



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING

OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 8 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 Acting Mayor declared the meeting open at 5:30pm and acknowledged the traditional owners, the Kariyarra people.

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

Councillor George J Daccache (Acting Mayor)
Councillor Arnold A Carter
Councillor Stan R Martin
Councillor Jan M Gillingham
Councillor David W Hooper
Councillor Michael (Bill) Dziombak

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
Mr Ayden Férdeline	Administration Officer Governance

2.2 Apologies

Nil

2.3 Approved Leave of Absence

Mayor Kelly A Howlett
Councillor Julie E Hunt
Councillor Gloria A Jacob

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 25 July 2012

3.1.1 *Ms Louise Newbery Starling*

On 13 June 2012 the Director Engineering Services advised me that Redbank Road is an approved road train route for its full length. Can I please be advised as to when was this gazetted, when was this advertised and what was the consultation period for local residents?

Director Engineering Services advised that this matter has been raised with Main Roads Western Australia and a response will be forwarded on to Ms Starling when received.

Could I please have a response to the question I raised at the Ordinary Council meeting on 23 May 2012 regarding the illegal use of properties?

Director Planning and Development advised that 65 Redbank Road is subject to a Freedom of Information request, therefore no further information on this matter can be provided in this forum.

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 25 July 2012

Nil

ITEM 4 PUBLIC TIME

Acting Mayor opened Public Question Time at 5:33pm.

4.1 Public Question Time**4.1.1 *Mr Chris Whalley***

Could Council ensure that when referring to the new Wanangkura Stadium, the township precedes it? Council should refer to the facility as the 'South Hedland Wanangkura Stadium.'

Acting Mayor advised this matter will be investigated.

4.1.2 *Mr Paul Smeit*

The property at 8 Mosley Street, which is being considered by Council tonight as part of 11.1.5 'Proposed Eight (8) - "Multiple Dwelling" on Lot 1 (8) Moseley Street, Port Hedland (File No.: 400100G)', will significantly increase the density on this residential street. This property is on a blind corner and will house 15 people, so I have concerns regarding public safety and lack of space for car parking.

Acting Mayor advised that Council will consider this Item tonight.

Acting Mayor closed Public Question Time at 5:35pm.

Acting Mayor opened Public Statement Time at 5:35pm.

4.2 Public Statement Time**4.2.1 *Rev. Phillip Knight***

Spoke in favour of the development outlined in Item 11.1.3 'Amended Plans for previously approved Four (4) "Grouped Dwellings" and a "Use not Listed - Rectory" on Lot 1724 (9) Padbury Place, Port Hedland, 6721 (File No.: 406830G & 803206G)'.

Acting Mayor closed Public Statement Time at 5:37pm.

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

How many consultants were engaged in the construction of Wanangkura Stadium?

Acting Director Engineering Services advised that this matter will be investigated.

What was the total cost of the Stadium?

Acting Director Engineering Services advised the total project expenditure was \$34,788,488.

Was the building signed off as a completed project? If so, by whom?

Acting Director Engineering Services advised that the building did not receive internal signoff from Council.

Who was aware of the safety problem of the building, and why was Council not informed?

Acting Chief Executive Officer advised the Administration's most recent awareness of this matter was on 18 July 2012 when the matter was being dealt with at a project level. On 27 July 2012 it became apparent that preventative measures would be required over the subsequent days if this facility were to be open to the public. The Officer's Recommendation in Item 12.1 'Wanangkura Stadium – Temporary Closure, Compliance Limitations and Proposed Solutions (File No.: 26/14/0013)' suggests that an independent review of the project history, compliance, processes and responsibilities be undertaken, and a report presented back to Council.

The word 'Council' is in the media; as in, the failures of this project are being attributed to Council and not the Administration. Why is this?

Acting Chief Executive Officer advised that, having reviewed the Town's media releases, the information provided by the Town was misinterpreted by the media as meaning the Council.

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

Director Corporate Services advised this question is taken on notice.

5.2 Councillor Martin

Has there been a breach of the Local Government Act 1995, in that staff did not advise Councillors of the safety issues associated with Wanangkura Stadium? Should Cabinet have been allowed in an unsafe facility?

Acting Chief Executive Officer advised he would take advice on this matter if the Council were to resolve in that direction.

Should you, as CEO, explain to the media that this issue was concealed from Councillors?

Acting Chief Executive Officer advised that no information was concealed from Elected Members. Issues like this occur in projects not infrequently and are managed according to the perceived risk. The Acting Chief Executive Officer said he is satisfied that the judgement call made by the Town on 27 July 2012 was appropriate.

How would we go about getting an independent inquiry into this situation? I am concerned that there was no indemnity insurance.

Acting Chief Executive Officer advised that the Officer's Recommendation in Late Item 12.1 'Wanangkura Stadium – Temporary Closure, Compliance Limitations and Proposed Solutions (File No.: 26/14/0013)' does suggest an external review of the process.

5.3 Councillor Gillingham

WA Premier Colin Barnett said on national television that all Councillors knew about the issue. I did not know. Can the Chief Executive Officer write to the Premier and ask why he did not make this issue known to us at the grand opening of Wanangkura Stadium, and also at the luncheon?

Acting Chief Executive Officer advised that he has not seen a transcript of the comments made by the Premier; however, from the radio interview he heard, the Premier did not infer that Councillors had any prior knowledge of the issue. Clarification could be sought from the Office of the Premier.

Can we seek out what guidelines companies provide their Fly In, Fly Out (FIFO) workers with during their induction in regards to local sensitivities? Something needs to be done to educate these workers about how they are coming to our town.

Acting Mayor advised we could write a letter.

Acting Chief Executive Officer advised such enquiries could be made were there a Council resolution requesting that. This resolution should identify the name(s) of the employer(s) in question.

5.4 Councillor Dziombak

In the West Australian newspaper on 4 August 2012, an article relating to the closure of Wanangkura Stadium included the following quotation: "Port Hedland acting mayor George Daccache admitted the council knew of the problems before Sunday's sold-out opening basketball game." Can the Deputy Mayor please name the Councillors who knew of this problem before the opening?

Acting Mayor advised this quote is not accurate and said he did not provide this quotation.

Acting Chief Executive Officer said that he was of the opinion that the media releases circulated made it clear that it was the Administration, not Council itself, which was aware of the matter prior to the opening.

The phone calls we have received are embarrassing. How can this situation be rectified so that nothing of this nature occurs in the future?

Acting Chief Executive Officer advised, with the benefit of hindsight, that the Town's media releases could have been worded differently were it envisioned that they could be misconstrued. However, in a similar situation, he would not handle the matter differently because issues regularly occur in projects and it is not feasible to notify Elected Members of every problem that may arise.

5.5 Councillor Daccache

Can you please outline the announcements that came out of the Regional Cabinet Meeting held in Port Hedland last week?

Acting Chief Executive Officer advised a number of announcements were made over the weekend: the opening of Wanangkura Stadium, the potential location of the Pilbara Maritime Common User Facility, the commitment of \$112 million towards the Marina Precinct development, funding for three years towards the North West Festival, the installation of water efficiency metering, and improved mobile telecommunication coverage throughout the Pilbara by way of 11 new tower upgrades/installations.

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

Cr G J Daccache	Cr A A Carter
Cr S R Martin	Cr J M Gillingham
Cr M Dziombak	Cr D W Hooper

NOTE: Councillor Martin advised that the Administration had provided him with insufficient time to review the Late Items.

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 25 July 2012****201213/050 Council Decision****Moved: Cr Carter****Seconded: Cr Martin**

That the Minutes of the Ordinary Meeting of Council held on Wednesday 25 July 2012 be confirmed as a true and correct record of proceedings with the following amendment:

- **That point iv) of Item 11.1.4 ‘Proposed Scheme Amendment No. 57 – Amend the Town of Port Hedland Town Planning Scheme No. 5 by Recoding Lot 513 Barrow Place, South Hedland from “R30” to “R50”’, recorded on page 39 of those Minutes read, “adopts Scheme Amendment 57”.**

CARRIED 6/0

ITEM 8 ANNOUNCEMENTS BY CHAIRPERSON WITHOUT DISCUSSION

Councillor Daccache advised that he attended the:

- opening of the Wanangkura Stadium;
- 70th anniversary of the 1942 bombing of Port Hedland;
- Chamber of Commerce Business Leaders' breakfast;
- Western Australian Local Government Convention;
- 2012 Hedland Cup day; and
- Pilbara Maritime Common User facility presentation.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION**9.1 *Councillor Carter***

Councillor Carter advised that he too attended the Pilbara Maritime Common Use facility presentation and said the amount of money the Department of Commerce has committed to the feasibility study represents a genuine commitment by the State to bring an alternative industry to Port Hedland.

Councillor Carter thanked the Town's outdoor workforce for their assistance in the 2012 Hedland Cup Day.

9.2 *Councillor Martin*

Councillor Martin said he attended the Pilbara Maritime Common User facility presentation and, if the project goes ahead, it will be the greatest thing to ever happen to Port Hedland.

9.3 *Councillor Gillingham*

Councillor Gillingham congratulated the staff responsible for the opening of Wanangkura Stadium. While there were a few hiccups this week, this facility is one that the community should be proud of.

Councillor Gillingham attended the Western Australian Local Government Convention in Perth last week and thanked Council for the opportunity to network with other Elected Members of different Shires.

9.4 *Councillor Dziombak*

Councillor Dziombak advised that the past fortnight saw some of the most exciting announcements in Hedland history.

9.5 *Councillor Hooper*

Councillor Hooper advised that he attended the Regional Cabinet visit.

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.

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

6:08pm Councillors Daccache and Dziombak declared a financial interest in Item 11.1.1 '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 Carter assumed the chair.

Councillor Carter advised that Council is unable to consider this matter tonight due to a lack of quorum.

11.1.1 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 support its request to dedicate a portion of Lot 253 for "Public Road" purposes.

Council is recommended to support the request.

Background

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 and is a requirement within the Precinct 3 agreement that it be constructed by BHP Billiton.

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.

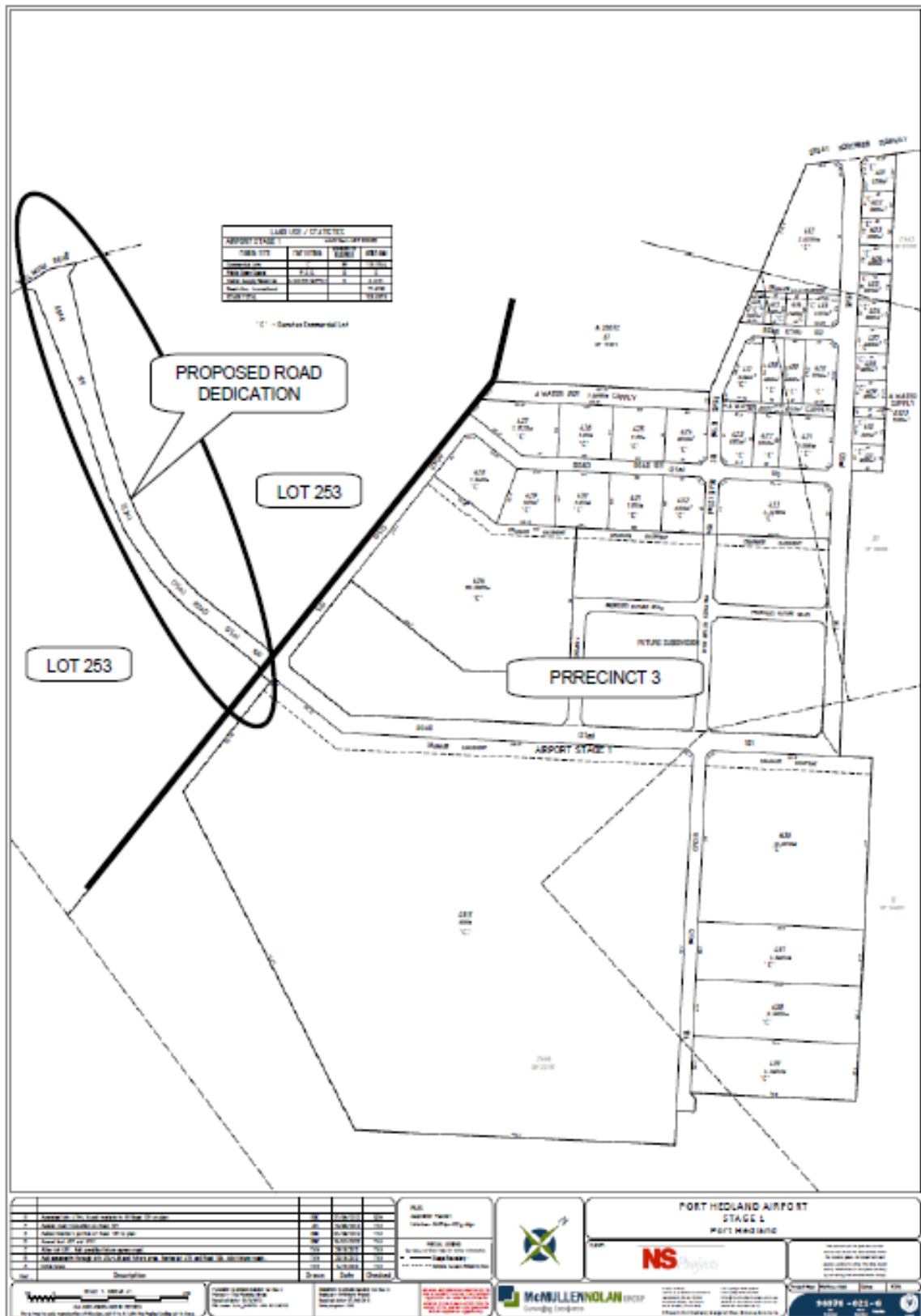
Officer's Recommendation

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.

6:09pm Councillors Daccache and Dziombak re-entered the room and resumed their chairs.

Councillor Carter advised that the Item was not considered due to a lack of quorum.

ATTACHMENT 1 TO ITEM 11.1.1



11.1.2 Proposed Twenty (20) Multiple Dwelling on Lot 860 (15) Minderoo Avenue, South Hedland (File No.: 804898G)

Officer	Luke Cervi Senior Planning Officer
Date of Report	12 July 2012
Application No.	2012/239
Disclosure of Interest by Officer	Nil

Summary

Council received an application from Hodge Collard Preston Architects on behalf of the registered proprietor Hedland Quality Homes Pty Ltd, to construct twenty (20) Multiple Dwellings on Lot 860 (15) Minderoo Avenue, South Hedland (the site).

The application is presented to Council for consideration as an objection was received during public consultation.

Council Officers recommend approval of the application.

Background

Site Description

The subject site is generally rectangular in shape and has frontage to Minderoo Avenue, Anchor Street and Centaur Avenue. The subject site covers an area of approximately 2765m².

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

Proposal

The applicant is proposing to construct twenty (20) Multiple Dwellings on the subject site consisting of 6 single bedroom dwellings and 14 two bedroom dwellings.

Consultation

Internally:

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

- Acting Chief Executive Officer
- Manager Technical Services
- Manager Building Services
- Manager Environmental Health Services

Externally:

Agencies:

- Horizon Power
- Water Corporation

Adjoining owners:

- 2 Minderoo Avenue, South Hedland
- 4 Minderoo Avenue, South Hedland
- 8 Minderoo Avenue, South Hedland
- 10 Minderoo Avenue, South Hedland
- Lot 854 Minderoo Avenue, South Hedland
- 2 Minilya Link, South Hedland
- 41-43 Steamer Avenue, South Hedland
- 45 Steamer Avenue, South Hedland
- 47 Steamer Avenue, South Hedland
- Lot 855 Centaur Avenue, South Hedland
- 3 Centaur Avenue, South Hedland
- 5 Centaur Avenue, South Hedland
- 25 Captains Way, South Hedland
- 27 Captains Way, South Hedland
- 29 Captains Way, South Hedland

The application was advertised in the North West Telegraph on 27 June 2012, and a notice placed on site allowing for a 14 day period for any interested parties to provide comments / objections to the proposal.

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

5 Centaur Avenue, South Hedland (the landowner)

Summary of Written Submission

The objection received can be summarized as follows:

<i>Summary of Objection Received</i>	<i>Planning Response</i>
Density	The plot ratio provided for the development is .498. This complies with the acceptable development standard which allows a maximum .5 plot ratio.
Reduction in Property Value	The objector has not provided any justification to support this statement. It has been Council Officer's experience this is not the case.

Reduction in rental return	As above the objector has not provided any justification to support this statement. Again it has been Council Officer's experience this is not the case.
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Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

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

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

Budget Implications

An application fee of \$13,858.00 has been received as per the prescribed fees approved by Council.

Officer's Comment

In terms of TPS5, the site is identified as "Residential R30". Under the zoning table the proposed land use is specified as follows:

Multiple Dwellings: "SA" (the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3)

R-Code Assessment for Multiple Dwellings

The proposed "Multiple Dwellings" have been assessed in accordance with Part 7 of the Residential Design Codes of Western Australia (R-Codes). The proposal is consistent with the Acceptable Development Standards except as follows:

Clause 7.1.2 – Building Height

The development proposes a number of external walls exceeding the 6m acceptable development standard. These walls range between approximately 6.2m and 7m.

The 7m height is consistent with the acceptable development standard for a concealed roof and the varied heights have been used as design features to provide interest to the building and break up the bulk of the building. It is considered the variations provide for a more aesthetically pleasing building than could be achieved if adherence to the acceptable development standard occurred. The proposal appropriately addresses the performance criteria of the provision.

Passive Surveillance of the Park

The site adjoins koombana park. The design of the building provides for passive surveillance of the park by providing major openings in units 11 and 20 (being the first floor units closest to the park). The proposal is in accordance with the acceptable development standards.

Attachments

1. Locality Map
2. Floor Plans and Elevations
3. 3D Perspectives
4. Objection Email

Options

Council has the following options when considering the application.

1. Approve the application subject to conditions.

Resulting in the ability for the development of the site to go ahead as proposed.

2. Refuse the application.

Refusal may result in the decision being taken to the State Administrative Tribunal for reconsideration, as the development complies with the applicable legislative requirements.

Option one (1) is recommended.

201213/051 Officer's Recommendation / Council Decision

Moved: Cr Carter

Seconded: Cr Gillingham

That Council:

- i) Approves the application submitted by Hodge Collard Preston on behalf of Hedland Quality Homes Pty Ltd, to construct twenty (20) Multiple Dwellings on Lot 860 (15) Minderoo Avenue, South Hedland, subject to the following conditions:
1. This approval relates only to the proposed "MULTIPLE DWELLING" – Twenty (20) Multiple Dwellings and other incidental development, as indicated on the approved plans (DRG2012/239/1 – DRG2012/239/4). It does not relate to any other development on this lot.
 2. The development shall only be used for the purpose which is related to a "Multiple Dwelling". In terms of the Town of Port Hedland's Town Planning Scheme No. 5, "Multiple Dwelling" is defined as:

"Multiple Dwelling

a dwelling in a group of more than one where any part of a dwelling is vertically above part of any other."
 3. This approval shall remain valid for two (2) years if development is substantially commenced. (Refer to advice note 3).
 4. A minimum of 29 car bays shall be provided on-site in accordance with the approved site plan (DRG/2011/597/1).
 5. No parking bays shall be obstructed in any way or used for any purposes other than parking.
 6. Front walls and fences within the primary street setback area and / or adjoining any public area shall be no higher than 1.8m measured from natural ground level and be visually permeable above 1.2m.
 7. Fences shall be reduced to no higher than 0.75m from the natural ground level when within 1.5m of where the Vehicle Access Point (driveway) meets a street and where two (2) streets intersect.

- 8. All stormwater must be retained onsite. Disposal to be designed in accordance with Council's Engineering Department Guidelines, to the satisfaction of the Manager Technical Services.**
- 9. Roof mounted or freestanding plant or equipment such as air conditioning units shall be located and/or screened to the satisfaction of the Manager Planning Services.**
- 10. Alterations or relocation of existing infrastructure within the road reserve shall be carried out and reinstated to the satisfaction of the Manager Technical Services, at the developer's expense.**

Conditions to be complied with prior to the submission of a Building Licence application.

- 11. Prior to the submission of a building licence application, an Erosion Prevention and Sediment Control plan shall be submitted and approved by the Manager Planning Services.**
- 12. Prior to the submission of a building licence application, a Rubbish Collection Strategy/Management Plan shall be submitted for approval by the Manager Technical Services. The strategy/plan shall consider service vehicle maneuvering on the internal roads of the development. Any alterations to the approved plans required as a result of the strategy/plan shall be incorporated into the building licence plans. The approved strategy/plan shall be implemented to the satisfaction of the Manager Technical Services.**
- 13. Prior to the submission of a building licence application, a construction site management plan shall be submitted and approved by the Manager Planning Services. The construction site management plan shall indicate how it is proposed to manage the following during construction:**
 - a. The delivery and storage of materials and equipment to the site;**
 - b. The parking arrangements for the contractors and subcontractors;**
 - c. Impact on traffic movement;**
 - d. Operation times including delivery of materials; and**
 - e. Other matters likely to impact on the surrounding residents / businesses;**

Conditions to be complied with prior to the occupation of the development.

14. Prior to the occupation of any part of development landscaping and reticulation shall be established with the use of mature trees and shrubs in accordance with the approved plan (DRG2012/239/4) and thereafter maintained to the satisfaction of the Manager Planning Services.
15. Prior to the occupation of any part of the development, access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface by the developer to an approved design in accordance with Port Hedland Town Planning Scheme No. 5, and Australian Standards, to the satisfaction of the Manager Technical Services.
16. Prior to the occupation of any part of the development, the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, to the satisfaction of the Manager Technical Services.
17. Prior to the occupation of any part of the development, lighting shall be installed along all driveway(s), access way(s), parking area(s), turning area(s) and pedestrian pathways by the developer. Design and construction standards shall be in accordance with relevant Australian Standards and to the satisfaction of the Manager Technical Services.

FOOTNOTES:

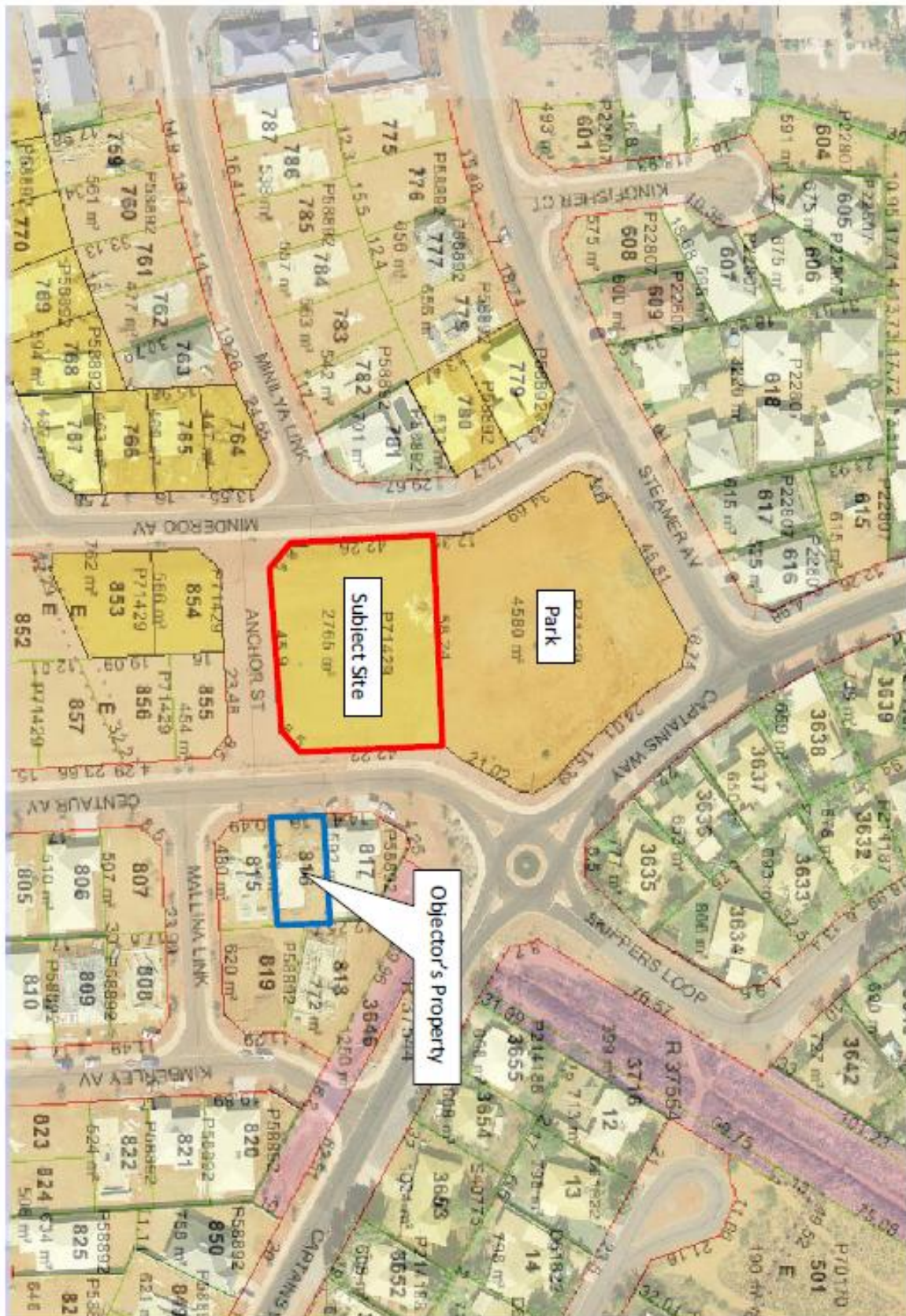
1. This lot is located in an area likely to be subject to inundation and flooding from rising sea levels, tidal storm surges and/or catchment flooding over the next 100 years.
2. You are reminded this is a Planning Approval only and does not obviate the responsibility of the owner / developer to comply with all relevant building, health and engineering requirements.
3. In the absence of a clear definition of "substantially commenced" within the Port Hedland Town Planning Scheme No. 5, for the purpose of this approval "substantially commenced" shall mean the approved development shall be at least 50% complete.

4. In the absence of a clear definition of “mature trees and shrubs” within the Port Hedland Town Planning Scheme, No.5, for the purpose of this approval “mature trees and shrubs” shall mean trees of no less than 2m in height and shrubs of no less than 0.5m in height.
5. Waste receptacles shall be stored in a suitable enclosure, provided to the specifications of Council’s Health Local Laws 1999.
6. The development shall comply with the Environmental Protection (Noise) Regulations 1997, at all times.
7. Applicant shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
8. To clear any conditions kindly contact the Town’s Compliance Officer on (08) 9158 9300. Please note it may take up to 28 days to clear conditions.

CARRIED 6/0

ATTACHMENT 1 TO ITEM 11.1.2





ATTACHMENT 3 TO ITEM 11.1.2



SOUTH EAST VIEW - CENTAUR AVE STREETScape

PROPOSED RESIDENTIAL DEVELOPMENT
LOT 860, 15 MILDENHOLM AVE, SOUTH HEADLAND
2300 100 448 100 2148





SOUTH WEST VIEW - ANCHOR ST / MINDEROO AVE STREETSCAPE

PROPOSED RESIDENTIAL DEVELOPMENT
LOT 86A, 15 MINDEROO AVENUE - SOUTH HIGHLAND
ZONING DISTRICT - LOT 23/24/25





SOUTH WEST VIEW - MINDEROO AVE STREETSCAPE

PROPOSED RESIDENTIAL DEVELOPMENT
LOT 880, 15 MINDEROO AVENUE, SOUTH HEDLAND
HODGE COLLARD PRESTON ARCHITECTS



SOUTH VIEW - ANCHOR ST STREETSCAPE

PROPOSED RESIDENTIAL DEVELOPMENT
LOT 880, 15 MINDEROO AVENUE, SOUTH MIDDLELAND
DRAFT PLAN 12007, DATE 03/05/2012

Hodge Collard Preston
44 6217 5733

ATTACHMENT 4 TO ITEM 11.1.2

Cervi Luke

Subject: FW: Application 2012/239 - lot 860 (15) Minderoo Ave, South Hedland 6722

From: Kirstine Scales [<mailto:kirstine@evolutionhomes.com.au>]
Sent: Friday, 6 July 2012 2:37 PM
To: Djanegara Ryan
Subject: RE: Application 2012/239 - lot 860 (15) Minderoo Ave, South Hedland 6722

Dear Ryan

Thank you for getting back to me.

We own a million dollar home on Centaur Ave. We would like to formally object to this development as this density of living will cause a significant deterioration in the value of our property along with the rental income we can receive on it.

Do I need to complete anything formal to register our objection?

Many thanks for your assistance and help
Anthony and Jeanette Gibson
Andrew and Kirstine Scales

Regards

Kirstine Scales
Mobile 0421 391 491



Phone 08 9301 4461
Fax 08 9301 4467
E-mail kirstine@evolutionhomes.com.au

11.1.3 Amended Plans for previously approved Four (4) “Grouped Dwellings” and a “Use not Listed - Rectory” on Lot 1724 (9) Padbury Place, Port Hedland, 6721 (File No.: 406830G & 803206G)

Officer	Ryan Djanegara Planning Officer
Date of Report	24 July 2012
Disclosure of Interest by Officer	Nil

Summary

Council received a request from Goldman Construction on behalf of the Trustees of the Diocese of North West Australia, to approve amended plans pertaining to the Council approved Four (4) “Grouped Dwellings” and a “Use not Listed - Rectory” on Lot 1724 (9) Padbury Place, Port Hedland, 6721.

The proposed changes are required for the development to proceed.

Background

At its Ordinary Council Meeting of 22 February 2012, Council approved an application for the construction of Four (4) “Grouped Dwellings” and a “Use not Listed - Rectory” on Lot 1724 (9) Padbury Place, Port Hedland, 6721.

The Officer recommended the application be partially approved, by approving the Use Not Listed – Rectory and refusing the Four (4) Grouped Dwellings. The recommendation was made on the basis the use “Grouped Dwellings” was not incidental to the predominant use being a “Place of worship”, thereby contradicting the Port Hedland Town Planning Scheme No. 5. Notwithstanding this Council resolved to approve the application (including the Grouped Dwellings) subject to conditions.

The applicant has advised that the approved plans originally submitted to Council were incorrectly surveyed. As a result the applicant is required to obtain Council approval for the amended plan.

Proposed Amendments

The applicant has advised the following error occurred on the approved plan previously submitted to Council:

- The existing church building is located 0.66m further north, and
- The existing church is 0.66m longer than indicated on the approved plans.

Implications of Proposed Amendment:

1. reduced the accessway width to the 4 grouped dwellings from 6m to 5.8m;
2. reduced the accessway width to car parking bays 14 - 25 from 6m to 5.8m;
3. relocated the internal retaining wall abutting bays 14 to 25 1.122m further back; and
4. reduced the setbacks from the access leg to the proposed dwellings.

Consultation

Nil

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

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

Officer's Comment

Although the changes are considered minor, Council Officers remain concerned about the approval of the original application, because the proposed use "Grouped Dwellings" were not considered incidental to the main use being a "Place of worship", thereby contradicting the Port Hedland Town Planning Scheme No 5.

Options

Council has the following options when considering the application.

1. Refuse the amended site plan.

Should Council refuse to approve the amended site plan, the applicant will not be able to undertake the development.

2. Approve the amended site plan.

The amended site plan would supersede the site plan originally approved under Condition 1 of permit 2011/585. However, the permit will remain unchanged.

Option one (1) is recommended.

Attachments

1. Locality Plan
2. Previously approved Site Plan with changes identified
3. Amended Site Plan

Officer's Recommendation

That Council refuses the request from Goldman Construction on behalf of the Trustees of the Diocese of North West Australia, to approve amended plans pertaining to the Council approved Four (4) "Grouped Dwellings" and a "Use not Listed - Rectory" on Lot 1724 (9) Padbury Place, Port Hedland, 6721.

201213/052 Council Decision

Moved: Cr Carter

Seconded: Cr Gillingham

That Council:

- A. approves the request from Goldman Construction on behalf of the Trustees of the Diocese of North West Australia, to approve amended plans pertaining to the Council approved Four (4) "Grouped Dwellings" and a "Use not Listed - Rectory" on Lot 1724 (9) Padbury Place, Port Hedland, 6721, subject to:**
 - 1. The approval pertains to the amendments indicated on the site plan (DRG2011/585/1), and supersedes the original site plan approved under permit 2011/585; and**
 - 2. All other conditions as stated in Planning Approval 2011/585, remain unchanged.**

CARRIED 6/0

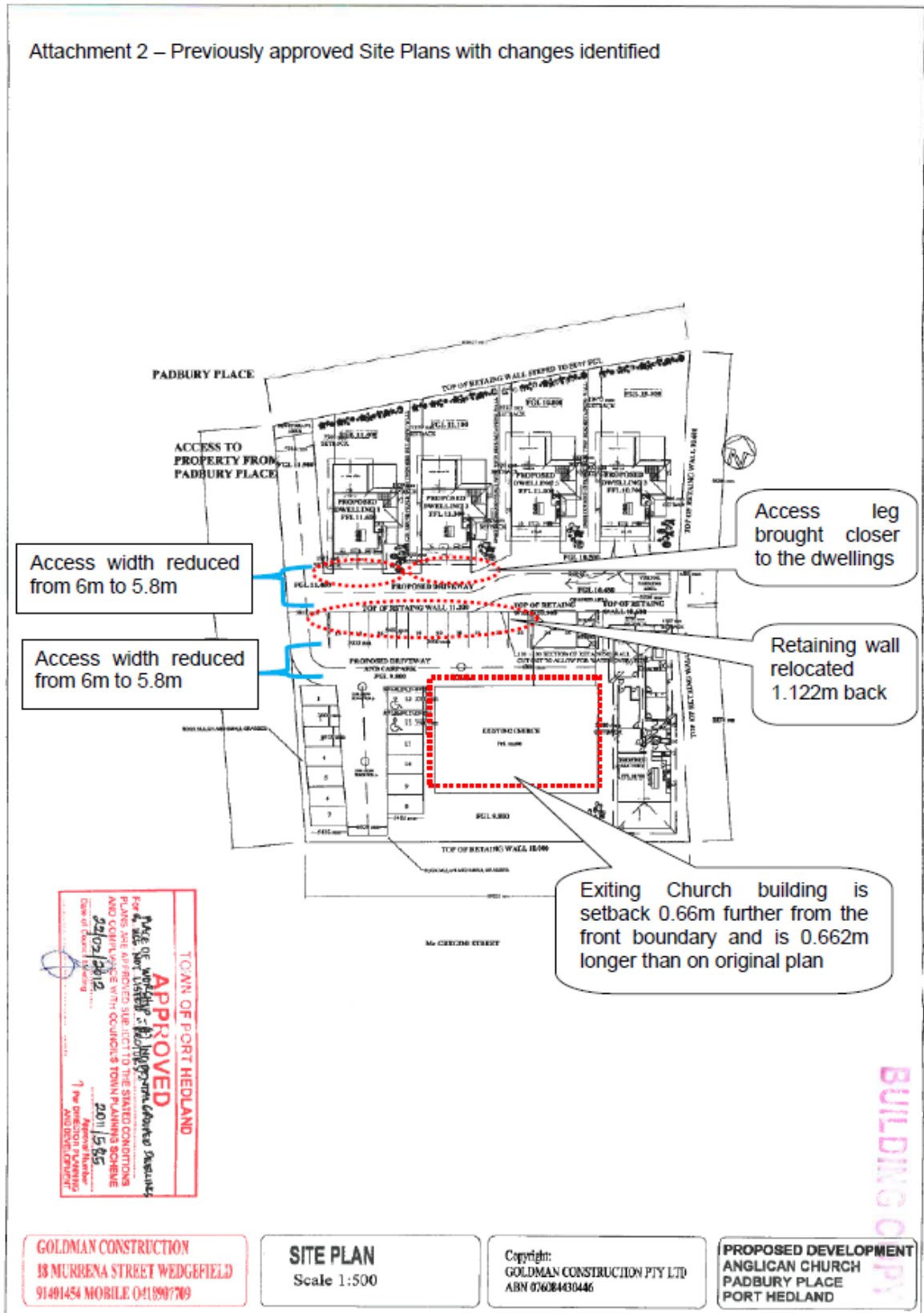
REASON: Council supports the developer's application as previously indicated in January 2010.

ATTACHMENT 1 TO ITEM 11.1.3



ATTACHMENT 2 TO ITEM 11.1.3

Attachment 2 – Previously approved Site Plans with changes identified



Access width reduced from 6m to 5.8m

Access width reduced from 6m to 5.8m

Access leg brought closer to the dwellings

Retaining wall relocated 1.122m back

Exiting Church building is setback 0.66m further from the front boundary and is 0.662m longer than on original plan

TOWN OF PORT HEDLAND
APPROVED
 For a site within a Planning Scheme, the following conditions apply to the site. The applicant must comply with the conditions and requirements of the Planning Scheme and the Council's Planning Scheme and Conditions with Council's Planning Scheme.
 Date of Council Meeting: 22/02/2012
 1 Per Planning Scheme and Conditions
 Approve Number: 2011/1585

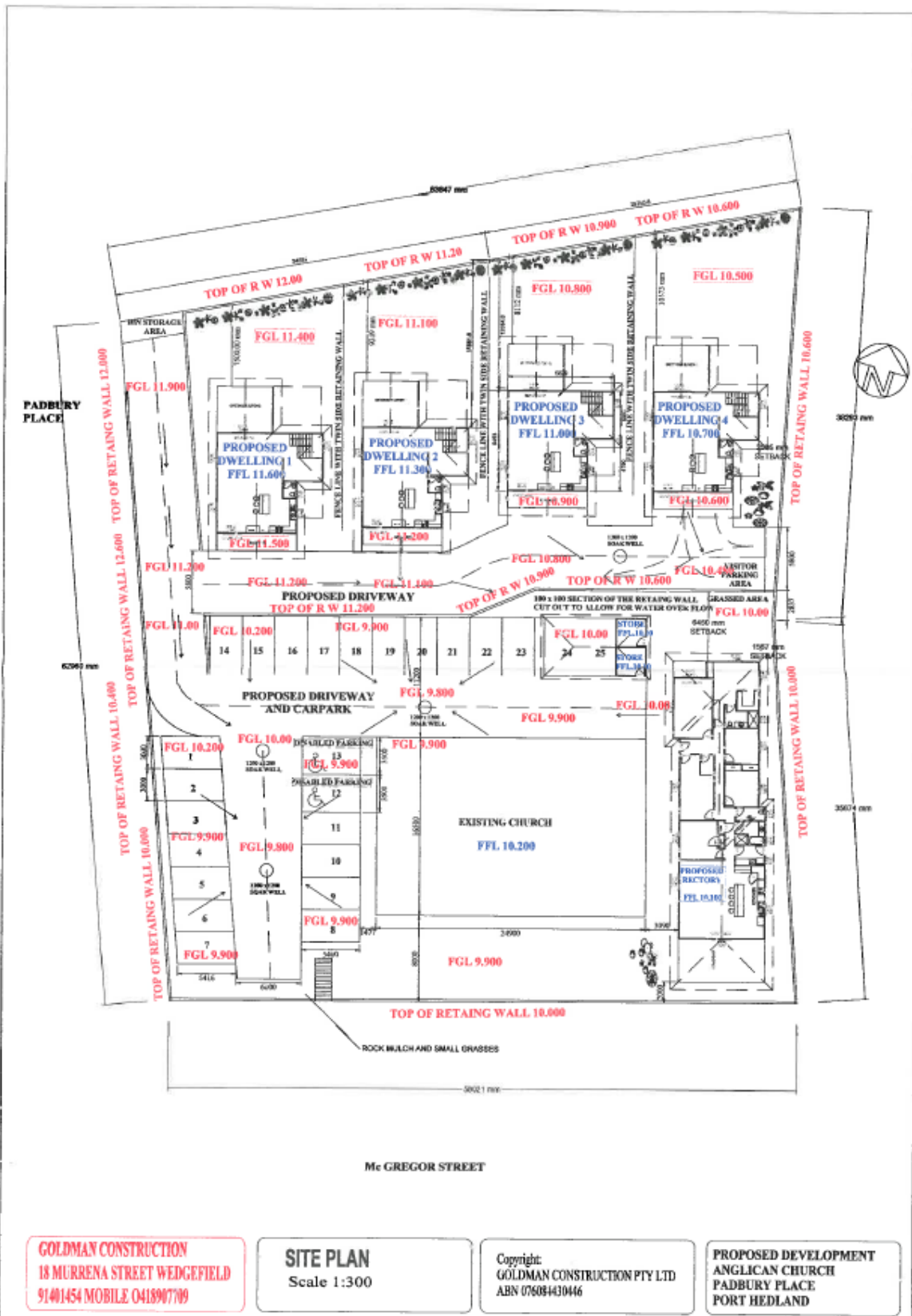
GOLDMAN CONSTRUCTION
 18 MURRENA STREET WEDGEFIELD
 91401454 MOBILE 04118907709

SITE PLAN
 Scale 1:500

Copyright:
 GOLDMAN CONSTRUCTION PTY LTD
 ABN 076084430446

PROPOSED DEVELOPMENT
 ANGLICAN CHURCH
 PADBURY PLACE
 PORT HEDLAND

BUILDING COPY



11.1.4 Proposed "Infrastructure" – Telecommunications Facility at Lot 2 (20) Clark Street, Port Hedland (File No.: 402222G)

Officer	Michael Pound Senior Planning Officer
Date of Report	24 July 2012
Disclosure of Interest by Officer	Nil

Summary

Council received an application from Planning Solutions on behalf of Service Stream Mobile Communications and Telstra Corporations Ltd to construct a Telecommunications Facility on Lot 2 (20) Clark Street, Port Hedland (site). The existing lattice tower has reached the end of its useful life and structural limits, and is to be removed to allow for installation of the new facility.

The application is presented to Council for consideration as an objection was received during public consultation.

The application is recommended for approval.

Background

Site Description (ATTACHMENT 1)

The site is bounded by Clark Street to the west, McGregor Street to the south and existing residential development to the north/east. Land immediately south of the site is undeveloped land zoned "Urban development" and abuts reserve land utilised for waste water disposal and treatment.

The site has an area of approximately 7.8702ha.

Development Plan and Amendment No. 38

The WAPC endorsed a Development Plan for the site on 24 November 2011 and the site was identified as "Other Public Purposes – Telecommunications", which was in accordance with the Town of Port Hedland Town Planning Scheme No. 5 (TPS 5).

On 13 December 2011, Amendment No. 38 was approved by the Minister of Planning for the purpose of rezoning the site, Lot 5474 Thompson Street and Lot 2 & 4 McGregor Street from Part "Other Public Purposes – Telecommunications" and Part "Residential R15" to "Urban Development."

Proposal (ATTACHMENT 2)

To achieve the necessary network coverage requirements, Telstra proposes to install one (1) new lattice tower to accommodate two (2) new panel antennas mounted on the proposed lattice tower. Seven (7) existing Telstra antennas currently on the existing lattice tower are to be relocated onto the new structure, together with underground cabling between the equipment and antenna devices and ancillary safety and access equipment.

The replacement lattice tower is of similar height and scale as the existing lattice tower, which is to be removed to allow installation of the new facilities.

In summary the proposed development consists of the following features:

Lattice Tower: 1
Height: 40.0m above natural ground level

	# of Panels Antennas	Dimensions	Elevations
Existing	4	2090mm x 510mm x 108mm	2 @ 38.6m C/L above natural ground level 2 @ 27.0m C/L above natural ground level
	1	2630mm x 300mm x 115mm	38.6m C/L above natural ground level
	2	3300mm (l) x 52mm (dia)	40.0m above natural ground level
Proposed	2	1 x 1330mm (h) x 160mm (w) x 95mm (d) 1 x 1330mm (h) x 370mm (w) x 120mm (d)	31.0m C/L above natural ground level

The lattice tower structure will be of a galvanised finish which is considered to be the most unobtrusive option for the proposed infrastructure.

Consultation*Internally*

The application was circulated to the following internal units with comments received included in this report.

- Manager Technical Services;
- Manager Building Services, and
- Manager Environmental Health Services.

Externally

Agencies:

- Horizon Power

Adjoining owners:

- 3 Nereus Court, Port Hedland;
- 5 Nereus Court, Port Hedland;
- 6 Nereus Court, Port Hedland;
- 4 Nereus Court, Port Hedland;
- 6 Thetis Place, Port Hedland;
- 4 Thetis Place, Port Hedland;
- 4 Oceanus Court, Port Hedland;
- 5 Neptune Place, Port Hedland;
- 3 Clark Street, Port Hedland;
- 5 Clark Street, Port Hedland;
- 13 Clark Street, Port Hedland;
- 15 Clark Street, Port Hedland;
- 35 McGregor Street, Port Hedland;
- 3 Thetis Place, Port Hedland;
- 19 Thompson Street, Port Hedland;
- 13 Thompson Street, Port Hedland;
- 11 Thompson Street, Port Hedland;
- 9 Thompson Street, Port Hedland;
- 7 Thompson Street, Port Hedland;
- 6 Clark Street, Port Hedland;
- 78 Sutherland Street, Port Hedland;
- 8 Trembath Street, Port Hedland; and
- 6 Oceanus Court, Port Hedland.

The application was advertised in the North West Telegraph on 4 and 11 July 2012, allowing for a 14 day period for any interested parties to provide comments / objections to the proposal.

As a result of the abovementioned community consultation and referral process one (1) objection was received.

Objection Received (ATTACHMENT 3)

The objection can be summarized as follows:

Objection Summary	Applicants Response (<i>ATTACHMENT 4</i>)
<p>This type of infrastructure should no longer be considered in a residential area.</p>	<p>It is not uncommon for mobile telephone network base station facilities to be located in and adjacent to residential areas, there are numerous examples throughout Australia. In order to provide the community with effective telecommunications coverage, carriers need to provide telecommunications infrastructure in the locality where coverage is required, such as in this area. Locations such as Wedgefield or further out of town will simply not provide coverage to the locality.</p> <p>Telecommunications facilities will continue to be required in residential areas in order to provide the community with adequate coverage.</p>
<p>Concerns regarding impacts on health.</p>	<p>Telstra takes the health and safety of the public extremely seriously and acts in accordance with all legislation and standards. Telstra relies on the expert advice of national and international health authorities such as the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and the World Health Organisation (WHO) for overall assessments of health and safety impacts. The consensus is there is no substantiated scientific evidence of health effects from EME generated by radio frequency technology, including mobile phones and base stations, when used in accordance with applicable standards. Australia's Standard for EME is designed to protect all sectors of the public wherever they are in relation to the proposed base station, 24 hours a day.</p> <p>All carriers are required to comply with Federal government standards incorporating substantial safety margins to address concerns for potentially sensitive groups in the community (such as children, pregnant women, the infirm and aged).</p> <p>The EME predictive report (<i>ATTACHMENT 4</i>) indicates this facility is estimated to equate to a <i>maximum</i> of 0.22% (around one 450th) of the Australian Communications and Media Authority (ACMA) mandated exposure limits, which is very low relative to other sources of EME that can currently be found in the environment. Should adjacent residents request, Telstra would be pleased to undertake a post-installation EME assessment, in order to confirm the proposed facility complies with the exposure limits set by the Australian Communications and Media Authority (ACMA).</p>

Visual Pollution	The proposed facility is replacing an existing facility on site of similar size and accordingly there will be no change to the visual amenity of the area. Telstra will need to retain a facility in the area to maintain and improve mobile telephone telecommunications to community.
Use of the Land	There is no change to the current use of the land and with or without this proposal, the land will continue to be utilised for telecommunications related development.

Planning Unit Response

It is considered the applicant has suitably addressed the concerns including health related matters raised in the objectors letter. Given the proposal is to replace the existing facility with a new telecommunications lattice tower, Officers consider that the proposal does not impact adversely on the community but provides a service to the surrounding community for which there is a demonstrated and growing demand.

Statutory Implications

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

State Planning Policy No. 5.2 – Telecommunications Infrastructure

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

An application fee of \$480.00 has been received as per the prescribed fees approved by Council.

Officer's Comment

In terms of TPS 5, the site is zoned "Urban Development".

Appendix 1 – Definitions of TPS5 defines “Urban Development” as;

“development which is undertaken by multiple land owners of lots in an area set aside for the range of uses associated with urban areas such as residential, commercial, community, roads and open spaces.”

Clause 6.4.1 Urban Development Zone of TPS 5 states:

“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 land. This planning should be documented in the form of a Development Plan. Although subdivision and development may take place prior to the Scheme maps being amended to reflect the details of Development Plans; the Scheme maps should be amended as soon as practicable following the creation of lots and Crown reserves.”

The proposed infrastructure replaces an existing facility and is deemed to be consistent with the objectives of the “Urban Development” Zone by maintaining, and improving, mobile telephone telecommunications to the business and residential communities of the Port Hedland townsite and greater Port Hedland area, and does not compromise the ultimate purpose intended for the Zone.

Clause 6.4.2 Urban Development Zone of Part VI – Development Requirements of TPS5 states:

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

The proposed facility is to be located on a site already utilised for telecommunications infrastructure, with an existing lattice tower of similar size and scale to be replaced by the proposed facility.

The subject proposal is designed and located such that it achieves network coverage for Telstra without any additional impact on the visual amenity of the surrounding area.

The proposed development does not involve the removal of any vegetation and is appropriate to the context in which it is located, being an area utilised for telecommunications uses.

Given the above, Council Officers are of the opinion the proposed development adequately addresses the relevant matters to be considered by Council.

State Planning Policy No. 5.2 – Telecommunications Infrastructure

State Planning Policy No. 5.2 (SPP 5.2) aims to facilitate the development of an effective state-wide telecommunications network in a manner consistent with the economic, environmental and social objectives and orderly and proper planning.

SPP 5.2 is supplemented by Guidelines for the Location, Siting and Design of Telecommunications Infrastructure (Guidelines). The following principles, as stated in SPP 5.2 and/or the Guidelines, are relevant:

“Telecommunication facilities should be designed and sited to minimise any potential adverse visual impact on the character and amenity of the local environment, in particular, impacts on prominent landscape features, general views in the locality and individual significant views.”

The proposed facility replaces an existing structure of similar size and scale in an area currently utilised for telecommunications infrastructure. The infrastructure will therefore blend with the existing structures on the subject site.

There are no prominent landscape features or individual significant views.

Accordingly, the proposed development is unlikely to cause significant detrimental visual impact on the amenity of the locality.

“Telecommunication facilities should be designed to minimise adverse impacts on the visual character and amenity of residential areas.”

The proposed facility replaces an existing lattice tower structure currently on the subject site. The impact on visual amenity of the surrounding residential areas will not change.

Accordingly, the proposed development is unlikely to cause any significant detrimental visual amenity impact.

“Unless it is impractical to do so telecommunication towers should be located within commercial, business, industrial and rural areas outside identified conservation areas.”

The subject site is currently utilised for telecommunications infrastructure purposes, and is not identified as a conservation area. It is therefore submitted the site selection is entirely consistent with the requirements of SPP 5.2.

“Co-location of telecommunications facilities should generally be sought, unless such an arrangement would detract from local amenities or where operation of the facilities would be significantly compromised as a result.”

Detailed investigations by the applicant and their client have confirmed there are no co-location opportunities in the vicinity of the site which would satisfy the coverage objectives for the facility.

The proposed facility is necessary in order to maintain existing coverage in the area and provide future, and improved, coverage to an area not adequately serviced by co-located infrastructure. Further, there are no existing structures within the vicinity of the subject site suitable for accommodating low-impact telecommunications infrastructure.

In addition, due to the higher frequency utilised by the NextG® network, the transmission range of the signal is reduced. As a result, and also due to the topography of the region, co-location of infrastructure on more distant sites will not adequately cover the area proposed to be serviced by the proposed infrastructure.

“Design and operation of a telecommunications facility should accord with the licensing requirements of the Australian Communications Authority, with physical isolation and control of public access to emission hazard zones and use of minimum power levels consistent with quality services.”

The proposed infrastructure will operate in compliance with the Australian Communication and Media Authority (ACMA) Electromagnetic Emissions (EME) regulatory arrangements (ATTACHMENT 5). This assessment was undertaken in accordance with the ARPANSA prediction methodology and report format. The assessment confirms that the proposed installation operating at full power complies with the *Radiocommunications (Electromagnetic Radiation – Human Exposure) Standard 2003*.

Further, it is a condition of telecommunications carriers' licences that they must comply with the Telecommunications Act 1997 and the Telecommunications Code of Practice 1997. The Code of Practice further requires carriers to comply with the Australian Communications Industry Forum Industry Code for the Deployment of Radiocommunications Infrastructure (ACIF Code). The ACIF Code imposes site specific obligations on carriers, including, inter alia, the requirement to have regard to guidelines established within the ACIF Code to facilitate a Precautionary Approach to site selection and infrastructure design. In accordance with the conditions of its licence, Telstra has, in selection of the site and design of the proposed infrastructure, applied the Precautionary Approach mandated by the ACIF Code.

It is also noted that there is no requirement under SPP 5.2 for separation from sensitive sites or buffer distances.

In light of the above, it is clear the proposed development is consistent with the provisions of TPS5 and does not compromise the ultimate purpose intended for the Zone.

Summary

The proposed site has been selected and designed in accordance with the precautionary approach required of telecommunication carriers.

The proposed development complies with the spirit and intent of TPS5, and SPP5.2. Detailed investigations have confirmed there are no co-location opportunities in the vicinity of the subject site which would satisfy the coverage objectives for the facility.

Attachments

1. Locality Map
2. Development Plans
3. Objection Letter
4. Applicant's response
5. Summary of Estimated RF EME Levels

Options

Council has the following options when considering the application:

1. Approve the application subject to conditions

Approval will ensure existing coverage in the area and provide both future and improved coverage to an area not adequately serviced by telecommunications infrastructure.

2. Refuse the application.

Refusal will limit telecommunication coverage within the existing and wider vicinity.

Option one (1) is recommended.

201213/053 Officer's Recommendation / Council Decision

Moved: Cr Carter

Seconded: Cr Hooper

That Council:

- i) **Approves the application submitted by Planning Solutions on behalf of Service Stream Mobile Communications and Telstra Corporations Ltd to construct a Telecommunications Facility on Lot 2 (20) Clark Street, Port Hedland, subject to the following conditions:**

1. This approval relates only to the proposed “INFRASTRUCTURE” Telecommunications Facility and other incidental development, as indicated on the approved plans (DWG2012/256/1 – DWG2012/256/3). It does not relate to any other development on this lot.
2. In terms of the Port Hedland Town Planning Scheme No 5, “Infrastructure” is defined as follows:

“physical equipment or systems, such as cables, pipelines, roads, railways, conveyors and pumps constructed, operated and maintained by a public authority or private sector body for the purposes of conveying, transmitting, receiving or processing water, sewerage, electricity, gas, drainage, communications, raw materials or other goods and services, but does not include industry.”
3. The development shall be substantially commenced with 2 years otherwise the approval shall lapse.
4. A minimum of three (3) car bays shall be provided as indicated on the approved site plan.
5. No parking bays shall be obstructed in any way or used for any other purpose than parking.
6. Front walls and fences within the primary street setback area shall be no higher than 1.8m measured from natural ground level and be visually permeable above 1.2m.
7. Fences shall be reduced to no higher than 0.75m from the natural ground level when within 1.5m of where the Vehicle Access Point (driveway) meets a street and where two (2) streets intersect.
8. Stormwater shall be retained on-site, in accordance with Council’s Technical Services Guidelines.
9. Roof mounted or freestanding plant or equipment such as air conditioning units shall be located and / or screened to the satisfaction of the Manager Planning Services.
10. Dust and sand shall be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Environmental Health Services.
11. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the developers cost, to the specification and satisfaction of the Manager Technical Services.

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

12. Prior to the commencement of any works a detailed landscaping and reticulation plan including any street verge, shall be submitted and approved by the Manager Planning Services. The plan to include location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.
13. Prior to the commencement of any works, an "Erosion and Sediment Control Plan" shall be submitted and approved by the Manager Planning Services.
14. Prior to the commencement of any works, a "Construction Site Management Plan" shall be submitted and approved by the Manager Planning Services. The "Construction Site Management Plan" shall indicate how it is proposed to manage the following during construction:
 - a. The delivery of materials and equipment to the site;
 - b. The storage of materials and equipment on the site;
 - c. The parking arrangements for the contractors and subcontractors;
 - d. Impact on traffic movement;
 - e. Operation times including delivery of materials; and
 - f. Other matters likely to impact on the surrounding residents / businesses;

Condition to be cleared by Planning Services prior to commissioning the infrastructure.

15. Prior to commissioning the "Infrastructure" landscaping and reticulation shall be established with the use of mature trees and shrubs in accordance with the approved plan and thereafter maintained to the satisfaction of the Manager Planning Services. (Refer to advice note 3)
16. Prior to commissioning the "Infrastructure", lighting shall be installed along all driveway(s), access way(s), parking area(s), turning area(s) and pedestrian pathways by the developer. Design and construction standards shall be in accordance with relevant Australian Standards to the satisfaction of the Manager Planning Services.

17. Prior to commissioning the “Infrastructure” the driveways and crossover shall be designed and constructed in accordance with Council’s Crossover Policy 9/005, and approved by the Manager Planning Services.

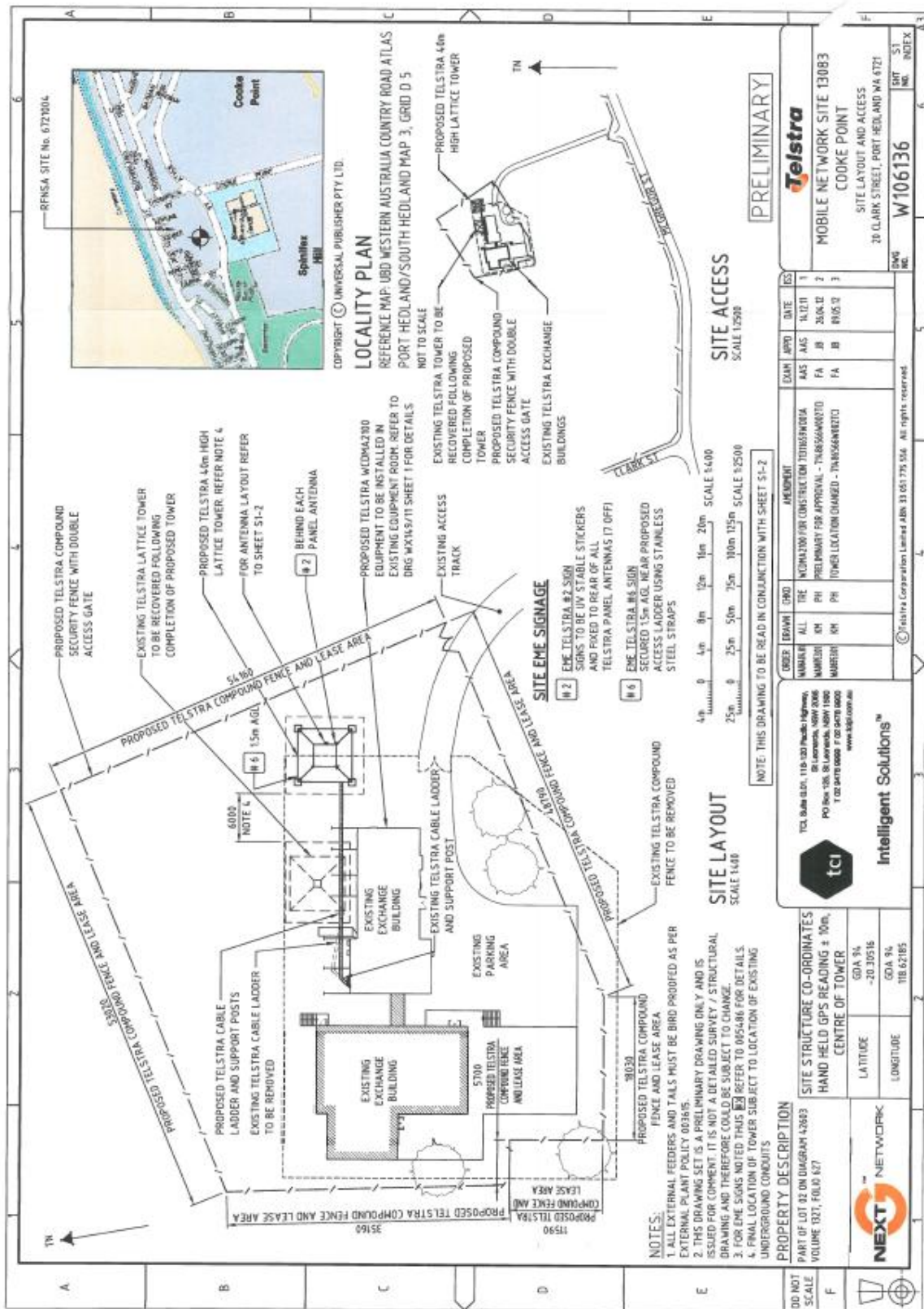
ADVICE NOTES:

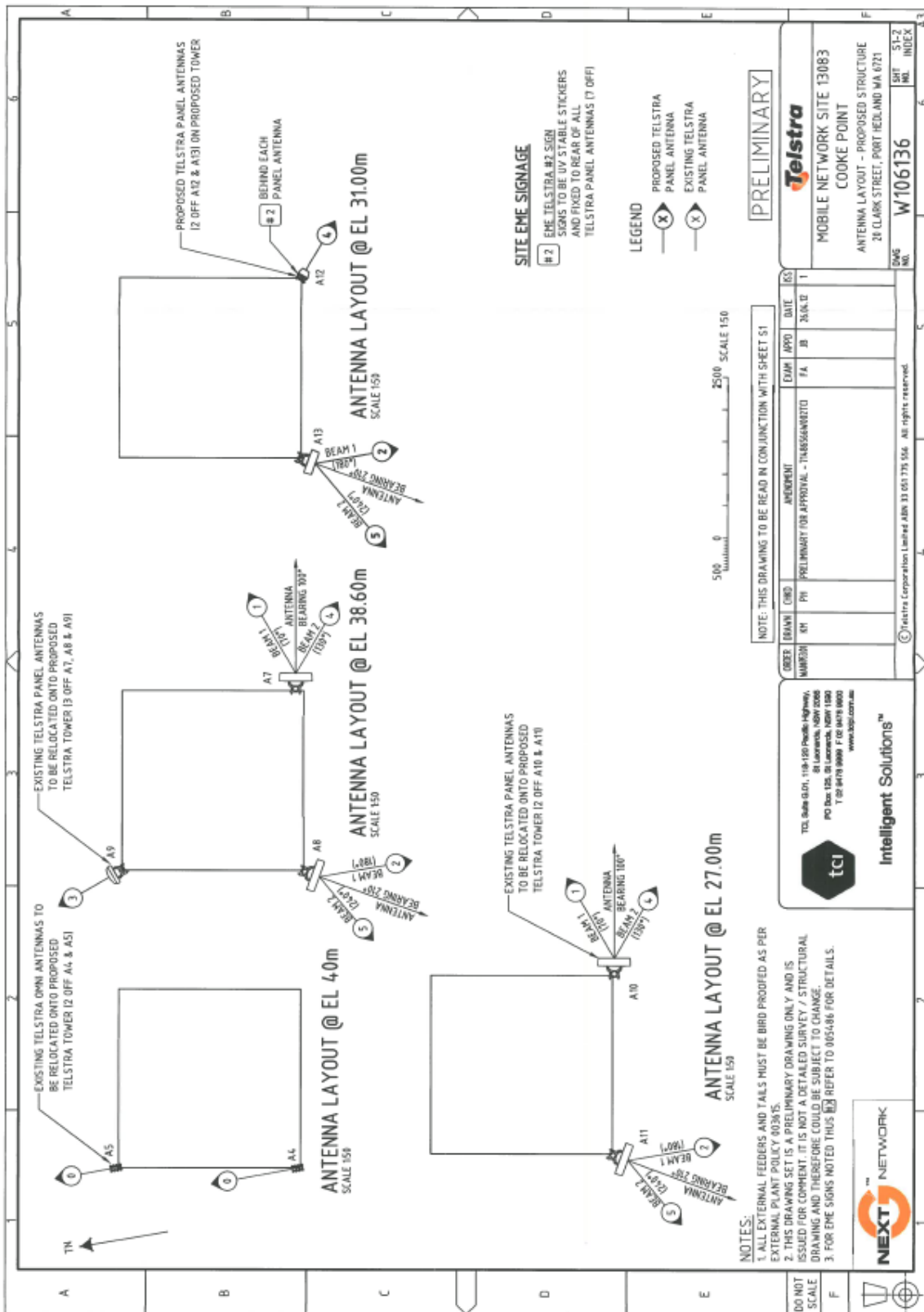
1. This lot is located in an area likely to be subject to inundation and flooding from rising sea levels, tidal storm surges and/or catchment flooding over the next 100 years.
2. You are reminded this is a Planning Approval only and does not obviate the responsibility of the owner / developer to comply with all relevant building, health and engineering requirements.
3. In the absence of a clear definition of “mature trees and shrubs” within the Port Hedland Town Planning Scheme, No.5, for the purpose of this approval “mature trees and shrubs” shall mean trees of no less than 2m in height and shrubs of no less than 0.5m in height.
4. Applicant shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
5. To clear any conditions kindly contact the Towns Compliance Officer on (08) 9158 9300. Please note it may take up to 28 days to clear conditions.

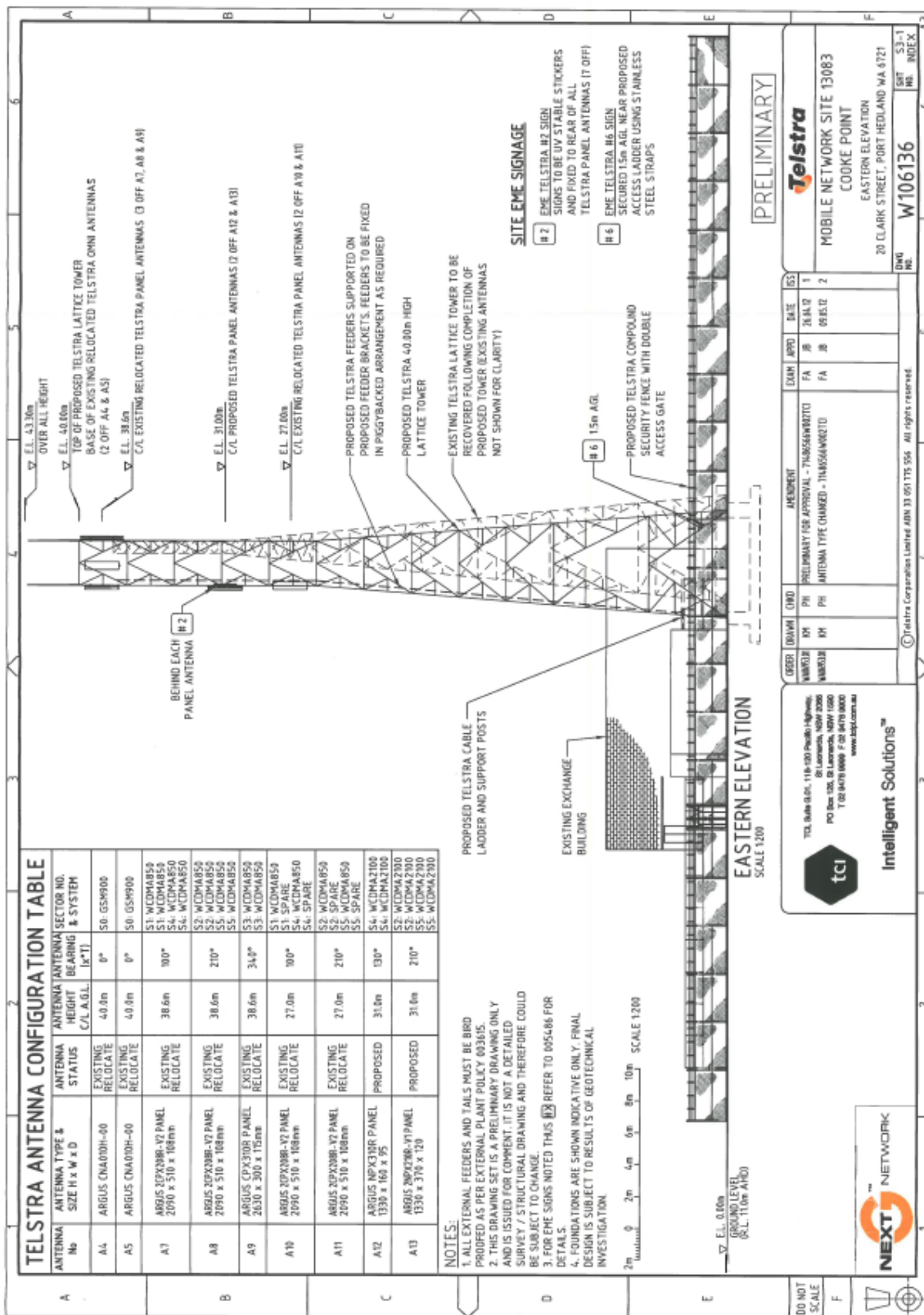
CARRIED 6/0

ATTACHMENT 1 TO ITEM 11.1.4









ATTACHMENT 3 TO ITEM 11.1.4

Stockton Merja

From: De Meillon Steve
Sent: Thursday, 12 July 2012 10:44 AM
To: Records
Subject: IPA28866 - Please register the email

SynergySoft: IPA28866

nh/2 § → M.P.

Thank you.



Steve de Meillon
 A/Senior Planning Officer
 PO Box 41 Port Hedland WA 8721
 Ph: (08) 9158 9307 Mob: 0448 095 900 Fax: (08) 9158 9399
 Email: po3@porthedland.wa.gov.au
 Web: www.porthedland.wa.gov.au

From: Pound Michael
Sent: Wednesday, 11 July 2012 3:10 PM
To: De Meillon Steve
Subject: Fwd:

Mate,

Please forward to Laurie and request they respond to the objection received.

Regards,

Michael Pound

IPA 28866.
 File Number: *40222G*
 Respondent: *Leonard, Mike P.*

Begin forwarded message:

From: Mal & Shaz Blythe <mandsblythe@bigpond.com>
Date: 10 July 2012 5:48:42 PM AWST
To: Pound Michael <snrpo@porthedland.wa.gov.au>

Michael,

I would like to comment on the proposed planned Telecommunication Infrastructure.

I would have hoped that this type of infrastructure would no longer be considered in a residential area these days.

I feel it is wrong on what impact to health it may cause in the future. The placement of such visual pollution in a purely residential area is totally unacceptable.


With usable land in Port Hedland at such a premium, why would anyone contemplate the use of such valuable land for such industrial use as this mind blowing.

I feel it should be built either in Wedgefield or even further out of town all together

Thanks

M & S Blythe
5 Clarke St


ATTACHMENT 4 TO ITEM 11.1.4



**Town of
Port Hedland**

POSTED

16-7-12
DPA - 28157



M & S Blythe
5 Lark Street
Port Hedland WA 6721

Our Ref: 2012/256 / 402222G
Your Ref:
Enquiries: Steve de Meillon
Direct Line: 08 9158 9307
Email: po3@porthedland.wa.gov.au

Dear Sir/Madam

APPLICATION No: 2012/256 FOR TELECOMMUNICATIONS INFRASTRUCTURE - MOBILE PHONE BASE STATION ON LOT (2) 20 CLARK STREET PORT HEDLAND 6721

Further to your objections raised reading the abovementioned application, the applicant has provided the following response and additional information (attached).

Objection 1

I would have hoped that this type of infrastructure would no longer be considered in a residential area these days.

Response 1

It is not uncommon for mobile telephone network base station facilities to be located in and adjacent to residential areas and there are numerous examples throughout Australia. In order to provide the community with effective telecommunications coverage, Carriers need to provide telecommunications infrastructure in the locality where coverage is required, such as in this area. Locations such as Wedgewood or further out of town will simply not provide coverage to the locality.

Telecommunications facilities will continue to be required in residential areas in order to provide the community with adequate coverage.

Objection 2


I feel it is wrong on what impact to health it may cause in the future.

Response 2

Telstra takes the health and safety of the public extremely seriously and acts in accordance with all legislation and standards. Telstra relies on the expert

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advice of national and international health authorities such as the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and the World Health Organisation (WHO) for overall assessments of health and safety impacts. The consensus is that there is no substantiated scientific evidence of health effects from EME generated by radio frequency technology, including mobile phones and base stations, when used in accordance with applicable standards. Australia's Standard for EME is designed to protect all sectors of the public wherever they are in relation to the proposed base station, 24 hours a day.

All carriers are required to comply with Federal government standards incorporating substantial safety margins to address concerns for potentially sensitive groups in the community (such as children, pregnant women, the infirm and aged).

The EME predictive report provided to Council conducted by Telstra (copy herewith) indicates that this facility is estimated to equate to a maximum of 0.22% (around one 450th) of the Australian Communications and Media Authority (ACMA) mandated exposure limits, which is very low relative to other sources of EME that can currently be found in the environment. Should adjacent residents request, Telstra would be pleased to undertake a post-installation EME assessment, in order to confirm the proposed facility complies with the exposure limits set by the Australian Communications and Media Authority (ACMA).

Objection 3

The placement of such visual pollution in a purely residential area is totally unacceptable.

Response 3

The proposed facility is replacing an existing facility on site of similar size and accordingly there will be no change to the visual amenity of the area. The existing lattice tower is currently near the end of its useful life and structural limits and is to be removed to allow for installation of the new facility. Telstra will need to retain a facility in the area to maintain and improve mobile telephone telecommunications to community.

Objection 4

I feel it should be built either in Wedgefield or even further out of town all together.

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Response 4

See initial comments.

After consideration of the above and attached information you choose to withdraw your application, please formally write to the Town to this affect. Alternatively if your objection remains the application shall be determined by Council at an Ordinary Council Meeting.

Should you require any further information or wish to speak directly with the applicant please don't hesitate to contact me on 9158 9307.

Yours sincerely,



STEVE DE MEILLON
A/SENIOR PLANNING OFFICER

16 July 2012

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**Summary of Estimated RF EME Levels around the
Mobile Phone Base Station at Cooke Point Exchange 27 McGregor Street, Port Hedland WA
6721**

Introduction: Date 10/11/2011 NSA Site No (6721004)

This report summarises the estimated maximum cumulative radiofrequency (RF) electromagnetic energy (EME) levels at ground level emitted from the existing Mobile Phone Base Station antennas at Cooke Point Exchange 27 McGregor Street Port Hedland WA 6721. Maximum EME levels are estimated in 360° circular bands out to 500m from the base station. The procedures for making the estimates have been developed by the Australian Radiation Protection And Nuclear Safety Agency (ARPANSA)¹. These are documented in the ARPANSA Technical Report; "Radio Frequency EME Exposure Levels - Prediction Methodologies" which is available at <http://www.arpansa.gov.au>

EME Health Standard

ARPANSA, an Australian Government agency in the Health and Ageing portfolio has established a Radiation Protection Standard² specifying limits for continuous exposure of the general public to RF transmissions at frequencies used by mobile phone base stations. Further information can be gained from the ARPANSA web site.

The Australian Communications and Media Authority (ACMA)³ mandates exposure limits for continuous exposure of the general public to RF EME from mobile phone base stations. Further information can be found at the ACMA website <http://emr.acma.gov.au>

Existing Site Radio Systems

Telstra / GSM900	Telstra / WCDMA850		
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Table of Predicted EME Levels – Existing

Distance from the antennas at Cooke Point Exchange 27 McGregor Street in 360° circular bands	Maximum Cumulative EME Level – All carriers at this site (% of ARPANSA exposure limits ²) Public exposure limit = 100%
0m to 50m	0.014%
50m to 100m	0.045%
100m to 200m	0.22%
200m to 300m	0.21%
300m to 400m	0.12%
400m to 500m	0.071%
Maximum EME level 182.74 m, from the antennas at Cooke Point Exchange 27 McGregor Street	0.22%

Note: Estimation for the maximum level of RF EME at 1.5m above the ground from the existing antennas assuming level ground. The estimated levels have been calculated on the maximum mobile phone call capacity anticipated for this site. This estimation does not include possible radio signal attenuation due to buildings and the general environment. The actual EME levels will generally be significantly less than predicted due to path losses and the base station automatically minimising transmitter power to only serve established phone calls². Where applicable, particular locations of interest in the area surrounding the base station, including topographical variations, are assessed in Appendix A "Other areas of Interest" table on the last page.

Summary – Existing Radio Systems

RF EME levels have been estimated from the existing antennas at Cooke Point Exchange 27 McGregor Street Port Hedland WA 6721. The maximum cumulative EME level at 1.5 m above ground level is estimated to be 0.22 % of the ARPANSA public exposure limits.

Existing and Proposed Site Radio Systems

Telstra / GSM900	Telstra / WCDMA850	Telstra / WCDMA2100 (proposed)	
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Table of Predicted EME Levels – Existing and Proposed

Distance from the antennas at Cooke Point Exchange 27 McGregor Street in 360° circular bands	Maximum Cumulative EME Level – All carriers at this site (% of ARPANSA exposure limits ²) Public exposure limit = 100%
0m to 50m	0.02%
50m to 100m	0.055%
100m to 200m	0.29%
200m to 300m	0.29%
300m to 400m	0.18%
400m to 500m	0.1%
Maximum EME level 199.6 m, from the antennas at Cooke Point Exchange 27 McGregor Street	0.29%

Note: Estimation for the maximum level of RF EME at 1.5m above the ground from the existing and proposed antennas assuming level ground. The estimated levels have been calculated on the maximum mobile phone call capacity anticipated for this site. This estimation does not include possible radio signal attenuation due to buildings and the general environment. The actual EME levels will generally be significantly less than predicted due to path losses and the base station automatically minimising transmitter power to only serve established phone calls³. Where applicable, particular locations of interest in the area surrounding the base station, including topographical variations, are assessed in Appendix A "Other areas of Interest" table on the last page.

Summary – Existing and Proposed Radio Systems

RF EME levels have been estimated from the existing and proposed antennas at Cooke Point Exchange 27 McGregor Street Port Hedland WA 6721. The maximum cumulative EME level at 1.5 m above ground level is estimated to be 0.29 % of the ARPANSA public exposure limits.

Reference Notes:

1. The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is a Federal Government agency incorporated under the Health and Ageing portfolio. ARPANSA is charged with responsibility for protecting the health and safety of people, and the environment, from the harmful effects of radiation (ionising and non-ionising).
2. Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), 2002, "Radiation Protection Standard: Maximum Exposure Levels to Radiofrequency Fields — 3 kHz to 300 GHz", Radiation Protection Series Publication No. 3, ARPANSA, Yallambie Australia. [Printed version: ISBN 0-642-79400-6 ISSN 1445-9760] [Web version: ISBN 0-642-79402-2 ISSN 1445-9760]
3. The Australian Communications and Media Authority (ACMA) is responsible for the regulation of broadcasting, radiocommunications, telecommunications and online content. Information on EME is available at <http://emr.acma.gov.au/>
4. The EME predictions in this report assume a near worst-case scenario including:
 - base station transmitters operating at maximum power (no automatic power reduction)
 - simultaneous telephone calls on all channels
 - an unobstructed line of sight view to the antennas.
 In practice a worst-case scenario is rarely the case. There are often trees and buildings in the immediate vicinity, and cellular networks automatically adjust transmit power to suit the actual telephone traffic. The level of EME may also be affected where significant landscape features are present and predicted EME levels might not be the absolute maximum at all locations.
5. Further explanation of this report may be found in "Understanding the ARPANSA Environmental EME Report" and other documents on the ARPANSA web site, <http://www.arpansa.gov.au>

Issued by: Telstra, Data reference file – Port Hedland WA 6721 - 20111110131003

Environmental EME report (v10.3)

(2007 ARPANSA Format)

Produced with RF-Map2 2.0 (Build 0.293)

Existing and Proposed Site Radio Systems

Telstra / GSM900	Telstra / WCDMA850	Telstra / WCDMA2100 (proposed)	
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Table of Predicted EME Levels – Existing and Proposed

Distance from the antennas at Cooke Point Exchange 27 McGregor Street in 360° circular bands	Maximum Cumulative EME Level – All carriers at this site (% of ARPANSA exposure limits ²) Public exposure limit = 100%
0m to 50m	0.02%
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300m to 400m	0.18%
400m to 500m	0.1%
Maximum EME level 199.6 m, from the antennas at Cooke Point Exchange 27 McGregor Street	0.29%

Note: Estimation for the maximum level of RF EME at 1.5m above the ground from the existing and proposed antennas assuming level ground. The estimated levels have been calculated on the maximum mobile phone call capacity anticipated for this site. This estimation does not include possible radio signal attenuation due to buildings and the general environment. The actual EME levels will generally be significantly less than predicted due to path losses and the base station automatically minimising transmitter power to only serve established phone calls³. Where applicable, particular locations of interest in the area surrounding the base station, including topographical variations, are assessed in Appendix A "Other areas of Interest" table on the last page.

Summary – Existing and Proposed Radio Systems

RF EME levels have been estimated from the existing and proposed antennas at Cooke Point Exchange 27 McGregor Street Port Hedland WA 6721. The maximum cumulative EME level at 1.5 m above ground level is estimated to be 0.29 % of the ARPANSA public exposure limits.

Reference Notes:

1. The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is a Federal Government agency incorporated under the Health and Ageing portfolio. ARPANSA is charged with responsibility for protecting the health and safety of people, and the environment, from the harmful effects of radiation (ionising and non-ionising).
2. Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), 2002, "Radiation Protection Standard: Maximum Exposure Levels to Radiofrequency Fields — 3 kHz to 300 GHz", Radiation Protection Series Publication No. 3, ARPANSA, Yallambie Australia. [Printed version: ISBN 0-642-79400-6 ISSN 1445-9760] [Web version: ISBN 0-642-79402-2 ISSN 1445-9760]
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 - base station transmitters operating at maximum power (no automatic power reduction)
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 - an unobstructed line of sight view to the antennas.
 In practice a worst-case scenario is rarely the case. There are often trees and buildings in the immediate vicinity, and cellular networks automatically adjust transmit power to suit the actual telephone traffic. The level of EME may also be affected where significant landscape features are present and predicted EME levels might not be the absolute maximum at all locations.
5. Further explanation of this report may be found in "Understanding the ARPANSA Environmental EME Report" and other documents on the ARPANSA web site, <http://www.arpansa.gov.au>

Issued by: Telstra, Data reference file – Port Hedland WA 6721 - 20111110131003

Environmental EME report (v10.3)

(2007 ARPANSA Format)

Produced with RF-Map2 2.0 (Build 0.293)

11.1.5 Proposed Eight (8) - "Multiple Dwelling" on Lot 1 (8) Moseley Street, Port Hedland (File No.: 400100G)

Officer Michael Pound
Senior Planning Officer

Date of Report 26 April 2012

Disclosure of Interest by Officer Nil

Summary

As a result of the refusal of the application submitted by RPS on behalf of Vladimir Ejov to construct eight (8) Multiple Dwellings on Lot 1 (8) Moseley Street, Port Hedland, the applicant lodged an appeal with the State Administrative Tribunal requesting the matter be reviewed.

The State Administrative Tribunal has made the following order:

"Pursuant to s 31(1) of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision by 8 August 2012. If the respondent decides to affirm its earlier decision to refuse to grant development approval, it is to provide clear reasons for its refusal."

Council Officers recommend the favourable reconsideration of the application.

Background

At the Ordinary Council Meeting of 9 May 2012, Council resolved (9 May 2012, Council Decision 201112/443, page 54) to refuse an application submitted by RPS on behalf of Vladimir Ejov to construct eight (8) Multiple Dwellings on Lot 1 (8) Moseley Street, Port Hedland (site).

Original Proposal

The original application submitted by the applicant was for the construction of ten (10) single bedroom dwellings. The proposal was advertised and property owners within the area notified. As a result of consultation twenty three (23) objections were received.

After negotiations with the applicant the development was reduced from ten (10) single bedroom units to eight (8) single bedroom units. This proposal was re-circulated to property owners and only five (5) objections were reaffirmed.

Site Description (Attachment 1)

The site is located toward the eastern side of Port Hedland approximately five kilometres from the Port Hedland town site. The land faces north toward the coast and is zoned 'Residential R-30' pursuant to the Town of Port Hedland Town Planning Scheme No. 5 (TPS5). The site is 1030m² in size, is relatively rectangular and has access to reticulated sewer.

There is an existing single dwelling on the site which will eventually be demolished to make way for the proposed development. In addition to the existing single dwelling on the site there are two (2) small outbuildings to the rear of the dwelling. A driveway and crossover is located along the western frontage of the lot towards the southern boundary.

A former Reserve to the west of the lot has recently been amalgamated into the lot. The fence line is still currently located in its original position and will be realigned to incorporate the easement area as a part of this development.

Proposal (Attachment 2)

The applicant is proposing to construct eight (8) Multiple Dwellings on the site. Four (4) "Multiple Dwellings" will be located to the rear of the lot in a single building structure while another four (4) "Multiple Dwellings" will be located across the front of the lot in two (2) separate building structures.

The proposed eight (8) "Multiple Dwellings" will be developed in a staged manner, whereby the rear four (4) "Multiple Dwellings" will be developed as part of the first stage and the existing dwelling at the front will be retained. The remaining four (4) proposed "Multiple Dwellings" at the front will then be constructed at a later stage.

Consultation

The consultation process for the application was undertaken in accordance with clause 4.3 of the Port Hedland Town Planning Scheme No 5, for the original submission. Twenty three (23) objections were received during the consultation period. The same consultation was again undertaken for the amended application which received only five (5) objections.

However, the reduced amount of objections (twenty three (23) down to five (5)) may be attributed to the objectors not being aware of having to reaffirm their objection.

Due to the State Administrative Tribunal's request to reconsider the matter, written requests have been mailed as well as hand delivered to all twenty three (23) objectors requesting their comment on the amended application.

As a result of the above consultation objections have been received / reaffirmed.

Summary of Comments / Objections received during the initial consultation process (pertaining to the original application for ten 10 “Multiple Dwellings”):

Objections Received during initial Consultation Process (Attachment 3)	Applicant’s Response to objections received during initial Consultation Process (Attachment 4)
<p>Overcrowding –</p> <p>Proposed development is trying to fit too many dwellings and people on a standard size block.</p>	<p>Consistency with the R-Codes –</p> <p>The density of the development complies with the Residential Design Codes of Western Australia (R-Codes) and is in accordance with its density coding pursuant to the Scheme (i.e. R30).</p>
<p>Noise –</p> <p>The increased traffic flow of residents, construction noises and then the noise level from people living there will be increased.</p>	<p>Any potential noise created due to the increased number of dwellings is attempted to be minimised through the use of screening and appropriate orientation of the dwellings that face internally away from the surrounding dwellings.</p> <p>The increased traffic flow is consistent with the density of the zone. Construction noise is inevitable with any construction site and is subject to the approval of a construction/operations management plan.</p>
<p>Privacy –</p> <p>As the development is two storey high it will be overlooking all its neighbours properties privacy.</p>	<p>Consistency with the R-Codes –</p> <p>The proposed development meets the privacy requirements of the R-codes, however further screening could be provided if required by the Town of Port Hedland. An example of further privacy measures that could be taken are further screening along the fence lines of affected homes and planting of vegetation buffers. Screening is not required on stairways as they are not considered a ‘medium to long term location for habitation’ within the R-codes. These screening requirements have been conditioned.</p> <p>Please note screening for the rear left unit has been included on the attached revised plans.</p>
<p>Parking (design and number) –</p> <p>Not enough parking has been allowed for the size of the development and the overflow will affect the amenity of the street and</p>	<p>Recent liaison between the project building designer and Council staff has led to preparation of revised drawings which address identified car parking design issues. Accordingly, the parking layout only required a slight re-design to comply with Australian Standards and the R-codes with particular attention being given towards, dimensions, turning areas, and layout and visitor car parking bays.</p>

<p>cause problems in the area with parking on the other residents verges.</p>	
<p>Quality of Life –</p> <p>Proposed development is trying to fit too many dwellings and people on a standard size block reducing the quality of life of which I am opposed to</p>	<p>Consistency with the R-Codes –</p> <p>The proposed development is consistent with the provisions of the R-codes, the objectives of which include the provision of a full range of housing types and densities and to ensure appropriate standards of amenity are provided for all dwellings and adjoining properties.</p>
<p>Dwelling Size –</p> <p>Indicates transient residents will be preferred to live in these size units with no room outside for living and inside is very contained with basic amenities only.</p>	<p>Consistency with the R-Codes –</p> <p>The dwellings are compliant with the R-codes and the Scheme which permits one bedroom dwellings to be developed on land zoned residential R30. In order to provide some variation to the proposed dwellings, two bedroom dwellings are also proposed within the development which is also consistent with Liveable Neighbourhood objectives. These objectives provide emphasis on supporting sustainable urban development through land efficiency across all elements and a variety of lot sizes and housing types to cater for the diverse housing needs of the community. The proposal supports and achieves these objectives.</p>
<p>Environmental Impact –</p> <p>The impact on surrounding nature and trees in the area.</p>	<p>The subject site is zoned ‘Residential’ under the Scheme which applies a density of R30. The proposed development is consistent with this density and will be used for residential purposes. Any perceived environmental impacts resulting from the development will be appropriately managed through building and development controls.</p>
<p>Communication –</p> <p>Request more consultation about the time frames to build and the storing of building equipment and materials if the development goes ahead.</p>	<p>Public consultation was undertaken by the Town of Port Hedland in accordance with the Scheme requirements. In this regard, the proposal was advertised and all submissions received have been considered by Council staff in its assessment of the proposal.</p> <p>Construction of the proposed development will be undertaken in accordance with a construction management plan.</p>
<p>Compliance with Building Codes of Australia (BCA) –</p> <p>The design of the buildings are not in line with Section 3 of the Building Code.</p>	<p>Subject to issue of planning consent the proposal will then be assessed under the Building Codes of Australia as part of the building licence process. A building licence is required to be issued by the Council prior to any development taking place on the site.</p>

Construction Storage, Noise and Cleanliness –	The development is proposed in two stages which will minimise the impact of construction on the surrounding properties. It is proposed to develop the rear four dwellings as the first stage, whereby construction materials will be confined to the rear section of the lot. The second stage of development (remaining 6 dwellings) will not occur until the Water Corporation has confirmed water supply is available to the remaining 6 proposed dwellings, which is currently expected by 2014. The site will be managed in accordance with a construction management plan.
Sewerage – Strained sewerage problems in the street already with the last development of two houses not 10.	The Water Corporation has advised that sewer connection to the first stage (i.e. 4 dwellings) is currently available. It also advised that waste water headwork's are scheduled for upgrade in 2014, whereby suitable capacity will be available to service the proposed second stage of development.
Local Amenity – Will be out of character from the other dwellings in the street and could affect land values.	The proposed development has been designed to minimise any impacts on the amenity of the existing residential locality and includes measures such as screening and building orientation to mitigate any perceived or potential impacts. The proposed dwellings to the front of the lot address the street and the majority of car parking spaces are located behind buildings or street trees to soften the impact on the street. Furthermore a detailed landscaping plan will be required as a condition of planning consent which will further assist and alleviate any perceived visual impacts.
Stormwater Disposal – The effect of flood levels on adjoining properties in the yearly cyclonic season	Stormwater disposal is addressed on site and as indicated on the attached plans, an on-site facility to pump stormwater into the public drainage network after a storm event is also provided.
Water Supply – WaterCorp objects to the development of five or more dwellings until 2014	It has been advised by the Water Corporation has advised the area requires upgrading of current water supply services and until such time that this upgrade occurs the site cannot support more than 5 dwellings. It is the intent of the owner therefore, to develop the land in a staged manner whereby the rear four dwellings will be developed as part the first stage and the existing dwelling at the front will be retained. The remaining six proposed dwellings at the front will then be constructed at a latter stage when water supply is available. As mentioned above, this is anticipated by 2014. As discussed with Council staff, a condition of planning consent, with a corresponding advice note, to acknowledge the staged approach will be imposed.

<p>Removal of Street Trees – Tech Services</p>	<p>In accordance with the revised plans (attached) the southern crossover has now been altered to retain the existing street tree previously proposed for removal. The driveway now veers to the north of the tree avoiding the need to remove it. The main driveway to the rear dwellings and services box has also been moved in order to retain the street tree closest to the western boundary. Accordingly, all street trees have been retained by the developers building designer, ensuring the existing amenity of the streetscape is preserved.</p>
<p>Number of Crossovers – Tech Services</p>	<p>The proposed crossovers servicing the front dwellings are required in order to retain all the street trees, whilst providing appropriate access to all dwellings.</p>

Summary of Comments / Objections received during the second consultation process (pertaining to the amended application consisting of eight (8) “Multiple Dwellings”:

<p>Objections Received during second Consultation Process (Attachment 5)</p>	<p>Applicant’s Response to objections received during second Consultation Process (Attachment 6 & 7)</p>
<p>Overcrowding – Proposed development is trying to fit too many dwellings and people on a standard size block.</p>	<p>Consistency with the R-Codes – The density of the proposed development is compliant with Section 7 of the Residential Design Codes which stipulates that the maximum plot ratio of a multiple dwelling development in the R30 density coding shall be 0.5. the proposed development does not exceed this plot ratio.</p>
<p>Noise and Safety – The increased traffic flow of residents, construction noises and then the noise level from people living there will be increased.</p>	<p>The density of the application is consistent with Section 7 of the Residential Design Codes and the Town of Port Hedland’s Local Planning Scheme. While any potential noise created due to the increased number of dwellings is minimised through the use of screening and appropriate orientation of the dwellings that face internally away from the surrounding dwellings as per the residential design codes, it is essentially management issue which can be enforced through local laws and the town planning scheme .</p>
<p>Construction Stage – Noise levels and location of construction vehicles</p>	<p>Development of the site will be carried out in accordance with requirements of a building licence to be issued by Council. This will incorporate measures to ensure residential amenity of the area is protected. The development is proposed in two stages which will minimise the impact of construction on the surrounding properties. It is proposed to develop the rear four dwellings as the first stage, whereby</p>

	<p>construction materials will be confined to the rear section of the lot. The second stage of development (remaining 4 dwellings) will not occur until the Water Corporation has confirmed water supply is available to the remaining 4 proposed dwellings, which is currently expected by 2014.</p>
<p>Privacy –</p> <p>Overlooking to the rear of the property and staircase with no screening.</p>	<p>Consistency with the R-Codes –</p> <p>The proposed development meets the privacy requirements of the R-codes including screening of all windows and outdoor activity areas which may overlook neighbouring properties. However, further screening could be provided if required by the Town of Port Hedland. An example of further privacy measures that could be taken are further screening along the fence lines of affected homes and planting of vegetation buffers. Screening is not required on stairways as they are not considered a 'medium to long term location for habitation' within the R-codes.</p>
<p>Parking) –</p> <p>Not enough parking has been allowed for the size of the development and the overflow will affect the amenity of the street and cause problems in the area with parking on the other residents verges.</p>	<p>Parking is compliant with the Residential Design Codes and the Town of Port Hedland's Local Planning Scheme. The Town of Port Hedland's engineering department is satisfied with the parking that is provided and that it is compliant.</p>
<p>Unit Design –</p> <p>Unit design indicating to be used by FIFO workers</p>	<p>Consistency with the R-Codes –</p> <p>The units have been designed in accordance with the Residential Design Codes for multiple dwelling developments. There is no requirement for a bath or private yard, however private courtyard areas are provided in accordance with the residential design codes for use of each dwelling including clothes drying.</p> <p>Any other requirements for the unit design will be assessed during the Building Licence stage of the proposal.</p>
<p>Amenity of Building –</p> <p>Design and materials of the proposed development will be out of character to the surrounding area.</p>	<p>The proposed dwellings have been designed to have a minimum impact on the local amenity. Dwellings have been designed to address the street and screening has been incorporated to minimise visual impact from neighbouring properties. Further screening and buffer vegetation planting can be required as a condition of approval.</p> <p>The materials of the proposed development will be subject to the issue of a building licence.</p>

<p>Storage Shed/ Shed Facilities –</p> <p>Removal of storage sheds and parking of boats</p>	<p>The separate storage facility has been removed each storage facility has been incorporated into each dwelling. The storage areas were included to comply with Section 7.4.7 A7.1 of the Residential Design Codes. Although the storage areas have been incorporated into each dwelling they are still in compliance with the Residential Design Codes and there is no requirement for them to be provided as a separate structure or to provide parking for boats or other large equipment.</p>
<p>Water Drainage –</p> <p>Not enough drainage/water runoff has been indicated in the plans supplied, threat to neighbouring properties.</p>	<p>Stormwater disposal is addressed on site and as indicated on the attached plans, an on-site facility to pump stormwater into the public drainage network after a storm event is also provided, as recommended by Council staff.</p>
<p>Effect on Neighbours –</p> <p>Site plan does not show location of surrounding houses, their entertaining areas/living areas and the effect on neighbouring families.</p>	<p>As addressed in ‘Amenity of building’ and ‘Privacy’ and ‘Noise and safety’.</p>
<p>Is the Developer Local –</p> <p>If the developer is not a local, he/she will not care about the many impacts these units will have on existing locals/neighbours/families</p>	<p>The developer is the owner of the land and has right to develop that land within the requirements of the Town of Port Hedland’s local Planning Scheme and the Residential Design Codes.</p>
<p>Dust Zone –</p> <p>Design and purpose of units more suited for the ‘Dust Zone/West End’</p>	<p>The land is zoned within the Town of Port Hedland’s Local Planning Scheme ‘Residential R30’ in which a multiple dwelling development to a maximum 0.5 plot ratio is appropriate. This proposal complies with those details.</p>
<p>Families First –</p> <p>The need to build more 4/3 bedroom houses which include all amenities that a normal family house would have.</p>	<p>This development is appropriate for a wide range of the demographic, including small families, couples of all ages and singles of all ages. It is a requirement of the Liveable Neighbourhoods document that dwellings be provided which will accommodate for a range of people with a range of living arrangements. Providing only large four and three bedroom homes will create housing which is only suitable for one section of the full demographic. It will also contribute to inefficient use of land for affordable housing within the town which is a problem that Council is trying to avoid via upcoding many areas within the town site, this property being one of them.</p>

Summary

Officers consider the applicant's response to all the objections raised to be satisfactory. In summary, the applicant has responded to the original issues raised by the community by decreasing the density from 10 to 8 dwellings, modifying the site layout, providing improved access and manoeuvrability for vehicle movement, increasing usability of the dwellings and placing greater emphasis on maintaining amenity to the existing streetscape.

Council Resolution

At the Ordinary Council Meeting of 9 May 2012, Council resolved to refuse the application, providing the following reasoning:

“Council believes the application for development contains bad planning principles and that it should acknowledge the widespread opposition from the community.”

Council's reasons for refusal can be summarized as follows:

1. Bad planning principles; and
2. Community opposition.

In this regard it is important Council recognize the proposed development complies with the relevant development controls imposed by both the *Port Hedland Town Planning Scheme No.5*, as well as the *“Acceptable development”* and / or *“Performance criteria”* imposed by the *Residential Design Codes of Western Australia*.

Taking this into consideration, should Council resolve to reaffirm its refusal it will as requested by the State Administrative Tribunal have to provide clear reasons for its refusal on the grounds of bad planning principles.

Further, the second reason provided by Council, whilst not the same type of development, the State Administrative Tribunal in the matter between J & P Metals Pty Ltd and the Shire of Dardanup, in which the Shire noted *“Community Opposition as Sole Consideration”* determined as follows:

“.....The Tribunal determined that community opposition could not of itself be a determinative matter, as it was but one of many considerations relevant to the determination of the application ...”

Statutory Implications

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

Local Government (Administration) Regulations 1996 Section 10 'Revoking or changing decisions made at Council or Committee meetings – s5.25(e)'.

Policy Implications

At the Ordinary Council Meeting of 25 July 2012, Council Resolved to initiate the amendment of Local Planning Policy No. 11.

The proposed amendment to the Local Planning Policy 11, includes variation to "*Acceptable Development*" standards of the R-Codes relating to Multiple Dwelling developments to ensure the provision of housing diversity.

Section 7.4.3 "Dwelling Size" of the Residential Design Codes reads as follows:

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

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

and

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

Should the amendment to Local Planning Policy No. 11 be adopted by Council, it will be required, any permanent residential development is only permitted to have a maximum of 25% of the development comprising of single bedroom units.

However, the subject application has been submitted prior to Council initiating the amendment to Local Planning Policy No 11, as a result the proposed development complies with the Residential Design Codes.

Strategic Planning Implications

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

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

Budget Implications

There are a number of potential budget implications:

1. Should Council resolve not to reconsider the matter, Council may appoint a Town Planning Consultant to represent Council at the State Administrative Tribunal, preliminary estimates obtained by Council Officers suggest this cost may be between \$20,000 and \$30,000.

Alternatively Council can nominate Councillors to represent Council at the State Administrative Tribunal.

2. In a previous decision made by the Shire of Dardanup to refuse an application on similar grounds as resolved by Council, the State Administrative Tribunal ordered as follows:

"...The Shire of Dardanup pay the applicant's reasonable professional costs and disbursement arising from the application for review on the basis that the Shire failed to genuinely attempt to make a decision on the merits of the application.....)

In this regard the applicant requested costs of \$85,000 but was only awarded costs of \$10,288.

Officer's Comment

As a result of the order handed down by the State Administrative Tribunal, Council is invited to reconsider its decision. Should Council reaffirm its previous resolution for refusal, the State Administrative Tribunal requires clarity on the reason Council has provided.

"Council believes the application for development contains bad planning principles and that it should acknowledge the widespread opposition from the community."

Technical Planning Assessment

In terms of TPS 5, the site is identified as "Residential R30". Under the zoning table the proposed land use is specified as follows:

Multiple Dwellings: "SA" (the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3)

R-Code Assessment for Multiple Dwellings

The proposed "Multiple Dwellings" have been assessed in accordance with Part 7 of the Residential Design Codes of Western Australia (R-Codes).

Clause 7.1.4 – Side Setbacks

The applicant is seeking a variation to the side setback for the ground units 1 - 4 (south elevation) and the ground units 5 – 6 (east elevation). The south elevation requires a minimum side setback of 3.9m. The applicant has provided a setback of 2.0m. The east elevation requires a minimum side setback of 3.1m. The applicant has provided a setback of 1.8m. In order to support the variation, the applicant must be able to address this in accordance with Clause 7.2.3 which states:

“Building setback from the boundaries or adjacent buildings so as to:

- *Ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them;*
- *Moderate the visual impact of building bulk on a neighbouring property;*
- *Ensure adequate to daylight and direct sun for adjoining properties; and*
- *Assist in protecting privacy between adjoining properties.”*

While there are a number of inconsistencies with the setback requirements, the proposed setbacks do provide a more efficient use of the land and design of the building has been used to minimise imposition of the building onto neighbouring properties. This has been done through facing the dwelling units to the inside of the site and addressing the street frontage for the majority of the dwellings. Dwelling layout and windows have been designed to ensure minimal overlooking, and obscured glazing and window screening will be used where required and have been indicated on the plans.

In light of the above, it is recommended the proposed variations are supported.

Clause 7.3.2 – Landscaping

In accordance with the Clause 7.3.2 of the R-Codes, the street setback areas are to be developed without car parking, except for visitor bays and with a max of 50% hard surface. In accordance with the Performance Criteria P2 the applicant has provided the following justification:

“Although the carports are located within the street setback area, they are in line with the dwellings and their open form allows sight through the carports. These factors minimize the impacts of the carports on the streetscape, allowing for a favorable outcome.”

In light of the above, it is recommended the proposed variation is supported.

Clause 7.3.3 – On-site Parking provisions

In accordance with the Appendix 7 of TPS 5 and Clause 7.3.1 of the R-Codes, the applicant is required to provide a minimum of ten (10) car parking bays. The applicant has provided ten (10) car parking bays on-site.

Access & Parking – Appendix 7 of TPS 5 NLA – Nett Lettable Area			
Acceptable Development Standards	Units	Required	Provided
Multiple Dwellings Unit size: <75m ² = 1.0 Visitors: 0.25 bays per unit	8	8 2	8 2
Total		10	10

Clause 7.3.5 - 7.3.6 Vehicular Access

In accordance with Clause 7.3.5 – 7.3.6 of the R-Codes, Vehicular access is required to be limited to one per 20m street frontage visible from the street. Technical Services allow for a maximum of two (2) crossovers per property. In accordance with the Performance Criteria the applicant has provided the following justification:

“It is considered that the three driveways are necessary in order to preserve the street trees that exist on the verge. Preservation of all street trees on the verge is a requirement of the Shire officers.”

In light of the above, it is recommended the proposed variation is supported. Furthermore, Technical Services have no objection to the proposed additional crossover.

Clause 7.4.1 – Visual Privacy

In terms of visual privacy to the adjoining neighbours, the proposed development is consistent with Clause 7.4.1 of the R-codes. The applicant has also provided privacy screens along the balconies of dwellings 3 & 4 to assist in addressing any privacy concerns.

Attachments

1. Locality Map
2. Site Plan, Floor Plan and Elevations
3. Councilor Objection
4. Applicant's response

Officer's Recommendation 1

That Council revokes Council decision 201112/443 of Agenda Item 11.1.2 "Proposed Eight (8) – Multiple Dwellings on Lot 1 (8) Moseley Street, Port Hedland." held on 9 May 2012 and recorded on page 54 of those Minutes that states:

"That Council refuse the application.

REASON: Council believes the application for development contains bad planning principles and that it should acknowledge the widespread opposition from the community."

Officer's Recommendation 2

That Council:

- i. Approves the application submitted by RPS on behalf of Vladimir Ejev to construct eight (8) Multiple Dwellings on Lot 1 (8) Mosely Street, Port Hedland, subject to the following conditions:
 1. This approval relates only to the proposed Eight (8) "MULTIPLE DWELLINGS" and other incidental development, as indicated on the approved plans (DWG2012/23/1 – DWG2012/23/9). It does not relate to any other development on this lot.
 2. The development shall only be used for the purposes which are related to "Multiple Dwelling". In terms of the Town of Port Hedland's Town Planning Scheme No. 5, a "Multiple Dwelling" is defined as:

"Multiple Dwelling"

"a dwelling in a group of more than one where any part of a dwelling is vertically above part of any other."
 3. This approval shall remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval shall remain valid for twelve (12) months only.
 4. A minimum of 10 car bays shall be provided on-site in accordance with the approved site plan.
 5. No parking bays shall be obstructed in any way or used for any purposes other than parking.
 6. Front walls and fences within the primary street setback area and / or adjoining any public area shall be no higher than 1.8m measured from natural ground level and be visually permeable above 1.2m.

7. Fences shall be reduced to no higher than 0.75m from the natural ground level when within 1.5m of where the Vehicle Access Point (driveway) meets a street and where two (2) streets intersect
8. Stormwater shall be retained onsite in accordance with Council's Technical Services Guidelines to the satisfaction of the Manager Technical Services.
9. Roof mounted or freestanding plant or equipment such as air conditioning units shall be located and/or screened to the satisfaction of the Manager Planning Services.
10. Dust and sand to be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Environmental Health Services.
11. Alterations or relocation of existing infrastructure within the road reserve shall be carried out and reinstated to the satisfaction of the Manager Technical Services, at the developer's expense.

Conditions to be complied with prior to the submission of a Building Permit application.

12. Prior to the submission of a building permit application, an Erosion Prevention and Sediment Control plan shall be submitted and approved by the Manager Planning Services.
13. Prior to the submission of a building permit application a detailed landscaping and reticulation plan including adjoining street verges and / or common area, shall be submitted and approved by the Manager Technical Services. The plan to include location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.
14. Prior to the submission of a building permit application, a Rubbish Collection Strategy/Management Plan shall be submitted for approval by the Manager Technical Services. The strategy/plan shall consider service vehicle maneuvering on the internal roads of the development. Any alterations to the approved plans required as a result of the strategy/plan shall be incorporated into the building licence plans. The approved strategy/plan shall be implemented to the satisfaction of the Manager Technical Services.

15. Prior to the submission of a building permit application, a construction site management plan shall be submitted and approved by the Manager Planning Services. The construction site management plan shall indicate how it is proposed to manage the following during construction:
 - a. The delivery and storage of materials and equipment to the site;
 - b. The parking arrangements for the contractors and subcontractors;
 - c. Impact on traffic movement;
 - d. Operation times including delivery of materials; and
 - e. Other matters likely to impact on the surrounding residents / businesses;

Conditions to be complied with prior to the submission of an Occupation Permit.

16. Prior to the submission of an occupation permit, landscaping and reticulation shall be established with the use of mature trees and shrubs in accordance with the approved plan and thereafter maintained to the satisfaction of the Manager Planning Services.
17. Prior to the submission of an occupation permit, access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface by the developer to an approved design in accordance with Port Hedland Town Planning Scheme No. 5, and Australian Standards, to the satisfaction of the Manager Technical Services.
18. Prior to the submission of an occupation permit, the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, to the satisfaction of the Manager Technical Services.
19. Prior to the submission of an occupation permit, lighting shall be installed along all driveway(s), access way(s), parking area(s), turning are(s) and pedestrian pathways by the developer. Design and construction standards shall be in accordance with relevant Australian Standards and to the satisfaction of the Manager Technical Services.
20. Prior to the submission of an occupation permit, the applicant shall provide aged/disabled access to the existing Council path network in accordance with Austroads Part 13 – Pedestrians to the satisfaction of the Manager Technical Services.
21. Prior to the submission of an occupation permit, the development shall be connected to reticulated mains sewer.

FOOTNOTES:

1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. Waste receptacles shall be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999.
3. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.
4. Waste disposal and storage shall be carried out in accordance with Council's Health Local Laws 1999.
5. The owner / developer will be required to obtain a Demolition Licence prior to the demolition of the existing dwelling.
6. The proposed development is to comply with Part D3 of Vol 1 of the BCA – Access for people with disabilities.
7. The proposed development is to comply with Section c of Vol 1 of the BCA – Fire separation between each sole occupancy unit.
8. The developer shall take note the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services the one hundred (100) year Annual Recurrence Interval cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure measures adopted to avoid that risk shall be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
9. Applicant shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

201213/054 Council Decision**Moved: Cr Carter****Seconded: Cr Martin**

That Council request an extension of time from the State Administrative Tribunal to reconsider its decision in relation to the proposed eight dwellings on Lot 1 (8) Moseley Street, Port Hedland.

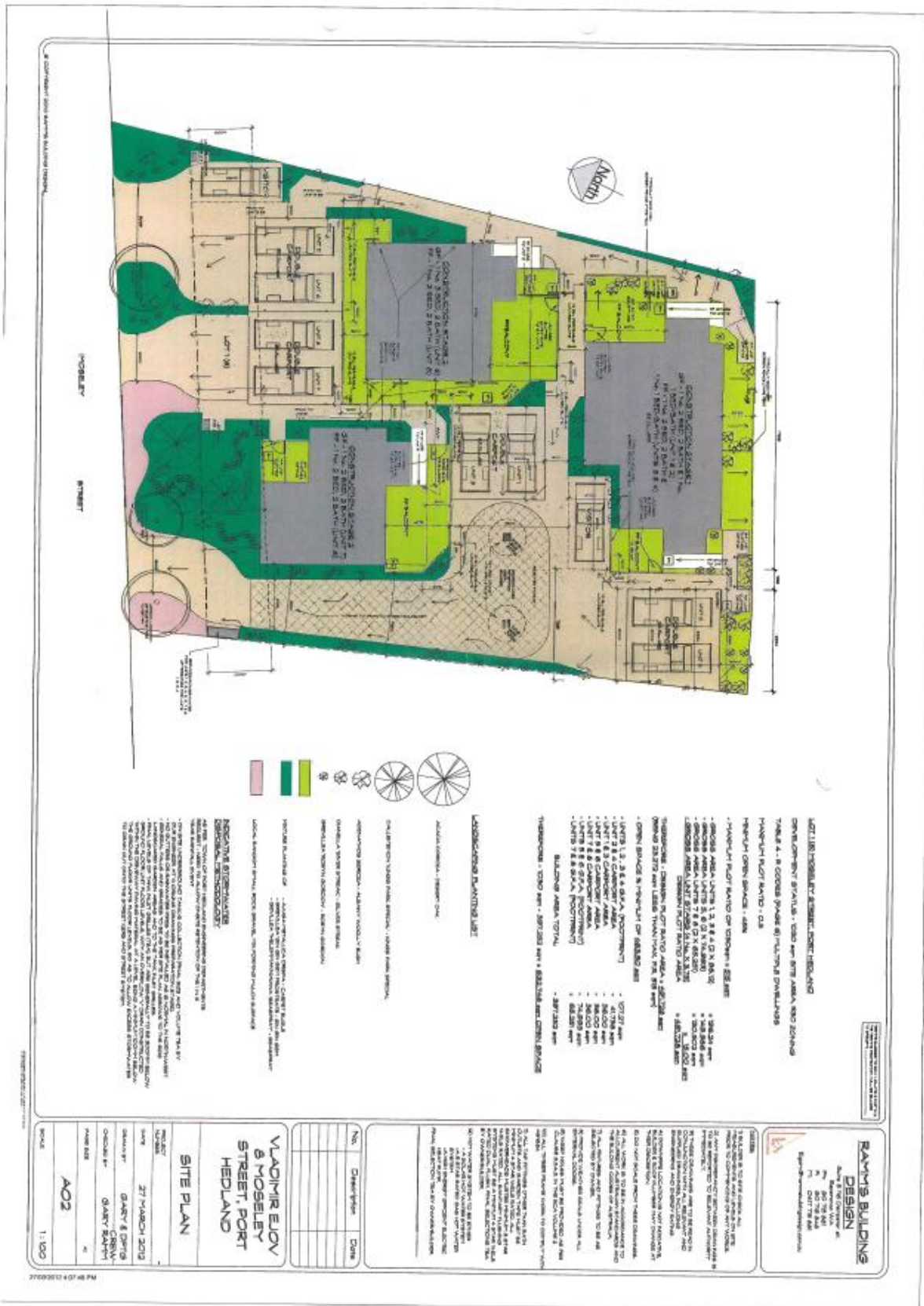
CARRIED 5/1

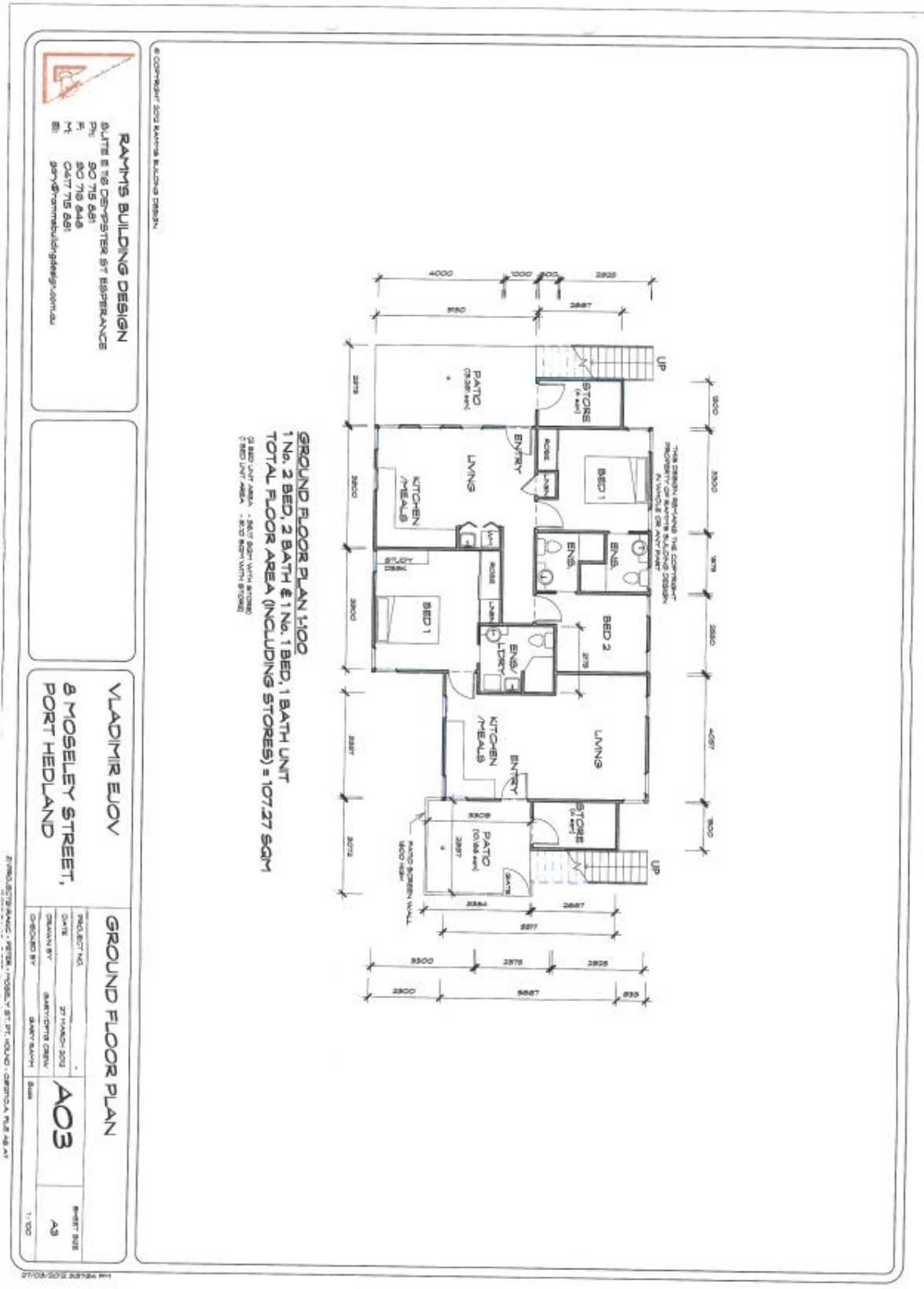
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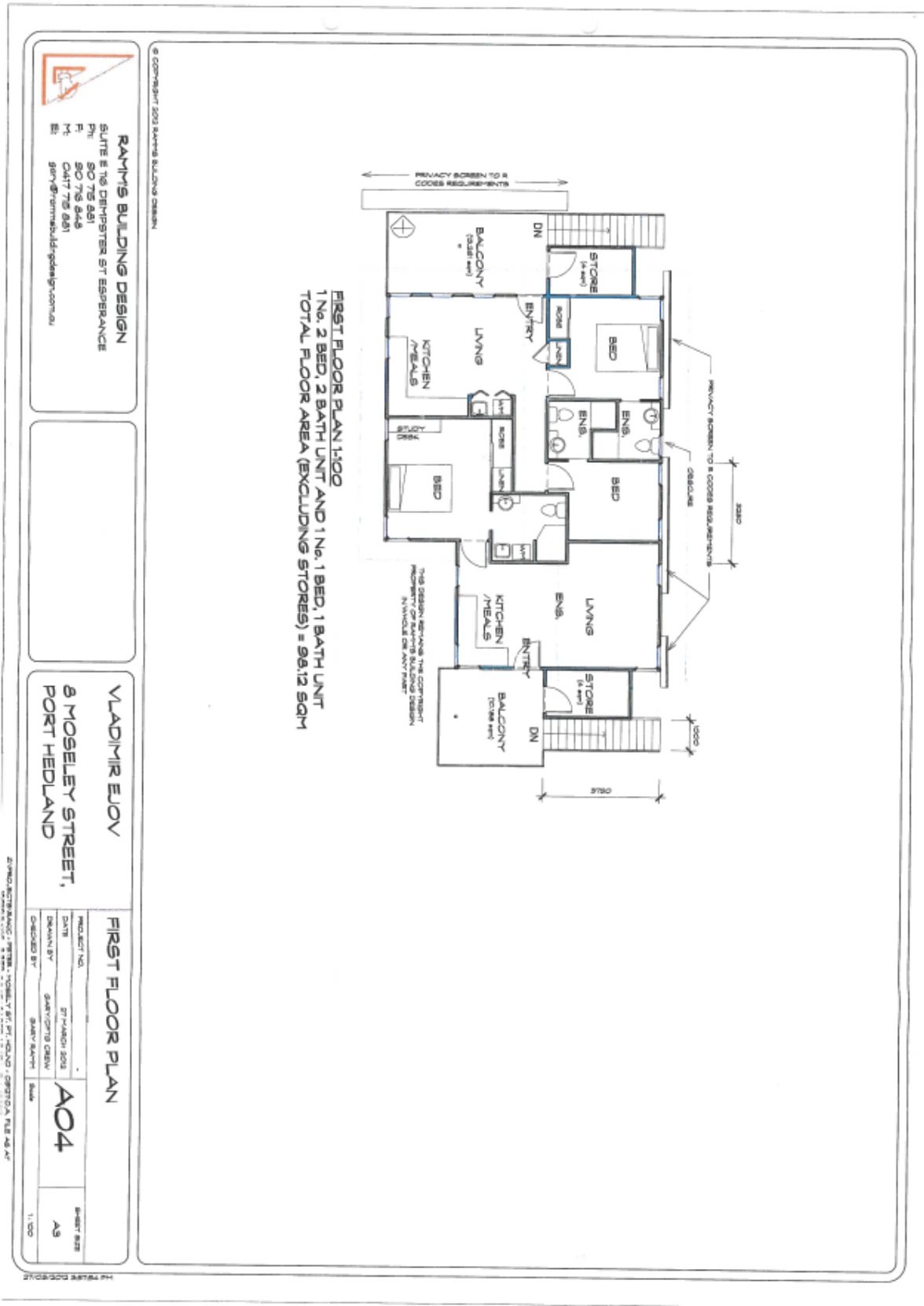
FOR	AGAINST
Cr Carter	Cr Daccache
Cr Martin	
Cr Gillingham	
Cr Dziombak	
Cr Hooper	

ATTACHMENT 1 TO ITEM 11.1.5









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 E: gary@rambuildgdesign.com.au

VLADIMIR EJOV
 8 MOSELEY STREET,
 PORT HEDLAND

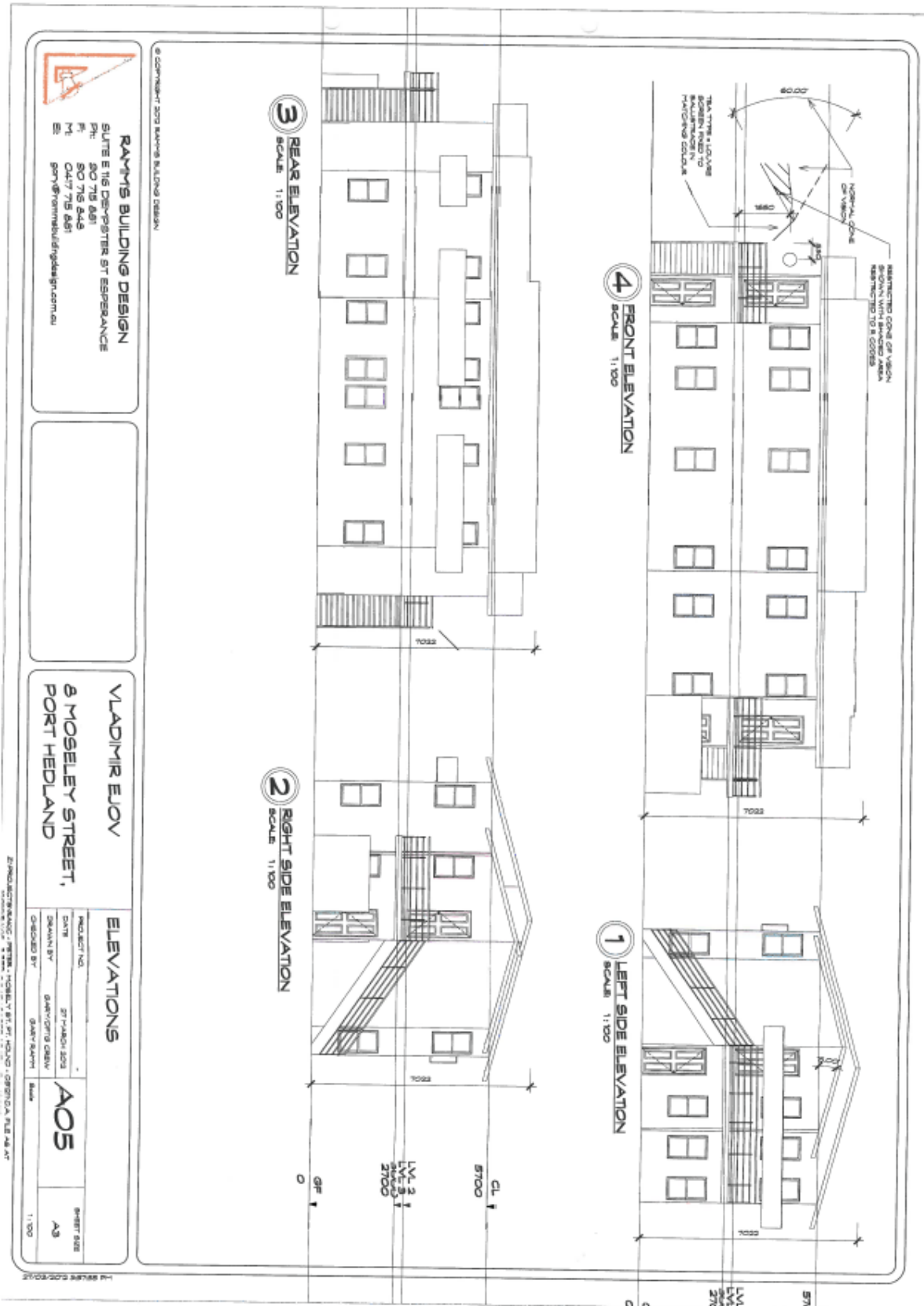
FIRST FLOOR PLAN

PROJECT NO.	27 MARCH 2012
DATE	
DRAWN BY	GARY EJOV
CHECKED BY	GARY EJOV
SCALE	1:100

AO4

SHEET SIZE
A3

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**VLADIMIR EJOV
 & MOSELEY STREET,
 PORT HEDLAND**

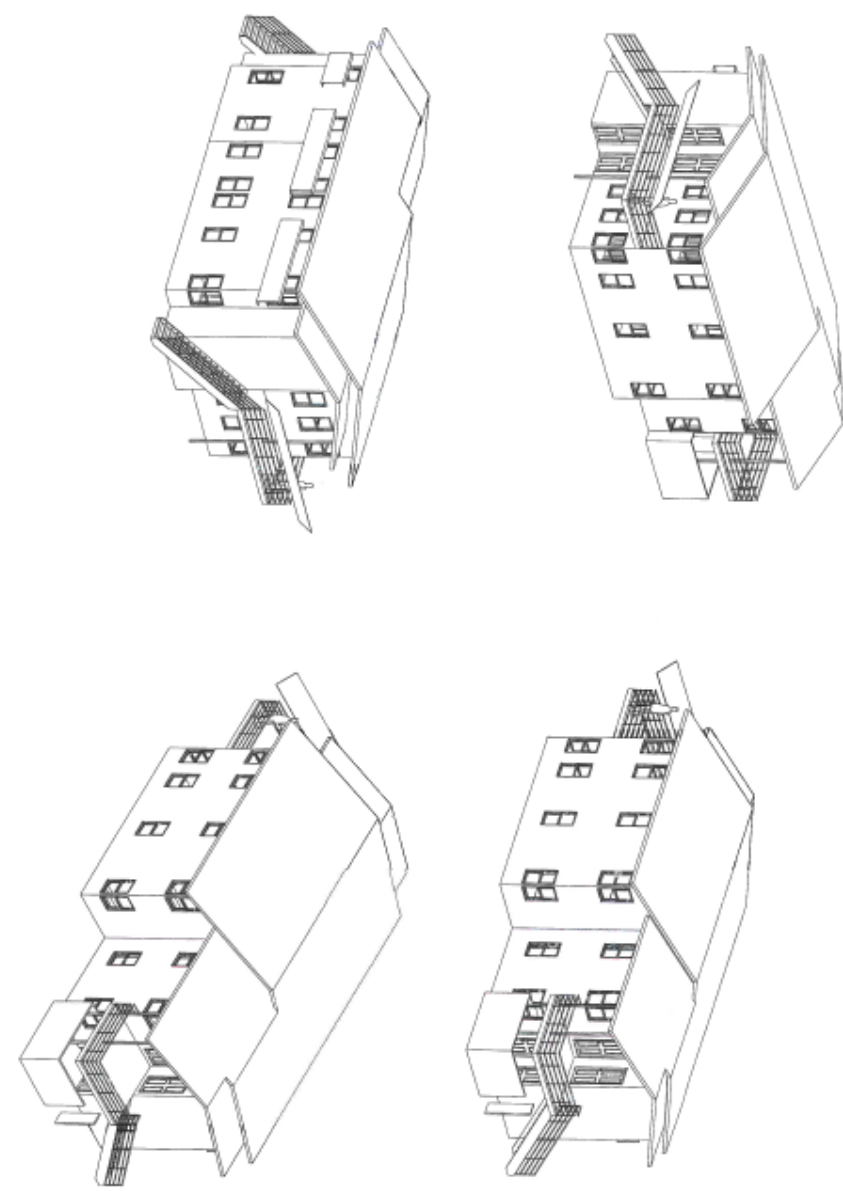
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PROJECT NO.	27-MARCH-2011
DATE	27-MARCH-2011
DRAWN BY	SHAWONTO CREW
CHECKED BY	SHAWONTO CREW
SHEET SIZE	A3
SHEET NO.	11/100

ENGINEERING: 7/11/11 - 10/11/11 BY: SHAWONTO CREW - 11/100
 DRAWING NO: 11/100 - 11/100 - 11/100 - 11/100



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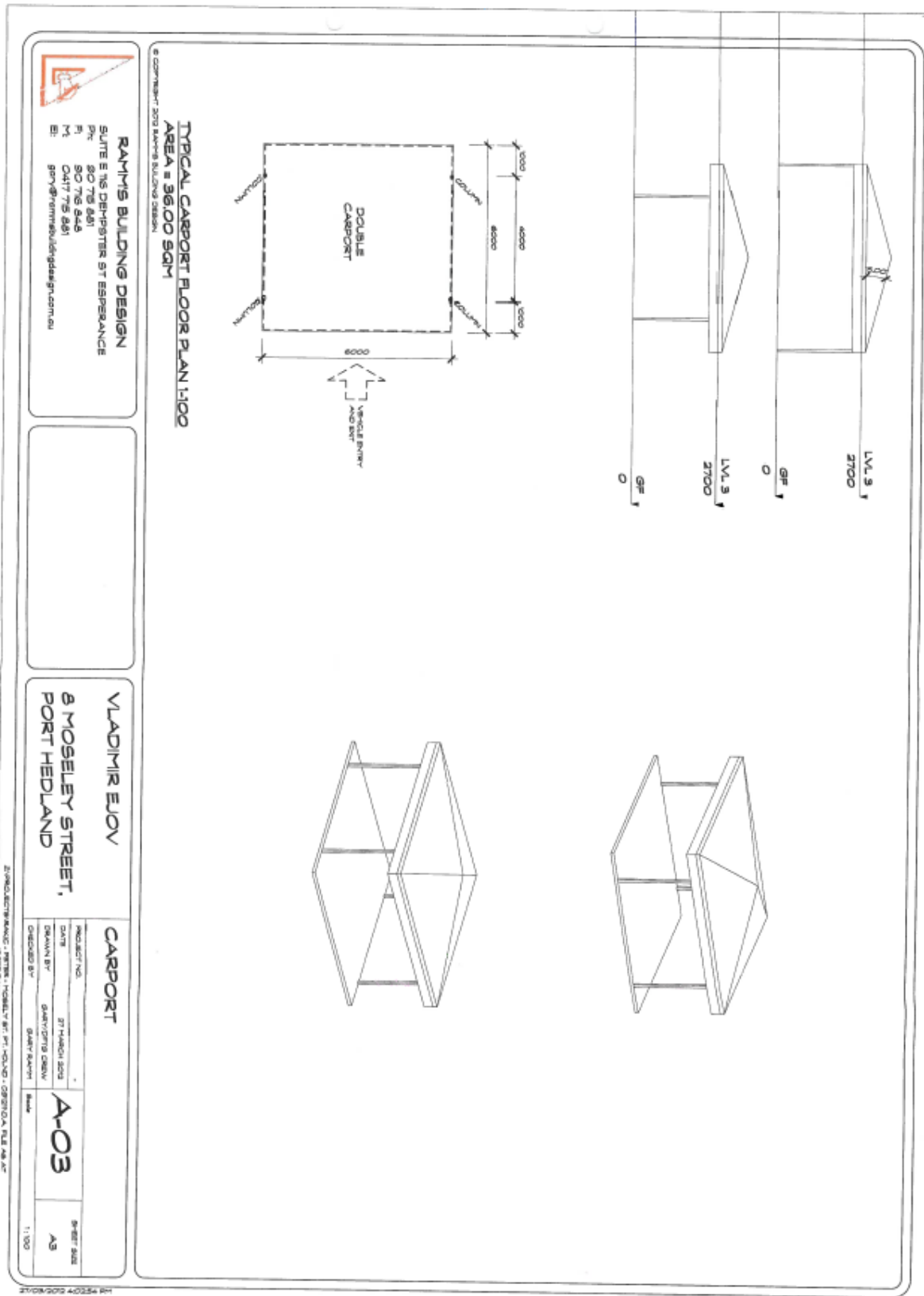
**VLADIMIR EJOV
& MOSELEY STREET,
PORT HEDLAND**

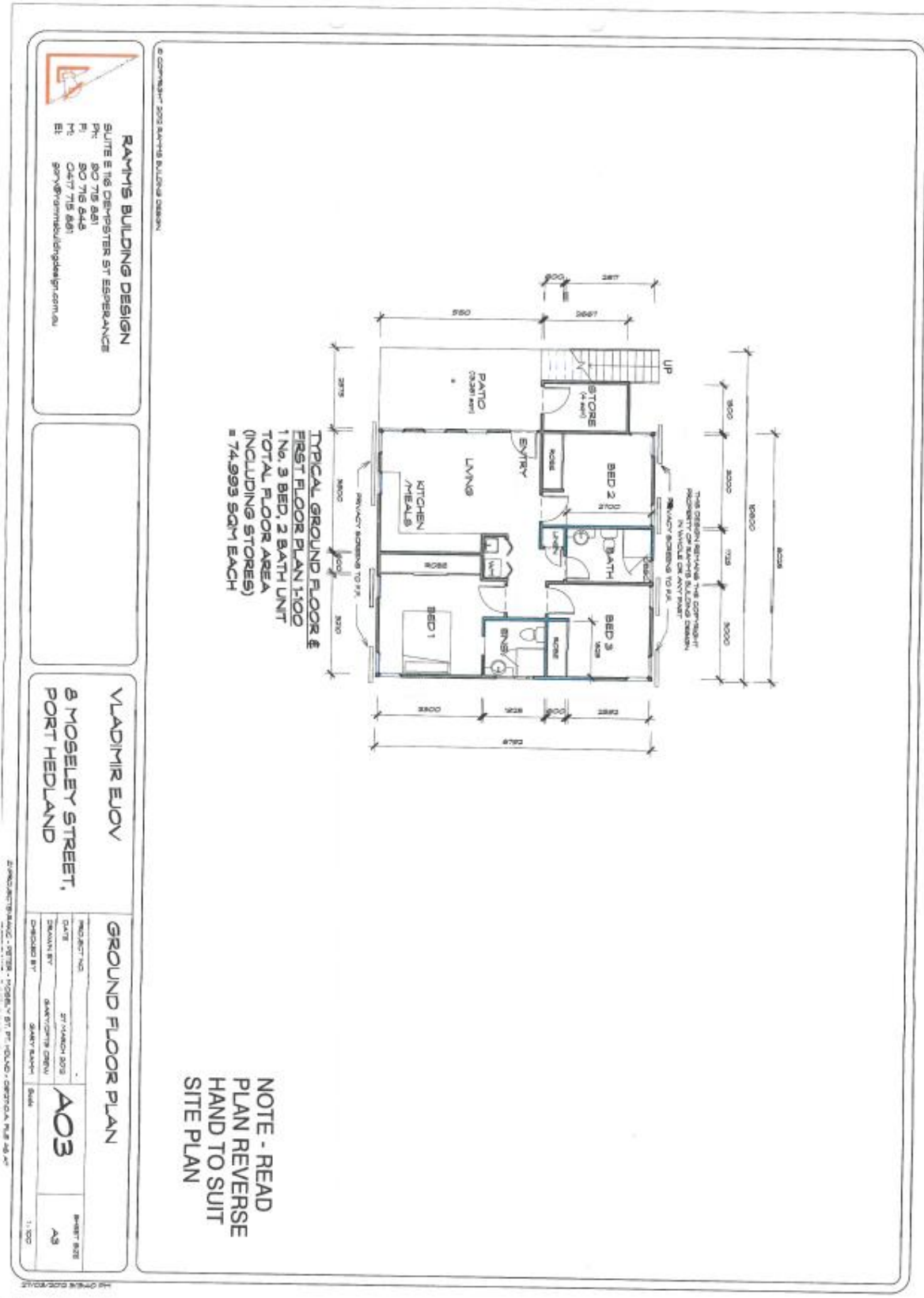
3D VIEWS

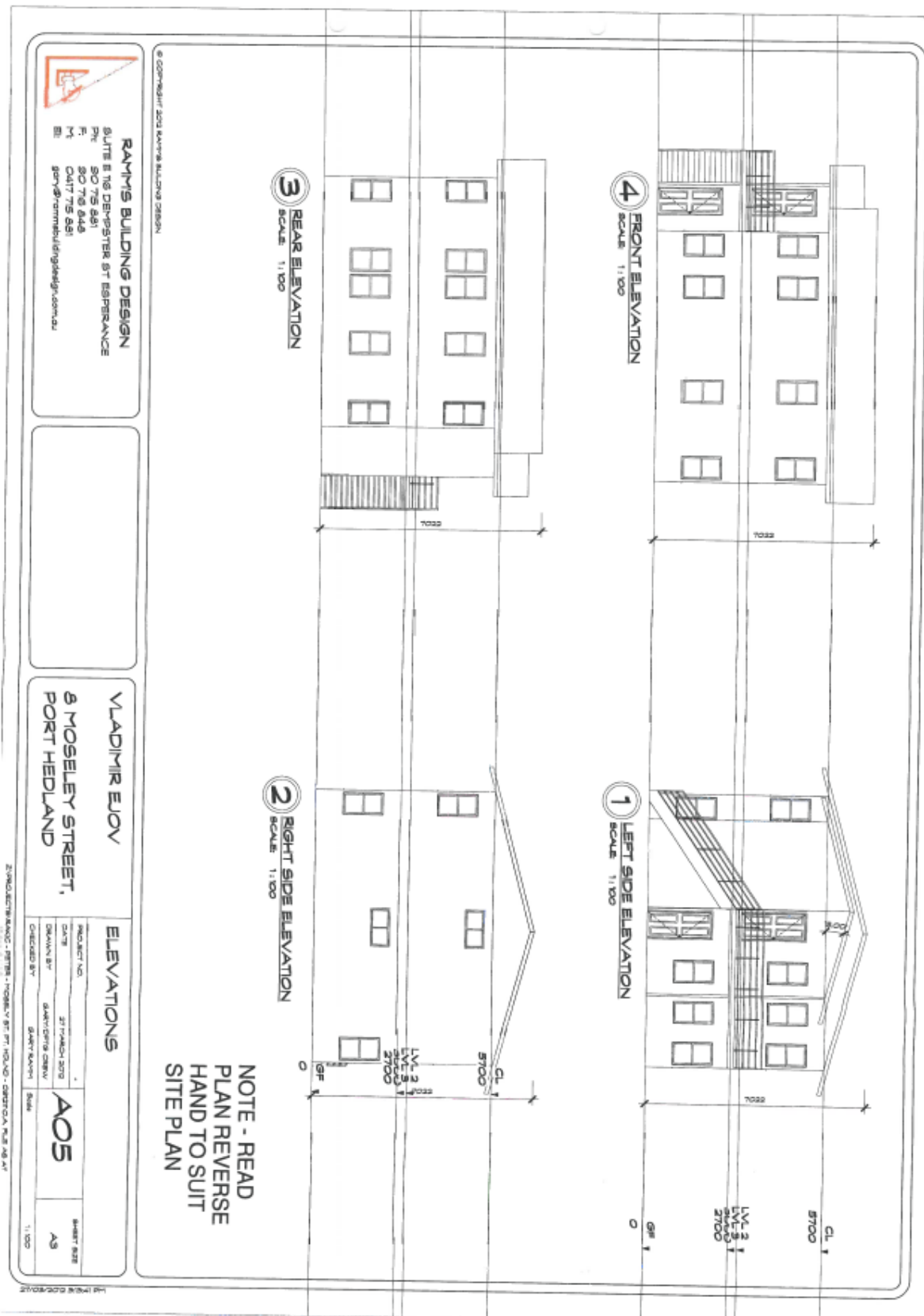
PROJECT NO:	27-MARCH-2012
DATE:	27-MARCH-2012
DRAWN BY:	MARKYRIS DEW
CHECKED BY:	MARKYRIS DEW
SCALE:	A06


8-SET SIZE
A3

27-MARCH-2012 - 11:58 AM - 27-MARCH-2012 - 11:58 AM - 27-MARCH-2012 - 11:58 AM



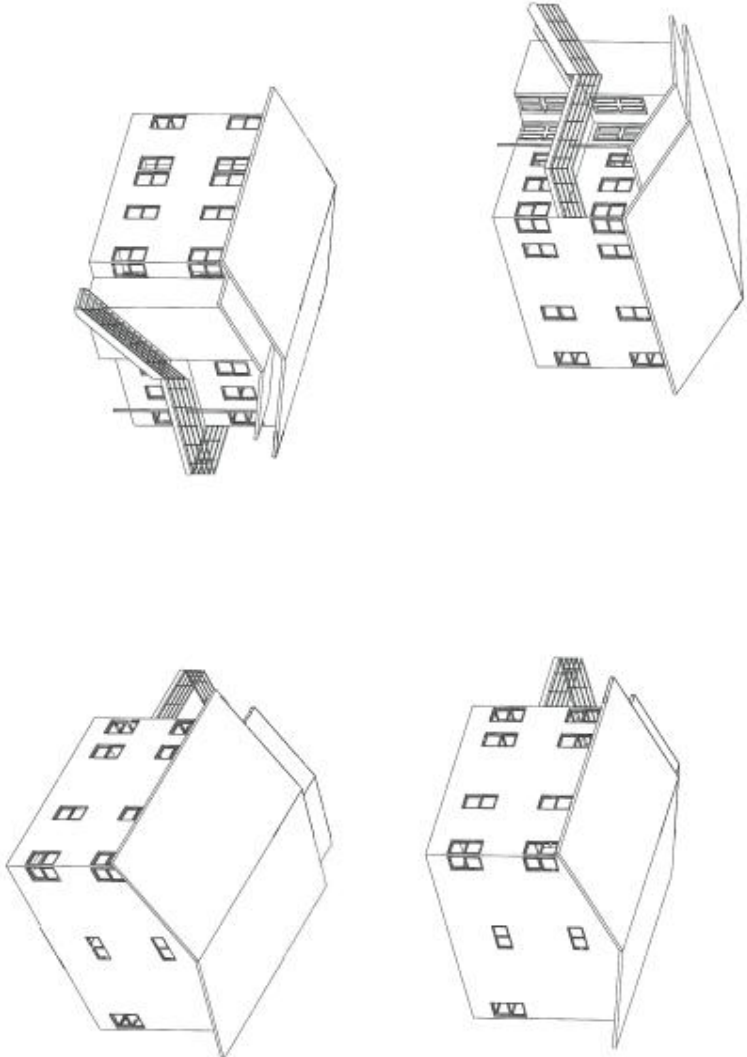






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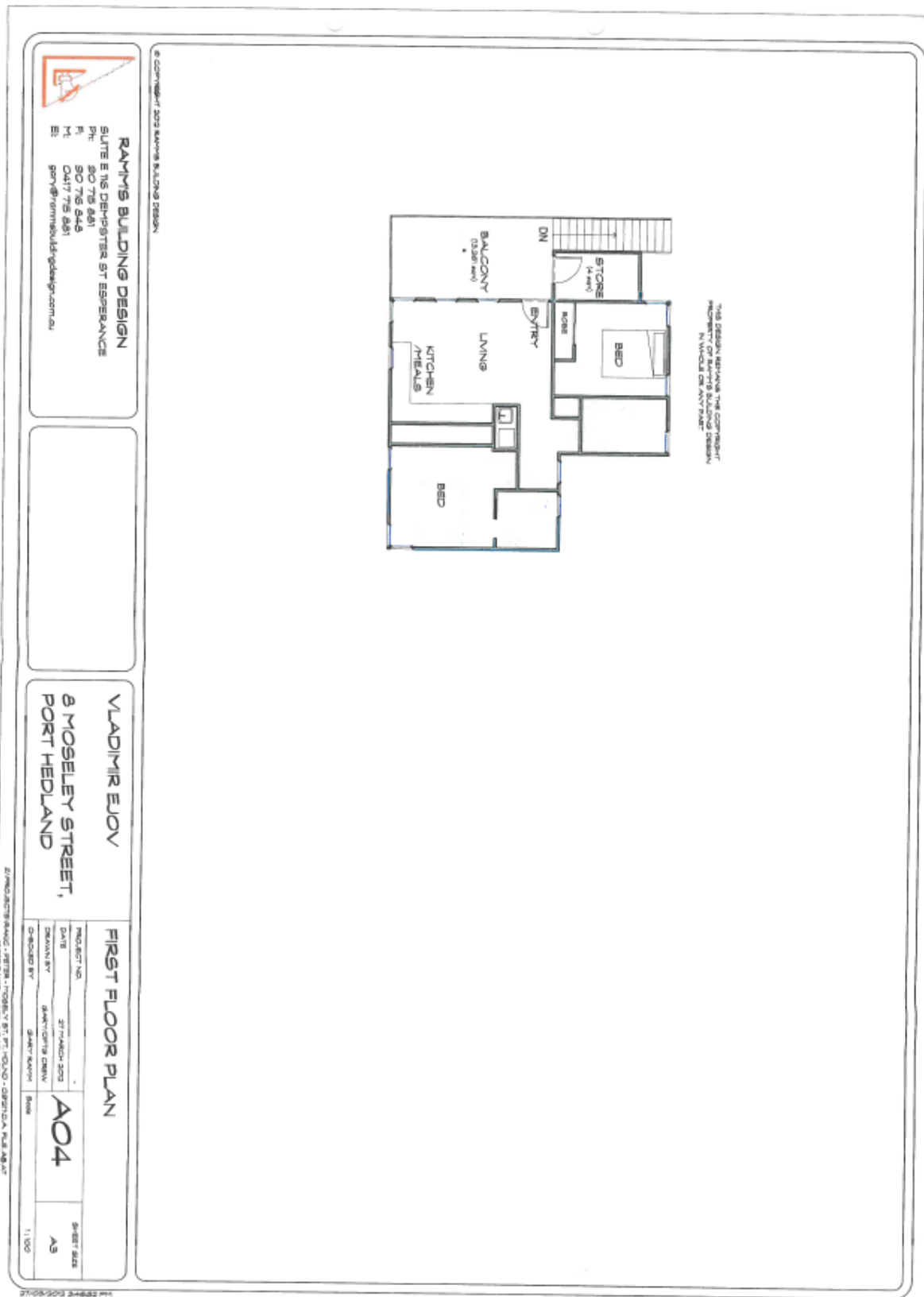


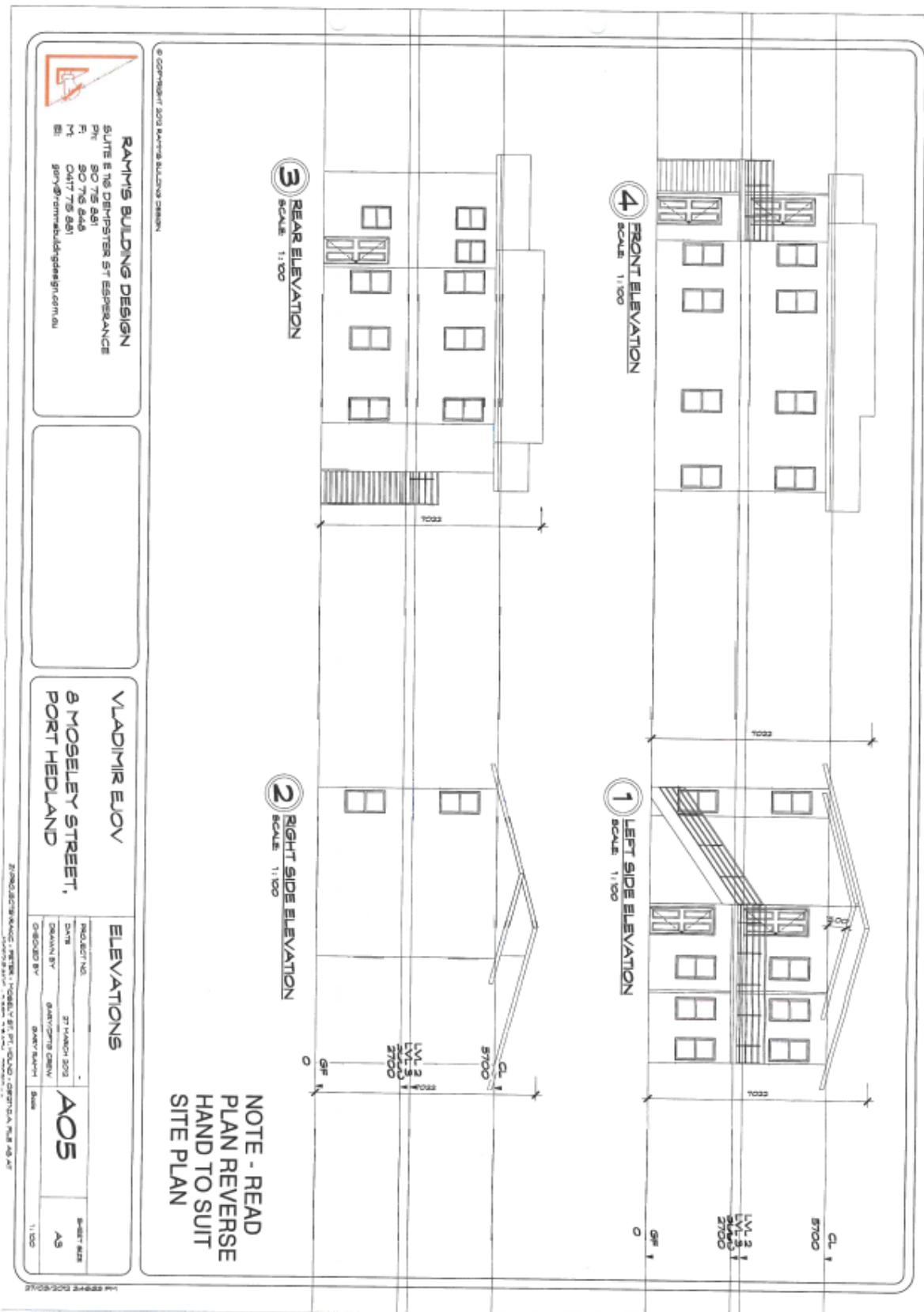
VLADIMIR ELOV
8 MOSELEY STREET,
PORT HEDLAND

**NOTE - READ
 PLAN REVERSE
 HAND TO SUIT
 SITE PLAN**

3D VIEWS					
PROJECT NO:		27-MARCH-2012		A06	SHEET NO:
DATE:		27-MARCH-2012			A3
DRAWN BY:		GRANTING CREW			
CHECKED BY:		GRANT SAUNDERS			

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VLADIMIR EJOV
& MOSELEY STREET,
PORT HEDLAND

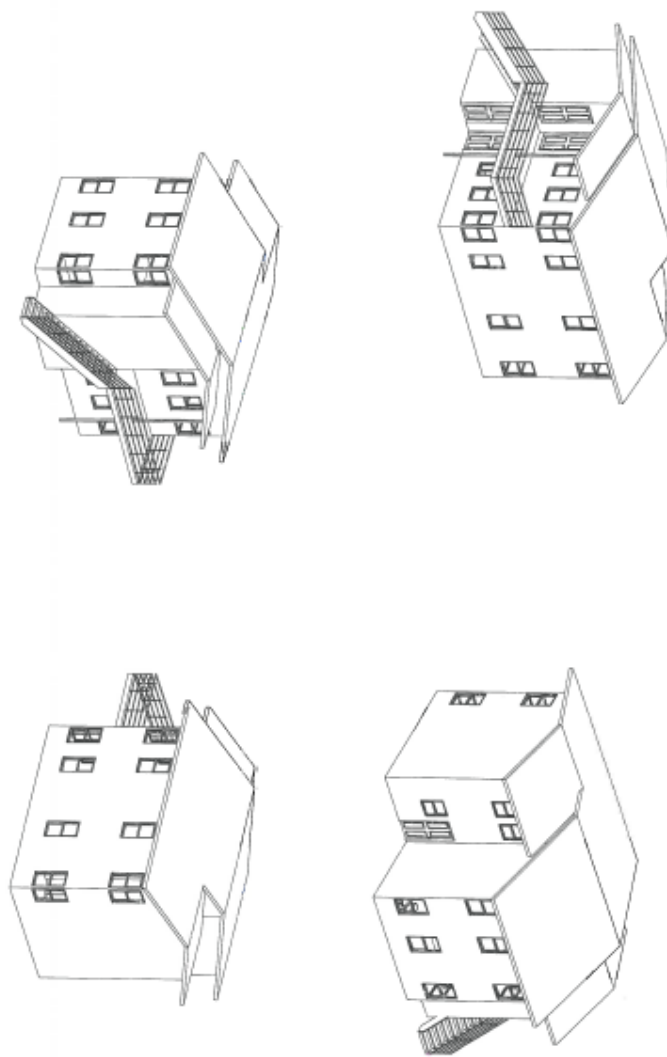
ELEVATIONS		AOS	SHEET SIZE A3
PROJECT NO.	DATE		
27 MARCH 2012	27 MARCH 2012	1:100	
DRAWN BY	DESIGNED BY		
GARY CHING DESIGN	GARY CHING		

ZONING: RESIDENTIAL 1 (R1) - PORT HEDLAND CITY COUNCIL



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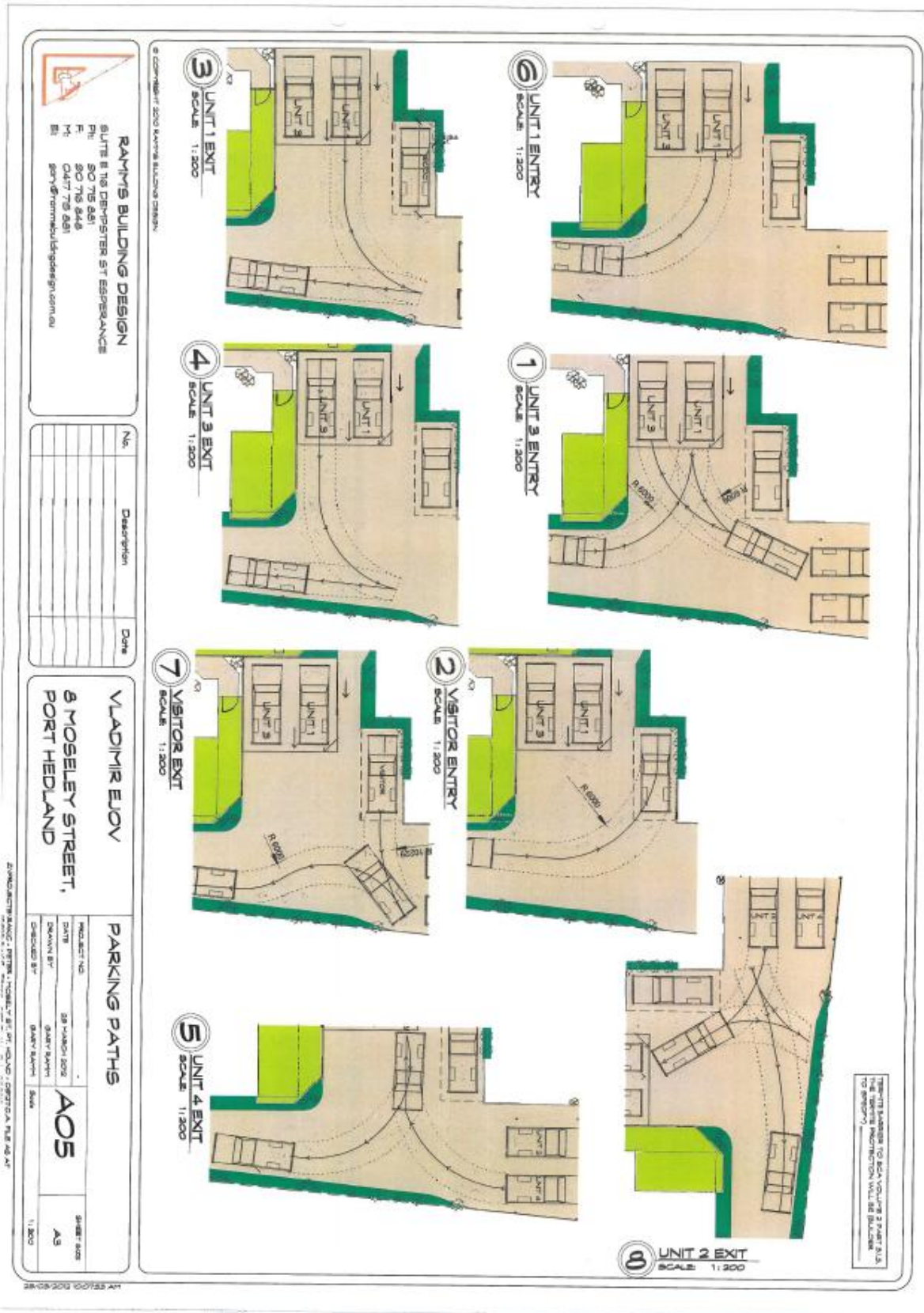
3D VIEWS

PROJECT NO.	27 MARCH 2012
DATE	
DRAWN BY	MARKING DESIGN
CHECKED BY	MARKING DESIGN
SCALE	AS SHOWN

A06

SHEET SIZE: A3

**NOTE - READ
PLAN REVERSE
HAND TO SUIT
SITE PLAN**



ATTACHMENT 2 TO ITEM 11.1.5

IPA 23162 linked to 2012/23

ENTERED	
DATE	BY
15-2-12	Michelle

Capes handed to
Michelle in
Planning

Thursday 9th February 2012

Attn: Michael Pound
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721



Document #: IPA23658
Date: 15.02.2012
Officer: LEONARD LONG
File: 400100G

Dear Sir,

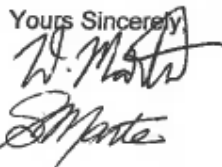
RE: APPLICATION No: 2012/23 FOR TEN (10) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment in relation to the above application to construct 10 dwellings on the neighbouring property at 8 Moseley Street, Port Hedland.

I strongly object to this development going ahead for the following reasons:

- **OVERCROWDING** – Proposed development is trying to fit too many dwellings and people on a standard size block
- **NOISE** – the increased traffic flow of residents, the months of construction noises to develop and then the noise level from people going about their daily lives will be increased dramatically for such a quiet neighbourhood

Thank you for considering my objections and I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Yours Sincerely


Wayne & Sonia Marten
7 Moseley Street

02 SEP 2011 4:07AM CUCRH

91589999

P. 1

Thursday 9th February 2012

Attn: Michael Pound
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721

1CR23581
File Number:
Int. Correspondent:
Lot 1 (8) Moseley St

KR23581 Wiled to 2012/23
EN
DATE 13-2-12
Michael

Dear Sir,

RE: APPLICATION No: 2012/23 FOR TEN (10) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment in relation to the above application to construct 10 dwellings on the neighbouring property at 8 Moseley Street, Port Hedland.

I strongly object to this development going ahead for the following reasons:

- **PRIVACY** – as the development is two storey high it will be overlooking our property and this will impact on any privacy that we have
- **PARKING** – Not enough parking has been allowed for the size of the development and the overflow will affect the amenity of the street and cause problems in the area with parking on other residents verges inconveniencing them.

Thank you for considering my objections and I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Yours Sincerely,

Tania & Tim Wiley
23 McGregor Street

Pound Michael

From: fraser adam [fraser.adam@cucr.h.uwa.edu.au]
Sent: Monday, 13 February 2012 3:01 PM
To: Pound Michael
Subject: FW: Application 2012/23 for 10 multiple dwellings at lot 1 (8) Moseley Street

Michael Pound
Planning Officer

Dear Michael,

Thank you for forwarding the plans for this proposal. In our discussion today, I raised our concerns regarding privacy of our staff accommodation, given this development overlooks the backyards of several other properties including our own.

You indicated that the building complies with R codes in regards to privacy which I can appreciate, however the plans appear to have little or no screening from upper storey walkways or stairs and would have clear views into the yards of several houses at the rear and most probably the sides of the development. This, coupled with the harsh natural environment which causes difficulties in growing screening plants, give me reason to believe that the privacy in the rear yard of our property will be negatively impacted upon.

Our preference would be for a single level development which is more in keeping with the area and which would not negatively impact on the privacy and amenity of surrounding properties as this current development certainly appears to.

Regards

Fraser

Fraser Adam ✓
Centre Manager
Combined Universities Centre for Rural Health
167 Fitzgerald Street, Geraldton WA 6530
Tel: (08)99560230. Fax: (08) 99642096

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For more information please visit <http://www.symanteccloud.com>

Tuesday 14th February 2012

Attn: Michael Pound
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721

Dear Sir,

RE: APPLICATION No: 2012/23 FOR TEN (10) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment in relation to the above application to construct 10 dwellings on the neighbouring property at 8 Moseley Street, Port Hedland.

I strongly object to this development going ahead for the following reasons:

- ***OVERCROWDING / QUALITY OF LIFE – Proposed development is trying to fit too many dwellings and people on a standard size block reducing the quality of life which I am opposed to***
- ***DWELLING SIZE – indicates transient residents will be preferred to live in these size units with no room outside for living and inside is very contained with basic amenities only – are they for FIFO people only??***
- ***ENVIRONMENTAL IMPACT – on surrounding nature and trees in area***
- ***PRIVACY – as the development is two storey high it will be overlooking other properties and this will impact on any privacy that families have especially with children***
- ***COMMUNICATION – I and other property owners would like more consultation about the time frames to build and the storing of building equipment and materials if the development goes ahead***

I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Yours Sincerely,

Beth Walsh ✓
4A Wodgina Street

Speakman Chloe

From: Bale Kate
Sent: Wednesday, 15 February 2012 9:22 AM
To: Butron Eber
Cc: Records
Subject: ICR23674 - FW: proposed site at 8 Moseley Street
Attachments: protest 8 Moseley Joanie.docx; BETH 4A Woodgina objection letter.docx; 8_Moseley_St_Dev from Sue.docm; protest 8 Moseley Anika.docx

SynergySoft: ICR23674

Hi Eber

Please find attached objection letters to 8 Moseley Street.

Records – can you please record? Thanks

Cheers
 Kate



Kate Bale
 Executive Assistant to CEO, Paul Martin & Mayor Kelly Howlett
 PO Box 41 Port Hedland WA 6721
 P/c: (08) 9158 9313 Fax: (08) 9158 9399
 M/c: +61 448 055 013
 Email: ka@porthedland.wa.gov.au
 Web: www.porthedland.wa.gov.au

The information in this email and any attachments are confidential matters of Council. If you are not the intended recipient, please notify me immediately by telephoning +61 8158 9313 or by returning the email. You should not copy it or use it for any other purpose, nor disclose its contents to any other person.

From: Mayor Kelly Howlett [<mailto:kellyhowlett35@hotmail.com>]
Sent: Wednesday, 15 February 2012 9:08 AM
To: Bale Kate
Cc: jsfoley@westnet.com.au
Subject: FW: proposed site at 8 Moseley Street

Dear Kate,

Can these attached letters please be sent off to Records and to Planning??

Thank you,

Kelly Howlett
 (mob) 04399 41431

Date: Wed, 15 Feb 2012 08:56:06 +0800
 From: jsfoley@westnet.com.au
 To: mayorkellyhowlett@porthedland.wa.gov.au; crjacob@porthedland.wa.gov.au;
orgillingham@porthedland.wa.gov.au; crcarter@porthedland.wa.gov.au; crmartin@porthedland.wa.gov.au;
crdziombak@porthedland.wa.gov.au; crhooper@porthedland.wa.gov.au; crdaccache@porthedland.wa.gov.au;
crhunt@porthedland.wa.gov.au
 Subject: proposed site at 8 Moseley Street

I am forwarding on some of the protest letters that were put into the council re the plans for 8 Moseley



Document #: IPA23661
Date: 15.02.2012
Officer: LEONARD LONG
File: 400100G

Thursday 9th February 2012

Attn: Michael Pound
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721



Copies handed
to Michelle in Planning



Dear Sir,

RE: APPLICATION No: 2012/23 FOR TEN (10) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment in relation to the above application to construct 10 dwellings on the neighbouring property at 8 Moseley Street, Port Hedland.

I strongly object to this development going ahead for the following reasons:

- **OVERCROWDING** – *Proposed development is trying to fit too many dwellings on a standard size block*
- **PRIVACY** - *Will be overlooking our property and our swimming pool area in particular removing our right to privacy*

Thank you for considering my objections and I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Yours Sincerely,

Sarah Feeney
25 McGregor Street

3 Moseley Street
 Port Hedland, 6721.
 To Michael Pound
 Town of Port Hedland
 Box 41 Post Office
 Port Hedland, 6721



Document #: IPA23660
 Date: 15.02.2012
 Officer: LEONARD LONG
 File: 400100G

Dear Michael,

I write in protest of the idea of the 10 units proposed to be built at 8 Moseley Street, across from my home. The idea of building what amounts to a single man's camp in the midst of a street of families that have family lifestyles, living in single dwelling homes is totally unacceptable. The area that is used in the plan is surrounded by people who would have their life as they know it ripped apart with the addition of up to 20 more vehicles on this tiny space, the noise of a 24hour workforce coming and going and the inappropriate behaviours indulged in by the temporary workforce that this type of building would house. This design is not a plan that is compatible with family dwellings.

The design of these buildings are not in line with section 3 of the building code that requires any builder making more than 4 dwellings on the same piece of land must make every fourth home to universal design standards. This flouting of building requirements is also an indication of the plans being orientated for the single temporary residence.

A further huge concern to me is the lay down area to be used. There is no space anywhere on this very limited space of 8 Moseley Street for materials and having been subjected to the trauma's of having the full surrounds of my home being used as lay down area over the previous 2 years, just to construct 2 dwellings I am certainly not prepared to have all my verge used again for this purpose.

Should the development proceed the inadequate parking for the number of vehicles' ten dwellings would entail would cause a spill over on the tight and dangerous corner of Moseley and Wogina Street and I see my home again being subjected to the excess cars being parked on my verge edge and blocking the vision around this corner.

The lack of any knowledge of the area planned for is obvious when the view to the ocean is given as the area that overlooks the neighbour's home. This knowledge also leads one to understand that this construction is only being put together to maximise the financial advantage with no respect of the interest of long term locals and their lifelong residence.

While understanding there is a requirement for more housing in Port Hedland, this type is at odds with the councils expressed planning priority to see that Hedland remains family focused with reluctance for fly in fly out workers. Building and increasing accommodation, yes but not at all costs. Not at the cost of the way of life valued by our families that have lived here for years

These plans show no areas to entertain or have realistic extra car bays for visitors. Again having witnessed the number of vehicles that have been parked up in larger blocks with couples that have big incomes and industrial employment, my concern for the safety of the surrounding families, children and parents walking their babies with a single men' s camp and the associated behaviour, right in our midst, is huge.

Yet again I feel overwhelmed by a council that has difficulty remembering that we are an old and long established town and are determined to try to hold onto the valuable neighbourhood in the caring family atmosphere we value so highly

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Joan Foley', with a checkmark to the right.

Joan Foley ✓

IPA23519 linked to 2012/23
ENTERED
DATE 13-2-12 BY Michelle

Fernandez Michelle

From: Pound Michael
Sent: Friday, 10 February 2012 2:49 PM
To: Fernandez Michelle
Subject: IPA23519 - FW: Application No: 2012/23 for Ten (10) Dwellings at Lot 1 (8) Moseley Street Port Hedland

SynergySoft: IPA23519

Please link and register to 2012/23

From: Mandy [<mailto:mandyandpaul4@bigpond.com>]
Sent: Friday, 10 February 2012 2:36 PM
To: Martin Paul
Cc: Pound Michael
Subject: Application No: 2012/23 for Ten (10) Dwellings at Lot 1 (8) Moseley Street Port Hedland

Dear Mr Martin,

I am writing to express my concerns in regards to the above mentioned Development Proposal. As a resident of Moseley Street of 5 years I can confidently say it is a very family orientated area where most people know and look out for each other, and the introduction of a dwelling such as this will certainly pose problems for our community.

Some key objections to this development are:

1. The majority of units are 1 bedroom and 2x2 bedroom. These units have windows facing neighbouring yards on all sides of the structure. The plans show screens on the windows which certainly is insufficient as far as privacy for the neighbouring yards is concerned as you can still see through them. Neighbouring yards are well and truly entitled to their privacy.
2. The units have an allocated car park per tenant which leaves visitors and friends parking on residents front verges, inconveniencing local residents and creating traffic congestion being located on a small corner in a built up area. I can only deem this a safety hazard.
3. The recreation area of this dwelling will be located alongside the fence of a family who have young children, and therefore the children may be subject to all forms of unwanted behaviour should there be any undesirable tenants.
4. The actual construction of this dwelling will incur months of noise whilst building, not only interfering with the daily lives of all who reside next to this block but other residents are shift workers who will be forced to endure major disruptions to their living arrangements.

I can only see negatives in this venture as far as the direct community is concerned, the positives I can't really see any.

I sincerely appreciate your time in reviewing my objections and would appreciate upcoming feedback on this situation.

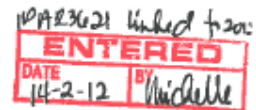
Kind regards

Paul Smeaton
26 Moseley Street
0400 229 674

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>



Document #: IPA23631
Date: 14.02.2012
Officer: LEONARD LONG
File: 400100G



Thursday 9th February 2012

Attn: Michael Pound
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721



Dear Sir,

RE: APPLICATION No: 2012/23 FOR TEN (10) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment in relation to the above application to construct 10 dwellings on 8 Moseley Street, Port Hedland which is a neighbouring property to some property I own in Moseley Street – 12A & 12B.

I strongly object to this development going ahead for the following reasons:

- ***This area is populated with families and we don't need single fly in, fly out***
- ***OVERCROWDING- Proposed development is trying to fit too many dwellings and people on a standard size block***
- ***DWELLING SIZE – indicates transient residents will be preferred to live in these size units with no room outside for living and inside is very contained with basic amenities only***
- ***SEWERAGE – Strained sewerage problems in the street already with the last development of two houses not 10***
- ***NOISE – the increased traffic flow of residents, construction noises and then the noise level from people living there will be increased dramatically for such a quiet neighbourhood and for my tenants***
- ***AMENITY OF BUILDINGS – will be out of character from the other dwellings in the street and could affect land values***
- ***PRIVACY – as the development is two storey high it will be overlooking all its neighbouring properties privacy***
- ***PARKING – Not enough parking has been allowed for the size of the development and the overflow will affect the amenity of the street and cause problems in the area with parking on other residents verges***

Thank you for considering my objections and I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Yours Sincerely,

Darryl Brown ✓

PO Box 339
Port Hedland 6721



11 February 2012

Mr Michael Pound
Planning Manager
Town of Port Hedland
PO Box 41
Port Hedland WA 6721

Dear Michael

APPLICATION No: 2012/23 FOR TEN (10) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

Thank you for the receipt of plans and letter of 25th January 2012. In regard to the above development I wish to voice my opinion. I am against and object the proposal I received yesterday.

I would prefer this Spinifex Hill precinct were intended to provide for development for low-density urban, town and village residential purposes and for compatible purposes which directly service residents in the locality. Densities I believe should be consistent with the desired character of existing individual precincts. Already this year, the Anglican Church has plans to erect a two-storey three's 8 villa style housing on the adjoining lots.

Below are my concerns:

1. Does the developer and planner ensure the new development is suitable for and take due account of Port Hedland's increasingly tropical and cyclonic climate. Does this development have adequate stormwater and flood runoff? What will be the effect on flood levels at adjoining properties in the yearly cyclonic season?
2. There are local concerns regarding a natural easement which torrents water in cyclones. The high land lies and starts in Padbury Close, Port Hedland, with the land low point finishing at the Moseley and Wodgina Streets junction. This natural easement lies between the properties of 6 Wodgina Street, Port Hedland and the Anglican Church lots. Where is this water to go if the existing strip of land has dwellings on it? Who will pay and install the pipe work and can it join up to existing storm water drains?
3. Is the land suitable for multiple dwellings? There is extreme density and no control of the residential development of 8 Moseley Street, Spinifex Hill. There is overcrowding and/or overbuilding on site. The height, bulk, form siting and character of development are NOT compatible in size and scale with the existing residential development in the locality. There appears to be no comfortable living environment with maximum cross-ventilation.

4. Concerns regarding ten (10) dwellings built on or around a 1000sqm block of land and overlooking of a neighbour's yards (swimming pool areas, children play areas, etc), are not unreasonable in the circumstances. Any windows in dwellings constructed on the relevant part of the subject land which would potentially allow a view of that area should be the subject of a screening condition for privacy.
5. The sewage system infrastructure and the existing Town's water services and other utilities having sufficient capacity to handle any extra load from the development. What of the disposal of garbage bins? From the plans, there is scant room on the verge to adequately support 10 or more garbage bins. Are all relevant services supplied to the development site are technically and environmentally carried out in a satisfactory manner that will not be an eye-sore?
6. As a local resident who recently bought 6 Wodgina Street, Port Hedland, I have a right to safe and decent housing. There appears only one driveway accessing the rear of the property from Moseley Street. The development site inflicts overcrowding for the land size. If a fire in the development combined with persistent high winds, other residential properties could be in line of fire and thus destroyed. There is little room for emergency services to stop the catastrophe and a potential life-threatening situation, if a fire broke out in the development.
7. Another safety aspect: Has the developer ensured that adequate provision is made for access to sunlight, breezes and outdoor living space for the occupants, particularly children, of the proposed complex?
8. Has the developer made reasonable arrangements or common space for the laundering and drying of clothes for the occupants?
9. Additional traffic generated by the development or the design of the development does not allow for the narrowness and bends in Moseley and Wodgina Streets, particularly where the driveway is situated. The intent surely, is to ensure that safe and convenient pedestrian and vehicle movement within and adjacent to the development site is achieved, and that the nearby road network is capable of accommodating additional traffic flows. Visitor Parking: The developer to ensure that adequate and convenient provisions are made on the development site for parking for both residents, company and visitors vehicles, boats, trailers and other 'toys'. Will this development and driveway deny the owners and tenants of 6 Wodgina Street, Port Hedland, and access to the existing driveway? Can the owner purchase from the Council the vacant land on the corner of Moseley and Wodgina Streets, to prevent this happening?
10. Will there be new residential (10) strata titles from a single strata title? Who will own these dwellings? Are there any specific building restriction codes that need to be met? What will happen if there is further development on the lot? Such as new re-zoning or future gas availability? What will the impact be on the existing neighbourhood in the future?
11. Is the development "Up For Sale" or leased out to Companies with Fly-In and Fly-Out Workers? The likelihood that "outsiders" moving through a residential area would be less respectful of it, and of the peace and quiet of residents, than the residents themselves, and that unwelcome intrusions, if only by way of noise and disorderly behaviour, would happen. This development is not harmonious with "the precinct's character ... of ... low-density and small scale of development".
12. We must ensure that the environment remains a central concern. I understand from the present rental tenant's of 8 Moseley Street, Port Hedland, have been advised by new owners, the very large and stable trees on verge of said property have termites and will be destroyed. If this is the case, why didn't these extremely healthy-looking aged shade trees shelter in our last Category 3 Cyclone?

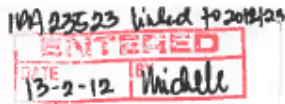
To ensure that the level of amenity enjoyed by neighbours and in the locality generally is preserved or enhanced,
I reject the above proposal.

I thank you Michael for taking the time to read my letter. Please do not hesitate to contact me if further queries
arise. My mobile phone number is 0419 225 125.

Regards

SM Horsington ✓

PO Box 154, Port Hedland WA 8721



Document #: IPA23523
 Date: 10.02.2012
 Officer: LEONARD LONG
 File: 400100G

Wednesday 8th February 2012

Attn: Michael Pound
 Planning Officer
 Town of Port Hedland
 PO Box 41
 Port Hedland 6721



Dear Sir,

RE: APPLICATION No: 2012/23 FOR TEN (10) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment in relation to the above application to construct 10 dwellings on the neighbouring property at 8 Moseley Street, Port Hedland.

I strongly object to this development going ahead as I believe the:

- no planning about*
- CONSTRUCTION STAGE – noise levels could disturb our children from a sleeping routine & the building work may damage our foundation for the house and concrete slabs we have everywhere
 - NOISE & SAFETY - the increased activity of traffic and noise levels from the new neighbours will be magnified for us as I have 3 young children and a baby on the way and I like that this street is quiet and safe for my family to reside in.
 - PRIVACY - From the plans it indicates that all of the units' balconies will have a direct view over the span of our yard with the proposed front units overlooking the front yard and side of the house and the rear 2 bedroom units will be overlooking our entertaining area in the backyard. – removing our right to privacy.. The current proposal reflects "oceans views" in the incorrect direction.
 - SEWERAGE – Plans don't indicate an upgraded sewerage system as the street is experiencing problems already with new developments across the road. Also our concerns are highlighted because the sewage line runs about 3m in from the back fence at 8 Moseley street and units will be built directly over the top. Has the water corporation been informed or a requested to build been submitted to them yet?
 - PARKING - what if there is an overflow of parking as there is 10 units with a minimum of 10 spaces for residents and 2 for visitors, will they be allowed to park in the street?
 - UNIT DESIGN – 1 bedroom, no bath in bathroom, no yard/private garden per unit and the same number of bathrooms to bedrooms – suggests that the housing won't be appropriate for families and indicates to be FIFO compliant.
 - AMENITY OF BUILDING - Streetscape on plans is non conclusive to the surrounding area and I believe the condensed dwelling will be out of character with the rest of the area as the building will be too tall, too close to our boundary and there is no indication of what screening or greenery will be used?
 - WATER DRAINAGE – Not enough drainage/water runoff has been indicated in the plans supplied.
 - EFFECT ON NEIGHBOURS – The current proposed site plan does not show the current location of surrounding houses, their entertaining/living areas and the effect on neighbouring families.
 - IS THE DEVELOPER A LOCAL? If the developer is not a local? He/She will not care about the many impacts these units will have on existing locals/neighbours/families.

- **DUST ZONE** – We believe the design and purpose of these units will be more suited to the 'dust zone/west end' and strongly recommend keeping the family streets for families.

Thank you for considering my objections above and I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Yours Sincerely,

Camile Matthews & Mick Vukusich
10 Moseley Street
Port Hedland 6721



Document #: IPA23530
 Date: 10.02.2012
 Officer: LEONARD LONG
 File: 400100G



Thursday 9th February 2012



Attn: Michael Pound
 Planning Officer
 Town of Port Hedland
 PO Box 41
 Port Hedland 6721

Mike, please forward a copy of the objections to the applicant.
 @get admin to prepare an acknowledgment letter to each objector outlining the process that will follow.
 \$ 11/2/12.

Dear Sir,

RE: APPLICATION No: 2012/23 FOR TEN (10) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment in relation to the above application to construct 10 dwellings on the neighbouring property at 8 Moseley Street, Port Hedland.

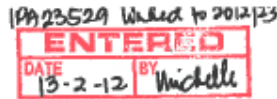
I strongly object to this development going ahead for the following reasons:

- **OVERCROWDING / QUALITY OF LIFE** – Proposed development is trying to fit too many dwellings and people on a standard size block reducing the quality of life which I am opposed to
- **NOISE** – the increased traffic flow of residents, the months of construction noises to develop and then the noise level from people going about their daily lives will be increased dramatically for such a quiet neighbourhood
- **PARKING** – Not enough parking has been allowed for the size of the development and the overflow will affect the amenity of the street and cause problems in the area with parking on other residents verges inconveniencing them.

Thank you for considering my objections and I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Yours Sincerely,

Nick Mayo ✓
 5A Moseley Street



Document #: IPA23529
Date: 10.02.2012
Officer: LEONARD LONG
File: 400100G



3 Moseley Street
Port Hedland.6721
10 February 2012.

Mr Michael Pound,
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721

Dear Sir,

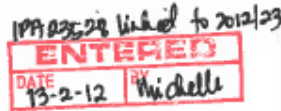
I wish to complain about the idea of building ten units on the block over the road from us at 8 Moseley Street and to say that I am completely against it being build because it will be difficult to have people all doing shifts when we are trying to sleep, with noisy mine vehicles coming in and out at all hours.

Last time there was building by my home, the builders put their vehicles and building material all over the path that the shire made especially for me to use and be safe in my wheel chair on this dangerous corner. Three or four times I had to get the ranger to clear the pathway, just so i could get into my own home entrance. Also the families trying to get around the corner with prams and small children were forced to walk on the road.

As there is only Mum and I in our home, I will be very afraid to be alone in our home if I know there is a single men's camp over the road.

Thank you


Anika Coppin Foley



Document #: IPA23528
Date: 10.02.2012
Officer: LEONARD LONG
File: 400100G

Thursday 9th February 2012

Attn: Michael Pound
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721



Dear Sir,

RE: APPLICATION No: 2012/23 FOR TEN (10) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment in relation to the above application to construct 10 dwellings on the neighbouring property at 8 Moseley Street, Port Hedland.

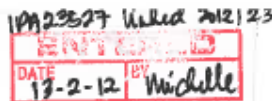
I strongly object to this development going ahead for the following reasons:

- **OVERCROWDING** – Proposed development is trying to fit too many dwellings on a standard size block
- **NOISE** – the increased traffic flow of residents, the months of construction noises to develop and then the noise level from people going about their daily lives will be increased dramatically for such a quiet neighbourhood

Thank you for considering my objections and I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Yours Sincerely,

Dharcim Patel ✓
1 Condon Street



Document #: IPA23527
Date: 10.02.2012
Officer: LEONARD LONG
File: 400100G

Thursday 9th February 2012

Attn: Michael Pound
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721



Dear Sir,

RE: APPLICATION No: 2012/23 FOR TEN (10) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment in relation to the above application to construct 10 dwellings at 8 Moseley Street, Port Hedland.

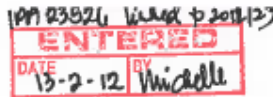
I strongly object to this development going ahead as I know from experience living on this location that it is a lovely quiet friendly place to live with your family. Unfortunately we are not the owners of this property and we will be sad to move and are saddened to hear of the proposal to overdevelop this block.
Our concerns for the neighbours are:

- **OVERCROWDING** – Proposed development is trying to fit too many dwellings and people on a standard size block
- **NOISE** – the increased traffic flow of residents, the months of construction noises to develop and then the noise level from people going about their daily lives will be increased dramatically for such a quiet neighbourhood
- **AMENITY OF BUILDINGS** – will be out of character from the other dwellings in the street
- **PRIVACY** – as the development is two storey high it will be overlooking all of the neighbouring properties impacting on their privacy
- **PARKING** – Not enough parking has been allowed for the size of the development and the overflow will affect the amenity of the street and cause problems in the area with parking on other residents verges inconveniencing them.

Thank you for considering my objections and I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Yours Sincerely,

Ainsley Karala
8 Moseley Street



Document #: IPA23526
Date: 10.02.2012
Officer: LEONARD LONG
File: 400100G

Thursday 9th February 2012

Attn: Michael Pound
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721



Dear Sir,

RE: APPLICATION No: 2012/23 FOR TEN (10) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment in relation to the above application to construct 10 dwellings on the neighbouring property at 8 Moseley Street, Port Hedland.

I strongly object to this development going ahead for the following reasons:

- **OVERCROWDING** – Proposed development is trying to fit too many dwellings and people on a standard size block
- **NOISE** – the increased traffic flow of residents, the months of construction noises to develop and then the noise level from people going about their daily lives will be increased dramatically for such a quiet neighbourhood
- **PARKING** – Not enough parking has been allowed for the size of the development and the overflow will affect the amenity of the street and cause problems in the area with parking on other residents verges inconveniencing them.

Thank you for considering my objections and I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Yours Sincerely,

Mark O'Reilly ✓
12B Moseley Street



Document #: IPA23525
Date: 10.02.2012
Officer: LEONARD LONG
File: 400100G

Thursday 9th February 2012

Attn: Michael Pound
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721



Dear Sir,

RE: APPLICATION No: 2012/23 FOR TEN (10) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment in relation to the above application to construct 10 dwellings on the neighbouring property at 8 Moseley Street, Port Hedland.

I strongly object to this development going ahead for the following reason:

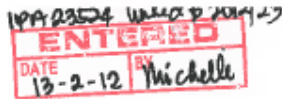
- ***OVERCROWDING – Proposed development is trying to fit too many dwellings on a standard size block***

Thank you for considering my objection and I am willing to discuss any future plans put forward for a smaller size development as I don't disagree with development just the size of this proposal is too big.

I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Yours Sincerely,

John Lamb
12A Moseley Street



Document #: IPA23524
Date: 10.02.2012
Officer: LEONARD LONG
File: 400100G

Thursday 9th February 2012

Attn: Michael Pound
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721



Dear Sir,

RE: APPLICATION No: 2012/23 FOR TEN (10) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment in relation to the above application to construct 10 dwellings on the neighbouring property at 8 Moseley Street, Port Hedland.

I strongly object to this development going ahead for the following reasons:

- **OVERCROWDING / QUALITY OF LIFE** – Proposed development is trying to fit too many dwellings and people on a standard size block reducing the quality of life which I am opposed to
- **DWELLING SIZE** – indicates transient residents will be preferred to live in these size units with no room outside for living and inside is very contained with basic amenities only
- **NOISE** – the increased traffic flow of residents, the months of construction noises to develop and then the noise level from people going about their daily lives will be increased dramatically for such a quiet neighbourhood
- **PRIVACY** – as the development is two storey high it will be overlooking our property and this will impact on any privacy that we have
- **PARKING** – Not enough parking has been allowed for the size of the development and the overflow will affect the amenity of the street and cause problems in the area with parking on other residents verges inconveniencing them.

Thank you for considering my objection and I am willing to discuss any future plans put forward for a smaller size development as I don't disagree with development just the size of this proposal is too big.

I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Yours Sincerely,



Tracey Young & Les Humberston ✓
4B Woodgina Street

ATTACHMENT 4 TO ITEM 11.1.5



Unit 1, 8 Prince Street, Busselton WA 6280 • PO Box 749, Busselton 6280, Western Australia
T +618 9754 2898 F +618 9754 2085 E Busselton@rpsgroup.com.au W rpsgroup.com.au

Our Ref: 11546

Email: hannah.paget@rpsgroup.com.au
Date: 07 March 2012

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

Attention: Michael Pound

Dear Sir

**Response to Submissions Received Regarding Development Application (21012/23)
at 8 Moseley Street, Port Hedland.**

Thank you for your letter attaching the various submissions received regarding the proposed development for ten (10) multiple dwellings at 8 Moseley Street, Port Hedland.

In order to address some of the issues (in particular carparking and amenity) please find attached revised plans to supersede those submitted in the original proposal.

Furthermore, it is our understanding that 18 submissions of objection were received by the Town of Port Hedland in respect of the proposal. Comments in response to each of the main issues raised are provided below.

Overcrowding

The density of the development complies with the Residential Design Codes of Western Australia (R-Codes) and is in accordance with its density coding pursuant to the Scheme (i.e. R30).

Noise

Any potential noise created due to the increased number of dwellings is minimised through the use of screening and appropriate orientation of the dwellings that face internally away from the surrounding dwellings.

Privacy

The proposed development meets the privacy requirements of the R-codes, however further screening could be provided if required by the Town of Port Hedland. An example of further privacy measures that could be taken are further screening along the fence lines of affected homes and planting of vegetation buffers. Screening is not required on stairways as they are not considered a 'medium to long term location for habitation' within the R-codes.

Please note screening for the rear left unit has been included on the attached revised plans.

RPSParking (design and number)

Recent liaison between the project building designer and Council staff has led to preparation of revised drawings which address identified car parking design issues. Accordingly, the parking layout only required a slight re-design to comply with Australian Standards and the R-codes with particular attention being given towards, dimensions, turning areas, and layout and visitor car parking bays.

Quality of Life

The proposed development is consistent with the provisions of the R-codes, the objectives of which include the provision of a full range of housing types and densities and to ensure appropriate standards of amenity are provided for all dwellings and adjoining properties.

Dwelling Size

The dwellings are compliant with the R-codes and the Scheme which permits one bedroom dwellings to be developed on land zoned residential R30. In order to provide some variation to the proposed dwellings, two bedroom dwellings are also proposed within the development which is also consistent with Liveable Neighbourhood objectives. These objectives provide emphasis on supporting sustainable urban development through land efficiency across all elements and a variety of lot sizes and housing types to cater for the diverse housing needs of the community. The proposal supports and achieves these objectives.

Environmental Impact

The subject site is zoned 'Residential' under the Scheme which applies a density of R30. The proposed development is consistent with this density and will be used for residential purposes. Any perceived environmental impacts resulting from the development will be appropriately managed through building and development controls.

Communication

Public consultation was undertaken by the Town of Port Hedland in accordance with the Scheme requirements. In this regard, the proposal was advertised and all submissions received have been considered by Council staff in its assessment of the proposal.

Compliance with the Building Codes of Australia

Subject to issue of planning consent the proposal will then be assessed under the Building Codes of Australia as part of the building licence process. A building licence is required to be issued by the Council prior to any development taking place on the site.

Construction Storage, Noise and Cleanliness

The development is proposed in a two stages which will minimise the impact of construction on the surrounding properties. It is proposed to develop the rear four dwellings as the first stage, whereby construction materials will be confined to the rear section of the lot. The second stage of development (remaining 6 dwellings) will not occur until the Water Corporation has confirmed water supply is available to the remaining 6 proposed dwellings, which is currently expected by 2014.

RPSSewerage

The Water Corporation has advised that sewer connection to the first stage (i.e. 4 dwellings) is currently available. It also advised that waste water headwork's are scheduled for upgrade in 2014, whereby suitable capacity will be available to service the proposed second stage of development.

Local Amenity

The proposed development has been designed to minimise any impacts on the amenity of the existing residential locality and includes measures such as screening and building orientation to mitigate any perceived or potential impacts. The proposed dwellings to the front of the lot address the street and the majority of car parking spaces are located behind buildings or street trees to soften the impact on the street. Furthermore a detailed landscaping plan will be required as a condition of planning consent which will further assist and alleviate any perceived visual impacts.

Stormwater Disposal

Stormwater disposal is addressed on site and as indicated on the attached plans, an on-site facility to pump stormwater into the public drainage network after a storm event is also provided, as recommended by Council staff.

Water Supply

It has been advised by the Water Corporation that the area requires upgrading of current water supply services and until such time that this upgrade occurs the site cannot support more than 5 dwellings. It is the intent of the owner therefore, to develop the land in a staged manner whereby the rear four dwellings will be developed as part the first stage and the existing dwelling at the front will be retained. The remaining six proposed dwellings at the front will then be constructed at a latter stage when water supply is available. As mentioned above, this is anticipated by 2014. As discussed with Council staff, a condition of planning consent, with a corresponding advice note, to acknowledge the staged approach will be imposed.

Removal of Street Trees

In accordance with the revised plans (attached) the southern crossover has now been altered to retain the existing street tree previously proposed for removal. The driveway now veers to the north of the tree avoiding the need to remove it. The main driveway to the rear dwellings and services box has also been moved in order to retain the street tree closest to the western boundary. Accordingly, all street trees have been retained by the developers building designer, ensuring the existing amenity of the streetscape is preserved.

Number of Crossovers

The proposed crossovers servicing the front dwellings are required in order to retain all the street trees, whilst providing appropriate access to all dwellings.

We trust each of the above comments provides suitable response to the various matters raised during the consultation process and we look forward to favourable determination of the revised proposal by Council.



In the meantime should you have any queries or require further information, please do not hesitate to contact the undersigned, or alternatively Stan Lawrence –Brown at this office.

Yours sincerely
RPS

Hannah Paget
Town Planner

cc: Client – Peter Rakic

ATTACHMENT 5 TO ITEM 11.1.5

Speakman Chloe

From: Pound Michael
Sent: Wednesday, 18 April 2012 5:20 PM
To: Records
Subject: ICR25802 - FW: APPLICATION No: 2012/23 FOR EIGHT (8) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721
SynergySoft: ICR25802

From: John mathews [mailto:stb@westnet.com.au]
Sent: Wednesday, 18 April 2012 4:04 PM
To: Pound Michael
Subject: RE: APPLICATION No: 2012/23 FOR EIGHT (8) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I have concerns about the proposed development, they are the impact on the area of what appears to be dwellings for single or fifo persons, at present family's often walk along the road to the beach, they can't use the footpath (there isn't one) recently the road was blocked off completely at the east end for hours while building material was unloaded no notification to residents. This street is a family street kids dogs etc. if this project goes ahead I dread to think where all the parking of vehicles is going to be on a bend .
John mathews

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File Number: 400006
Int. Correspondent: .. Leonard & Mike

Wednesday 18th April 2012

Attn: Michael Pound
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721

Dear Sir,

RE: APPLICATION No: 2012/23 FOR EIGHT (8) MULTIPLE DWELLINGS AT LOT 1 (8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment in relation to the above application to construct 8 dwellings on the neighbouring property at 8 Moseley Street, Port Hedland.

I strongly object to this development going ahead as I believe the:

- CONSTRUCTION STAGE – noise levels could disturb our children from a sleeping routine & the building work may damage our foundation for the house and concrete slabs we have everywhere. The proposed development block is on a corner (quite blind) with nowhere to park equipment and vehicles through construction unless they park on footpaths and verges down the street and over the road. This has proven a problem in the past with vehicles & equipment parking on the path that was provided by the shire and local businesses for the young girl across the road whom requires wheelchair access, and was blocked in her own yard on a daily basis. I, myself also experienced difficulties walking with my children to the foreshore path and beach, had to walk through the middle of the road with a pram, dog and small child, on a busy blind corner on several occasions and encountered some near misses. Consequently having to drive the 100 Metres for the safety of my children.
- NOISE & SAFETY - the increased activity of traffic and noise levels from the new neighbours will be magnified for us as I have 3 young children and a baby on the way, which all our bedrooms are along that side of the house, which will only give a distance of approx 4 metres, and I like that this street is quiet and safe for my family to reside in.
- PRIVACY - From the plans it indicates that two of the unit's at the rear of the property upstairs balconies will have a direct view over the span of our backyard with the proposed front units overlooking the front yard and side of the house and the side three bedroom units will be overlooking our entertaining area in the backyard. – removing our right to privacy. Also two of the unit's staircases will run upwards right next to our fence with no screening or privacy protection.
- SEWERAGE – Plans don't indicate an upgraded sewerage system as the street recently had been experiencing problems with new developments across the road. Also our concerns are highlighted because the sewage line runs about 3m in from the back fence at 8 Moseley st. Units will be built directly over the top. Has the water corporation been informed or a requested to build been submitted to them yet?
- PARKING - What if there is an overflow of parking as there is 8 units with a minimum of 8 spaces for residents and 2 for visitors, will they be allowed to park in the street? The amount of bedrooms has not changed or reduced from the last plans, but the parking has reduced. I do not want to see another parking disaster like Pretty pool developments and park. By my calculations if two units indicate FAMILYS, they usually require two parking spots for two adults. Therefore 10 Parking bays should be provided at least for residence and then some for visitors ect.

- UNIT DESIGN – 1 bedroom, no bath in bathroom, no yard/private garden per unit and the same number of bathrooms to bedrooms – suggests that the housing won't be appropriate for families and indicates to be FIFO compliant. Although two units have been dropped, two units have added bedrooms, maybe suggesting families, however, still FIFO compliant and no private garden or shed to indicate a family friendly residence.
- AMENITY OF BUILDING - Streetscape on plans is non conclusive to the surrounding area and I believe the condensed dwellings will be out of character with the rest of the area as the building will be too tall, too close to our boundary, too many units and there is no real indication of what screening, greenery or what outside building facing materials will be used? Tilt panels? Cladding? Brick? Tin?
- STORAGE/SHED FACILITIES – The storage/shed block or facilities indicated on the last plans have been removed and the plans no longer allow for ample storage of bikes, man toys, gardening equipment, boats ect (the things normal families accumulate for the Pilbara living.) Will we be seeing boats ect parked on the street along with the excess of residing vehicles?
- WATER DRAINAGE – Not enough drainage/water runoff has been indicated in the plans supplied. The development site also runs from the street downhill onto the property, meaning water will not run out of yard, but across and into neighbouring yards.
- EFFECT ON NEIGHBOURS – The current proposed site plan does not show the current location of surrounding houses, their entertaining/living areas and the effect on neighbouring families.
- IS THE DEVELOPER A LOCAL? If the developer is not a local? He/She will not care about the many impacts these units will have on existing locals/neighbours/families.
- DUST ZONE – We believe the design and purpose of these units will be more suited to the 'dust zone/west end' and strongly recommend keeping the family streets for families.
- FAMILIES FIRST – We strongly recommend to council in order for the town to collectively encourage long term families and residences to continue or reside in town. We need to be building more 4/3 bedrooms houses in family areas. This needs to include all the amenities that a normal family house would have ie, Shed, pool, Play area/garden for kids and ample parking for 'Pilbara Toys'. There aren't many area's left in Port Hedland that can provide the safety, security and space any parent would want for their children.

Thank you for considering my objections above and I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Yours Sincerely,

Camile Mathews & Mick Vukusich
10 Moseley Street
Port Hedland 6721

3 Moseley Street
Port Hedland, 6721.
To Michael Pound
Town of Port Hedland
Box 41 Post Office
Port Hedland, 6721

Dear Michael,

I write in protest of the idea of the 10 units proposed to be built at 8 Moseley Street, across from my home. The idea of building what amounts to a single man's camp in the midst of a street of families that have family lifestyles, living in single dwelling homes is totally unacceptable. The area that is used in the plan is surrounded by people who would have their life as they know it ripped apart with the addition of up to 20 more vehicles on this tiny space, the noise of a 24hour workforce coming and going and the inappropriate behaviours indulged in by the temporary workforce that this type of building would house. This design is not a plan that is compatible with family dwellings.

The design of these buildings are not in line with section 3 of the building code that requires any builder making more than 4 dwellings on the same piece of land must make every fourth home to universal design standards. This flouting of building requirements is also an indication of the plans being orientated for the single temporary residence.

A further huge concern to me is the lay down area to be used. There is no space anywhere on this very limited space of 8 Moseley Street for materials and having been subjected to the trauma's of having the full surrounds of my home being used as lay down area over the previous 2 years, just to construct 2 dwellings I am certainly not prepared to have all my verge used again for this purpose.

Should the development proceed the inadequate parking for the number of vehicles' ten dwellings would entail would cause a spill over on the tight and dangerous corner of Moseley and Wogina Street and I see my home again being subjected to the excess cars being parked on my verge edge and blocking the vision around this corner.

The lack of any knowledge of the area planned for is obvious when the view to the ocean is given as the area that overlooks the neighbour's home. This knowledge also leads one to understand that this construction is only being put together to maximise the financial advantage with no respect of the interest of long term locals and their lifelong residence.

While understanding there is a requirement for more housing in Port Hedland, this type is at odds with the councils expressed planning priority to see that Hedland remains family focused with reluctance for fly in fly out workers. Building and increasing accommodation, yes but not at all costs. Not at the cost of the way of life valued by our families that have lived here for years

These plans show no areas to entertain or have realistic extra car bays for visitors. Again having witnessed the number of vehicles that have been parked up in larger blocks with couples that have big incomes and industrial employment, my concern for the safety of the surrounding families, children and parents walking their babies with a single men's camp and the associated behaviour, right in our midst, is huge.

Yet again I feel overwhelmed by a council that has difficulty remembering that we are an old and long established town and are determined to try to hold onto the valuable neighbourhood in the caring family atmosphere we value so highly

Yours Sincerely

Joan Foley

6/4/2012

Further to the above for Application 2012/23 8 Moseley Street

See all the above items for my protest. None of these issues have been addressed with these new plans. As far as I can see the only thing that has changed is that our protest allowed the fools that drew up the original plans to re orientate themselves with the use of my 5th paragraph and identify the side of the block that faces the ocean.

Nothing else has changed and I remain totally opposed to this as well as the previous Transient Worked Accommodation men's camp proposal. You only have to look at the complete eye sore that the council has already permitted on the corner of Sutherland and Crawford Street to know that building at this scale is totally inappropriate in our area of family homes and our families don't want it.

I hope you will see how inappropriate this is and insist to further builders that the integrity of established family lifestyles must be honoured.

Again Sincerely

Joan Foley

3 Moseley Street
Port Hedland.6721
10 February 2012.

Mr Michael Pound,
Planning Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721

Dear Sir,

I wish to complain about the idea of building ten units on the block over the road from us at 8 Moseley Street and to say that I am completely against it being build because it will be difficult to have people all doing shifts when we are trying to sleep, with noisy mine vehicles coming in and out at all hours.

Last time there was building by my home, the builders put their vehicles and building material all over the path that the shire made especially for me to use and be safe in my wheel chair on this dangerous corner. Three or four times I had to get the ranger to clear the pathway, just so i could get into my own home entrance. Also the families trying to get around the corner with prams and small children were forced to walk on the road.

As there is only Mum and I in our home, I will be very afraid to be alone in our home if I know there is a single men's camp over the road.

Thank you

Anika Coppin Foley

Tuesday 17th April

Attn: Michael Pound
Senior Planning Officer
Town of Port Hedland



Document #: IPA25827
Date: 19.04.2012
Officer: LEONARD LONG
File: 400100G → L20m.d

Dear Sir,

RE: APPLICATION No 2012/23 FOR EIGHT (8) MULTIPLE DWELLINGS AT LOT 1(8) MOSELEY STREET, PORT HEDLAND WA 6721

I wish to comment again in relation to the above application for 8 Moseley St, Port Hedland.

The new plans are not acceptable to me. The new plans have even more bedrooms and less parking space. So we'll have even more overcrowding. The new plans now have a total of 16 bedrooms, that's potentially 16 to 32 adults if they have partners.

They are going to share one car bay per unit (10 car bays in total for the whole block).

Most people have their own car, that's potentially 16 to 32 cars.

What if some of them have a boat as well or a caravan?

I strongly object to the development going ahead for the following previous reasons:

- **OVERCROWDING / QUALITY OF LIFE - Proposed development is trying to fit too many dwellings and people on a standard size block. Reducing the quality of life, which I am opposed to.**
- **NOISE - the increased traffic flow of residents, the noise level from people going about their daily lives will be increased dramatically for such a quiet neighbourhood**
- **PARKING - not enough parking has been allowed for the size of the development and the overflow will affect the amenity of the street and cause problems in the area with parking on the other resident's verges inconveniencing them.**

Thank you for considering my objections and I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

Your Sincerely

Nick Mayo
5A Moseley ST.

ATTACHMENT 6 TO ITEM 11.1.5



Unit 1, 8 Prince Street, PO Box 749, Busselton Western Australia 6280
T +61 8 9754 2898 F +61 8 9754 2085 E busselton@rpsgroup.com.au W rpsgroup.com.au

Our Ref: 11546

Email: stan.lawrence-brown@rpsgroup.com.au

Date: 24 April 2012

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

Attention: Michael Pound

Dear Sir

**RE: Response to Submissions Received Regarding Development Application
(21012/23) at 8 Moseley Street, Port Hedland**

Thank you for providing us with the submissions received after advertising the revised development application (reduced from ten to eight grouped dwellings) at 8 Moseley Street, Port Hedland.

Following advertising of the original application, the proponent resolved to revisit the proposal and change the design, in response to submissions received to the original plans and subsequent discussions held with Council planning staff.

Upon receipt of the revised plans, Council staff resolved to advertise the revised proposal a second time in order to gauge community response. During the second round of advertising a total of five submissions were received, significantly below the eighteen submissions that were received during initial advertising period, thus indicating acceptance of the proposal by the majority of the community.

In this regard, the revised proposal was designed to primarily address issues/concerns raised during the initial advertising process and based on the lower rate of response it is apparent that most of the concerns previously raised have been satisfied. Conversely the majority of issues raised by the 5 submissions received the second time are generally the same as before with a general focus towards the issue of density increase. In response to this we wish to highlight the following points:

- The proposed density is in accordance with zoning and applicable density code (i.e. R30) of the locality pursuant to Council's Town Planning Scheme;
- The Town of Port Hedland's engineering department and other government authorities support the revised proposal;
- Car parking has been revised to ensure that all car bays meet the Shire's requirements for size and manoeuvrability;
- The revised proposal is consistent with the Residential Design Codes of Western Australia (R-codes) and therefore the town planning scheme with respect to residential layout and function. While it is acknowledged some variations to the R-codes have been

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applied this is generally the case with medium density proposals and in order to minimise impacts on neighbouring properties a number of measures have been undertaken within the design including use of privacy screening, building orientation, setbacks not too mention decreasing the number of dwellings.

- The revised plans have been designed in accordance with Liveable Neighbourhoods, including the provision of varying dwelling types and housing mix in residential areas.
- The streetscape has been addressed through the minimisation of crossovers and visible car parking and the retention of existing street trees.

In order to provide a visual impression of the future development, we also attach a streetscape elevation of the proposal to be viewed in conjunction with the revised plans.

In summary, the proponent has responded to the original issues raised by the community by decreasing the density from 10 to 8 dwellings, modifying the site layout, providing improved access and manoeuvrability for vehicle movement, increasing usability of the dwellings and placing greater emphasis on maintaining amenity to the existing streetscape.

We trust that the revised proposal is now in order for Council approval and in the meantime, should you have any queries or require further information, please do not hesitate to contact the undersigned on 97542898.

Yours sincerely
RPS

Stan Lawrence-Brown
Technical Director – Town Planning

cc: Client – Vladimir Ejov and Peter Rakic

ATTACHMENT 7 TO ITEM 11.1.5

Pound Michael

From: Stan Lawrence-Brown [Stan.Lawrence-Brown@rpsgroup.com.au]
Sent: Friday, 27 April 2012 1:00 PM
To: Pound Michael
Cc: Hannah Paget
Subject: 11546 - 8 Moseley Street, Port Hedland

Hello Michael,

The following email has been prepared to further address the issues which have been raised by neighbouring landowners during the second round of advertising. The following issues were raised and each has been addressed –

Construction Stage –

Development of the site will be carried out in accordance with requirements of a building licence to be issued by Council. This will incorporate measures to ensure residential amenity of the area is protected. The development is proposed in two stages which will minimise the impact of construction on the surrounding properties. It is proposed to develop the rear four dwellings as the first stage, whereby construction materials will be confined to the rear section of the lot. The second stage of development (remaining 4 dwellings) will not occur until the Water Corporation has confirmed water supply is available to the remaining 4 proposed dwellings, which is currently expected by 2014.

Overcrowding –

The density of the proposed development is compliant with Section 7 of the Residential Design Codes which stipulates that the maximum plot ratio of a multiple dwelling development in the R30 density coding shall be 0.5. the proposed development does not exceed this plot ratio.

Noise and Safety –

The density of the application is consistent with Section 7 of the Residential Design Codes and the Town of Port Hedland's Local Planning Scheme. While any potential noise created due to the increased number of dwellings is minimised through the use of screening and appropriate orientation of the dwellings that face internally away from the surrounding dwellings as per the residential design codes, it is essentially a management issue which can be enforced through local laws and the town planning scheme .

Privacy–

The proposed development meets the privacy requirements of the R-codes including screening of all windows and outdoor activity areas which may overlook neighbouring properties. However, further screening could be provided if required by the Town of Port Hedland. An example of further privacy measures that could be taken are further screening along the fence lines of affected homes and planting of vegetation buffers. Screening is not required on stairways as they are not considered a 'medium to long term location for habitation' within the R-codes.

Sewerage –

Water Corporation has advised that sewer connection to the first stage (i.e. 4 dwellings) is currently available. It also advised that waste water headwork's are scheduled for upgrade in 2014, whereby suitable capacity will be available to service the proposed second stage of development. It has no objection to the proposal including location of dwellings.

Parking –

Parking is compliant with the Residential Design Codes and the Town of Port Hedland's Local Planning Scheme. The Town of Port Hedland's engineering department is satisfied with the parking that is provided and that it is compliant.

Unit Design –

The units have been designed in accordance with the Residential Design Codes for multiple dwelling developments. There is no requirement for a bath or private yard, however private courtyard areas are provided in accordance with the residential design codes for use of each dwelling including clothes drying. Any other requirements for the unit design will be assessed during the Building Licence stage of the proposal.

Amenity of Building –

The proposed dwellings have been designed to have a minimum impact on the local amenity. Dwellings have been designed to address the street and screening has been incorporated to minimise visual impact from neighbouring properties. Further screening and buffer vegetation planting can be required as a condition of approval.

Storage Shed / Shed Facilities –

The separate storage facility has been removed each storage facility has been incorporated into each dwelling. The storage areas were included to comply with Section 7.4.7 A7.1 of the Residential Design Codes. Although the storage areas have been incorporated into each dwelling they are still in compliance with the Residential Design Codes and there is no requirement for them to be provided as a separate structure or to provide parking for boats or other large equipment.

Water Drainage –

Stormwater disposal is addressed on site and as indicated on the attached plans, an on-site facility to pump stormwater into the public drainage network after a storm event is also provided, as recommended by Council staff.

Effect on Neighbours –

As addressed in 'Amenity of building' and 'Privacy' and 'Noise and safety'.

Is the Developer Local –

The developer is the owner of the land and has right to develop that land within the requirements of the Town of Port Hedland's local Planning Scheme and the Residential Design Codes.

Dust Zone –

The land is zoned within the Town of Port Hedland's Local Planning Scheme 'Residential R30' in which a multiple dwelling development to a maximum 0.5 plot ratio is appropriate. This proposal complies with those details.

Families First –

This development is appropriate for a wide range of the demographic, including small families, couples of all ages and singles of all ages. It is a requirement of the Liveable Neighbourhoods document that dwellings be provided which will accommodate for a range of people with a range of living arrangements. Providing only large four and three bedroom homes will create housing which is only suitable for one section of the full demographic. It will also contribute to inefficient use of land for affordable housing within the town which is a problem that Council is trying to avoid via upcoding many areas within the town site, this property being one of them.

Issues associated with the types of people or sections of the community who may or may not live in a proposed dwelling should not be a planning consideration. It should also be noted that the zoning of the site could also facilitate up to 3 grouped dwellings each with six bedrooms and less parking requirements. The proposal is an appropriate response to the current zoning of the land and is consistent with the relevant planning framework provisions provided by Council's Scheme for its residential area.

Regards,

RPS

Stan Lawrence-Brown
Technical Director
Planning & Development
RPS Australia Asia Pacific
Unit 1, 8 Prince St, Busselton, WA, Australia, 6280
P.O. Box 749, Busselton, WA, 6280
Tel: +61 8 9754 2898
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11.1.6 Request for the Town to Accept Management Orders for Five (5) Public Open Space Reserves and Three (3) Stormwater Drainage Reserves in the Osprey Subdivision – WAPC 145526 (File No.: 18/14/0004)

Officer Steve de Meillon
Planning Officer

Date of Report 26 July 2012

Disclosure of Interest by Officer Nil

Summary

Council received a request form Taylor Burrell Barnett on behalf of the South Hedland New Living Project to consider accepting the Management Orders for five (5) Public Open Space Reserves and three (3) Stormwater Drainage Reserves in the Osprey Subdivision, South Hedland (WAPC 145526).

Background

An application for subdivision approval was lodged with the Western Australian Planning Commission on the 23 January 2012 for the following Lots:

- Lot 556 on Plan 72058 (Certificate of Title LR3161/429)
- Lot 3984 on Plan 215416 (Certificate of Title LR3161/421)
- Lot 4150 on Plan 185336 (Certificate of Title LR3139/532)
- Lot 5496 on Plan 185336 (Certificate of Title LR3139/533)
- Lot 5497 on Plan 215416 (Certificate of Title LR3139/530)

The application is referred to as the Osprey subdivision (the site).

The West Australian Planning Commission issued conditional approval of the Osprey subdivision on the 17 May 2012.

The five (5) Public Open Space Reserves and three (3) Stormwater Drainage Reserves (Attachment 1) will be created as Crown reserves in accordance with the subdivision approval.

The Town is required to provide written confirmation to the Department of Regional Development and Lands (State Lands), it will accept the management orders for the created Crown reserves.

Consultation

The application has been referred internally to Technical Services and Recreation Services & Facilities.

Statutory Implications

Section 46 of the *Land Administration Act 1997* sets out the procedure for the placing of care, control and management of reserves.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

Accepting the management orders will allow the Town to have the care, control and management over the proposed Public Open Spaces and Drainage Reserves.

The acceptance of the management orders is part of the process to facilitate the subdivision and future development of the site.

Options

1. Accepts the management orders when created as Crown reserves in accordance with the subdivision approval (WAPC 145526).

Accepting the management orders will allow the Town to have the care, control and management over the proposed Public Open Spaces and Drainage Reserves.

2. Refuses to accepted the management orders when created as Crown reserves in accordance with the subdivision approval (WAPC 145526).

Refusal to accept the management orders will result in the Town having no care, control or management over the proposed Public Open Spaces and Drainage Reserves.

Attachments

1. Subdivision Plan

201213/055 Officer's Recommendation / Council Decision

Moved: Cr Carter

Seconded: Cr Dziombak

That Council:

- 1. Accepts the management orders for the five (5) Public Open Space Reserves and three (3) Stormwater Drainage Reserves in the Osprey Subdivision when these are created as Crown reserves in accordance with the subdivision approval (WAPC 145526).**
- 2. Delegates the Manager Planning Services to notify the Department of Regional Development and Lands it will accept the five (5) Public Open Space Reserves and three (3) Stormwater Drainage Reserves in the Osprey Subdivision when these are created as Crown reserves in accordance with the subdivision approval (WAPC 145526).**

CARRIED 6/0



11.1.7 Proposed Road Dedication to Extend Hakea Court Road Reserve, South Hedland (File No.: 804989G)

Officer Steve de Meillon
Planning Officer

Date of Report 25 July 2012

Disclosure of Interest by Officer Nil

Summary

Council received a request from Hightower Planning and Development on behalf of Hutchinson Builders to seek Councils support to formalise road access to Lot 2771 Acacia Way, South Hedland (the Site).

It is recommended Council support the request for the road dedication to extend Hakea Court, South Hedland.

Background

The Pilbara Joint Development Assessment Panel (JDAP) on the 16 May 2012 approved a development for sixteen (16) additional "Grouped Dwellings" on Lot 2771 Acacia Way, South Hedland.

The applicant is seeking to extend Hakea Court to formalise access onto the site. The extension of Hakea Court will be over a portion of Unallocated Crown Land.

The Unallocated Crown Land is burdened with an existing easement to the benefit of the Water Corporation. The Water Corporation have indicated they are willing to surrender the easement subject to due process being followed.

Consultation

The application was circulated internally to Technical Services, with no objections raised.

Statutory Implications

Section 56 of the *Land Administration Act 1997* establishes the procedure for road dedications.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

The site currently has a twenty four (24) "Multiple Dwelling" development which gains access from Acacia Way. An application for an additional sixteen (16) "Grouped Dwellings" was approved by JDAP on the 16 May 2012.

The extension of Hakea Court will formalise an additional access to accommodate the further development of the site. The additional access provides safer vehicular movements around the site.

Options

Council has the following options for responding to the request:

1. Support the request for the road reserve dedication of Hakea Court to provide access to Lot 2771 Acacia Way, South Hedland.

Approving the dedications will result in an additional access to the site improving traffic safety.

2. Reject the request for the road reserve dedication of Hakea Court to provide access to Lot 2771 Acacia Way, South Hedland.

Should Council not support the alterations, the applicant will need to seek alternative options to gain vehicular access to the area.

It is recommended Council support the request for the road reserve dedication of Hakea Court to provide access to Lot 2771 Acacia Way, South Hedland.

Attachments

1. Locality Plan.
2. Road Dedication Plan.

201213/056 Officer's Recommendation / Council Decision

Moved: Cr Carter

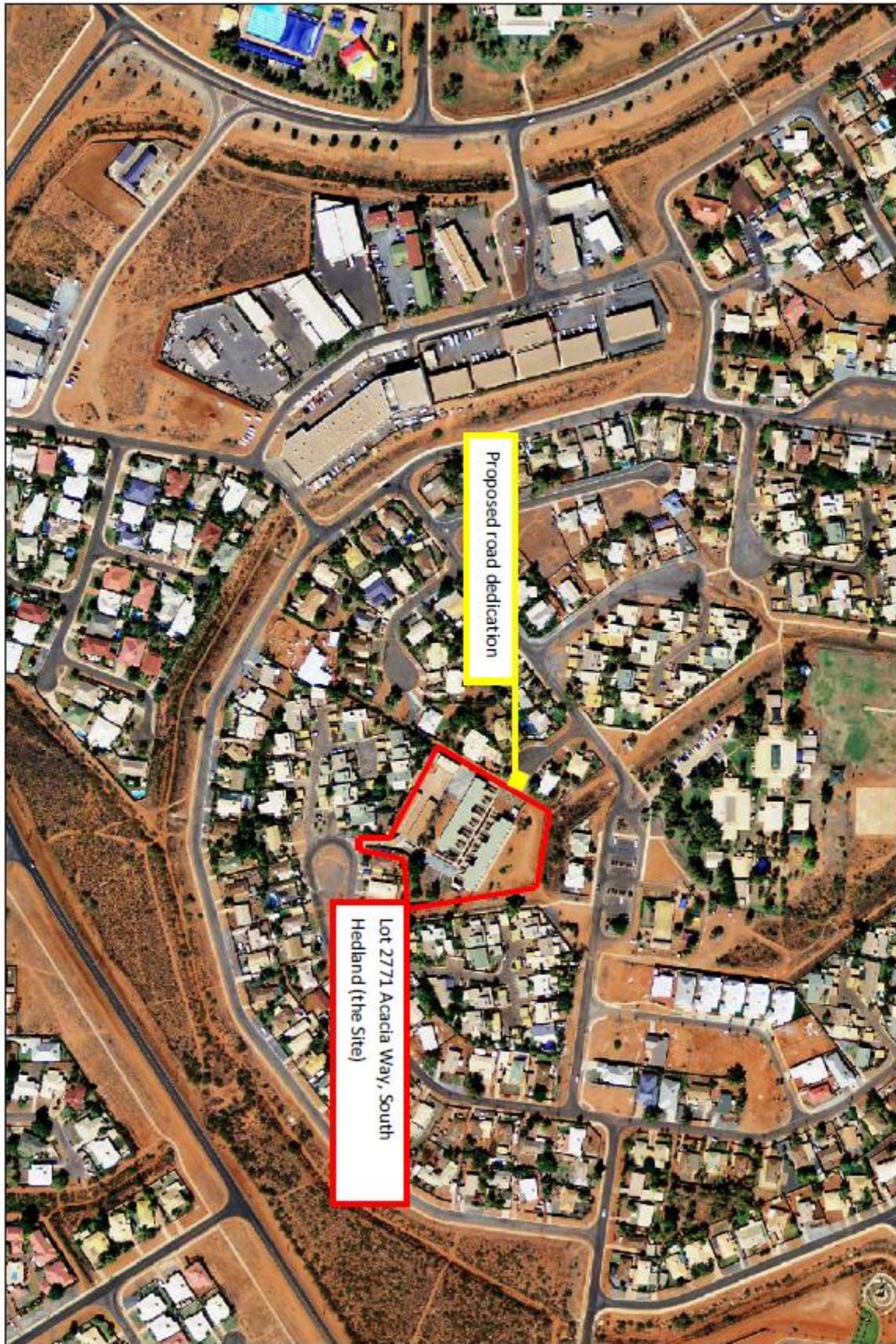
Seconded: Cr Martin

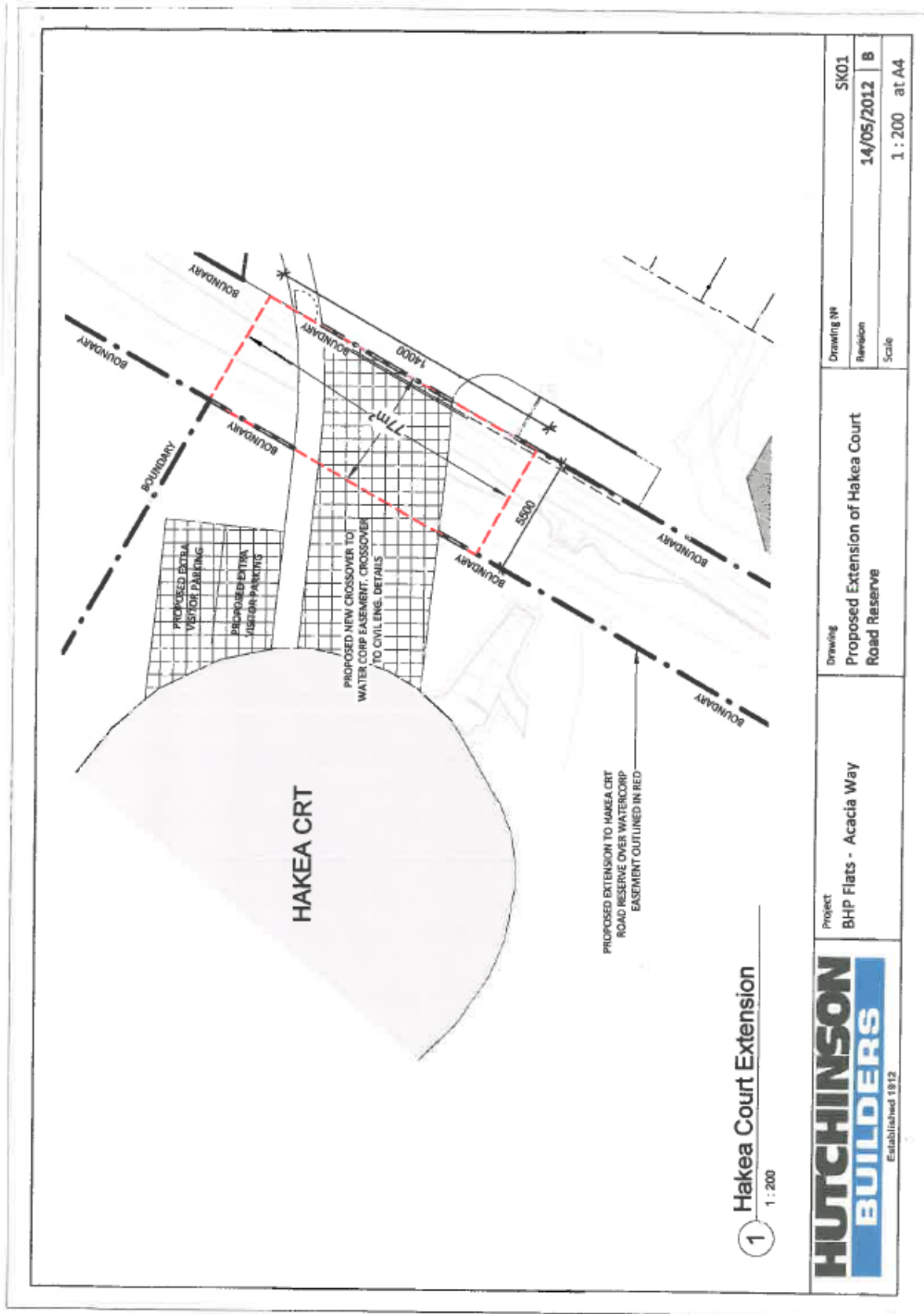
That Council:

1. **Supports the request from Hightower Planning and Development on behalf of Hutchinson Builders to permanently dedicate a road reserve as shown in Attachment 2.**

- 2. Delegates the Manager Planning Services to submit the road dedication request to the Department of Regional Development and Lands (State Lands Services).**
- 3. Notifies the applicant any road construction and required signage will be at the applicants cost and is to be to the specification of the Manager Technical Services.**

CARRIED 6/0





11.1.8 Request for Closure of Pedestrian Access Way Closure, Pedestrian Access Way and Parklands Reserve and Road Dedication of a Portion of Reserve 35325 (File No.: 802450G)

Officer Steve de Meillon
Planning Officer

Date of Report 25 July 2012

Disclosure of Interest by Officer Nil

Summary

Council has received a request from RPS the Town Planners on behalf of LandCorp to undertake various land administration matters to facilitate the continued redevelopment of the South Hedland Town Centre.

The request is supported by Council Officers; it is recommended Council consider the request favourably.

Background

Location (Attachment 1)

The applicant is seeking to undertake various land administration matters to facilitate the continued redevelopment of the South Hedland Town Centre.

Proposal (Attachment 2)

The following outlines the nature and extent of the request:

- Initiate Pedestrian Access Way Closure (Request 1).

Initiate closure of Reserve 45891 (Lot 6057) for the purposes of extending Dalesford Close to link with Forrest Circle.

- Initiate Pedestrian Access Way and Parkland Reserve Closure (Request 2).

Initiate closure of Reserve 35321 (Lot 3706) for the purposes of amalgamating this area with Reserve 35326 for the purposes of Drainage.

- Road Dedication (Request 3).

Dedicate a portion of Reserve 35325 for the purpose of a road. Council on the 10 November 2012 resolved to close reserve 35325. The Department of Regional Development and Lands advised to dedicate a portion of this land for the purposes of road if required.

Consultation

The various land administration matters were circulated to the following agencies:

Internal

- Technical Services
- Investment & Business Development Services
- Economic Development Services

External

- Department of Water
- Horizon Power
- Main Roads Western Australia
- Optus
- Telstra
- Water Corporation

As a result of the referral process no objections or recommendation were received.

Should Council resolve to support the various Land Administration matters, the Pedestrian Access Way closures are required to be advertised for a period of 35 days pursuant to section 58(3) of the Land Administration Act 1997.

Statutory Implications

Pedestrian Access Ways

Section 87 of the Land Administration Act 1997 establishes the procedure for closing and amalgamating a pedestrian access way with the adjoining land.

Road Dedications

Section 56 of the *Land Administration Act 1997* establishes the procedure for road dedication.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

The proposal forms part of the implementation indicators outlined for Precinct 11 – City Centre within the Pilbara Port City Growth Plan.

The proposal is in addition to the wider redevelopment already undertaken for the South Hedland Town Centre. As indicated on the attached plan, the Town has already resolved to approve a number of other land administration matters related to this proposal.

The changes will result in improved vehicle and pedestrian flows within the area.

Options

Council has the following options when considering the request:

1. Support the request for the Pedestrian Access Way and Parklands Reserve closures, and the dedication of Road Reserve.

Approving the Pedestrian Access Way and Parklands Reserve closures, and the dedication of Road Reserve will result in the continued redevelopment of the South Hedland Town Centre.

2. Reject the request for the Pedestrian Access Way and Parklands Reserve closures, and the dedication of Road Reserve.

Should Council not support the proposed works, it may jeopardize further development of South Hedland Town Centre.

Option 1 is recommended.

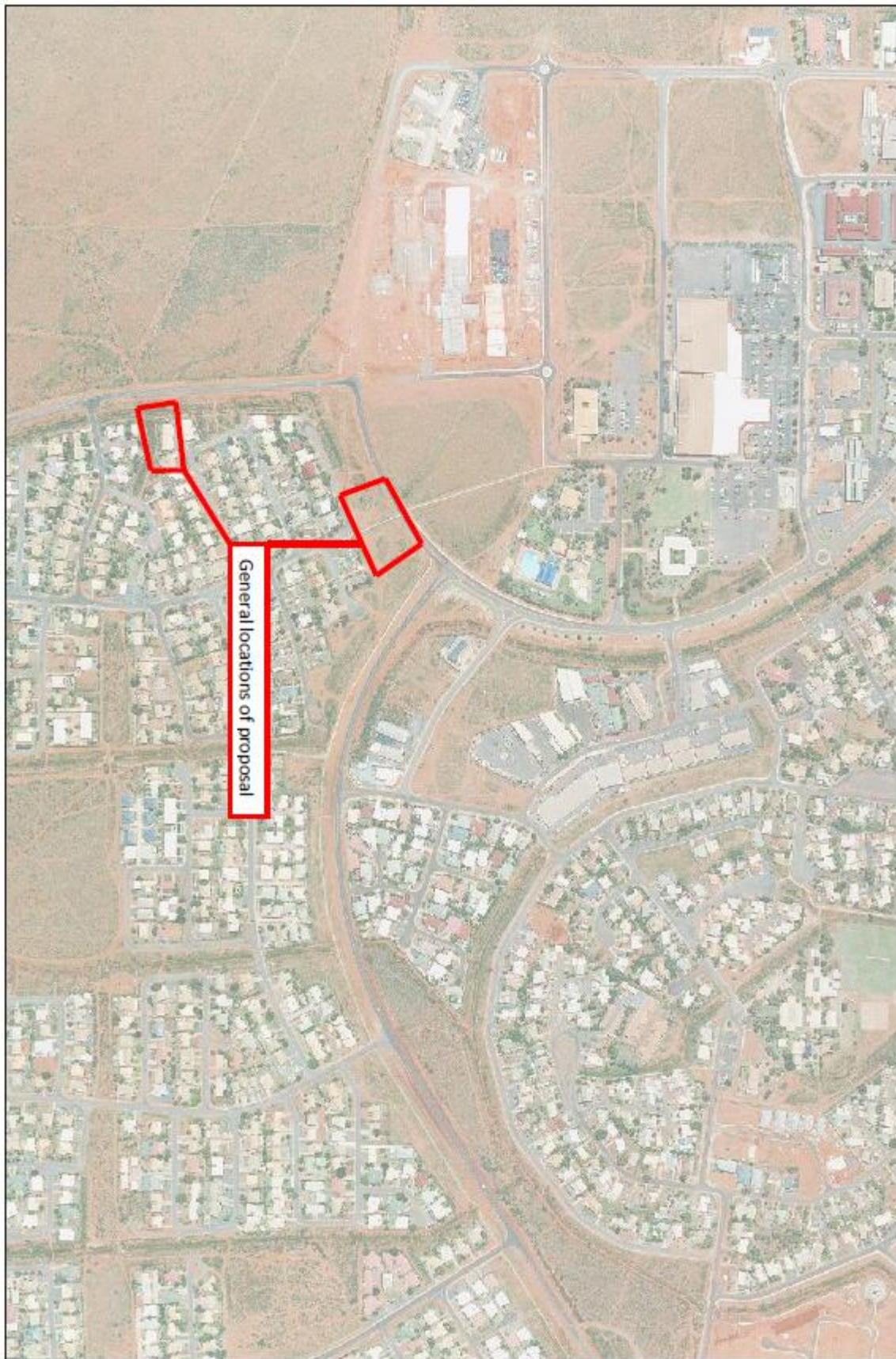
Attachments

1. Locality Plan
2. Land Rationalisation Plan South Hedland Town Centre

201213/057 Officer's Recommendation / Council Decision**Moved: Cr Carter****Seconded: Cr Martin****That Council:**

- 1. Supports the permanent closure of Pedestrian Access Way Reserve 45891, being Lot 6057 Forrest Circle, South Hedland;**
- 2. Supports the permanent closure of a portion of Pedestrian Access Way and Parklands Reserve 35321, being Lot 3707 Kybra Place, South Hedland;**
- 3. Advertises the proposed Pedestrian Access Way closures for a period of 35 days pursuant to the Land Administration Act 1997;**
- 4. Subject to no objections being received during the advertising period, delegates the Manager Planning Services to complete the following:**
 - i. To submit the Pedestrian Access Way closure request to the Department of Regional Development and Lands;**
 - ii. To submit the request to dedicate the closed Pedestrian Access Way Reserve 45891 as "Road" to the Department of Regional Development and Lands;**
 - iii. To submit the request to amalgamate the 383m² portion of the Pedestrian Access Way Reserve 35321 into Drainage Reserve 35326, being Lot 3346 Collier Drive, South Hedland;**
- 5. Delegates the Manager Planning Services to notify the Department of Regional Development and Lands, Council has no objection to the cancellation of the Parklands reservation as it relates to the portion of Reserve 35321 which is to be closed.**
- 6. Request the Department of Regional Development and Lands dedicate a portion of Reserve 35325, being portions of Lot 6056 Forrest Circle, Lot 6058 Eucla Close and Lot 6059 Eucla Close, South Hedland, as identified on the attached Land Rationalisation Plan South Hedland Town Centre as "Road" in accordance with section 56 of the Land Administration Act 1997.**

CARRIED 6/0



ATTACHMENT 2 TO ITEM 11.1.8



11.1.9 Request for Proposals - Pretty Pool Caravan Park (File No.: 19/01/0002)

Officer David Westbury
Manager Economic
Development and Strategy

Date of Report 27 July 2012

Disclosure of Interest by Officer Nil

Summary

The Town of Port Hedland has been vested by the Minister of Regional Development and Lands with the ability to develop a caravan park on the Northeast corner of Styles and Sheridan Road in Reserve 29044 Lot 300 on Deposited Plan 53035 for a period not to exceed 21 years.

This item provides process options for Council to consider in order to move forward with the development of the 6.834 hectare Pretty Pool property, with Officers recommending a Request for Proposal process.

Background

On 1 January 1991 the Department of Regional Development and Lands vested the Town of Port Hedland with the ability to develop a 6.84 Hectares Pretty Pool property as a caravan park for a period not to exceed 21 years (subject to approval by the Minister for Regional Development and Lands). The vesting has no stipulation regarding the amount of or use of funds that can be derived from lease payments from the development of a caravan park.

Objectives

The broad objective of this development is to diversify the Town of Port Hedland economy by developing a tourist facility to increase the availability of caravan park sites within the Town. More specifically, from this project, the Town is seeking to achieve the following:

- The provision of short term and temporary accommodation in the immediate future to a high demand;
- To support the development of the Town with significant aesthetic development that enhance the built environment;
- Provide businesses with the opportunity to partner with the Town to delivery economic outcomes decreasing the reliance on one sector of the economy;
- Increase revenue for the Town in order to provide services to the community.

Consultation

External

- Department of Regional Development and Lands - State Land Services

Internal

- Chief Executive Officer
- Director of Engineering Services
- Director of Planning and Development
- Director of Community Development
- Director of Corporate Services

Statutory Implications

The Local Government Act 1995

“3.58. Disposing of property

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

- (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
- (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
 - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
 - (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
 - (d) *any other disposition that is excluded by regulations from the application of this section.*
[Section 3.58 amended by No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]”

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 2:	Community Pride
Goal 1:	Townscape
Immediate Priority:	Undertake projects that upgrade the appearance of verges and streetscapes along major thoroughfares within the District
Key Result Area 4:	Economic Development
Goal 1:	Tourism
Immediate Priority:	Ensure that new caravan park/backpackers facilities are developed within the Town
Goal 3:	Business Development
Immediate Priority:	Investigate new business/revenue streams for the Town.
Goal 4:	Land Development Projects
Immediate Priority:	Fast-track release and development of commercial, industrial and residential land.

Officer's Comment

Options for Development of the Property

In accordance with the Local Government Act 1995, Council has three options in moving forward with the development of this property.

Divest the Property for Housing

LandCorp has expressed a desire to develop the property as a residential development in accordance with the plans being devised for the East End Precinct. This would entail Council's consent to relinquish the vesting and grant development consent to LandCorp. An amendment to the Town Planning Scheme would also be required to facilitate residential development. If the property was divested and LandCorp were to proceed with a residential development Council would likely forgo the significant income expected from the lease of the property. In addition, the development of the property as residential does not afford the ability to diversify the local economy. This site is made more crucial in the Town's economic diversity strategy because the caravan park site at the golf course has received objections related to the Boodarie Industrial Estate buffer zone which appear to be insurmountable in relation to a permanent caravan park.

Expression of Interest

An Expression of Interest is used to gauge the commercial interest in a property and gain an understanding of the potential uses for the property and provide feedback to the Town on the opportunities, expectations and costs to the Town, to enable the Council to make an informed decision as to the future of the property.

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

- A public tender;
- A select group tender from those who expressed an interest; and
- A private treaty negotiation, if the Town receives one expression of interest that meets the relevant criteria.

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

Request for Proposals

A Request for Proposals allows the Town to assess development proposals in a much timelier manner while still ensuring that the objectives of Council are achieved. By eliminating the Expression of Interest step Council will still be able to assess the development proposals against the criteria that would normally be obtained in a two-step process and proceed with the development as soon as all of the statutory obligations are completed.

Attachments

1. Locality Plan

201213/058 Officer's Recommendation / Council Decision

Moved: Cr Carter

Seconded: Cr Hooper

That Council, in accordance with the Local Government Act 1995 Section 3.5.8, request that Chief Executive Officer of the Town of Port Hedland advertise a Request for Proposals for the 6.84 Hectare property described as lot 300 on Deposited Plans 53035 Reserve 29044 to be assessed against the following criteria:

- a. **Demonstrated experience in operating a similar commercial development in context of the setting;**
- b. **Quality of the proposed caravan park design and amenities;**
- c. **Return to Council from the lease period of 21 years;**
- d. **Willingness to allow a third party to control the leasing of a percentage or amount of the caravan spaces to ensure the caravan park is used as tourist accommodation;**
- e. **The timing and capacity of the entity making the proposal to complete the project.**

CARRIED 6/0

ATTACHMENT 1 TO ITEM 11.1.9



11.1.10 Proposed Road Names for the Subdivision of Lot 556 Osprey Drive (File No.: 18/14/0004)

Officer Luke Cervi
Senior Planning Officer

Date of Report 23 July 2012

Disclosure of Interest by Officer Nil

Summary

The Town received a request from McMullen Nolan to endorse the proposed names for the new roads created as a result of the proposed subdivision of Lot 556 Osprey Drive, South Hedland.

The request is supported by Council Officer, Council is requested to approve the proposed street names.

Background

The subdivision of Lot 566 Osprey Drive will result in the creation of new roads. The applicant has proposed the following road names:

1. Darter Street
2. Harrier Street
3. Crake Street
4. Goshawk Lane
5. Shrike Way
6. Skua Lane
7. Snipe Way
8. Raven Street
9. Eagle Avenue
10. Gannet Street
11. Grebe Lane
12. Plover Way
13. Buzzard Street
14. Heron Way
15. Kookaburra Boulevard
16. Noddy Lane
17. Magpie Way
18. Bronzewing Lane
19. Falcon Way
20. Bittern Crescent
21. Ibis Lane
22. Quail Way
23. Kingfisher Avenue
24. Kite Way
25. Turtledove Crescent
26. Albatross Crescent
27. Petrel Way
28. Cormorant Avenue

29. Kestrel Street
30. Nightjar Lane
31. Pelican Street

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

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

The road names provided by the applicant are based on a bird theme. As they have not been utilised within the Town, the following names are recommended for approval:

1. **Darter Street** - The darters or snakebirds are mainly tropical waterbirds.
2. **Harrier Street** - A harrier is any of the several species of diurnal hawks forming the Circinae sub-family of the Accipitridae family of birds of prey.
3. **Crake Street** - The Corn Crake, Corncrake or Landrail is a bird in the rail family. It breeds in Europe and Asia as far east as western China.
4. **Goshawk Lane** - Goshawk may refer to several species of birds of prey, mainly in the genus Accipiter.
5. **Shrike Way** - Shrikes are passerine birds of the family Laniidae.
6. **Skua Lane** - The skuas are a group of seabirds with about seven species forming the family Stercorariidae and the genus Stercorarius.
7. **Snipe Way** - A snipe is any of about 25 wading bird species. They are characterised by a very long, slender bill.
8. **Raven Street** - Raven is the common name given to several larger bodied members of the genus Corvus. They have black plumage and large beaks.
9. **Eagle Avenue** - Eagles are members of the bird family Accipitridae.

10. **Gannet Street** - Gannets are seabirds comprising the genus *Morus*, in the family Sulidae, closely related to the boobies.
11. **Grebe Lane** - Freshwater diving birds, some of which visit the sea when migrating and in winter.
12. **Plover Way** - Wading birds belonging to the subfamily Charadriinae. There are about 40 species.
13. **Buzzard Street** - The Buzzard is one of several medium sized, wide ranging raptors with a robust body and broad wings.
14. **Heron Way** - The herons are long-legged freshwater and coastal birds in the family Ardeidae.
15. **Kookaburra Boulevard** - Kookaburra are terrestrial kingfishers native to Australia and New Guinea.
16. **Noddy Lane** - The Black Noddy or White-capped Noddy is a seabird.
17. **Magpie Way** - Magpies are passerine birds of the crow family, Corvidae.
18. **Bronzewing Lane** - The bronzewing pigeons are a group of pigeons native to Australia.
19. **Falcon Way** - A falcon is any species of raptor in the genus *Falco*. Widely distributed throughout Europe, Asia, and North America.
20. **Bittern Crescent** - Bitterns are a classification of birds in the heron family, Ardeidae, a family of wading birds.
21. **Ibis Lane** - Ibis are a group of long legged wading birds.
22. **Quail Way** - Quail is a collective name for several genera of mid sized birds generally considered in the order Galliformes.
23. **Kingfisher Avenue** - Kingfishers are a group of small to medium sized brightly coloured birds in the order Coraciiformes.
24. **Kite Way** - Kites are raptors with long wings and weak legs that spend most of the time soaring.
25. **Turtledove Crescent** - The European Turtle Dove is a member of the bird family Columbidae, the doves and pigeons.
26. **Albatross Crescent** - Albatrosses, of the biological family Diomedidae, are large seabirds.
27. **Petrel Way** - Petrels are tube-nosed seabirds.
28. **Cormorant Avenue** - The bird family Phalacrocoracidae is represented by some 40 species of cormorants and shags. The names "cormorant" and "shag" were originally the common names of the two species of the family found in Great Britain,
29. **Kestrel Street** - The name kestrel is given to several different members of the falcon genus.
30. **Nightjar Lane** - Nightjars are medium-sized nocturnal or crepuscular birds with long wings, short legs and very short bills.
31. **Pelican Street** - Pelicans are a group of large water birds. They are characterised by a long beak and large throat pouch used in catching, and draining water from, their prey

The applicant has provided a list of alternative road names, should the proposed names not be suitable. The suffixes for the roads may be changed. They are listed as follows:

Frigatebird - The frigatebirds are a family, Fregatidae, of seabirds. There are five species in the single genus Fregata.

Booby - A booby is a seabird in the genus Sula , part of the Sulidae family.

Dabchick - The Little Grebe (Tachybaptus ruficollis), also known as Dabchick, is a member of the grebe family of water birds. At 23 to 29 cm in length it is the smallest European member of its family. It is commonly found in open bodies of water across most of its range.

Stork - Storks are large, long legged, long necked wading birds with long, stout bills. They belong to the family Ciconiidae

It is recommended all the proposed road names including the alternatives be approved. Those not utilized for the Osprey Subdivision would be added to the approved road name register and could be used in other subdivisions in the area.

Options

Council has the following options for responding to the request:

1. Support the proposed road names for the newly created roads as 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 proposed road names for the newly created 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.

Attachments

1. Road Name Plan

201213/059 Officer's Recommendation / Council Decision

Moved: Cr Dziombak

Seconded: Cr Carter

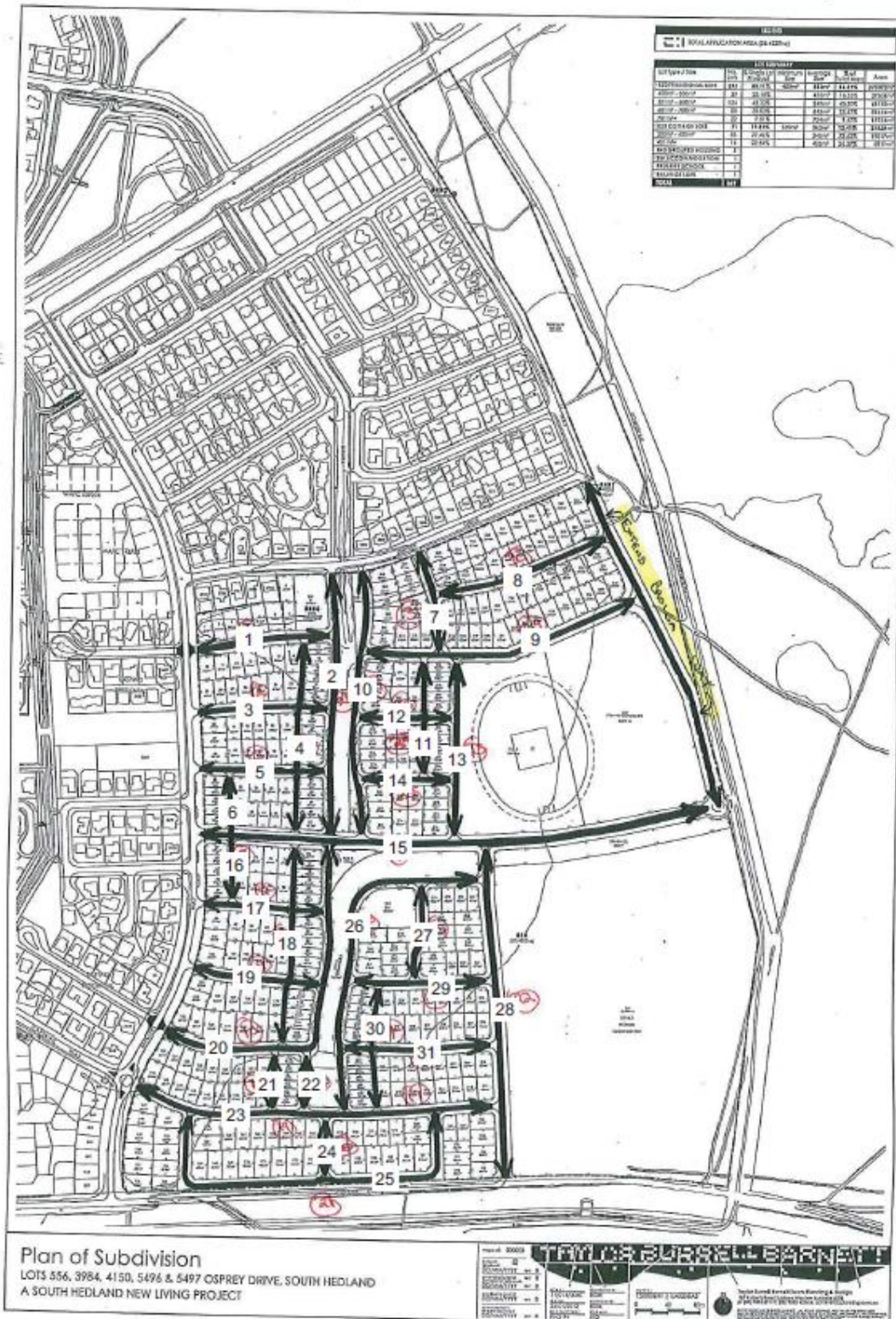
That Council:

- i) **Approves the use of the following road names:**

1. **Darter**
2. **Harrier**
3. **Crake**
4. **Goshawk**
5. **Shrike**
6. **Skua**
7. **Snipe**

8. Raven
 9. Eagle
 10. Gannet
 11. Grebe
 12. Plover
 13. Buzzard
 14. Heron
 15. Kookaburra
 16. Noddy
 17. Magpie
 18. Bronzewing
 19. Falcon
 20. Bittern
 21. Ibis
 22. Quail
 23. Kingfisher
 24. Kite
 25. Turtledove
 26. Albatross
 27. Petrel
 28. Cormorant
 29. Kestrel
 30. Nightjar
 31. Pelican
 32. Frigatebird
 33. Booby
 34. Dabchick
 35. Stork
-
- ii) **Delegates the Manager Planning Services to forward the approved road names to the Geographic Names Committee for final approval;**
 - iii) **Advises the applicant any cost associated with the required road signage will be at the cost of the applicant;**
 - iv) **Advises the applicant the proposed street signs are to be to the specifications of the Council's Engineering requirements and to the satisfaction of the Manager Technical Services.**

CARRIED 6/0



11.2 Engineering Services

Nil

11.3 Community Development

Nil

11.4 Corporate Services**11.4.1 Finance and Corporate Services**

6:21pm Councillor Carter declared an impartiality interest in Item 11.4.1.1 'Consideration of Late Submissions for Rates Concessions and Exemptions for 2012/13 Annual Budget (File No.: .../...)' as he is associated with the Port Hedland Turf Club.

Councillor Gillingham declared an impartiality interest in Item 11.4.1.1 'Consideration of Late Submissions for Rates Concessions and Exemptions for 2012/13 Annual Budget (File No.: .../...)' as she works in the same building as the Royal Flying Doctors Service.

Councillors Carter and Gillingham remained in the room.

11.4.1.1 *Consideration of Late Submissions for Rates Concessions and Exemptions for 2012/13 Annual Budget (File No.: .../...)*

Officer Jodie McMahon
Manager Financial Services

Date of Report 2 August 2012

Disclosure of Interest by Officer Nil

Summary

For Council to consider possible rates concessions and exemptions for inclusion in the 2012/13 Annual Budget.

Background

Each year, as part of the Annual Budget, Council provides rates concessions and exemptions to a number of community, recreation and welfare organisations.

In June 2011 Council adopted a Rates Concession and a Rates Exemption Policy to assist Council in determining community rate concessions and exemptions and identify applicable exemptions.

As per these policies community groups are required to reapply for rates concessions or exemption every two years. Letters were sent to current concession or exemption holders and other organisations were invited via an advertisement in the Northwest Telegraph to apply for concessions for exemption for a two year period commencing financial year 2012/13.

On 13 June 2012 Council approved the following:

“201112/490 Officer’s Recommendation / Council Decision

Moved: Cr Hooper

Seconded: Cr Hunt

That Council:

Approves the following Rates Concessions for the 2012/13 and 2013/14 financial years:

Organisation	Assessment Number	Officer's recommendation
Bloodwood Tree Association Inc	A106283	100%
Hedland Women's Refuge	A115030	100%
Pilbara Family Violence Prevention Service	A155850	100%
Port Hedland Peace Memorial Seafarers Centre Inc.	A803051	100%
Port Hedland Pony Club	A130005	100%
UCA Assembly Limited (Frontier Services)	A113927	100%
UCA Assembly Limited (Frontier Services)	A400610	100%
UCA Assembly Limited (Frontier Services)	A152556	100%
Volunteer Marine Rescue Services Inc	A156550	100%
Wirraka Maya Health Service Aboriginal Corporation	A106282	100%
Youth Involvement Council Inc.	A802207	100%
Youth Involvement Council Inc.	A406870	100%
South Hedland Lotteries House Inc.	A130114	50%
Treloar Child Care Centre Inc.	A154780	50%
Pilbara Family Violence Prevention Service	A401480	0%
Port Hedland Golf Club Inc.	A156490	0%
South Hedland Owners & Trainers	A802155	0%

Notes the following Rates Exemptions:

Organisation	Assessment Number
Grand Lodge of Western Australian Freemasons Homes for the Aged	A130290
Bloodwood Tree Association Inc	A130239
Bloodwood Tree Association Inc	A106284
Port Hedland Retirement Village	A156730
Pilbara Meta Maya Regional Aboriginal Company	A127380
Baptist Union of Western Australia	A113872
Wangka Maya Pilbara Aboriginal Language Centre	A803501

CARRIED BY ABSOLUTE MAJORITY 5/4”

On 21 June 2012 Councillors and Officers received a letter from the South Hedland Owners and Trainers Association (SHOATA) expressing their concern and disappointment in offering no concessions to their organisation.

Cr Gillingham then on the 27 June 2012 gave notice of her intent to move the following motion:

“That Council reconsider the resolution made at the 13 June 2012 Ordinary Council meeting in relation to Item 11.4.1.1 ‘Rates Concessions and Exemptions for 2012/13 Annual Budget’.”

This motion was then moved on 11 July 2012.

*“Recommendation of Rates Concession
2012/13/019 Council Decision*

Moved: Cr Carter

Seconded: Cr Daccache

That Council reconsider the resolution made at the 13 June 2012 Ordinary Council meeting in relation to Item 11.4.1.1 ‘Rates Concessions and Exemptions for 2012/13 Annual Budget.’

CARRIED 7/0

REASON: To reconsider providing rates concessions for those organisations that were approved either a 50% concession or a nil concession for the 2012/13 and 2013/14 financial years after seeking further clarification from applicants where these concession were not provided.”

A new report was provided to Council at the ordinary meeting on 25 July 2012 and the following recommendations were approved.

*201213/044 Officer's Recommendation / Council Decision**Moved: Cr Martin**Seconded: Cr Jacob**That Council approves the following additional Rates Concession for the 2012/13 and 2013/14 financial years:*

Organisation	Assessment Number	Officer's recommendation
South Hedland Owners & Trainers	A802155	100%

Consultation

All current community group concession holders were provided with the opportunity to make an application for a rates concession, as per Council policy.

Follow up contact was made to organisations that may have applied but did not provide all the information requested to support their application.

Contact was also made to organisations that are current concession holders but had not completed an application by the due date.

Statutory Implications

Local Government Act 1995

6.47. Concessions

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.*

** Absolute majority required.*

6.26. Rateable land

(1) Except as provided in this section all land within a district is rateable land.

(2) The following land is not rateable land —

(a) land which is the property of the Crown and —

(i) is being used or held for a public purpose; or

(ii) is unoccupied, except —

*(I) where any person is, under paragraph (e) of the definition of **owner** in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the Mining Act 1978 in respect of land the area of which does not exceed 10 hectares or a miscellaneous licence held under that Act; or*

- (II) *where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of **owner** in section 1.4 occupies or makes use of the land;*
- (b) *land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government;*
 - (c) *land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government;*(d) *land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood;*
 - (e) *land used exclusively by a religious body as a school for the religious instruction of children;*
 - (f) *land used exclusively as a non-government school within the meaning of the School Education Act 1999;*
 - (g) *land used exclusively for charitable purposes;*
 - (h) *land vested in trustees for agricultural or horticultural show purposes;*
 - (i) *land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the Financial Management Act 2006) by that company and used solely for the storage of grain where that company has agreed in writing to make a contribution to the local government;*
 - (j) *land which is exempt from rates under any other written law; and*
 - (k) *land which is declared by the Minister to be exempt from rates.*
- (3) *If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that company or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.*
- (4) *The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.*
- (5) *Notice of any declaration made under subsection (4) is to be published in the Gazette.*
- (6) *Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature.*

[Section 6.26 amended by No. 36 of 1999 s. 247; No. 77 of 2006 Sch. 1 cl. 102.]

Policy Implications

2/013 Rates Exemption Policy (Non Rateable Land)
2/014 Rates Concession Policy (Rateable Land)

Strategic Planning Implications

Nil

Budget Implications

In order to accurately calculate the proposed rates raised for the 2012/13 Annual Budget, Council is requested to provide direction as to which properties may be provided a concession.

Rates are Council's primary means for raising income to cover operational costs and approving these concessions will directly impact Council's Budget.

Council has already approved approximately \$66,426.48 in Concessions for the 2012/13 financial year.

If all recommendations are approved as recommended, Council will be required to provide additional concessions of approximately \$18,261.02 in rates revenue. The \$18,261.02 is estimated based upon the proposed 2012/13 rate in the dollar.

Officer's Comment

Councillors should note that as per the Town's Policy for Concessions, the below listed organisations applied for concessions outside the submissions timeframes imposed as part of the Policy. Some applicants have had extenuating circumstances while others are late submissions; these are detailed in the below listed Summary of Applications.

Summary of Applications

Royal Flying Doctor Service (applying for a concession on 14 residential properties)

Reason for Late Submission

The application was submitted late due to a change in Management for the RFDS operations in Port Hedland.

Benefit provided to the Community

To provide aeromedical and primary health care across Australia.

Financial Information

Royal Flying Doctor Service are funded through government grants, sponsorship and fundraising. Their net loss for 2011/12 is \$13,774,624 for their Western Operations.

Rates - Proposed

\$38,848.32

Concession Applied for by Applicant

100%

Officers Recommendation

0% - \$0.00

All properties on which Royal Flying Doctor Service are applying for concessions on are residential and not used directly for the main purpose of the organisation.

*Port Hedland Kart Club**Reason for Late Submission*

Recent valuations received identified that the Kart Club is to be rated, 2012/13 will be the first year the Kart Club is charged for rates. Council officer's advised the Club of this after the original due date for applications.

Benefit to the Community

Port Hedland Kart Club provides kart racing facilities to community members of all ages.

Financial Information

Port Hedland Kart Club's main source of income comes from the canteen and licensed bar facilities during kart meetings. Other income sources are membership fees, community grants and sponsors. Net surplus for the financial year ending 2011 is \$10,816.60.

Rates – Proposed

\$1,040

Concession Applied for by Applicant

100%

Officers Recommendation

0%- \$0.00

Officers recommend that there is no concession provided for the Port Hedland Kart Club. After a review of their application officers found their financial statements show a net profit of \$10,816.60 which is believed to be sufficient to pay the rates proposed.

Port Hedland Speedway Club*Reason for Late Submission*

The secretary of Port Hedland Speedway Club was ill for a period of time and despite of Council officer's trying to contact other members, the application was not provided by the due date.

Benefit to the Community

Port Hedland Speedway Club provides car racing facilities for the community.

Financial Information

Funding includes proceeds from the canteen and licensed bar during race meetings and gate fees charged to patrons. Financial statements were requested by the Rates Officer, however this information was not provided.

Rates Proposed

\$16,410.24

Concession Applied for by Applicant

100%

Officers Recommendation

0% - \$0.00

The Speedway Club has not provided financial information for officer to assess their application.

Port Hedland Turf Club*Reason for Late Submission*

Recent valuations received identified that the Turf Club is to be rated, 2012/13 will be the first year the Turf Club is charged for rates. Council officer's advised the Club of this after the original due date for applications.

Benefit to the Community

Provides stables for local horses and facilities for jockeys. The premises are utilised by horse trainers racing in Port Hedland race meetings.

Financial Information

The main source of Income for the Port Hedland Turf Club is revenue from Race Meetings, Membership fees and bar sales. The net profit for the year ending 2011 was \$97,526.

Rates Proposed

\$1,040

Concession Applied for by Applicant

100%

Officers Recommendation

0% - \$0.00

Officers recommend that there is no concession provided for the Port Hedland Turf Club. After a review of their application officers found their financial statements show a net profit of \$97,526 which is believed to be sufficient to pay the rates proposed.

*Len Taplin Childcare Centre**Reason for Late Submission*

Although Officer's contacted Len Taplin Child Care Centre on several occasions, the application for Concession was not received by the due date.

Benefit to the Community

Len Taplin Child Care Centre provides day care services for children under the age of five years.

Financial Information

Fees are obtained from care given to children and community grants that are applicable to their organisation. Estimated net profit for the financial year ending 2011 is \$30,649.

Rates – Proposed

\$1,621.56

Concession Applied for by Applicant

50%

Officers Recommendation

50% - \$810.78

Officers are recommending 50% concession as while the centre is charging a fee for service they are providing an essential service for the Community.

Conclusion

Council offering concessions to rates payable by community groups, not for profit organisations and youth organisations demonstrates its support and assistance to the community.

Officers are suggesting the above recommendations as they believe that it is representative of the services provided by the organisation to the community of the Town of Port Hedland.

Attachments

1. Rate Concession and Exemptions Applications Summary.

Officer's Recommendation

That Council:

- Approves the following additional Rates Concessions for the 2012/13 and 2013/14 financial years:

Organisation	Assessment Number	Officer's Recommendation
Royal Flying Doctor Services	A102320	0%
Royal Flying Doctor Services	A116509	0%
Royal Flying Doctor Services	A117190	0%
Royal Flying Doctor Services	A117310	0%
Royal Flying Doctor Services	A119270	0%
Royal Flying Doctor Services	A121420	0%
Royal Flying Doctor Services	A123140	0%
Royal Flying Doctor Services	A125790	0%
Royal Flying Doctor Services	A125800	0%
Royal Flying Doctor Services	A125810	0%
Royal Flying Doctor Services	A125820	0%
Royal Flying Doctor Services	A127350	0%
Royal Flying Doctor Services	A153246	0%
Royal Flying Doctor Services	A300057	0%
Port Hedland Kart Club	A130165	0%
Port Hedland Speedway Club	A156260	0%
Port Hedland Turf Club	A805022	0%
Len Taplin Childcare Centre	A402430	50%

201213/060 Council Decision

Moved: Cr Gillingham

Seconded: Cr Martin

That Council:

- Approves the following additional Rates Concessions for the 2012/13 and 2013/14 financial years:

Organisation	Assessment Number	Council Decision
Royal Flying Doctor Services	A102320	0%
Royal Flying Doctor Services	A116509	0%
Royal Flying Doctor Services	A117190	0%
Royal Flying Doctor Services	A117310	0%
Royal Flying Doctor Services	A119270	0%
Royal Flying Doctor Services	A121420	0%
Royal Flying Doctor Services	A123140	0%
Royal Flying Doctor Services	A125790	0%
Royal Flying Doctor Services	A125800	0%
Royal Flying Doctor Services	A125810	0%
Royal Flying Doctor Services	A125820	0%
Royal Flying Doctor Services	A127350	0%
Royal Flying Doctor Services	A153246	0%
Royal Flying Doctor Services	A300057	0%
Port Hedland Kart Club	A130165	100%
Port Hedland Speedway Club	A156260	50%
Port Hedland Turf Club	A805022	0%
Len Taplin Childcare Centre	A402430	50%

CARRIED 6/0

201213/061 Council Decision

Moved: Cr Carter

Seconded: Cr Martin

That Council increase the Rates Concession to 100% for the Port Hedland Turf Club (assessment number A805022) for the 2012/13 and 2013/14 financial years.

CARRIED 6/0

Concessions

Organisation	Assessment Number	Address	Use and Occupancy of Property	Type of Service Provided	Frequency of service provision	Payment received for service	Copies of Financial Statement provided	Audited	Last year	Officer's recommendation	Comments	Proposed Rates	Proposed Concession
Royal Flying Doctor Services	A102320	3 FINLAY STREET, PORT HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%	Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary purpose of organisation.	\$2,774.88	\$ -
Royal Flying Doctor Services	A116509	8 MARTIN COURT, SOUTH HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%	Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary purpose of organisation.	\$2,774.88	\$ -
Royal Flying Doctor Services	A117190	15 WOODMAN STREET, PORT HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%	Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary purpose of organisation.	\$2,774.88	\$ -
Royal Flying Doctor Services	A117310	3 THETIS PLACE, PORT HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%	Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary purpose of organisation.	\$2,774.88	\$ -
Royal Flying Doctor Services	A119270	17 WOODMAN STREET, PORT HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%	Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary purpose of organisation.	\$2,774.88	\$ -
Royal Flying Doctor Services	A121420	15 CRAIG STREET, PORT HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%	Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary purpose of	\$2,774.88	\$ -

											organisation.		
Royal Flying Doctor Services	A123140	1 NEPTUNE PLACE, PORT HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%	Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary purpose of organisation.	\$2,774.88	\$ -
Royal Flying Doctor Services	A125790	185 ATHOL STREET, PORT HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%	Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary purpose of organisation.	\$2,774.88	\$ -
Royal Flying Doctor Services	A125800	2 HALL STREET, PORT HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%	Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary purpose of organisation.	\$2,774.88	\$ -
Royal Flying Doctor Services	A125810	4 HALL STREET, PORT HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%	Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary purpose of organisation.	\$2,774.88	\$ -
Royal Flying Doctor Services	A125820	187 ATHOL STREET, PORT HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%	Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary purpose of organisation.	\$2,774.88	\$ -
Royal Flying Doctor Services	A127350	5 GRANT PLACE, PORT HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%	Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary purpose of organisation.	\$2,774.88	\$ -
Royal Flying Doctor Services	A153246	16B SPOONBILL CRESCENT, SOUTH HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%	Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary	\$2,774.88	\$ -

												purpose of organisation.		
Royal Flying Doctor Services	A300057	33 STYLES ROAD, PORT HEDLAND	Occupied by RFDS Port Hedland Base staff	Aeromedical and primary health care	24 hours 7 days a week	Funding only	Yes	Yes	First time applicant	0%		Applying for 100% Concession, Officers recommend 0%. Residential property, not used for primary purpose of organisation.	\$2,774.88	\$ -
Port Hedland Kart Club	A130165	Lot 2529 Great Northern Highway, Port Hedland	Kart Club Track, Canteen, Clubhouse, Ablution Block, Storage Containers, Lighting	Kart Racing Facility	Monthly, 2 major events per annum	Entry fees for meetings, membership fees	Yes	Yes	First time rated	0%		Applying for 100% Concession, Officers recommend 0% as the organisation have a sufficient amount of surplus cash.	\$1,040	\$ -
Port Hedland Speedway Club	A156260	Loc 118 Madigan Road, Port Hedland	Licensed Bar, Speedway Track, Canteen	Speedway Track	12 meetings per year	Gate fees for meetings, licensed bar	No	Yes	100%	0%		Applying for 100% Concession, Officers recommend 0% as the organisation have not provided the requested financial information.	\$16,410	\$ -
Port Hedland Turf Club	A805022	LS2 29 Johnson Lane, Port Hedland	Horse Stables	Training of Horses, Temporary Accomodation	6 months per year	No	Yes	Yes	First time rated	0%		Applying for 100% Concession, Officers recommend 0% as the organisation have a sufficient amount of surplus cash.	\$1,040	\$ -
Len Taplin Childcare Centre	A402430	Lot 2513 Dempster Street, Port Hedland	Child Care Centre	Child Care for 0-5 year olds	Mon-Fri 7am - 5.30pm	Yes, charge fees for child care (\$119 daily)	Yes	Yes	50%	50%		Applying for 100% Concession, Officers recommend 50% as the organisation provide essential day care facilities to the community but charges fees.	\$1,621.56	\$ 810.78

Total Concessions \$810.78

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11.4.2 Governance and Administration

Nil

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

12.1 *Wanangkura Stadium – Temporary Closure, Compliance Limitations and Proposed Solutions (File No.: 26/14/0013)*

Officer Jenella Voitkevich
Acting Director
Engineering Services

Gordon MacMile
Director Community
Development

Date of Report 8 August 2012

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide Council with information regarding the temporary closure of Wanangkura Stadium (formerly known as Multipurpose Recreation Centre).

Council is requested to provide approval for remediation strategies to enable the facility to be reopened to the public, approve waiving membership fees for a period of time and request an independent review of the circumstances surrounding the closure.

BackgroundFacility Opening

The ceremonial opening of Wanangkura Stadium occurred through an extended series of celebrations on the weekend of 27 to 29 July 2012, that included:

- Children's performances
- Come-and-Try fitness classes and facility inspections
- Spinifex Spree Carnival including fireworks
- Local AFL derby and feature game involving the North West Academy
- Civic Ceremony and National Basketball League game watched by 600 spectators between the Perth Wildcats and Cairns Taipans
- Live streaming of the Olympic Games.

Water and Fire Capacity Limitations – Initial Awareness

Council officers became aware on 18 July 2012 of water pressure issues that could impact on the fire management systems installed at Wanangkura Stadium. Evidence of tests undertaken earlier in the year indicated that water flow and pressure at the facility was insufficient to comply with fire control requirements. Council officers were assured that measures had been incorporated within the facility to accommodate this and relevant external compliance certification was received. Observations made by Council officers at the Stadium on 26 July 2012 indicated that the water flow and pressure issues perhaps were not resolved.

With these concerns identified, a range of temporary operational and risk management initiatives were implemented for the weekend's activities commencing the next day. Immediate attention was also given to identify suitable temporary arrangements, endeavouring to allow the facility to operate in a compliant manner following the weekend of celebrations, while the cause of the water capacity limitations and solutions if necessary were identified.

Temporary/Interim Arrangements

In the event of a fire incident during the weekend's celebrations a number of management responses were in place:

- FESA briefed and aware of low water flow and pressure
- Council water tanker on site
- Additional fire extinguishers on site
- Additional staff (Rangers) on call with fire fighting unit
- Staff were in a clearly identifiable uniform
- Radio communication provided to all senior staff
- Evacuation plan in place with staff briefed on the nominated muster points and the closest exits. A briefing meeting was conducted prior to the public entering the facility
- Notices and signage was produced and distributed (placed on seating for ceremonial opening) to identify the muster points and relevant egress points
- All smoke/fire detectors and alarms, exit doors and signage were fully operational.

Fire engineers have endorsed the above strategy and deemed it appropriate for the interim arrangements.

Post Ceremonial Opening/Initial Operations

With the weekend's celebrations concluded the facility was available for public use from Monday 30 July 2012. During this time a number of the above interim arrangements remained in place, as efforts continued to identify suitable solutions for the facility to continue operations in a compliant manner.

The belief at the time was that a temporary solution to the water flow and pressure limitations could be identified and subsequently implemented.

These efforts continued as an immediate priority including communication with FESA, Water Corporation and the project's consultants including hydraulic and fire engineers. By midday on Thursday 2 August 2012 all temporary solutions had been investigated and rejected as not being feasible and the decision was made to close the facility.

A series of media statements were released and appropriate contact made with key stakeholders.

Inspection and testing by the project's hydraulic engineers was arranged for the following morning.

Water and Fire Capacity Limitations – Compliance Testing

The hydraulic engineers attended the site on Friday 3 August 2012 conducting a series of water flow and pressure tests in and around the facility.

The results of the testing indicated that the water flow and pressure available was not compliant with the Code.

Consultation

External

- Doric Construction
- Thinc Projects
- Aurecon Consultants – fire and hydraulic engineering
- FESA – Built Environment branch, Perth
- FESA – local fire service
- YMCA
- Water Corporation
- Chubb Fire Services
- Independent fire engineers (review of options).

Internal

- Executive team
- Manager Building Services
- Manager Environmental Health
- Manager Recreation Facilities and Services
- Manager Community Development
- Manager Infrastructure Development.

Statutory Implications

To ensure that the facility is compliant and that a Certificate of Occupancy and a Public Building Certification can be issued, all elements, including those recommended in this report, must comply with the Building Act, Public Health Act, Building Code of Australia and relevant Australian Standards.

The waiving of membership fees must be considered in accordance with section 6.12 of the *Local Government Act*.

“6.12 Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —*
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) waive or grant concessions in relation to any amount of money; or*
 - (c) write off any amount of money, which is owed to the local government.*

** Absolute majority required.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.”*

Policy Implications

Council's Procurement Policy 2/007 and Tender Policy 2/011 would normally require a public tender for the procurement involved in the recommended strategy. However this report recommends proceeding with a variation to the current construction contract (10/19) with Doric Construction to expedite procurement, implementation and reopening of the facility. The variation will be assessed by a quantity surveyor for accuracy and will incur an additional 10% cost for builders margin. This can be accommodated within the existing budget and is considered acceptable given the timeframes involved in a tender process.

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 following table provides a summary of the overall project revenue and expenditure for the construction of Wanangkura Stadium. The entire project cost is still being finalised, however current assessment indicates that there is a budget surplus that could be utilised for recommended remediation works.

Description	Value
Total project budget	\$ 35,139,000
Expenditure 2009/10	\$ 70,754
Expenditure 2010/11	\$ 18,398,183
Expenditure 2011/12	\$ 14,462,479
Expenditure to date 2012/13	\$ 449,475
Estimated outstanding commitments	\$ 1,407,578
Total project expenditure	\$ 34,788,488
Estimated budget surplus	\$ 350,512
Proposed allocation of 11/12 Royalties for Regions funding interest	\$ 146,168
Total budget available for remediation	\$ 496,680

The cost estimates of the recommended options, pending detailed design, formal quote and quantity surveyor assessment are:

- Option 5 - \$450,000
- Option 6 - \$470,000

It's important to note that these costs would've normally been incurred as part of the project if the original facility design captured the requirement for water tanks and pumps to be included due to the limited water flow and pressure at the site. Further review of why this wasn't included will be carried out as outlined in Officers Comments.

The waiving of fees will result in a cost to Council however at this point it's a demonstration of good-will towards members. A full analysis of budget impacts will be undertaken and presented to Council in a subsequent report.

Officer's Comment

The content of this component of the report will be provided in 3 sections:

- (1) Customer and Member Services – temporary arrangements
- (2) Review and recommendations for water flow and pressure
- (3) Review of project history, process, compliance and responsibilities

Customer and Member Services – Temporary Arrangements

The YMCA and Council have been able to respond rapidly to the closure of Wanangkura Stadium, developing options that minimise the impact on customers utilising the Town's health and fitness facilities.

The steps taken include:

Programs

- Members to have full access to the gym facilities at the JD Hardie Centre in South Hedland and the Gratwick Pool facility in Port Hedland. Access to both the gymnasium and group fitness was provided the day following the closure
- Alternative group fitness time table has been developed for the JD Hardie Centre. A partial fitness timetable was offered the day following the closure and a full program provided from Monday 6 August 2012
- Alternative group fitness activities are being explored including boot camps using various reserves around Port and South Hedland.

Costs

- Members on a prepaid membership are currently accessing JD Hardie gym and group fitness services at no cost and will receive free suspension time until the facility reopens
- Customers receiving a direct debit membership will not have any monies deducted from accounts until the facility reopens (the first direct debit run was scheduled for 9 August 2012)
- Any person that has signed up on a new membership can request a refund if the options above are not acceptable.

Other services / efforts

The aim of YMCA and Council staff has been to ensure that no member or user of Wanangkura Stadium is disadvantaged as a result of the closure of the facility. There has been extensive communication with members to ensure that information has been forwarded to customers regarding the closure.

Strategies implemented include:

- Manager Wanangkura Stadium and Manager Recreation Services and Facilities being in attendance at the facility from 5.30am on Friday 3 August to meet with all members who intended to use the facilities
- Information regarding gym and group fitness options placed on Port Hedland Leisure Website and Facebook
- Press release provided by the Town of Port Hedland included Manager of Recreation Services and Facilities direct contact provided for customers to contact with enquiries

- Correspondence provided to all members sent on Wednesday 7 August 2012 explaining temporary gym and fitness arrangements.

Review and Recommendations for Water Flow and Pressure

The immediate priority for Council officers is to implement a strategy that will result in a compliant, safe facility being delivered and open to the public. To ensure a fully informed recommendation further information and consultation was required.

A total of 6 hydrant flow and pressure tests were undertaken on 3 August 2012 at 3 locations directly connected to Wanangkura Stadium, 1 location on the Kevin Scott Oval (KSO) site and 2 street hydrants located in surrounding roads. The Australian Standard requirement for hydrants at the facility is a flow of 20L per second at a pressure of 200kPa. The results achieved across the 6 locations ranged from 5.76L/s (street hydrant) to 7.8L/s (KSO hydrant) at 200kPa. One purpose of these tests was to determine if there was a reduction in flow or pressure from the main water service to the facility, or around the facility itself. If a significant reduction was observed then there could be a blockage within the system, however overall the results were relatively consistent at all locations. These tests also provide information to calculate the volume of water entering the site to be able to fill water tanks onsite, which was the likely remediation strategy assumed at the time.

Flow tests were also conducted at 2 fire hose reels (FHR) located in the facility. The FHRs had been commissioned, tested and deemed compliant, however it was observed earlier that the flow appeared inadequate. Tests conducted on 3 August 2012 resulted in confirmation that the FHRs are compliant.

Standard practice when hydrant flow and/or pressure are inadequate is to install water tanks to supplement the volume of water required to control a fire over a 4 hour period. The following short term and long term options were explored prior to presenting this report to Council.

Option 1 – Pipe water from existing irrigation tank

There is currently a freshwater irrigation tank (approximately 200,000L) located behind the existing netball courts. This provides irrigation around the Stadium and freshwater flushing of the ovals treated wastewater irrigation.

This option was explored in several stages:

- Immediate solution 1 – Utilise existing irrigation ring main and connect with pump into current fire booster. This option is the most cost effective and would allow the facility to be open within days. It would, however, only be a short term solution as the fire water supply must be completely independent of irrigation water
- Immediate solution 2 – Install a temporary above ground pipe to connect to a pump and current fire booster. Again, this could be implemented quickly but would only be short term
- Long term solution 1 – Remove all irrigation connections from existing tank, install smaller tank for irrigation purposes and install permanent pipe and pumps to current fire booster
- Long term solution 2 – Install a new tank in the vicinity of the existing tank farm specifically for fire water supply.

These options were dismissed by FESA due to the following reasons:

- The distance between the tank and the fire booster is too long, increasing the risk of damage to the pipe therefore risking the water supply
- The distance between the tank and the fire booster is too long, therefore in the event of pipe damage or malfunction, the fire brigade would not be able to pump water directly from the tank to a fire in the building
- The existing tank requires internal separation to ensure 50% water capacity at all times in the event of damage or maintenance. The integrity of the tank to accommodate this was questioned.

Option 2 – Water trucks and/or small water tanks (short term only)

Water trucks and multiple small water tanks could be hired in the short term to provide a supply of water to the fire booster. This could allow the facility to open in a short amount of time. This option was explored and determined that a large amount trucks and/or small water tanks would need to be connected to effectively create a single water supply. This would be complicated, costly and having multiple connection points increases the risk of malfunction. FESA was not supportive of this option.

Option 3 – Temporary installation of a large water tank adjacent to the fire booster with direct fire feed

It was first thought that a large water tank could be procured and installed temporarily adjacent to the fire booster. Instead of connecting this to the fire booster and through the booster to the hydrants around the site, the fire brigade would connect directly into the tank.

Upon investigation it was discovered that the lead time for delivery of a temporary tank of the specification required would be equivalent to that of the permanent solution, therefore not warranted.

Option 4 – Relocation of existing irrigation water tank

This option was explored to determine if the timeframes taken to relocate the existing irrigation water tank next to the fire booster would be faster than procuring a new tank. Consideration was given regarding the structural certification and modifications required to the existing tank and the need to also provide a smaller tank to support irrigation purposes. It was determined that procuring a new tank would have greater benefits and could be achieved within a similar timeframe.

Ultimately, none of these potential short term options was considered acceptable, leaving the only remaining option of installing a new water tank and pumps adjacent to the fire booster.

Option 5 – Permanent installation of a water tank adjacent to existing fire booster

This option would be fully compliant and achieve the necessary water supply for adequate flow and pressure for the site fire hydrants. The only concern with this option is the space required to accommodate a water tank that is approximately the size of the existing irrigation tanks behind the netball courts. It's a requirement that the water tank is within close proximity of the fire booster, therefore the tank would be located directly in front of the building.

Besides being less than desirable aesthetically, the location of the tank would mean that the new entrance road and roundabout on Hamilton road could not be constructed. The tank could be installed in-ground to improve appearance however this would be at a significantly higher cost and would still not permit the road to be constructed. This option is viable if Council accepts the current entrance road arrangements and the tank having an adverse impact on the appearance of such an iconic building.

The installation of the water tanks could be completed within a 4 week period. This will allow the fire brigade to connect directly to the tank, which is acceptable by FESA in the short term and permit the facility to be reopened. The installation of pumps and connection to fire booster may take an additional 4 weeks.

Option 6 – Permanent installation of a water tank near the south-west corner of the building and relocation of fire booster

This option would be fully compliant and achieve the necessary water supply for adequate flow and pressure for the site fire hydrants. The existing fire booster supports a ring main around the building connected to 3 hydrants. The fire booster could be relocated to an area where the booster and tanks would still provide fire fighting capabilities but not impact directly on the appearance of the building or the new road access. This would be a slightly higher cost than option 5 and could be achieved within the same timeframes. It's suggested to relocate this to the south west side of the building, near the oval.

This would require some modifications in the design of stage 2 civil works to ensure that both the road and water tank can be accommodated.

Summary

Following substantial consultation and consideration of all options it is recommended that Council approve option 6 – permanent installation of a water tank near the south-west corner of the building and relocation of fire booster.

Review of Project History, Process, Compliance and Responsibilities

The key focus of Council officers since realising the issue has been solutions-based and aimed towards an reopening of the Stadium in the shortest possible timeframe. Once this has been achieved, focus will shift towards a review of the situations and circumstances which led to the fire service capacity requirements not being met in this instance. This review will also determine whether there are any process implications for current and future Council projects. The review will encompass the following:

- Review of the original plans and specifications of the building, including services, drainage, accessibility and evacuation shelter expectations
- Modifications made to original plans and specifications, including approval process
- Planning and Building approval process
- Communication process for issues raised, including history of these specific issues
- Decision making process throughout the project
- Reporting process throughout the project.

A future report will be presented to Council once all of the information has been obtained and reviewed.

Attachments

Nil

Officer's Recommendation

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.
3. Requests the CEO to arrange for an independent review of the project history, compliance, processes and responsibilities and present this report to Council.
4. Approves the waiving of membership fees outlined in this report for the period from the closure until reopening.
5. Requests a further report to Council when the costs of remediation works and Stadium budget impacts are accurately quantified.

201213/062 Council Decision

Moved: Cr Carter

Seconded: Cr Martin

That Council suspend the provisions of Standing Orders relating to the rules of debate to enable this matter to be further discussed.

CARRIED 6/0

201213/063 Council Decision

Moved: Cr Carter

Seconded: Cr Martin

That Council resume Standing Orders.

CARRIED 6/0

201213/064 Council Decision**Moved: Cr Carter****Seconded: Cr Martin****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.**
- 3. Requests the CEO to arrange for an independent review of the project history, compliance, processes and responsibilities and present this report to Council.**
- 4. Approves the waiving of membership fees outlined in this report for the period from the closure until reopening.**
- 5. Requests a further report to Council when the costs of remediation works and Stadium budget impacts are accurately quantified.**
- 6. Clarifies that, contrary to some media reports, Elected Members were not aware of water and fire services issues and actions prior to the ceremonial opening.**
- 7. Seeks clarification as to the comments made by the Premier on radio talkback, which may have given the impression of Elected Members' prior awareness.**
- 8. Seeks independent advice as to whether Elected Members not being informed of the water and fire services issues prior to the ceremonial opening constitutes a breach of the Local Government Act 1995.**

CARRIED BY ABSOLUTE MAJORITY 6/0

ITEM 13 REPORTS OF COMMITTEES

NOTE: The Minutes of this Committee meeting are enclosed under separate cover.

13.1 *Airport Committee – 26 July 2012*

Recommendation

That Council adopts the Minutes of the Ordinary Meeting of the Airport Committee held on 26 July 2012.

ITEM 14 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

14.1 *Councillor Carter*

Motion

That Council:

- (1) Reverts back to its previous Ordinary Council Meeting schedule of one meeting per month; and
- (2) Late items be excluded from further Agendas.

201213/065 Council Decision

Moved: Cr Daccache Seconded: Cr Hooper

That Council consider the motion by Councillor Carter in two parts.

VOTE LOST 2/4

201213/066 Council Decision

Moved: Cr Carter Seconded: Cr Martin

That Council:

- (1) Reverts back to its previous Ordinary Council Meeting schedule of one meeting per month; and**
- (2) Late items be excluded from further Agendas.**

CARRIED 4/2

Record of vote:

FOR	AGAINST
Cr Carter	Cr Daccache
Cr Martin	Cr Hooper
Cr Gillingham	
Cr Dziombak	

201213/067 Council Decision

Moved: Cr Carter

Seconded: Cr Martin

That Council hold its Ordinary Meetings on the fourth Wednesday of each month at 5:30pm, commencing in September 2012.

CARRIED 6/0

201213/068 Council Decision

Moved: Cr Carter

Seconded: Cr Hooper

That the meeting be closed to members of the public, as prescribed in Section 5.23 (2)(c,e,h) of the Local Government Act 1995, to enable Council to consider the following Item:

15.1 Consideration of Request for Proposal 12/03 – Land Leasehold Port Hedland International Airport (File No: 01/04/0003)

CARRIED 6/0

7:11pm Acting Mayor advised the meeting is closed to members of the public.

ITEM 15 CONFIDENTIAL ITEMS

15.1 Consideration of Request for Proposal 12/03 – Land Leasehold Port Hedland International Airport (File No: 01/04/0003)

201213/069 Council Decision

Moved: Cr Carter

Seconded: Cr Gillingham

That this Ordinary Meeting of Council be adjourned for five minutes.

CARRIED 6/0

7:19pm Acting Mayor advised that the Meeting has resumed.

Officer's Recommendation

That Council:

1. Reject the submission from North West Gateway Hotel Pty Ltd in relation to Request for Proposal 12/03 Land Leasehold Port Hedland International Airport Hotel on the following grounds:
 - a) North West Gateway Hotel Pty Ltd was not a short listed Respondent of the Expression of Interest stage of the process.
2. Authorise the Chief Executive Officer or their delegate to amend the Request for Proposal documentation to remove Section 1.6 Prequalification Requirements.
3. Advertise the amended Request for Proposal nationally for a period of 12 weeks.
4. Respond to North West Gateway Hotel Pty Ltd advising that their submission to the Request for Proposal was rejected as they were not a respondent of the Expression of Interest stage.

Council Motion

Moved: Cr Carter

That Council:

1. Reject the submission from North West Gateway Hotel Pty Ltd in relation to Request for Proposal 12/03 Land Leasehold Port Hedland International Airport Hotel on the following grounds:
 - a) North West Gateway Hotel Pty Ltd was not a short listed Respondent of the Expression of Interest stage of the process.
2. Authorise the Chief Executive Officer or their delegate to amend the Request for Proposal documentation to remove Section 1.6 Prequalification Requirements.
3. Advertise the amended Request for Proposal nationally for a period of 6 weeks.
4. Respond to North West Gateway Hotel Pty Ltd advising that their submission to the Request for Proposal was rejected as they were not a respondent of the Expression of Interest stage.

MOTION LAPSED FOR WANT OF A SECONDER

201213/070 Officer's Recommendation / Council Decision**Moved: Cr Carter****Seconded: Cr Martin****That Council:**

1. **Reject the submission from North West Gateway Hotel Pty Ltd in relation to Request for Proposal 12/03 Land Leasehold Port Hedland International Airport Hotel on the following grounds:**
 - a) **North West Gateway Hotel Pty Ltd was not a short listed Respondent of the Expression of Interest stage of the process.**
2. **Authorise the Chief Executive Officer or their delegate to amend the Request for Proposal documentation to remove Section 1.6 Prequalification Requirements.**
3. **Advertise the amended Request for Proposal nationally for a period of 12 weeks.**
4. **Respond to North West Gateway Hotel Pty Ltd advising that their submission to the Request for Proposal was rejected as they were not a respondent of the Expression of Interest stage.**

CARRIED BY ABSOLUTE MAJORITY 6/0**201213/071 Officer's Recommendation / Council Decision****Moved: Cr Daccache****Seconded: Cr Hooper****That the Meeting be opened to members of the public.*****CARRIED 5/1***

Record of vote:

FOR	AGAINST
Cr Daccache	Cr Carter
Cr Martin	
Cr Gillingham	
Cr Dziombak	
Cr Hooper	

201213/072 Officer's Recommendation / Council Decision

Moved: Cr Carter

Seconded: Cr Dziombak

That Council adopts the Minutes of the Ordinary Meeting of the Airport Committee held on 26 July 2012.

CARRIED 6/0

ITEM 16 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

ITEM 17 CLOSURE

17.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 22 August 2012, commencing at 5.30 pm.

17.2 Closure

There being no further business, the Acting Mayor declared the meeting closed at 7:23pm.

Declaration of Confirmation of Minutes

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

CONFIRMATION:

MAYOR

DATE