night.

Thanks again,
And please return next year,

Dion Campbell.

Hey Erin,

Didn't manage to catch up with you on the weekend – but just wanted to say that I had a blast – the event was great especially for its first year – well done!

Am sure it will be bigger and brighter next year.

The food, drinks and stalls were great and am sure you will have more lined up to be a part of the event next year.

Well done.

Maybe next year me and my partner can volunteer – or for any future events as well!

Have a great weekend!



MEDIA PARTNER FEEDBACK

Hi Janelle

I trust you are thrilled at the outcome of the event. I have heard nothing but praise about every aspect of the entire festival. The guests we sent along all raved about it.

My wife took her sisters who we flew up from Perth for it and they all had a ball. One of them said it was one of the best events she had been to.

You and the team should be extremely proud and pleased with this level of positive feedback.

I am very happy that the North West Telegraph was a player in a small way to such a successful event.

I would like to apologise for not being able to make the sponsors lunch on Saturday but events beyond my control stopped me attending. Sorry to have missed it.

It's great to see and hear the buzz around town after a few negative events this will go a long way to keeping Hedland in a positive mood.

Again well done.

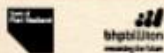
Look forward to next year now.

Cheers

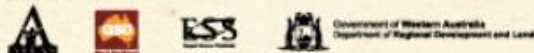
Mark Hinch

Pilbara Regional Manager
West Australian Regional Newspapers
North West Telegraph

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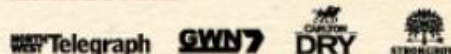
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ASSOCIATED SPONSORS



Hi Zoe,

I trust you had an awesome time at the Festival and would just like to take this opportunity to personally thank you for all your help.

You made the day run smoothly and I really appreciate the extra lounge access for my Headland WAFM announcer Seba. I am sure you can appreciate organising a number of staff at any one time can be a hard task at times.

We are all really looking forward to next year's festival and will be in talks with Management about Sponsorships again.

I will be in touch with Sunset Events management to discuss any other business relations for the future.

Cheers again for your great efforts :)

Kind regards,

Rebekah Duncan
Account Executive
Redwave Media Pty Ltd

Hi Dave,

Just a quick one to say "hats off" for an amazing event.

Our announcers and crew said it was incredible and brilliantly organised.

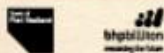
Looking forward to working with you and Janelle on 2013.

All the best and chat soon,

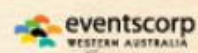
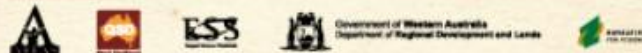
Kindest Regards,

Lisa Newman
Account Executive
Redwave Media Pty Ltd

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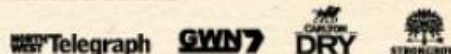
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SPONSOR AND STAKEHOLDER FEEDBACK

Hi Dave & Luke,

Sure you'll be being inundated with emails about how much everyone enjoyed NW Fest – our team couldn't wipe the smiles from their faces and our opportunity to network with people and get our name out there was absolutely invaluable. We were so proud to be a part of such a huge event for Port Hedland.

I know I have expressed this informally previously, but Centauri will be more than happy to formally sign on as a major (or gold, however that turns out) of the festival going forward. We simply could not have an event that reinforces our organisational ideals more closely.

A big congratulations to Sunset events and the whole team involved. Your crew that I dealt with through the organisation (yourselves, Zoe & Sylvia especially) were great and it was a pleasure to spend some time with you all.

Thanks and regards,
 Stacey Hearn
 Executive Manager

Comments collated by Mark Davis, Town of Port Hedland Community Development Officer

COMMUNITY MEMBER 1 (wheelchair bound)

- One of most inclusive festivals he has been to
- Provison of accessible portaloos was excellent
- Staff very helpful in regards to escorting him to a parking spot close to the entrance
- Need lighting in accessible portaloos

COMMUNITY MEMBER 2 (carer of wheelchair bound daughter)

- Very inclusive festival
- Need lighting in accessible toilets
- Possibly place matting for wheelchairs across some of the main access points (grass was soft and difficult to manoeuvre chairs)



Iron Ore



BHP Billiton Iron Ore Pty Ltd
ABN 45 006 700 961
81 Wilson Street
Port Hedland Western Australia 6721
PO Box 215 Port Hedland WA 6721
Tel +61 8 9173 6680 Fax +61 8 9173 2903
bhpbilliton.com

21 August 2012

Dave Chitty
Managing Director and Promoter
Sunset Events
PO Box 111
Fremantle WA 6959

Dear Dave

On behalf of BHP Billiton Iron Ore, I write to congratulate you on the fantastic success of the inaugural North West Festival.

Feedback from the event has been overwhelming, and everyone at Sunset Events should feel extraordinarily proud of what was achieved. It is particularly exciting that so many people travelled from across the region to attend, and word of mouth will certainly ensure the event grows each year.

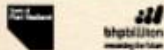
As a Foundation Partner of the event, we look forward to working together with you to plan for next year.

Yours sincerely

Peta Greening
Manager Community
Community & Indigenous Affairs

A member of the BHP Billiton Group, which is headquartered in Australia
Registered Office: 150 Lonsdale Street, Melbourne, Victoria 3000, Australia
ABN 49 004 023 037

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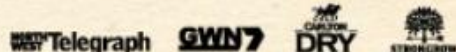
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SOCIAL MEDIA FEEDBACK

Ben Jones ▸ North West Festival
August 19

Had a top night. Was awesome vibe and great music!!! Can't wait till the next one.

Like · Comment

Jacqui Morris ▸ North West Festival
August 19

Great night last night. Was great to go somewhere so well organised! No lines. Clean toilets. well done!

Like · Comment

Shantell Sebire ▸ North West Festival
August 19

Thanks Northwest Festival! You rocked Port Hedland!!! What a fantastic event.
Very well organized and extremely successful. We had such a great time and we already can't wait for next year's festival!
Awesome job guys!

Like · Comment 5

Carmel Fitzgerald ▸ North West Festival
August 19 near South Hedland, Western Australia

Awesome event and very well run by the organisers. Bring back to Hedland again...

Like · Comment 17

Kathrine Hughes ▸ North West Festival
August 19

To the crews behind running the North West Festival, I really wanted to pass on my congratulations to you and Sunset Events on the whole, for bring to the North West such a brilliantly organised and well put together event, filled with such immense talent. I really hope that the support was enough for you to consider making it an annual event. My family, friends and myself all had a brilliant night.

Many thanks.

Like · Comment 2

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 **Christie Ward** ▸ North West Festival
August 19

17 yrs in Hedland best night ever.. Well organized event good on ya guys see u next year :-)

Like · Comment 👍 1

 **Lisa Luxton** ▸ North West Festival
August 19

To the event organizers... AWSOME NIGHT!!!! Can't wait until next year. Not once did I have to wait in a line!!! Well done to all involved. And all the bands rocked as well!!!! Living End SMASHED IT.

Like · Comment 👍 6

 **Suewellyn Arentz** ▸ North West Festival
August 19

To the organizers of this event! Congrats and we'll done. We live very close to where the event was held and there was no inconvenience or trouble caused to us. We could hear the music but it was great. Again, well done

Unlike · Comment 👍 40

 **Melanie Greenfield** ▸ North West Festival
August 19

NW Festival = awesome run event...no line to get in, getting drinks even easier, BANDS ROCKED happy vibe, WELL DONE TO ORGANISERS...Come back soon....PLEASE...WE NEED YOU...PS: LIVING END ROCK..

Like · Comment 👍 2

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<p>MAJOR SPONSORS</p> 	<p>ASSOCIATED SPONSORS</p> 

North West Festival
August 19

Sorry we didn't do any live updates, we lost internet connection during the festival for a bit. Heaps of pics to post very soon! Thanks for an amazing first ever North West Fest everyone!

Like · Comment · Share 73 10

73 people like this.

Jacqueline Copeman Couldn't make it so I can't wait to see the pics!
August 19 at 4:58am via mobile · Like

Samantha Baird That's was a freak'n AWESOME EVENT! Had the maddest time. But, can some one let me know if they find a pair of spotters sunglasses a burnt orange Olympus camera oh and \$50 I don't remember spending also. And If you find the camera, can u just post my photos. Ta thanks :)
August 19 at 7:16am via mobile · Like · 2

Lisa Luxton Best night!!!! Well done to all involved.
August 19 at 8:03am · Like

Patrick Lock Grate night nice work guys had a ball hope it's back next year
August 19 at 8:13am via mobile · Like · 1

Lauren Clifford Best day! Looking forward to next year already! Well done guys!
August 19 at 8:26am via mobile · Like

Renee Gill Excellent, excellent, excellent!!! A job well done by everyone.
August 19 at 12:00pm via mobile · Like · 4

Jacqui Byrne Awesome event! Well run with a great vibe and some fab bands.
August 19 at 12:30pm via mobile · Like

Sharyn Herrod Great nite - thanks for the event
August 19 at 1:27pm via mobile · Like · 1

Vanessa Brown I had the pleasure of volunteering and got to greet all those who attended through the gate and then stayed to catch up with old friends and listen to some awesome music. After 35yrs in Hedland - this was the first festival but hopeful not the last!!! Thanks NW FESTIVAL :)
August 19 at 3:15pm via mobile · Like · 5

PRESENTING SPONSORS		GOLD SPONSORS					
					 Government of Western Australia Department of Regional Development and Lands		 eventscorp WESTERN AUSTRALIA
MAJOR SPONSORS				ASSOCIATED SPONSORS			
 QANTAS	 WA 5th	 centauri	 West Telegraph	 GWN7	 DRY	 STUBBS	

North West Festival
August 20 🌐

Hey all! Thanks heaps for all your lovely comments! We are so glad you had a good time. We will be uploading photos tomorrow! WATCH THIS SPACE! And feel free to upload yours!

Thank you for being a part of the first ever North West Festival!

Like · Comment · Share
👍 39 🗨️ 7

👍 39 people like this.

Mitchell Roberts Thanks for having the buddy program going for the underage volunteers it was an amazing experience!
August 20 at 12:22am via mobile · Like · 🔄 2

Mel Austin Well done on an awesome venue, great facilities and a fantastic line up! I go to music festivals all the time and this one rated right up there! Good work and I hope this becomes an annual event!
August 20 at 4:42am via mobile · Like · 🔄 3

Amelia Cook It was an awesome day, we were so impress with everything. You did not have to wait long for anything and the prices for the drinks were reasonable, let's hope your back next year!! Thanks for coming to port Hedland we loved it!!
August 20 at 6:53am via mobile · Like · 🔄 3

Kathleen Nims I was part of the bar staff & have to thank the punters for being amazing. The music was great, the weather perfect & everyone seemed to have a good day/night. Bring on next year!
August 20 at 8:32am via mobile · Like · 🔄 2

Robyn Wishart ▶ **North West Festival**
August 19 near South Hedland, Western Australia 🌐

Loved the free bus back to south!! We had such a great night. Good work

Like · Comment
👍 1

Melissa Roper ▶ **North West Festival**
August 19 🌐

Defiantly should have another festival next year!

Like · Comment
👍 22

<p>PRESENTING SPONSORS</p> <div style="display: flex; justify-content: space-between; align-items: center;"> </div>	<p>GOLD SPONSORS</p> <div style="display: flex; justify-content: space-between; align-items: center;"> </div>	<p>ASSOCIATED SPONSORS</p> <div style="display: flex; justify-content: space-between; align-items: center;"> </div>	<p>MAJOR SPONSORS</p> <div style="display: flex; justify-content: space-between; align-items: center;"> </div>
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ATTACHMENT 2 TO ITEM 11.3.2

NWF Community Engagement

CDO Review 04/09/2012

Mark Davis – TOPH Community Development Officer

Key Themes for 2012:

- Solid grounding in first year, and foundations set for community engagement to grow
- Interactive stalls a winner
- Great opportunity to developing Hedland's upcoming musicians and artists
- Engagement with 18 – 30 demographic which may not ordinarily attend community events
- Potential to engage different areas of the community to build the pre event hype around Hedland

Additional Opportunities for 2013

- Increased marketing and tourism focus for the town
- Build pre event hype through a series of events in the lead up
- Pre event series could be expanded to include:
 - o Air guitar comp at JD Hardie Youth Centre
 - o Rock/musician display at South Hedland Library
 - o Live performance at the Matt Dann Festival
 - o Art exhibition at sponsors events/functions

2012 Community Engagement Strategies

Engagement Area	Wins	Rework or Discard	Opportunities (2013 and ongoing)
Youth	<ul style="list-style-type: none"> - Buddy system: Seven high school students engagement in meaningful work experience. - Mentoring program: WAMI 	<ul style="list-style-type: none"> - Static stalls: Encourage stalls to have interactive activities to engage with festival goers 	<ul style="list-style-type: none"> - Expand number of students given exposure. Work closely with HSHS principal to gain early support - Ongoing program to mentor talented music students - Health engagement with youth and 20 – 30s ages
Arts	<ul style="list-style-type: none"> - HARTZ and Pilbara TAFE: great feedback and results from interactive stalls - Battle of the Bands: Solid start for first year, has potential to grown further. 	<ul style="list-style-type: none"> - FORM participation: staff capacity focused mostly on other events/programs 	<ul style="list-style-type: none"> - HARTZ re-energised and potential to involve in pre event promotion also - Involve HSHS Specialist Arts students in pre event program/exhibition - Display art at sponsors/associated events to liven atmosphere and provide exposure
Environment	<ul style="list-style-type: none"> - Positive feedback from Greening Australia and Care for Hedland re engagement 	<ul style="list-style-type: none"> - Green Cash program: potential to market more strongly on the day 	<ul style="list-style-type: none"> - Build eco zone area with interactive displays - Recycling program
Health and Wellness		<ul style="list-style-type: none"> - YOGA: Keen to be involved but minimal uptake 	<ul style="list-style-type: none"> - Opportunity to tie in with TOPH Sport and Recreation team and current program planning - 'Festival fitness' challenge (eg free pedometers)
Economic	<ul style="list-style-type: none"> - Engagement of local businesses/suppliers where possible 	<ul style="list-style-type: none"> - Port Hedland Chamber of Commerce: little involvement. Send letter to Exec Committee 	<ul style="list-style-type: none"> - Increased promotion of Hedland in a tourist sense - Encouragement of local

Engagement Area	Wins	Rework or Discard	Opportunities (2013 and ongoing)
		seeking EOI regarding future commitment	businesses to take advantage of the festival (eg NWF sales) <ul style="list-style-type: none"> - Partner with Visitors Centre to encourage tourist promotion and marketing of tours around the festival - Spirit Radio outside broadcast from event site in the week lead up to the event

Feedback from Community Engagement Participants – NWF 2012

Quote from HYLIC (Hedland Youth Leadership Coalition) president Mitchell Roberts;

Thanks for having the buddy program going for underage volunteers it was an amazing experience.

Quote from HARTZ – Di Boyd (Coordinator)

Thanks so much for asking us to be a part of it. We were really happy that we got involved and it was a very positive and inspiring event.

We (and all the volunteers involved) had an amazing day.

We were so pleased that all the festival goers who contributed to the project enjoyed themselves so much and all of the feedback received was of a positive and encouraging nature.

Some of the best comments were things like:

‘The stall helped to contribute a very celebratory, festival vibe to the event’

‘The stall acted as a great chill out area where people can take a break and focus inwards for a few minutes’.

The other wonderful thing we noticed was that there was such a lovely variety of different types and ages of people participating.

There were no trouble makers and everyone was very well behaved which was great because things could potentially get out of hand when alcohol and paint are combined.

Quote from Yoga with Grace;

Although we had small numbers I still very much enjoyed it and word gets around even though I didn't had many that time. The ones that came were raving on about how perfect it was.

Quote from Anthony Williams - participant of the Music Workshops with Nigel from WAM (West Australian Music Industry Association):

Thanks for organizing the one on ones with Nigel he was great to talk to and his knowledge of the biz was extremely helpful.

Image Selection









11.4 Corporate Services**11.4.1 Finance and Corporate Services****11.4.1.1 *Interim Financial Reports to Council for Period Ended 31 August 2012 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Jodie Ellis
Coordinator Financial Management

Date of Report 31 August 2012

Disclosure of Interest by Officer Nil

Summary

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

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

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

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

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

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

2. *Utility and Fuel Costs*

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

3. *Schedule of Accounts Paid*

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 24 October 2012 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costs.

Voucher No's		Value	Pages		Fund No.	Fund Name	Description
From	To		From	To			
NMF010812	NMF010812	\$569.14	1	1	1	Municipal Fund	Photocopier Lease x 2 - South Hedland Library & JD Hardie
NMF010812	NMF010812	\$1,244.32	1	1	1	Municipal Fund	Photocopier Lease x 2 - Regulatory Services
NMF060812	NMF060812	\$284.57	107	107	1	Municipal Fund	Photocopier Lease x 1 - Community Development (Airport)
CHQ21512	CHQ21559		1	7	1	Municipal Fund	
CHQ21560	CHQ21561		-	-	1	Municipal Fund	Cancelled Cheque
CHQ21562	CHQ21566		7	7	1	Municipal Fund	
CHQ21567	CHQ21567		-	-	1	Municipal Fund	Cancelled Cheques
CHQ21567	CHQ21574		8	9	1	Municipal Fund	
CHQ21575	CHQ21575		-	-	1	Municipal Fund	Cancelled Cheques
CHQ21576	CHQ21607	\$192,436.01	9	14	1	Municipal Fund	
EFT41348	EFT41915	\$5,969,080.08	14	107	1	Municipal Fund	
PAY070812	PAY070812	\$418,447.60	107	107	1	Municipal Fund	
PAY210812	PAY210812	\$429,702.84	107	107	1	Municipal Fund	
CAL160712	CAL160712	\$3,152.00	107	107	1	Municipal Fund	Caltex Direct Debit
WOW160812	WOW160812	\$5,289.18	107	107	1	Municipal Fund	Woolworths Direct Debit
	Muni Total	\$7,020,205.74					
3002283	3002283		-	-	3	Trust Fund	Cancelled Cheque
3002284	3002284		107	107	3	Trust Fund	
3002285	3002287		-	-	3	Trust Fund	Cancelled Cheque
3002288	3002289		107	108	3	Trust Fund	
3002290	3002290		-	-	3	Trust Fund	Cancelled Cheque

3002291	3002301		108	109	3	Trust Fund	
3002302	3002305		-	-	3	Trust Fund	Cancelled Cheque
3002306	3002311	\$266,102.81	109	110	3	Trust Fund	
	Trust Total	\$266,102.81					
	Sub-Total	\$7,286,308.55					
LESS: one-off pays							
	Total	\$7,286,308.55					

Consultation

Nil

Statutory Implications

Financial Statements

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

“34. Financial activity statement report - s. 6.4

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

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

 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) such other supporting information as is considered relevant by the local government.**
- (3) The information in a statement of financial activity may be shown:

 - (a) according to nature and type classification;**

- (b) *by program; or*
- (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be:*
 - (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS, to be used in statements of financial activity for reporting material variances.*

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

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

Policy Implications

2/003 Financial Statements – Copies for Councillors

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

Monthly

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

Quarterly

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

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

Strategic Planning Implications

- Key Results Area 5: Environment
- Goal 2: Natural Resources
- Strategy 1: Continue to monitor and report on the level of Council's energy, fuel and water use.

Budget Implications

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

“Recommendation 16

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

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

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

Operating Revenue
Operating Expenditure
Non-Operating Revenue
Non-Operating Expenditure”

Officer's Comment

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

Period Variation

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

Primary Reason

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

Budget Impact

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

Attachments

1. Interim Monthly Statement of Business Activity (Attached under separate cover)
 - 1.1 Page 2–4. Schedule 2 being an Interim Statement of Financial Activity.
 - 1.2 Pages 5 to 18. Notes 3 to 11 which form part of the Interim Statement of Financial Activity.
Also Note 10 – August 2012 Bank Reconciliations.
 - 1.3 Pages 19 to 65. Detailed Interim Financial Activity by Program.
 - 1.4 Pages 66 to 68. Comparison Between 012/13:2011/12 Utility & Fuel Costs.
2. August 2012 Accounts for Payment (Attached under separate cover)

201213/148 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Jacob

That Council note the:

- i)
 - a) **Interim Statement of Financial Activity (represented by Schedules 3 to 14);**
 - b) **Notes (1 to 11) to and forming part of the Interim Statement of Financial Activity for the period ending 31 August 2012; and**
 - c) **Review of Transaction Activity.**
- ii) **Graphic representation of the Town's energy, water and fuel use;**
- iii) **List of Accounts paid during August 2012 under Delegated Authority;**

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

CARRIED 6/0

11.4.2 Governance and Administration**11.4.2.1 *Town of Port Hedland 4 Year Corporate Business Plan (File No.: 04/12/0003)***

Officer **Debra Summers**
Manager Organisational
Development

Date of Report **12 October 2012**

Disclosure of Interest by Officer **Nil**

Summary

The Draft 4 Year Corporate Business Plan (CBP) (attachment 1) is presented to the Council for its consideration. This Plan outlines the first four years of operational activities to ensure delivery of the community aspirations encapsulated in the recently adopted 10 Year Strategic Community Plan (SCP).

This report recommends to the Council that it endorse in principle the entire 4 Year CBP for inclusion in the 10 Year Financial Plan currently being developed. Further to ensure the organisation has a plan of activity for this financial year against which the Council and community will receive performance reports, it is recommended that the first year of the plan be endorsed by the Council as the 2012-2013 Annual Corporate Plan. Expenditure to deliver the actions and activities in this Annual Corporate Plan have been incorporated in the Town of Port Hedland 2012- 2013 Annual Budget.

Background

The Department of Local Government requires that by June 2013 each local government has developed an Integrated Strategic Planning and Reporting (IPR) Framework to ensure that they are planning sustainably for the future and to equip their organisations to deal with short, medium and long term priorities.

In May 2011 the Town of Port Hedland commenced a two stage process of implementing the required Integrated Strategic Planning and Reporting Framework.

Stage one of this process included the development of a Corporate Plan for 2011- 2012, aligned with the current Town of Port Hedland 2010-2015 Strategic Plan and incorporating all operational activities to support the implementation of key priorities and initiatives from the current Strategic Plan, informing strategies, capital works and partnership projects for the 12 month period.

Stage two involved the development of a 10 Year SCP supported by a 4 Year CBP, a 4 year Workforce Plan (inclusive of a Housing and Office Accommodation Strategy) a 10 year Asset Management Plan and 10 year Financial Plan. The Town of Port Hedland has identified a need for a 5 year Information Communication Technology (ICT) Strategy to support the community and the organisation into the future; however this is not a mandatory strategy within the Integrated Strategic Planning and Reporting Framework.

Building on extensive community consultation, the Town of Port Hedland 10 Year SCP was endorsed by the Council at the July 11 2012 Ordinary Council Meeting. The SCP translates the needs, desires and wants of the community into a targeted suite of strategic priorities. These priorities will drive practical short and medium term planning, while maintaining sight of the long-term objectives over the next ten years.

The 4 Year CBP is a tool that the Town of Port Hedland will use to strategically direct the local government's program of work that is focused on the achievement of the Town's SCP. The program of work details the timeframe, accountabilities, resources and indicative costs that will be allocated to ensure that the priorities of the community captured in the SCP are delivered. The CBP is required to be A dynamic, living document that is reviewed annually and amended according to the minor and major review cycles of the SCP, as well as a result of any performance and internal or external considerations that will have an impact in the near future.

Consultation

- Town of Port Hedland Executive
- Relevant Town of Port Hedland Officers
- KPMG/Thinc Projects
- Elected members at various Concept Forums in 2012
- Department of Local Government

Statutory Implications

The Local Government Act 1995 states that:

“5.56. Planning for the future

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.”*

Local Government (Administration) Regulations 1996 states that:

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and*
 - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

[Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]

Policy Implications

Town of Port Hedland Community Engagement Strategy

Strategic Planning Implications

6.4 Local Leadership
6.4.2 Community Focused
Local leaders in the community who provide transparent and accountable civic leadership

Budget Implications

financial and staff resource implications associated with delivery of Year 1 of the CBP are incorporated in the Town of Port Hedland 2012-2013 Annual Budget. Years 2- 4 will be incorporated into the 10 Year Financial Plan that is currently being developed for further analysis.

Officer's Comment

Following the adoption of the SCP, the organisation embarked on a process to identify using existing planning and feasibility documents. The services, projects, initiatives and activities identified in these documents and required over the next four years to ensure delivery of the strategic themes and priorities are articulated in the SCP.

To ensure integration with the SCP, the CBP has applied the priority rankings and developed success indicators for each priority to allow the community and the Council to know when each action has been successfully completed.

The next step was to quantify indicative costs, staffing implications and timeframes associated with these success indicators. It was also necessary to identify and quantify for inclusion in the CBP the business as usual activities and services (BAU) that support the delivery of projects and initiatives across the whole organisation, not just the lead business unit or directorate.

The results of this exhaustive planning exercise is the 4 Year Corporate Business Plan (CBP) and a supporting 4 Year Workforce Plan (inclusive of a Housing and Office Accommodation Strategy) being presented to the Council for its consideration. The 4 Year CBP and the 4 Year Workforce Plan (inclusive of a Housing and Office Accommodation Strategy) has been developed in parallel and are intrinsically linked due to the inter-dependence between an adequately accommodated and resourced skilled workforce to ensure delivery of outputs identified in the CBP to deliver the outcomes of the SCP.

This report recommends to the Council that it endorse in principle the entire 4 Year CBP for inclusion in the 10 Year Financial Plan currently being developed. The completion of other key aspects required of the Framework such as the Long Term Financial Plan, the Asset Management Strategy and associated plans, plus the ICT Strategy have been staged. It is intended that the relevant outcomes of these other plans and strategies will be integrated in the Long Term Financial Plan being presented to the Council in December 2012.

There is no doubt that the 4 year CBP presented to Council within this report contains more actions and activities that are financially sustainable. However it is necessary to ensure an open and transparent planning process with the community and stakeholders of the Town so that a fully costed CBP and the resulting required Workforce Plan is included in a draft of the Long Term Financial Plan. From December, the Council will be in a position to engage with the community in informed consultation to make the joint decisions to deliver the required strategic priorities in a financially sustainable manner. This will then allow the resulting changes to be made to the CBP and Workforce Plan in a timely fashion to meet the deadlines of the Department of Local Government. The Chief Executive Officer and Executive Team will then have the direction from Council to structure the required workforce and ensure delivery of the outputs of the CBP.

To ensure the organisation has a plan of activity for this financial year against which the Council and community will receive performance reports, it is recommended that the first year of the CBP be endorsed by the Council as the 2012-2013 Town of Port Hedland Annual Corporate Plan. Expenditure to deliver the actions and activities in this Annual Plan have been incorporated in the Town of Port Hedland 2012- 2013 Annual Budget. Given the late adoption of the budget and the proposed endorsement of the Annual Plan in October, it is recommended that the first performance report to the Council and Community of activity against the 2012-2013 Annual Plan be a six monthly report presented to the Council at the first Ordinary Council Meeting in 2013.

Attachments

1. Town of Port Hedland 4 year Corporate Business Plan
(Attached Under Separate Cover)

201213/149 Officer's Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Jacob

That Council:

- 1. Endorse in principle the 4 Year Corporate Business Plan for inclusion in the 10 Year Financial Plan to be presented to the Council in December 2012;**
- 2. Notes the inter-dependence between the 4 year Corporate Business Plan and the 4 year Workforce Plan (inclusive of a Housing and Office Accommodation Strategy) to ensure delivery of the outcomes of 10 year Strategic Community Plan;**
- 3. Adopts the first year of the 4 year Corporate Business Plan as the 2012-2013 Annual Corporate Plan on the understanding that expenditure to deliver the actions and activities in this Annual Corporate Plan have been incorporated in the Town of Port Hedland 2012- 2013 Annual Budget;**
- 4. Notes that a July to December Performance Report against the 2012-2013 Town of Port Hedland Annual Corporate Plan will be presented to Council at the Ordinary Council Meeting on Wednesday 23 January 2013.**

CARRIED 6/0

7.11pm Councillor Gillingham declared an impartiality interest to Item 11.4.2.2 'Future of the Town of Port Hedland Civic Centre and Administration Building (File.: 04/12/0003)' as she is the coordinator of the Pilbara Music Festival which is held at Gratwick Hall.

Councillor Gillingham did not leave the room.

11.4.2.2 *Future of the Town of Port Hedland Civic Centre and Administration Building (File No.: 04/12/0003)*

Officer **Debra Summers**
Manager Organisational
Development

Jenella Voitkevich
Manager Infrastructure
Development

Date of Report **11 October 2012**

Disclosure of Interest by Officer **Nil**

Summary

This report presents for Council's consideration the outcomes of the initial investigation of the two preferred options that Council identified at the Ordinary Council Meeting (OCM) on 22 August 2012 to alleviate current office accommodation shortages and non-compliance with respect to Occupational Health and Safety legislation in the Civic Centre, Airport Administration building and Depot.

The outcomes of this investigation recommend to Council that the option of utilising transportable office accommodation placed in front of the Civic Centre should not be progressed further. Also this report recommends that wider community consultation be undertaken with respect to utilising Gratwick Hall as temporary office accommodation as part of a proposed consultation process about the future location of the Civic Centre and Administration Building. A discussion paper that would form the basis of a consultation strategy to seek this wider community feedback is presented with this report (Attachment 1).

Background

As part of the scope of work delivering the plans and strategies required of the Integrated Planning and Reporting Framework, KPMG was engaged to develop the Workforce Plan, inclusive of a housing and office accommodation strategy. The scope of work to deliver the office accommodation strategy was to investigate and report on the:

- Provision of appropriate workforce office accommodation including assessment of current office arrangements and development of the strategies and options available, along with the funding requirements for each; and
- Costs of implementation and associated timelines to deliver on proposed strategies and solutions.

Earlier this year the Executive group requested KPMG to commence the first stage of the office accommodation strategy to allow financial implications of required additional space to accommodate the first year of the Workforce Plan to be able to be considered as part of the 2012/2013 Budget.

The need for this first stage of work was also to quantify the estimated funds required to address the immediate shortfall in workspace and to accommodate existing staff in offices to comply with industry standards.

Accordingly, the scope of work was to consider the following requirements:

- a) Assessing existing offices
- b) Review options for the provision of required immediate additional office workstations
- c) Prepare a staging plan and estimate of funds required for each option investigated; and
- d) Select a preferred option against a matrix considering advantages and disadvantages of each option.

This Short Term Office Accommodation Strategy would need to ensure integration of the preferred short term solution into the medium and long term strategies to be fully explored to support the 4 year Workforce Plan.

The resulting Short Term Office Accommodation Strategy was presented to Council at a Concept Forum in August and then formally submitted to Council, inclusive on an additional option, at the 22 August OCM. The additional option suggested at the Concept Forum was the potential of utilising transportable office accommodation placed in front of the Civic Centre.

At the 22 August OCM Council resolved (201213/088):

“That Council:

- 1. Endorses in principle the strategy of utilising the Gratwick Hall for office accommodation for up to three years until a medium to long term strategy for the provision of office accommodation is developed and implemented.*
- 2. Notes that this endorsement is contingent on community consultation being undertaken with current users of the facility and a report on this consultation being presented back to the Council.*
- 3. Requests the CEO to investigate the potential of utilising transportable office accommodation placed in the front of the Civic Centre building as a parallel option to utilising Gratwick Hall as office accommodation.*
- 4. Requests the CEO to report back to the Council the findings of these investigations and recommendations of the preferred option to alleviate current office accommodation non-compliance in the Civic Centre.*
- 5. Endorses an upgrade in the office accommodation at the Airport Office and the Depot to appropriate industry standards.*
- 6. Notes the initial estimate of \$5 million incorporated into the 2012/13 draft Budget to be funded via a loan.”*

High level findings and options for the future location of the Civic Centre, plus the office accommodation requirements explored in the Office Accommodation Strategy, was presented to Council by KPMG at a Concept Forum on 10 October 2012.

Consultation

Internal

- Town of Port Hedland Executive
- Acting Manager Planning Services
- Manager Technical Services
- Elected Members at Concept Forums

External

- KPMG/Thinc Projects
- Identified existing users of the Gratwick Hall (Alliance Dance, Gumala Aboriginal Corporation, IBN Community Meeting, Pilbara Music Festival, Port Hedland School of the Air, Fortesque Metals Group, Hedland School of

Dance, JJ's Taekwondo, Port Hedland Port Authority, Hedland Senior High School, YMCA, The Big Red Tour, Goolarri Media Enterprises, I Katcher Events, New Energy Corporation, Port Hedland Primary School, Swan Districts Football Club, Variety)

Statutory Implications

The Local Government Act 1995 states that:

“5.56. Planning for the future

- (1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.”*

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- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) A corporate business plan for a district is to —*
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) A local government is to review the current corporate business plan for its district every year.*
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*

- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

[Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]

Policy Implications

The Town of Port Hedland Community Engagement Strategy provides the framework for the community consultation to be undertaken.

Strategic Planning Implications

6.4 Local Leadership
6.4.2 Community Focused
Local leaders in the community who provide transparent and accountable leadership

Budget Implications

Should the officer's recommendation be adopted there is an initial \$5m allocation to support the funding of the recommendations of this report factored into the adopted 2012-2013 Budget. A portion of this budget is for the refurbishment of the Airport and Depot offices which is still required as part of the short term strategy.

Officer's Comment

Option 1 Temporary Office Accommodation - Transportable structure

The potential of installing 500m² of transportable offices to accommodate approximately 45 people at an indicative cost \$2,347,200 placed in front of the Civic Centre was an additional option that Council resolved to further investigate.

The base assumption for this investigation was that any such temporary structure provided by the Town of Port Hedland for office accommodation would be subject to the same conditions under the Town of Port Hedland Town Planning Scheme No 5 (TPS5) as applied to all other development applications. It would also be subject to the same rigour of a building license with respect to its "fit for purpose" and occupancy requirements.

The Scheme allows for Transportable Structures to be considered under Section 6.11 of TPS5 pertaining to:

- whether the structure is to be permanent or temporary;

- the location and design of the structure in relation to surrounding structures and other physical features;
- the footings or other methods of stabilising the structure; and
- proposed landscaping to be associated with the structure.

Given the unique location with respect to proximity to the current Civic Centre, public space and other community amenities, any temporary structure would need to be of superior quality and enhance the surroundings rather than detract from it. The costs associated with these required treatments had not been included in the previous indicative cost of the structure.

Temporary structures are not exempt under TPS5 from the provision of adequate parking to support the usage of the structure. The inclusion of a temporary structure on the current site would also require the parking for the existing Civic Centre to comply with current Scheme requirements. A summary of the parking requirements is tabled below, acknowledging the parking facilities that are shared by Gratwick Aquatic Centre:

Existing parking bays provided (Civic Centre)	77
Existing parking bays provided (Gratwick Aquatic Centre)	49
Existing parking bays provided (Crawford street off-road)	8
Additional bays with improved layout	30
Reduction in parking bays due to transportable building (500m ²)	-28
TOTAL BAYS AVAILABLE	136
Minimum number car parking bays required (as per TPS5)	
Transportable office (1 bay/30m ²)	17
Civic Centre office space (1 bay/30m ²)	33
Civic Centre community/civic space (1 bay/4 people)	75
Gratwick Aquatic Centre (1 bay/4 people, capacity 450 people)	113
TOTAL BAYS REQUIRED	238
SHORTFALL	102

TPS5 identifies minimum parking requirements only. It should be noted that realistically the office parking requirements should accommodate 1 parking bay per staff member, as the majority of staff commute to work in their own car or a Town provided vehicle. This would effectively calculate to 121 bays required for office space alone, plus community/civic requirements, resulting in a short fall of a 152 bays. However for the purpose of this exercise TPS5 parking requirements are used.

A location for the construction of a car park to accommodate the shortfall has been considered opposite the Civic Centre on the McGregor street reserve. Although there is adequate land available for parking (short term only) in this location it poses several risks from a traffic and pedestrian perspective. Increased traffic movements would be experienced at the entrance to the Civic Centre due to the confusion of which area to park in. This is at a location where vehicle visibility is already questionable and more pedestrians would also be crossing at this location due to the split parking arrangement. This will create an significantly increased pedestrian crossing risk which may be controlled at a minimal level (formal assisted crossing would not be approved). Ideally staff would park at the McGregor Street reserve location, leaving sufficient parking for community members and visitors closer to the Civic Centre and transportable building; however this arrangement would be difficult to manage particularly during the summer wet season.

The car parking constructed on the McGregor Street reserve may need to be sealed, drained, kerbed and marked in accordance with section 6.13.1 of TPS5. Council, by virtue of its ownership of the Scheme may vary the requirements if justified that the proposed variation will not cause a lowering of safety standards. It is not the advice of any Town officer contributing to this report that Council should exercise this discretion with regard to this proposed structure. As such, indicative cost associated with the construction of the shortfall of car parking bays is \$673,200 (approximately \$6,600/bay as referenced in various ToPH parking strategies). Additional costs would also be associated with altering the existing parking layout to maximise the amount of bays available. The table below represents indicative costs associated with this option:

Description	Indicative Cost
Purchase or lease of 500m2 transportable office	\$2,350,000
Upgrade of transportable building base cost to suit TPS5 requirements	\$500,000
Offsite parking construction	\$673,200
Modifications to existing parking layout	\$100,000
Fitout, including IT	\$250,000
TOTAL	\$3,873,200

A report was presented to Council in January 2010 that reviewed the option of providing temporary office space in a transportable building adjacent to the Civic Centre. This option was dismissed on the basis that:

- Internal access between the 2 buildings was not possible
- The quality of customer service would be compromised given the separation of the buildings

- Staff segregation will not be resolved and will continue to impact on operational efficiency
- Staff morale working in donga accommodation will not assist with staff attraction and retention issues
- Temporary buildings will significantly detract from the overall appearance of the site
- The location of the temporary building will have an impact on the access to Gratwick Hall and Council Chambers after hours and the Civic Centre gardens
- Building and staff security – separation from the main building reception area will permit the public to directly enter offices located in the temporary building at any time. This is already a concern at the Airport administration building.

In investigating the option of utilising temporary structures as office accommodation for this report, the summary of why this action was not previously supported is even more relevant given Council's desire to position itself as a leading local government in the Pilbara. Temporary office accommodation location in front of the existing Civic Centre building will not present the appropriate image of Pilbara's leading local government. Given the outcome of this preliminary investigation it is recommended to Council that the option of utilising transportable office accommodation placed in front of the Civic Centre should not be progressed further.

Option 2 Temporary Office Accommodation - Utilising Gratwick Hall

Recommending utilising the Gratwick Hall for a few years as a preferred option for alleviating office accommodation issues will have an impact on the community that is not underestimated.

As such Council resolved to undertake a thorough engagement strategy with existing users of the Gratwick Hall. Twenty existing users of the Gratwick Hall over the last twelve months were identified and sent a letter and survey which was designed to provide valuable information about current and future needs of Gratwick Hall users. The letter advised identified users that the Town of Port Hedland is currently considering expanding office arrangements that would accommodate an increased number of staff needed to provide for the current and future needs of our community. One of these options is the temporary renovation and use of Gratwick Hall. The letter made it clear that a final decision has not been made on this issue, and that officers are currently gathering information. The survey was also to ascertain their particular needs or financial assistance required in an attempt to source appropriate alternative venues such as the Colin Matheson Club House, the JD Hardie Youth Centre, the Wanangkura Stadium or the Port Hedland Yacht Club. This

strategy would also include the development of a transition plan to allow for the most optimal relocation possible. The Director of Community Development also personally met with high-volume users of Gratwick Hall to understand their needs for an alternative venue should Gratwick Hall be converted to office accommodation.

The process of a letter and survey was intended by the recommending officers to be a first step in a three stage process involving:

1. Consultation with existing Gratwick Hall users - now complete
2. Review of information obtained from users - subject of this report
3. Broader community consultation - recommended next step

The Town of Port Hedland received a total of fourteen written responses to the survey. Of these responses, four were from current users of the facility. Three of the four current users indicated that they were open to consider relocating to an alternative suitable venue supported by a tailored transition strategy. One user indicated that in their opinion it would be near impossible to relocate their commercial activity to another venue but indicated that they would be open to continuing dialogue to provide further information to assist with any decision to cease their use of the venue. The remaining ten were from the broader community members who have not hired the hall but have attended events at the hall.

This survey was not intended to be the method to undertake any broader community consultation. This was the first step of three that were intended to be undertaken.

Council is now being requested to receive an Office Accommodation Discussion Paper which identifies potential options for the future location of the Civic Centre and Administration Building to form the basis for this wider community consultation in accordance with the Town of Port Hedland Community Engagement Strategy. Combining the wider required consultation on short and long term accommodation options will ensure informed and transparent discussion with the community on both options. This should lead to community supported decisions to accommodate lawfully, current and future staffing levels that have are required to provide services and activities for the whole community and to achieve the community's goals set out in the recently adopted Strategic Community Plan.

Attachments

1. Office Accommodation Discussion Paper (Under Separate Cover)

Officer's Recommendation

That Council:

1. Agrees that the option of utilising transportable office accommodation placed in the front of the Civic Centre should not be progressed further;
2. Maintains in principle endorsement of the strategy of utilising the Gratwick Hall for office accommodation for up to three years as short term office accommodation;
3. Notes that continuing consultation needs to occur with targeted existing users of the Gratwick Hall to develop an appropriate proposed transition strategy to relocate their activity/event to an alternative venue if required;
4. Request the Chief Executive Officer, or their delegate, to use the Office Accommodation Discussion Paper as attached to this report to commence community consultation in accordance with the Town of Port Hedland Community Engagement Strategy on the proposal to utilise Gratwick Hall for temporary office accommodation as part of the wider consultation process to consider the future location of the Civic Centre and Administration Building;
5. Requests the Chief Executive Officer, or their delegate, to report back to Council the outcomes of this consultation as part of a further report on the preferred future location(s) of the Civic Centre and Administration Building.

201213/150 Council Decision

Moved: Cr Carter

Seconded: Cr Hooper

That Council:

1. **Agrees that the option of utilising transportable office accommodation placed in the front of the Civic Centre should be progressed further, including public consultation;**
2. **Maintains in principle endorsement of the strategy of utilising the Gratwick Hall for office accommodation for up to three years as short term office accommodation;**

3. Notes that continuing consultation needs to occur with targeted existing users of the Gratwick Hall to develop an appropriate proposed transition strategy to relocate their activity/event to an alternative venue if required;
4. Request the Chief Executive Officer, or their delegate, to use the Office Accommodation Discussion Paper as attached to this report to commence community consultation in accordance with the Town of Port Hedland Community Engagement Strategy on the proposal to utilise Gratwick Hall for temporary office accommodation as part of the wider consultation process to consider the future location of the Civic Centre and Administration Building;
5. Requests the Chief Executive Officer, or their delegate, to report back to Council the outcomes of this consultation as part of a further report on the preferred future location(s) of the Civic Centre and Administration Building.

CARRIED 6/0

Reason: Council believes that transportable accommodation needs to be considered as a potential option.

11.4.2.3 Town of Port Hedland 4 Year Workforce Plan (File No.: 04/12/0003)

Officer	Debra Summers Manager Organisational Development
Date of Report	16 October 2012
Disclosure of Interest by Officer	The authoring officer is a current employee of the Town of Port Hedland

Summary

The Draft Town of Port Hedland 4 Year Workforce Plan (Attachment 1) is presented to Council for its consideration. This Plan outlines how the organisation will be structured over the next four years plus quantifies new skills and additional staff resources to undertake the program of work captured in the Draft 4 Year Corporate Business Plan (CBP) to ensure delivery of the community aspirations encapsulated in the recently adopted 10 Year Strategic Community Plan (SCP).

This report recommends to Council that it endorse in principle the 4 Year Workforce Plan for inclusion in the 10 Year Financial Plan currently being developed. This will ensure the cost of staffing implications of the delivery of the CBP is captured in the 10 Year Long Term Financial Plan and hence fully represents to the Council and the community the overall financial implications of delivery of the SCP.

Further, is it recommended that the 2012-2013 ToPH Organisational Structure as outlined in the Workforce Plan is endorsed by the Council to deliver the actions and activities in the first year of the ToPH 4 Year Corporate Business Plan. The financial implications associated with this structure have been incorporated in the Town of Port Hedland 2012- 2013 Annual Budget.

Background

The Department of Local Government requires that by June 2013 each local government has developed an Integrated Strategic Planning and Reporting (IPR) Framework to ensure that they are planning sustainably for the future and to equip their organisations to deal with short, medium and long term priorities. The IPR requires the development of a 10 Year SCP supported by a 4 Year CBP, a 4 year Workforce Plan , a 10 year Asset Management Plan and a 10 year Financial Plan. The Town of Port Hedland has identified a need for a 5 year

Information Communication Technology (ICT) Strategy to support the community and the organisation into the future; however this is not a mandatory strategy within the Integrated Strategic Planning and Reporting Framework.

The Workforce Plan is a mandatory component of the IPR as it supports the delivery of the Corporate Business Plan (and hence the SCP) in that it identifies workforce requirements and strategies for current and future operations over the next four years until 2016. The required workforce will need to be accommodated within one of the Town's current workplaces, plus many of the staff will need to be in subsidised housing or receive a housing subsidy until the real estate market normalises. Consequently the Workforce Plan will be accompanied by an Office Accommodation and Housing Strategy which will be presented to Council for its consideration in November 2012.

Consultation

- Town of Port Hedland Executive
- Relevant Town of Port Hedland Officers
- KPMG/Thinc Projects
- Elected members at various Concept Forums in 2012
- Department of Local Government

Statutory Implications

The Local Government Act 1995 states that:

“5.56. Planning for the future

- (1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.”*

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19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) A corporate business plan for a district is to —*
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and*

- aspirations of the community in the district; and*
- (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) A local government is to review the current corporate business plan for its district every year.*
 - (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
 - (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
**Absolute majority required.*
 - (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

[Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]

Policy Implications

Nil

Strategic Planning Implications

6.4 Local Leadership

6.4.2 Community Focused

Local leaders in the community who provide transparent and accountable civic leadership.

6.4 Local Leadership

6.4.3 Capable

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

Budget Implications

Should the officer's recommendation be adopted the staff resource implications associated with 2012-2013 ToPH Organisational Structure within the 4 Year Workforce Plan are incorporated in the Town of Port Hedland 2012-2013 Annual Budget.

Officer's Comment

The 4 Year Workforce Plan and the 4 Year CBP has been developed in parallel and intrinsically linked processes. This is due to the inter-dependence between an adequately accommodated and resourced skilled workforce to ensure delivery of outputs identified in the CBP which in turn address the community aspirations identified in the SCP.

As a first step in developing the Workforce Plan, a planning exercise identified and quantified the business as usual activities and services (BAU) that the organisation must undertake to support the everyday expectations of the community and stakeholders as the Town of Port Hedland grows towards becoming a city. Following this the organisation undertook a process to identify new skills and additional staff resources required to undertake the program of work captured in the Draft 4 Year Corporate Business Plan (CBP).

The result of this extensive planning exercise is a Draft 4 Year Workforce Plan to support delivery of the Draft 4 Year Corporate Business Plan (CBP). The Workforce Plan establishes an integrated process for identifying, securing and developing the workforce capabilities required to support and achieve the organisation's current and future goals within the Strategic Community Plan.

Therefore this report recommends to Council that it endorse in principle the entire Draft 4 Year Workforce Plan for inclusion in the 10 Year Financial Plan currently being developed. This is the same process as suggested for other relevant outcomes of plans and strategies associated with the IPR. The resulting 10 Year Long Term Financial Plan will be presented to the Council in December 2012. There are significant financial implications associated with the 4 Year Workforce Plan being presented to the Council. However it is necessary to ensure an open and transparent planning process with the community and stakeholders of the Town that a fully costed 4 Year Workforce Plan to deliver the Draft 4 Year CBP is included in a draft of the 10 Year Long Term Financial Plan.

From December, Council will be in a position to engage with the community in informed consultation to make the joint decisions to deliver the required strategic priorities in a financially sustainable manner. This will then allow the resulting changes to be made to the Workforce Plan and CBP in a timely fashion to meet the deadlines of the Department of Local Government. The Chief Executive Officer and Executive Team will then have the direction from Council to structure the required workforce and ensure delivery the outputs of the CBP.

To ensure the organisation has a workforce to support the plan of activity for this financial year against which the Council and community will receive performance reports, it is recommended that the 2012-2013 ToPH Organisational Structure within the Draft 4 Year Workforce Plan be endorsed by Council. This recommendation is made on the understanding that financial implications of recruiting the identified staffing resources in the 2012-2013 ToPH Organisational Structure have been incorporated in the Town of Port Hedland 2012- 2013 Annual Budget.

Attachments

1. Draft Town of Port Hedland 4 Year Workforce Plan (Under Separate Cover)

2012/13/151 Officer's Recommendation/Council Decision

Moved: Cr Jacob

Seconded: Cr Carter

That Council:

1. **Endorse in principle the Draft 4 Year Workforce Plan for inclusion in the 10 Year Financial Plan to be presented to the Council in December 2012;**
2. **Notes the inter-dependence between the 4 Year Workforce Plan (inclusive of a Housing and Office Accommodation Strategy) and the 4 Year Corporate Business Plan to ensure delivery of the outcomes of 10 year Strategic Community Plan; and**
3. **Notes that a detailed transition plan is currently being developed to support the recommended organisational restructure including targeted attraction and retention strategies to support the 4 Year Workforce Plan.**
4. **Adopts the 2012-2013 ToPH Organisational Structure to deliver the actions and activities in the first year of the 4 Year Corporate Business Plan on the understanding that the financial implications of recruiting the resulting staffing resources have been incorporated in the Town of Port Hedland 2012- 2013 Annual Budget.**

CARRIED 6/0

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

12.1 *Water Park – Proposed naming (File No: 02/09/0006)*

Officer Graeme Hall
Acting Director
Community Development

Date of Report 18 October 2012

Disclosure of Interest by Officer Nil

Summary

A naming group was established to assess submissions from the community and recommend a name for the new water park in South Hedland.

Council is requested to endorse the naming group's recommendation that "Marquee Park-Splash & Play" be adopted for the water park facility in South Hedland.

Background

A name for the water park facility has never been officially formalised. Since the inception of the project, it has been referred to as 'Iconic Park' and more recently as 'Marquee Park'. The use of 'Marquee Park' has become a commonly used working title.

Council has expressed a desire to officially name the water park through a community consultation process. This process commenced in early October 2012.

Consultation

The process to name the water park including guiding principles and membership of the group to access submissions was discussed with Elected Members at the 19 September 2012 Concept Forum.

The Town has consulted with the community and collected a list of potential names for the water park. The community engagement process included:

- Town of Port Hedland media release
- Council News @ Your Fingertips
- Posters and flyers distributed around the community
- Article in North West Telegraph newspaper (Wed 10 Oct)

Overall consultation has involved:

- Town of Port Hedland staff
- Naming group including key stakeholder representatives
- Wangka Maya Pilbara Aboriginal Language Centre
- Community members.

The naming group was made up of stakeholders all of whom were invited to attend a meeting on Thursday 18 October 2012. Invitations were forwarded to:

BHP Billiton
Pilbara Development Commission
Jaxon New Living
Lotterywest
Newcrest Mining
Department Housing and Works
Variety WA

In attendance at the meeting to consider the names were:

Graeme Hall - Town of Port Hedland
Claire Paddison - BHP Billiton
Trish Barron - Pilbara Development Commission
Michael Pugliese - Department Housing and Works

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

There are not funds currently available in the budget to engage a consultant to develop a brand image for the new water park facility. An amount will be requested during the first quarter budget review to engage a consultant to develop a brand image for the new water park facility.

Officer's Comment

Water Park Naming Process

The naming group was provided with the following guidelines for assessing all submissions:

- Reflects the purpose of the park and the activities which will be held there
- Include elements of water and/or the water play features
- Appeals to children and families
- Evokes feelings of fun and excitement.
-

A total of 50 names were submitted by 23 different members of the community. Attachment 1 provides a full list of submissions received. Based on the response to the Council's invitation, the community has embraced being consulted about the naming of this new facility.

Water Park Naming Outcome

The naming group came to agreement on the recommended name of Marquee Park – Splash & Play. The group believes that it is imperative to look at their recommendation in its entirety.

The naming group felt that the name of the park should be reflected as follows:

Marquee Park
Splash & Play

Marquee Park- Is a name that is embedded within the community and clearly reflects an image which is reflective of Port Hedland's premier park facility.

Splash & Play- This by-line for the park name is attractive to, and specifically directed at, the younger children who will be users of the facility.

It is believed that the by-line should deliberately emphasize the use of capital letters for both words and the use of an ampersand.

Marquee Park was not one of the many suggestions received however; the naming group agreed that in the absence of anything superior being received the current name of the facility should be considered as one of the alternatives. The options presented did not, in the opinion of the naming group, capture the objectives of the guidelines provided to them.

An integral part of the naming process will be the development of a brand image which embraces the name recommended. A visual image synonymous with a premier park, in which children can splash and play, is the image that needs to be created. A brand image will need to be developed using a process similar to that used by the Town for Wanangkura Stadium.

There is no requirement to keep the name of the park a secret until the opening of the facility. It is thought that the brand image could be unveiled at the civic event.

Water Park – Way Forward

The water park is due for completion November 2012, arrangements for an opening event are being finalised with the key stakeholders.

Endorsement of the recommended name by Council will allow for signage and promotional material to be developed in time for the opening event. This signage and promotional material will be developed in accordance with the Recognition and Sponsorship Strategy adopted by Council.

Key Stakeholder Confirmation

Formal confirmation of support has been received from the Pilbara Development Commission and BHP Billiton regarding the recommended name.

Attachments

Complete list of suggested names for the water park.

Officer's Recommendation

That Council:

1. Endorses the recommendation from the naming group of "Marquee Park – Splash & Play" for the new water park in South Hedland;
2. Requests the Chief Executive Officer, or their delegated officer, to undertake a formal brand development process to reflect the preferred name and by-line "Marquee Park - Splash and Play";
3. That funding for the engagement of a consultant to develop a brand image is sought through the first quarter budget review;

4. Notes that signage, promotional material and media announcements will be prepared once Council has endorsed the use of “Marquee Park Splash & Play” for the new water park;
5. Formally thanks all members of the community who participated in the water park naming process.

201213/152 Council Decision

Moved: Cr Jacob

Seconded: Cr Carter

That Council:

1. **Endorses the recommendation from the naming group of “Marquee Park – Splash & Play” for the new water park in South Hedland;**
2. **Requests the Chief Executive Officer, or their delegated officer, to undertake a formal brand development process to reflect the preferred name and by-line “Marquee Park -Splash and Play” and include the Town crest;**
3. **That funding for the engagement of a consultant to develop a brand image is sought through the first quarter budget review;**
4. **Notes that signage, promotional material and media announcements will be prepared once Council has endorsed the use of “Marquee Park Splash & Play” for the new water park;**
5. **Formally thanks all members of the community who participated in the water park naming process.**

CARRIED 6/0

Reason: Council amended point 2 of the Officer's Recommendation as it believes the Town has to ensure its crest is incorporated into its corporate branding.

ITEM 13 REPORTS OF COMMITTEES

NOTE: The Minutes of the Committee meetings are enclosed under separate covers.

13.1 *Airport Committee – 23 August 2012*

201213/153 Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Jacob

That Council adopts the Minutes of the Ordinary Meeting of the Airport Committee held on 23 August 2012.

CARRIED 6/0

13.2 *Airport Committee – 27 September 2012 at 5:30pm*

201213/154 Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Gillingham

That Council adopts the Minutes of the Ordinary Meeting of the Airport Committee held on 27 September 2012 at 5:30pm.

CARRIED 6/0

13.3 *Airport Committee – 27 September 2012 at 6:12pm*

201213/155 Recommendation/Council Decision

Moved: Cr Jacob

Seconded: Cr Hooper

That Council adopts the Minutes of the Special Meeting of the Airport Committee held on 27 September 2012 at 6:12pm.

CARRIED 6/0

13.4 *Audit & Finance Committee – 10 October 2012*

201213/156 Recommendation/Council Decision

Moved: Cr Carter

Seconded: Cr Jacob

That Council adopts the Minutes of the Ordinary Meeting of the Audit & Finance Committee held on 10 October 2012.

CARRIED 6/0

ITEM 14 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil

ITEM 15 CONFIDENTIAL ITEMS

Nil

ITEM 16 APPLICATIONS FOR LEAVE OF ABSENCE

201213/157 Council Decision

Moved: Cr Carter

Seconded: Cr Daccache

That the following leave of absence:

Cr Hooper – 18 November 2012 to 24 November 2012

Cr Jacob – 3 November 2012 to 7 November 2012 and 11 November 2012 to 17 November 2012.

be approved.

CARRIED 6/0

ITEM 17 CLOSURE

17.1 Date of Next Meeting

There is a Special Council Meeting being held on Wednesday 14 November 2012, commencing at 5:30pm.

The next Ordinary Meeting of Council will be held on Wednesday 28 November 2012, commencing at 5.30 pm.

17.2 Closure

There being no further business, the Mayor declared the meeting closed at 7:24 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by Council at its Ordinary Meeting held on _____.

CONFIRMATION:

MAYOR

DATE