



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING

OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 22 AUGUST 2012

AT 5.30 PM

IN COUNCIL CHAMBERS

McGREGOR STREET, PORT HEDLAND

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*Ian Hill
Acting 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 5:33 pm and acknowledged the traditional owners, the Kariyarra people.

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

Mayor Kelly A Howlett
Councillor George J Daccache
Councillor Arnold A Carter entered the meeting at 5:34pm
Councillor Jan M Gillingham
Councillor David W Hooper
Councillor Michael (Bill) Dziombak
Councillor Gloria A Jacob

Officers

Mr Ian Hill	Acting Chief Executive Officer
Ms Natalie Octoman	Director Corporate Services
Mr Gordon Macmile	Director Community Development
Mr Eber Butron	Director Planning and Development
Ms Jenella Voitkevich	Acting Director Engineering Services
Ms Josephine Bianchi	Coordinator Governance
Ms Grace Waugh	Administration Officer Governance

2.2 Apologies

Nil

2.3 Approved Leave of Absence

Councillor Stan R Martin
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 8 August 2012**

Nil

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 8 August 2012**3.2.1 *Councillor Carter***

Was the building covered under our insurance policy while not adhering to our safety standards?

Director Corporate Services advised that Wanangkura Stadium has property insurance that was in place prior to the opening of the building. While there were extra safety measures in place during the period that the Stadium was open to the public, the Town's insurers have advised that the building may or may not have been covered by the insurance policy and this decision would be dependent on the interpretation and opinion of the individual insurance assessor.

ITEM 4 PUBLIC TIME

Mayor opened Question time at 5:34pm

4.1 Public Question Time**4.1.1 *Shane Sear***

What is the current status of Town Planning Scheme (TPS) 6?

Director Planning and Development advised that funding to update the TPS5 has been requested as part of the 2012/13 budget.

Why is it taking so long?

Mayor advised the updating of TPS5 has experience delays due to staff changes and resource availability.

Director Planning and Development advised the Growth Plan has just been finished and this ties in well with the update of TPS5.

When will Council stop its "blind eye policy" in regard to breaches of TPS5 and enforce the TPS5 as it is it's statutory duty and part of its duty of care to all residents of the Town of Port Hedland?

Director Planning and Development advised that there is no 'blind eye policy' and that there are currently limited resources in the compliance area to deal with a high number of compliance issues across the community.

What was the true cost of the Multi Purpose Recreation Centre (MPRC)?

Director of Corporate Services advised that this figure was outlined in the report covered at the last Ordinary Council Meeting.

Is it true that Council is being audited by the State Government over its use/misuse of Royalties for Regions monies?

Mayor advised that the Royalties for Regions program has an auditing process that is utilised for all organisations, including the Town of Port Hedland. There are no claims or allegations of misappropriations regarding the Town of Port Hedland.

4.1.2 Camilo Blanco

What is the municipal fund balance?

Director Corporate Services advised \$46,806,028.10 as of 20 August 2012.

Is the Marina project \$40M included in the municipal fund balance?

Director Corporate Services advised in the affirmative.

Has the Town received an answer back from the Minister's office or the Premier's Office in relation to the poor financial position of the town?

Mayor advised that a letter has been sent to the Minister regarding the rates approvals necessary. However, Council did not send letters to the Minister's or the Premier's office regarding the financial position of the town.

Considering rates are rising to outrageous levels the town is writing to Ministers and the Premier about the financial crisis we find ourselves in, can you explain the reasons the Council voted in favour of a 30-40% wage rise for the council Directors and senior employees?

Mayor advised that the Town did write to the Minister regarding the rates and has received a response, so it can now proceed with the advertised model. With the increase in wages, this matter is part of the process of contract negotiations with staff and has been agreed upon by Council in order to retain good quality staff.

Can you tell me the estimated overall cost of that 30-40% pay rise per year to the ratepayers of the town?

Mayor advised the question is taken on notice.

Considering the economy is in decline, budgets in all government areas are being reduced, BHP suspending the outer harbor expansion, can you explain the reasoning behind Council voting to expand the employee base by 26 or so, at a cost of over \$2.5 million a year?

Mayor advised that she does not agree with the statement regarding the economy decline, as the Town is looking at unprecedented growth and at another record budget. The Town of Port Hedland is gearing up for a transition from a town into a city. People are expecting a higher quality of services and facilities and the number of staff has to increase to keep up with this. Along with the Town of Port Hedland, the Port Hedland Port Authority, the hospital and a number of other services and agencies are expanding on staff.

Can you explain the reason behind the Acting CEO Mr Hill deciding to depart six or so weeks before the new CEO starts?

Mayor advised that this decision is part of a contractual agreement entered upon.

Is Mr Hill being used as a scapegoat for the recreation centre disaster?

Mayor advised there is no scapegoat and no Stadium disaster.

Are you responsible for the recreation centre fiasco?

Mayor advised that she didn't build the centre and she isn't responsible.

Who authorised the opening of the recreation centre even though the safety problems were well known to key Councillors and staff months previous?

Mayor advised that these problems weren't known months in advance.

Acting Chief Executive Officer advised that as discussed at the last Ordinary Council Meeting there is an independent review to be undertaken and answers to all these questions will be outlined once the process has been completed.

The funding associated with the recreation centre has been advertised: Royalties for Regions \$15M, BHP Billiton \$15M and the total complex costing \$34.1M. However the Town authorised a loan for the recreation centre at \$10M of which \$8M is still owed, not to mention the funds from FMG and Auzcorp. Why is the community being lied to about the complex costs?

Mayor advised that the community is not being lied to.

Last year Council requested the Valuer General to revalue properties that had planning or building applications issued. The Town issued interim rate notices that increased rates by up to 130% and the rate in the dollar was changed to suit the increase. Did the Town get permission from the Minister to change the rate in the dollar as required by the Act?

Director of Corporate Services advised that when developments occur completion details are sent to the Valuer General. If the Valuer General subsequently determines that property values have changed it is at his office's discretion, not Council's.

If Council did not obtain permission from the Minister to change the rate in the dollar when will the rate payers in question receive that refund?

Director Corporate Service advised when a property is developed or redeveloped the details are sent to the Valuer General's office and this office revalues the property. The rate in the dollar is as per Council's resolution for specific rating categories.

4.1.3 Chris Whalley

BHP run the trains over Wallwork Road crossing causing traffic jams around the South Hedland and Wedgefield area. Could council ask BHP management not to move trains on the Wallwork Road crossing between the hours of 5.30am and 7.30am in either direction?

Mayor advised that the Town will talk to BHP.

4.1.4 Louise Newbery Starling

Two meetings ago I asked a question concerning Redbank Road. At the last meeting I was advised this matter would be passed on to Main Roads. At today's date I still have not received a response, could Council please let me have an answer?

Acting Director Engineering Services advised that the Town is still waiting on a response from Main Roads and will make it available to Ms Starling as soon as it is received.

I have asked this question four meetings ago and then again two meetings ago and still have received no answer. What is the Planning Department going to do about the illegal use of land at Redbank and can I receive a report on this matter?

Mayor advised that the question is taken on notice.

Mayor closed Public Question Time at 5:53pm.

Mayor opened Public Question Statement Time at 5:54pm.

4.2 Public Statement Time**4.2.1 *Shane Sear***

Council's inability or the lack of funds to get sufficient planning department resources in the compliance area is putting people's health at risk across the town. It is time for Council to solve compliance issues as you can't build a city that is out of control and at the moment the town is out of control.

4.2.2 *Chris Whalley*

This year I have found it most unpleasant to drive around Port Hedland. There is more and more traffic and the Roads in this town are not suitable for the sheer volume of traffic we have.

4.2.3 *Barry Pound*

Mr Pound spoke in favour of the officer's recommendation included in item 11.1.1 on tonight's agenda. Mr Pound outlined what has happened since December 2010, when this item was first presented to Council for consideration to rezone Lot 226 Greenfields Street, Boodarie, and not supported. The item was represented to Council in January 2012 and rejected. Because of this history of events this matter has since been put forward to the Minister which has given preliminary approval to the Department of Planning to prepare a draft Section 76 order. Mr Pound asked that Council consider approving this application in order to develop more land at a more affordable price at Lot 226 Greenfields Street, Boodarie, and move forward towards reducing the housing shortage in town.

4.2.3 *Camilo Blanco*

When asking questions at Council meetings the public gallery can't hear any of the answers which have to be chased up in the minutes. Can Council look into changing the design of this table?

Mayor closed Public Statement Time at 5:58pm.

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

What's the status of Marquee Park?

Acting Director Engineering Services advised that the Park has passed practical completion and is waiting on the water treatment system to be tested together with the splash pad surface treatment. The water is currently undergoing tests and the Town is waiting on results from the Health Department.

What is the status of the fence around Marquee Park?

Acting Director Engineering Services advised that the fence along Cottier drive is subject to budget approval and will be completed in the same time frame of the rest of the Park.

5.2 Councillor Carter

Has an answer been received by an independent assessor as to whether the Multi Purpose Recreation Centre (MPRC) was and is covered by insurance?

Director Corporate Services advised that to find out whether the building was insured prior to its opening a claim has to be lodged with an independent assessor for that period of time. The Wanangkura Stadium has insurance at this point in time albeit not for public use.

Was the complete fire service required to be provided in the original contract with Doric? If not how did the building pass the inspection and scrutiny of the various consultants the Town employed for the building?

Acting Chief Executive Officer advised that these matters are part of a review to be undertaken.

Acting Director Engineering Services advised that the fire service related to the water system that is being installed now was not part of the original Doric contract.

Who will the consultant be (to undertake the reviews) and how much money will this cost?

Acting Chief Executive Officer advised the brief is currently out for quotation.

Director Planning and Development advised that quotations are due back next Wednesday, ready for the Special Council Meeting. The brief has gone out to consultants recommended by solicitors.

Has the brief not gone out to public invitation?

Director Planning and Development advised in the negative.

Did any discussions regarding water pressure take place with Water Corporation prior to the opening of the recreation centre?

Acting Chief Executive Officer advised that it is part of the review process.

Will quotes come back to Council for discussion?

Acting Chief Executive Officer advised that quotes will be presented at the Special Meeting on the 30 August 2012.

Could I have the total cost for consultants on the project?

Mayor advised the question is taken on notice.

5.3 Councillor Gillingham

Wedge Street is a little dangerous at the moment, with the current works taking place there. What process is in place to stop rocks and glass covering footpaths especially during busy times of the day?

Acting Director Engineering Services advised this issue has been raised with contractors and they have been requested to try and alleviate concerns.

Has thought been given to the Visitors Centre being relocated during this time?

Mayor advised Council was assured the Visitors Centre could still trade during this time.

Acting Director Engineering Services advised that over the next week contractors will change the side of the road they are working on. This matter was brought up as part of previous consultation with Council.

Do businesses in Wedge Street receive protection over loss of income?

Mayor advised in the negative.

'Alliance Dance' group has a concert coming up and the Recreation Centre was booked as the venue. Has this group been informed they may need to look at other venue?

Director Community Development advised that there were two events affected by the Stadium's closure. Both events have been relocated to the JD Hardie Centre and on the same dates.

At the Stadium, are all staff there employed under YMCA?

Director Community Development advised in the affirmative.

Is the presentation from the Health Department still going ahead as per my previous request?

Mayor advised that this will be followed up on.

The 'Relay for Life' event is on the oval this weekend but I haven't received any notifications. What is the process to receive information?

Mayor advised that she has received one email asking for one representative from the Town of Port Hedland to attend a Relay for Life' lunch; she has passed this on to the Deputy Mayor. The event is not organised by the Town of Port Hedland.

There is too much happening in one weekend, can we have a whiteboard at the shopping centre outlining all upcoming events so no clashes take place?

The queues at Post office are out of the door. Can we approach Australia Post about extending their trading hours and maybe opening on a Saturday morning from 9am to 1pm as in the city?

Mayor advised in the affirmative.

5.4 Councillor Hooper

The North West Festival was a fantastic event. I am wondering if it has covered all its costs and can we look forward to another one next year?

Director Community Development advised that the Town is reviewing this information back from Sunset Events and compiling it. The event was structured so that the cost of running the event was paid for first. The rest is to be paid based on funds raised so this will depend on the amount of tickets sold. On top of that Sunset Events plus the Town of Port Hedland are to establish a comprehensive media campaign and report back to Council in October with a full evaluation of the event and recommendations for the 2013 Festival.

5.5 Councillor Dziombak

Was the Mayor aware of the issues that closed the Wanangkura Stadium prior to the opening?

Mayor advised she wasn't as she was out of the country.

I have recently been asked why the Mayor was absent at the opening of the Wanangkura Stadium, at the announcement for the Marina, at the announcement of Lumsden Point and the visit from the Premier and Cabinet. I have been asked why the Mayor attended the FMG festival in Newman but not the Town of Port Hedland sponsored inaugural North West Festival in Port Hedland. In view of the upcoming State election who sets the Mayoral priorities?

Mayor advised she sets the Mayoral priorities.

What is the status of the priorities and protocols closed session Council decided to hold to discuss issues leading up to the March 2013 State election?

Mayor advised that a suitable time for all is currently being looked into.

5.6 Councillor Jacob

What is the status of the urban art policy, in particular with regard to the upcoming development in South Hedland CBD precinct?

Director Planning and Development advised there was an item included in the 2012/13 budget for a street art policy that was deferred until next financial year.

However there is another item in the budget for design guidelines and depending on the money spent on these there may be some funds left to develop a public art strategy/policy.

Can guidelines for developers be set so that a certain percentage of the cost of a development has to incorporate urban art, to be paid by the developer?

Director Planning and Development advised that as design guidelines are required first, at the moment the Town can only encourage urban art from developers.

Can Council come up with a strategy to do so?

Director Community Development advised that there is a new budget item that will partly look at this.

Director Planning and Development advised that there is money set aside for design guidelines that could be put forward for this.

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

Mayor K A Howlett	Cr A A Carter
Cr D W Hooper	Cr J M Gillingham
Cr G J Daccache	Cr G A Jacob
Cr M Dziombak	

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 8 August 2012

201213/073 Officer's Recommendation / Council Decision

Moved: Cr Carter

Seconded: Cr Hooper

That the Minutes of the Ordinary Meeting of Council held on Wednesday 8 August 2012 be confirmed as a true and correct record of proceedings.

CARRIED 7/0

7.2 Confirmation of Minutes of Special Meeting of Council held on Thursday 16 August 2012**201213/074 Officer's Recommendation / Council Decision****Moved: Cr Carter****Seconded: Cr Jacob**

That the Minutes of the Special Meeting of Council held on Thursday 16 August 2012 be confirmed as a true and correct record of proceedings.

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

Mayor Kelly Howlett provided an update of her activities throughout July and August.

July 2012

Tuesday, 10th July

- Weekly Mayor Chat On Spirit Radio 1026am

Wednesday, 11th July

- Weekly CEO, Deputy Mayor and Mayor Catchup
- Agenda Briefing Session + Deputy Mayor + Cr Dziombak + Cr Hunt + Cr Jacob
- Chair OCM

Thursday, 12th July

- Attended BHPBIO/TOWN OF PORT HEDLAND Sustainability Partnership Working Group + Deputy Mayor + A/CEO + DCD

Saturday, 14th July

- Mayor Coffees – Port Hedland
- Mayor Coffees – South Hedland

Sunday, 15th July

- Attended 2012 Boodarie Bowls Farewell Dinner + Deputy Mayor

Monday, 16th July

- Chair PDC Audit & Finance Committee Meeting
- Weekly Teleconference RDA-Pilbara Chair
- Conducted Australian Citizenship Ceremony + Deputy Mayor + Cr Hunt

Wednesday, 18th July

- Attended Brad Anderson's Funeral
- Attended TOWN OF PORT HEDLAND Concept Forum + Deputy Mayor + Cr Carter + Cr Hooper + Cr Dziombak + Cr Hunt + Cr Jacob + A/CEO + DCD + DCORP + DPD

Thursday, 19th July

- Telephone Meeting Mal Osbourne + A/CEO
- Weekly CEO, Deputy Mayor & Mayor Catchup
- Executive Coaching Session
- Fortnightly Teleconference RDA – Pilbara CEO

August 2012

Tuesday, 7th August

- Attended PDC Board Meeting (Perth)

Thursday, 9th August

- Attended RDA – Pilbara (WA) Board Meeting

Friday, 10th August

- Hosted LandCorp Board Visit + Deputy Mayor + Cr Jacob + Cr Hooper + A/CEO + DPD
- Attended SWA Allocation Meeting

Monday, 13th August

- Fortnightly Pilbara Shire President/Mayor Phone Link Up
- Common Seal Signing + CEO

Tuesday, 14th August

- Chair HSHS IPS Board Meeting
- MC Rose Nowers Early Learning Centre Ribbon Cutting Ceremony
- Attended Rose Nowers Early Learning Centre AGM

Mayor also advised that the recent BHP announcements to the Australian stock exchange indicate that BHP is largely committed for the next financial year and no major project approvals are expected over this time. The outer harbour project has been postponed but this will have no negative financial impact on Council's operations. The Mayor has been reassured that \$9b of capital works across the North West over the next two years has already been approved.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 *Councillor Daccache*

In early August during Local Government convention week I went to Perth to attend the opening of the new BHP building. I also attended a couple of functions leading up to the North West Festival. The Festival went well and congratulations to everyone involved.

9.2 *Councillor Carter*

Requested that Council write to Main Roads and ask that Wilson Street be cleaned up following the Festival.

9.3 ***Councillor Gillingham***

Between the airport and Wedgefield turn off there is a lot of litter, can the Town look into this? I attended the meet and greet for the North West Festival, it was very well organised. Congratulations to everyone involved in the Festival, it was a great event. All the patrons were very well behaved and there was a great sense of camaraderie.

9.4 ***Councillor Hooper***

The North West Festival was a fantastic event. I also went to the opening of the Esplanade Hotel, compliments to the designers as the building looks great. I attended St Cecilia's fundraiser. I attended recent South Hedland CBD meetings, where the integration of the Well Woman's Centre, Lotteries House and the South Hedland Library is progressing well.

9.5 ***Councillor Dziombak***

The Port Hedland Chamber of Commerce is holding its annual 'Business of Year Awards' at the Walkabout hotel on the 15 September 2012, the theme is 'Night in Hollywood'. I also attended as a Port Hedland Chamber of Commerce representative two service worker accommodation meetings which were very productive and have lead to the allocation of the first 45 service worker houses, which will be announced by the Minister hopefully within the next couple of weeks.

9.6 ***Councillor Jacob***

Attended the WALGA conference, it was good to hear from Sir Jackie Stewart, a famous race car driver who gave good tips for personal performance. I visited Coventry Markets for the big barns concept that Council has been discussing; the concept is achievable in the short term and needs to be progressed further. I attended a Regional Development Australia board meeting. I also attended the key worker housing accommodation meetings as a South Hedland Business Association representative; the first 45 houses applications have been shortlisted and we are looking forward to the Minister's announcement. In regard to the North West Festival, congratulations to the organisers and staff who were involved. It was mentioned for 4 minutes on Triple J and there were over 700 posts on the Facebook page. There has been incredible feedback from attendees and staff that worked there. The Festival put Port Hedland on the Australian map for festival destinations in 2013.

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

Nil

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.

Flooding

The applicants engineers VDM Consulting, provided a detailed Hydraulic Impact Assessment confirming:

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

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

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

Potential impact on life style

Concern was raised over the potential impact the proposed density may have on the area. In this regard it must be noted the subject site is currently totally undeveloped, any potential purchasers will be aware of the proposed lots sizes and will make the life style choice accordingly.

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

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

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

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

Effectively the net increase in traffic from what is currently approved to what can be developed should the scheme amendment be successful would be 61 trips per peak hour.

However, on both occasions the report was presented to Council, Council resolved not to support the request.

As a result of the refusal the applicant has submitted a Section 76 application (s76 of the Planning & Development Act 2005) requesting the Ministers intervention.

In this regard the DoP is requesting Council provide comment / response on the refusal to initiate Scheme Amendment 52.

Consultation

No consultation has been undertaken since the request to initiate the scheme amendment was refused by Council.

The DoP acknowledges the land has drainage and flood implications, as a result on receipt of the s76 request the West Australian Department of Water (DoW) was contacted for advice. In this regard the DoW advised as follows:

“An Urban Water Management Plan (UWMP) is to be prepared to support the rezoning request. This rezoning request should also identify the capacity of the land to sustain the proposed land uses and any management responses to the UWMP.”

Statutory Implications

Section 76, of the Planning and Development Act 2005, provides the Minister with the ability to intervene where,

- There are proper planning grounds that the Minister “ought” to intervene so that the proposed scheme amendment or amendment is made or adopted.

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 to make this amendment.

Policy Implications

Nil

Strategic Planning Implications

The following section of Council’s Strategic Plan 2012 – 2015 is considered relevant to the proposal:

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

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

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

Budget Implications

Nil

Officer's Comment

Proper and Orderly Planning

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

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

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

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

Planning Objectives

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

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

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

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

Infrastructure

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

Traffic and Road Network

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

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

Water and Electricity

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

Sewer

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

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

Stormwater and Flooding

Prior to Council and the WAPC approving the subdivision of the site into 72 lots in 2009, the applicant was required to do extensive flood modeling. With the increase of residential yield from 72 to 129 the applicant’s consulting engineers have again modeled the potential flooding of the area.

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

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

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

Community Benefit

During the original requests to initiate the scheme amendment the developer indicated their willingness to enter into a memorandum of understanding with the Town to remediate current infrastructure concerns up to a value of \$1,500,000.

The applicants have advised they are and willing to enter into a memorandum of understanding with Council to attend to the remedial Road works to rectify flooding in stage 1, should the rezoning be adopted and approved by the WAPC.

Attachments

1. Section 76 request document
(Attached under separate cover)

Options

Council has the following options when considering the matter:

1. Reconsider the previous refusal to initiate Scheme Amendment 52.

The reconsideration would enable the proposal to be advertised to gauge the community support or lack thereof.

2. Not reconsider the matter and provide the DoP with comments / reasons as to why Council does not support the initiation of Scheme Amendment 52.

This would result in matter being referred to the Minister by the DoP for determination.

Option 1 is recommended.

Officer's Recommendation 1

NOTE: Mayor called for a show of hands in favour (1/3 of members) to consider the revoking of Resolution 201112/293 of Agenda Item 11.1.5 "Proposed Scheme Amendment No 52 to the Town of Port Hedland Town Planning Scheme No. 5 to recode portion of Lot 226 Forrest Location (Lot 226 South Hedland Rural Estate) South Hedland from "Rural Residential" to "Residential R2.5", presented to Council's Ordinary Meeting of 25 January 2012, and recorded on page 84 of those Minutes, that states:

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

The following Councillors indicate their intent to do so:

Councillor Daccache,
 Councillor Hooper,
 Councillor Jacobs.

Moved: Cr Daccache

Seconded: Cr Hooper

That Council:

- A. Revokes Council decision 201112/293 of agenda item 11.1.5, “Proposed Scheme Amendment No 52 to the Town of Port Hedland Town Planning Scheme No. 5 to recode portion of Lot 226 Forrest Location (Lot 226 South Hedland Rural Estate) South Hedland from “Rural Residential” to “Residential R2.5”, of 25 January 2012, and recorded on page 83 and 84 of those minutes, which states:

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

LOST TO AN ABSOLUTE MAJORITY VOTE 4/3

Record of vote

For	Against
Mayor Howlett	Councillor Dziombak
Councillor Hooper	Councillor Carter
Councillor Jacob	Councillor Gillingham
Councillor Daccache	

Officer’s Recommendation 2

That Council:

- 1. Initiates an amendment to the Town of Port Hedland Town Planning Scheme No. 5, by amending the zoning of a portion of Lot 226 Forrest Location from “Rural Residential” to “Residential R2.5”.
- 2. Requests the applicant to prepare the formal amendment documentation to enable referral to the Environmental Protection Authority.
- 3. Following approval from the EPA to advertise the amendment, Council advertises the proposed amendment in accordance with section 83 of the PDA to consult persons likely to be affected by the amendment, and also advertise the amendment for a minimum of 42 days pursuant to section 84 of the PDA.

4. Should there be no objections received during the statutory advertising period, Council delegates:
 - a. the Chief Executive Officer to formally adopt Scheme Amendment 52, and
 - b. the Manager Planning Service to forward the Scheme Documents to the WAPC for final approval.
5. Approves the use of the Common Seal on the Scheme Amendment Documents.
6. Delegates the Director Planning and Development to enter into a Memorandum of Understanding between the Town and the applicant for remedial works to the value of \$1.5 million in stage 1 (existing South Hedland Rural Estate).

NOTE: SIMPLE MAJORITY VOTE REQUIRED

This recommendation could not be put to a vote as the Absolute majority required had not been secured on the previous motion.

11.1.2 *Proposed Road Names – Approved Subdivision of Various Lots Referred to as Lot 2 Limpet Crescent, South Hedland (File No.: 130511G)*

Officer Steve de Meillon
Planning Officer

Date of Report 8 August 2012

Disclosure of Interest by Officer Nil

Summary

Council received a request from McMullen Nolan Group on behalf of the Department of Regional Development and Lands, and the State Housing Commission to endorse proposed Road names created as a result of the approved amalgamation and re-subdivision of various lots in South Hedland.

The subdivision of the area is referred to as Lot 2 Limpet Crescent, South Hedland (the site).

The report is before Council to approve the proposed Road names.

Background

The Western Australian Planning Commission approved a subdivision subject to conditions for the various lots in South Hedland referred to as Lot 2 Limpet Crescent, South Hedland.

The approved subdivision results in the creation of a number of new Roads to provide access to the newly created lots.

The nominated Road names have been taken from the Port Hedland Reserve Road Name Register and reflect local watercourses and/or pools.

The suffixes for the Roads may be changed in consultation with the Geographic Names Committee.

The applicant has proposed the following Road names listed in table 1 below.

Table 1 - Proposed Road Names

Full name	Proposed suffix	Significance
Coolenar Pool	Road	Located on the DeGrey river south of the Tintawarmnyah Pool.
Carraba Creek	Boulevard	This creek flows from South West to North East for 14km into the Turner River east.
Junction Pool	Crescent	Located at the junction of the Strelley and DeGrey Rivers.
Marloo Pool	Way	Situated on the DeGrey River just North of its junction with the Strelley.
Meedanar Pool	Road	Shown on cancelled public plan north 7.
Pilinya Creek	Crescent	A creek flowing into the Turner River east.
Pinpin Creek	Road	A creek flowing from South to North, East of the parallel to the Strelley River East.
Poooca Pools	Lane	Situated in the Turner River about 25km southwards of Cookes Hill.
Red Rock Creek	Lane	From the 1965 army field check. Appeared on the army 1:250 000 port hedland1968 as "red rock creek".
Salmon Creek	Lane	The name has been in local use for many years and is considered appropriate as it is a source for north west salmon.
Stingray Creek	Road	A creek flowing into Port Hedland from the South East.
Yann Pool	Lane	Situated 5.20kms South East of the De Grey homestead.
Yegin Pool	Place	Situated to the north of Welburn Pool.
Yule River	Lane	The river flows about 232km to its mouth near Cape Thouin.
Pretty Pool	Way	Located at the mouth of the Pretty Pool creek.
Welburn Pool	Crescent	Located south of the Yegin Pool, North of the DeGrey Homestead.
Mangrove Creek	Way	A creek flowing into the Indian Ocean of Mystery Landing.

Consultation

Nil

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.

Policy Implications

Nil

Budget Implications

Nil

Officer's Comment

The proposed Road names have been taken from the Port Hedland Reserve Road Name Register and reflect local watercourses and/or pools within the Town of Port Hedland.

Attachments

1. Proposed Road Name Plan.

Options

Council has the following options when considering the request:

1. Support the request to apply the nominated Road names for the future Roads indicated on Attachment 1.

The approval of the applicants request will result in the newly created Roads being named as per Part 2, Division 3, Section 26A of the Land Administration Act 1997.

2. Reject the request for the use of the nominated Road names for the future Roads as indicated on Attachment 1.

Should Council choose to refuse the applicants request, the applicant will need to seek alternative names for the newly created Roads.

Option 1 is recommended

201213/075 Officer's Recommendation / Council Decision

Moved: Cr Carter

Seconded: Cr Hooper

That Council:

1. **Approves the use of Coolenar Road, Carraba Boulevard, Junction Crescent, Marloo Way, Meedanar Road, Pilinya Crescent, Pinpin Road, Pooqa Lane, Redrock Lane, Salmon Lane, Stingray Road, Yann Lane, Yegin Place, Yule Lane, Welburn Crescent, Pretty Way and Mangrove Road for the future Roads as indicated on Attachment 1.**
2. **Delegates the Manager Planning Services to forward the approved Road names to the Geographic Names Committee for final approval.**

- 3. Advises the applicant any cost associated with the required Road signage will be at the cost of the applicant.**
- 4. Advises the applicant the proposed Street signs are to be to the specifications of the Manager Technical Services and to the satisfaction of the Manager Planning Services.**

CARRIED 7/0

ATTACHMENT 1 TO ITEM 11.1.2



11.1.3 Proposed Permanent Partial Closure of Lawson Street, South Hedland adjoining Lot 2067 (35) Lawson Street (File No.: 120900G)

Officer	Ryan Djanegara Planning Officer
Date of Report	29 June 2012
Application No.	2012/208
Disclosure of Interest by Officer	Nil

Summary

Council received a request from John Scott, owners of Lot 2067 (35) Lawson Street, South Hedland to permanently close a portion of the Lawson Street Road Reserve.

It is recommended that Council initiate the Road Closure.

Background

The landowner wishes to purchase the proposed closed portion of Road reserve and amalgamate it with Lot 2067 (35) Lawson Street, South Hedland. Subject to the successful closure of this portion of Road, the applicant will require to amend the Town Planning Scheme to rezone the site from Road Reserve to Residential.

Consultation

Internally:

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

- Manager Technical Services
- Manager Building Services

Externally:

Should Council decide to initiate, advertising will be required in accordance with Section 58(3) of the Land Administration Act 1997 which states:

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

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

Notwithstanding the above, the following public service providers were requested to provide comment:

- Horizon Power,
- Water Corporation,
- Telstra,
- Optus, and
- Main Roads Western Australia.

Main Roads, the Water Corporation and Optus have not responded within the referral period. Horizon Power and Telstra has raised no objection to the proposal however have identified existing infrastructure that will need to be relocated.

Statutory Implications

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

The subsequent sale of the Crown Land is undertaken by the Department of Regional Development and Lands on behalf of the Minister in accordance with Part 6 of the *Land Administration Act 1997*.

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

“The Director Planning and Development and / or the Manager Planning may forward Road Closure Applications direct to the Department of Land Administration in the event of:

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

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

Officer's Comment

The section of Lawson Street Road Reserve (approximately 620m²) which is being sought is currently used to provide vehicular access to Lot 2067 (35) Lawson Street (the applicant) and includes an existing footpath and landscaped area. The applicant seeks to close this portion of reserve and have amalgamated into his property for redevelopment purposes.

Although this portion of the Road reserve will not impact on vehicle traffic movement and safety, it will impact on pedestrian/cycle network due to the location of an existing footpath. Council's Technical Services have raised no objection to the proposal provided the applicant realigns the footpath to reconnect with the existing footpath network.

Given the above, it is considered that the applicant's request to close this portion of Lawson Street will not impact on the vehicular and pedestrian traffic movement provided the footpath is realigned and costs associated are borne by the applicant. In light of the above, it is recommended the applicant's request is supported.

Options

Council has the following options in responding to the request:

1. Support the request to permanently close a portion of the Lawson Street Road Reserve, South Hedland.

The closure of the subject portion of Road reserve will allow the landowner to amalgamate the site and allow for greater redevelopment options. Should Council support the request, it is recommended that a condition is imposed requiring detailed civil drawings to be provided to realign the footpath and that all costs associated with its relocation are to be borne by the applicant.

2. Reject the request to permanently close a portion of the Lawson Street Road Reserve, South Hedland.

Should Council not support the proposal, the site would remain unchanged.

Option 1 is recommended subject to conditions requiring the civil drawings to realign the footpath.

Attachments

1. Locality Plan
2. Road Closure Plan

201213/076 Officer's Recommendation / Council Decision**Moved: Cr Carter****Seconded: Cr Hooper****That Council:**

- 1. Supports advertising of the request from John Scott to permanently close a portion of the Lawson Street Road Reserve, South Hedland, as indicated on Attachment 2;**
- 2. Delegates the Manager Planning Services under Delegation 40(12) to submit the Road closure request to the Department of Regional Development and Lands (State Land Services), subject to the following;**
 - a. The proposed Road Closure being advertised for a period of 35 days pursuant to Section 58(3) of the Land Administration Act 1997;**
 - b. No objections being received during the advertising period;**
- 3. Prior to the Road closure request being submitted to the Department of Regional Development and Lands, the applicant shall submit and have approved by the Manager Planning Services civil drawings to realign the existing footpath and associated Council infrastructure and access to the existing Council path network in accordance with AustRoads Part 13 – Pedestrians;**
- 4. Prior to the Road being formally closed, the applicant shall construct the footpath and access in accordance with the approved civil drawings to the satisfaction of the Manager Planning Services; and**
- 5. Advises the applicant that should the Road closure proceed, the Town Planning Scheme will need to be amended to rezone this portion of land from "Road Reserve" to "Residential".**

CARRIED 7/0

ATTACHMENT 1 TO ITEM 11.1.3



11.1.4 Proposed Final Adoption of Scheme Amendment No. 48 to the Town of Port Hedland Town Planning Scheme No. 5 to Modify the Land Use Classes Permitted in the Airport Zone (File No.: 18/09/0062)

Officer	Michael Pound Senior Planning Officer
Date of Report	8 August 2012
Disclosure of Interest by Officer	Nil

Summary

Council at its Ordinary Meeting held on the 19 October 2011 resolved to initiate a Scheme Amendment to modify the Land Use classes permitted in the Airport zone.

This report seeks Council's approval for final adoption of the Scheme Amendment.

Background

The Port Hedland International Airport Land Use Master Plan (ALUMP) was adopted by Council on 27 July 2011.

The ALUMP identifies that whilst there is significant development potential for Airport zoned land, it is essential a range of land use planning controls be implemented to ensure the development of land does not detrimentally impact the long term future of the airport.

The ALUMP also identified that the airport requires some rationalisation of land uses and development should occur in an integrated manner.

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 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:	16/11/11 – 21/12/11 7/3/12 – 18/4/12
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Written notification was sent to:

- Adjoining neighbours
- Horizon Power
- Water Corporation
- Telstra
- Optus
- Pilbara Cities
- Main Roads WA
- Department of Water

As a result of the above advertising, four submissions were received, outlined in Table 1 below.

Table 1 - Summary of submissions

Correspondent	Issue raised	Planning Response
Horizon Power	No objections raised.	No issues raised.
Water Corporation	<ul style="list-style-type: none"> - Current wastewater plans do not include the airport zone - Industrial/Commercial/Mixed Business areas in the north west of the state are not planned to be connected to sewerage scheme. 	Advice Noted
Telstra	No objections raised.	No issues raised.
Optus	No objections raised.	No issues raised.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

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

Key Result Area 1:	Infrastructure
Goal 2:	Airport
Immediate Priority 1:	Complete the development of the Airport Land Development Plan and commence implementation of the key initiatives that are identified.

Budget Implications

Nil

Officer's Comment

The purpose of the Amendment is to provide a bRoad range of land uses permissible in the "Airport" zone to complement and reinforce the key objectives of ALUMP.

The Amendment seeks to allow the following, previously prohibited, use classes:

- Holiday Accommodation
- Tourist Resort
- Container Park
- Distribution Centre
- Hire Service (Industrial)
- Display Home Centre
- Dry Cleaning Business
- Mobile Business
- Reception Centre
- Restricted Premises
- Community Use, and
- Funeral Parlour.

This will significantly increase the range and scope of activities that can be developed adjacent to the airport operations area, under the control of the Town of Port Hedland.

All these land uses will remain discretionary, and Council will be able to determine the acceptability of each use on an individual merits basis.

It is also proposed to allow a range of land uses previously permitted as incidental uses, including:

- Industry – Light
- Industry – Service
- Storage Facility/Depot/Lay down Area
- Office
- Shop
- Showroom
- Takeaway Food Outlet
- Warehouse
- Car park, and

- Education Establishment

This will greatly extend the ability of the land to be developed within this precinct, without the requirement of being incidental to a predominant use.

The scheme amendment will enable the development of a bulky good, light / service industry area in accordance with the endorsed ALUMP.

It must be noted prior to any development within the "Airport" zone, a development application will be required. Such application will be assessed to ensure it aligns with Councils Strategic Plan and ALUMP.

Options

Council has the following options when considering the matter:

1. Adopt the Scheme Amendment without any modifications.
2. Adopt the Scheme Amendment with modifications.
3. Abandon the Scheme Amendment.

Option 1 is recommended

Attachments

Nil

201213/077 Officer's Recommendation / Council Decision

Moved: Cr Carter

Seconded: Cr Dziombak

That Council:

1. **Adopts Scheme Amendment 48, to Town of Port Hedland Town Planning Scheme No. 5, without any modifications.**
2. **Forwards all required documentation to the Western Australia Planning Commission for Ministerial Consent in accordance with the Town Planning Regulations 1967 (as amended).**
3. **Authorises the Mayor and Chief Executive Officer to execute three (3) copies of the amendment documents in accordance with the Town Planning Regulations 1967 (as amended), including the fixing of the Council's seal in the event that the Minister for Planning approves the Amendment.**

CARRIED 7/0

11.1.5 *Proposed Final Adoption of Proposed Scheme Amendment No. 53 to the Town of Port Hedland Town Planning Scheme No. 5 to apply an Urban Development Zoning and Development Plan Area Designations for the Future Development Area, Western Edge, South Hedland (File No.: 18/09/0067)*

Officer Steve de Meillon
Planning Officer

Date of Report 8 August 2012

Disclosure of Interest by Officer Nil

Summary

Council at its Ordinary Meeting held on the 25 January 2012 resolved to initiate a scheme amendment to rezone land, to provide for future urban development on the western edge of South Hedland.

The scheme amendment creates an “Urban Development” zoning, along with the rationalisation of the Development Plan areas.

This report seeks Council’s approval for final adoption of the Scheme Amendment.

Background

At its Ordinary Meeting on the 25 January 2012 Council initiated an amendment to the *Town of Port Hedland Town Planning Scheme No. 5*.

The amendment comprises the following:

1. Rezoning land from:
 - a. “Town Centre” to “Urban Development”
 - b. “Rural” to “Urban Development”
 - c. “Rural” to “Town Centre”
2. Remove land from “District Road” reserve and include that land within the “Town Centre” zone.
3. Amending the boundaries of the “Development Plan Area South Hedland Town Centre” and the “Development Plan Area South Hedland West”.
4. Creating “Development Plan Area Scadden Road”.
5. Amending the Scheme Map to reflect zone and reserve changes described in 1 and 2 above.

6. Amending the Scheme Map and Scheme Text Appendix 5 – Development Plan Areas map to reflect the Development Plan Area changes described in 3 and 4 above.

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: 20 June 2012 – 1 August 2012
Site signs: 20 June 2012 – 1 August 2012

Written notification was sent to:

- Adjoining neighbours
- Horizon Power
- Water Corporation
- Telstra
- Optus
- Pilbara Cities
- Main Roads WA
- Department of Water

As a result of the above advertising, three submissions were received, outlined in table 1 below.

Table 1 - Summary of submissions

Correspondent	Issue raised	Planning Response
Horizon Power	No objections raised.	No issues raised.
Water Corporation	No objections raised subject to advice (refer attachment 3).	These comments shall be addressed at the subdivision and subsequent development stages.
RPS	Support subject to minor modification to the alignment of the Development Plan boundary as it appears adjacent to Collier Drive.	The realignment of the Development Plan boundary will include a section of Collier Drive to improve the efficiency in developing the land.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

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

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

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

Section 5.7.10 Precinct 10:	South Hedland West
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Budget Implications

Nil

Officer's Comment

The previous initiation report to Council recognised the scheme amendment is consistent with the direction of the Pilbara Port City Growth Plan (Growth Plan). The site is identified within Precinct 10 of the Growth Plan. Precinct 10 is envisaged to be South Hedland's newest land release area, supporting both immediate and short term land supply.

The proposed scheme amendment is fundamental for the future development of the site and implementation of the Growth Plan. The Town's Planning Department supports the proposed boundary alignment of the Development Plan Area South Hedland West (Attachment 2). The boundary realignment will include a section of Collier Drive to allow greater efficiency in developing the land.

Options

Council has the following options when considering the matter:

1. Adopt the Scheme Amendment with modifications
2. Adopt the Scheme Amendment without any modifications.
3. Abandon the Scheme Amendment.

Option 1 is recommended to allow for the realignment of the Development Plan boundary.

Attachments

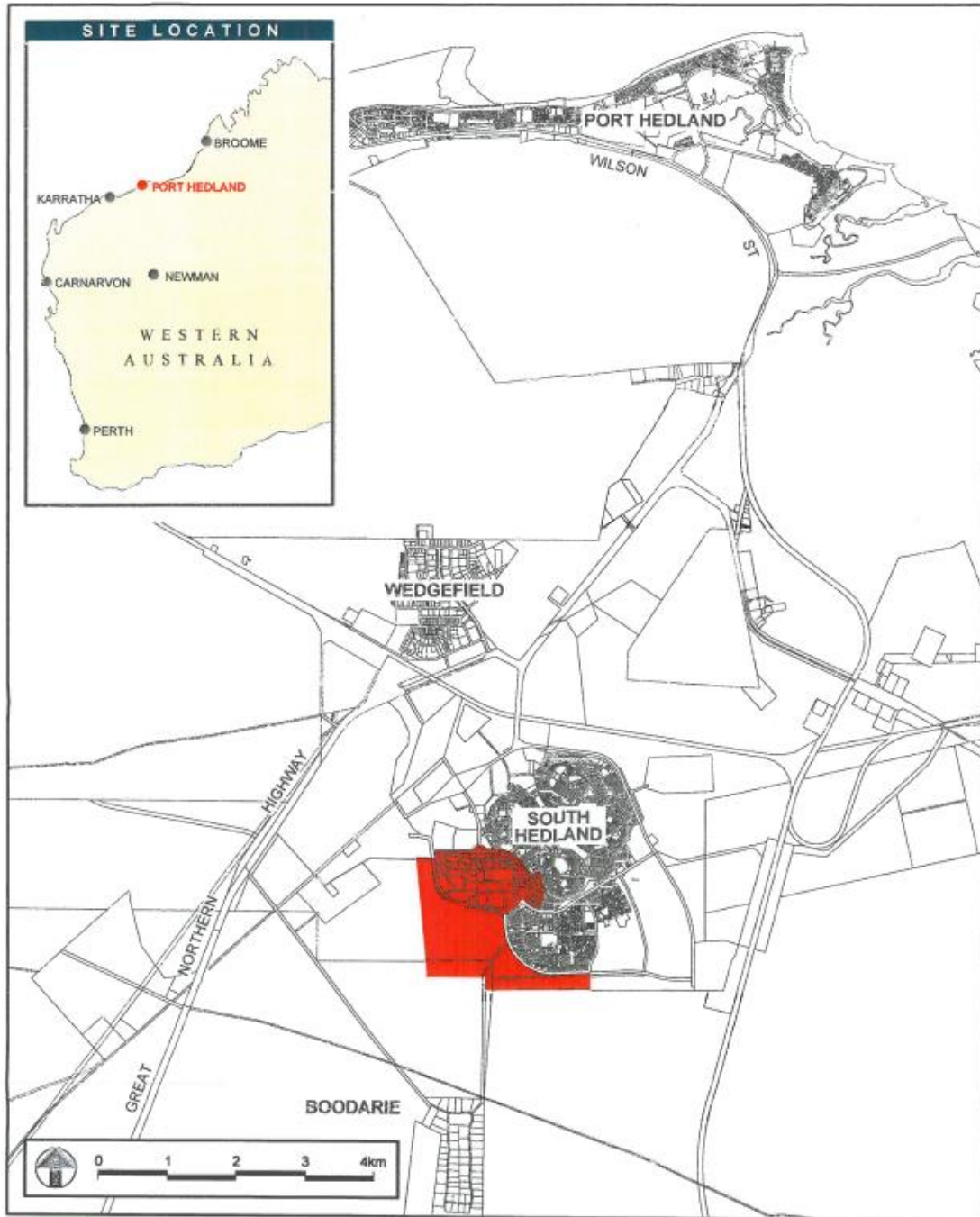
1. Locality Plan
2. Proposed Modification
3. Scheme Amedment Maps

201213/078 Officer's Recommendation / Council Decision**Moved: Cr Carter****Seconded: Cr Dziombak****That Council:**

1. **Adopts Scheme Amendment 53, to Town of Port Hedland Town Planning Scheme No. 5, with modifications to the Development Plan boundary along Collier Drive.**
2. **Forwards all required documentation to the Western Australia Planning Commission for Ministerial Consent in accordance with the Town Planning Regulations 1967 (as amended).**
3. **Authorises the Mayor and Chief Executive Officer to execute three (3) copies of the amendment documents in accordance with the Town Planning Regulations 1967 (as amended), including the fixing of the Council's seal in the event that the Minister for Planning approves the Amendment.**

CARRIED 7/0

ATTACHMENT 1 TO ITEM 11.1.5



Site Area

LOCATION PLAN

Property Description
South Hedland West

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

LandCorp : CLIENT
 1:75,000@A4 : SCALE
 6 January 2012 : DATE
 2967_18-5-001.dgn : PLAN No
 - : REVISION
 S.D. : PLANNER
 R.F. : DRAWN
 Not : CHECKED



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FIGURE 1

SCHEME AMENDMENT MAP

South Hedland West
Town of Port Hedland
Appendix 5

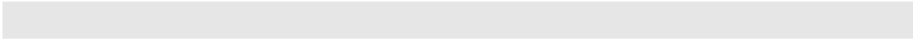


 - PROPOSED BOUNDARY REALIGNMENT

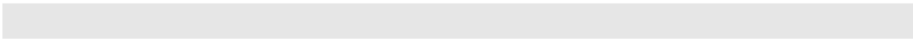
SCHEME AMENDMENT MAP

South Hedland West
Town of Port Hedland
Appendix 5





TOWN OF PORT HEDLAND
TOWN PLANNING SCHEME NO. 5
AMENDMENT NO. 53



PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME
TOWN OF PORT HEDLAND
TOWN PLANNING SCHEME NO.5
AMENDMENT NO. 53

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

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

Dated this 25th day of January 2012

CHIEF EXECUTIVE OFFICER

SCHEME AMENDMENT REPORT

1. **LOCAL AUTHORITY** : Town of Port Hedland
2. **DESCRIPTION OF TOWN PLANNING SCHEME** : Town Planning Scheme No. 5
3. **TYPE OF SCHEME** : Town Planning Scheme
4. **SERIAL NUMBER OF AMENDMENT** : 53
5. **PROPOSAL** : Provide Urban Development zoning across the future development area to the west and south of the South Hedland Town Centre, along with a rationalisation of the Development Plan Area boundaries as they relate to the Town Centre and future development area.



Town Planning Scheme Amendment Report

South Hedland West

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Date: April 2012

Prepared for:

LANDCORP

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

RPS

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1.0 INTRODUCTION

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

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

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

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

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

2.0 SITE CONTEXT

2.1. Location

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

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

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

Figure 1 identifies the location of the amendment area.

2.2. Ownership

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

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

2.3. Surrounding Land Uses

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

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

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

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

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

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

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

2.4. Environmental Considerations

RPS Environment and Planning Pty Ltd was commissioned by LandCorp to provide an Environmental Assessment Report (EAR) for the land subject to the Scheme amendment. The report is prepared in accordance with requirements of the EPA for the purposes of an environmental impact assessment, and addresses the following environmental considerations:

- Topography
- Geology
- Surface and ground water
- Vegetation and flora
- Fauna
- Acid sulphate soils
- Contamination
- Heritage

2.4.1. Key Findings

Key findings of the EAR include:

Level I Flora and Vegetation Survey

- No Threatened Flora species were identified as occurring within the subject land.
- No Threatened Ecological Communities (TEC) or Priority Ecological Communities (PEC) were identified as occurring within the subject land.
- The majority of the subject land is considered to be in 'Excellent' to 'Very Good' condition.
- *Heliotropium muticum* (P1) was identified as occurring within the subject land.

Heliotropium muticum (P1)

- Vegetation types associated with the occurrence of *Heliotropium muticum* (P1) are not restricted to the subject land.
- Distribution of *Heliotropium muticum* (P1) is considered to be wide spread and adequately represented in the Port Hedland hinterlands.
- It is considered unlikely that the subject land would be considered significant habitat upon which *Heliotropium muticum* (P1) is dependent upon for survival.

Level I Fauna Survey and Targeted Searches

- No Threatened species were recorded within the subject land.
- Two migratory bird species protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and two Priority 4 bird species under the *Wildlife Conservation Act 1950* were recorded by the field investigation.
- Given the proximity of the subject land to the existing South Hedland town site it is likely that the fauna of conservation significance may avoid the subject land.

- Although the subject land may potentially contain habitat which could potentially be utilised by the identified species of conservation significance fauna, it is considered unlikely to be considered significant habitat upon which any of these species are dependent upon for survival.
- Referral to the Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) under the EPBC Act will not be required for this proposal.

Potential Contamination

Uncontrolled tipping activities has led to large amounts of household refuse being placed within the subject land therefore there is potential for some contamination to be present.

2.4.2. Conclusion

Through addressing the identified key environmental factors when preparing the Development Plan, this environmental assessment of the proposed amendment concludes that the potential environmental impacts identified in this report can be managed in accordance with the objectives of the EPA to prevent significant impacts on the environmental values of the subject land.

2.5. Servicing Considerations

2.5.1. Water Supply

As a result of the Pilbara Port City Growth Plan the Water Corporation are currently reviewing their water capacity constraints for the East Pilbara Water Supply Scheme. Verbal advice from Wayne Burns and Russell Nelson of the Water Corporation confirm that the Water Corporation has no objections to the rezoning of the area to support future residential development.

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

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

2.5.2. Waste Water

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

The majority of the western portion of the amendment area is located within the current Water Corporation planning catchment boundary, and will gravitate to a proposed Type 180

pump station to be located at the northern extent of the area. Preliminary discussions with the Water Corporation have indicated that current anticipated completion of the pump station will be the late 2013. This pump station will discharge to the existing South Hedland Wastewater Treatment Plant west of the Site.

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

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

2.5.3. Power Supply

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

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

It is understood that the Murdoch Zone substation is running near capacity at Summer Peak Loads and any significant new development may require an upgrade of this facility. In order to understand any capacity constraints to service the amendment area, Horizon Power will need to complete a detailed HV System Study, which will be undertaken at the Development Plan stage when further concept planning and staging will be available.

2.5.4. Telecommunications

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

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

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

3.0 PLANNING FRAMEWORK

3.1. Strategic Planning Framework

3.1.1. State Planning Strategy, 1997

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

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

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

3.1.2. Draft Pilbara Planning and Infrastructure Framework, 2011

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

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

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

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

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

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

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

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

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

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

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

3.1.4. Port Hedland Regional Hotspots Land Supply Update, 2011

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

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

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



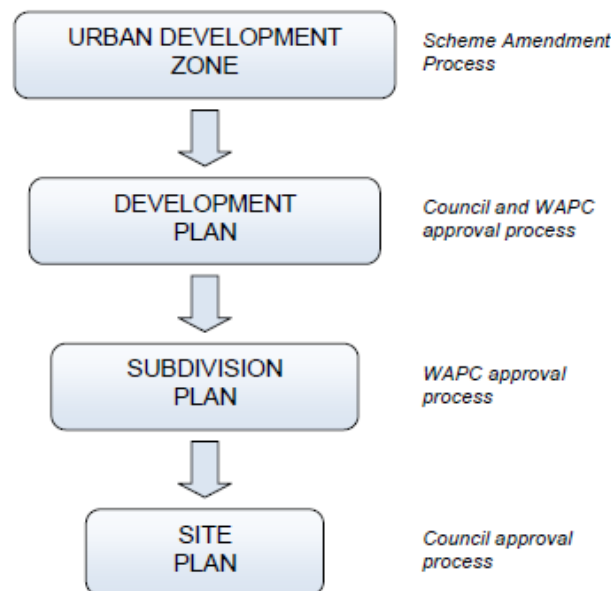
3.2. Statutory Planning Context

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

3.2.1.1. Scheme Arrangements

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

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



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



3.2.1.2. Scheme Provisions

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

- South Hedland Town Centre; and
- South Hedland West

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

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

4.0 DEVELOPMENT PLAN

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

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

4.1. Vision

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

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



4.2. Objectives

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

Housing

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

Amenity & Facilities

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

Environment

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

Movement Network

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

Implementation

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

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

4.3. Design Requirements

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

4.3.1. Liveable Neighbourhoods, 2009

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

Community Design

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

Movement Network

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

Lot Layout

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

Public Parkland

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

Urban Water Management

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

Utilities

- Street widths
- Provision of street trees and street lighting

Activity Centres

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

Schools

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



4.3.2. Site Specific Design Considerations

4.3.2.1. Open Space and Community Infrastructure

Regional Open Space

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

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

Primary School

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

Department of Education staff also confirmed the following:

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

Tertiary Education

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

Health

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

4.3.2.2. Road Networks

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

Future western sections of North Circular Road and Forrest Circle

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

Extend North Circular Road south to Yarrie Road

- Alignment and geometry

Collier Drive Road extensions east and west

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

Hamilton Road

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

Subdivision Interconnection roads

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

4.3.2.3. Roads and Drainage

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

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

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



5.0 PROPOSED SCHEME AMENDMENT

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

5.1. Zone Amendments

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

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

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

5.2. Reserve Amendment

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

5.3. Development Plan Area Boundary Amendments

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

Development Plan Area South Hedland West

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

Development Plan Area South Hedland Town Centre

Amend the boundary to:

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

Development Plan Area Scadden Road

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



6.0 CONCLUSION

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

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

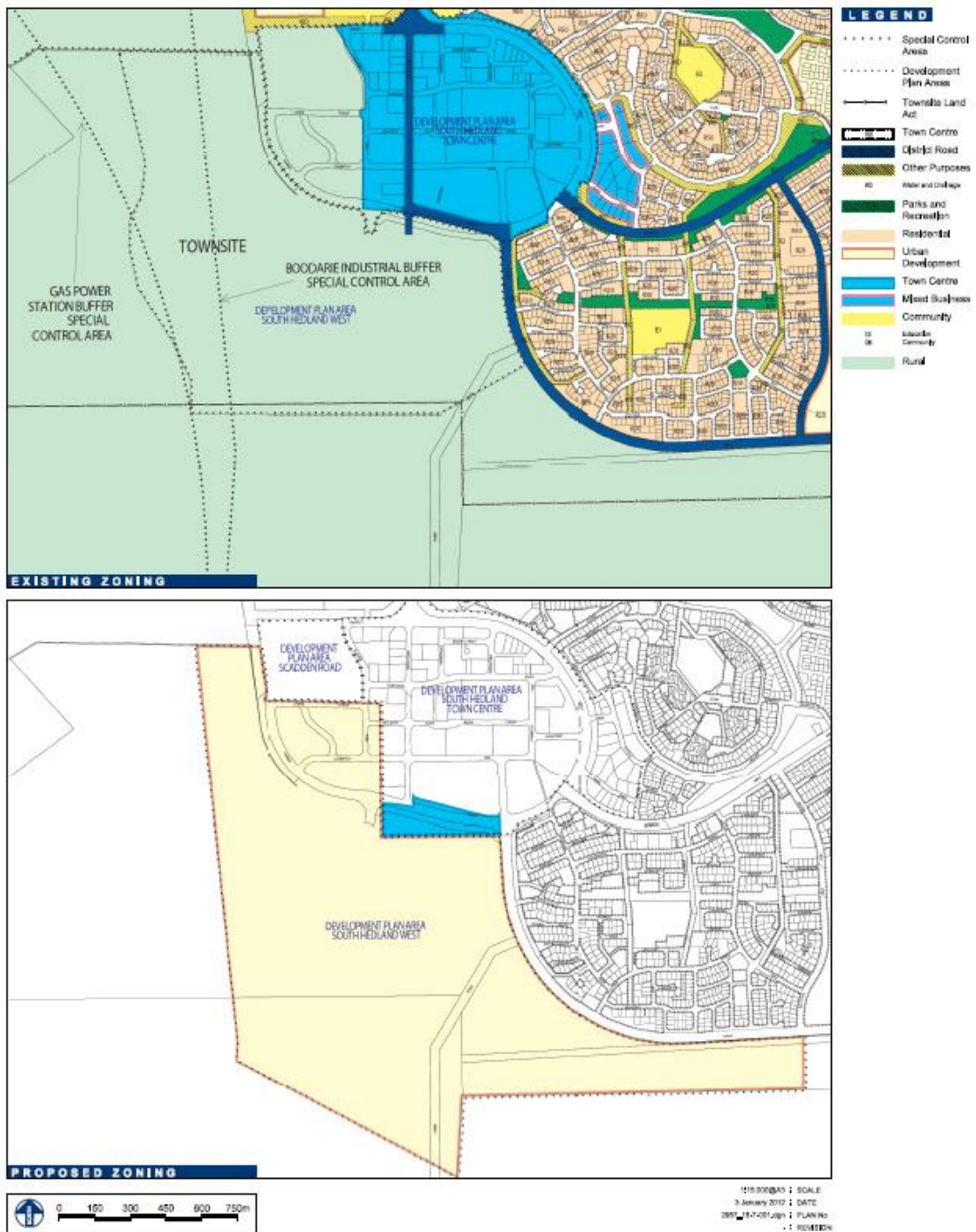
- in common ownership and available for development following a recent native title agreement with the Kariyarra people;
- immediately adjacent to the City Centre;
- capable of being serviced through connections to and upgrading of existing utility infrastructure;
- outside of buffers from an industrial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

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

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

SCHEME AMENDMENT MAP

Town of Port Hedland
 Town Planning Scheme No. 5
 Amendment No. 53



SCHEME AMENDMENT MAP

South Hedland West
Town of Port Hedland
Appendix 5



EXISTING DEVELOPMENT PLAN AREA BOUNDARY



PROPOSED DEVELOPMENT PLAN AREA BOUNDARY

LEGEND

— Development Plan Area Boundary



1:25,000@M : SCALE
23 January 2012 : DATE
2957_1847002.dgn : PLAN No
• : REVISION

PLANNING AND DEVELOPMENT ACT 2005**TOWN OF PORT HEDLAND****TOWN PLANNING SCHEME NO. 5****AMENDMENT NO. 53**

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

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

ADOPTION

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

MAYOR / SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

FINAL ADOPTION

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

MAYOR / SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

Recommended / Submitted for Final Approval

DELEGATED UNDER S.16 OF
PD ACT 2005

DATE

Final Approval Granted

MINISTER FOR PLANNING

DATE

11.1.6 *Proposed Scheme Amendment No. 58 to the Town of Port Hedland Town Planning Scheme No. 5 to Zone the Land Bound by Athol Street (North - East), Cooke Point Road (West) and Pretty Pool Creek (South) to “Urban Development”*

Officer Leonard Long
Manager Planning Services

Date of Report 7 August 2012

Disclosure of Interest by Officer Nil

Summary

Council received a request from the RPS Group on behalf of Landcorp to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5 (TPS5)* to zoning the land bound by Athol Street (north – east), Cooke Point Road (west) and Pretty Pool Creek (south) (the Site) from part “Parks and Recreation Reserve” and part “Rural” to “Urban Development”.

The request is supported by Council Officers, Council is recommended to initiate the scheme amendment.

Background

The Site is located east of the existing waste water treatment plant and west of Pretty Pool, and is generally referred to as “East Port Hedland”. The Site comprises of approximately 42,46ha.

The main access to the Site will be from Athol Street and Cooke Point Road, it is anticipated a number of internal Roads will be proposed during the “Development Plan” Stage.

The Site is wholly owned by the State and comprises of the following land parcels:

- Whole of Lot 1732 Athol Street
- Whole of Lot 1444 Athol Street
- Portion of Lot 5552 Athol Street
- Portion of Water.

Of the four (4) parcels of land two (2) are under management of the Town of Port Hedland, which will need to be relinquished as part of the proposed initiation process.

At the Ordinary Council Meeting of 30 March 2011, Council resolved to formalize the area generally known as “Merv’s Lookout”. It is recommended, should Council resolve to initiate the scheme amendment the applicant be informed the Merv’s Lookout” be incorporated into any proposed “Development Plan”.

Consultation

Should Council resolve to initiate this amendment to TPS5 as recommended, the documentation will be submitted to the Environmental Protection Authority (EPA) for consideration pursuant to Section 81 of the Planning and Development Act 2005, thereafter advertised for public comment.

Should any objections be received during the consultation period a report will be presented to Council to consider and determine whether to adopt the amendment with or without modifications or to abandon the amendment.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

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

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

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

Section 5.7.2
Precinct 2 – East End Urban Village

Precinct Statement:

“The East End Urban Village is Port Hedland’s primary residential area. The area, encompassing Cooke Point and Pretty Pool, offers significant housing density and diversity together with sport and recreation opportunities, and school and community facilities. At its core is a retail and mixed use village offering a range of local convenience as well as dining and entertainment choices. Strong links to the coast and mangrove environs have been established offering residential and visitors alike a closer connection with the landscape.”

Budget Implications

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

Officer’s Comment

Flooding

The most obvious constraint to the development of the Site is flooding. The applicant’s investigations have indicated the topography of the site varies from approximately RL(real level) 2m to 3m AHD (Australian Height Datum), extending up to the existing surrounding Roads which vary between 6m and 10m AHD.

The Coastal Vulnerability Study, prepared by Cardno, has predicted within a 1:500 year ARI (average rainfall interval) storm surge levels for the year 2100 could be at RL6.6m AHD. To ensure any proposed development is not impacted upon by the predicted storm surge, it is proposed the site will be developed to this level through a combination of fill areas and elevated housing.

It must be noted, prior to any development taking place regardless of the zoning being adopted it is a requirement of the scheme that a Development Plan is approved by Council. Such development plan will clearly indicate what and where different housing densities and styles will be located.

Environmental Considerations

Investigations around the potential environmental constraints were focused on the following:

- Decreased tidal prism as a result of the filled development
- Changes to the current velocity through the mangrove area
- Change in mangrove inundation level and duration
- Change in flushing characteristics of the Pretty Pool Estuary.

The preliminary outcome of the study noted no direct losses or impacts to the existing mangroves will result from the development of the site.

Should Council resolve to initiate the scheme amendment as requested, the scheme documents together with the environmental studies will be forwarded to the EPA (Environmental Protection Authority) for further detailed scrutiny.

Noise

The Site is located relatively close to Wilson Street being the main thoroughfare for Road trains to and from the Port. To determine if any acoustic buffers would be required to mitigate any potential noise, the applicant commissioned an acoustics impact study.

The result of the study determined the development area will comply with the "Target" noise levels, without the need for acoustic buffers.

Servicing

The applicant has addressed the servicing requirements for the Site (drainage, water, sewer, power and telecommunications), concluding all services can be provided to the Site.

Urban Development Zone

As noted in clause 6.4 of the Town Planning Scheme, the purpose of the Urban Development Zone is to identify land where detailed planning and the provision of infrastructure is required prior to the further subdivision and development of the land.

The detailed planning is to be done through the preparation of a Development Plan. Such plan is to address all the matters outlined in Appendix 6 of the Port Hedland Town Planning Scheme No. 5.

Therefore, should Council resolve to initiate the scheme amendment as requested the Site may not be developed until such time as Council has adopted a Development Plan over the area.

Options

Council has the following options when considering the matter:

1. Initiate the Scheme Amendment.

The initiation of the scheme amendment will be in line with the vision of the Pilbara Port City Growth Plan, and will provide the applicant with the confidence to progress with further detailed planning.

2. Refuse to initiate the Scheme Amendment.

Refusal to initiate would delay and potentially stop the development of the site, reducing the ability to respond to the ongoing demand for housing.

Option 1 is recommended.

Attachments

1. Scheme Amendment Report and Scheme Maps.

201213/079 Officer's Recommendation / Council Decision**Moved: Cr Jacob****Seconded: Cr Dziombak****That Council:**

1. Supports the request from the RPS Group to excise the portion of Reserve 30768, impacted upon by the proposed scheme amendment.
2. Delegates the Manager Planning Services to request the Department of Regional Development and Lands to cancel the excised portion of Reserve 30768, as noted in (1) above.

B. That Council:

1. Approves the request from the RPS Group on behalf of Landcorp to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5* (TPS5) to zoning the land bound by Athol Street (north – east), Cooke Point Road (west) and Pretty Pool Creek (south) (the Site) from part “Parks and Recreation Reserve” and part “Rural” to “Urban Development”
2. Advices the applicant the area known as Merv's Lookout will need to be incorporated into the required development plan.
3. Advise the applicant accordingly and request the applicant prepare the formal amendment documents to enable referral to the Environmental Protection Authority (EPA).
4. Following approval from the EPA, advertise the amendment in accordance with section 83 of the Planning and Development Act 2005 to consult persons likely to be affected by the amendment, and also advertise the amendment for a minimum of 42 days pursuant to section 84 of the Planning and Development Act 2005.
5. Should no objections be received during the statutory advertising period, Council delegates the Chief Executive Officer to formally adopt Scheme Amendment 58, in accordance with the provisions of the Planning and Development Act 2005.
6. Delegates the Manager Planning Services to forward Amendment 58 to the Town Planning Scheme No 5, to the Planning Commission for final approval.

CARRIED 7/0

ATTACHMENT 1 TO ITEM 11.1.6



**EAST PORT HEDLAND ATHOL STREET PRECINCT
SCHEME AMENDMENT INITIATION**

Prepared by:

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Report No: **3898.01**

Version/Date: **August 2012**

Prepared for:

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RPS Australia East Pty Ltd (ABN 44 140 292 762)



Document Status

Version	Purpose of Document	Orig	Review	Review Date	Format Review	RPS Release Approval	Issue Date
Draft A	Draft for Client Review	020812	SD	03.08.12	SD	03.08.12	03.08.12



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Attachment One Scheme Amendment Map



1.0 INTRODUCTION

This report is prepared in support of a proposal to rezone a portion of the East End Urban Village area – generally referred to as the Athol Street Precinct. More specifically, the report sets out the terms and basis of a request of the Council to initiate an amendment to Town Planning Scheme No 5 to zone the area Urban Development.

Upon initiation of an amendment, Scheme documentation, including an Environmental Assessment Report, will be prepared for referral to the Environmental Protection Authority and WA Planning Commission.

An Urban Development zone will confirm the intended development footprint for the precinct, and formalise the boundaries for the more detailed planning to be undertaken through the preparation of a Development Plan and subsequent subdivision plans.

This report identifies the strategic planning context for the subject area, along with the suitability of the land to be developed for urban purposes in support of the request to initiate rezoning.

RPS

2.0 SITE CONTEXT

2.1 Site Description

The subject area is identified at **Figure 1** and is situated immediately south of Athol Street and east of Cooke Point Road and comprises approximately 42.46 hectares. The area is wholly owned by the State of WA, and is comprised of the land parcels described in Table 1 below:

Table 1: Legal Description and Ownership

Lot	Certificate of Title	Owner	Interests	Responsible Agency
Whole of lot 1732 Athol Street	LR3013/629	State of WA	-	-
Whole of lot 1444 Athol Street	LR3060/303	State of WA	Management Order Doc G928173 Town of Port Hedland	Department for Planning and Infrastructure
Portion of lot 5552 Athol Street	LR3060/419	State of WA	Management Order Doc G928173 Town of Port Hedland	Department for Planning and Infrastructure
Portion of WATER	N/A	State of WA	-	-

Management Order G928173 provides for the affected lots to be used for "Recreation", with the Town of Port Hedland having power to lease (or sub-lease or licence).

2.2 Surrounding Land Uses

Residential Development

Land to the north of the amendment area is developed with single and grouped residences in accordance with the residential zoning and R-Code densities of R25 and R30 as provided for by Town Planning Scheme No 5.



LOCATION PLAN
East Port Hedland

RPS
RPS Australia East Pty Ltd
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PO Box 485 SUBIACO WA 6004
36 Station Street SUBIACO WA 6008
T +61 8 9211 1111 W rps.com.au

Base data supplied by Landgate.
Aerial Photography dated 2008.
Accuracy not-verified. Projection UTM Zone 50L.
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not permitted. Please contact the author.

1:20,000@A4 : SCALE
3 August 2012 : DATE
3898_1-5-001.dgn : PLAN No
R.F. : DRAWN



Samphire Mud Flats/Mangrove Area

The land to the immediate south of the amendment area is undeveloped, and contains samphire vegetation within the tidal flats that surround the mangroves lining the Pretty Pool Creek system. This is further discussed within the Environmental Considerations section 3 below.

Spinifex Hill Wastewater Treatment Plant

The Water Corporation's Spinifex Hill Wastewater Treatment Plant is located immediately to the west of the proposed amendment area, and undertakes the treatment and disposal of wastewater within Port Hedland. In January 2011, the Water Corporation received \$106 million to decommission the Spinifex Hill Wastewater Treatment Plant and relocate operations to an upgraded facility in South Hedland.

The amendment area is presently subject to special control area requirements due to odour from the treatment plant as discussed in section 8. These considerations however will no longer be relevant once the wastewater treatment plant is decommissioned. The decommissioning and remediation of the site has been identified for actioning by the Water Corporation in 2014.



3.0 ENVIRONMENTAL CONSIDERATIONS

The amendment area is located within the primary dune and intertidal areas of Pretty Pool Creek. The Pretty Pool Creek area is characterised by coastal dune vegetation, hypersaline tidal mudflats with scattered samphire vegetation and mangroves aligning the creek.

The ultimate subdivision and development anticipated within the amendment area will involve clearing of secondary dune vegetation and bare / samphire flats. The urban development boundary is setback from the mangrove vegetation to achieve a setback of approximately 40 metres.

To define the spatial extent of the development footprint, a range of investigations were undertaken. These include:

- Undertaking coastal vulnerability modelling in accordance with State Coastal Planning Policy 2.6 to investigate the effects of changed tidal prism characteristics on the mangroves. Specifically, the following was investigated to determine any impacts on the mangroves:
 - a. decreased tidal prism as a result of the filled development area
 - b. changes to the current velocity through the mangrove area
 - c. change in mangrove inundation level and duration
 - d. change in flushing characteristics of the Pretty Pool Estuary
- Post modelling a matrix containing criteria critical to mangrove health and their relative tolerance levels was finalised by a mangrove specialist. The matrix assessed the outcomes from the modelling study against the criteria for mangrove health.
- Assessment of development setbacks from the creek and mangroves in accordance with
 - a. Environmental Protection Authority (EPA) Bulletin No. 14 'Guidance for the Assessment of Benthic Primary Producer Habitat Loss in and Around Port Hedland' (EPA 2011)
 - b. EPA Bulletin No. 18 Sea level rise (EPA 2012).

The potential hydrological impacts to the Pretty Pool mangroves were assessed using a preliminary development footprint area of approximately 44.8 ha which extended to the fringe of the existing mangrove area. The preliminary modelling and impact matrix determined that there would be no direct losses or impacts to the existing mangroves as a result of the development.



The final development outline, however, was reduced to provide a suitable setback (buffer) distance from the existing mangroves within the creek, and to provide adequate space for potential northward migration of the mangroves.

The development area has been defined having regard for the relevant EPA guidelines and is not expected to contribute to the cumulative losses of mangroves within the EPA defined Inner Port Hedland Port Area Local Assessment Unit.

RPS

4.0 NOISE CONSIDERATIONS

An assessment of the possible acoustic impacts on the East End Urban Village was carried out by Herring Storer Acoustics on behalf of LandCorp. The purpose of the assessment was to provide a preliminary assessment of noise received within the development area from various sources and to provide comment on possible limitations and / or constraints to development with the East End area as a whole. The study had regard for noise sources including road noise associated with Wilson Street, the railway, and neighbouring industry including the Dampier Salt Operations to the east and the BHP Iron Ore facility at Nelson Point.

The analysis undertaken by Herring Storer Acoustics has indicated that noise received at the amendment area will comply with the 'target' noise levels. As such, no special action or analysis relating to noise ingress is required for the amendment area.



5.0 HERITAGE CONSIDERATIONS

A Memorandum of Understanding has been established between LandCorp and Marapikurrinya Pty Ltd (MPL) which manages the conduction of Aboriginal heritage surveys on behalf of the Kariyarra native title claimants in the Port Hedland area. Consistent with the terms of this agreement, LandCorp engaged Anthropos Australia Pty Ltd on behalf of MPL to undertake an Aboriginal Heritage Survey. The survey, undertaken in September 2011, utilised a 'site avoidance' methodology to identify any Aboriginal ethnographic and archaeological sites pursuant to the *Aboriginal Heritage Act 1972*.

The survey identified an area of archaeological significance within the amendment area. The site is a medium sized shell scatter that appears to have stratigraphical integrity. In view of this, a Section 18 Notice will need to be lodged with the Department of Aboriginal Affairs under the terms of the *Aboriginal Heritage Act 1972* in order to achieve consent for development works affecting the site. This matter will be addressed in association with the preparation of a Development Plan for the area.



6.0 SERVICING CONSIDERATION

6.1 Site Conditions and Earthworks

The topography of the proposed site generally varies from approximately RL 2m to 3m AHD extending up to the existing surrounding roads which vary in level up to approximately 6m to 10m AHD. Existing roads through the study area are at approximately 4 m AHD levels.

With predicted 500 year ARI storm surge levels for the year 2100 at RL 6.6 m AHD (Coastal Vulnerability Study, Cardno, 2011), all habitable areas of lots and buildings will be required to be developed to this level though a combination of fill and/or elevated housing design.

The lower areas consists of soft silt/clays and will require surcharging to correct engineering methods to allow sufficient time to allow consolidation of the soft clay to take place.

It is noted that in order to ensure roads can grade drainage out to the existing low lying creek system, fill levels will eventually have to grade up as roads grade up from the creeks. This is to avoid land locked low points in the road system that would rely on pipe drainage. Pipe drainage is not desirable due to the high flood risk with the high intensity rainfall events that can occur in these regions.

Fill is expected to be sourced from a variety of locations, the subject of a separate fill study investigation.

6.2 Site Drainage

The terms of a proposed Development Plan (refer section 8) will be supported by a District Water Management Strategy and a Local Water Management Strategy that will set out the design parameters for surface water management in accordance with the requirements of the Department of Water and the Town of Port Hedland.

It is expected that site drainage will be provided through a network of roads combined with a simple network of open drains and culverts to convey flood water to Pretty Pool and Four Mile Creeks. The selected location of open drains will depend on the level of accepted flood risk for transport links and lots.

Evidence suggests that treatment of stormwater in the North West region has not been required for the protection of downstream ecosystems. This is due mainly to the intensity of major event



rainfall and the use of overland flow as the principle conveyance method. Existing Water Sensitive Urban Design measures for water quality improvement in this part of the State, relate to retaining or slowing frequent events in vegetated overland flow paths.

6.3 Water

The Water Corporation have advised that whilst highly constrained, major works are being undertaken to add source water and conveyance items generally by 2014 completion for more capacity to be available for town site supply, including the East Port Hedland area.

The water source upgrade works include a new 1.2 ML elevated tank adjacent the existing elevated tank at Spinifex Hill next to the Town of Port Hedland's municipal offices adjacent McGregor St, as well as a new 55 ML tank at its existing tank site (location L954) adjacent Wilson St, just east of the race course.

An additional 500 mm dia steel transfer main from the Wilson St tank site to the Spinifex Hill tanks will also ultimately be required, however this is not scheduled till the 2030/39 ten year programme, or perhaps sooner, if all of East Port Hedland and other areas develop quickly. Currently these works will be funded by the Corporation as and when demand requires.

Once the water source upgrade works are completed, planned for mid-2014, there will be capacity in the local reticulation network at East Port Hedland for between 500 to 1000 additional lots, before upgrading of the distribution main network will be required, which consists of a future distribution system of 375, 300 and 250 mm mains from the Corporation's existing elevated tank site located adjacent the Council's offices at McGregor Street.

6.4 Sewer

Current information available from the Water Corporation indicates that the WWTP will be decommissioned in 2014. A new Transfer Pump Station located on Cooke Point Road bordering the Athol St development is proposed to be built to service the Port Hedland townsite, including East Port Hedland area, and is planned for commissioning around mid-2014.

This new sewer pump station will provide a direct connection to the Athol St development, and will also grade out the existing Water Corporation sewer pump station located on Athol St adjacent the northern region of the development site, through a system of new 375 and 300 mm trunk distribution gravity sewers.

The logo for RPS (Raymond Peckham & Partners) is a dark square with the letters 'RPS' in white.

The site will be serviced by a system of 150 and 225 mm gravity reticulation sewers into these new trunk sewers.

6.5 Power

Currently there are three high voltage 22kV feeders that service the existing area. These 22kV feeders emanate from Anderson Street Zone Substation and in accordance with Horizon Power's information these feeders are running at capacity.

Initial information from engineering investigations associated with the Pilbara's Port City Growth Plan (Town of Port Hedland) indicate the Anderson zone substation has around 10MVA spare capacity however further investigations will need to take place to determine if the existing 22kV network requires augmentation to assist in providing additional capacity to the area.

If the existing high voltage feeder cables are indeed at capacity and subject to Horizon Power's approval, the Athol St development can be serviced by an extension of a new 400HV feeder cable from Anderson zone substation to the edge of the development site.

6.6 Telecommunications

For NBNC Co Greenfields to become involved in a development, a lot yield of at least 100 must be brought to the market within the next three years. If the yield is less, Telstra would be responsible for providing telecommunications services.

Where the development fits within the NBNC Co guidelines, the developer is responsible only to provide pit and pipe infrastructure to the development boundary, after which NBNC Co is then responsible to connect up to the development, including the provision of fibre to the household.

Existing Telstra services run along Wilson St and within roads that run both through and adjacent the study area. Where levels or alignments of roads are altered, the costs to relocate these services to the new levels and alignments will have to be borne by the developer.

6.7 Gas

Currently no domestic gas mains are located adjacent the study area.



The nearest gas supply point is the Epic Energy gas main to power stations owned by Alinta Energy, located in the Boodarie Industrial Estate and at the BHPB HBI plant respectively, a distance over 10kms from the site.

It is understood that the capacity of this line is fully contracted to industry already with no reserve capacity available, although it is understood that the main is not always operationally running at full capacity.

To deliver gas to East Port Hedland will require an extension from these existing mains, which will require investigation and approval for capacity with the pipeline owners and might also require a new gate station to reduce pressure to meet operational pressure requirements for a residential estate, as high pressure mains would not be desirable from a risk and health and safety perspective.

It is not considered economically viable to extend gas, with demand potentially being more economically provided through bottled gas as required.



7.0 PLANNING FRAMEWORK

7.1 Pilbara's Port City Growth Plan, 2012

The Growth Plan advocates an urban development scenario whereby approximately one-third of new urban development over the next 20 years is provided within Port Hedland, with the majority of this growth accommodated within Precinct 2 - East End Urban Village.

The Growth Plan vision for the Precinct is as follows:

"The East End Urban Village is Port Hedland's primary residential area. The area, encompassing Cooke point and Pretty Pool, offers significant housing density and diversity together with sport and recreation opportunities, and school and community facilities. At its core is a retail and mixed use village offering a range of local convenience as well as dining and entertainment choices. Strong links to the coast and mangrove environs have been established offering residents and visitors alike a closer connection with the landscape."

An indicative precinct plan identifies the potential for urban development within the amendment area.

7.2 Port Hedland Regional Hotspots Land Supply Update (April 2011)

The Urban Development Program (UDP) coordinates and promotes the development of serviced land in a sustainable manner for the guidance of state infrastructure agencies, public utilities, local governments and the private sector. It tracks demand, land supply, development and infrastructure in Western Australia's major urban centres to deliver a more effective use of land, better staging of development and prioritisation of infrastructure investment to support urban growth.

In relation to supply, the Land Supply Update suggests that:

... supply is expected to meet demand over the short, medium and long term (Table 15), although supply in the short-term under high growth rates (four to five per cent) is relatively tight. Assuming an existing unmet demand for 1400 dwellings (as determined by the Pilbara Towns Housing Study), there is a potential undersupply in the short term, with supply meeting demand over the medium and long term.

RPS

Annual land and dwelling releases will need to increase if the existing backlog of demand and anticipated demand is expected to be met. The required rates are significantly above what has been achieved in recent years. Greater private sector involvement will assist with improving the supply of land and dwellings to the market, and meeting Pilbara Cities growth targets.” (Page 62-63)

The main implications of the above are that the ongoing release of appropriately serviced residential land is required in order to meet ongoing demand, with an emphasis on short term demand on the basis of continuing high growth.

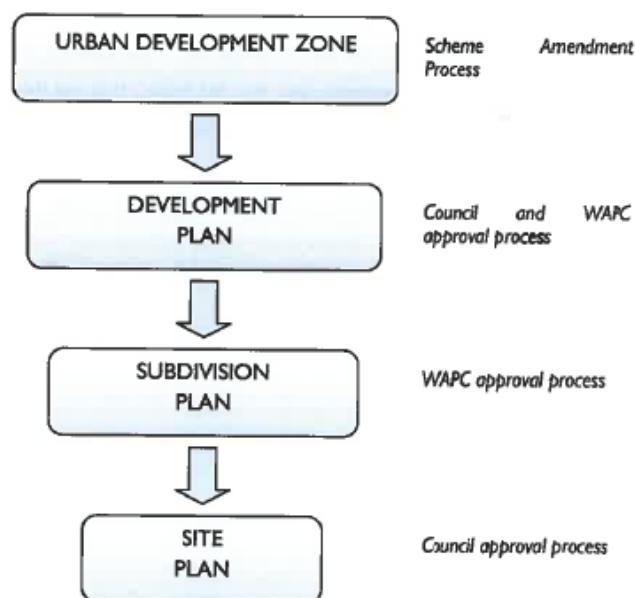


8.0 STATUTORY PLANNING CONTEXT

8.1 Scheme Arrangements

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

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



RPS

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

8.2 Scheme Provisions

The amendment area is presently identified as containing zoned and reserved land described as follows:

Reserves:	Parks and Recreation
	Other Public Purposes
Zone:	Rural

The Scheme Map identifies a Waste Water Treatment Plant Buffer Special Control Area which covers a portion of the western extent of the amendment area. Clause 7.4 of the Scheme requires the Council to have regard for the compatibility of any development within the control area with the operations of the treatment plant and the impact that any development might have on the operations of the plant. Noting the impending relocation of the treatment plant as discussed in section 2, the Special Control Area designation will cease to have material affect on the subdivision and development following decommissioning of the plant.

It is also noted that the whole of the amendment area falls within the Pretty Pool Development Plan area as depicted at Appendix 5 of the Scheme. This enables the Council to approve a Development Plan for the area.



9.0 PROPOSED SCHEME AMENDMENT

The proposed amendment seeks to change the Scheme Map by:

- excluding land from the 'Parks and Recreation' Reserve and the 'Other Public Purposes' Reserve, and including the affected land within the 'Urban Development' zone; and
- rezoning land from 'Rural' to 'Urban Development',

as depicted on the proposed Amendment Map at Attachment 1.

The area proposed to be zoned Urban Development is approximately 42.46 hectares.



10.0 SUMMARY

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

The proposed urban development area is ideally situated for urban development, noting that it is:

- consistent with strategic planning intentions for the East End Urban Village;
- immediately adjacent established urban development;
- capable of avoiding unacceptable impacts upon the samphire and mangrove vegetation;
- capable of respecting Aboriginal heritage interests represented at the identified site; and
- capable of being serviced through connections to and upgrading of existing utility infrastructure;

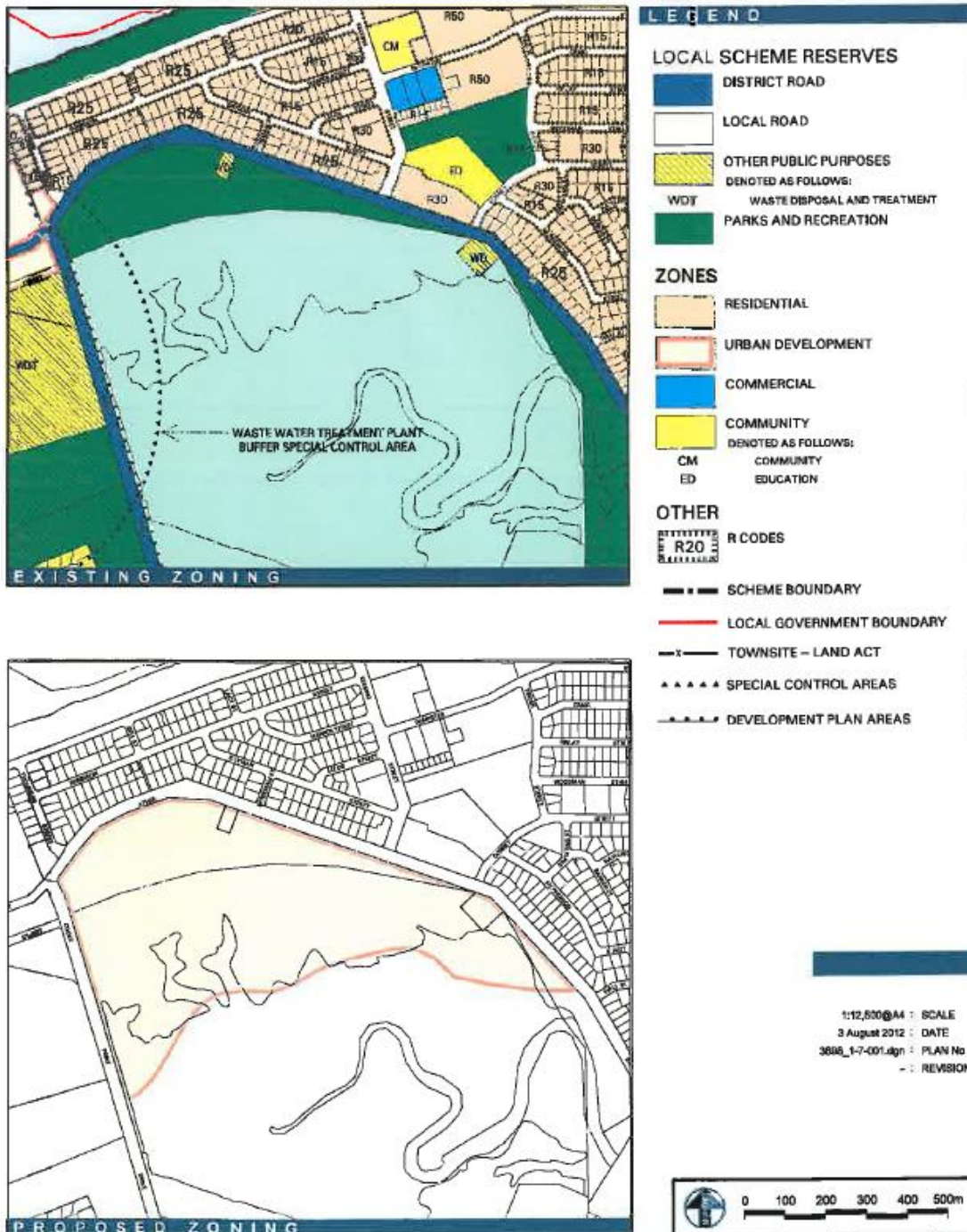
Amendments to the Reserve and Zone designations on the Scheme Map will confirm the urban development intentions for the land, and facilitate the progressive investigations and planning required to prepare a Development Plan and subsequent plans of subdivision.



ATTACHMENT ONE
SCHEME AMENDMENT MAP

SCHEME AMENDMENT MAP

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



11.1.7 Request to Vest Lot 5910 Great Northern Highway and Portion of Lot 300 North Circular Road to the Town for the Purposes of a Re-Use Water Spray Field and Turf Farm.

Officer Leonard Long
Manager Planning
Services

Date of Report 7 August 2012

Disclosure of Interest by Officer Nil

Summary

Council is requested to support Council Officers request to the Department of Regional Development and Lands to vest Lot 5910 Great Northern Highway and portion of Lot 300 North Circular Road to the Town for the purposes of “Re-Use Water Spray Fields and Turf Farm”.

Background

Due to the inability for the existing and proposed TWA (Transient Workforce Accommodation) developments on the northern side of the airport to connect into a reticulated sewer network, the developments make use of an ATU (Alternative Treatment Unit).

Currently the treated re-use water is being sprayed on the north east corner of the airport land.

Consultation

Director Engineering Services

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

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

Key Result Area 1: Infrastructure
Goal 2: Townscape
Immediate Priority 1: Undertake projects that upgrade the appearance of verges and Streetscapes along major thoroughfares within the District.

Budget Implications

This report does not have any significant budget implications.

Should Council resolve to support the request, and the Department of Regional Development and Lands vests the requested land with the Town, there would be startup costs involved to get a Turf Farm operational. These costs would be a future budgetary consideration.

It is anticipated once the Turf Farm is operational Council may recoup part of the start up and associated running / maintenance costs through the sale of turf.

Officer's Comment

Water in the Pilbara is an expensive and scarce commodity, and should be used to its full potential which includes the re-use thereof.

Currently the re-use water being generated by the existing TWA developments to the north east of the airport is being sprayed on an identified parcel of land within the airport precinct with no commercial benefit. Council Officers are of the opinion the re-use water can be put to a much better use, one that will benefit the town and community.

In this regard it is proposed to pipe the re-use water currently being sprayed on airport land further east onto Lot 5910 Great Northern Highway, to be used to irrigate a turf farm. The development of a turf farm would be beneficial to both the town and the community. It would give the community the ability to obtain turf at a reduced cost making it more affordable to landscape properties. In addition, the Town would be able to source turf at cost for their own houses / projects.

The funds obtained through the sale of the turf could fund the upgrade of verges through reticulation and planting of turf, resulting in a much improved Streetscape and aesthetical appearance.

In regard to portion of Lot 300 North Circular Road, BHP has indicated their willingness to potentially pipe and discharge re-use water in this location instead of their lease area within Precinct 3. This water could in turn be used to irrigate additional landscaping.

Council Officers are of the opinion, this is a unique opportunity for Council to be able to provide improved landscaping which could be extended to our drainage reserves while at the same time not placing an additional demand on potable water in the area.

Options

Council has the following options when considering the matter:

1. Support the request from Council Officers.

Council support will enable Council Officers to request the Department of Regional Development and Lands to vest the land with the Town for the subject purpose.

2. Refuse the request.

Refusal will result in the retention of the current situation, of having re-use water discharged with no commercial benefit.

Option 1 is recommended.

Attachments

1. Locality Plan
2. Extent of proposed reserve

201213/080 Officer's Recommendation / Council Decision

Moved: Cr Jacob

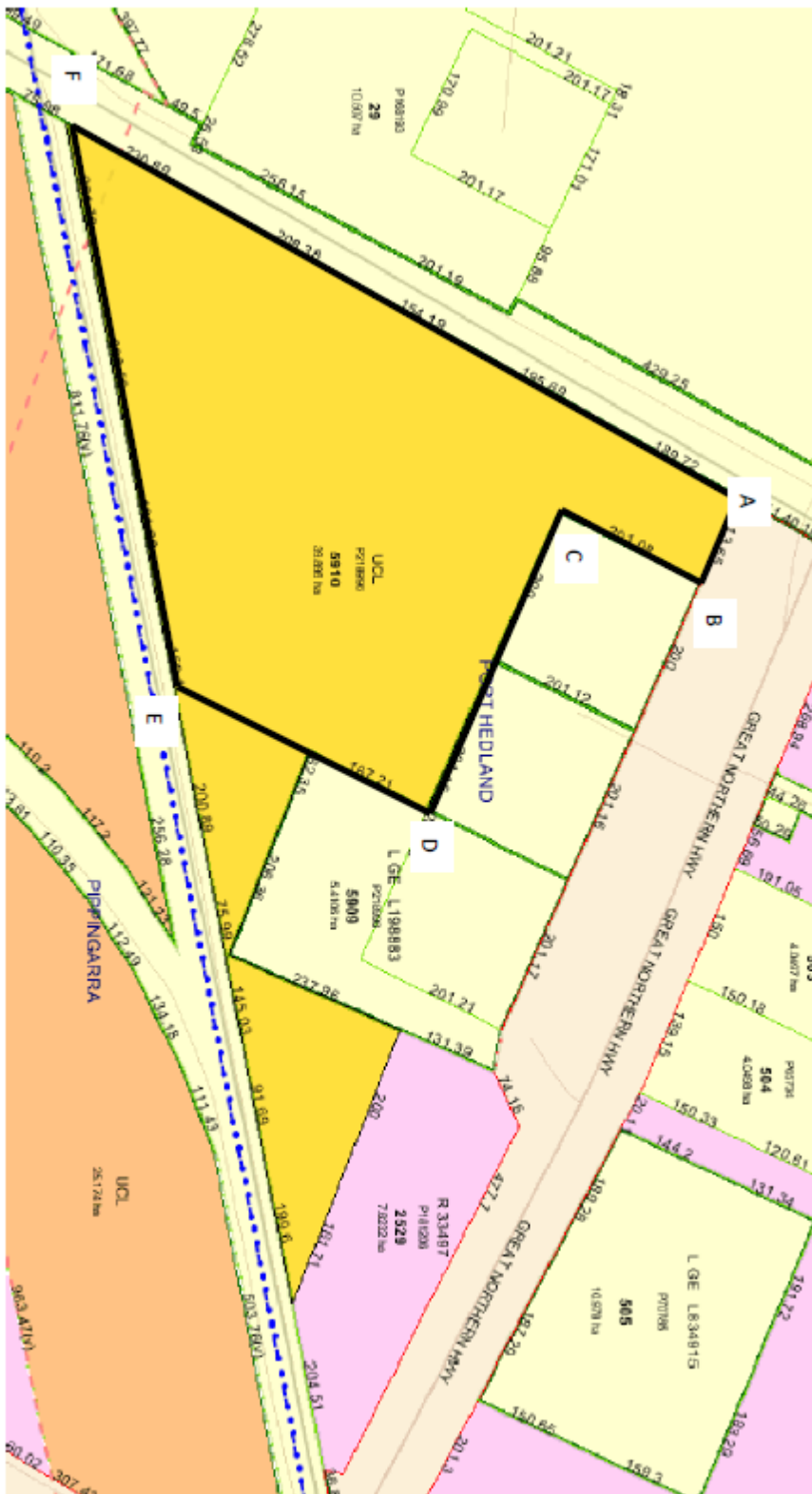
Seconded: Cr Gillingham

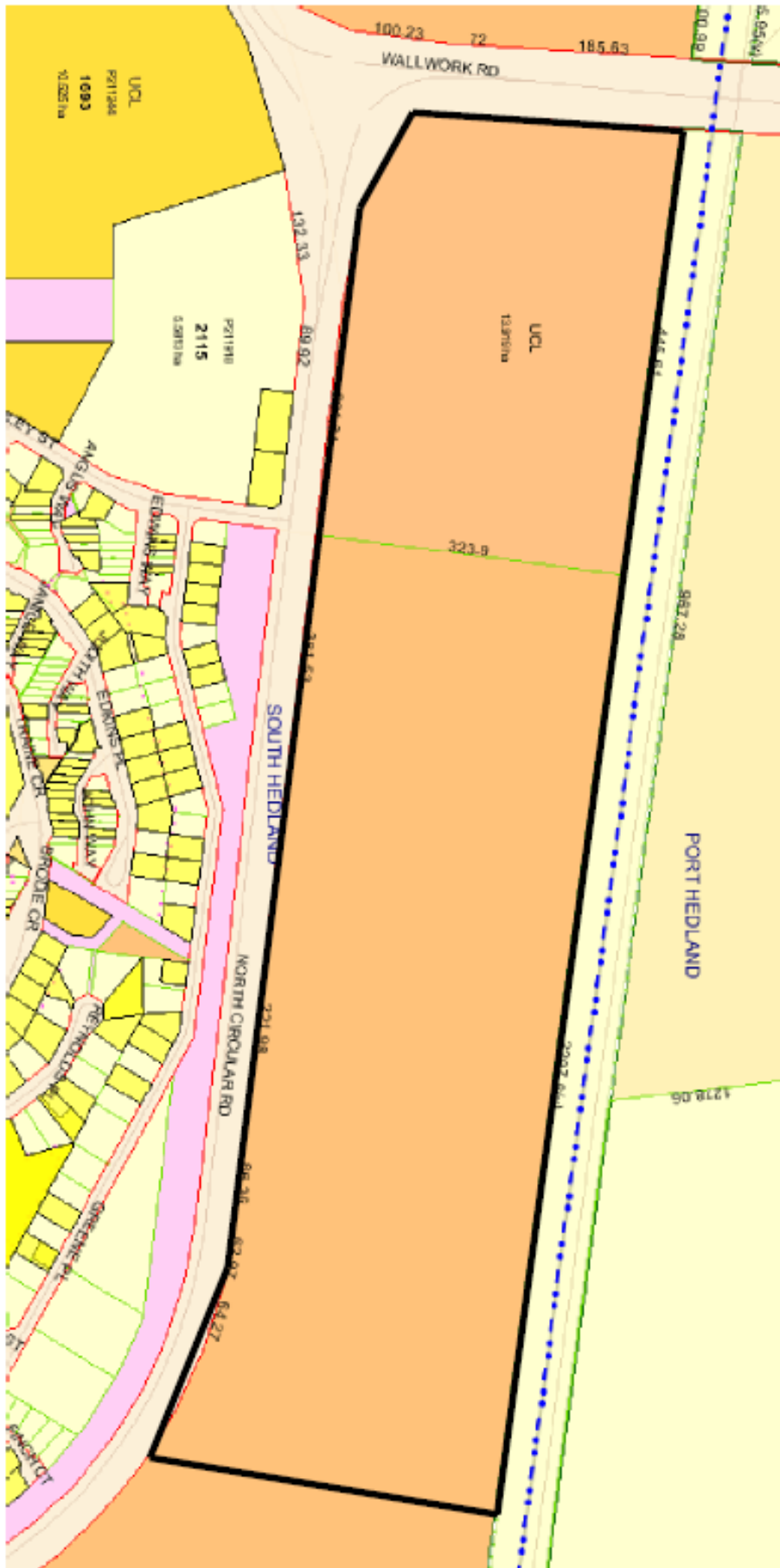
That Council:

1. **Supports the request to the Department of Regional Development and Land to Vest Lot 5910 Great Northern Highway and Portion of Lot 300 North Circular Road to the Town for the purposes of a "re-use spray field and turf farm".**
2. **Requests the Director Engineering to investigate the cost to establish, operate and maintain a turf farm.**

CARRIED 7/0

ATTACHMENT 1 TO ITEM 11.1.7





ATTACHMENT 2 TO ITEM 11.1.7



6:51pm Councillors Daccache and Dziombak declared a financial interest in Item 11.1.8 "Proposed Road Dedication over lot 253, Wallwork Road" as they are BHP Billiton shareholders with shares over the statutory threshold.

Councillors Daccache and Dziombak left the room.

Councillor Jacob declared an impartiality interest in Item 11.1.8 "Proposed Road Dedication over lot 253, Wallwork Road" as her ex-partner is a BHP Billiton employee.

Councillor Jacob did not leave the room.

11.1.8 *Proposed Road Dedication Over Lot 253, Wallwork Road*

Officer Leonard Long
Manager Planning

Date of Report 23 July 2012

Disclosure of Interest by Officer Nil

Summary

Council has received a request from BHP Billiton to supports its request to dedicate a portion of Lot 253 for "Public Road" purposes.

Council is recommended to support the request.

Background

This item was taken into consideration at the Council meeting of 8th August 2012. Due to no Quorum, a decision could not be made.

During the preparation of the Port Hedland International Airport Land Use Plan, two public access Roads were identified. North of the existing cemetery access Road and south of the cemetery linking Precinct 3 with Wedgefield via Pinga Street. The public access Road linking Precinct 3 with Pinga Street has also been identified through the subdivision process.

The proposed Road dedication is over a portion of Lot 253 Wallwork Road currently unallocated Crown land.

Prior to the Department of Regional Development and Lands progressing with the Crown Subdivision confirmation that the Town will accept the management order for the newly created Road reserve is required.

Consultation

Nil

Statutory Implications

Section 56 of the Land Administration Act 1997, prescribes the process required to be followed by a local authority to dedicate Roads.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

The proposed Road forms part of the overall subdivision of Precinct 3. Being a Road under the control of Council, Council may be required to construct the Road.

Officer's Comment

The proposed access Road is an integral part of the subdivision of Precinct 3 and will ensure the potential traffic flow will be adequately addressed.

Attachments

1. Proposed Road dedication.

201213/081 Officer's Recommendation / Council Decision

Moved: Cr Carter

Seconded: Cr Jacob

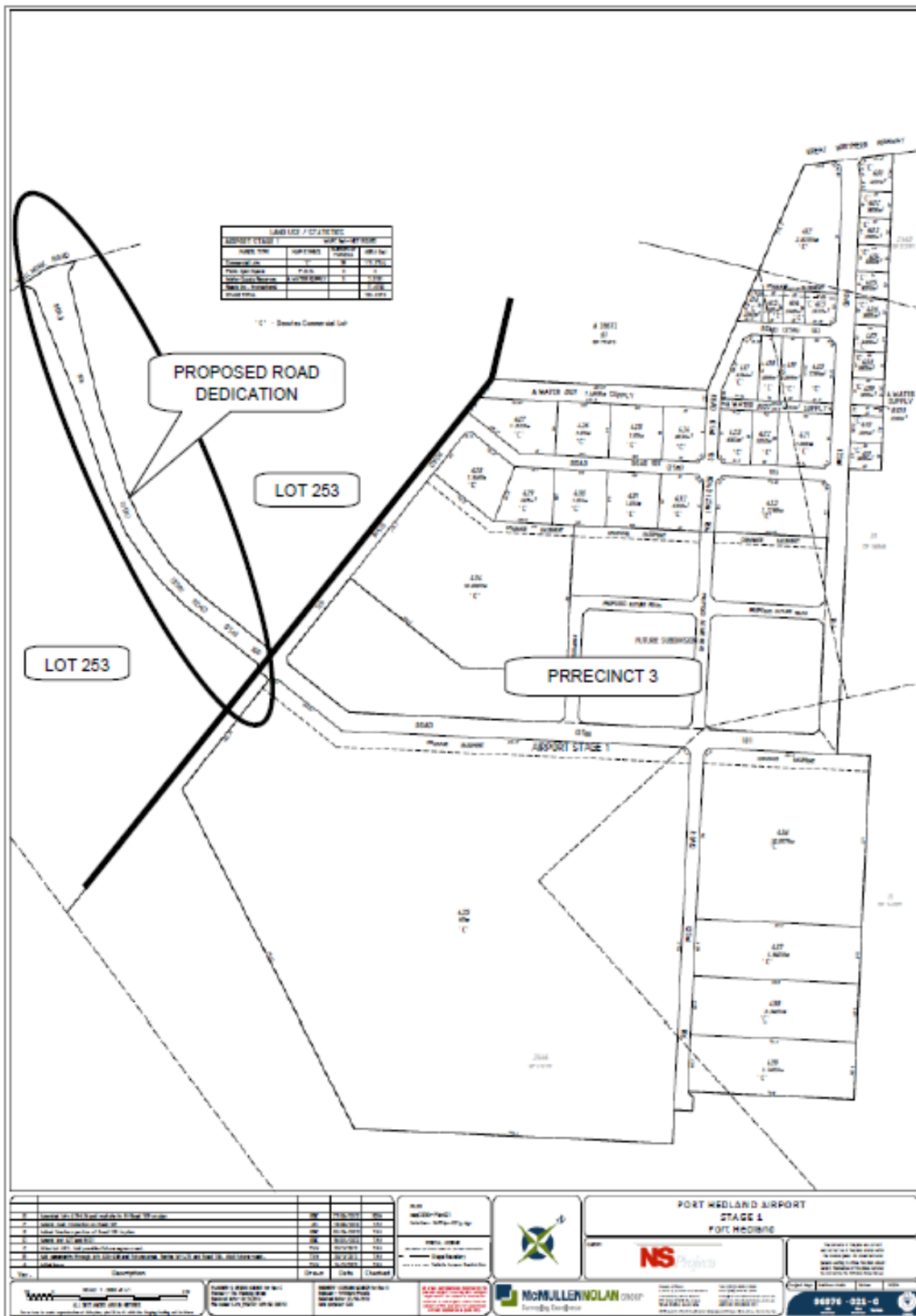
That Council supports the request from BHP Billiton on behalf of the Town of Port Hedland to dedicate the following portion of land as Road reserve as shown on the attached plan (Attachment 1) from Wallwork Road through Lot 253 to the Western boundary of Lot 2444.

CARRIED 5/0

6:53 pm Councillors Daccache and Dziombak re-entered the room and resumed their chairs.

Mayor advised Councillors Daccache and Dziombak of Council's decision.

ATTACHMENT 1 TO ITEM 11.1.8



6:53pm Councillor Daccache and Dziombak declared a financial interest in Item 11.1.9 “Proposed Change of Management Order – Additional Temporary Use at reserve 30909 at Lot 250 on Deposited Plan 92177” as they are BHP Billiton shareholders with shares above the statutory threshold.

Councillors Daccache and Dziombak left the room.

Councillor Jacob declared an impartiality interest in Item 11.1.8 “Proposed Road Dedication over lot 253, Wallwork Road” as her ex-partner is a BHP Billiton employee.

Councillor Jacob did not leave the room.

11.1.9 *Proposed Change of Management Order – Additional Temporary Use at Reserve 30909 at Lot 250 on Deposited Plan 92177.*

Officer Steve de Meillon
Planning Officer

Date of Report 14 August 2012

Disclosure of Interest by Officer Nil

Summary

Council has received a request from BHP Billiton Iron Ore to amend the existing Management Order at Reserve 30909, Lot 250 on Deposited Plan 92177.

The current Management Order over the reserve is for the purpose of “Recreation”. The amendment seeks to include a temporary “Barge Landing Facility”. The request is consistent with previous approvals for temporary barge landing facilities.

This report is presented to Council for approval of the additional temporary use on the reserve.

Background

The Development

BHP Billiton Iron Ore has identified a requirement to construct a temporary barge landing facility as part of the expansion projects for its Port Hedland Operations.

The construction, use and de-construction of the facility will be from September 2012 to April 2013.

BHP Billiton Iron Ore has identified Finucane Island as a suitable location for the temporary facility. The proposed location is identified as Reserve 30909 on Lot 250 on Deposited Plan 92177 (the site).

The site is currently vested to the Town of Port Hedland with a Management Order for "Recreation". In order to use the site, the Management Order is required to be modified to include an additional temporary "Barge Landing Facility".

Previous Approvals

Council resolved at its Ordinary Meeting on the 12 December 2007 to modify the Management Order for the site to allow for the use of a "Harbour Facility". The purpose for the request was to allow for the construction of a temporary barge unloading facility.

The previous approval is consistent with the intent and purpose of the current proposal.

Consultation

The application was circulated internally to Investment and Business Development Services, and Engineering Services. It was noted a license agreement should put in place prior to the use of the Reserve for the "Barge Landing Facility".

Under the *Land Administration Act 1997* there is no statutory requirement for Management Orders to be publicly advertised. However, due to the possible contentious nature of the application, Council may consider advertising the application.

Statutory Implications

A planning application in accordance with the provisions of Town Planning Scheme No. 5 and the Development Act is still required and is to be advertised separate to this proposal.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

The inclusion of a temporary "Barge Landing Facility" on Reserve 30909 is appropriate considering the location of the facility to the construction site. Furthermore the request is consistent with previous approvals on the site.

Prior to any construction of the facility a Development Application is required to be submitted and approved by the Town. The specific details of the facility will be explored through the Development Application.

Options

Council has the following options for responding to the request:

1. Support the changes of vesting as reported.

Supporting the changes of vesting will assist in providing a temporary addition "Barge Landing Facility" on the site.

2. Reject the requested changes and retain the reserve exclusively for its current use.

Should Council choose not to support the temporary additional "Barge Landing Facility", BHP Billiton Iron Ore will need to source alternative arrangements for the delivery of the equipment.

Attachments

1. Reserve 30909 Locality Plan

Officer's Recommendation

That Council:

1. Approves the request to amend the land use of Reserve 30909, Lot 250 on Deposited Plan 92177, to include "Barge Landing Facility";
2. Delegates the Manager Planning to request the Department of Regional Development and Lands to amend the land use of Reserve 30909, Lot 250 on Deposited Plan 92177, to include "Barge Landing Facility";

201213/082 Council Decision**Moved: Cr Carter****Seconded: Cr Hooper****That Council:**

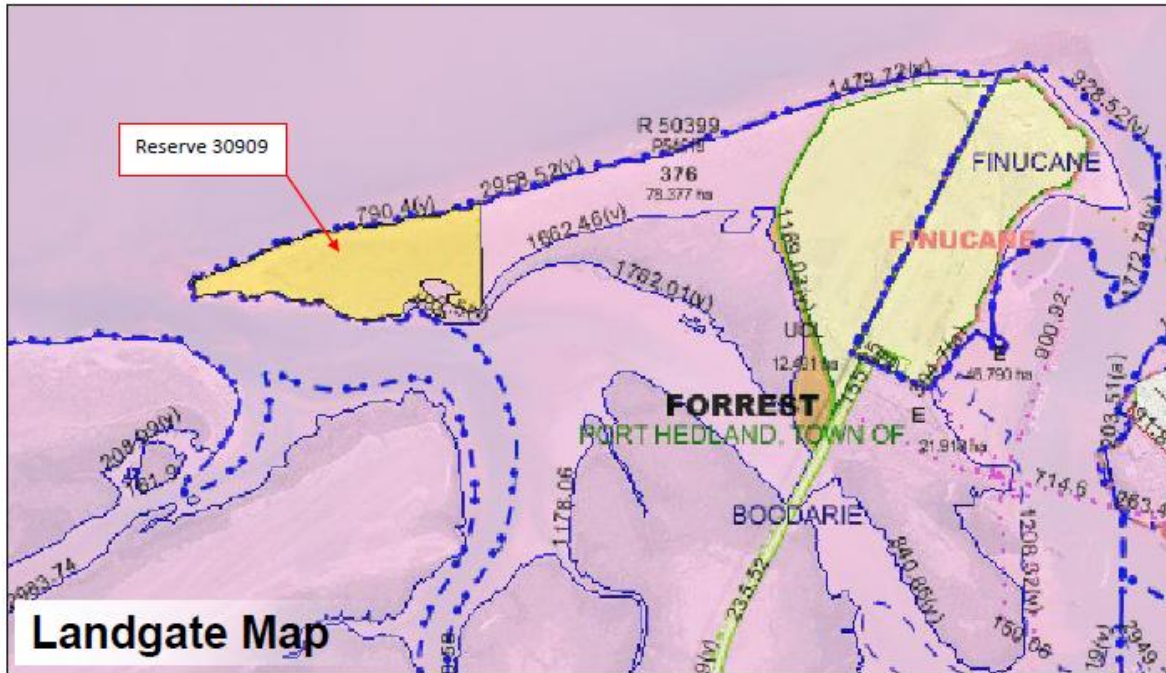
- 1. Approves the request to amend the land use of Reserve 30909, Lot 250 on Deposited Plan 92177, to include "Barge Landing Facility";**
- 2. Delegates the Manager Planning to request the Department of Regional Development and Lands to amend the land use of Reserve 30909, Lot 250 on Deposited Plan 92177, to include "Barge Landing Facility";**
- 3. Agrees that discussions are to be held with BHP Billiton Iron Ore for the payment of a fee for the use of the area for a six month period;**
- 4. Agrees that funding is to be directed to coastal management account;**
- 5. Agrees that if permanent structures are within the proposal they are to be maintained.**

CARRIED 5/0

7:01pm Councillors Dziombak and Daccache re-entered the room and resumed their seats.

Mayor advised Councillors Dziombak and Daccache of Council's decision.

LOCALITY PLAN



7:00pm Councillor Hooper declared a financial interest in Item 11.1.10 "Request for Proposal 12/02 – Port Hedland Visitors Centre" as he has a business relationship with FORM.

Councillor Hooper left the room.

11.1.10 Request for Proposal 12/02 - Port Hedland Visitors Centre (File No.: 05/09/0017)

Officer Brie Holland
Economic and Strategic
Planning Officer

Date of Report 9 August 2012

Disclosure of Interest by Officer Nil

Summary

The short term management arrangement for the Port Hedland Visitors Centre (PHVC) ends Saturday 29 September 2012. A Request for Proposal (RFP) process was undertaken to seek new management operators for the PHVC. One compliant proposal was received from FORM Contemporary Craft and Design Inc.

A Concept Briefing was held regarding the proposal on Wednesday 18 April 2012. Council requested clarification regarding the components of FORM's projected management fees, basic refurbishment and start up costs, potential BHP Billiton partnership funding and clarification of service delivery. Council is requested to review key components of the RFP summarised in this report, aiming to clarify the proposal and appoint FORM as the facility contract manager.

Council should note that FORM has the view that their current RFP to manage the Visitor Centre is on the condition that a basic refurbishment and a toilet upgrade are carried out.

Background

Port Hedland Visitors Centre

The SCM of 21 December 2009 GM Services were awarded the tender for the management of the PHVC. Following negotiations, GM Services have extended their management agreement, which sets to expire on Saturday 29 September 2012.

The OCM on 27 June 2012 resolved in part that Council:

1. *Endorses the Chief Executive Officer or delegated officer to negotiate a contract with GM Services for the interim management of the Port Hedland Visitors Centre for the period of 1 July 2012 ending 29 September 2012, for the fee of \$22,916.66 per month.*

Request for Proposal Process

The OCM on 14 December 2011 resolved that Council:

1. *Notes the current management arrangements for the Port Hedland Visitors Centre and Courthouse Gallery*
2. *Delegates Authority to the Chief Executive Officer to advertise Requests for Proposals for the management of the Port Hedland Visitors Centre and Courthouse Gallery for a period of 3 years commencing 1 July 2012, with a further 2 year mutual agreement option*
3. *Notes that Requests for Proposal submissions will be reported to Council in early 2012 for consideration and endorsement.*

The RFP for the management of the PHVC was advertised in the West Australian on Saturday 4 February 2012. The closing date for submissions was Wednesday 7 March 2012. One compliant proposal was received from FORM Contemporary Craft and Design Inc at the close of the submission period.

Concept Briefing

A Concept Briefing was held with Council regarding the proposal from FORM to manage both the PHVC and the Courthouse Gallery on Wednesday 18 April 2012.

In relation to the proposal to manage the PHVC, Council requested clarification regarding the following;

1. Details of FORM's draft projected management fees, basic refurbishment and start up costs;
2. Potential BHPB Partnership Funds; and
3. Clarification on FORM's proposed service delivery.

Please see Attachment 1 for the proposed refurbishment floor plan.

FORM Proposal

The advertised RFP required proponents to detail the following information regarding the management and operation of the PHVC.

- Working Criterion 1 – Operational Plan (including service delivery and programming);
 - Working Criterion 2 - Financial Management;
 - Working Criterion 3 - Performance Measurement;
 - Working Criterion 4 - Human Resources; and
 - Working Criterion 5 - Marketing and Branding.
- Quality of Management, Operations and Financial Plans*

FORM have provided within their proposal a series of draft plans to manage the Town of Port Hedland's Visitors Centre.

Working Criteria 1 - Operational Plan

Hours of Operation

The proposal included by FORM details a series of opening hours for the PHVC (in and out of season) that provides a good level of service that is reflective of the needs of the community and visitors.

The proposed hours of operation for the PHVC are:

Trading Hours	Peak May to September	Off Peak October to April
Monday to Friday	9.00am to 4.30pm	9.00am to 4.00pm
Saturday	9.00am to 2.00pm	10.00am to 2.00pm
Sunday	9.00am to 2.00pm	Closed

Maintenance/Cleaning and Service Schedules

The proposal addresses the cleaning and maintenance of the facilities in an acceptable manner that reflects good presentation and the preservation of assets.

Programming and Service Delivery

FORM's proposal for both facilities is based on the continued provision of existing activities, as well as the expansion of programs and services. The expansion of programs, services and new branding accounts for approximately 32% of the proposed increase in management fees.

Key programming and service delivery points for the PHVC are:

- Continuation of existing base services including - tourist information, internet access, local tour information and bookings, gifts and souvenirs, local accommodation information and bookings, welcome packs, local restaurant, hotels and hospitality information, local business information, tracks and trails information, Road condition information;
- Increase tour offerings including cultural, adventure and industrial tourism, as well as working more closely with the Historical Society in relation to heritage tours;

- Improved experience opportunities in partnership with local businesses;
- After hours events: book clubs;
- Focus on providing a lead role in the activation of Wedge Street to maximize the planned Streetscape upgrade; and
- Increase in new branding awareness, identified as an urgent area of attention.

Specific Additional Service delivery

Additional Service area	Potential savings/ Reallocation of funds
Airport Presence	\$27,500
West end movies Coordination	\$44,000
Cruise Ship Coordination	per visit \$11,000

Key Staff

FORM's proposal details an increased level of staffing, both management and operational at the Visitors Centre. The proposal is based on the principal of having key management staff working and living in Port Hedland.

Working Criterion 2 – Financial Management

FORM's proposal provides a 3 year (draft) business plan based on budgets for the Visitor Centre. The budget is reflective of programming, service delivery and facility operation plans that combine both existing activities and proposed new activities.

Working Criteria 3 - Performance Management

FORM proposes a range of key performance indicators that would generally provide a means of accessing the quality and quantity of management / operational outcomes.

Should Council appoint FORM to manage the facilities, then detailed KPI's would be further negotiated and reported through the Audit and Finance Committee process on a quarterly basis.

Working Criteria 4 - Human Resources

FORM have identified through their proposal that they are well positioned to meet Council's requirements with regard to managing the workforce of both facilities.

FORM has identified synergies and efficiencies in the combined management of the Visitors Centre.

Working Criteria 5 - Marketing and Branding

FORM have identified in their proposal a complete redevelopment of the marketing, promotion and branding of the Visitors Centre that will compliment that of the Courthouse Gallery.

Further negotiation will be required regarding the incorporation of the Town of Port Hedland branding.

Relevant Experience

Visitors Centre

FORM possesses a sound level of experience in the management of Visitors Centers. This includes the management and redevelopment of the Newman Visitors Centre between 2005 and 2007. FORM has also been an integral part of the project control group for the development of Aspects of Kings Park.

Consultation

- Chief Executive Officer
- Director Community Development
- Manager Community Development
- Director of Planning and Development
- Manager Economic and Strategic Planning
- Planning Officer
- Coordinator Environmental Health Services
- Building Coordinator.

Statutory Implications

Local Government Act (1995):

“3.57. Tenders for providing goods or services

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

“6.8. Expenditure from municipal fund not included in annual budget

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
 - (a) *is incurred in a financial year before the adoption of the annual budget by the local government;*
 - (b) *is authorised in advance by resolution*;* or
 - (c) *is authorised in advance by the mayor or president in an emergency.”*

** Absolute majority required.*

Local Government (Functions and General) Regulations 1996:

“Division 2 — Tenders for providing goods or services (s. 3.57)

11. Tenders to be invited for certain contracts

- (1) *Tenders are to be publicly invited according to the requirements of this*

Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless sub regulation (2) states otherwise.

- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if—*
- (a) *the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act;*
 - (b) *the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.”*

Policy Implications

The RFP process outlined in this report is in accordance with Council's Procurement Policy and Tender Policy.

Strategic Planning Implications

Key Result Area 4: Economic Development
 Goal 1: Tourism
 Develop additional tourist information at Town entry points and other key focal points within the Town.

Budget Implications

Throughout the recent period of management of the PHVC, GM Services has made a number of approaches to Council regarding the management fee and the capacity to offer a quality service within the existing contract constraints. GM Services have stated that they were struggling to accommodate their staff and pay them competitive rates.

Current management fees

Existing contract for the PHVC have been based on the following annual management fee:

Facility	20112/508 Resolution
PHVC	\$275,000 (\$22,916.66 per month)

Proposed contract management fee

Proposed contract management fees to be paid by Council as follows:

Facility	Management Fee 2012/13	Management Fee 2013/14	Management Fee 2014/15
PHVC	\$363,000 (* pro rata \$211,750)	\$375,705	\$388,854

*based on 7 months of contract in 2012 / 2013.

Proposed toilet upgrade

FORM's refurbishment proposal includes a toilet upgrade. The upgrade shown in Attachment 1 lists a sanitary, basin, mirror and shower refit, as well as a repaint.

Start up and basic Refurbishment details

The proposal from FORM details refurbishment and start up items for the PHVC;

Description	
IT Systems – start up	Basic upgrade
Computers, software and connection	Flooring
Office equipment: fax, scanner and phone	Front window coverings
New website	Internal furnishings
Stationery	Kitchen upgrade
Inventory	Crockery and coffee machine
Paper product	Internal Painting
Airport Presence	External Painting
	Electrical and networks
	Lighting

BHPB Partnership Funding

BHPB have given written confirmation that they approve allocating partnership funds, given the support of Council to be spent on items relating to one off start up costs, basic upgrade and airport presence of the PHVC totaling \$255,000. FORM has confirmed that BHPB are willing to commit \$110,000 of their separate funding agreement to cover elements of the operation.

Total cost to Council 2012 / 2013 Overview

Description	Capital Works budget
Management Fee *pro rata based on 7/12 financial year start	\$211,750
Toilet upgrade	\$77,000
Start up, refurbishment and upgrade	\$338,800
Operational costs	\$110,000
Town of Port Hedland 2012 / 2013 Capital Works Budget for the PHVC	\$55,000
BHP / Town of Port Hedland	-

partnership funds	\$155,000
BHP / Town of Port Hedland start up funds	-
BHP / FORM operational support	\$110,000
Total cost to Council 2012 / 2013, inc Management Fee	\$317,550

Yearly operational surplus

The annual outcomes detailed in the proposal from FORM are as follows:

Description	Amount (\$)
Year 1 – PHVC (Operational Surplus) *	\$1,963
Year 2 - PHVC (Operational Surplus) *	\$14,796
Year 3 - PHVC (Operational Surplus) *	\$15,314

*These net outcomes are inclusive of operational costs and revenue, as well as FORM's contract management fee and external funding support.

Officer's Comment

Additional Management Fees

The proposal from FORM includes annual contract management fees to be paid by Council that are 32% higher than existing levels; \$363,000 as opposed to the current management fee of \$275,000. The basis of these proposed increases are related to the cost of staffing and retention strategies and an increased cost to deliver a higher quality program / service. It should be noted that the PHVC is currently closed on Sunday's during the peak season of May – September, FORM have committed to opening the centre on this day. The *Wedge Street Survey 2012* carried out by FORM revealed that a key comment indicated by the 116 people surveyed was that they would like to see the PHVC opened all weekend.

Additional Opportunities

Discussions with FORM have identified that within the proposed contract management fees, the following additional activities / initiatives could be managed, once the centre was in operation;

- Coordination of Cruise Ship visits – proposed to potentially increase to 6 throughout the remainder of 2012 and into 2013. The event coordination of this activity currently costs Council approximately \$11,000 on each occasion. The opportunity may exist, subject to further negotiation for FORM to coordinate these activities within the proposed management fee.

- Coordination of the West End movies night. The event currently costs Council approximately \$44,000 per year.
- Airport Visitor Services – discussion have also been held with FORM regarding the servicing of visitors at the airport (potentially a booth in the short term) under the existing management fee. The potential to provide this service will be dependent on the availability of space and funds, as well as coordinating with the overall airport redevelopment.

Refurbishment floor plan

FORM's refurbishment floor plan proposal in Attachment 1 includes the following; café, additional sitting, reconfiguration of display area, upgrade of toilets. FORM has requested preliminary comments from the internal Departments of Environmental Health, Building and Planning. As long as the condition and appropriate applications are completed, there have been no major issues with comments regarding the proposed floor plan.

Schedule of works – Short term closure of PHVC

Given that the Contract is completed and signed by both parties and that the agreed funds have been allocated, FORM envisage the refurbishment to be completed within 12 weeks and the PHVC reopened before Christmas. It has been in-principally proposed that light works can start late September, while the Centre is in operation. Even though the Centre will be closed for approximately 10 weeks, this period of works would be carried out during the off peak season. FORM has offered to redirect visitors to the Courthouse Gallery during the works in order to maintain customer service during this period.

Toilet upgrade

Toilets at the PHVC have been an ongoing maintenance concern for the past two years. The area is in a dire need for upgrade outside of the RFP review. FORM has obtained a quote for the upgrade, which came in at \$77,000 and can be accommodated within renovation funds secured.

Partnership funding

Council requested at the Concept Briefing that further clarification be made around partnership funding. To date, FORM has proposed to commit \$110,000 of their BHPB funding for the elements of the operation. BHPB has proposed, on the approval of Council to commit funds of \$310,000 for the one off set up costs, basic refurbishment and airport presence.

Summary

FORM has provided a quality proposal to manage the PHVC incorporating existing programs / services as well as a range of new initiatives. The management fees contained within the proposal from FORM is significantly increased from previous levels and is a result of increased staffing costs and increased program / service offer.

The majority of Visitor Centers in Australia rely heavily on the commission based revenue through the sales of accommodation to Visitors. Unfortunately this is not a possibility at this stage because of the Town's accommodation shortage and as a result a higher management fee must be paid. There may be a chance for FORM to facilitate the sale of tourist accommodation once rooms/ caravan sites come on line.

The Shire of East Pilbara commissioned FORM to revitalise the Newman Visitor Centre in 2005. The Centre now is a world-class destination, showcasing the town and the region. The Centre offers a contextualized retail experience, with high quality, thoughtfully designed products from locally and nationally based makers displaying innovation and creativity. As a result of the Centre's revitalization, the Shire of East Pilbara was able to reestablish accreditation from the Western Australian Tourism Council, labeling the Newman Visitor Centre with the ability to deliver high quality tourism experiences. The accreditation is marketed both nationally and internationally. Council should note that the PHVC does not have accreditation from the Western Australian Tourism Council.

At first glance the proposal is requesting a substantial amount of money. Once the figures are segmented, the request becomes quite attractive and FORM have taken a holistic approach to revitalising the Visitor Centre: an increase in programming, service, marketing, rebranding, upgrade of amenities and current layout, which are all achievable through a strong partnership between FORM, the Council and BHPB. If approved, Council would be committing \$317,550 to this financial period to not only facilitate the revitalisation of the Visitor Centre.

Council is recommended to select FORM as the preferred proponent for the management of the Visitors Centre, allowing FORM to facilitate positioning it as one of the State's most impressive Centres and a real invitation to visit Port Hedland and the Pilbara.

Council does however have three further options;

1. Discontinue the PHVC operations, until further notice.

This option would be at the disadvantage of any tourist who wishes to visit the Centre and the Town.

2. Council manages the Centre itself.

This option would see Council endeavour to employ the existing staff on a casual basis. This option also comes with many uncertain impacts to Council. The internal administration / on-costs of this option are not known and there is the uncertainty to the availability of suitable experienced supervisory staff eligibility.

3. Council continues to appoint GM Services

This option would require the current contract to be rewritten to include of the current contract and Council would be committed to pay \$275,000 (\$22,917 per month) in management fees. This option would not provide Council or visitors with the additional level and variety of service offered under the FORM proposal.

Attachments

1. FORM's proposed refurbishment floor design.

201213/083 Officer's Recommendation / Council Decision

Moved: Cr Jacob

Seconded: Cr Daccache

That Council:

1. **Selects FORM as the preferred proponent for the management of the Port Hedland Visitors Centre and acknowledges the 3 year contract management fees;**

Facility	Management Fee 2012/13	Management Fee 2013/14	Management Fee 2014/15
PHVC	\$363,000 (* pro rata \$211,750)	\$375,705	\$388,854

*based on 7 months of contract in 2012 / 2013.

2. **Endorses the Chief Executive Officer or delegated officer to negotiate additional outcomes / key performance indicators within the contract to achieve the best result for the Town of Port Hedland; and**
3. **Notes that a formal schedule of works issued by FORM will be reported to Council at the September meeting.**

CARRIED BY ABSOLUTE MAJORITY 6/0

7:07pm Councillor Hooper re-entered the room and resumed his chair.

Mayor advised Councillor Hooper of Council's decision.

7:07pm Councillor Jacob declared an impartiality in Item 11.1.11 "State of the Environment report – Pilbara Region" as she is a board member of Regional Development Australia.

Mayor Howlett declared an impartiality to Item 11.1.11 "State of the Environment report – Pilbara Region" as she is a non financial deputy chair of Regional Development Australia.

Councillor Jacob and Mayor Howlett did not leave the room.

11.1.11 *State of the Environment Report – Pilbara Region (File No.: 18/07/0002)*

Officer Eber Butron
Director Planning and Development

Date of Report 16 August 2012

Disclosure of Interest by Officer Nil

Summary

RDA Pilbara is requesting a contribution from the Pilbara Council towards the development of a Regional State of the Environment Report. The purpose of this report is to seek a Council decision to contribute funding towards the project or otherwise.

Background

Correspondence has been received from RDA Pilbara seeking a monetary contribution towards the development of a Pilbara Region State of the Environment Report. The contribution being sought is \$30,000.

Consultation

RDA Pilbara has requested funding from all Councils in the region. It is understood that other Pilbara Councils have committed support or are in favour of the project.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 5: Environment

Goal 2: Natural Resources

The Town of Port Hedland is managing its unique environment and using its resources sustainably.

Budget Implications

If Council supports RDA Pilbara's request, \$30,000 will be required to be budgeted for the 2012/13 Financial Year.

Officer's Comment

The purpose of the State of Environment Report is to establish a program of monitoring and reporting of environmental and cultural values in the region. This would facilitate decision making and affective management of the regions landscape values. The State of Environment Report would provide a snapshot and a scorecard of the regions environmental attributes at a certain point in time.

This provides a baseline by which continued monitoring of these environmental attributes can be undertaken over time. The regions environmental attributes can then be periodically assessed to determine the state/condition and can be compared with previous reports. The findings of this report can be utilised by various agencies including Council, the State, the federal government and industries to manage the Environment and their respective responsibilities accordingly.

The methodology of the State of Environment Report will review the pressures on the environment, assess the state of the environment, review management responses, resilience of the environment, risks and an outlook of themes. The methodology will include a desktop review of the studies undertaken in the region, consultation with other Councils, State Agencies, Resource Industries, Community groups and other agencies.

It is envisaged the following themes/issues will be addressed:

- Biodiversity conservation
- Air quality
- Marine water environments
- Marine contamination
- Climate change
- Economic activity and community

State of the Environmental Reporting is undertaken throughout Australia at varying levels ranging from Local Government reporting through to national reports. Whilst the scope of the Pilbara RDA project is to be undertaken at a regional level, it is envisaged that the findings, monitoring and reporting will benefit the Local Government Area of Port Hedland. Is it considered a worthwhile project that Council should contribute to and be involved with.

Notwithstanding this, it is considered that the Resource Industries should be asked to fund or contribute towards the project.

The resources industry sector would have access to significant data and resources to contribute to the State of Environment Report. Further, it is considered that the resource industry sector is a major contributor to the pressures on and changes to the regions environment.

Attachments

1. State of the Environment Reporting – scoping page

2012/13/084 Officer's Recommendation / Council Decision**Moved: Cr Daccache****Seconded: Cr Jacob****That Council:**

1. **Supports the preparation of the Pilbara Region State of the Environment Report and allocates \$30,000 in the 2012/13 budget towards the report;**
2. **Requests the CEO to write to Regional Development Australia Pilbara requesting they seek funding from the resource sector to facilitate the preparation of the State of Environment Report.**

CARRIED 7/0

Proposal for 'State of the Environment' Reporting for the Pilbara Region - RDA Pilbara

1 Introduction

The rapid growth that is likely to occur in the Pilbara region both presently and in the future will impact on the incredible environmental and cultural values of the landscape. It is therefore imperative that a State of the Environment framework is developed for the Pilbara Region, including the commencement of a program of monitoring and reporting, so that decision-makers have access to current and relevant information to improve understanding and facilitate effective management of important aspects of the Pilbara's environmental and cultural systems.

There is a significant amount of information currently available regarding the state of the environment in the Pilbara, however much of it is not readily accessible to support decision-making. Although it is noted that the quality of the Pilbara environment is currently generally healthy, it is considered that there are a number of issues that should be actively monitored to facilitate the identification of appropriate and potentially remedial action.

The proposed State of the Environment report will summarise the available information and describe the environmental resources of the Pilbara. It will provide a clear picture of the drivers of change; the pressures or likely impacts on the environment; current management initiatives; and a discussion of future outlooks. It will propose indicators which can be used to measure any impacts on the environment that result from the significant level of development proposed in the Pilbara region, providing guidance for future management needs and/or mitigation actions and assist in the implementation of necessary progressive and adaptive management responses.

The development of a regional report enables the community, local governments and regional organisations to have a greater understanding of the status, pressures and responses to the environment within a regional context. Working together regionally will yield benefits including the sharing of ideas on sustainability reporting, the swapping of environmental practices and innovation in the region, and the forging of stronger regional links. It will create a consistent regional reporting framework and a set of common indicators appropriate for reporting across local government boundaries.

2 Context

The Pilbara is viewed and characterised through a wide variety of descriptions and lenses, predominantly economic. It is rich in natural resources, generating considerable wealth for both WA and the nation from an economy dominated by the extraction, processing and export of minerals and hydrocarbons. The Department of Regional Development and Lands estimates the Gross Regional Product of the Pilbara at \$9.2 billion in 2009-10, 5.0% of Gross State Product.

Proposal for State of the Environment reporting for the Pilbara

Other industries such as construction, agriculture, livestock, manufacturing, retail, fishing services and aquaculture complement and broaden the Pilbara's economic base. The Pilbara also has stunning natural beauty with striking panoramas and a rich and diverse cultural heritage. The Region offers tourists a variety of attractions from the magnificent reefs and islands of the Dampier Archipelago, the iconic gallery of rock art at Burrup Peninsula, the spectacular gorges and waterfalls of the Karijini National Park through to the stark and rugged landscapes of the remote Great Sandy Desert.

The Region is on the threshold of a further period of expansion and growth which will bring major opportunities and challenges. With the establishment of the Pilbara Cities initiative the State Government is taking significant steps it says will ensure that the Pilbara is in a strong position to capitalise on its competitive advantages and secure a bright and prosperous future.

Importantly, the Pilbara is on the threshold of another period of expansion. The Pilbara Cities vision projects that by 2035, the Region will have a resident population of more than 140 000, based on a more diverse economy that has capitalised on its competitive advantages. Higher levels of population in the region's main urban centres will support a wider range of employment opportunities; greater housing choice; higher levels of amenity; and access to higher standards of education, health, recreational and other community services. The natural and cultural heritage assets of the Pilbara, such as the coastline, Karijini and the Burrup Peninsula's rock-art galleries will be conserved, celebrated and cherished, it is said.

The recently released Pilbara Planning and Infrastructure Framework (WAPC, 2012) acknowledges that the realisation of the Pilbara Cities vision to triple the resident population and expand mining, petroleum and industrial activities could significantly challenge the Region's natural environmental values. It is important to acknowledge the contribution these values make to the Pilbara's liveability, health, lifestyle and economy.

With this rapid and ongoing substantial growth and for the reasons outlined in the remainder of this proposal, it is considered imperative that a framework and action plan for a regular Pilbara State of the Environment Report is agreed across governments, as a priority.

3 Why RDA Pilbara?

Regional Development Australia Pilbara (RDA Pilbara) has developed its *Strategic Plan 2011-2014* through a process of regional consultation and has developed Five Key Result Areas:

KEY RESULT AREA 1 - LEADERSHIP, INCLUSIVE PLANNING AND DECISION MAKING
KEY RESULT AREA 2 - STRONG COMMUNITIES
KEY RESULT AREA 3 - ENVIRONMENTAL SUSTAINABILITY
KEY RESULT AREA 4 - RESILIENT ECONOMIES
KEY RESULT AREA 5 - GETTING BETTER AT WHAT WE DO

Proposal for State of the Environment reporting for the Pilbara

Each has clearly defined Outcomes, and identifies the Challenges as well as summarising how the achievement of them will enhance the Region's future.

Key Result Area 3 - Environmental Sustainability, as with the other four KRAs, is underpinned by Strategies and Performance Indicators.

The Strategies for KRA 3 include RDA Pilbara:

- Playing a leadership role in ensuring a consistent approach to the monitoring and measurement of progress towards the Australian Government's Sustainability Indicators across the Region.
- Developing the structures and systems to ensure robust, consistent and accountable environmental decision making practices across all levels of government in the Pilbara.

Initial discussions have indicated levels of support for the Performance Indicators, of achieving:

- A consistent approach to monitoring and reporting against sustainability indicators across the Pilbara
- Successful adoption of the benchmarking initiative and adoption of the environmental decision making tools by all Local Governments in the Region.
- Increased understanding of the state of the environment in the Pilbara and adoption of sound decision-making practices to promote sustainability.

The Pilbara RDA is seeking to develop this support and to discuss and agree a way forward with the Region's four Local Governments and the State Government by June 2012.

4 Proposed scope

The objective of this proposal is to develop a State of the Environment report for the Pilbara that goes beyond a descriptive summary of evidence to include graded 'report-card' style assessments of environmental condition, trends, pressures and management effectiveness. It will address key environmental issues for the Pilbara region as outlined in section 5.

The report will be an important management tool which aims to provide the community and each local government with information on the condition of the environment of their local area. It will also provide a platform for community action by raising awareness and understanding of key environmental issues which in turn, will help people and organisations make informed decisions regarding future management actions to reduce the negative impacts on the environment.

It is proposed that the State of the Environment Report for the Pilbara is developed using a similar process to that in figure 1. This process, taken from the Australia State of the Environment Report 2011, will be adapted for the Pilbara context, so that the report is locally relevant and results in the identification of key pressures, risks and indicators that are pertinent to the Pilbara and will support decision-making at the local and regional level.

Proposal for State of the Environment reporting for the Pilbara

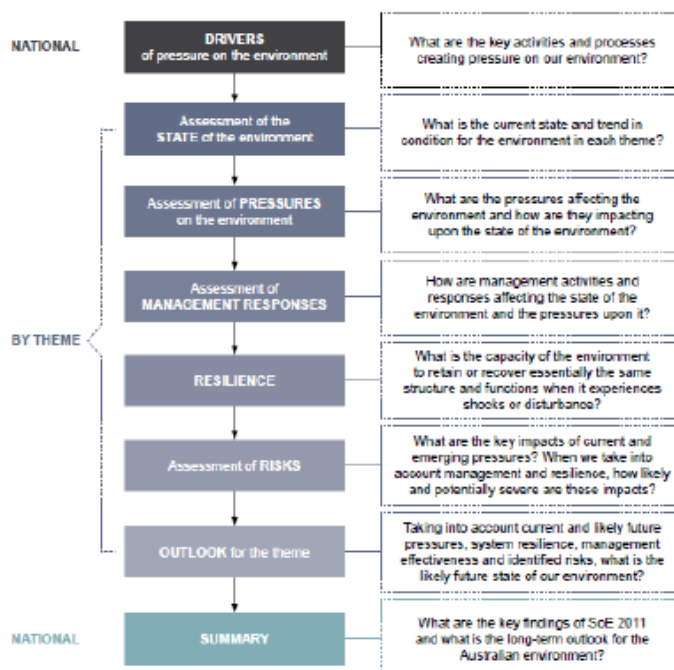


Figure 1: Approach to reporting on Australia's environment (Australian State of the Environment Committee, 2011)

A more detailed discussion of Australian and Western Australian state of the environment reporting is provided in Attachment 1. Attachment 2 contains a summary of complementary Commonwealth and State government programs and Attachment 3 provides some other examples of state of the environment reporting.

Preparation of the State of the Environment report will require a number of tasks including a desk top review of available information to describe the current state of environmental resources, consultation with stakeholders, identification of pressures, issues and indicators; and development of a framework for measurement and reporting. These tasks are outlined in more detail below.

4.1 Desk top review

Undertake a desktop review of the best available information to describe the current condition of the environment in the Pilbara. This review should aim to:

- Identify and map the extent of environmental and natural resource assets at the regional scale for whole of the Pilbara, and for each individual local government area.

Proposal for State of the Environment reporting for the Pilbara

- Describe the current condition of the Region's environmental and natural resource assets, noting changes in condition and trends over time. Themes to be explored include atmosphere, land, biodiversity, inland waters, coasts, marine environment, built environments and heritage.
- Identify growth scenarios and changes that are likely to occur in the Pilbara in the short and medium term, having consideration of recent predictions of population growth, resource expansion and settlement plans including those outlined in Pilbara Cities and the Pilbara Planning and Infrastructure Framework.

4.2 Consultation

Consultation with the following stakeholders should occur throughout the process, including face to face meetings and a regional workshop to discuss the draft report and its findings. Opportunities should also be made for stakeholders to comment on written documentation where possible.

- Local Governments (Shires of Ashburton, Roebourne and East Pilbara and Town of Port Hedland)
- Department of Environment and Conservation
- Department of Water
- Department of Agriculture
- Department of Mines and Petroleum
- Rangelands NRM Co-ordinating Group
- Department of Regional Development and Lands
- Department of State Development
- Pilbara Development Commission
- Native Title Representative Body/Bodies
- Community/independent groups

4.3 Preparation of State of the Environment Report

The outcome of the desk top assessment and consultation processes are to be used to prepare the State of the Environment report. The State of the Environment report for the Pilbara should illustrate the ways in which the condition and trends of the broader environment; the pressures on it and the drivers of those pressures; management initiatives in place to address environmental concerns and the impacts of those initiatives; and its resilience and the unmitigated risks that threaten it can be monitored and reported. The report should:

- Describe the condition of the environment under the eight themes, noting trends of change
- Identify the current and future risks to the environment, noting the drivers of change and pressures on each theme
- Identify current management initiatives and discuss their effectiveness in managing environmental issues

Proposal for State of the Environment reporting for the Pilbara

- Consider the resilience of environmental systems to mitigate the impacts of change and provide a discussion of possible future outcomes on the basis of a “business as usual” approach and other management scenarios, identifying those systems most under threat from change
- Identify environmental indicators for each theme that provide an appropriate indication of the changes and/or trends in the environment and are easily measurable
- Develop a 2012 report card and make recommendations for a monitoring and reporting framework

It is anticipated that draft and final reports will be prepared to provide appropriate opportunity for comment and revision.

5 The Pilbara’s Natural and Cultural Environment

The Pilbara Planning and Infrastructure Framework (WAPC, 2012) identifies the need to build on the Region’s environmental values, national parks and conservation reserves. The Framework also aims to provide momentum for a better understanding and respect for the natural environment; promote the conservation and protection of significant natural features; and ensure opportunities for discovery, recreation and a sense of meaning for the benefit of future generations.

With an expanded urban population, there is a need to create better understanding, recognition and respect for the Region’s past and present indigenous culture; together with the cultural heritage of its early settlement, pastoral and mining activities. This will engender a sense of continuity and general lifestyle enhancement, as well as providing attractions for tourists.

The Pilbara Framework Regional Profile provides a useful overview of the Pilbara’s environmental state, noting the following:

The quality of the Pilbara environment is generally healthy. There are, however, a number of localised issues that require monitoring and potentially remedial action.

The following provides a summary from the Pilbara Framework Regional Profile, noting key environmental issues which will be addressed in more detail by the proposed Pilbara State of the Environment Report.

5.1 Biodiversity conservation

Conservation reserves: Conservation reserves in the Pilbara include: three national parks, a conservation park, two nature reserves and three new reserves. In addition, the Region has the following marine reserves:

- Dampier Archipelago nature reserves
- Montebello/Barrow Island marine conservation reserve

Proposal for State of the Environment reporting for the Pilbara

- Dampier Archipelago/Cape Preston marine conservation reserve.

Compared to other regions in Western Australia, the Pilbara has a low representation of its bioregions in nature reserves, having just under 6% of its land area in conservation areas. Out of its 15 bio-subregions, seven are not represented in the conservation estate at all and 10 of the 15 are represented at less than 5% of their area. To achieve the 15% representation target, an additional 46 080km² would need to be added to the Region's terrestrial conservation reserves.

5.2 Air quality

According to the State of the Environment Report, particulate levels in the Pilbara regularly exceed health standards. Particulate problems in the Pilbara are associated with bushfire, dust storms and some mining and port facility operations. A significant positive relationship exists between air pollutants and daily hospital admissions for respiratory disease, cardiovascular disease and respiratory hospitalisation of the elderly in particular. Particulates have been responsible for the majority of National Environment Protection (Ambient Air Quality) Measure exceedences recorded since 1998.

The EPA has identified oxides of nitrogen - broadly including nitric oxide, nitrogen dioxide, nitrous oxide, or mixtures of these compounds - as an emerging air quality issue. They are all precursors of photochemical smog. Oxides of nitrogen are emitted by internal combustion engines, industrial and commercial boilers in power generation and from industrial combustion processes, with motor vehicle emissions being the major source in urban areas. Natural sources of nitrogen oxides are from lightning and oxidation of ammonia, constituting a very small proportion of overall atmospheric concentrations.

Monitoring for nitrogen oxides has also been conducted at Dampier and Karratha. Past monitoring has shown low nitrogen dioxide levels in these regions, however, monitoring is no longer conducted at the Pilbara study sites, and data from industry sites is not readily available, so it is not possible to be certain the standard has been met in these areas in recent years. Oxides of nitrogen have been identified as a developing issue in the Port of Port Hedland.

5.3 Marine water environments

The EPA has established guidelines for development proponents to protect benthic primary producer habitats from direct and indirect impacts of development proposals. Six categories have been established for ecological protection, each with different allowable 'cumulative loss thresholds' (ranging from 0-10%) depending on the ecological and conservation significance of the area.

An example of cumulative mangrove habitat loss can be seen in Port Hedland. The development of port and salt industries in Port Hedland began in the 1960s, and there has been progressive and considerable loss since that time of habitat areas that were occupied by dense stands of mangroves. Mangrove communities act as nursery, feeding and breeding

Proposal for State of the Environment reporting for the Pilbara

grounds, and as buffer zones against wave action, thereby reducing erosion and storm surge damage to coastal areas. If recently approved port projects proceed as planned, the cumulative loss of closed canopy mangrove habitat would be about 342 ha representing about 13% loss of the total extent of that habitat type. This would exceed the EPA's habitat loss threshold for this habitat type.

5.4 Marine contamination

Mollusc and sediment levels of heavy metals: Imposex (females developing male sexual organs) in shellfish is an indicator of marine tributyltin contamination over time, as it interferes with hormone production and causes higher testosterone levels. A North West study showed that molluscs at Dampier had a lower incidence of female imposex (0% to 54%) than Perth, despite having the highest tonnage of any port in WA and Australia. It is believed that tributyltin may break down or disperse more quickly in northern waters due to increased sunlight and water circulation.

5.5 Acid sulphate soils

The risk of the presence of acid sulphate soils is a potential issue at Onslow, Dampier, the Nickol Bay area (Karratha, Point Sampson, Wickham, Cossack) and Port Hedland.

5.6 Impacts of climate change

Over the last 100 years, there have been changes in Australia's rainfall and temperature. There seems to be reasonable agreement among scientists that climate change is already affecting species and ecosystems. There is, however, uncertainty as to how the Pilbara landscapes will respond and what the specific implications for management may be. Of particular concern to the Pilbara landscape are:

- climatic changes and their broad-scale impact on biodiversity patterns and productivity
- cyclonic patterns and extreme weather events
- water resources (availability for environmental needs and human usage)
- coastal inundation and the impacts on coastal habitat, port and town communities and infrastructure
- fire frequency and behaviour
- weed proliferation.

5.7 Impact on economic activity and community

The Australian Government Department of Climate Change has commissioned studies into the impact of climate change on the Pilbara, with a primary focus on resource development. The preliminary concerns underpinning these studies are:

Proposal for State of the Environment reporting for the Pilbara

- a more severe cyclone regime, together with sea level rise, will impact (particularly) on the capacity of the oil and gas industry to maintain production and act as a disincentive to future investment
- higher mean annual temperatures will have health impacts on vulnerable groups in the community.

It is anticipated that climate change will tend to exacerbate the likelihood and extent of storm surge inundation on low-lying ground in coastal areas. This has implications for the development of Port Hedland, the Karratha area and Onslow. Taking the increased storm surge risk into account, the current development of Pretty Pool in Port Hedland is predicated on a 50-year return period, rather than the 100-year return benchmark used previously.

The coastal and offshore oil and gas infrastructure is potentially at risk of significant damage and increased shut-down periods from increases in storm surge, higher winds, more intense cyclones, flooding, wave events and sea level rise. Damage to ports, shipping, oil and gas pipelines may threaten infrastructure performance, security and supply at significant cost to the communities. Although offshore platforms are designed to withstand extreme conditions, frequent storm periods can disrupt supply and affect the downtime and safety protocols for workers.

Long infrastructure lead times, significant amounts of private and public sector investment, and the long-lived nature of assets call for more explicit consideration of climate change factors in Australian government planning and approvals for oil and gas development.

Proposal for State of the Environment reporting for the Pilbara

Attachment 1: State of the Environment' Reporting

Regular SoE reporting is relatively new in Australia, however is growing consistently, if not with some urgency with the need for greater clarity around and monitoring of the impacts of the decisions and choices which are made in dealing with what have been described as the drivers of change – climate change, population growth, economic development, and the consumption of natural resources.

The recently released Australia state of the environment 2011 report uses 'a range of best available information to support assessments of environmental condition, pressures, management effectiveness, resilience, risks and outlooks'. It aims to give Australians the best possible and clearest answers to three basic questions:

- What is the current condition of the Australian environment?
- What are the risks the Australian environment faces and are we doing enough to protect it?
- Where is the Australian environment headed?

It is a detailed, comprehensive and readable reporting framework, and concludes with the identification of 'Current issues and priorities, Where we're heading, The gains we've made, and Looking ahead: the challenges and opportunities'.

The report is targeted so that the information:

- provides relevant, credible and useful information on environmental issues to decision-makers and the public
- increases awareness of environmental issues among decision-makers and the public
- supports evidence-based environmental management decisions that lead to more sustainable use and effective conservation of our environmental resources
- identifies ways in which the environmental evidence base could be strengthened.

In the report, the Australian environment is divided into nine themes representing biogeographic or conceptual aspects of the Australian environment. Each theme— atmosphere, inland water, land, marine environment, Antarctic environment, biodiversity, heritage, built environment and coasts—is assessed at a national scale following a similar approach. The main drivers of change in the Australian environment are also described and the report concludes with a discussion of opportunities and challenges associated with future reporting.

The report asserts that Australia is positioned for a revolution in environmental monitoring and reporting. Researchers are adding to the amount of environmental information at an accelerating pace. Decision-makers are increasingly expected to bring that information to bear upon policy development, management practices and resource allocation. Improved national data collection and use of alternative data sources are vital for understanding and effectively managing important aspects of Australia's environmental and cultural systems.

Proposal for State of the Environment reporting for the Pilbara

Western Australia

In WA, the Environmental Protection Authority has led the preparation of State of the Environment Reports, with these being produced in 1992, 1998 and 2007. There is some uncertainty around the likely date of the next report. The EPA notes that SoE reports are designed to communicate credible, timely and accessible information about the condition of the environment to decision makers and the community and acknowledges the 2007 Report does not consider all of the many environmental issues facing WW. Rather, it focuses on the major environmental issues, so as to draw attention on them and to help set the State's environmental policy agenda for the next five years.

Similar to many other state and national SoE reports, WA's reports are structured around environmental themes, issues and indicators. *Themes* refer to major groupings of the environment, including Fundamental Pressures, Atmosphere, Land, Inland Waters, Biodiversity, Marine, Human Settlements, Heritage and Towards Sustainability. *Issues* refer to environmental problems and are reported under each theme. *Environmental indicators* are used to provide a summary measure of the changes and/or trends in the environment or for environmental issues.

The 'report card' approach considers a number of indicators relating to the condition of the natural resources or assets, the pressures or threats present and the adequacy of current responses. The Theme, and Status & trend, reporting uses the green/amber/red 'traffic lights' to refer to the current overall condition of the natural resources or assets, together with the likely change in natural resources or asset condition over the past decade – improvement, steady, or deterioration. Interestingly, across the eight groupings (referred to above) only two – Atmosphere and Marine - are shown as green or 'Current status - good' and none is indicated as 'likely improvement'. Of importance to the State, and the Pilbara, is that Fundamental Pressures are red or 'Of concern', with 'likely deterioration' and the notation that - *Increased pressure on the environment from WA's economic boom, consumption of natural resources, and climate change require new approaches to environmental management.*

Environment hotspots are also mapped: parts of WA where the most environmental issues occur and the environment is under the most stress. This map has been generated using bioregions (both terrestrial and marine) through summing each of the 'indicative extent of issue' maps presented in the report.

The SoE report is the key mechanism used for reporting on the State's environmental bottom line. The report reviews the progress of WA's economic sectors in the 'Towards Sustainability' theme, by reporting on their sustainable management, use, protection and conservation of natural resources.

Reports are also being produced in regions of Australia and New Zealand, and several have been identified for review to inform the development of SoE reporting models for the Pilbara (Attachment 3).

Proposal for State of the Environment reporting for the Pilbara

Attachment 2: Complementary programs – current NRM initiatives

At Commonwealth level, *Caring for our Country* is an Australian Government initiative that seeks to achieve an environment that is healthier, better protected, well-managed, resilient, and provides essential ecosystem services in a changing climate.

The program acknowledges that Australia's unique natural environment plays an important part in the lives of all Australians, with the reliance on the land, its forests, its waterways and the essential ecosystem services they provide. Our environment provides for the economy, wellbeing and our national identity.

Australia's biodiversity is one of the planet's most unique and diverse. Significant threats to the environment include habitat degradation and fragmentation, the spread of invasive pest plants and animals, the effects of climate change and human activities.

The long term viability and health of Australia's natural resources are also critical to maintaining and building the productive capacity of agricultural industries.

Caring for our Country provides support to land managers, community groups including Indigenous groups, industry and local environment groups.

Caring for our Country is based on measurable strategic outcomes at a national scale for the medium-term (five-year) in the context of longer term (20-year) projections. These are published in the *Caring for our Country Outcomes 2008–2013*, and are focused on protecting and building resilience into the environment across six national priority areas:

- natural resource management in northern and remote Australia
- community skills, knowledge and engagement
- the National Reserve System
- biodiversity and natural icons
- coastal environments and critical aquatic habitats
- sustainable farm practices.

Activities funded through the current Business Plan will round out over \$2 billion of Australian Government investment across outcomes in the six priority areas. Caring for our Country is an ongoing initiative, and the funding arrangements for ongoing natural resource management activities are expected to be announced this year.

Northern and remote Australia is identified for securing better environmental and natural resource outcomes, with a particular emphasis on working with Indigenous groups. The Australian Government recognises that because of its geographic scale, cost structures and unique environmental assets and cultural values, the environmental and sustainable farming challenges faced by northern and remote Australia may require a tailored approach for natural resource management.

Proposal for State of the Environment reporting for the Pilbara

Caring for our Country Report Cards are issued as annual reports to the community to inform the public about the progress of the program, and are based on a sound monitoring, evaluation and reporting process that measures our progress against our stated outcomes. The reports highlight the progress made across the Caring for our Country national priority areas for each year of the initiative, including a summary of achievements for a particular year and a snapshot of overall progress since the initiative commenced in 2008.

State- level

The State Natural Resource Management Office works with the WA and Australian Government to facilitate the coordinated delivery of natural resource management in Western Australia. Key roles for the Office are stated as including:

- coordinating and supporting the delivery of government funding for natural resource management activities in WA
- supporting natural resource management planning and policy development
- establishing and maintaining partnerships with key natural resource management stakeholders
- managing specialist natural resource management projects and initiatives.

The State NRM Office also advocates natural resource management activity and engages resource managers on key natural resource management issues. It manages the Caring for our Country initiative for the Australian Government.

State NRM Program investment priorities are to:

- manage land resources sustainably
- maintain and enhance the condition and beneficial uses of priority water assets
- protect and enhance the marine and coastal environment
- recover and conserve biodiversity
- enhance skills, capacity and engagement; improve knowledge; evaluate outcomes
- improve planning processes to achieve NRM outcomes.

The State NRM Program contributed \$29.3 million towards natural resource management activities in 2009/10, funding community and strategic projects, and supporting the State's six regional natural resource management groups. An additional \$35 million has been approved for funding between 2010/11 and 2013/14.

NRM Program Annual Reports are issued regularly to outline actions, initiatives and funding allocated to support NRM management in WA.

The Rangelands NRM WA, unsurprisingly, is the largest of the NRM regions in Australia, covering around 85% (2,266,000 sq km) of the State's land mass, and 75% of the coastline. Due to the vast size of Rangelands, community engagement is undertaken through four recognised subregional areas, including the Pilbara which covers 22% (507,000 sq km) of the Rangelands area. The Rangelands NRM is a non-government organisation which supports

Proposal for State of the Environment reporting for the Pilbara

and encourages the sustainable use of the natural resources - land, flora & fauna, fresh water and coastal marine environment. Rangelands is responsible for the establishment, management, evaluation and communication of many natural resource management activities and projects.

As with other regional NRM groups, Rangelands works in partnership with all tiers of government, regional organisations, industry, landowners, researchers, environmental and community groups. The groups provide a community leadership role, mobilise regional effort and ensure priority needs are addressed. They also build on government investment by leveraging private investment and volunteer activities and ensuring collaboration across established networks.

Each regional group has developed a regional strategy and investment plan that addresses significant natural resource management issues within their region. These plans incorporate the environmental, social, and economic aspects of natural resource management.

The Rangelands group has delivered a range of projects within the Pilbara region from projects under the National Heritage Trust, the National Landcare Program and the National Action Plan for Salinity & Water Quality. The 2009/10 – 2010/11 State NRM report indicates \$3.4m was allocated for support, and some 19 strategic and community grant programs.

The Pilbara Local Governments

The four Pilbara Local Governments, the Shires of Ashburton, East Pilbara and Roebourne and the Town of Port Headland, have a range of strategic and community plans and policies recognising and supporting environmental and sustainability considerations, activities and initiatives. Many of these translate into projects and programs involving water conservation and reuse, energy, solar, waste and recycling. They acknowledge increasing pressure on the natural environment - and the necessity for a balance in and the development of cultural, economic, social and environmental programs as well as infrastructure to create the conditions for sustainable activity to attract people to the Pilbara and to generate the work, study and lifestyle opportunities that are necessary to retain these growing resident populations.

The plans and policies also refer to:

- good management of the environment as a primary task of the council and to be considered in its decisions
- the development of sound environmental policies developed through consultation with the community
- a co-ordinated approach (within and outside the council) to all environmental matters
- identifying environmental issues important to the community taking action as necessary to address them
- relating plans to the landscape, protect natural environmental assets and respond to the challenges of climate change

Proposal for State of the Environment reporting for the Pilbara

- conserving biodiversity and ecosystems, investigating flora and fauna and sustainable NRM
- delivering community services within the overriding principles of social, economic and environmental sustainability
- striving to ensure the community lives sustainably in a thriving natural environment.

There are proposals to develop stronger partnerships with land care and environmental groups (including indigenous organisations) to promote and manage sensitive and unique heritage and environmental in harmony with planned development, through sustainable environmental policies and strategies; to contribute to the social, economic and environmental prosperity of the local government by providing in alliance with others, strong community leadership, advocacy, and cost effective facilities and services; to conserve and enhance diverse natural, cultural and built environments through ecological sustainability and best practice environmental management.

Consistent with the SoE reporting, there is also recognition in these plans and policies of the increasing pressure on the natural environment, coupled with increasing demands for land uses, infrastructure, energy, natural resource consumption and waste management.

Proposal for State of the Environment reporting for the Pilbara

Attachment 3: SoE reporting examples

Regional State of the Environment Report – Central West Catchment, NSW

The preparation of this report (2008/9) was funded by the Central West Catchment Management with contributions from the 17 participating local Councils, ranging from Bathurst to Wellington. It is described as an opportunity to detail the work undertaken by the Councils to care for their local environment and, in so doing, support the targets in the regional Action Plan.

The report notes that Sustainability and responsible environmental management are two clear objectives across the region and the main themes emerging from the Councils' environmental objectives include:

- Providing and promoting environmental leadership
- Protecting the environment, biodiversity and habitats
- Considering future generations in decision making, planning and resource use
- Sustainable practices within the community and within the council
- Supporting environmental, economic and cultural values
- Contributing to larger regional, national and worldwide environmental issues, as well as local ones
- Preparing for, and ameliorating, the impacts wrought by changes to climate.

The report is said to be an important management tool which aims to provide the community and Council with information on the condition of the environment in the local area. It also provides a platform for community action by raising awareness and understanding of key environmental issues which in turn helps people and organisations make informed decisions regarding future management actions to reduce the negative impacts on the environment. The Local Government Act in NSW requires that all local councils in NSW produce an annual SoE report on major environmental impacts, related activities and management plans, specifically on:

Land, Air, Water, Biodiversity, Waste, Noise, Aboriginal heritage, Non-Aboriginal heritage; with particular reference in each of these environmental sectors, to:

- management plans relating to the environment
- special council projects relating to the environment
- the environmental impact of council activities.

The councils develop environmental objectives with their communities in relation to local environmental issues, forming part of each council's over-arching Community Strategic Plan. As the report notes, environmental issues are not restricted to council boundaries, and Regional SoE reports are used to enable a better understanding of the state of the environment in a regional context and to identify future collaborative pathways. This regional approach to reporting:

- Facilitates a better understanding of the state of the environment across the region
- Encourages collaboration in regards to sharing ideas and resources

Proposal for State of the Environment reporting for the Pilbara

- Assists in the management of shared environmental resources
- Forges stronger regional links across participating councils.

'State of the Auckland Region' Report

This report sets out to present as complete a picture as is currently possible of the state of the region's air, land, water and biodiversity. It is a picture built up over decades from the Auckland Regional Council's extensive monitoring and research programs coupled with the knowledge of other agencies. The report was designed to provide the new Auckland Council with information to help it adapt to ongoing and new environmental challenges.

The introduction notes that regular snapshots of the environment's status are important because they help local government make decisions in areas such as the management of urban growth and rural productivity, and the protection of open spaces, landscapes and biodiversity. The Auckland Regional Council is responsible for managing Auckland's natural resources and contributing to the sustainable development of the region. Its challenge therefore is to manage the effects of a growing population and expanding urban area on Auckland's natural resources, production systems, air quality and cultural heritage.

The region's environment is appropriately described as an 'abiding passion'.

The preparation of this report is again a legislative requirement, in this case under a Resource Management Act. The report takes stock of the monitoring of the Auckland environment, the challenges it faces and how they are being addressed. To monitor the environment, the ARC uses data from its own monitoring programmes and works with other government agencies, educational institutes and network utility operators.

The report notes three main driving forces cause environmental pressure in the region – population growth, economic growth and consumption and consumerism. Population growth is the primary driving force for change in the region, in turn affecting economic growth and resource efficiency. The pressures of population and economic growth feed consumption in the region. High rates of employment, perceived land wealth, available credit and price reductions have all accelerated household consumption.

The report is described as a useful compendium for anyone seeking data, research and information as an overview of the state of the Auckland region; it:

- outlines the social and economic factors that put pressure on the natural environment in the Auckland region
- shows how these pressures impact the environment through the use of land, water and energy and the production of waste
- provides a snapshot of the state of the land, air, marine and freshwater environments, biodiversity and historic heritage
- describes current knowledge about the natural hazards that threaten the region
- contains case studies to highlight some of the environmental problems, monitoring programs and restoration work being done

Proposal for State of the Environment reporting for the Pilbara

- identifies positive and negative environmental changes detected since previous reports and, wherever possible, identifies any long-term trends
- aims to raise public awareness of current and potential environmental issues, their causes, and any actions required to lessen their effect.

NSROC State of the Environment Report

This SoE example was produced by the seven councils (from Hornsby Shire to Willoughby City) which comprising the North Sydney Regional Organisation of Councils, and is expected to be the last report structured in that format due to changes in State Government requirements for reporting processes.

To this point, the intention had been to provide the community with a report as to what condition the environment is in, why it got that way and what is being done to address the issues. The (then) legislation had required that the SoE report:

- Address the eight environmental sectors of land, air, water, biodiversity, waste, noise, and Aboriginal and non-Aboriginal heritage
- Provide, as a basis of comparison in subsequent reports, a statement outlining the condition of each environmental sector at the date of the report and make the relevant comparison with the equivalent statement in the last report
- Report on all major environmental effects and related activities, including management plans relating to the environment; special council projects relating to the environment; and the environmental effects of each council's activities.

The value of a regional report is described as enabling the community, the councils and the regional organisation to have a greater understanding of the status, pressures and responses to the environment within a regional context. Working together regionally has yielded benefits including the sharing of ideas on sustainability reporting, the swapping of environmental practices and innovation in the region, and the forging of stronger regional links. It is creating a consistent regional reporting framework and a set of common indicators appropriate for reporting across local government boundaries.

The report commences with a section 'Towards Sustainability', with the statement that a healthy environment is necessary for a productive economy and a cohesive society - the concept of 'sustainability' reflects a broad agreement that people living today have an obligation to protect the health, diversity and productivity of the environment for the benefit of current and future generations. Unsustainable practices cannot continue indefinitely without degrading current conditions and reducing future opportunities.

It then moves to chapters on Human Settlement, Bushland and Biodiversity, Water, Atmosphere and Soil Landscape, outlining in detail the activities by the constituent councils and their consultation processes. Individual council's and aggregated data and information are clearly – often graphically – presented, with cases studies and program information illustrating a broad range of sustainability and environmental initiatives from each of the councils.

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

Officer Katherine Press
A/Executive Assistant
Planning & Development

Date of Report 15 August 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 July 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 July 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

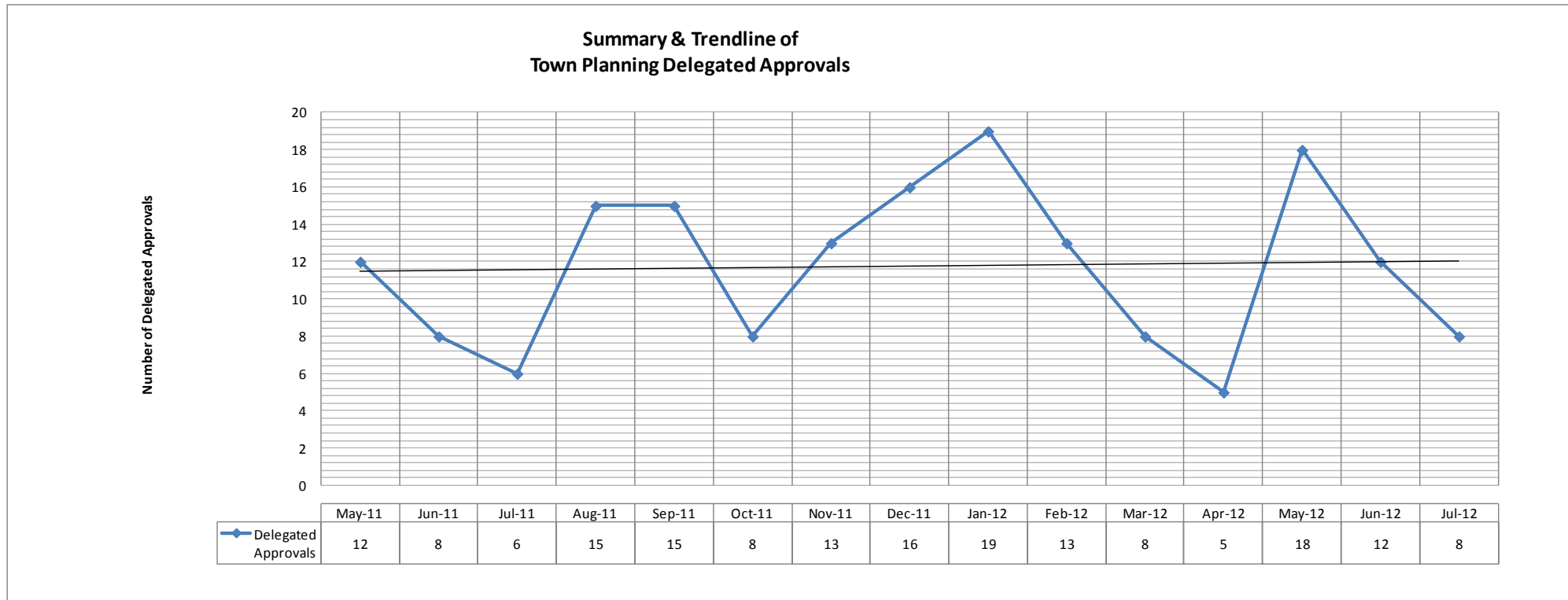
Budget Implications

Nil

DELEGATED PLANNING APPROVALS FOR JULY 2012

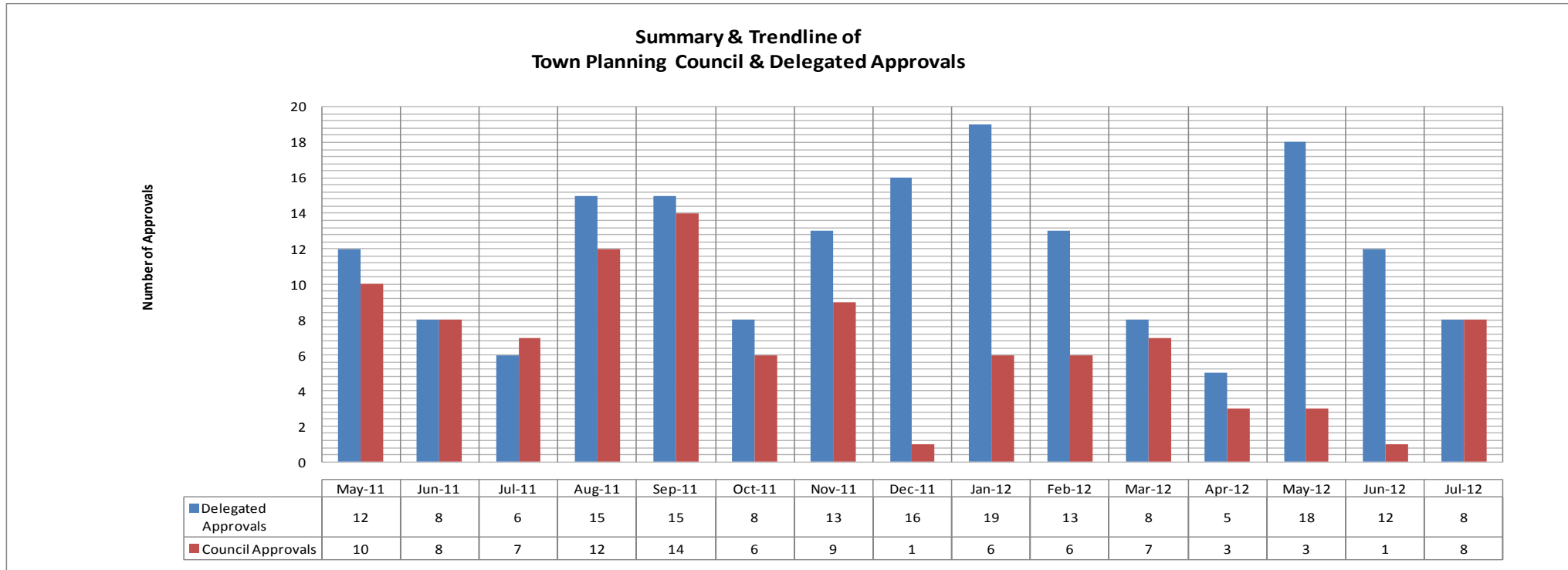
Approved Planning Applications - Delegated Approved - July 2012						
Applic No	Description	Property Address	Applic date.	Date applic apprvd.	Applicants name.	Development Cost
2011/373	GROUPED DWELLING - 12 X GROUPED DWELLINGS	SOUTH HEDLAND	16/08/2011	31/07/2012	SCRIBE DESIGN GROUP	\$3,900,000.00
2012/215	Hotel/Motel Staff Accommodation	PORT HEDLAND	25/05/2012	13/07/2012	Murray River North Pty Ltd	\$1,200,000.00
2012/221	Two Grouped Dwellings (one existing)	19 CORBET PLACE SOUTH HEDLAND 6722	25/05/2012	18/07/2012	Goldman Constructions	\$570,000.00
2012/231	LIGHT INDUSTRY - RETROSPECTIVE OFFICE BUILDING AND SHADEHOUSE	WEDGEFIELD	05/06/2012	17/07/2012	IBN Corporation Pty Ltd	\$40,000.00
2012/236	HOLIDAY ACCOMMODATION - OFFICE, RESTAURANT EXTENSION AND TEMPORARY ANCILLARY BUILDINGS	PORT HEDLAND	07/06/2012	10/07/2012	TPG TOWN PLANNING & URBAN DESIGN	\$1,300,000.00
2012/244	CHANGE OF USE - UNIT 3 -SHOP TO RECREATION - PRIVATE	2-8 THROSSELL ROAD SOUTH HEDLAND-CBD 6722	12/06/2012	18/07/2012	Suntown Pty Ltd	\$150,000.00
2012/284	Double Carport	UNIT LOT 11 GREAT NORTHERN HIGHWAY PORT HEDLAND 6721	09/07/2012	24/07/2012	Apollo Patios WA	\$12,542.40
2012/285	Ancillary Accommodation	4 LOVELL PLACE SOUTH HEDLAND 6722	09/07/2012	17/07/2012	Leimac Building Pty Ltd	\$173,892.00

DELEGATED PLANNING APPROVALS FOR JULY 2012 Cont'd....

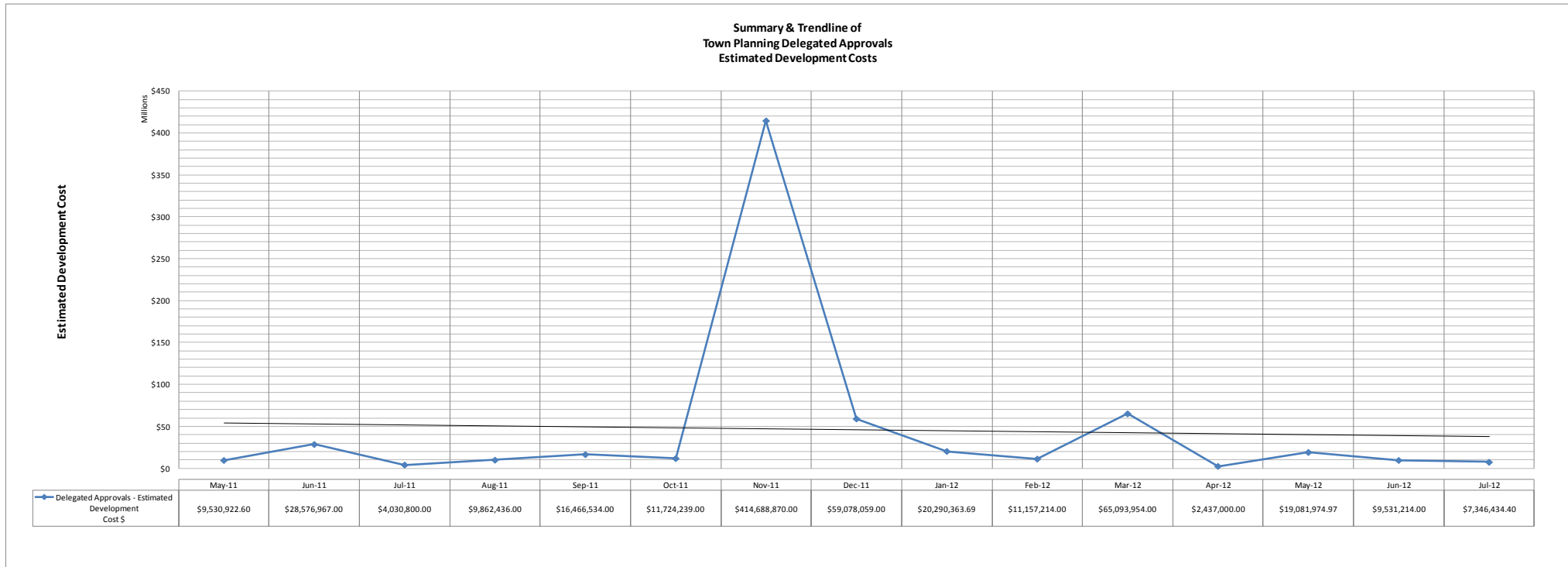


* STATISTICS FOR APRIL 2012 ARE LOW DUE TO 14 APPROVALS BEING GRANTED BY COUNCIL

DELEGATED PLANNING APPROVALS FOR JULY 2012 Cont'd...



DELEGATED PLANNING APPROVALS FOR JULY 2012 Cont'd...



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

DELEGATED BUILDING APPROVALS FOR JULY 2012

BUILDING LICENCES						
Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
12-059	03.07.2012	SOUTH HEDLAND	1 x Outbuilding and Carport	\$ 50,000.00	42	Class 10a
12-035	19.07.2012	PORT HEDLAND	Outbuilding- Shed and Carport	\$ 44,830.00	63	Class 10a
12-068	04.07.2012	SOUTH HEDLAND	Gateway Village (Fencing)	\$ 675,592.00		Class 10b
12-061	04.07.2012	PORT HEDLAND	Pay Machine Bud Shelter	\$ 15,000.00	9	Class 10b
12-073	16.07.2012	SOUTH HEDLAND	McDonalds Restaurant Upgrade (2 Lane Drive Thru)	\$ 150,000.00		Class 10b
12-066	04.07.2012	PORT HEDLAND	New 2 Storey Dwelling	\$ 683,100.00	234	Class 1a
12-067	04.07.2012	SOUTH HEDLAND	New Single Dwelling	\$ 520,210.00	267	Class 1a
12-064	16.07.2012	SOUTH HEDLAND	x4 1 Bedroom Unit Development	\$ 750,000.00	250	Class 1a
12-063	30.07.2012	SOUTH HEDLAND	Bedroom & Ensuite Addition to Existing Dwelling	\$ 97,000.00	30	Class 1a
12-009	30.07.2012	SOUTH HEDLAND	1 x Single Dwelling 1 x Garage 1 x Alfresco	\$ 540,800.00	300	Class 1a and 10a
12-088	31.07.2012	SOUTH HEDLAND	1 x Single Dwelling 1 x Garage & 1 x Alfresco	\$ 570,000.00	273	Class 1a and 10a
12-079	31.07.2012	PORT HEDLAND	Construction of The Village	\$ 29,221,196.00	6922	Class 3
12-077	31.07.2012	PORT HEDLAND	Construction of footings upto Level 1 (North Hotel)	\$ 4,425,603.00	9475	Class 3
12-078	31.07.2012	PORT HEDLAND	Forward Works	\$ 4,200,000.00	5661	Class 3
10714	13.07.2012	WEDGEFIELD	1 x Workshop & 1 x Office	\$ 2,658,000.00	1840	Class 8
TOTAL 15			TOTAL	\$ 44,601,331.00		

DEMOLITION LICENCES FOR JULY 2012

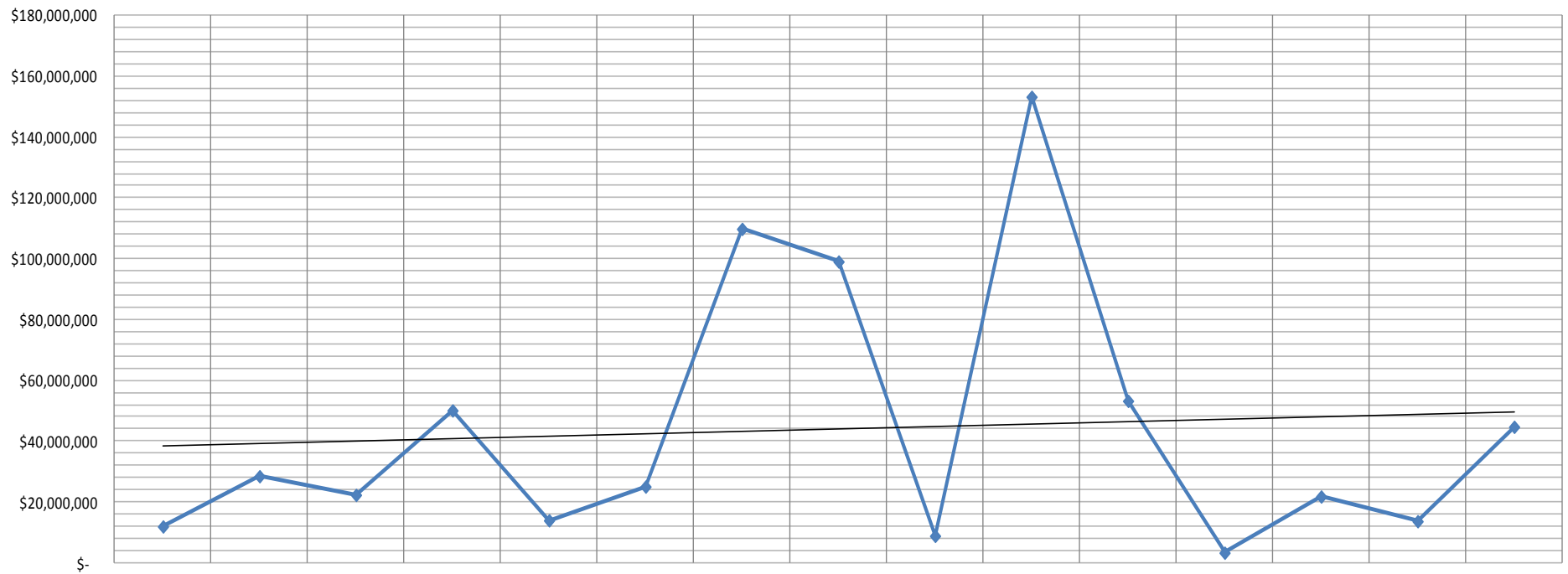
DEMOLITION LICENCES					
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value (\$)	Classification
12-094	31.07.2012	WEDGEFIELD	Demolition of Existing Structure	\$ 40,000.00	Class 8
12-093	31.07.2012	WEDGEFIELD	Demolition of 1 x Accomodation Building	\$ 40,000.00	Class 1b
12-085	24.07.2012	PORT HEDLAND	Demolition of Existing House	\$ 40,106.00	Class 10b
Total 3		Demolition Licences Issued	3	120,106.00	

OVERVIEW SUMMARY FOR JULY 2012

SUMMARY				
No of Licences	Licence Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
3	Demolitions	120,106.00		
6	Dwellings	3,161,110.00	1,354	\$2,335
2	Class 10a	94,830.00	105	\$903
3	Class 10b	840,592.00	9	\$93,399
4	Class 2-9	40,504,799.00	23,898	\$1,695
	Other			
18		44,721,437.00	25,366	98,331.80

DELEGATED BUILDING APPROVALS FOR JULY 2012

Summary & Trendline of
Estimated Construction Value of Building Licences Issued



	May-11	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
Estimated Construction Value \$	\$11,942,146	\$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

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.	BM
	Lot 1675 (1690) Harwell Way	Non-compliance with planning conditions		Hearing setdown for 03/09/2012	BM
TURNER RIVER					
800043G	Lot 13 Manilinha Drive	Unauthorised Development - Storage facility/Depot/Laydown Area, Sea Containers, Outbuildings, 2 Movable Dwellings		Referred to Council Solicitors.	BM

CURRENT HEALTH ORDERS AS OF JULY 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

201213/085 Officer's Recommendation / Council Decision

Moved: Cr Daccache

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 July be received.

CARRIED 7/0

11.2 Engineering Services

Nil

11.3 Community Development

Nil

11.4 Corporate Services**11.4.1 Finance and Corporate Services****11.4.1.1 *South Hedland and Wedgefield Underground Power Project – Proposed Billing Model and Variation to the Funding Agreement for the Underground Power Project (File No.: .../...)***

Officer Jodie McMahon
Manager Financial
Services

Date of Report 14 August 2012

Disclosure of Interest by Officer Nil

Summary

For Council to consider the revised billing model for the South Hedland and Wedgefield Underground Power Project as a result of a review of scope of works performed by Horizon Power.

Council is also requested to endorse the additional funding requirements to be considered for the 2012/13 Budget.

Background

The Town of Port Hedland is currently participating in a joint project with Horizon Power and Royalties for Regions to connect all South Hedland and Wedgefield properties with underground power.

On the 30 November 2011 Council agreed to execute the funding agreement detailing terms and conditions and the cost of the project being \$43,387,795, with the Council contribution being 25%, \$10,846,949 to be sourced by ratepayers. Council also adopted the proposed billing model which outlined costs being passed onto the property owners and the assumptions contained within the model.

201112/240 Council Decision

Moved: Cr G J Daccache

Seconded Cr D W Hooper

That Council:

- 1. Notes the significant efforts contributed by the staff within the Town of Port Hedland and Horizon Power to date;*
- 2. Approves the following assumptions for the underground Power Billing Model:*

- i) a normal Household capacity is 10 kVA (advised by Horizon Power);*
 - ii) gross contributions per property to be based on a set connection fees plus a charge per kVA capacity of the premise (i.e. higher kVA capacity, higher cost);*
 - iii) properties which are already connected to underground attract a kVA charge however not a connection fee;*
 - iv) vacant properties attract a kVA charge however not a connection fee;*
 - v) connection fees for group of units (this is, dwelling that shares a common wall) will be divided among the central connection. Each unit will attract a kVA based on whether it is a duplex (7.5kVA), triplex (5.5kVA) or quadplex (3.5kVA) (as advised by Horizon Power). If the dwelling has more than 4 units, then a kVA for a quadplex applies;*
 - vi) each house in group dwellings will attract the full connection fee as well as the kVA charge based on average residential kVA of 10;*
 - vii) properties that will not attract any charges include reserves, drainages, pedestrian access, Roads, sewerage tank and power station; and*
 - viii) the Town's properties attract a charge.*
- 3. Acknowledge a service charge for the undergrounding of power for South Hedland and Wedgefield properties of:*
 - a) Connection fee of \$1,154.14 per connection; and*
 - b) A kVA charge of \$117.27 per kVA capacity of each premise on the property.*
- 4. Acknowledge that the funding source for costs relating to Town's properties of \$249,807 will need to be identified and funded through the 2012/13 Budget process;*
- 5. Allows property owners the option to make payments over 5 years as it for the Port Hedland Underground Power project. Interest and installment charges will be determined at the time of the adoption of the 2012/13 Budget;*
- 6. Approve the funding of the Council's porting of the project costs (\$10,846,949) to be from a self supporting loan, being repaid as funds are collected from property owners over 5 years.*

7. *In accordance with Section 6.38 (2) (b) of the Local Government Act 1995, approve the establishment of a Underground Power Reserve Fund commencing in the 2012/13 financial year;*
8. *Identify the purpose of the Underground Power Reserve Fund as being for “the installation of underground power within the Town of Port Hedland”; and*
9. *Support the signing and affixing of the common seal to the funding agreement between the Town and Horizon Power to facilitate its execution.*
10. *Request the Chief Executive Officer to investigate rebates as part of the 2012/13 budget process for pensioners, not for profits, owner occupier residential and owner occupiers businesses.*

CARRIED 8/1

REASON: Council believes that an investigation into rebate possibilities is for the benefit of the community.

At the Ordinary Council meeting on the 9 May 2012 Officers presented Council with a report detailing the rebates that may be provide to the ratepayers of Port Hedland. This report also outlined that Council could not provide rebates for Owner Occupiers as section 69A of the *Local Government Act 1995* prevented the Council from being able to provide such a rebate. Council did however resolve to provide rebates of 5% for small businesses, pensioners and Not for Profit organisations.

201112/451 Officer’s Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

1. *Recongises that there are no external funding sources for the South Hedland and Wedgefield Underground project and any rebates will be sourced through Council funds;*
2. *Notes that the definition of Business Owner Occupiers be redefined to a Small Business Rebate where a small business is defined as having fewer than 20 employees and a turnover of less than \$2 million per annum;*
3. *Endorses the following rebate percentages to be applied:*
 - a) *Pensioners: 5%*
 - b) *Not for Profit: 5%*
 - c) *Small Business: 5%*

4. Sources the additional funds from the 2012/13 budget process in order to provide the rebates; and
5. Notes the survey that will be distributed to all ratepayers to assist in firming up the details required for the final billing model and loan requirements.

CARRIED BY ABSOLUTE MAJORITY 5/0

Consultation

- Town of Port Hedland Staff
- PUPP Steering Committee
- Horizon Power

A Project Team was established in February 2011 that included officers of the Town of Port Hedland and Horizon Power. This team has met on a fortnightly basis over the past 18 months in order to develop the communications plan, identify issues to establish resolutions that may arise and to discuss the progress of the project.

Statutory Implications

Section 6.11 of the *Local Government Act 1995* applies:

6.11. Reserve accounts

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.
- (2) Subject to subsection (3), before a local government —
 - (a) changes* the purpose of a reserve account; or
 - (b) uses* the money in a reserve account for another purpose,it must give one month's local public notice of the proposed change of purpose or proposed use.
* Absolute majority required.

- (3) A local government is not required to give local public notice under subsection (2) —
 - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or
 - (b) in such other circumstances as are prescribed.
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.
- (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.

Part 2 General Financial Management – s6.10 of the *Local Government (Financial Management) Regulations 1996* (in part) state:

17. Reserve accounts

- (1) *A reserve account is to have a title that clearly identifies the purpose for which the money in the account is set aside.*
- (2) *In the accounts, annual budget and financial reports of the local government a reserve account is to be referred to —*
 - (a) *in the information required by regulations 27(g) and 38, by its full title; and*
 - (b) *otherwise, by its full title or by an abbreviation of that title.*

Section 6.38 of the Local Government Act 1995 applies:

“6.38. Service charges

- (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 of providing a prescribed service in relation to the land.*
- (2) *A local government is required to:*
 - (a) *use the money from a service charge in the financial year in which the charge is imposed; or*
 - (b) *to place it in a reserve account established under section 6.11 for the purpose of that service.*
- (3) *Where money has been placed in a reserve account under subsection (2)(b), the local government is not to:*
 - (a) *change the purpose of the reserve account; or*
 - (b) *use the money in the reserve account for a purpose other than the service for which the charge was imposed,**and subsections (2), (3) and (4) of section 6.11 do not apply to such a reserve account.*
- (4) *A local government may only use the money raised from a service charge:*
 - (a) *to meet the cost of providing the specific service for which the service charge was imposed□ or*
 - (b) *to repay money borrowed for anything referred to in paragraph (a) and interest on that money.*
- (5) *If a local government receives more money than it requires from the service charge imposed under subsection (1)(a) it:*
 - (a) *may, and if so requested by the owner of the land, is required to, make a refund to the owner of the land which is proportionate to the contributions received by the local government; or*
 - (b) *is required to allow a credit of an amount proportionate to the contribution received by the local government in relation to any land on which the service charge was imposed against future liabilities for rates or service charges in respect of that land.*
- (6) *If a local government receives more money than it requires from the service charge imposed under subsection (1)(b) it is required to make a refund to the person who paid the service charge which is proportionate to the contributions received by the local government.”*

Local Government (Financial Management) Regulations 1996 (in part)
state:

- “54. Service charge - prescribed services - s. 6.38(1)*
For the purposes of section 6.38(1), the services for which a local government may impose a service charge are the provision of -

- (a) *television and radio rebroadcasting;*
- (b) *volunteer bush fire brigades;*
- (c) *underground electricity;*
- (d) *property surveillance and security; and*
- (e) *water.*

Policy Implications

Nil

Strategic Planning Implications

Within the Town of Port Hedland Strategic Plan 2010-2015, the Vision captures the following statements that are relevant:

Our district will have:

- State of the art communication systems
- Interconnected power system

Key Result Area 4: Economic Development
Goal 4: Land Development Projects
That land is being released and developed to meet the needs of a growing community.

Other Action: Work with the State Government to enact civil infrastructure projects that will enable additional developments to occur including:
c. Ensure that the South Hedland Underground Power Project proceeds in a timely manner.

Budget Implications

Council is requested to consider committing an additional \$653,858 to the initial funding agreement. This additional contribution to the South Hedland and Wedgefield underground power project is to be collected from property owners.

This contribution will be paid in four equal instalments. It is recommended that initially the \$11,500,807 be funded from a self supporting loan, being repaid as the funds are collected from property owners over 5 years. As part of the 2012/13 budget process, the interest and instalment charges will need to be determined.

Further, the funding source for the charge of \$261,207.11 (increased from \$249,807) relating to the Town's properties will be identified through the 2012/2013 Budget process.

Rebates provided will also be sourced through the 2012/13 budget process. An estimate of the applicable rebates are:

Rebate	Amount
Pensioners	\$3,333.73
Not for Profit	\$6,861.39
Small Business	\$25,946.90

These figures have been established from the survey completed and may vary once eligibility of the particular rebate for the ratepayer is confirmed.

In accordance with section 6.38 (2)(b) of the *Local Government Act 1995*, the Town is required to use the money collected in the financial year in which the charge is imposed or to place it in a reserve account established under section 6.11. Given that payments from the property owners will be collected over the 5 year period, a reserve account needs to be established for the Underground Power Project as part of the 2012/13 Budget process.

Officer's Comment

The South Hedland portion of the project commenced in February 2012. Horizon Power awarded the contract for the project to contractors Logsys. While there have been some incidents causing damage to utilities within the area there has been no impact on the overall project schedule. Works within the Wedgefield area began in July 2012.

In May Horizon Power identified potential cost and schedule impacts of differences between the contract and the design quantities, and the distances assessed for the South Hedland and Wedgefield project. At the time it was indicated to officers that this could result in approximately a \$10 million increase in the overall South Hedland and Wedgefield project. This would result in an increase of \$2.5 million which the Town would be requested to fund. Further investigation was to be performed by the Horizon Power team and to be presented to the Town for consideration once these estimates were confirmed.

The Pilbara Underground Power Project is a project for Horizon Power which not only involves the undergrounding of South Hedland and Wedgefield properties but also other Towns within the Pilbara region including; Karratha, Onslow and Roebourne. While Horizon Power has experienced issues for the project in Karratha, these have not affected the progress or pricing for the South Hedland and Wedgefield project.

The Horizon Power Board briefed the Minister's Officer on the 23 July 2012 with recommendations in regards to the Pilbara Underground Power Project. The Town was then provided with information on the cost impact that would be experienced by the Town.

While the Pilbara Underground Power Project overall costs have increased by approximately \$100 million, the increase for the portion of the project that is attributed to the South Hedland and Wedgefield is only approximately \$3 million.

Total costs as advised by Horizon Power are now \$46,003,228 with the Town's contribution representing \$11,500,807. The net impact for the Town is an increase of approximately \$653,858.

This additional cost has now been entered into the proposed billing model along with revising the data and adding additional transactions such as subdivisions, amalgamations or new land releases that have occurred between the establishment of the model and now. These transactions have resulted in the overall net impact to individually property owners being significantly less than first anticipated.

Taking these into consideration the following charges now apply:

- Connection fee for each property = \$1,027.58
- kVA Charge = \$137.58 per KVA (based on total calculated kVA capacity)

The gross charge for an average household would be:

Connection fee	\$1,027.58
kVA charge (10x\$137.58)	\$1,375.80
Total Gross Payable	\$2,403.38

The average gross charge for industrial properties would be:

Connection fee	\$1,027.58
kVA charge (50x\$137.58)	\$6,879.00
Total Gross Payable	\$7,906.58

The below tables illustrates how the variation in funding affected the average ratepayer for households and industrial properties. This variation represents an average increase of \$76.54 to the household ratepayers and \$888.94 average increase for industrial properties.

Average Household	Current Funding Impacts	Proposed Funding Impacts	Increase / (Decrease)
Total Project Costs	\$10,846,948.75	\$11,500,807	\$653,858.25
Connection fee	\$1,154.14	\$1,027.58	(\$126.56)
kVA Charge(10 x \$137.58)	\$1,172.70	\$1,375.80	\$203.10
Total Gross Payable	\$2,326.84	\$2,403.38	\$76.54

Average Industrial Property	Current Funding Impacts	Proposed Funding Impacts	Increase / (Decrease)
Total Project Costs	\$10,846,948.75	\$11,500,807	\$653,858.25
Connection fee	\$1,154.14	\$1,027.58	(\$126.56)
kVA Charge(50 x \$137.58)	\$5,863.50	\$6,879.00	\$1,015.50

Total Gross Payable	\$7,017.64	\$7,906.58	\$888.94
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The table below illustrates the proportion of funds that would be provided by South Hedland and Wedgefield.

	Total Revenue Currentl y	Total Revenue Pro posed
South Hedland	\$8,518,835	\$9,195,965.24
Wedgefield	\$2,328,114	\$2,304,841.76
TOTAL	\$10,846,949	\$11,500,807.00

Council have endorsed the funding agreement between Horizon Power and section 3.2 of this agreement states the following:

3.2 The parties agree that if additional funding is required for the Project, Horizon Power may approach the LGA for all or a portion of that funding and the LGA will determine if additional funding is to be made available. If additional funding is able to be made available, that funding will be provided on the terms and conditions consistent with this Agreement.

This section provides guidance on how funding variations if found should be treated. Given that Council are yet to adopt the 2012/13 budget there is still the ability to adjust the funding required for the project. As you can see from the above data once the increase in funding is distributed across all affected ratepayers this represents a small portion in the total payable, which is recouped from the property owners.

Options

Council has two options when considering this item:

1. Approve the variation to the funding agreement.

Resulting in the ability for Horizon Power to continue the project as planned within the revised budget.

2. Refuse the request for a variation to the funding agreement.

Refusal would result in the in the requirement for negotiations to commence with the State Government as to how this would affect the delivery of the project. This may result in a reduction in the Scope of Works and delays in the project while the review is carried out.

Officers are recommending option 1 on the basis that the average net impact to individual property owners is minimal and that the benefits of completing the project in its entirety are important to the Town achieving a safe and reliable power supply.

Attachments

Nil

201213/086 Officer's Recommendation / Council Decision

Moved: Cr Carter

Seconded: Cr Jacob

That Council:

- 1. Endorses the proposed variation to the funding agreement for the Pilbara Underground Power Project between Horizon Power and the Town of Port Hedland;**
- 2. Endorses the additional funds required to form part of the 2012/13 budget;**
- 3. Endorses the Acting Chief Executive Officer to execute a variation to the current funding agreement to incorporate the revised funding requirement from the Town of \$11,500,807; and**
- 4. Notes that the model and services charges will continually be updated until the adoption of the 2012/13 budget.**

CARRIED 7/0

11.4.2 Governance and Administration**11.4.2.1 *Quarterly Performance Report as at 30 June 2012 (File No.: 03/01/002)***

Officer **Debra Summers**
Manager Organisational Development

Date of Report **12 August 2012**

Disclosure of Interest by Officer **Nil**

Summary

This report is for Council to note the fourth Quarterly Performance Report as at the end of June 2012 (Attachment 1) in relation to the Annual Corporate Plan.

Background

The Department of Local Government in Western Australia has introduced guidelines for the implementation of a new Integrated Strategic Planning and Reporting Framework for local governments in Western Australia which is now required to be in place by June 2013.

The new framework includes the development of the following key strategic documents:

- 10 year Strategic Community Plan
- 4 year Corporate Plan
- Annual Operational Business Plan
- 4 year Workforce Plan
- 10 year Financial Plan
- 10 year Asset Management Plan

In May 2011 the Town of Port Hedland commenced the first stage of a two stage implementation process which included the development of a range of plans: Annual Corporate Plan, Directorate Plans and Business Unit Plans as per the organisational structure.

This first stage was completed in June 2011 and has resulted in the adoption by Council (201112/017) of the Annual Corporate Plan compliant with the Department's requirements.

The Annual Corporate Plan details the work to be undertaken by the organisation during 2011-2012. It represents activity to achieve initiatives identified in the previous Town of Port Hedland Strategic Plan 2011-2015 plus reflects projects and core activities, services and programs delivered by the Town of Port Hedland to its community and stakeholders.

The Quarterly Performance Report provides a high-level update of the work undertaken by the organisation in this fourth and final quarter from April - June 2012 to achieve the actions outlined in the Annual Corporate Plan.

Consultation

- Town of Port Hedland Executive
- Relevant Town of Port Hedland Officers
- CAMMS Group

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.”

Policy Implications

Nil

Strategic Planning Implications

Theme 4:

Local Leadership

We are leaders in the community with a structured commitment to transforming Port Hedland.

Local Leaders in the community who provide transparent and accountable leadership.

The Corporate Planning Framework now integrates the Annual Corporate Plan with Council's current Strategic Plan, and this Quarterly Performance Report represents activity to achieve these strategic priorities and actions.

Budget Implications

The actions reported on in this Quarterly Performance Report reflect the financial activity that will be as part of the Audited Financial Statements for the 2011/12 Financial Year are currently being prepared which will be presented to the Council and community as part of the Annual Report.

Officer's Comment

The fourth Quarterly Performance Report provides an opportunity for the Council and the community to review the work currently being undertaken by the organisation to be assured that the remaining required services programs and activities it agreed to in the Annual Corporate Plan and the previous Strategic Plan have been delivered.

The Council has endorsed the new 10 year Strategic Community Plan and hence the required services, programs and activities required of this new plan for the first year are currently the subject of 2012/13 budget deliberations.

The 4 Year Corporate Business Plan is in final stages of being compiled and will be presented to Council for adoption as soon as possible after the adoption of the 2012/13 Budget. The Annual Corporate Business Plan will then be presented to the Council as Quarterly Performance Reports for 2012-2013 will document achievement against this Plan.

Attachments

1. Town of Port Hedland Quarterly Report to Council:
April to June 2012
(Attached under separate cover)

201213/087 Officer's Recommendation / Council Decision**Moved: Cr Carter****Seconded: Cr Jacob****That Council receives the Quarterly Report for April to June 2012.*****CARRIED 7/0***

11.4.2.2 Short Term Office Accommodation Strategy (File No.: 03/01/002)

Officer	Debra Summers Manager Organisational Development
Date of Report	16 August 2012
Disclosure of Interest by Officer	Nil

Summary

This report presents for the Council's consideration the recommendations from the Short Term Office Accommodation Strategy being undertaken to support the Workforce Plan, one of the plans required as part of the Integrated Strategic Planning and Reporting Framework.

Council is being requested to endorse 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. 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 for further consideration.

Further this report suggests investigation into 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.

Background

To ensure compliance with the requirements of the Department of Local Government a 4 year Workforce Plan is to be developed which will outline the required workforce capacity and capability to deliver the Strategic Community Plan and associated Corporate Business Plan.

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.

To supplement this work, the Pilbara Regional Council (PRC) undertook a study of the potential opportunity for consideration of a Perth based office with other Pilbara Councils. This study was also to investigate resource sharing across the region. The PRC report from these investigations was to include costs associated with recommended options. The Town is currently awaiting the outcomes of this report.

It was anticipated that together, these two bodies of work would allow planning for the workforce required to deliver on the programs and services required to support the Strategic Community Plan.

In May 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 to accommodate existing staff in offices closer to 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 seating
- 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 resulting first stage of the strategy would need to ensure integration of the preferred short term solution into the medium and long term strategies that will be fully explored once the final Workforce Plan is developed.

Consultation

- Town of Port Hedland Executive
- Relevant Town of Port Hedland Officers
- KPMG/Thinc Projects
- Elected members at the 15 August 2012 Concept Forum

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.”*

Policy Implications

Nil

Strategic Planning Implications

Theme 4: Local Leadership

We are leaders in the community with a structured commitment to transforming Port Hedland.

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 this report factored into the draft 2012-2013 Budget. As a loan would be taken out to fund these works, only the principal and interest repayments totalling an estimated \$440,574 would impact on the overall cash requirements of Council.

Officer's Comment

Due to an ongoing shortage of office accommodation the organisation has been split across various buildings until a long term office accommodation strategy is presented to the Council. The geographic separation of the current general office administration at the Civic Centre and the Airport Operations building continues to lead to inefficiencies and operational issues.

Coupled with this, some of the office accommodation, particularly at the Airport and Depot is well below industry standards and thus not compliant with Occupational Health and Safety legislation. Overcrowding at the Civic Centre is similarly leading to the same non compliance. Providing compliant office accommodation for staff is a legislative requirement for the Council as an employer. The Short Term Office Accommodation Strategy confirms these issues.

The report has identified that 61 new office workstations are required to accommodate the following staff in office space to align with the current industry standards:

- 5 existing staff positions vacant
- 11 staff in 2012/13 draft budget (requiring workstations)
- 20 staff identified as overcrowded in Civic Centre
- 25 staff in substandard accommodation at Airport Operations Building.

The report investigated ten options to provide for this shortfall being:

- Option 1 Adding an extra floor(s) to the Civic Centre
- Option 2 Extending the Civic Centre horizontally
- Option 3 Making use of the depot site for office accommodation
- Option 4 Becoming part of a commercial office development
- Option 5 Other land options
- Option 6 Resuming Gratwick Hall
- Option 7 Expanding the Airport Office
- Option 8 Formalising work from home arrangements
- Option 9 Hot desk
- Option 10 Rent office space.

In assessing the options above the following assessment criteria was developed and applied:

Descriptor	Definition
Timeliness	Can the option be achieved in the Short Term Strategy timeframe of 0-12 months
Spatial Capacity	Can the option provide the required space
Availability	Is option available to satisfy solution
Ease / simplicity / health and safety	Can the solution be achieved with relative simplicity and meets acceptable health and safety standards
Operational / organizational positivity	Impact on amenity, staff satisfaction, organizational effectiveness, unity, ease of management, staff attraction and retention
Value	Does the cost of the solution represent value for money

The following table outlines the results of this assessment.

No	Option	Key Issues	Cost	Time	Capacity (staff)	S/M/L Option
1	Adding an extra floor to the Civic Centre (900m ²)	Timeframe. Disruption	\$8m	2-3 yr	61	Long
2	Extending the Civic Centre horizontally (900m ²)	Timeframe. Disruption	\$7m	2-3 yr	61	Long
3	Making use of the depot site for office accommodation	Segregate staff and service delivery for community Temporary	\$2.4m	1-2 yr	35	Medium
4	Becoming part of a commercial office development (900m ²)	Timeframe. Reliant on external party	Unknown	2-3 yr	61	Long
5	Other land options (900m ²)	Timeframe	Unknown	2-3 yr	61	Long
6	Utilising Gratwick Hall (510m ²)	Relocation strategy required	\$1.1m	Less than 1 yr	35	Short
7	Expanding the Airport Office (900m ²)	Redundant work Airport development constrained	\$5-7m	1-2 yr	61	Medium
8	Formalising work from home arrangements	Limited solution. Requires additional staff to implement.	\$1.8m-\$2.1m	1-2 yr	30	Medium
9	Hot desk arrangements	Limited solution. Requires additional systems to implement.		1-2 yr	<30	Medium
10	Rent office space	None available			0	Medium-Long

After applying the criterion above it is apparent that no single option provides for the current accommodation needs for the staff identified as needing a compliant standard of office accommodation.

The recommendation from the report is that Gratwick Hall is utilised as it is the only option that provides an immediate solution for the budgeted staff. However the report recommends that this solution will also need to be supported by other remediation actions such as a reconfiguration of office accommodation at the Civic Centre on the ground floor as well as an upgrade of this space to industry standards. Also there is a recommendation to upgrade to industry standards the accommodation at the Airport Office and the Depot. This will ensure that both these locations can be utilised for office accommodation until medium to long term strategies can be introduced.

The hot desk option is a scenario in which no officer has a designated workspace and sits at any desk that is available. This option is not recommended in the short term due to the inability for the organisation to support this way of working with regard to current knowledge management, ICT capacity, management and supervisory practices. It is however, recommended as a medium strategy to support the preferred strategy of utilising Gratwick Hall for office accommodation until a long term strategy can be implemented. This would allow for the current project of improving organisational capacity to be imbedded supporting this innovative way of working.

The impact on the community of utilising the Gratwick Hall is not under estimated. Officers recommend a thorough engagement strategy with existing users of the Gratwick Hall to identify 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 findings of the Short Term Office Accommodation Strategy were presented to Elected Members at a Concept Forum for their feedback in preparation for the presentation of this report to the Council. Feedback from this Forum reiterated the need for an intensive consultation process with effected community groups and a report on findings to be bought back to the Council for consideration.

Further, officers were to investigate another option not included in the Short Term Accommodation Strategy as a parallel option to utilising Gratwick Hall as office accommodation. This was the potential of utilising transportable office accommodation placed in the front of the Civic Centre. Indicative costs of a building(s) to accommodate approximately 45 people are approximately \$2,347,200. The placement of the temporary offices at the front of the Civic Centre will have significant implications for parking and usage for all users of the facility. This option may also not be complaint with relevant legislation. However officers suggest that this option be further investigated with a report back to the Council at the same time as the report on the option of utilising Gratwick Hall. This would allow the Council to choose its preferred option to alleviate office accommodation non compliance.

201213/088 Officer's Recommendation / Council Decision**Moved: Cr Jacob****Seconded: Cr Hooper****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.**

CARRIED 7/0

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

12.1 Wanangkura Stadium – Remediation Costs & Staging of Works (File No.: 26/14/0013)

Officer Jenella Voitkevich
Acting Director Engineering Services

Date of Report 21 August 2012

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide Council with information regarding the cost estimates for the fire service remediation strategy for Wanangkura Stadium.

Council is requested to provide approval for a staged approach to the remediation strategy in line with the current budget allocation.

Background

At the Ordinary Council Meeting held on 8 August 2012 Council was presented with a report regarding the temporary closure, compliance limitations and proposed solutions at Wanangkura Stadium. The following extract from Council's decision relates specifically to the remediation strategy and associated budget allocation:

"201213/064 Council Decision

That Council:

- 1. Approves the implementation of the recommended remediation strategy (Option 6) for fire safety including installation of water tanks and pumps and relocation of fire booster, subject to final design and authority approval process.*
- 2. Sets aside the provisions in Council's Procurement Policy 2/007 and Tender Policy 2/011, due to the urgency of the situation, and authorises the CEO and delegated officers to negotiate a variation to Contract 10/19 Construction of Multipurpose Recreation Centre to Doric Constructions for the purpose of supply and installation of the remediation strategy, up to the value of the surplus budget available."*

The approved remediation strategy (option 6) involves the installation of water tanks near the south west corner of the building (near the TAFE boundary) and relocation of the hydrant booster. The report indicated costs for this strategy that were estimated based on quantity surveyor, consultant and contractor advice.

More accurate cost estimates are now available, based on further detail provided within the design and feedback from FESA, which results in additional funding being required and a staged approach recommended to complete the project. This will ensure that the Stadium is operational as soon as possible.

Consultation

External

- Doric Construction
- Thinc Projects
- Aurecon Consultants – fire and hydraulic engineering
- FESA – Built Environment branch, Perth
- FESA – local fire service.

Internal

- Executive team

Statutory Implications

The installation of the water tanks will be subject to a building license application.

Policy Implications

Item 2 in Council's resolution at the Ordinary Council Meeting on 8 August sets aside the provisions in Council's Procurement Policy 2/007 and Tender Policy 2/011 to allow procurement by means of variation to the current contract with Doric Constructions.

Strategic Planning Implications

Strategic Community Plan 2012 to 2022

Community – We are a friendly, exciting city of neighbours that is vibrant and diverse.

- 6.1.2 Vibrant – Provide access to recreational, cultural, entertainment facilities and opportunities.

Budget Implications

The total budget available for the implementation of the remediation strategy is \$496,680 plus GST, as reported to Council on 8 August 2012. Doric Constructions proposed a quote for the scope of works based on preliminary designs in excess of \$850,000. Given the potential shortfall of approximately \$350,000, it is recommended to approach the works in 2 stages as detailed below in Officer's Comments.

The cost estimate for stage 1 works submitted by Doric Constructions is \$432,927 plus GST. The quote has been reviewed, assessed and deemed comparative with quotes expected from the open market.

The final designs for the fire service remediation strategy were submitted to the project team on 20 August 2012. These provided confirmation of the specifications for stage 2 of the works which will enable firm quotes to be sourced, however could not be obtained prior to the preparation of this report.

The purpose of this report is to request Council approval for stage 1 of the works, which is within the budget allocation. A future report will be presented to Council for approval of the stage 2 budget and funding once accurate quotes are obtained. The quotes will be reviewed to determine the most cost effective approach; additional variation to Doric Constructions contract, utilisation of Government preferred suppliers, independent quote/tender process or a combination of methods.

Officer's Comment

Upon approval of the recommended remediation strategy by Council on 8 August 2012, the project team commenced the detailed design and approval process. The cost proposal received based on this process exceeded the initial cost estimates due to the following:

- FESA advised that the fire hydrant booster must remain in the current location. The connection of the hydrant booster to the tanks in the approved location requires additional pipework and trenching, therefore incurs additional costs
- The fire booster cabinet requires modification to accommodate the compliant fire brigade connection point
- The pumps require a cyclone rated shed enclosure. Original estimates were based on a fenced concrete slab only
- An excessive provisional sum has been allowed for the supply of pumps due to the actual specifications being unknown at the time of costing. Details were confirmed on 20 August 2012, permitting accurate costs to be sourced, however this is not yet available. It is expected that purchase costs could be reduced in this component and will be subject of a further report to Council on 30 August 2012.

The priority for this project is to complete the construction of a compliant fire service to Wanangkura Stadium to permit it to open to the public as soon as possible. As reported to Council on 8 August 2012, the earliest way to achieve this is to install the water tanks with a direct connection to the fire booster and installation of fire brigade connection points. FESA will permit this approach as a temporary solution (stage 1), acknowledging the planned permanent solution, which will allow for a Certificate of Occupancy to be lodged for the building and reopening to proceed.

The permanent solution (stage 2) involves the installation of a pumping system which has a longer lead time and may take an additional 4 weeks after procurement.

The cost estimate for stage 1 works submitted by Doric Constructions is \$432,927 plus GST. In order to expedite these works Doric has ordered the tanks, commenced mobilisation of contractors and fabrication of structural components and formwork. The onsite start date is scheduled for 23 August 2012, with commissioning and certification expected in the week ending 21 September 2012.

The details of the stage 2 component of the work were received on 20 August 2012 and will now permit accurate cost estimates to be obtained. As indicated above, this will be the subject of the next report to Council prior to works commencing.

In order to proceed with stage 1 works and minimise the risk of significant delays or additional costs, Council is requested to approve the staged approach.

Attachments

Nil.

201213/089 Officer's Recommendation / Council Decision

Moved: Cr Jacob

Seconded: Cr Hooper

That Council:

- 1. Approves the implementation of stage 1 of the recommended remediation strategy for fire services at Wanangkura Stadium by means of variation to Contract 10/19 to Doric Constructions to the value of \$432,927 plus GST**
- 2. Notes there will be a further report to Council for the implementation of stage 2, inclusive of budget implications, prior to commencement of works.**

CARRIED 7/0

ITEM 13 REPORTS OF COMMITTEES

Nil

ITEM 14 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil

ITEM 15 CONFIDENTIAL ITEMS**201213/090 Council Decision****Moved: Cr Carter****Seconded: Cr Jacob**

That the meeting be closed to members of the public as prescribed in Section 5.23(2)(a) of the Local Government Act 1995, to enable Council to consider the following Item:

15.1 Change of Acting Chief Executive Officer Arrangements*CARRIED 7/0***15.1 *Change of Acting Chief Executive Officer Arrangements*****Motion****Moved: Cr Carter****Seconded: Cr Dziombak**

That Council agrees that an application be made to WALGA for a suitable applicant to be appointed as Acting CEO and if no applicant is available appoints the Director Corporate Services, Ms Natalie Octoman for the period 10 September to 21 October 2012.

MOTION LOST 3/4

Record of vote

For	Against
Councillor Dziombak	Mayor Howlett
Councillor Carter	Councillor Hooper
Councillor Gillingham	Councillor Jacob
	Councillor Daccache

201213/091 Council Decision**Moved: Cr Jacob****Seconded: Cr Daccache**

That Council appoints the Director Corporate Services, Ms Natalie Octoman, as Acting CEO for the period 10 September to 21 October 2012, with a base salary of \$207,628 (pro-rata).

CARRIED 4/3

Record of vote

For	Against
Mayor Howlett	Councillor Dziombak
Councillor Hooper	Councillor Carter
Councillor Jacob	Councillor Gillingham
Councillor Daccache	

201213/092 Council Decision**Moved: Cr Jacob****Seconded: Cr Carter**

That the Meeting be opened to members of the public.

CARRIED 7/0**ITEM 16 APPLICATIONS FOR LEAVE OF ABSENCE****201213/093 Council Decision****Moved: Cr Daccache****Seconded: Cr Carter**

That the following applications for leave of absence:

- **Councilor Gillingham from 10 September to 17 September 2012 and 28 September to 15 October 2012;**
- **Councilor Hooper from 2 September to 8 September 2012;**
and
- **Councilor Jacob from 25 August to 2 September 2012;**

be approved.

CARRIED 7/0**ITEM 17 CLOSURE****17.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 26 September 2012, commencing at 5.30 pm.

17.2 Closure

There being no further business, the Mayor declared the meeting closed at 7:38 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by Council at its Ordinary Meeting held on _____.

CONFIRMATION:

MAYOR

DATE