



Town of Port Hedland

MINUTES

OF THE

**ORDINARY MEETING
OF THE TOWN OF PORT HEDLAND COUNCIL**

HELD ON

WEDNESDAY 9 MAY 2012

AT 5.30 PM

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

*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 Deputy 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	(Deputy Mayor)
Councillor Arnold	A	Carter	
Councillor Stanley	R	Martin	
Councillor Janet	M	Gillingham	
Councillor David	W	Hooper	
Councillor Michael	B	Dziombak	

Officers

Mr Ian Hill	Acting Chief Executive Officer
Ms Natalie Octoman	Director Corporate Services
Mr Gordon MacMile	Director Community Development
Mr Russell Dyer	Director Engineering Services
Mr Eber Butron	Director Planning and Development
Mr Ayden Férdeline	Administration Officer Governance

Public Gallery

Members of the Public	9
Members of the Media	1
Members of Staff	2

2.2 Apologies

Councillor Julie E Hunt who is away on Council business

2.3 Approved Leave of Absence

Mayor Kelly A Howlett
Councillor Gloria A Jacob

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held on Thursday 26 April 2012****3.1.1 *Mr Wayne Ness***

I have checked the plans and set backs of 8 Crawford Street, as they were refused on this, and ask why the Planning Department said the buildings were on the boundary in the correspondence to the applicant? How can the setbacks at 8 Crawford be not correct when the building on Grant Street approved by delegated authority is much closer? I have information that the parking approval was a hindrance to the site at Grant Place and wonder if the Council is willing to show evidence to prove that the parkig is compliant at 2 Grant Place?

These questions were previously responded to by the Director of Planning and Development as noted in the Council agenda of 26 April 2012. A copy of the site plan and car parking layout can be viewed by Mr Ness at Council Offices.

What was the zoning at the time of the delegated authority?

Director Planning and Development advised that the zoning was R30.

The Department of Planning documents showed as of the updated records of the 28th March 2012 that the block was R30?

Director Planning and Development advised it is.

Is the construction of the multiple units in line with R30 zoning?

Director Planning and Development advised it is.

If the zoning was changed why wasn't it advertised and the neighbours consulted?

Director Planning and Development advised that the subject land and surrounds has been zoned R30 for a considerable time and has not being subject of a recent rezoning.

With regards to the TPS5 amendment 51, can the Council prove that all occupants received a letter and it was advertised outside every property as Council advised it did in the 'Fun Fact Finding Sheet' that it published?

Director Planning and Development advised that letters were sent to landowners and affected owners and advertised in the local paper. Public advertising was undertaken in accordance with the TOPH Planning Scheme provisions.

Why isn't the Council rezoning the R25 blocks as well?

Director Planning and Development advised that R25 land was not part of Council's resolution.

What about the other owners in other areas with R15, R 12.5?

Director Planning and Development advised that R25 land was not part of Council's resolution. Zoning of other land may be considered by Council in the future.

Why did Council use a Google like image, and red circle the areas when there are correctly published documents for publishing the correct details (as per item 11.1.6 on the Agenda of 11 April)?

Director Planning and Development advised that there is no Google image with respect to this Council agenda item.

Did Council do this to rush it through so that some people, who are advertising great investment opportunities, can push their case through without regard for the average person that owns a property?

Director Planning and Development advised that it did not.

Why wasn't such an important document placed on the web site in downloadable format?

Director Planning and Development advised that it is understood the item was able to be downloaded by other parties. To assist Mr Ness, the document format was changed and a copy forwarded to him.

Why are the minutes from 11 April 2012 not on the Council website?

Director Corporate Services advised that the Minutes from 11 April 2012 were not on the website until 27 April 2012 due to workload issues and staff vacancies. This vacancy has now been filled and will assist to ensure there are no future delays.

How did the 'Landing' formerly Dixons Caravan Park get additional space for all the vans not on the actual site of the park, and also be allowed to mass room Fly-In-Fly-Out (FIFO) workers when it is supposed to be a caravan park?

Director Planning and Development advised that the development referred to has not been approved by Council and officers are currently reviewing and investigating the matter.

What is the Council doing about the overcrowding and parking issues onto the main road and external at the Landing?

Director Planning and Development advised that Council officers are currently investigating the matter.

Who is negligent in the case of an accident?

Director Planning and Development advised that this could be subject to specific circumstances and legal opinion.

Why is the Wedgefield camp allowed to expand but local contractors are not allowed to have accommodation on their blocks?

Director Planning and Development advised that officers are not aware of any approved accommodation expansion.

Why is a local real estate company allowed to sell a caretakers unit as separate strata in Wedgefield?

Director Planning and Development advised that the subject lot was part of an overall strata subdivision of the entire industrial use. The subject residence is still intended for the use of caretakers facility for the overall industrial site.

Was part of the reason for a fall out with BHP Billiton over the Tug Pens at the Marina over housing on the Spoilbank?

Director Planning and Development advised that officers are unaware of any fallout with BHP. There is no permanent housing on the Spoilbank marina site.

Why would you want to put housing on a known unstable area [the Spoilbank]?

Director Planning and Development advised that it is not currently envisaged to provide permanent housing on the Spoilbank.

Was someone external pushing for this site [the Spoilbank] to boost their sales?

Director Planning and Development advised that the external party involved in the Spoilbank Marina project is LandCorp.

In regards to the surveillance systems around town, how did I get an answer as quoted in the reply to my last questions 'as per the tender requirements when it was awarded in 2008', when the tender actually closed on 30 March 2009, as per the tender documents and emails sent to tenderers?

Director Corporate Services advised that the answer provided in the Agenda for the 26 April 2012 Ordinary Council Meeting stating the tender was awarded in 2008 was an error. The tender was awarded in April 2009.

What is the latency time currently being achieved?

Director Corporate Services advised that this question is being investigated and a response will be provided.

What is the data rate full duplex throughput for each link that is being currently achieved?

Director Corporate Services advised that this question is being investigated and a response will be provided.

If the Western Power poles were not up to spec for the cameras as specified in the tender specs, and the new poles were installed at a far greater cost than budgeted (with poles being in excess of \$10,000), why wasn't the tender reissued?

Director Corporate Services advised that this question is being investigated and a response will be provided.

Were the cost of the poles included in the \$900K plus final installation figure, or were they hidden somewhere else?

Director Corporate Services advised that this question is being investigated and a response will be provided.

If the cameras installed were supposedly the best available at the time, why are we replacing them now?

Director Corporate Services advised that this question is being investigated and a response will be provided.

Is the Council prepared to provide evidence of compliance of all equipment and conditions of tender as per the tender specifications considering the original tender was for around the vicinity of between \$200,000 and \$300,000 and it costed over \$900,000 when it was installed [for CCTV]?

Director Corporate Services advised that this question is being investigated and a response will be provided.

Do the rate payers know of this cost exercise?

Director Corporate Services advised that costs of the CCTV project are incorporated in the monthly financial reports to Council.

How much are the new cameras being installed costing per camera including the installation and set ups?

Director Corporate Services advised that this question is being investigated and a response will be provided.

I know you use a butt saving answer process, but I am asking for an honest straight up reply, and ask you to advise why if I was told that the Chief Executive Officer's fence pool was fixed at last meeting (even though a covering excessive was executed and it was also taken on notice), workers raced to the Chief Executive Officer's house last Friday to make some quick changes including the fence?

Chief Executive Officer advised that there a number of compliance issues that are being worked through for the fence and those works are continuing.

Different people have different opinions about some of those [compliance] aspects and those works will continue until they are compliant and signed off.

Why wasn't it compliant at the time of building?

Director Planning and Development advised that the development was approved by Council's Building Unit and the subject works were contracted out. The issue of non-compliance was recognised when the pool fence was inspected, and officers advised accordingly.

Does the Director consider it compliant now and have all the certificates been completed?

Director Planning and Development advised in the negative.

Why is the pool still not compliant?

Director Planning and Development advised that the Town is awaiting for compliance works to be completed. Council's building section will undertake inspections once these works have been completed.

Did the pool go out for tender to be built as stated in the Act?

Director Planning and Development advised that quotes for the construction of the pool were received in accordance with Council's procurement policy.

Were all the other works at the Chief Executive Officer's house also done in accordance with the correct financial processes?

Chief Executive Officer advised that quotes were obtained in accordance with Council's procurement process and the correct financial processes.

Can you provide evidence of this?

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

Did the Mayor and other Council representatives attend the facilities of the Port Hedland Tennis Club to discuss the Hockey Club at the premises and act appropriately in the way they addressed the matter?

Mayor advised that she attended the club's Annual General Meeting with the Deputy Mayor as they often do with various groups. It was good to have a dialogue and this will be an ongoing issue until it is resolved.

Is the new water park having issues with the concrete cracking, is this the case and what is being done about it as it was supposed to open weeks ago?

Chief Executive Officer advised that Council received a briefing this afternoon about issues associated with the opening of the water park and the tender and works currently occurring there. A report will come to the next Council meeting to outline those issues for Council's consideration.

3.1.2 Mr Camilo Blanco

You did not answer my question at last Council meeting relating to Care for Hedland consultation on Hunt Point, so I am asking again, were you present as the Chair of the Care for Hedland in the BHP Billiton consultation relating to the Hunt Point Tug pen proposal on the 28 November 2011?

Mayor advised that she did not chair the meeting.

Were you present at the BHP Billiton Community Consultation Group on the 23 November 2011, where a presentation on Hunt Point Marine Precinct was presented?

Mayor advised that she was present at this meeting.

Are you the Town of Port Hedland's representative for the BHP Billiton Community Consultation Group?

Mayor advised that she isn't the Town's representative on this group, Councillor Hunt is.

Were any other Town representatives present at that BHP Billiton Community Consultation Group meeting?

Mayor advised that the Deputy Mayor was present at this meeting.

Is the BHP Billiton Community Consultation Group designed to inform the Town and its people on the direction of BHP Billiton?

Mayor advised that this is one aspect of the Group's role.

I have here your diary entry for 23 November 2011 which shows you attended the BHPBIO Community Consultation, together with the Deputy Mayor and Councillor Hunt about Hunt Point. Why did the Mayor, Deputy Mayor and Councillor withhold this information from other Councillors, staff and most important of all the residents and rate payers of our town?

Mayor advised that no information was withheld.

In relation to the Precinct 3 proposal the Town stated it needs to do better next time when it comes to public consultation because of the objections by the public. Why has public consultation not improved with this major development at Hunt Point?

Mayor advised that the Town of Port Hedland was not the lead agency for the consultation on Hunt Point.

Who is [the lead agency]?

Mayor said she believes the lead agency is the Port Hedland Port Authority (PHPA), as it is their land and this is a negotiation of business contract between the PHPA and BHPBIO.

In this EPA document BHP states 'BHP Billiton Iron Ore has undertaken extensive consultation within the Port Hedland community.' Has the Town got an inquiry process to determine whether the process is going wrong and if it has not, can Council implement a process?

Chief Executive Officer advised that the item that is before Council tonight expresses disappointment about the lack of consultation with the Town in relation to the tug pens location. With respect to future procedures, the Town has set up a process whereby senior BHP Billiton representatives will come and talk to Council officers and potentially Councillors on a monthly basis to identify future issues associated with their growth that may impact on the community.

The Town has tried to put in place a process whereby issues are identified much earlier that they have been in the past and hopefully mitigation strategies can be developed that can see consultation and engagement occur.

I am not happy with public question time. The people need to see questions and answers together. Can there be a vote by Councillors to implement this process?

Mayor advised in the negative. Mayor also said that the Town is working through this process and it will make sure that in future the Minutes are put out in a timely manner.

Is this a Council decision or is it your decision?

Mayor advised that this is public question time and all questions are directed to the Chair. If Council wants to, there is a process where the Town's administration can prepare a report with regard to this matter for consideration, or members can prepare a notice of motion. Mayor further advised that the answer to Mr Blanco's question is no.

The process of unconfirmed minutes not being displayed until the last minute is questionable. Can there be a vote by Councillors to either have Council meetings once a month or have the unconfirmed minutes presented within a few days of the meeting so we can review the content?

Mayor advised that the Minutes will be made public very soon.

Can I have a copy of the audio recording for this meeting?

Director Corporate Services advised that a copy of the audio recording has been mailed to Mr Blanco.

NOTE: Deputy Mayor George J Daccache asked Mr Camilo Blanco, who was seated in the public gallery, if he was happy with the answers provided. Mr Blanco advised in the affirmative, stating that the answers to his questions were quite good on this occasion.

3.2 Questions from Elected Members at Ordinary Council Meeting held on Thursday 26 April 2012

3.2.1 Councillor George J Daccache

The Town has police and fire brigade quarters both in Port and South Hedland, so why not two St John's ambulance quarters? An incident last week highlighted to me how important a further ambulance centre is for our town. In view of this, can the Town start discussions with St John's ambulance in having an ambulance service for Port Hedland? Further, can the Town also approach BHP, FMG, Rio Tinto and other businesses that have ambulances so that if the St John's ambulances are busy the community can use theirs?

Director Planning and Development Services advised that Officers from the Environmental Services team will make contact with representatives from St John's Ambulance and major industry with regard to this matter.

The Town needs a larger and better public fishing wharf. Can we get the State Government departments and local businesses to discuss this issue? The wharf we have is small and extremely inadequate for sport and entertainment and our town deserves better.

Mayor responded in the affirmative.

Can the Town put out an expression of interest or whatever is required for the building of a casino and/or hotel/motel/casino complex for Port Hedland? I believe that the Burswood Casino no longer has exclusive rights to run a casino in Western Australia. We should start advertising that we are interested in having such a building in our town.

Mayor responded in the affirmative.

NOTE: Deputy Mayor George J Daccache updated Councillors and the public gallery to state that discussions are continuing in regards to these questions.

ITEM 4 PUBLIC TIME

5:31pm Deputy Mayor declared Public Question Time open.

4.1 Public Question Time

4.1.1 Mr Camilo Blanco

At Question Time on 26 April 2012, the Mayor stated that no information was withheld from Councillors, staff, and the residents of Hedland relating to Hunt Point.

The Mayor's diary entry for 23 November 2011 shows that the Deputy Mayor, together with the Mayor and Councillor Julie E Hunt, was at the BHP Billiton Community Consultation held on 23 November. If the Deputy Mayor was at the meeting, and he supports truth and accountability of the Council, can you tell me why the Deputy Mayor did not inform all Councillors, and the people of the town, details of the proposal in November 2011, instead of early in February 2012?

Deputy Mayor advised that he cannot answer this question at this time; however, he will have the information provided.

In the Environmental Protection Authority (EPA) report dated 12 December 2011, BHP has stated that it has consulted with the community extensively, and the Care for Hedland Group has no concerns about Hunt Point.

As the Mayor is also a member, and the Chair of the Care for Hedland Group, and responsible for delivering any details of such consultation to an included group noting that some of the Councillors and the community were not advised by Council until February 2012, can the Mayor confirm that all the members of Care for Hedland were correctly informed in advance of the report as well, and aware of the response that BHP has put in the EPA report advising the Care for Hedland Group has no concerns about Hunt Point?

Acting Chief Executive Officer advised that this is a question that should be put to the Council when the Mayor is present.

The summarised response to my question last meeting by the Mayor is basically, "improving public consultation on Hunt Point was not warranted because the Town of Port Hedland was not the lead agency on the Hunt Point proposal," but the Mayor also states one of the 'BHP Billiton Community Consultation Group' (sic), of which the Deputy Mayor was, up until recently, the Town of Port Hedland's representative, and one of their roles is to inform the Councillors and the people on any proposals. Can you explain why that information was not conveyed in full earlier?

Deputy Mayor advised that there was no withholding of information from the public.

A petition of 500 signatures has recently been presented to State Parliament showing that there were community concerns, so was the release of information on Hunt Point deliberately delayed so the people did not have an opportunity to express their concerns, or to object?

Deputy Mayor advised that Mr Blanco's remarks are not true.

Last Council meeting, the Deputy Mayor proposed the Town put out an Expression of Interest, or whatever is required, for the building of a casino. Considering the number of people of low economic status in the town – people battling to pay rent and eat, let alone children on the streets, and crime and disorder of high proportion – that we read about, I ask if the Deputy Mayor presented this idea as a joke, or is he actually serious about this proposal?

Deputy Mayor advised that this proposal was a serious suggestion.

There are programs in this town that are in desperate need of funding, like the Mingle Mob Patrol. People are putting their lives on the line for the well being of the community and children without home and care. Doesn't Council think that concentrating on facilitating the funding required for these programs is more beneficial than providing additional social issue ventures?

Director Corporate Services advised that the Town had received a community budget request in relation to the Mingle Mob Patrol. Council is currently undertaking a process of considering this request.

There are local people in this town that are finding it extremely difficult to stay in the Town that they grew up in because of the housing crisis. What is Council doing to assist any affordable housing programs?

Director Planning and Development advised that his Officers have been in consultation with Pilbara Cities, LandCorp, and the Department of Housing with a view to bringing more housing on track. There is a lot discussion around those circles about future land releases. Council at its last Meeting also resolved to support the NAB affordable housing project, an initiative by the Pilbara Regional Council.

We have Aboriginal people living in shanties behind the South Hedland CBD. What is Council doing to address this issue? What is Council doing to assist with housing these people who no longer have homes due to the Fly-In, Fly-Out (FIFO) workforce taking over the town and leaving local residents on the streets?

Director Community Development advised that there are two agencies in town who offer crisis accommodation to Indigenous people who come to Hedland. Largely these people come to town accompanying relatives and family members who need medical treatment. These agencies do not always have enough beds, but they do provide an essential service.

So we are still lacking?

Director Community Development advised that there was a study undertaken in July by the Pilbara Development Commission (PDC) that identified a shortage of beds in a number of areas, including crisis care and aged care. There were a number of strategies that came out of that study for both non-governmental organisations (NGOs) and key worker accommodation for those who help deliver essential services.

In light of the Deputy Mayor withholding such important information about Hunt Point from both Councillors and the community, both as Deputy Mayor and Town of Port Hedland representative on the associated committees, together with the casino proposal that will only further impact the social, economic and family development within a community of many issues already, do you think that maybe it is time for you to stand down?

Deputy Mayor advised that no information was withheld from the public about Hunt Point, and the casino is a proposal, so it is yet to be seen as to what happens in the future in regards to this. The Deputy Mayor advised he will not be responding to the concluding remark.

On 14 March 2012 I asked: "Have all roads in Wedgefield been changed to 'Network 10 without conditions'?"

The answer was: "Director Engineering Services advised that a few years ago all local governments were asked to assess their roads to find out whether they needed to be on the RAV network. This means that these road upgrades are now under Main Roads."

If these roads are under Main Roads, when is the Council going to be proactive, investigate and reply to the community the reasons why the roads in the Wedgefield area have been left in such a sad state of repair?

Director Engineering Services advised that it is not solely for Main Roads to fund the Restricted Vehicle Access network; although they are one source of funding through the Regional Roads Group. Another source is Roads for Recovery. There is an upgrade planned for roads in Wedgefield. The first major upgrade is for industry, linked to the new Great Northern Highway realignment.

Director Engineering Services stated that the roads in Wedgefield have endured a hammering, but upgrades will be rolled out over the next few years, depending upon what money is available. The funds the Town has at the moment for roads in Wedgefield have gone into design. In addition, one of the items on tonight's agenda (11.2.1 'Tender 12/07 Supply of Road Rehabilitation and Stabilisation Works') is a tender that will see a new form of road construction used in Wedgefield that will put more strength into the roads.

When is the Council going to do something about getting some action by Main Roads on the state of the Wedgefield roads?

Director Engineering Services advised that Main Roads WA is not responsible for roads in Wedgefield. The roads in Wedgefield are now on the national road network, as in the past there were a lot of roads that did not link to each other. In hindsight, what is happening currently was not envisaged, so it is a matter of upgrading the roads in Wedgefield, and Council is responsible for doing so.

Who is responsible for ensuring that Main Roads works are implemented? And is there a repair plan in place by Main Roads, with a time frame to start the repair process?

Director Engineering Services advised that Main Roads is responsible for their roads. If it is a local government road, the Council is responsible, and it is subject to budget allocations and other sources of funds.

What is the balance in the Town's municipal fund as of today?

Director Corporate Services advised that, as of close of business yesterday, the municipal account held \$11,726,290.12.

The indoor sporting complex is set to open in late July. Can you advise of the total complex costing to date, including all costs and all consultant fees, for this project?

Director Community Development advised that this question is taken on notice.

On 11 April 2012 I asked: "Are ratepayers going to fit the bill for the construction of the drainage?"

The answer was: "Director Community Development advised that drainage and civil construction has always been part of the project and is funded by several partners."

Who are the several partners exactly?

Director Community Development advised that the partners who have contributed towards the Multi Purpose Recreation Centre are the Town of Port Hedland, the State Government through Royalties for Regions, and BHP Billiton, with some supporting contributions from Auzcorp.

On 11 April 2012 I asked: "Who is constructing the car park at the new Recreation Centre?"

I also asked: "How much will those works cost?"

The answer was: "Director Community Development advised the budget for all civil construction works is estimated at \$2.8 million."

Does the Town of Port Hedland have that \$2.8 million in a reserve account for the purpose of parking and drainage?

Director Community Development advised that the funding for the completion of civil works are funded.

Can you show the account number and amount in the reserve to cover the works?

Director Community Development advised that the funds are currently held in a reserve account.

Can you show the account number and amount?

Director Corporate Services advised that this question is taken on notice so that the account number and amount held in the reserve can be provided.

The Director Community Development "advised these costs have always been identified as a project cost." That being the case, why is the Town saying the project is on budget when clearly there are millions of dollars that still need to be spent on car parks and drainage?

Director Community Development advised the project has not been completed.

On 25 January 2012 I asked: "Which account does the revenue raised from Mia Mia and Port Haven go into? The airport reserve account or general revenue account?"

My understanding of the Local Government Act is all revenue generated from the airport, airport reserve, or airport land, whichever name you want to call it, must be spent on the airport. No airport land has been rezoned to date. The Town receives a 13% admin fee; the rest goes to the airport reserve account.

If this is incorrect, can you show the relevant section of the Local Government Act that allows you to transfer the lease income from the airport, airport reserve, or airport land, into account 1108349 'Grant – Multi Purpose Rec Centre' or Haven account 1303357 'Lease Income'?

Director Corporate Services advised there is no requirement in the Local Government Act that indicates revenue from the airport has to be spent on the airport. Any funds that are held within the airport reserve have restrictions, but it does not mean that Council has to put all revenue raised from the operations and leases of Transient Worker Accommodation (TWA) facilities into the airport reserve.

Can I get where it states that in the Act presented to me?

Director Corporate Services advised that this is not specifically stated in the Act. It says what reserve accounts can and cannot be used for. It is at Council's discretion as to what funds actually go into this reserve.

In relation to the Wedgefield, Port and South Hedland underground power project, can I get a list of the stakeholders, and/or government departments, with the dollar amount each organisation has contributed? Can you show evidence of the account numbers it went into and the amount in the account at present; a list of all transactions in and out of the accounts supplied; and the estimated percentage of all works completed.

Director Corporate Services advised that the underground power project is a partnership project between Pilbara Cities, Horizon Power, and the Town of Port Hedland. To date there have been no funds transferred by the Town. The estimated cost was \$44 million. The indicative amount to be passed on to rate payers, as outlined in all of our previous communication with rate payers, was 25% of that overall cost. Council has proposed a model of how that is going to be established and it will form part of the 2012/13 Rates Notices.

What is the real cost to date of the Marquee Park Water Playground, including all project works, all remedial works, all ancillary costs, and all consultant fees?

Deputy Mayor advised that he will take this question on notice.

What are the additional full costs for all remedial works, all ancillary works, and all consultant fees, to enable the water park to be opened to the public?

Deputy Mayor advised that he will take this question on notice.

Where is all the funding coming from to pay any costs over and above the original budget for the park of approximately \$9 million?

Deputy Mayor advised that he will take this question on notice.

Can I have a copy of the audio recording for this meeting?

Deputy Mayor advised in the affirmative.

4.1.2 Mr Wayne Ness

I have one question tonight. I have asked some other questions in regards to Closed-Circuit Television (CCTV) and the statistics for latency and other network issues. I was told they were taken on notice and would be returned to me. I also asked some questions in regards to the Chief Executive Officer's house and the process as to how the funding went through. Can I be privy to those documents, or do I need to go through Freedom of Information? I am just asking when these responses will be made available to me.

Director Corporate Services advised that in regards to expenditure relating to the Chief Executive Officer's house, the Town has commenced this investigation. There are numerous transactions and Officers must locate all supporting documentation so that the Town can clearly clarify that these are in line with the organisation's procurement policy.

In relation to the CCTV question, the Director advised that the Town operates numerous cameras and Mr Ness' questions could be applied to any one of these cameras. As such, testing is being undertaken with the maintenance contractors to gather these statistics, and the Town has been advised that this will take a couple of weeks. The Director will get a report to Mr Ness as soon as this information is available.

5:55pm Deputy Mayor closed Public Question Time.

5:55pm Deputy Mayor opened Public Statement Time.

4.2 Public Statement Time

4.2.1 *Ms Camile Mathews*

Ms Camile Mathews raised a number of points of concern regarding the proposed development at 8 Mosley Street, Port Hedland, to be considered by Council tonight, including;

- Lack of notice
- Density
- Impacts on a family street
- Likely FIFO usage
- Parking

4.2.2 *Ms Joan Foley*

Ms Joan Foley's statement was also in opposition to the development at 8 Mosley Street, Port Hedland. She had already experienced having a house built next door to her. When this transpired, her daughter could not take a wheelchair down into her own yard because construction workers had laid their equipment down all over the verge.

6:00pm Deputy Mayor closed Public Statement Time.

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

At the last Ordinary Council Meeting, I requested the draft Pilbara's Port City Growth Plan go out for public consultation. Has this gone out yet? I have not seen it advertised anywhere.

Director Planning and Development advised that his understanding of the matter was that the draft Growth Plan went out several weeks ago and that it has been advertised in the local newspaper twice. The Director stated that he believes today might have been the last day for public submissions. Once these are compiled, the findings will be reported back to Council.

5.2 Councillor Stanley R Martin

Can Council put a priority on Wedgefield roads? Those roads were built for light industry. As we are aware, the load is higher now with triples [road trains] using them. Can Council possibly re-assess and bring forward priority to this project?

Director Engineering Services advised that he is meeting with Main Roads tomorrow and he will raise this issue. He will report back to Council with the outcomes of this meeting.

5.3 Councillor Janet M Gillingham

Regarding Mosley Street, I have had a number of emails from residents. Some of the residents are here tonight with their concerns. I also had contact from a South Hedland resident who is concerned; she feels it will set a precedent if this particular item does go through.

Regarding the street verge parking near Corney Street at the Port Hedland Primary School, I have observed over the last week how many people have just part-parked. Is this going to be fast-tracked into looking at how can we alleviate this problem?

Director Planning and Development advised that he will notify the Rangers of this situation and ask for them to determine what Council's jurisdiction is within this space. He will also discuss this matter with Council's Manager Environmental Health.

When we talked at a briefing once before it was suggested that the School get together with the Department of Education, the Parents & Citizens Association and Council to see what we can do.

Director Engineering Services advised that the Town is investigating the possibility of installing a bus bay outside of the school, and a budget request will be put through as part of the 2012/13 Budget Review. The Town is also considering installing parking along Tinder Street. This is expected to take place after the car park project at the Multi Purpose Recreation Centre has been finished.

Can we please be consulted on all of that? At the moment, the parking on Corney Street is used by teachers who sit in classrooms all day. That is the front of the school on Corney Street; therefore, people coming into the administration office are expected to actually park way down the back by the Andrew McLaughlin Centre, and to walk through a service area which is used by trucks. Maybe this needs to be turned around?

Director Engineering Services advised that he has been in discussions with the Department of Education and they are considering offering part-funding for these works. In addition, the bus bay that is being installed can be used by other vehicles, although not during pick-up and drop-off hours.

Lastly, regarding the businesses at Redbank who have requested in the past to have business signs on the main area near the Redbank turnoff at Roche Street. They're saying that we, as Council, are saying that Main Roads have got back to us to say that the businesses can not have signs. But when the businesses speak to Main Roads themselves, they're being told they can. Is there documentation that has come from Main Roads regarding this matter?

Director Planning and Development advised that he raised this matter with the Manager Planning Services earlier this week, and he was informed that this issue has surfaced on a number of occasions. The signage is on a Main Roads road so we must liaise with them. The Director's understanding is that while Council supports the installation of these signs, Main Roads does not, but he will follow up any evidence of this view that can be found.

5.4 Councillor David W Hooper

I know we are looking at doing something to combine the motorsports in the Growth Plan. The request is for a burnout strip somewhere where young hoons can go and legally burn their rubber.

Director Planning and Development advised that this request could be considered as part of the masterplanning for a future motorsports facility.

Have we got any further with putting bollards through some of the walkways because cars are still driving through some of these walkways?

Director Engineering Services advised that the Town has ordered the bollards and they will be installed shortly.

5.5 Councillor George J Daccache

Could the Chief Executive Officer indicate progress with the execution of legal agreements with BHP Billiton Iron Ore approved by Council at a Special Meeting last week concerning Precinct 3?

Acting Chief Executive Officer advised that it was established, after the documents had been prepared, that there is a small existing lease on the land. Fortunately, Officers were able to establish that the leesee, Air Services Australia, is prepared to surrender that lease. The lease was for land being used for training purposes and it is effectively defunct. This matter should be considered resolved because the documents are to be amended to deal with that surrender. BHP Billiton Iron Ore will be considering the documents at a board meeting tonight.

Could the Chief Executive Officer advise on the latest information regarding providing for the National Broadband Network (NBN) rollout in Port Hedland, and any information on actions that should be taken?

Acting Chief Executive Officer advised that some weeks ago the Mayor circulated to all Councillors some information and her concerns regarding the NBN rollout and its relation to the Pilbara Underground Power Project. It has been confirmed that the conduits which were to be installed as part of this project are not proceeding because NBN Co has indicated that it would not be using them.

The Acting Chief Executive Officer advised that he could draft a letter for the Deputy Mayor to send to Senator Stephen Conroy, Minister for Broadband, Communications and the Digital Economy, to express Council's disappointment at this position, particularly as Port Hedland has a pre-eminent position in the nation's economy and prosperity.

Can Council approach Main Roads and ask for whoever cleans up the Wilson Street road from Port Hedland to South Hedland clean up all the rubbish that has been accumulating alongside the road? I have raised this issue a number of times.

Director Engineering Services advised that he informed Main Roads three weeks ago that this section of road requires cleaning. This is part of the Network 10 contract maintained by Macmanhons. Main Roads advised that they would forward this request through to Macmanhons. Main Roads also advised that due to staffing levels it is difficult to perform this cleaning task; however, this is not a satisfactory outcome for the residents of Hedland, and Council's litter crew could be engaged for private works for this section of the road. Main Roads declined this offer. The Director will be meeting with Main Roads again tomorrow and will follow-up on this matter.

NOTE: Councillor Arnold A Carter requested permission from the Deputy Mayor to ask additional questions. The Deputy Mayor accepted Councillor Carter's request.

5.6 Councillor Arnold A Carter

What relativity does BHP Billiton have regarding the Airport and the Civil Aviation Safety Authority (CASA)? Why was it necessary to go back to BHPB?

Acting Chief Executive Officer advised that a notation of the surrender of the Air Services Australia lease is necessary for the new documentation to be signed. By treating it as a condition precedent, this means the documentation can be signed ahead of the surrender process.

I thought that was quite a big distance away from where the BHP Billiton leases were?

Acting Chief Executive Officer advised it is within the proposed lease area.

CASA is leasing is?

Acting Chief Executive Officer advised the lease that is to be surrendered is with Air Services Australia.

That's been relinquished or terminated, hasn't it?

Acting Chief Executive Officer advised that the land is no longer utilised, however remains as a formal lease.

Two weeks ago I mentioned about the usage of the Skate Park. Once again, last night I did my usual trip up to town, and I noticed at 6:45pm not a soul was there. Coming home at 9:30pm there was still not a soul there. Can you tell me who pays for all that power? Because I'd like some switchlights for that to go off, because that's a very expensive exercise every time I go past. I never see anyone there.

Director Community Development advised that Council pays for the electricity, but indicated that he has gone past at different times in the night and has seen people using the facility. People come and go depending upon whether or not their friends are at the park, or if they have to be home by a certain time. Officers can review usage numbers and see whether or not this coincides with how long the lights are on for. The actual usage, however, does vary depending on the time and day of the week.

I thought that we had triplights on it at one stage, and they were vandalised?

Director Community Development clarified that the lights are on a timer system.

**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 D W Hooper	

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Thursday 26 April 2012

201112/440 Officer's Recommendation/Council Decision

Moved: Cr A A Carter Seconded: Cr D W Hooper

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

CARRIED 5/0

7.2 Confirmation of Minutes of Special Meeting of Council held on Tuesday 1 May 2012

201112/441 Officer's Recommendation/Council Decision

Moved: Cr A A Carter Seconded: Cr J M Gillingham

That the Minutes of the Special Meeting of Council held on Tuesday 1 May 2012 be confirmed as a true and correct record of proceedings.

CARRIED 5/0

ITEM 8 ANNOUNCEMENTS BY CHAIRPERSON WITHOUT DISCUSSION

Deputy Mayor George J Daccache's Activity Report for the April and May 2012 period to date is as follows:

April 2012

Monday, 30 April 2012

- Pilbara Regional Council meeting in Newman
- Australian Corruption and Crime Commission discussion meeting

May 2012

Tuesday, 1 May 2012

- Australian Citizenship Ceremony
- Australian Defence Force presentation

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION**9.1 *Councillor Janet M Gillingham***

Councillor Gillingham thanked the Director Planning and Development for venturing out to Redbank with her on Sunday to look at the beautiful rocks that are processed in this part of town by Ms Ana Slater. Councillor Gillingham said that this is a wonderful tourist attraction full of carved rocks and home-made jewellery, and she hopes they get a business sign one day.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**10.1 *Ms Lyn Farrell***

Ms Lyn Farrell, Managing Director, Pilbara Institute (formerly Pilbara TAFE) spoke about the educational institution's visions and masterplanning for the future. Ms Farrell also addressed the perception that student numbers at the Institute are declining by showing a comparison of enrolment statistics for the past five years.

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

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

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

Horizon Power and Main Roads have not responded within the 14 day referral period. The Water Corporation, Optus and Telstra have raised no objection to the proposal.

Internally:

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

- Manager Technical Services
- Manager Building Services.

Statutory Implications

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

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

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

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

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

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

Officer's Comment

The small section of the Hardie Street Road Reserve (approximately 159m²) which is being sought by the applicant is not required for road purposes. Consequently the area requested will not impact on any current or future access to the foreshore.

Should Council resolve to initiate the requested road closure and the portion is amalgamated with the applicants lot both the road reserve and the applicant's lot will result in a more regular shape.

The unused road reserve cannot be maintained on a regular basis. Approving the partial road closure will not have a detrimental impact on the function of the road or the pedestrian access way, and will result in a more regular road alignment.

Options

Council has the following options in responding to the request:

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

The closure of the subject portion of road reserve will allow the landowner to strata the property as proposed.

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

Should Council not support the proposal, the landowner will be required to relocate/demolish all structures currently on Hardie Street Road Reserve.

Option 1 is recommended.

Attachments

1. Locality Plan
2. Road Closure Plan

201112/442 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

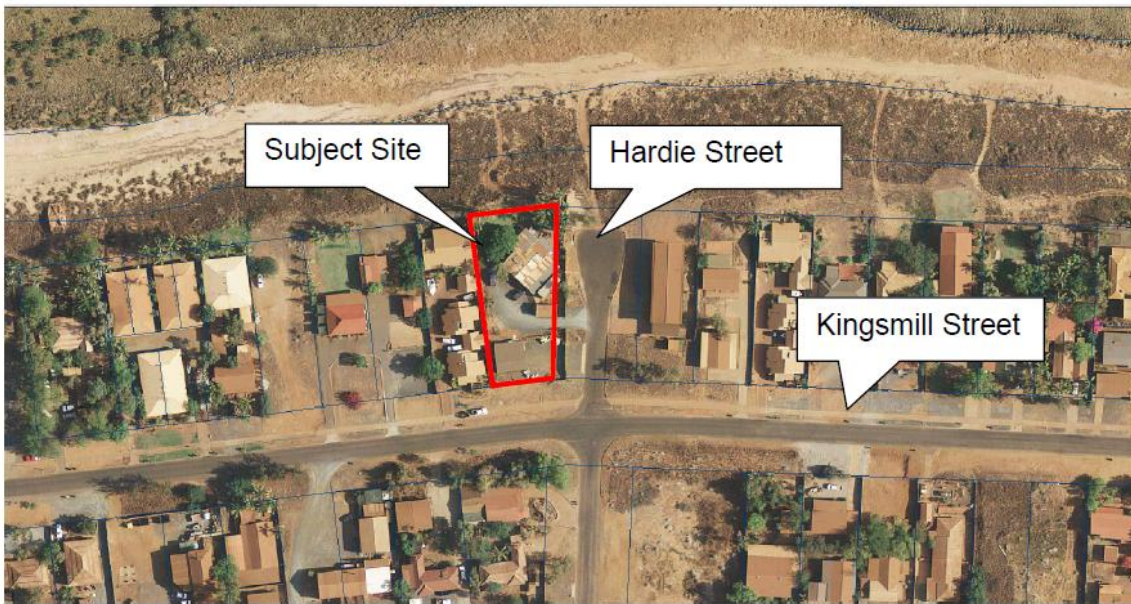
Seconded: Cr D W Hooper

That Council:

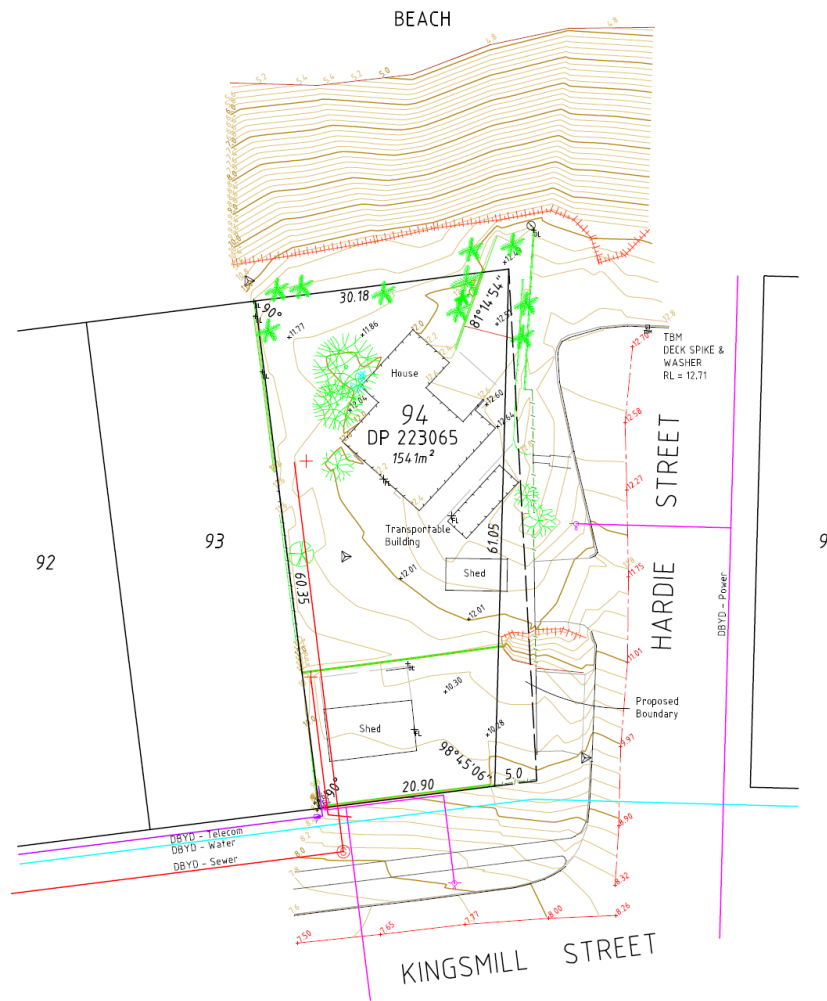
- 1. Supports the request from Scope Design and Project Management on behalf of the owners of Lot 94 (25) Kingsmill Street, Port Hedland, as indicated on Attachment 2.**
- 2. Delegates the Manager Planning Services under Delegation 40(12) to submit the road closure request to the Department of Regional Development and Lands (State Land Services), subject to the following;**
 - a. The proposed Road Closure being advertised for a period of 35 days pursuant to Section 58(3) of the Land Administration Act 1997;**
 - b. No objections being received during the advertising period.**

CARRIED 5/0

ATTACHMENT 1 TO ITEM 11.1.1



ATTACHMENT 2 TO ITEM 11.1.1



NOTES

This plan has been prepared for the client and should not be used for any other purpose unless authorised by Whelans (WA) Pty Ltd.

The location of cadastral boundaries shown has been extracted from Landgate's database on FEB 2012 and are subject to survey.

Boundary dimensions have been sourced from the Plan/Diagram for this lot and are subject to survey.

Prior to the commencement of any work, relevant authorities should be contacted for the location of underground services.

Levels are based on AHD and derived from: SSM PH99, PA10 & K1227

Due to overwriting some levels may be switched off for this plot only.

This note is an integral part of this plan.

LEGEND	
	BUILDING
	FOOTPATH
	KERB TOP
	KERB BOTTOM
	FENCE
	WALL / RETAINING WALL
	CONCRETE EDGE
	BITUMEN EDGE
	DRIVEWAY EDGE
	EDGE OF EAVE
	BANK TOP
	BANK BOTTOM
	BOUNDARY LINE
	MAJOR CONTOUR
	MINOR CONTOUR (Contour Interval m)
	PROPOSED BOUNDARY
	'DIAL BEFORE YOU DIG' (DBYD) DBYD POWER
	DBYD SEWER
	DBYD TELECOM
	DBYD WATER
	ELECTRIC LIGHT POLE
	ELECTRIC DOME
	RETIC VALVE
	WATER TAP
	SEWER INSPECTION OPENING
	NATURAL SURFACE LEVEL
	FLOOR LEVEL
	HARD SURFACE / DECK LEVEL
	POLE
	MINOR CONTROL
	TEMPORARY BENCHMARK
	EUCALYPT
	PALM
	PAPERBARK
	RAINTREE

SCALE: 1:500 (A3)	DATE DRAWN: 29/03/2012
V DATUM: AHD	DRAWN BY: PHT
H DATUM: PH94	CHECKED BY: JH
SURVEY DATE: 28/03/2012	
SURVEYOR: JH	DATA FILE: march2012_fs_sb_combined.acs
JOB No: 15506	CAD FILE: 120328_Lot94_Kingsmill.dwg
PATH: S:\Projects\15115506\survey\detail	



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 133 Scarborough Beach Road, Mount Hawthorn WA 6016
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FEATURE SURVEY
 LOT 94 on DP 223065
 KINGSMILL STREET
 PORT HEDLAND

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CLIENT: TIM PURCELL

REV 0	
PLAN	
15506-001	
SHEET 1 OF 1	

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

Officer Michael Pound
A/ Manager Planning

Date of Report 26 April 2012

Disclosure of Interest by Officer Nil

Summary

Council received an application from RPS on behalf of Vladimir Ejev to construct eight (8) Multiple Dwellings on Lot 1 (8) Moseley Street, Port Hedland (site).

The applicant originally submitted a proposal for ten (10) "Multiple Dwellings" on the site. Subsequently, revised plans were submitted following the initial advertising period proposing the development of eight (8) "Multiple Dwellings" on the site.

During both advertising periods, a total of twenty three (23) written submissions were received objecting to the proposed development. In accordance with the Delegation Notice, Council is required to determine the application.

Approval of the application is recommended.

Background*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 latter stage.

Consultation

Consultation procedure for the application was undertaken twice, due to the applicant submitting revised plans in response to objections received during the initial consultation process.

*Initial Consultation**Externally:*

Agencies:

- Horizon Power; and
- Water Corporation.

Internally:

The application was circulated to the following internal units:

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

Technical Services objected to the proposed development citing the following:

- Car parking non-compliant with Australian Standards;
- Maximum of two (2) crossovers per property; and
- Tree removal (verge) will only be supported if no alternative exists.

Adjoining owners:

- Lot 1097 (10) Moseley Street, Port Hedland;
- Lot 1101 (23) McGregor Street, Port Hedland;
- Lot 2 (21) McGregor Street, Port Hedland;
- Lot 1724 (9) Padbury Place, Port Hedland;
- Lot 1723 (6) Wodgina Street, Port Hedland;
- Lot 1095 (3) Moseley Street, Port Hedland; and
- Lot 1094 (5) Moseley Street, Port Hedland.

The application was advertised in the North West Telegraph on 1 and 18 February 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 consultation process seventeen (17) submissions were received from the public and one (1) submission was received from WaterCorp objecting to an original proposal of Ten (10) "Multiple Dwellings" on the site.

Summary of Comments / Objections Received during the initial consultation process:

<i>Objections Received during initial Consultation Process (Attachment 3)</i>	<i>Applicant's Response to objections received during initial Consultation Process (Attachment 4)</i>
<p><i>Overcrowding –</i></p> <p><i>Proposed development is trying to fit too many dwellings and people on a standard size block.</i></p>	<p><i>Consistency with the R-Codes –</i></p> <p><i>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).</i></p>
<p><i>Noise –</i></p> <p><i>The increased traffic flow of residents, construction noises and then the noise level from people living there will be increased.</i></p>	<p><i>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.</i></p>

	<p><i>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.</i></p>
<p><i>Privacy –</i></p> <p><i>As the development is two storey high it will be overlooking all its neighbours properties privacy.</i></p>	<p><i>Consistency with the R-Codes –</i></p> <p><i>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.</i></p> <p><i>Please note screening for the rear left unit has been included on the attached revised plans.</i></p>
<p><i>Parking (design and number) –</i></p> <p><i>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.</i></p>	<p><i>Recent liaison between the project building designer and Council staff has lead 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.</i></p>

<p><i>Quality of Life –</i></p> <p><i>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</i></p>	<p><i>Consistency with the R-Codes –</i></p> <p><i>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.</i></p>
<p><i>Dwelling Size –</i></p> <p><i>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.</i></p>	<p><i>Consistency with the R-Codes –</i></p> <p><i>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.</i></p>
<p><i>Environmental Impact –</i></p> <p><i>The impact on surrounding nature and trees in the area.</i></p>	<p><i>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.</i></p>

<p><i>Communication –</i></p> <p><i>Request more consultation about the time frames to build and the storing of building equipment and materials if the development goes ahead.</i></p>	<p><i>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.</i></p> <p><i>Construction of the proposed development will be undertaken in accordance with a construction management plan.</i></p>
<p><i>Compliance with Building Codes of Australia (BCA) –</i></p> <p><i>The design of the buildings are not in line with Section 3 of the Building Code.</i></p>	<p><i>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.</i></p>
<p><i>Construction Storage, Noise and Cleanliness –</i></p>	<p><i>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.</i></p> <p><i>The site will be managed in accordance with a construction management plan.</i></p>

<p><i>Sewerage –</i></p> <p><i>Strained sewerage problems in the street already with the last development of two houses not 10.</i></p>	<p><i>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.</i></p>
<p><i>Local Amenity –</i></p> <p><i>Will be out of character from the other dwellings in the street and could affect land values.</i></p>	<p><i>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.</i></p>
<p><i>Stormwater Disposal –</i></p> <p><i>The effect of flood levels on adjoining properties in the yearly cyclonic season</i></p>	<p><i>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.</i></p>

<p><i>Water Supply –</i></p> <p><i>WaterCorp objects to the development of five or more dwellings until 2014</i></p>	<p><i>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.</i></p>
<p><i>Removal of Street Trees –</i></p> <p><i>Tech Services</i></p>	<p><i>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.</i></p>
<p><i>Number of Crossovers –</i></p> <p><i>Tech Services</i></p>	<p><i>The proposed crossovers servicing the front dwellings are required in order to retain all the street trees, whilst providing appropriate access to all dwellings.</i></p>

*Second Consultation**Externally:*

Adjoining owners:

- Lot 1097 (10) Moseley Street, Port Hedland;
- Lot 1101 (23) McGregor Street, Port Hedland;
- Lot 2 (21) McGregor Street, Port Hedland;
- Lot 1724 (9) Padbury Place, Port Hedland;
- Lot 1723 (6) Wodgina Street, Port Hedland;
- Lot 1095 (3) Moseley Street, Port Hedland; and
- Lot 1094 (5) Moseley Street, Port Hedland.

Internally:

The application was circulated to the following internal units:

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

The application was readvertised in the North West Telegraph on 4 and 11 April 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 consultation process, five (5) submissions were received from the public objecting to revised proposal of Eight (8) "Multiple Dwellings" on the site.

Summary of Comments / Objections Received during the second consultation process:

<i>Objections Received during second Consultation Process (Attachment 5)</i>	<i>Applicant's Response to objections received during second Consultation Process (Attachment 6 & 7)</i>
<p><i>Overcrowding –</i></p> <p><i>Proposed development is trying to fit too many dwellings and people on a standard size block.</i></p>	<p><i>Consistency with the R-Codes –</i></p> <p><i>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.</i></p>

<p><i>Noise and Safety –</i></p> <p><i>The increased traffic flow of residents, construction noises and then the noise level from people living there will be increased.</i></p>	<p><i>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 .</i></p>
<p><i>Construction Stage –</i></p> <p><i>Noise levels and location of construction vehicles</i></p>	<p><i>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.</i></p>

<p><i>Privacy –</i></p> <p><i>Overlooking to the rear of the property and staircase with no screening.</i></p>	<p><i>Consistency with the R-Codes –</i></p> <p><i>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.</i></p>
<p><i>Parking) –</i></p> <p><i>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.</i></p>	<p><i>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.</i></p>
<p><i>Unit Design –</i></p> <p><i>Unit design indicating to be used by FIFO workers</i></p>	<p><i>Consistency with the R-Codes –</i></p> <p><i>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.</i></p> <p><i>Any other requirements for the unit design will be assessed during the Building Licence stage of the proposal.</i></p>

<p><i>Amenity of Building –</i></p> <p><i>Design and materials of the proposed development will be out of character to the surrounding area.</i></p>	<p><i>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.</i></p> <p><i>The materials of the proposed development will be subject to the issue of a building licence.</i></p>
<p><i>Storage Shed/ Shed Facilities –</i></p> <p><i>Removal of storage sheds and parking of boats</i></p>	<p><i>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.</i></p>
<p><i>Water Drainage –</i></p> <p><i>Not enough drainage/water runoff has been indicated in the plans supplied, threat to neighbouring properties.</i></p>	<p><i>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.</i></p>
<p><i>Effect on Neighbours –</i></p> <p><i>Site plan does not show location of surrounding houses, their entertaining areas/living areas and the effect on neighbouring families.</i></p>	<p><i>As addressed in ‘Amenity of building’ and ‘Privacy’ and ‘Noise and safety’.</i></p>

<p><i>Is the Developer Local –</i></p> <p><i>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</i></p>	<p><i>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.</i></p>
<p><i>Dust Zone –</i></p> <p><i>Design and purpose of units more suited for the 'Dust Zone/West End'</i></p>	<p><i>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.</i></p>
<p><i>Families First –</i></p> <p><i>The need to build more 4/3 bedroom houses which include all amenities that a normal family house would have.</i></p>	<p><i>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.</i></p>

Planning Response

The Planning Unit considers 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.

Statutory Implications

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

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 \$3,656.00 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).

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 TPS5 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 TPS5			
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 that is visible from the street. Technical Services allows 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 Town's officers.

In light of the above, it is recommended the proposed variation is supported. Furthermore, Technical Services has 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.

Options

Council has the following options when considering the application:

1. Approve the application subject to conditions.

Approval will ensure the property is developed to its full potential and act as a catalyst for further development in the area.

2. Refuse the application.

Refusal of the proposal will restrict the development of the site.

Option one (1) is recommended.

Attachments

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

Officer's Recommendation

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.
12. 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.
13. 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.
14. 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.

15. 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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.

201112/443 Council Decision

Moved: Cr S R Martin

Seconded: Cr J M Gillingham

That Council refuse the application.

MOTION CARRIED 3/2

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

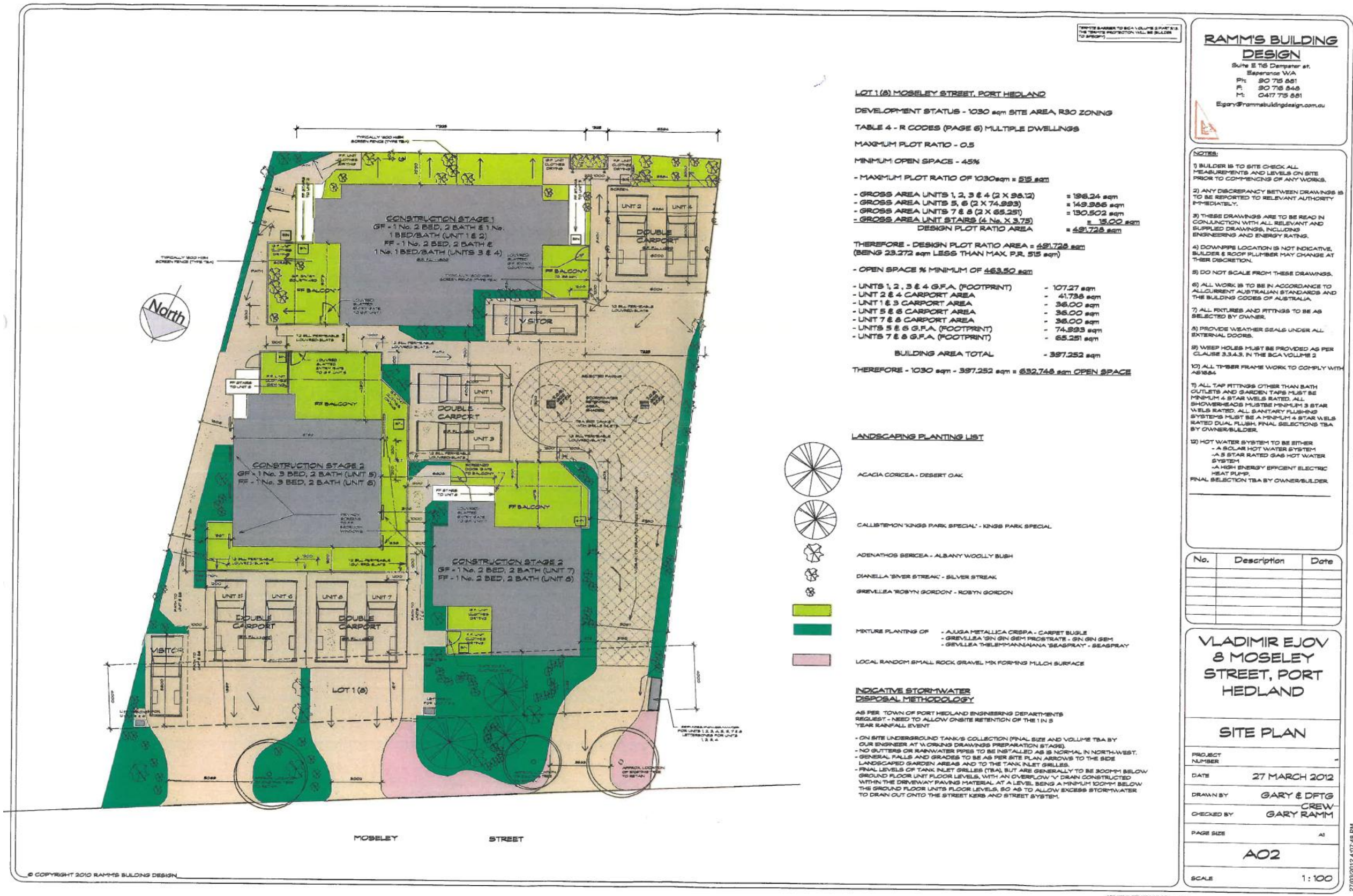
Recording of Vote:

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

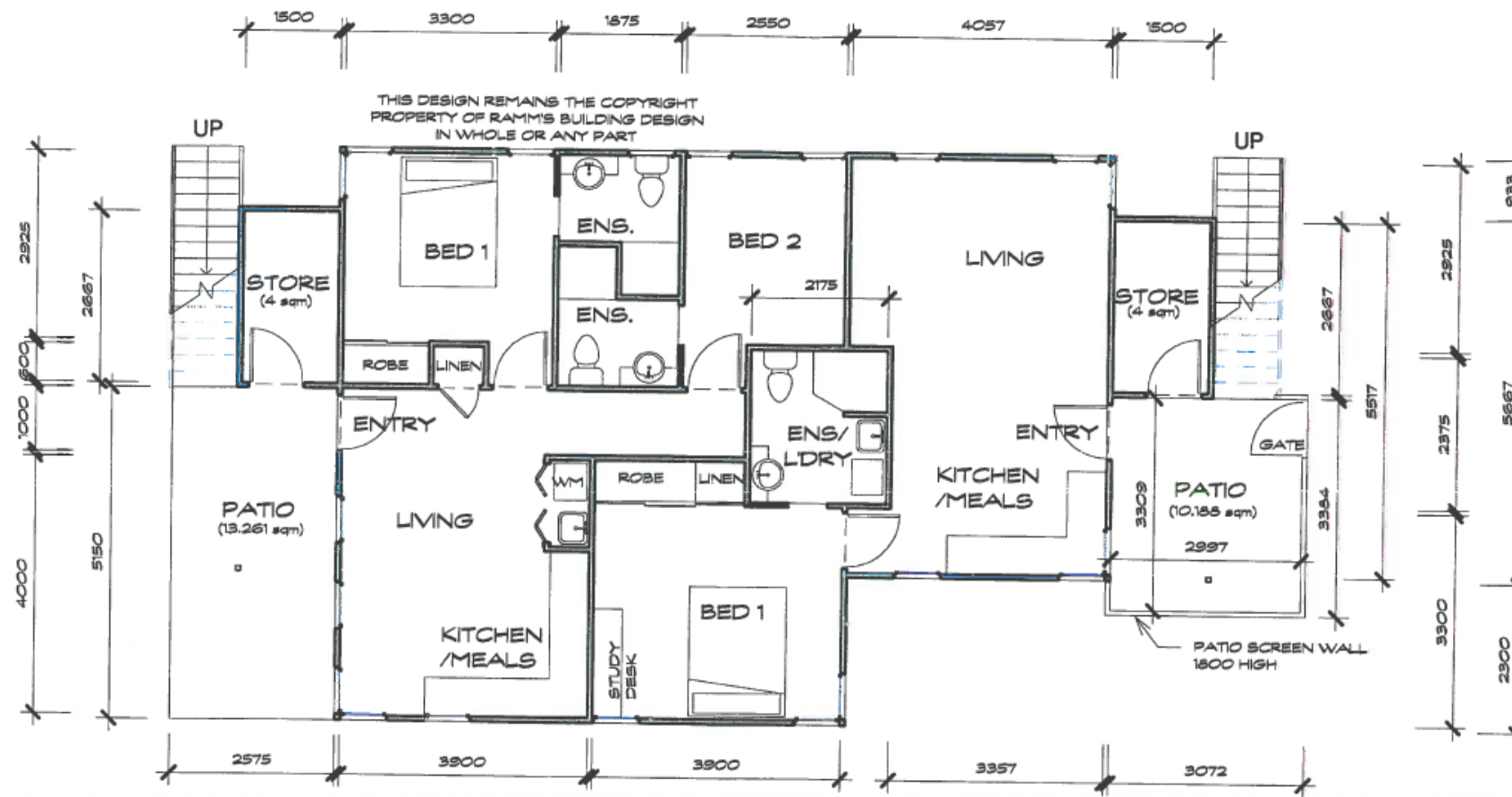
ATTACHMENT 1 TO ITEM 11.1.2



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GROUND FLOOR PLAN 1-100
 1 No. 2 BED, 2 BATH & 1 No. 1 BED, 1 BATH UNIT
 TOTAL FLOOR AREA (INCLUDING STORES) = 107.27 SQM
 (2 BED UNIT AREA - 56.17 SQM WITH STORES)
 (1 BED UNIT AREA - 51.10 SQM WITH STORES)

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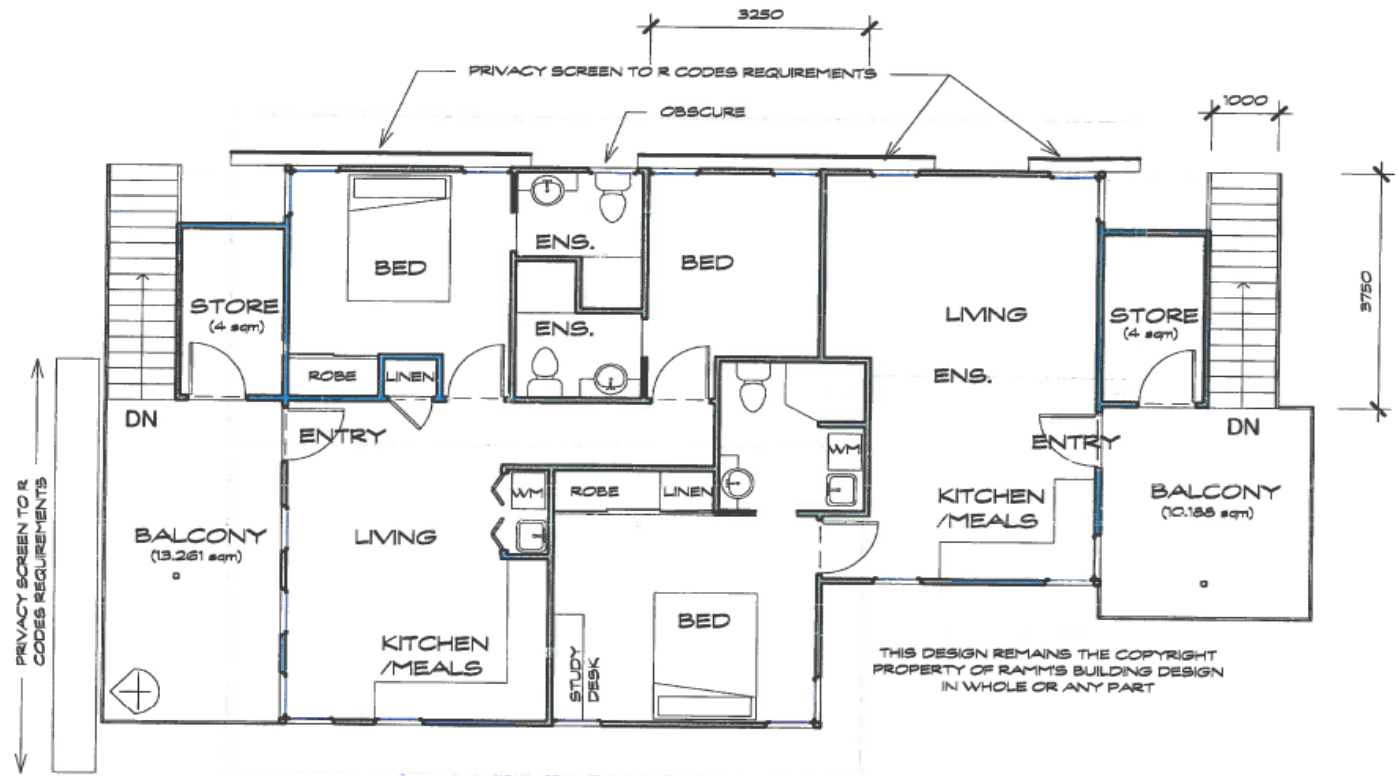
VLADIMIR EJOV
 8 MOSELEY STREET,
 PORT HEDLAND

GROUND FLOOR PLAN

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DRAWN BY	GARY/DFTG CREW		
CHECKED BY	GARY RAMM		Scale
			1:100

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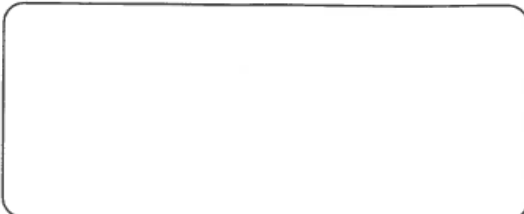
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FIRST FLOOR PLAN 1-100
 1 No. 2 BED, 2 BATH UNIT AND 1 No. 1 BED, 1 BATH UNIT
 TOTAL FLOOR AREA (EXCLUDING STORES) = 98.12 SQM

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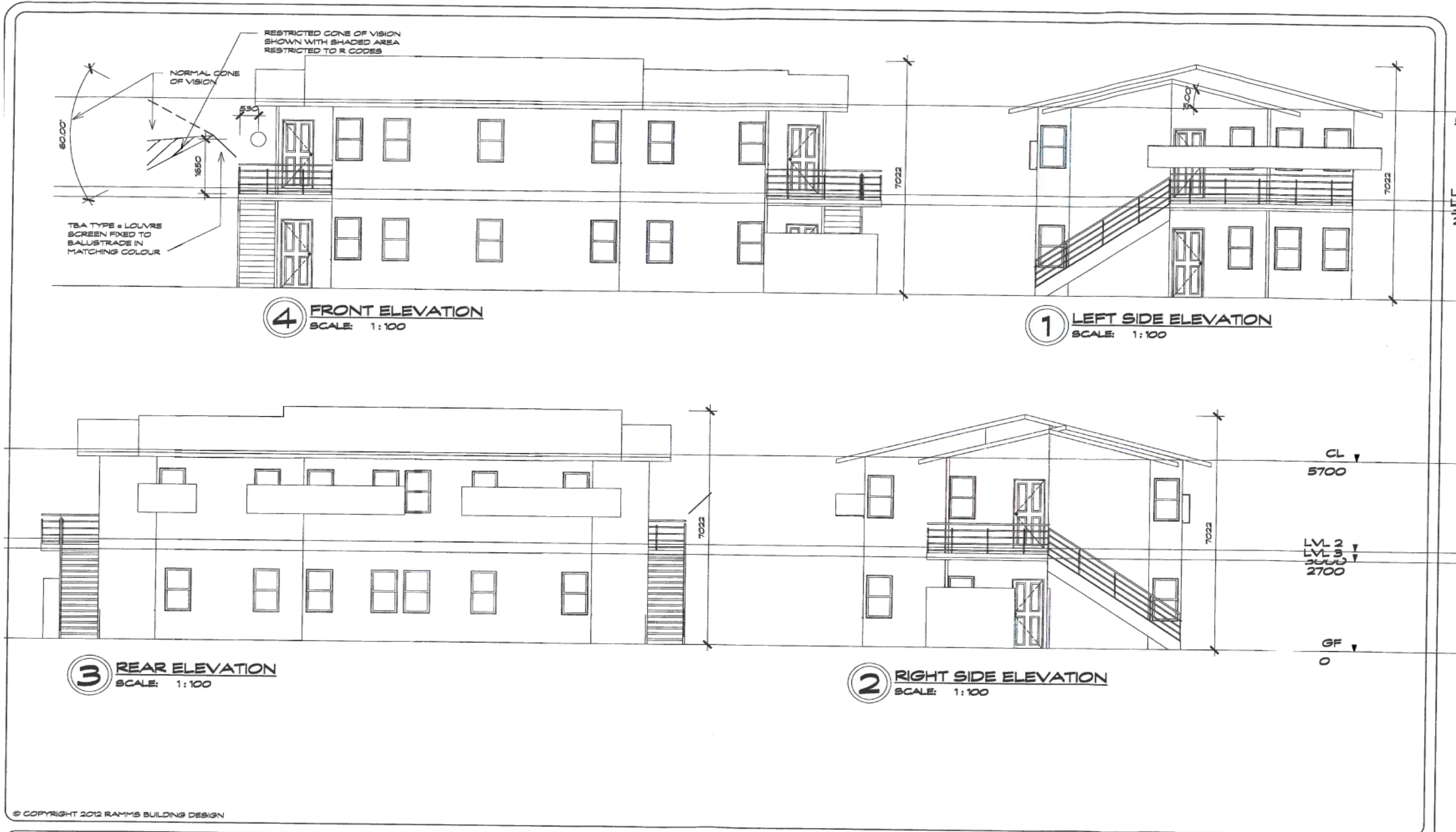


VLADIMIR EJOV
 8 MOSELEY STREET,
 PORT HEDLAND

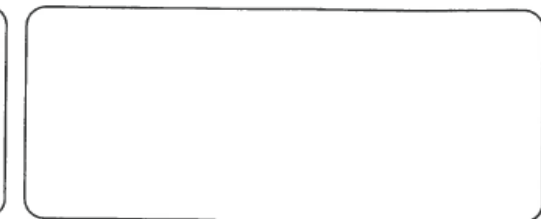
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CHECKED BY	GARY RAMM	Scale	1:100

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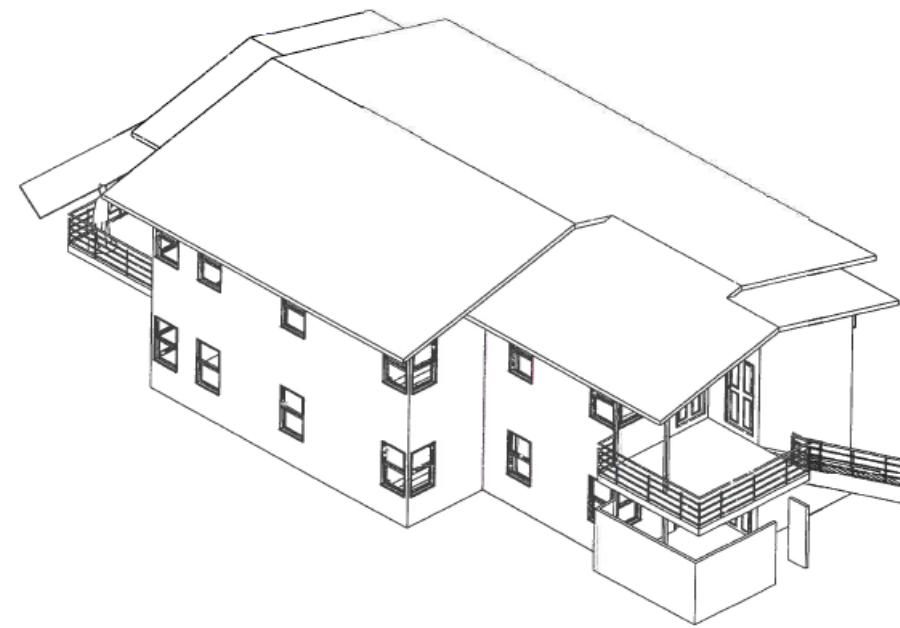
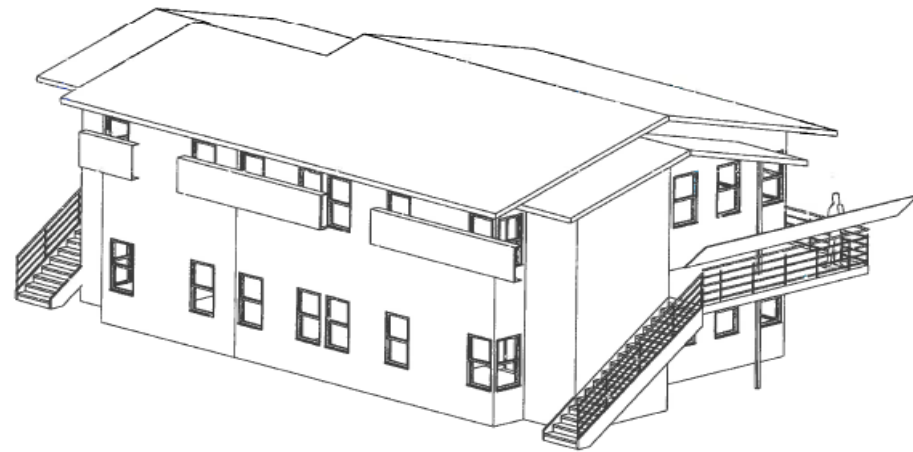
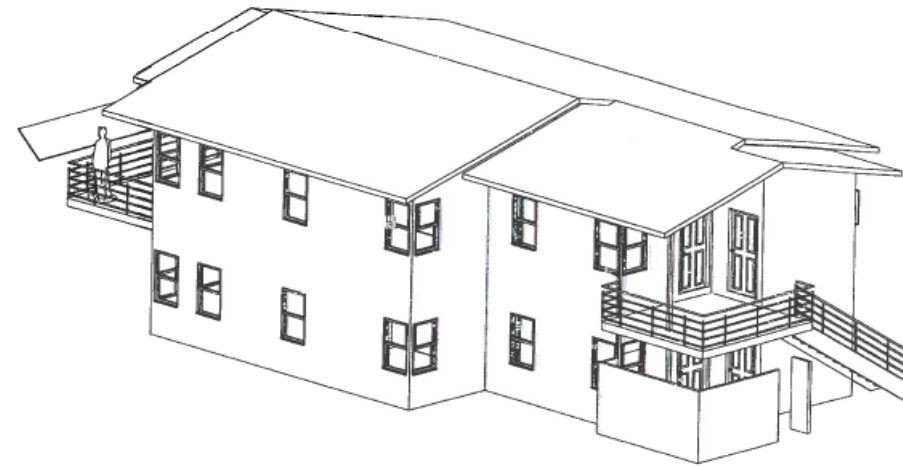
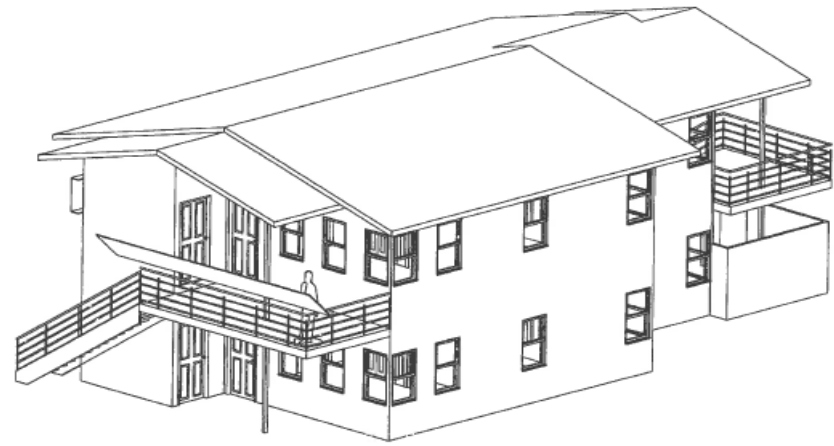


VLADIMIR EJOV
8 MOSELEY STREET,
PORT HEDLAND

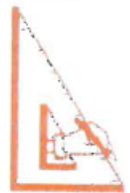
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DATE	27 MARCH 2012		
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CHECKED BY	GARY RAMM		
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VLADIMIR EJOV

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 PORT HEDLAND

3D VIEWS

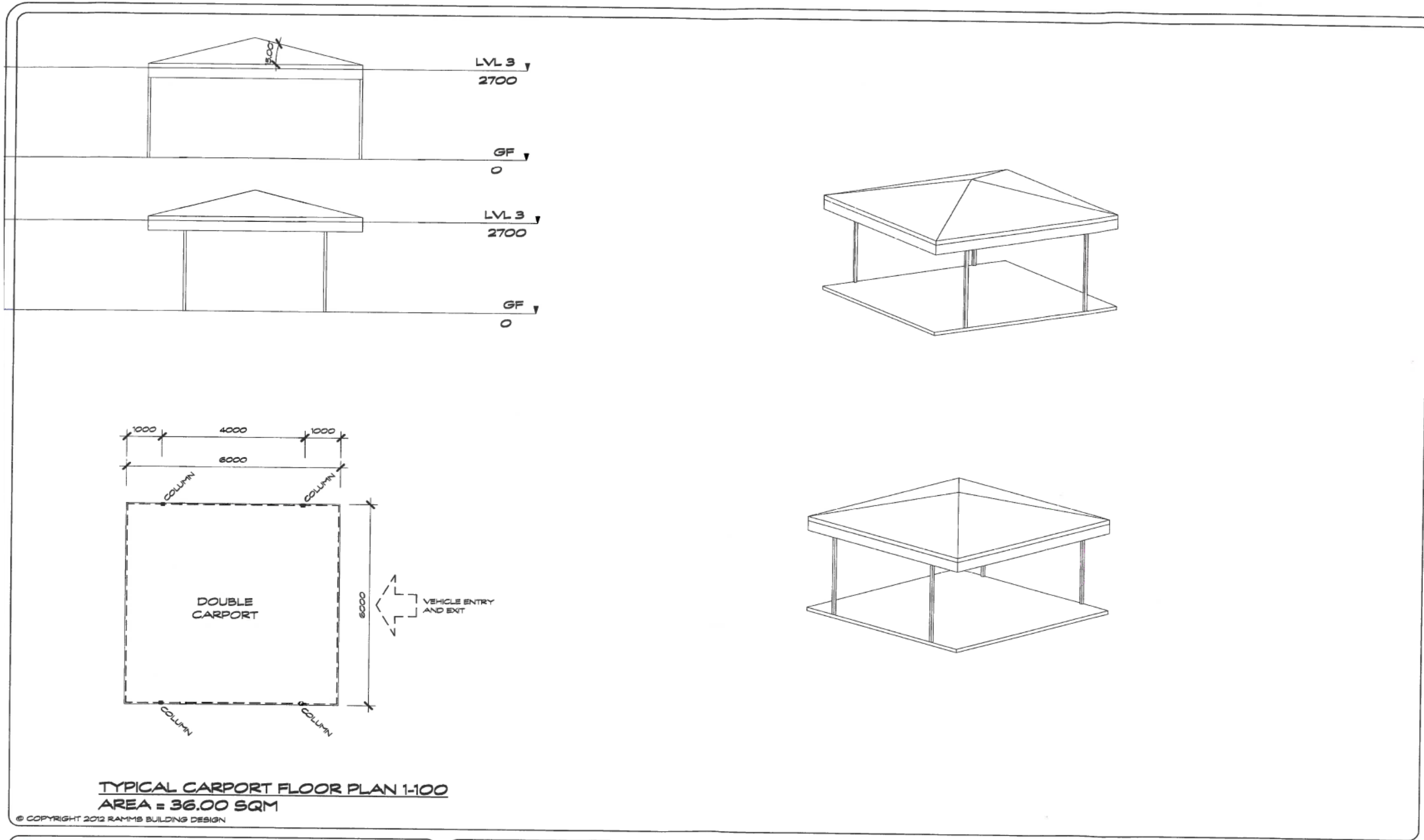
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CHECKED BY	GARY RAMM

A06

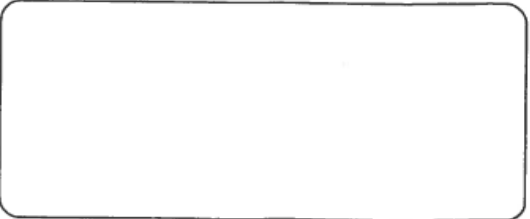
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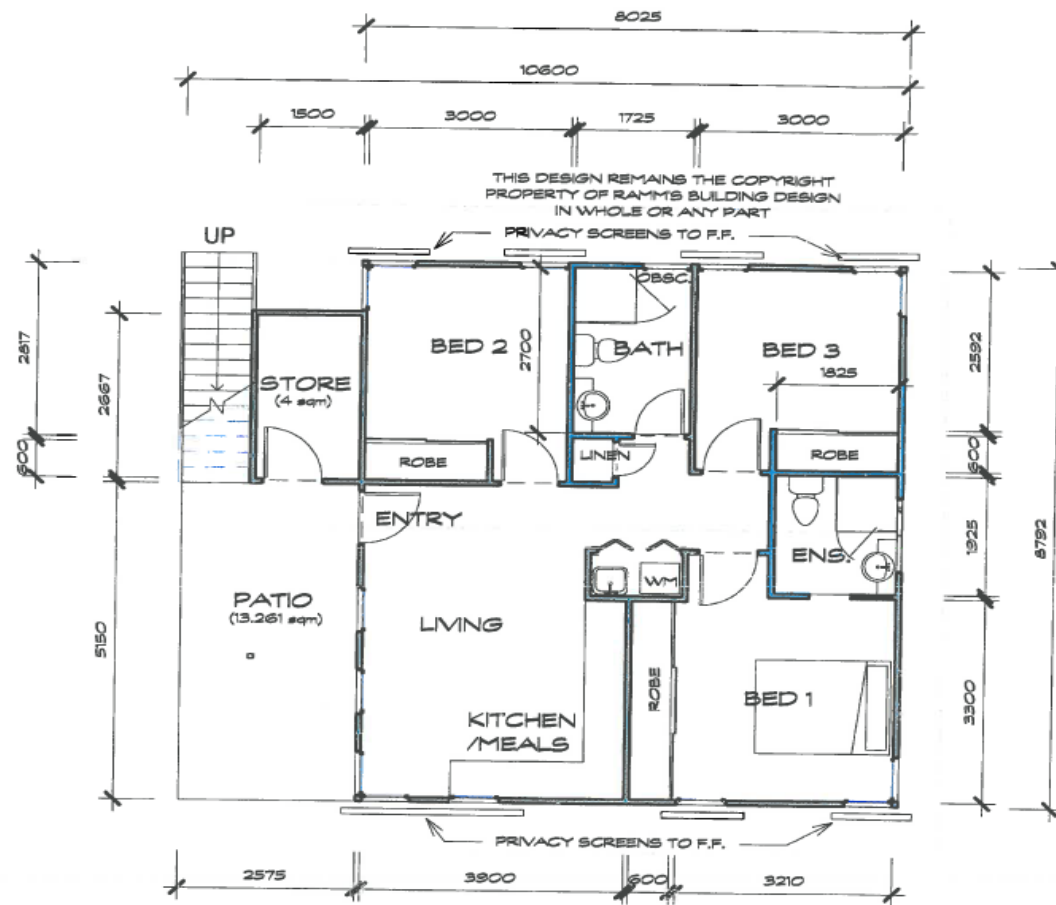


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VLADIMIR EJOV
8 MOSELEY STREET,
PORT HEDLAND

CARPORT		A-03	SHEET SIZE
PROJECT NO.	DATE		A3
DATE	27 MARCH 2012	Scale	1:100
DRAWN BY	GARY/DFTG CREW		
CHECKED BY	GARY RAMM		



TYPICAL GROUND FLOOR & FIRST FLOOR PLAN 1-100
 1 No. 3 BED, 2 BATH UNIT
 TOTAL FLOOR AREA (INCLUDING STORES)
 = 74.993 SQM EACH

NOTE - READ PLAN REVERSE HAND TO SUIT SITE PLAN

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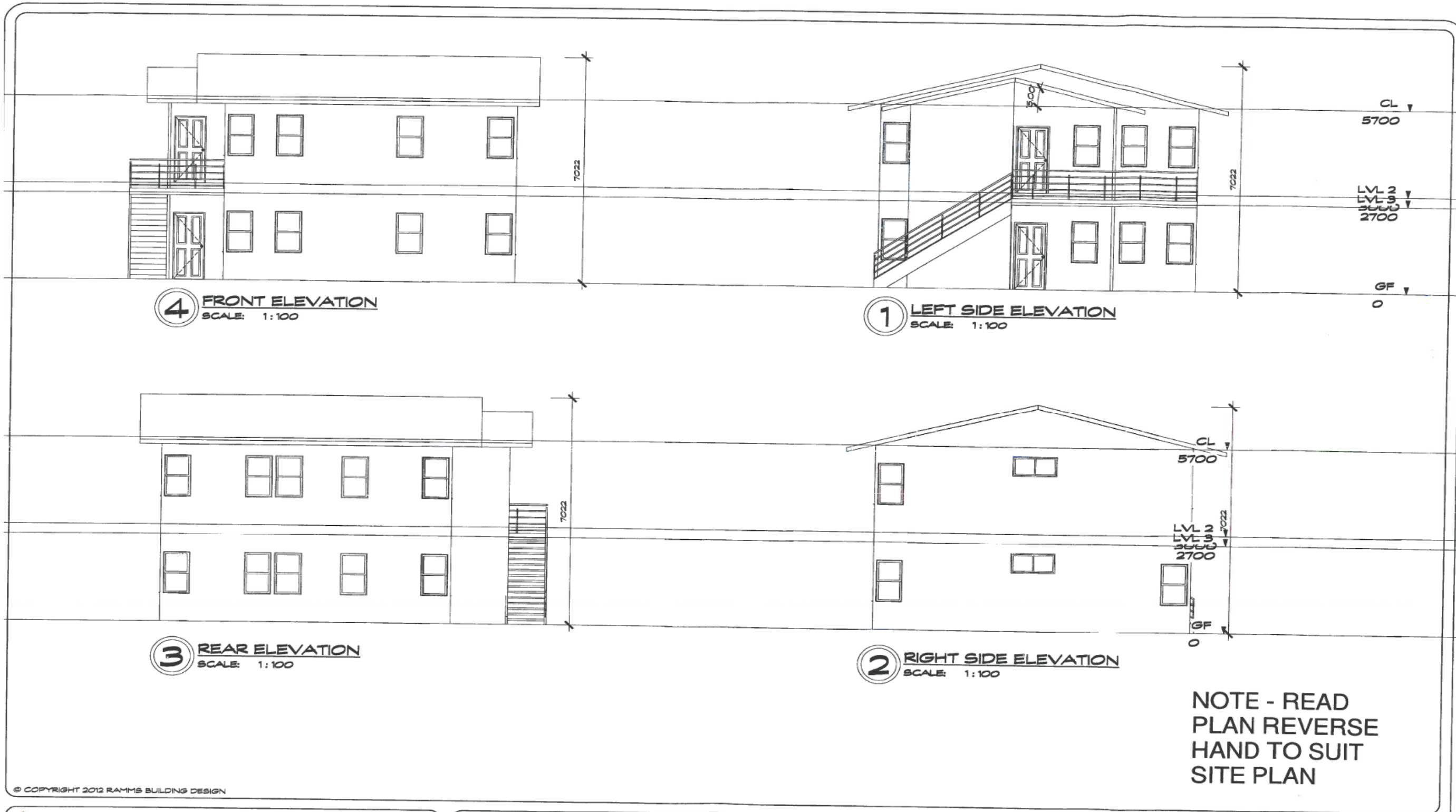
RAMM'S BUILDING DESIGN
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 Ph: 90 715 881
 F: 90 716 848
 M: 0417 715 881
 E: gary@rammsbuildingdesign.com.au

VLADIMIR EJOV

**8 MOSELEY STREET,
 PORT HEDLAND**

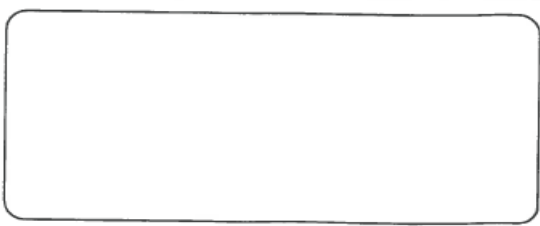
GROUND FLOOR PLAN		A03	SHEET SIZE
PROJECT NO.	DATE 27 MARCH 2012		A3
DRAWN BY GARY/DFTG CREW	CHECKED BY GARY RAMM	Scale	1:100

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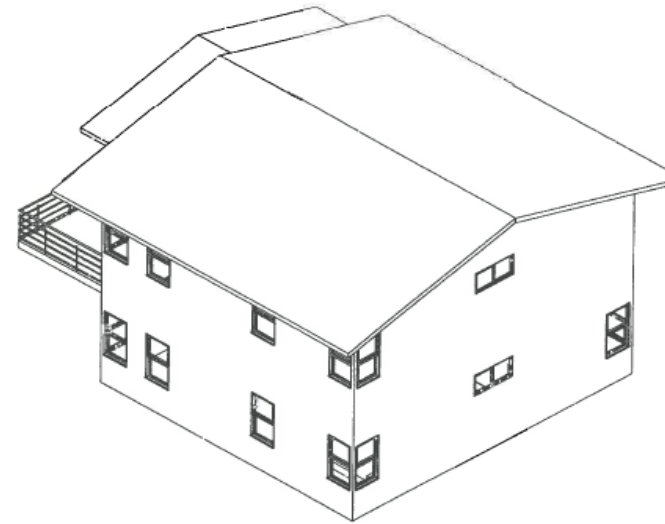
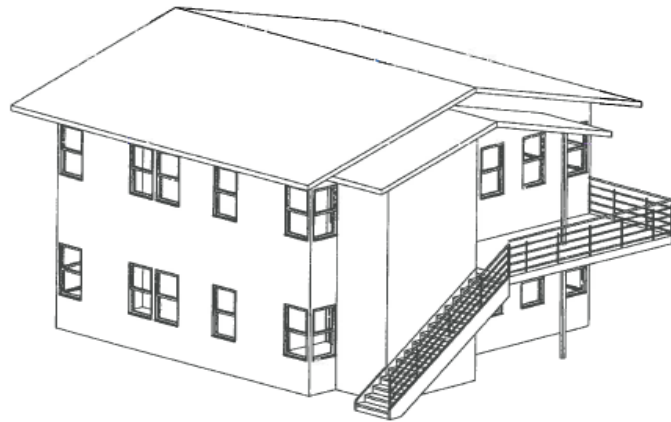
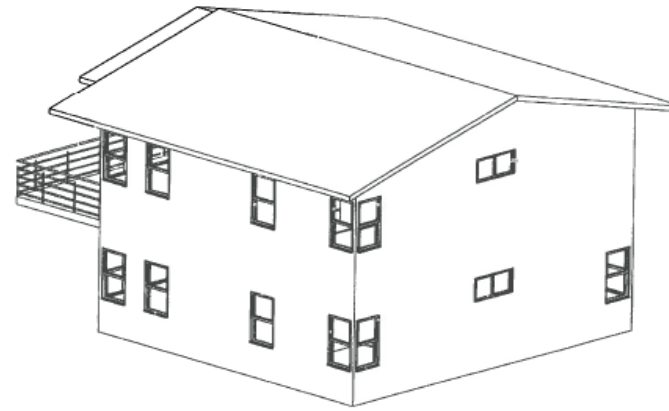
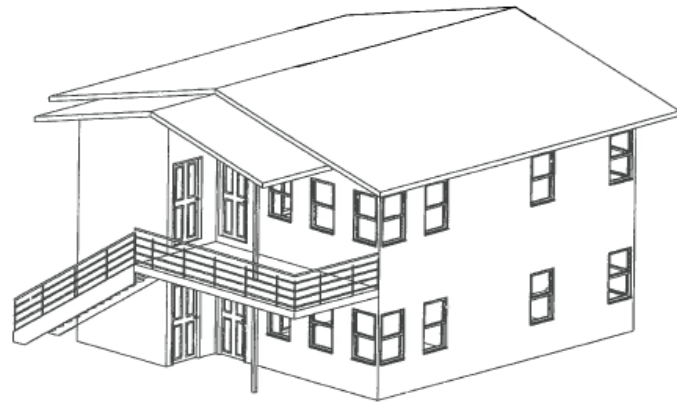


VLADIMIR EJOV
 8 MOSELEY STREET,
 PORT HEDLAND

ELEVATIONS			SHEET SIZE
PROJECT NO.	-	A05	
DATE	27 MARCH 2012		
DRAWN BY	GARY/DFTG CREW		Scale
CHECKED BY	GARY RAMM		
		1:100	


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27/03/2012 10:51 AM

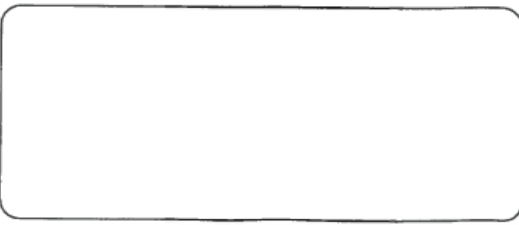


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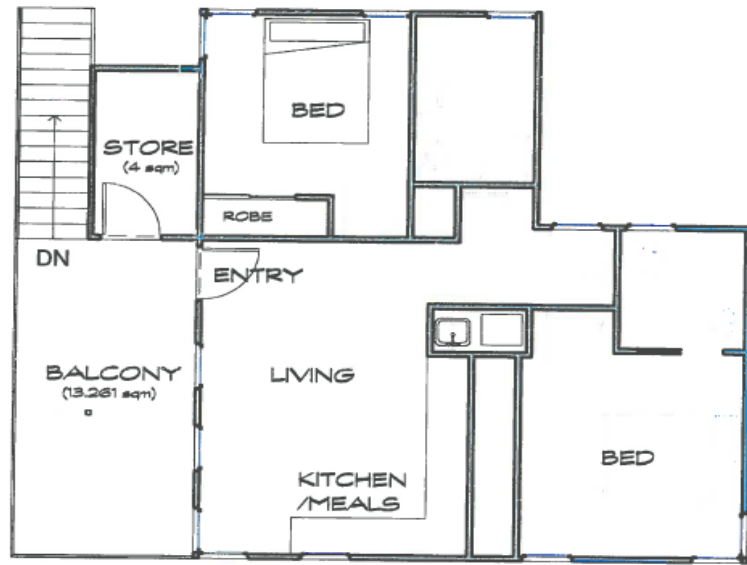


VLADIMIR EJOV
 8 MOSELEY STREET,
 PORT HEDLAND

3D VIEWS		A06	SHEET SIZE
PROJECT NO.	-		A3
DATE	27 MARCH 2012		
DRAWN BY	GARY/DFTG CREW		
CHECKED BY	GARY RAMM	Scale	

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VLADIMIR EJOV

8 MOSELEY STREET,
PORT HEDLAND

FIRST FLOOR PLAN

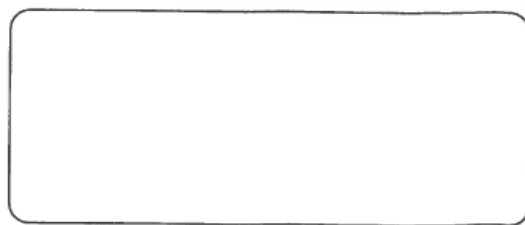
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DATE	27 MARCH 2012		A3
DRAWN BY	GARY/DFTG CREW	Scale	1:100
CHECKED BY	GARY RAMM		

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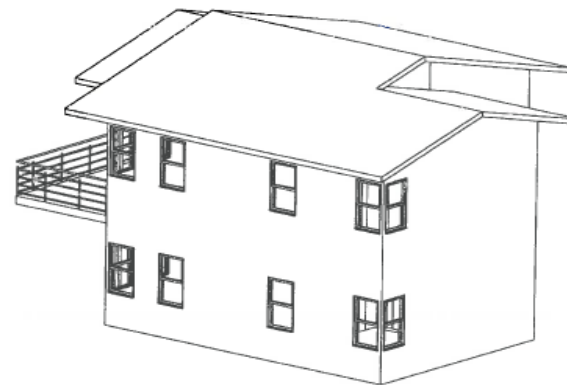
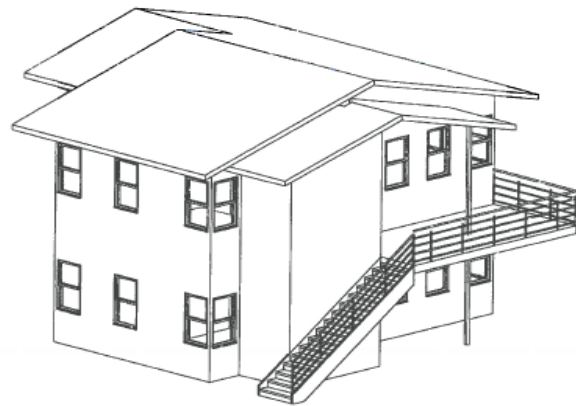
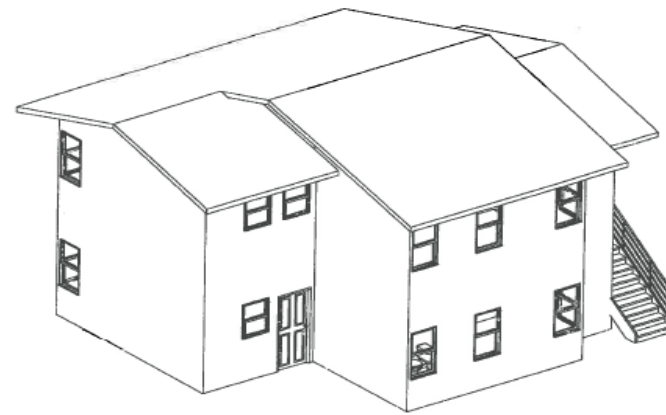
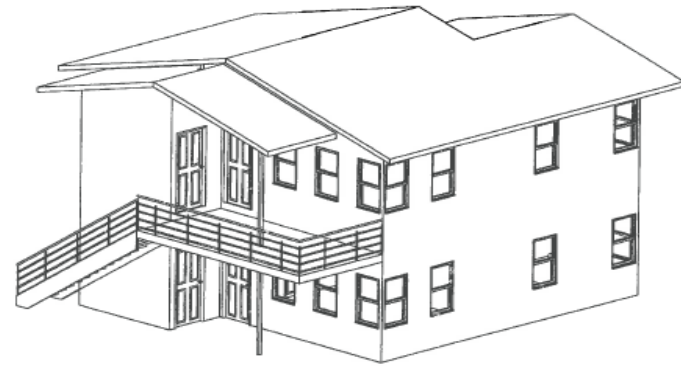


VLADIMIR EJOV
 8 MOSELEY STREET,
 PORT HEDLAND

ELEVATIONS		SHEET SIZE
PROJECT NO.		
DATE	27 MARCH 2012	
DRAWN BY	GARY/DFTG CREW	
CHECKED BY	GARY RAMM	
Scale		1:100


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27/03/2012 3:46:53 PM

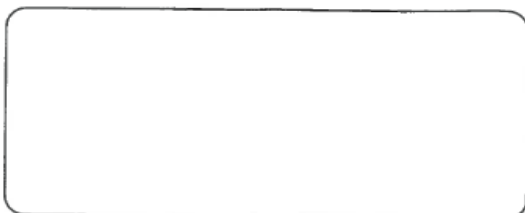


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VLADIMIR EJOV
 8 MOSELEY STREET,
 PORT HEDLAND

3D VIEWS		A06	SHEET SIZE
PROJECT NO.			A3
DATE	27 MARCH 2012		
DRAWN BY	GARY/DFTG CREW		
CHECKED BY	GARY RAMM	Scale	

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No.	Description	Date

VLADIMIR EJOV
8 MOSELEY STREET,
PORT HEDLAND

PARKING PATHS		SHEET SIZE
PROJECT NO.		
DATE	29 MARCH 2012	
DRAWN BY	GARY RAMM	
CHECKED BY	GARY RAMM	
		SHEET SIZE
		A3
		1:200

Z:\PROJECTS\RAKIC - PETER - MOSELEY ST. PT. HDLND - 091210.DWG FILE AS AT

29/03/2012 10:07:53 AM

ATTACHMENT 3 TO ITEM 11.1.2

IPA 231.02 linked to 2012/23

ENTERED
DATE 15-2-12 BY Michelle

Copies 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
W. Marten
S. Marten

Wayne & Sonia Marten
7 Moseley Street

02 SEP 2011 4:07AM CUCRH

91589999

P. 1

1CR23581 linked to 2012/23

ENR
DATE 13-2-12
Mickelli

Thursday 9th February 2012

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

1CR23581
File Number: 401110 G
Int. Correspondent: Leonard
Lot 1 (8) Moseley St

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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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: (08) 9458 9043 F: (08) 9458 9399
 M: +61 448 065 013
 Email: ea@porthedland.wa.gov.au
 Web: www.porthedland.wa.gov.au

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From: Mayor Kelly Howlett [<mailto:kellyhowlett35@hotmail.com>]
Sent: Wednesday, 15 February 2012 9:08 AM
To: Bale Kate
Cc: jfoley@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: jfoley@westnet.com.au
 To: mayorkellyhowlett@porthedland.wa.gov.au; crjacob@porthedland.wa.gov.au;
crgillingham@porthedland.wa.gov.au; rcarter@porthedland.wa.gov.au; crmartin@porthedland.wa.gov.au;
crdzombak@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

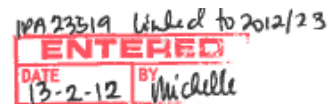
These plans show no areas to entertain or have realistic extra car bays for visitors. Again having witnessed the number of vehicles that have been parked up in larger blocks with couples that have big incomes and industrial employment, my concern for the safety of the surrounding families, children and 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 'J. Foley', with a small checkmark to the right.

Joan Foley



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.

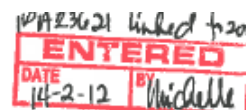
Kind regards

Paul Smeaton
26 Moseley Street
0400 229 674

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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 ✓

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 lot/s.

Below are my concerns:

1. Does the developer and planner ensure the new development is suitable for and take full 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 lot/s. 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 noisy 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 tenants of 8 Moseley Street, Port Hedland; have been advised by new owners, the very large and stately 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?

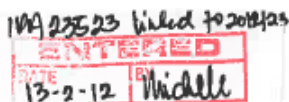
To ensure that the level of amenity enjoyed by neighbours and in the locality generally is preserved or enhanced,
I reject the above proposal.

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 6721



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 unit*
- 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.

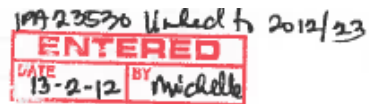
Thank you for considering my objections above and I wish to be kept informed of any outcome or if the matter will be considered at a future council meeting.

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.

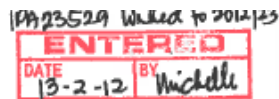
I strongly object to this development going ahead for the following reasons:

- **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,

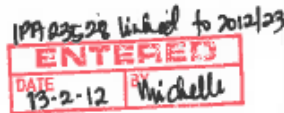
I wish to complain about the idea of building ten units on the block over the road from us at 8 Moseley Street and to say that I am completely against it being build because it will be difficult to have people all doing shifts when we are trying to sleep, with noisy mine vehicles coming in and out at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

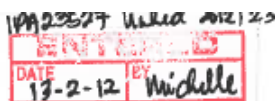
I strongly object to this development going ahead for the following reasons:

- ***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.

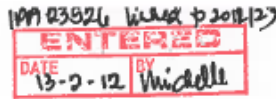
I strongly object to this development going ahead as I know from experience living on this location that it is a lovely quiet friendly place to live with your family. Unfortunately we are not the owners of this property and we will be sad to move and are saddened to hear of the proposal to overdevelop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

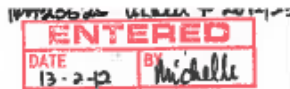
I strongly object to this development going ahead for the following reasons:

- **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:

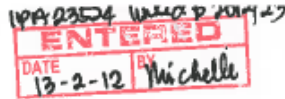
- ***OVERCROWDING – Proposed development is trying to fit too many dwellings on a standard size block***

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



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.



Parking (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 to 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

Spearmen 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 r.o 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

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

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

Speakmnn 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 r.o 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

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

File Number: 4001006
 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 → Leonard

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 4 TO ITEM 11.1.2



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 the 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



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 11.1.2

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 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,

11.1.3 Proposed Permanent Partial Closure of Smith Street, South Hedland (File No.: 404740G)

Officer	Ryan Djanegara A/Senior Planning Officer
Date of Report	30 April 2012
Application No.	2012/128
Disclosure of Interest by Officer	Nil

Summary

Council received a request from Eleanor and Garry Anthony Ward, owners of Lot 1960 (3) Smith Street, South Hedland to permanently close a portion of the Smith Street Road Reserve.

The proposed closure will not affect traffic safety or impact on pedestrian or cycle movements and will align the adjoining lot boundaries creating a regular shaped lot.

It is recommended the request is approved.

Background

The landowners have requested to purchase the proposed closed portion of road reserve and amalgamate with Lot 1960 (3) Smith Street, South Hedland. There is an existing duplex and carports on the above property address and partially located on the Smith Street Road Reserve.

The property was formerly owned by the Department of Housing (DOH) which built the carports on the Smith Street Road Reserve (site). The landowners purchased the property from DOH and have proposed to strata the land. Due to the location of the carports however the owners are required to acquire this portion of the road reserve.

Consultation

Externally:

Section 58(3) of the Land Administration Act 1997 states:

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

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

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

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

Horizon Power and Main Roads have not responded within the 14 day referral period. The Water Corporation and Optus have raised no objection to the proposal. Telstra has raised no objection to the proposal provided the following condition is imposed:

Telstra has infrastructure located within that portion of the Smith Street Road Reserve that will need to be relocated at the cost of the landowner. For further information please contact Telstra's Asset Relocation team on 1800 810 443 or e-mail f1102490@team.telstra.com.

Internally:

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

- Manager Technical Services
- Manager Building Services

Statutory Implications

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

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

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

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

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

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

Officer's Comment

The small section of Smith Street Road Reserve (approximately 31m²) which is being sought by the applicant is not required for road purposes.

Should Council resolve to initiate the requested road closure and the portion is amalgamated with the applicants lot both the road reserve and the applicant's lot will result in a more regular shape.

The unused road reserve cannot be maintained on a regular basis. Approving the partial road closure will not have a detrimental impact on the function of the road or the pedestrian access way, and will result in a more regular road alignment.

Options

Council has the following options in responding to the request:

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

The closure of the subject portion of road reserve will allow the landowner to strata the property as proposed.

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

Should Council not support the proposal, the landowner will be required to relocate the carports.

Option 1 is recommended.

Attachments

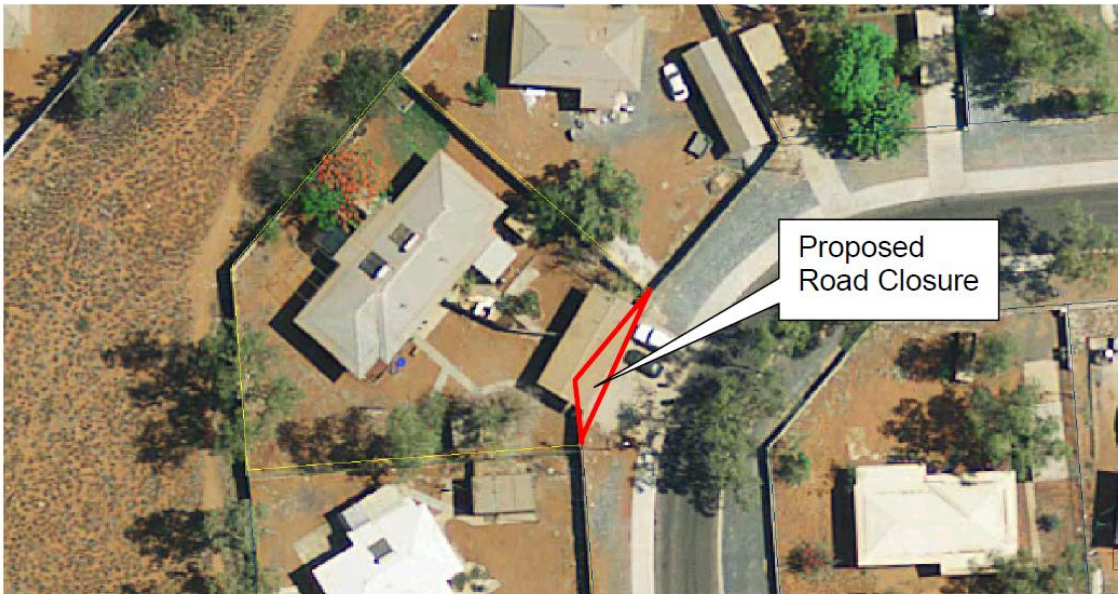
1. Locality Plan
2. Road Closure Plan

201112/444 Officer's Recommendation/Council Decision**Moved: Cr A A Carter****Seconded: Cr D W Hooper****That Council:**

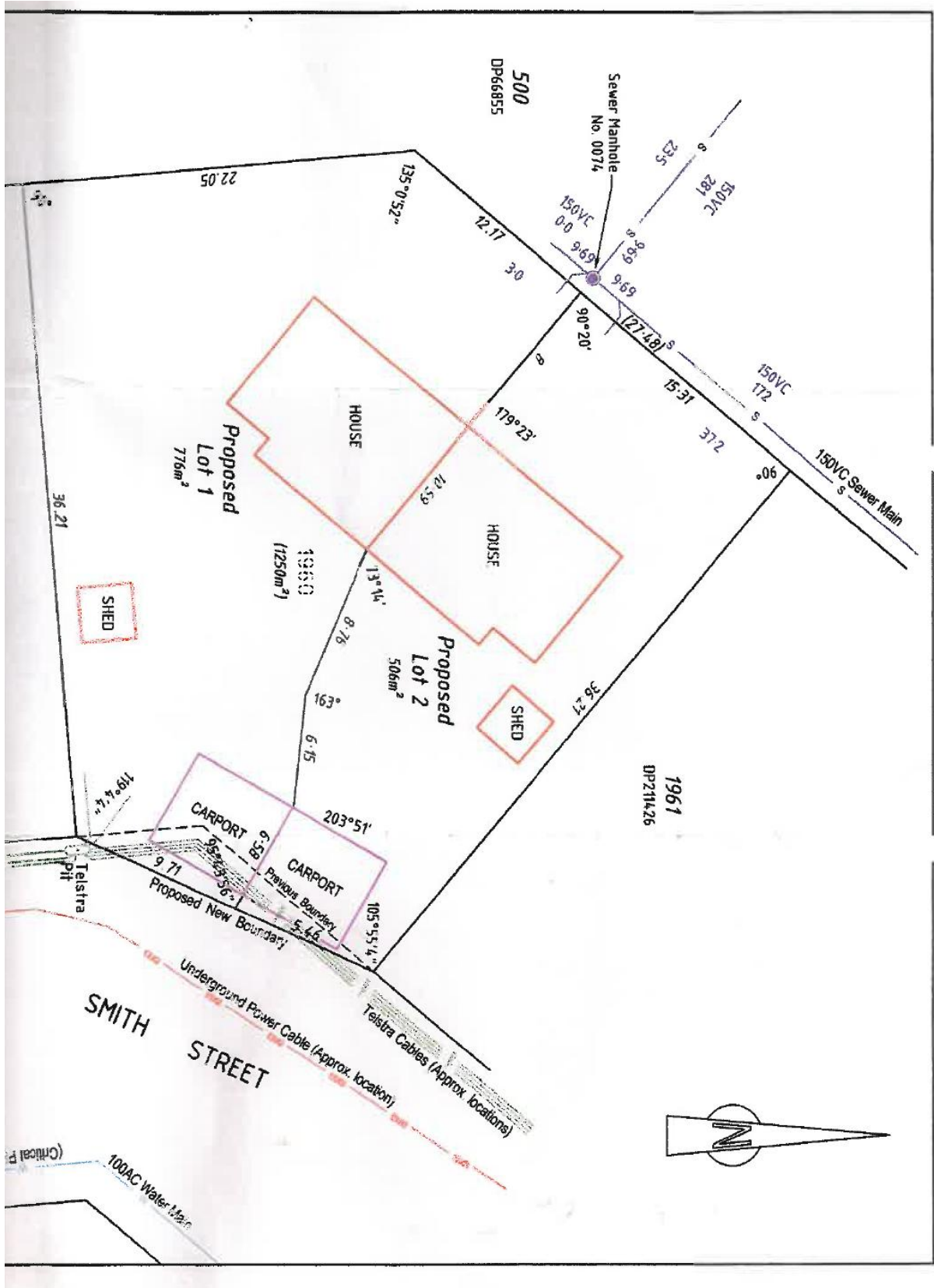
1. **Supports the request from Eleanor and Garry Anthony Ward to permanently close a portion of the Smith Street Road Reserve, South Hedland, as indicated on Attachment 2 subject to the following condition:**
 - a. **Telstra has infrastructure located within that portion of the Smith Street Road Reserve which will need to be relocated at the landowner's cost. For further information please contact Telstra's Asset Relocation team on 1800 810 443 or e-mail f1102490@team.telstra.com**
2. **Delegates the Manager Planning Services under Delegation 40(12) to submit the road closure request to the Department of Regional Development and Lands (State Land Services), subject to the following;**
 - a. **The proposed Road Closure being advertised for a period of 35 days pursuant to Section 58(3) of the Land Administration Act 1997;**
 - b. **No objections being received during the advertising period.**

CARRIED 5/0

ATTACHMENT 1 TO ITEM 11.1.3



ATTACHMENT 2 TO ITEM 11.1.3



11.2 Engineering Services**11.2.1 *Tender 12/07 Supply of Road Rehabilitation and Stabilisation Works (File No.: 28/16/0015)***

Officer **Anthony Williams**
Project Development
Officer

Date of Report **20 April 2012**

Disclosure of Interest by Officer **Nil**

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Period Contract Tender 12/07 Supply of Road Rehabilitation and Stabilisation Works, to enable Council to award the Tender.

Background

The Buttweid Road remediation project has been in progress for some time, but due to lack of funding Council has been unable to award a contract for the full remediation works. Due to this, Council has had to investigate other means of delivering the project with the budget that has been allocated.

In February 2012 Council officers prepared a period contract tender for the remediation and stabilisation of road pavements that could be used at any location within the towns boundaries. This contract made it possible to perform the proposed works at Buttweid Road at the same time as other council projects which will significantly reduce the cost of the projects. At the tender closing on Wednesday 14th March 2012 only one nonconforming tender was received. Additional contractors were prepared to submit a tender but required additional time to prepare their submission.

On Wednesday 28th March 2012 Council resolved to:

- “1. Reject all tenders submitted for Tender 11/35 Supply of Road Rehabilitation and Stabilisation Works due to tenders being non-conforming.*
- 2. Re-advertise a new tender for the Supply of Road Rehabilitation and Stabilisation Works in accordance with the Local Government Act (1995)”.*

On the 31st March 2012 a revised Road Rehabilitation and Stabilisation Period Contract Tender (12/07) was re-advertised for a further two week period. One compliant tender was submitted.

Consultation

- Council's Engineering staff

Statutory Implications

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

3.57. Tenders for providing goods or services

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

(2) Regulations may make provision about tenders.

Policy Implications

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

Strategic Planning Implications

Key Result Area 1:	Infrastructure
Goal 1:	Roads, Footpaths and Drainage
Immediate Priority 1:	Undertake road works in South Hedland to improve road permeability (particularly in the CBD).

Budget Implications

The cost of road rehabilitation and stabilisation is included in each project budget, whether it is for road construction, upgrades or rehabilitation. The 2011/12 budget for Buttweid road is \$1,032,838.00 and will also be used to perform drainage, resealing, signage, line marking and finishing works on Buttweid road.

The 3 year contract rates are fixed for the first 12 months and subject to annual CPI increases thereafter.

Officer's Comment

Tender 12/07 closed at 2.30pm on Wednesday 18th April 2012. Tenders were opened and recorded by two Council staff members and a Councillor.

One Tender submission was received from Downer Australia.

Table 1 below shows Downer's proposed schedule of rates for the contract:

Table 1:

Description of Item	Downer
Cement stabilized pavement to a depth of 100mm	
0-500 m ²	\$40.53
501-1000 m ²	\$27.68
1,001-2,500m ²	\$20.45
2,501-7,500m ²	\$11.23
7,501 - 15,000m ²	\$8.17
Over 15,001 m ²	\$6.63
Cement stabilized pavement to a depth of 150mm	
0-500 m ²	\$41.52
501-1000 m ²	\$28.71
1,001-2,500m ²	\$21.46
2,501-7,500m ²	\$12.24
7,501 - 15,000m ²	\$9.18
Over 15,001 m ²	\$7.64
Cement stabilized pavement to a depth of 200mm	
0-500 m ²	\$42.51
501-1000 m ²	\$29.72
1,001-2,500m ²	\$22.46
2,501-7,500m ²	\$13.24
7,501 - 15,000m ²	\$10.19
Over 15,001 m ²	\$8.65
Cement stabilized pavement to a depth of 300mm	
0-500 m ²	\$44.58
501-1000 m ²	\$31.76
1,001-2,500m ²	\$24.48
2,501-7,500m ²	\$15.28
7,501 - 15,000m ²	\$12.21

Description of Item	Downer
Over 15,001 m ²	\$10.68
Mill & Recycle existing pavement to a depth of 150mm	
0-500 m ²	\$33.39
501-1000 m ²	\$22.27
1,001-2,500m ²	\$16.37
2,501-7,500m ²	\$8.18
7,501 - 15,000m ²	\$5.46
Over 15,001 m ²	\$4.10
Compaction Testing	
Density Test Each.	\$644.20
Rates for Labour and Supervision	
Supervisor	\$144.90
Labourer	\$127.80
Spotter	\$127.80
Traffic Management	
Prepare Traffic Management Plan – Per Item	\$1,035.00
Crew of one traffic controller – Per Hour	\$127.80
Crew of two traffic controllers – Per Hour	\$255.60
Mobilization	
Mobilization	\$18,200.00
Demobilization	\$18,200.00

Table 2 below indicates the evaluation criteria as described in the tender documentation:

Table 2:

Assessment Criteria	Max Score
Price	50
Experience	20
Resources (supervisory, plant and equipment)	10
Demonstrated understanding of WUC	10
Local Industry Development	10
Max Score	100

The lowest price Tender (T_{lp}) shall be awarded a score of 50 for the Price criterion. To ensure that all conforming Tenders were ranked fairly and consistently, the remaining priced Tenders (T_{slp}) were awarded a score determined in the following manner:

$$(T_{lp} \div T_{slp}) \times 50$$

The comparison of each of the assessment criteria for the tender submissions received is summarized in Table 3 below:

Table 3:

Contractor/ Assessment Criteria	Price (50%)	Experience (20%)	Resources (10%)	Understand WUC (10%)	Local Industry Dev. (10%)	Total Score (100%)
	Score	Score	Score	Score	Score	
Downer	50	17	9	8	7	91

In this instance there is no comparison with other tenders, however scoring shows Downer Australia has the ability to complete the works in each component as shown in the percentage scores above.

Downer Australia is providing specialist stabilisation services and there are only a few companies in Western Australia capable of performing this task. Downer is well poised to provide these services because of their strong local presence.

It is anticipated Downer will commence work on Buttweid Road mid to late May 2012 and complete works prior to end of June 2012.

Attachments

Nil

Officer's Recommendation

That Council:

1. Awards Tender 12/07 Supply of Road Rehabilitation and Stabilisation Works for a 3 year period commencing 9th May 2012 according to the following schedule of rates, fixed for the first 12 months and subject to annual CPI increases thereafter:

Description of Item	Downer
Cement stabilized pavement to a depth of 100mm	
0-500 m ²	\$40.53
501-1000 m ²	\$27.68
1,001-2,500m ²	\$20.45
2,501-7,500m ²	\$11.23
7,501 - 15,000m ²	\$8.17
Over 15,001 m ²	\$6.63
Cement stabilized pavement to a depth of 150mm	
0-500 m ²	\$41.52
501-1000 m ²	\$28.71
1,001-2,500m ²	\$21.46
2,501-7,500m ²	\$12.24
7,501 - 15,000m ²	\$9.18
Over 15,001 m ²	\$7.64
Cement stabilized pavement to a depth of 200mm	
0-500 m ²	\$42.51
501-1000 m ²	\$29.72
1,001-2,500m ²	\$22.46
2,501-7,500m ²	\$13.24
7,501 - 15,000m ²	\$10.19
Over 15,001 m ²	\$8.65

Description of Item	Downer
Cement stabilized pavement to a depth of 300mm	
0-500 m ²	\$44.58
501-1000 m ²	\$31.76
1,001-2,500m ²	\$24.48
2,501-7,500m ²	\$15.28
7,501 - 15,000m ²	\$12.21
Over 15,001 m ²	\$10.68
Mill & Recycle existing pavement to a depth of 150mm	
0-500 m ²	\$33.39
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1,001-2,500m ²	\$16.37
2,501-7,500m ²	\$8.18
7,501 - 15,000m ²	\$5.46
Over 15,001 m ²	\$4.10
Compaction Testing	
Density Test Each.	\$644.20
Rates for Labour and Supervision	
Supervisor	\$144.90
Labourer	\$127.80
Spotter	\$127.80
Traffic Management	
Prepare Traffic Management Plan – Per Item	\$1,035.00
Crew of one traffic controller – Per Hour	\$127.80
Crew of two traffic controllers – Per Hour	\$255.60
Mobilization	
Mobilization	\$18,200.00
Demobilization	\$18,200.00

201112/445 Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council:

- Awards Tender 12/07 Supply of Road Rehabilitation and Stabilisation Works to Downer Australia for a 3 year period commencing 9th May 2012 according to the following schedule of rates, fixed for the first 12 months and subject to annual CPI increases thereafter:**

Description of Item	Downer
Cement stabilized pavement to a depth of 100mm	
0-500 m ²	\$40.53
501-1000 m ²	\$27.68
1,001-2,500m ²	\$20.45
2,501-7,500m ²	\$11.23
7,501 - 15,000m ²	\$8.17
Over 15,001 m ²	\$6.63
Cement stabilized pavement to a depth of 150mm	
0-500 m ²	\$41.52
501-1000 m ²	\$28.71
1,001-2,500m ²	\$21.46
2,501-7,500m ²	\$12.24
7,501 - 15,000m ²	\$9.18
Over 15,001 m ²	\$7.64
Cement stabilized pavement to a depth of 200mm	
0-500 m ²	\$42.51
501-1000 m ²	\$29.72
1,001-2,500m ²	\$22.46
2,501-7,500m ²	\$13.24
7,501 - 15,000m ²	\$10.19
Over 15,001 m ²	\$8.65
Cement stabilized pavement to a depth of 300mm	
0-500 m ²	\$44.58

Description of Item	Downer
501-1000 m ²	\$31.76
1,001-2,500m ²	\$24.48
2,501-7,500m ²	\$15.28
7,501 - 15,000m ²	\$12.21
Over 15,001 m ²	\$10.68
Mill & Recycle existing pavement to a depth of 150mm	
0-500 m ²	\$33.39
501-1000 m ²	\$22.27
1,001-2,500m ²	\$16.37
2,501-7,500m ²	\$8.18
7,501 - 15,000m ²	\$5.46
Over 15,001 m ²	\$4.10
Compaction Testing	
Density Test Each.	\$644.20
Rates for Labour and Supervision	
Supervisor	\$144.90
Labourer	\$127.80
Spotter	\$127.80
Traffic Management	
Prepare Traffic Management Plan – Per Item	\$1,035.00
Crew of one traffic controller – Per Hour	\$127.80
Crew of two traffic controllers – Per Hour	\$255.60
Mobilization	
Mobilization	\$18,200.00
Demobilization	\$18,200.00

CARRIED 5/0

REASON: Council would like it to be clear that Downer Australia is awarded the tender.

11.3 Community Development**11.3.1 *Town of Port Hedland Leisure Facilities (Tender 11/34) - Variation to Contract of Management (MPRC Pre-Start Activities) (File No.: 26/14/0006)***

Officer Graeme Hall
Manager Recreation Services and Facilities

Date of Report 27 April 2012

Disclosure of Interest by Officer Nil

Summary

The YMCA currently manages on behalf on the Town of Port Hedland the South Hedland Aquatic Centre (SHAC) and Gratwick Aquatic Centre (GAC).

Tender 11/34 was awarded to the YMCA in February 2012 which results in the company continuing to manage the SHAC and the GAC, as well as the inaugural management of the Multi Purpose Recreation Centre (MPRC) for a period of four years. The contract awarded commences on 1 July 2012.

The arrangement for the SHAC and GAC allows for a seamless continuation of management, however the commencement of the new contract on 1 July 2012 does not allow for pre-start preparations to be undertaken by the YMCA for the MPRC.

Council is requested to approve the variation to the Contract of Management of Town of Port Hedland Leisure Facilities with the YMCA to include the period up to 30 June 2012, allowing for pre-start activities in relation to the facility's opening and operational preparation.

Background

The Council meeting on 22 February 2012 resolved to endorse the YMCA as the successful tender for the operation of the Town of Port Hedland Leisure Centre's. Excluded from the deliberations and final recommendation was a mechanism (that had been budgeted for) to be used by the YMCA for the pre-start activities associated with preparing the MPRC for operation.

Consultation

- Director Community Development
- Director Corporate Services
- Manager Recreation Services and Facilities
- YMCA Perth.

Statutory Implications

Section 6.8 of the Local Government Act 1995:

6.8 . Expenditure from municipal fund not included in annual budget

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

** Absolute majority required.*

(1a) *In subsection (1) —*

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

- (2) *Where expenditure has been incurred by a local government —*
- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

Policy Implications

The Tender was called in accordance with Council's Procurement Policy 2/007 and Tender Policy 2/011.

Strategic Planning Implications

The successful operations of the leisure facilities will address several elements of Council's Strategic Plan. The predominant strategy is:

Key Result Area 3:	Community Development
Goal 2:	Sports and Leisure: That the community has access to sports and leisure facilities at or above the quality that they would be able to access in the metropolitan area.

Budget Implications

The 2011/2012 budget includes an allocation of \$250,000 to operate the MPRC during the pre-start period between Practical Completion of construction, gaining access to the facility and the formal commencement of the contract on 1 July 2012.

The OCM on 26 April 2012 endorsed that \$50,000 from 'Account 1108257 Multi-Purpose Recreation Centre – Operating Costs' could be utilized as Council's contribution to the opening of the Centre.

A balance of up to \$200,000 is available for pre-start activities of the Multi-Purpose Recreation Centre.

Officer's Comment

The recommendation in February 2012 to endorse the YMCA as the preferred operator for the Town of Port Hedland Leisure Centre's, focused on the activities and cost associated with the operation of the facilities for the four years of the contract.

The awarding and commencement of the contract from 1 July 2012 excluded from the deliberations and final recommendation a mechanism (that had been budgeted for) for the pre-start activities associated with preparing the MPRC for operation.

The pre-start activities for the Multi Purpose Recreation Centre will include:

- Recruitment of recreation centre staff
- Salaries for key recreation centre management staff as they are engaged
- Startup marketing initiatives
- Establishment of key administrative, operational and financial processes
- Other operational purchases related to preparing the facility for opening in July 2012.

Attachments

Nil

201112/446 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council:

- 1. Approves the variation to the Contract of Management of Town of Port Hedland Leisure Facilities (11/34) with the YMCA to include the period up to 30 June 2012**
- 2. Notes that funds for startup activities for the Multi Purpose Recreation Centre to 30 June 2012 will be expended from 'Account 1108257 Multi-Purpose Recreation Centre – Operating Costs'.**

CARRIED BY ABSOLUTE MAJORITY 5/0

11.3.2 *Entertainment Facilities - Consideration of Feasibility Study Outcomes (File No.: 23/08/0062)*

Officer Lorna Secrett
Manager Community Development

Date of Report 9 May 2012

Disclosure of Interest by Officer Nil

Summary

This report provides a summary of the key findings and recommendations with the Feasibility Study for Entertainment Facilities in Port Hedland.

Council is requested to endorse the feasibility study and findings as a guide for future planning and initiatives, incorporating the key recommendations into priority considerations with the Strategic Community Plan, Growth Plan Implementation Framework, and Long Term Financial Plan.

Background

A feasibility study has been completed that has identified that strategic planning for entertainment options in Port Hedland is required to meet the needs of current and future populations.

Specialist economic consultants Pracsys, in association with Peter Hobbs Architect, were appointed by Council in September 2011 to undertake a feasibility study that is included as Attachment 1 of this report.

It is intended that the feasibility study will inform strategic planning for future capital projects and support funding approaches to public and private partners.

The number, size, configuration and location of entertainment facilities that would be viable or otherwise justified have been developed from understanding the likely range of activities that the local population requires. The size and demographic characteristics of the population determines what type of activities are undertaken, or would be undertaken if suitable facilities were available. This relationship explains the current demand, but it also provides the basis for forecasting future demand, allowing for changes in the size and demographic characteristics of the population.

With a profile of future cultural activity patterns based on population and demographics, estimations have been made on what facilities will need to be provided to meet future needs. This analysis incorporates the experiences of other towns and their entertainment facilities through a benchmarking process; and also accounts for the current facilities and their capacity to provide more services.

Following the logic of this approach, the report is organised into the following sections:

- Population Forecasts and Demographics
- Activity Demand
- Facility Supply and Gaps
- Entertainment Activity Program
- Facility Proposals
- Funding Strategy
- Governance Options.

Facility proposals include:

- Matt Dann Cultural Centre
- Cinema
- Cinema and Bowling Alley
- West End Art Space
- Dedicated Events Space
- Multi - Purpose Recreation Centre
- Wangka Maya Cultural Centre Project
- Mobile Stage.

The report sets out the strategic framework for the provision of entertainment facilities; however, each individual proposal will require varying degrees of further investigative and concept development work. The recommended approach for progression of the facility proposals is set out in the Officer Comment section of this report.

Consultation

Consultation was held with a range of external stakeholders, as detailed in the attached report. These included:

- Youth Involvement Council
- BHP Billiton Iron Ore
- Fortescue Metals Group (FMG)
- Wangka Maya Pilbara Language Centre
- Pilbara Development Commission
- Port Hedland Chamber of Commerce and Industry
- FORM.

Internal consultation was held with relevant officers, including Matt Dann Cultural Centre staff and the proposals related to the Matt Dann Cultural Centre were presented to the Shared Facilities Committee (Department of Education). Proposals related to the cinema have been consulted with Landcorp and their planning and development team.

Draft feasibility study reports have been circulated to the Marrapikurinya Working Group. Concept Briefings to Council were held on 5 March 2012 and 18 April 2012.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

The feasibility study addresses several elements of Council's Strategic Plan. The predominant strategy is:

Key Result Area 3 – Community Development

Goal 3 – Arts and Culture

Immediate Priority 2 – Undertake a feasibility study on the potential development of an entertainment complex/cinema in South Hedland.

Budget Implications

It is recommended that an allocation of \$400,000 for the Matt Dann technical upgrade be considered in Council's 2012/13 budget development process and that a funding contribution be requested from Department of Education towards the elements of the upgrade that are a fixture of the building, in particular the lighting truss, in accordance with the Shared Facility Agreement.

A detailed breakdown of Order of Probable Cost for the facility proposals with capital costs against them is included in Attachment 1, at Appendix 3. In summary these are as follows:

Cinema	\$4,900,000
Cinema and Bowling Alley	\$11,680,000
Matt Dann Upgrade	\$5,120,000
West End Art Space	\$19,190,000
Dedicated Event Space	\$5,400,000

A Detailed Financial Summary which addresses operational costs for the proposals is included in Attachment 1, at Appendix 1.

It should be noted that the cost estimates included in the feasibility study would allow Council to plan for development of entertainment facilities within the following processes:

- Ten Year Long Term Financial Plan
- Strategic Community Plan
- Annual Budget
- Developer Contributions Plan
- All funding submissions.

It should also be noted that any recommendations, priorities, timing and costs would be subject to further feasibility and detailed planning, to be considered by Council on each occasion.

Officer's Comment

The report has provided a strategic framework for the provision of entertainment facilities in Port Hedland which will address existing and future needs of the community, in line with population projections from the Pilbara Planning Framework, Pilbara Cities and the Pilbara Port City Growth Plan and the Council's Strategic Vision. Any recommendations, priorities, timing and costs would be subject to further feasibility and detailed planning, to be considered by Council on each occasion.

The study has identified that, although Port Hedland enjoys a vibrant program of activities and events; cultural and entertainment facilities for existing residents are currently undersupplied and that existing facilities such as the Matt Dann Cultural Centre are in urgent need of refurbishment.

A range of facility proposals have been recommended with a funding strategy, governance options, costing and concept designs set out in the report. Specific actions to progress a range of projects are detailed below, in reference to each facility proposal.

Matt Dann Cultural Centre (MDCC) – refer to Section 7.1 of Attachment 1.

The Matt Dann Cultural Centre is a shared teaching / performance facility located on the South Hedland Senior High School site.

Built in 1986, the Centre has a seating capacity of 302, has six classrooms and a number of music practice rooms, as well as a small combined kiosk and box office. Terms of use are governed by a Shared Facilities Agreement between the ToPH and DoE. This existing agreement has been acknowledged by both parties to be inadequate and in urgent need of review. It is recommended that this review be undertaken through negotiations between ToPH, Hedland Senior High School and the Department of Education.

The report proposes both an immediate technical upgrade and a renovation/refurbishment project that will enhance the operations of the Centre, increase efficiencies and deliver a theatre facility that will provide for the future needs of the general community, whilst also providing training and skill development opportunities for Hedland Senior High School students. These proposals are costed at \$400,000 and \$5,120,000 respectively.

It is recommended that an allocation of \$400,000 for the Matt Dann technical upgrade be considered in the Town of Port Hedland 2012/13 budget development process and that a funding contribution be requested from Department of Education (DoE) towards the elements of the upgrade that are a fixture of the building, in particular the lighting truss, in accordance with the Shared Facility Agreement. The lighting truss, which has been costed at approximately \$250,000, is in immediate need of replacement as it represents an OH&S issue in its current form.

It is recommended that the renovation/refurbishment project also be referred to DoE for discussions on funding and implementation, in context of negotiation of a new Shared Facility Agreement.

Cinema / Cinema and Bowling Alley – refer to Section 7.2 and 7.3 of Attachment 1.

The proposal for a standalone cinema or combination of a cinema with other entertainment options such as Bowling Alley and Timezone/Playzone has been explored with regional industry operators. Preferred sites have been identified within the South Hedland Town Centre and these have been consulted with Landcorp and their planning and development team.

Progression of this proposal will require negotiation with Landcorp and potential funding partners, as identified in the report. It is recommended that the feasibility report be referred to Landcorp, industry partners and the South Hedland CBD Working Group for discussion and negotiation.

West End Art Space – refer to Section 7.4 of Attachment 1.

The West End has historically been the business and cultural centre of Hedland, and is the location for a proposed art space. FORM has prepared a proposal for an exhibition conference space to be located at the Bert Madigan/Boat Ramp site, while this study proposes the Marrapikurinya Arts Space for the northern end of Wedge Street. Both proposals include exhibition, function and meeting rooms along with studios and some office space. The study has identified a real demand for a dedicated, modern art space that is suitable for major touring exhibitions, has conferencing capacity, is digitally connected, and can serve as a function centre.

Ancillary uses such as artist in residence studios and affiliated offices can only enhance the viability and programming of such a venue.

It is recommended that this feasibility study be referred to the Marrapikurinya Tower Working Group for their information and consideration.

Dedicated Events Space – refer to Section 7.5 of Attachment 1.

The Town of Port Hedland currently presents four major free community events being Australia Day Celebration, Welcome to Hedland (community expo), Portbound (youth and family), Spinifex Spree (carnival), along with a suite of smaller events such as the monthly West End Movies. The Town of Port Hedland has recently awarded the contract for an additional major ticketed outdoor music event for up to 8,000 people / spectators.

These events, and many other events that are run by community groups, are currently held on a number of outdoor sites that include sporting venues and grounds. This leads to a conflict where events are required to utilise public spaces that are predominantly booked to sporting groups.

A permanent outdoor venue will provide a space which can be enjoyed year round by families and by small events, with the capacity to host major events. Two potential sites have been identified which would capitalise on and celebrate the special qualities of Port Hedland, which in itself would become a major draw card for national and international performers. A dedicated event space has been incorporated into the concept designs by Landcorp for the Spoilbank Marina development; this concept plan can be viewed at page 54 of Attachment 1.

It is recommended that this proposal be referred to Landcorp and the Spoilbank Marina Working Group for further information and consideration.

Multi - Purpose Recreation Centre (MPRC) – refer to Section 7.6 of Attachment 1.

The new Multipurpose Recreation Centre is nearing completion, and will become the new home for indoor sports in Port Hedland. Due to the large volume, tiered seating and sprung floor, the venue will also be suitable for some cultural performances, especially with the inclusion of a mobile stage and lighting that can be brought into the main hall and used to create a temporary proscenium arch theatre.

The first of these cultural performances, contemporary dance show 'Shiver', has been scheduled at the MPRC for September 2012. This performance space, with its capacity of 400, will complement the Matt Dann Cultural Centre's 300 seats and provide the means for larger shows to be presented in Port Hedland.

It is recommended that use of the Multi Purpose Recreation Centre for occasional cultural performances be noted.

Wangka Maya Cultural Centre Project – refer to Section 7.7 of Attachment 1.

This independent proposal is well advanced in its development and is supported by Council through its endorsement of ToPH representation on the Cultural Centre Steering Committee, which is managed by Wangka Maya Pilbara Language Centre Inc. It is recommended that the progress of this proposal be noted.

Mobile Stage – refer to Section 7.8 of Attachment 1

With the reliance on outdoor venues for community events, having a versatile, quick to erect mobile stage and lighting rig, is an essential component of the entertainment strategy. The study consulted with Stage Craft, Perth's leading provider of stage equipment, who has provided an indication of the technical specification and cost of such equipment. The stage unfolds from a 4 wheel trailer into a space of 5m x 6m, while the lighting rig self erects with winches. The nominal cost is estimated at \$400,000.

It is recommended that this proposal be referred to the budget development process for 2013/14.

Attachments

1. Port Hedland Entertainment Feasibility (April 2012) – under separate cover

Officer's Recommendation

That Council:

1. Endorses the Port Hedland Entertainment Feasibility (April 2012), as at Attachment 1 and recommendations, as a guiding document to future planning for the delivery and implementation of entertainment facilities in the Town of Port Hedland
2. Notes that the cost estimates provided in Attachment 1 will assist the Town to prepare the following documents:
 - a) Ten Year Long Term Financial Plan
 - b) Strategic Community Plan
 - c) Annual budget
 - d) Developer Contributions Plan
 - e) All funding submissions

3. Notes that further feasibility and detailed investigation will be required for the individual facility proposals contained in the Port Hedland Entertainment Feasibility April 2012 and will be considered by Council on each occasion with priorities, funding and timing of any developments considered within the context of the Strategic Community Plan, 10 Year Long Term Financial Plan and Pilbara's Port City Growth Plan Implementation Framework
4. Requests the Chief Executive Officer or delegate to refer the report and relevant sections to the following groups for their consideration and further development:
 - a) Matt Dann Cultural Centre – Department of Education, Hedland Senior High School Board, Shared Facilities Committee
 - b) Cinema/Cinema and Bowling Alley - Landcorp, Industry Partners, South Hedland CBD Working Group
 - c) West End Art Space - Marrapikurinya Tower Working Group
 - d) Dedicated Event Space – Landcorp, Spoilbank Marina Working Group
5. Notes that the Multi Purpose Recreation Centre will be utilised for occasional cultural performances in liaison with the YMCA
6. Notes the progress of the Wangka Maya Cultural Centre project
7. Notes that funding for the mobile stage will be referred to the budget development process for 2013/14
8. Notes a New Items Request of \$400,000 for the Matt Dann technical upgrade be considered in the Town of Port Hedland 2012/13 budget development process and that a funding contribution be requested from Department of Education towards the elements of the upgrade that are a fixture of the building, in particular the lighting truss, in accordance with the Shared Facility Agreement.
9. Requests the Chief Executive Officer or delgate to enter into negotiations with Department of Education, or nominated representative, to develop a revised Shared Facilities Agreement.

201112/447 Council Decision

Corrected at the Ordinary Meeting of the Town of Port Hedland Council held on 23 May 2012 per Council Resolution 201112/459.

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

- 1. Endorses the Port Hedland Entertainment Feasibility (April 2012), as at Attachment 1 and recommendations, as a guiding document to future planning for the delivery and implementation of entertainment facilities in the Town of Port Hedland**
- 2. Notes that the cost estimates provided in Attachment 1 will assist the Town to prepare the following documents:**
 - a) Ten Year Long Term Financial Plan**
 - b) Strategic Community Plan**
 - c) Annual budget**
 - d) Developer Contributions Plan**
 - e) All funding submissions**
- 3. Notes that further feasibility and detailed investigation will be required for the individual facility proposals contained in the Port Hedland Entertainment Feasibility April 2012 and will be considered by Council on each occasion with priorities, funding and timing of any developments considered within the context of the Strategic Community Plan, 10 Year Long Term Financial Plan and Pilbara's Port City Growth Plan Implementation Framework**
- 4. Requests the Chief Executive Officer or delegate to refer the report and relevant sections to the following groups for their consideration and further development:**
 - a) Matt Dann Cultural Centre – Department of Education, Hedland Senior High School Board, Shared Facilities Committee**
 - b) Cinema/Cinema and Bowling Alley - Landcorp, Industry Partners, South Hedland CBD Working Group**
 - c) West End Art Space - Marrapikurinya Tower Working Group**
 - d) Dedicated Event Space – Landcorp, Spoilbank Marina Working Group**

5. Notes that the Multi Purpose Recreation Centre will be utilised for occasional cultural performances in liaison with the YMCA
6. Notes the progress of the Wangka Maya Cultural Centre project
7. Notes that funding for the mobile stage will be referred to the budget development process for 2013/14
8. Notes a New Items Request of \$400,000 for the Matt Dann technical upgrade be considered in the Town of Port Hedland 2012/13 budget development process and subject to a funding contribution from Department of Education towards the elements of the upgrade that are a fixture of the building, in particular the lighting truss, in accordance with the Shared Facility Agreement.
9. Requests the Chief Executive Officer or delegate to enter into negotiations with Department of Education, or nominated representative, to develop a revised Shared Facilities Agreement, **and report back to Council.**

CARRIED 5/0

REASON: Council added the word 'subject to' under point 8 to clarify that it will only consider the new item request pending confirmation of a funding contribution from the Department of Education, because the Matt Dann is a shared facility.

11.3.3 *Town of Port Hedland – Part Review of the Recreation Policies (File No.: 04/03/0001)*

Officer **Graeme Hall
Manager Recreation Services
and Facilities**

Date of Report **26 April 2012**

Disclosure of Interest by Officer **Nil**

Summary

The current suite of recreation policies has not been reviewed for a considerable period of time. The intention of this report is to commence a review process and provide Council with a plan to complete the review.

The purpose of review process is to better align the policies with the needs of the community and to provide improved efficiencies to Council.

Council is requested to adopt the revised Recreation Reserves and Facilities (Seasonal Hire) and Recreation Reserves and Facilities (Casual Hire and Events) policies, to rescind a number of outdated policies, and to note the plan for the revision of all remaining recreation policies.

Background

The recreation policies that currently exist in the Town of Port Hedland's Policy manual include:

Policy Number	Policy Name
001	Commercial or Non Sporting Use of Recreation Reserves
002	Sponsorship, Community and Club Signage on Council Recreation Reserves and Aquatic Centre
003	Community Funding and Donations Policy
004	Occasional Licences and Consumption of Liquor on a Recreation Reserve or Council Owned or Managed Facilities
005	General Conditions of Use of Aquatic Centres
006	Occasional Licences and Consumption of Liquor on a Recreation Reserve or Council Owned or Managed Facilities
	Regional Championships Policy

The current changes to the community in Port Hedland and the subsequent increased demand for the use of Council's sport and recreational facilities, highlight the need for a contemporary policy approach. The existing policies provide limited guidance to facility users, officers and Council.

A review of a number of other regional and metropolitan Local Government Authorities (LGA's) regarding their policy platforms has been undertaken. The policies reviewed provided a number of innovative approaches to policy development.

This report proposes that Council rescind a number of the existing outdated recreation policies.

Policies proposed for rescinding include:

Policy Number	Policy Name
001	Commercial or Non Sporting Use of Recreation Reserves
002	Sponsorship, Community and Club Signage on Council Recreation Reserves and Aquatic Centre
005	General Conditions of Use of Aquatic Centres

The above policies can be rescinded because:

- The issue is superseded by other Council policies or procedures
- The policy is no longer relevant to the needs of Council
- Newly installed contractual agreements have replaced the policy with a more relevant position.

The first tranche of proposed new policies presented for consideration by the Council include:

- Recreation Reserves and Facilities – Seasonal Hire
- Recreation Reserves and Facilities – Casual Hire and Events.

Copies of the two policies above are presented as Attachments 1 and 2 to this report.

It is also proposed that all recreation policies are reviewed annually and submitted to Council for endorsement (at the first Council meeting of each calendar year).

Consultation

A number of Town of Port Hedland staff and other Local Government Authorities were consulted in the review of current and development of the new recreation policies.

Internal

- Director Community Development
- Manager Recreation Services
- Recreation Coordinator
- Club and Project Development Officer.

Local Government Authorities:

- City of Rockingham
- City of Mandurah
- City of Melville
- City of Swan.

A presentation of the review of the draft policies was made to Council at the Briefing Session on the 14 March 2012.

Based on the feedback from the Council the draft documents were forwarded to the community for comment. The community and sporting user groups were invited to provide feedback on the draft policies through the following means:

1. Council News @ Your Finger Tips newsletter on the 5 April 2012
2. Emails, letters and phone calls to all sporting groups:
 - a) Port Hedland Softball Association
 - b) Port Hedland Baseball Association
 - c) Hedland Touch Association
 - d) South Hedland Swans Football Club
 - e) Port Hedland Rovers Football Club
 - f) Hedland Junior Soccer Association
 - g) Hawks Rugby League Club
 - h) Hedland Tee ball Association
 - i) Hedland Junior Football Association
 - j) Port Hedland Netball Association
 - k) Port Hedland Cricket Association
 - l) Hedland Junior Rugby League Association.

Feedback was received from one organisation, the comments provided are as follows:

Number	Comment
1.	<i>The equipment of seasonal users should not be used by casual hirers. (This includes hoses and cleaning equipment purchased by clubs/ass that other users think belongs to the venue and supplied by TOPH)</i>
2.	<i>Inspection of facility after casual hire – Must happen!!! And include photographs (even if all ok).</i>

3.	<i>Procedures for reporting emergency maintenance issues, for example Lights on a reserve not working or blocked toilets during an event.</i>
4.	<i>Procedures for users to follow when non-booked groups use facilities for pre-organized events</i>
5.	<i>Maps showing areas available for booking – ie on the Marie Marland Reserve, it could be divided up into at least 8 areas for daylight use, and maybe 2 areas for training purpose under lights. If a group wish to book more than 1 area – fine, but at least there are defined boundaries so it does not have to get awkward on the day at the ground between people that think they all have the same area booked.</i>
6.	<i>A booking schedule/timetable available or sent to all booked seasonal users showing who/where booked for the seasonal hire (understand too difficult for casual).</i>

Statutory Implications

Nil

Policy Implications

Council does not currently have any administrative policy or procedural position with regard to the revision or amendment of policies.

Strategic Planning Implications

Key Result Area 3:

Community Development

Goal 2:

Sports and Leisure

That the community has access to sports and leisure facilities at or above the quality that they would be able to access in the metropolitan area.

Develop plans for future recreation and leisure facility upgrades to accommodate population growth.

Budget Implications

The review of the Town of Port Hedland's recreation policies will have limited impact on the current 2011/2012 or future 2012/13 budgets.

Council should note however that a new late fee and charge of \$100.00 has been proposed in the 2012/2013 for casual hire event bookings that do not meet the timeframes listed in the new policy Recreation Reserves and Facilities – Casual Hire and Events.

Officer's Comment

The Town of Port Hedland's population growth and subsequent increased demand for use of local sport and recreation reserves requires that the booking of reserves are undertaken effectively and in line with the needs of the community.

Recreation Services will be developing a suite of policies over the next 12 months regarding the management of sport and recreation. The first of these proposed new policies are:

- Recreation Reserves and Facilities – Seasonal Hire.
- Recreation Reserves and Facilities – Casual Hire and Events.

Feedback on the above policies was received from one sporting group. The following changes will be implemented as a result of the feedback.

Comment	Amendment to Policy
<i>The equipment of seasonal users should not be used by casual hirers. (This includes hoses and cleaning equipment purchased by clubs/ass that other users think belongs to the venue and supplied by TOPH)</i>	An administrative process will be included within the booking process.
<i>Inspection of facility after casual hire – Must happen!!! And include photographs (even if all ok).</i>	Where required pre and post hire inspections of sporting facilities will be incorporated into the management of bookings.
<i>Procedures for reporting emergency maintenance issues, for example Lights on a reserve not working or blocked toilets during an event.</i>	An administrative process will be included within the booking process.
<i>Procedures for users to follow when non-booked groups use facilities for pre-organized events</i>	An administrative process will be included within the booking process.

<p><i>Maps showing areas available for booking – ie on the Marie Marland Reserve, it could be divided up into at least 8 areas for daylight use, and maybe 2 areas for training purpose under lights. If a group wish to book more than 1 area – fine, but at least there are defined boundaries so it does not have to get awkward on the day at the ground between people that think they all have the same area booked.</i></p>	<p>An administrative process will be included within the booking process.</p>
<p><i>A booking schedule/timetable available or sent to all booked seasonal users showing who/where booked for the seasonal hire (understand too difficult for casual).</i></p>	<p>An operational procedure will be established to implement this.</p>

All recreation policies are to be reviewed on an annual basis and will be presented to Council for endorsement at the first meeting each calendar year. This will help to ensure that all policies remain relevant and address the needs of both the community and Council.

Future presentations to Council and consultation with the community will be around the preparation of policies regarding:

- Consumption of Alcohol at Council Owned or Managed Facilities
- Recreation Reserve Signage
- Flood Lighting
- Bonds (Reserves and Buildings)
- Hire of Parks (including Marquee Park).

Attachments

1. Policy, Recreation Reserves and Facilities – Seasonal Hire
2. Policy, Recreation Reserves and Facilities – Casual Hire and Events

201112/448 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council:

- 1. Adopts the following policies:**
 - a. Recreation Reserves and Facilities – Seasonal Hire**
 - b. Recreation Reserves and Facilities – Casual Hire and Events**

- 2. Rescinds the following Town of Port Hedland policies:**
 - a. 001 – Commercial or Non Sporting Use of Recreation Reserves**
 - b. 002 - Sponsorship, Community and Club Signage on Council Recreation**
 - c. 005 - General Conditions of Use of Aquatic Centre**

- 3. Notes that all recreation policies are reviewed annually and considered by Council at the first Ordinary Meeting each calendar year.**

CARRIED 5/0

ATTACHMENT 1 TO ITEM 11.3.3

**RECREATION RESERVE AND FACILITIES – SEASONAL HIRE****Policy Objective**

The purpose of this policy is to provide the Town of Port Hedland seasonal sporting users with the following:

- Opportunity to use Council recreation reserves and facilities for approved purposes on a seasonal basis.
- Procedure guidelines that outline the responsibilities of sporting groups for use of Council Reserves.

Policy Statement

To endorse the Town of Port Hedland's Guidelines and Conditions of Use for Recreation Reserves for seasonal user groups; to ensure the appropriate management of the Town's recreation reserves and facilities.

The Town of Port Hedland's Guidelines and Conditions of Use for Recreation Reserves document will be reviewed in February each year and presented to Council for endorsement.

Guidelines and Conditions of Use for Recreation Reserves – Seasonal Hire**Definitions****1.0 Recreation Reserves and Facilities****1.1 Port Hedland**

- a. Colin Matheson Oval and associated facilities (does not include Colin Matheson Clubhouse)
- b. McGregor Street Reserve and associated facilities
- c. Town Oval
- d. Race Track and associated facilities

1.2 South Hedland

- a. Kevin Scott Oval and associated facilities
- b. Marie Marland Reserve and associated facilities
- c. Faye Gladstone Netball Courts and associated facilities
- d. Hedland Senior High School Oval (out of school hours usage)

Note for further information please refer to the Town's Sporting Reserve and Parks information document.



2.0 User Groups

The groups of users that can gain access to these facilities on a seasonal basis are recognized in the following categories;

- Sporting Clubs and Associations
- Corporate/Business Groups
- School Groups

3.0 Seasons

- Summer – 1 October to 31 March (inclusive)
- Winter – 1 April to 30 September (inclusive)

PART A – Application Process

1.0 Seasonal Application Process

- a. Applications for summer use of recreation reserves will be requested in August each year
- b. Applications for winter use of recreation reserves will be requested in March each year
- c. Failure to submit a seasonal application may result in no preferential ground allocation for the season
- d. Applications for a seasonal user to change their season or scheduled training nights will be required to be submitted in writing for consideration four weeks prior to seasonal allocation closure
- e. Applications for use prior to the winter or summer sporting season commencement will require a separate application for use (e.g. pre-season training)

2.0 Assessment of Allocation

- The Town of Port Hedland Bookings Officer will assess applications for seasonal use of active reserves and facilities in accordance with the following criteria:
 - i. The nature and sustainability of the proposed use in relation to the facility.
 - ii. The availability of the facility, taking into account all applications by other seasonal users.
 - iii. The impact of the activity on the Council's active ovals, reserves and surrounding residents.
 - iv. The condition of the reserve, maintenance requirements and alternative venues.



Where possible preference will be given to the following:

- Historical user groups.
 - In season sports over pre season training.
 - Junior Sporting Clubs and Associations.
 - Allocated use for games over training.
 - Incorporated sporting clubs and associations.
-
- All Town of Port Hedland reserves and facilities are shared facilities and where possible multiple users can/will be approved for use
 - Applications received by the seasonal allocation closing date will be given priority and only once these have been assessed will late applications be considered.
 - Applications will be assessed and recommendations for approval will be submitted to the Club and Project Development Officer for final approval.

3.0 Schedule of Fees and Charges

3.1 Seasonal User Fees:

- a. Fees will be advised in the confirmation of approval letters
- b. Seasonal users will be charged user fees in accordance with the Town of Port Hedland's Schedule Fees and Charges. Payment will be due no later than five weeks after the start of the season

3.2 Bonds:

- a. All bonds are required to be paid in the name of the group hiring a facility and not an individual, prior to all bookings and will be refunded upon post hire inspection
- b. The bond (or a portion thereof) may be kept if any repairs or cleaning is required to the active oval, reserve or facility. (Seasonal users groups will be required to replenish the balance of their bond).
- c. If damages exceed bond charged, users will be invoiced for additional costs and a new bond will be required.

3.3 Flood Lighting:

Flood light usage fees are not covered by the Seasonal User Fees. Please refer to Town's Sporting Reserve and Parks information document for specific instructions and charges.



3.4 Outstanding Accounts:

- a. Payment Term:
Payment terms are strictly 30 days from date of invoice.
- b. Invoicing Queries:
All invoicing queries / disputes must be placed in writing and forwarded to Town of Port Hedland.
- c. Privacy Policy:
The Town of Port Hedland collect only information for suppliers and customers that is necessary to adequately conduct business. Credit information for accounts 60 days or more overdue may be disclosed to a credit reporting agency. We do not use any personal information we have collected first without seeking the individuals consent first.

PART B – Seasonal User Responsibilities

1.0 Insurance

All clubs and associations are required to show proof of insurance with their Application. Required insurances are:

- a. Public Liability Insurance:
In the name of the Club/Association for an amount of no less than \$10,000,000.

Please note the Town of Port Hedland does not cover Contents Insurance for any equipment or furniture stored at the facilities. Contents Insurance is the responsibility of the user group.

2.0 Reserve Maintenance, Security and Cleaning

2.1. Town of Port Hedland Responsibility

- a. Maintenance:
 - i. Pre season facility inspections will be carried out all sporting reserves and facilities in conjunction with the application process. Users will be given the opportunity to attend these inspections with Town of Port Hedland Officer's.
 - ii. Monthly maintenance checks will be carried out on all sporting reserves and associated facilities.



- iii. All active ovals reserves and facilities may be subject to scheduled maintenance. This maintenance may require to be carried out during a seasonal allocation or hire, the Town of Port Hedland will endeavor to minimize impact to users for all scheduled maintenance.. Where this is not possible the Town of Port Hedland will work with the group to ensure minimal disruptions to their booking.
 - iv. For all out of hours maintenance items sporting clubs and associations need to contact the out of hours numbers specified in the approval letters sent by the Town of Port Hedland at the start of the season. Out of hours emergency numbers will also be displayed in all sporting facilities.
- b. Cleaning:
The Town of Port Hedland will clean each facility prior to the commencement of each season.
- c. Security:
The Town of Port Hedland is responsible for ensuring all facilities are secure at the start of summer and winter.
- d. Casual Hire and Events
- i. The Town of Port Hedland will advise seasonal hirers of other casual hire and events that have hired facilities at their reserve during their season of use. Casual hirers and events will be advised by the Town that they do not have permission to access and any furniture or equipment owned by sporting groups that is stored in the venue unless permission is sought from the sporting group that owns the furniture or equipment.
 - ii. Where necessary the Town of Port Hedland will conduct pre and post hire inspections of sporting facilities.

2.2 Club and Association Responsibility

- a. Maintenance:
- i. Clubs and Associations must notify in writing the Town of Port Hedland's Booking Officer of any maintenance issues.
 - ii. All seasonal users are required to report any theft or break-ins to the Town of Port Hedland Booking Officer at the earliest convenience.
 - iii. Clubs and Associations will be invoiced the cost of repairs if the Town deems the damage as a direct result of the clubs/associations activity.
- b. Cleaning:
- i. All in season cleaning is the responsibility of the user group. Users are required to maintain the ongoing cleanliness of the facilities.
 - ii. This will be monitored through monthly inspections and where deemed necessary the Town will on charge additional cleaning costs.
 - iii. Clubs and Associations are responsible for the removal of all litter associated with each booking. This includes the reserve, car park and within the facilities.



- c. Security:
 - i. Clubs and Associations are responsible for ensuring all facilities are secured and locked after each use.
 - ii. Clubs and Associations must inform the Town of Port Hedland Bookings Officer of all missing locks and any damage which may cause the facility not to be locked or secured immediately.

2.3 Provision of bins at Recreation Reserves

- a. The number of rubbish bins provided for each active recreation oval, reserve or facility is to be calculated in accordance with the application form submitted and will be worked out on a ratio of 1 bin provided per 35 people of hire.
- b. Additional rubbish bin requests can be made and will be assessed by the Recreation Department on a case by case basis.

2.4 Provision of Alcohol at Recreation Reserves and Facilities

- a. For any event or booking where alcohol is being sold, provided or consumed at a Town of Port Hedland managed reserve, park or facility an 'Application to Consume Liquor Form' must be submitted as part of the booking application process.
- b. All terms and conditions outlined in the Application to Consume Liquor form must be adhered to at all times.
- c. Where alcohol is being sold user groups must contact the Department of Racing Gaming and Liquor to ensure they meet all requirements.

2.5 Line Marking

- a. Clubs and Associations are responsible for grounds to be marked for use.
- b. Grounds must be marked in accordance with the standards set out by the Department of Sport and Recreation in its nationally adopted publication (<http://www.dsr.wa.gov.au/sportsdimensions>)
- c. Clubs are responsible for all additional line marking
- d. Water base paint is the only type of town approved paint to be used for all line marking. For safety reasons the following products are not permitted for marking reserves:
 - i. Lime
 - ii. Round Up and other herbicides and chemicals
 - iii. Oil
 - iv. Or any growth retardants
- e. Line marking must not be carried out while the reserve is being used by another club or group.
- f. If inappropriate marking materials are used, then charges will be incurred to rectify any damage to grounds. Repairs will be carried out by the Town of Port Hedland's Parks and Gardens Staff and all associated costs will be on charged.



3.0 Conduct

The Club or Association is responsible at all times for the conduct of its members, spectators and guests and must comply with all federal, state and local laws whilst on Town of Port Hedland property. Inappropriate conduct of club or association members may result in restricted access to the Town's facilities or legal action.



RECREATION RESERVES AND FACILITIES – CASUAL HIRE AND EVENTS

Policy Objective

The purpose of this policy is to provide the casual hirers with the following:

- Opportunity to use Council recreation reserves and facilities for approved purposes on a casual basis.
- Procedure guidelines that outline the responsibilities of casual hiring groups for use of Council Reserves.
- To ensure the Town's recreation reserves and facilities are maintained to a high standard.

Policy Statement

To endorse the Town of Port Hedland's Guidelines and Conditions of Use for Recreation Reserves for casual hiring groups; to ensure the appropriate management of the Town's recreation reserves and facilities.

The Town of Port Hedland's Guidelines and Conditions of Use for Recreation Reserves document will be reviewed in February each year and presented to Council for endorsement.

Guidelines and Conditions of Use for Recreation Reserves – Casual Hire and Events

Definitions

1.0 Recreation Reserves and Facilities

1.1 Port Hedland

- a. Colin Matheson Oval and associated facilities (does not include Colin Matheson Clubhouse)
- b. McGregor Street Reserve and associated facilities
- c. Town Oval
- d. Race Track and associated facilities

1.2 South Hedland

- a. Kevin Scott Oval and associated facilities
- b. Marie Marland Reserve and associated facilities
- c. Faye Gladstone Netball Courts and associated facilities
- d. Hedland Senior High School Oval (out of school hours usage)

Note for further information please refer to the Town's Sporting Reserve and Parks information document.



2.0 User Groups

The groups of users that can gain access to these facilities on a casual basis or for events are recognized in the following categories;

- Casual Users
- Corporate/Business Groups
- Community Groups
- School Groups
- Sporting Clubs and Associations
- Individual Use

PART A – Application Process

1.0 Application Process

- a. Applications can be submitted all year round
- b. The following time frames apply when submitting an application for use of a recreation reserve or facility
 - Two weeks Requests with less than 50 people
 - Four weeks Requests with 51 to 200 people
 - Six weeks Requests with 201 and above
- c. Applications that fail to comply with the above timeframes may attract late bookings fees or may be refused

2.0 Assessment of Allocation

The Town of Port Hedland Bookings Officer will assess applications for casual use of recreation reserves and facilities in accordance with the following criteria:

- The nature and sustainability of the proposed use in relation to the facility
- The availability of the facility, taking into account all other seasonal user applications
- The impact of the activity on the councils recreation ovals and reserves and the impact on the surrounding residents; and
- The condition of the reserve, maintenance requirements and alternative venues
- The impact on seasonal users
- The relevance of the function to the active recreation oval, reserve or facility



- Applications will be assessed and recommendations for approval will be submitted to the Club and Project Development Officer for final approval.

3.0 Schedule of Fees and Charges

3.1 Hire Rates

- a. Fees will be advised in the confirmation of approval letters
- b. All users will be charged hire rates in accordance with the Town of Port Hedland's Schedule of Fees and Charges
- c. All payments must be made prior to the usage taking place or invoices must be issued. Failure to do so may result in the cancelation of an application.

3.2 Bonds

- a. All bonds are required to be paid in the name of the group hiring a facility and not an individual, prior to all bookings and will be refunded upon post hire inspection
- b. The bond (or a portion thereof) may be kept if any repairs or cleaning is required to the active oval, reserve or facility
- c. If damages exceed bond charged, users will be invoiced for additional costs and a new bond will be required.

3.3 Flood Lighting

- a. Flood light usage fees are not covered by the hire costs for reserves and facilities. Please refer to Town's Sporting Reserve and Parks information document for specific instructions and charges.

4.0 Outstanding Accounts

- a. Payment Term:
Payment terms are strictly 30 days from date of invoice.
- b. Invoicing Queries:
All invoicing queries / disputes must be placed in writing and forwarded to Town of Port Hedland at the address noted above.
- c. Privacy Policy:
The Town of Port Hedland collect only information for suppliers and customers that is necessary to adequately conduct business. Credit information for accounts 60 days or more overdue may be disclosed to a credit reporting agency. We do not use any personal information we have collected first without seeking the individuals consent first.



PART B – Hirer Responsibilities

All Town of Port Hedland reserves and facilities are shared facilities and where possible multiple users can/will be approved for use.

1.0 Insurance

All groups hiring a facility are required to show proof of insurance with their application. Required insurances are:

- a. Public Liability Insurance
 - In the name of the Club/Association for an amount of no less than \$10,000,000.

Please note: Individual hirers may be exempt from the above requirement.

2.0 Reserve Maintenance, Security and Cleaning

2.1 Town of Port Hedland Responsibility

- a. Pre hire inspections will be conducted to ensure reserves and facilities are in reasonable and clean condition.

2.2 Hiring Group Responsibility

- a. Ensuring that the facility and reserve are left in a clean and reasonable condition at the conclusion of their hire.
- b. Any damage caused during hire is reported to the Town of Port Hedland Bookings Officer.
- c. The hirers will be invoiced for the cost of repairs or additional cleaning required if the Town deems the damage to be direct result of the hirer's activity.
- d. Are responsible for ensuring the facilities are locked and secured at the completion of their hire.
- e. Hiring groups do not have permission to access any furniture or equipment stored in facilities by sporting group unless permission is given from the sporting group that owns the equipment.

2.3 Provision of Alcohol at Recreation Reserves and Facilities

- a. For any event or booking where alcohol is being sold, provided or consumed at a Town of Port Hedland managed reserve, park or facility an 'Application to Consume Liquor Form' must be submitted as part of the booking application process.
- b.

Town of
Port Hedland



Recreation Reserves and Facilities – Casual Hire and Events

- c. All terms and conditions outlined in the Application to Consume Liquor form must be adhered to at all times.
- d. Where alcohol is being sold user groups must contact the Department of Racing Gaming and Liquor to ensure they meet all requirements.

3.0 Conduct

The group hiring a facility is responsible at all times for the conduct of its members, spectators and guests. Hirers must comply and seek necessary approvals to comply with all federal, state and local laws whilst on Town of Port Hedland property. Inappropriate conduct of individuals associated with any booking may result in restricted access to the Town's facilities or legal action.

11.3.4 *Town of Port Hedland (draft) Strategic Community Plan - In Principle Adoption for Advertising / Community Engagement (File No.: 04/12/0003)*

Officer Gordon MacMile
Director Community
Development

Date of Report 1 May 2012

Disclosure of Interest by Officer Nil

Summary

The Town of Port Hedland is currently developing an Integrated Strategic Planning and Reporting Framework that will guide future Council activities and priorities for the next 10 years.

A key pillar of the Framework is the preparation of a Strategic Community Plan (vision) and associated Corporate Business Plan (delivery).

This report outlines the process undertaken to develop the Strategic Community Plan to date and requests Council adopt the associated Engagement Plan (Attachment 2) in order to commence the community engagement process.

A subsequent report will be provided to Council following the period of engagement.

Background

The Department of Local Government in Western Australia has introduced guidelines for the implementation of a new Integrated Strategic Planning and Reporting Framework for local governments which is required to be in place by June 2013.

The intent behind the new framework is to achieve integration of community aspiration and service delivery, ensuring that the Town of Port Hedland's policies and services deliver the community's vision.

The lead document of the Framework is the 10 year Strategic Community Plan which is the guiding document for the 4 year Corporate Business Plan. Alongside the Strategic Community Plan, Council will develop a 10 year Long Term Financial Plan, an Asset Management Framework, a Workforce Plan (including a housing and accommodation strategy) and an ICT strategy.

It is a requirement for Council to conduct a major review of the progress towards achieving the 10 year Plan every 4 years, with a minor review every 2 years.

The Strategic Community Plan has been developed from major input from the community and supported by considerable input from the Elected Members, as well as a series of community engagement activities to understand the key issues and to shape the priorities for Council.

The activities undertaken included:

- The annual Town of Port Hedland community survey
- An initial Growth Plan workshop
- The Port Hedland City Growth Plan Focus Groups Series
- Port Hedland City Growth Plan Workshop – Community Leaders Group
- Community surveys distributed and collected through a hard copy distribution campaign
- Indigenous surveys distributed through online and hard copy campaigns, key associations and representatives and through small group discussions
- Feedback gathered through a formal advertising period
- A Working Group and Stakeholder Reference Group - regularly consulted and updated throughout the Growth Plan development phase
- Meetings and discussion with key stakeholders to gain feedback on draft Growth Plan development phase
- Workshops with Elected Members and one-on-one interviews
- Workshops with Town of Port Hedland officers.

During these sessions, feedback was sought on perceptions of Port Hedland now and into the future, challenges faced and opportunities presented, factors that impact on length of residency, what improvements were needed and individual priorities.

Key priorities identified from this consultation which have framed the Strategic Community Plan are:

- Affordability, accommodation and land availability
- Community building, people attraction, vibrancy
- Equality and inclusiveness
- Changing perceptions and attitudes
- Safety and crime.

Building on these priorities from the community, key themes and strategies have been developed that form the basis of the Strategic Community Plan with their associated measures and timeframes. These themes and strategies have been cross referenced with outputs and suggestions from the following documents which in turn, have been developed with their accompanying community engagements:

- Town of Port Hedland Strategic Plan 2010-15
- Pilbara's Port City Growth Plan
- (draft) Pilbara's Port City Growth Plan Implementation Framework
- Port Hedland: Shaping a Cosmopolitan Port City
- Help Shape the Future of Port Hedland, Survey Results
- Port Hedland: The Indigenous Perspective Survey Results.

Consultation

- Town of Port Hedland Elected Members
- Community and Stakeholders as outlined in the body of this report
- Town of Port Hedland officers.

Statutory Implications

The Local Government Act 1995 states that:

"5.56. Planning for the future

(1) A local government is to plan for the future of the district.

(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district."

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 6: Governance
Goal 1: Leadership

That the community acknowledges that the Town is leading the future development and management of the municipality in an effective and accountable manner.

Budget Implications

The development of the 10 year Strategic Community Plan, the 4 year Corporate Business Plan, Workforce Plan and Asset Management Framework inclusive of strategies and policies required of the Integrated Strategic Planning and Reporting Framework have been included in the 2011/2012 annual budget.

The remainder of the key documents and strategies will be completed with funds allocated through the 2012/2013 annual budget process as committed by Council in December 2011.

Financial implications of the strategies and associated actions and projects will be included in the 2012/13 budget considerations.

Officer's Comment

The next stage in the development of the Strategic Community Plan is to seek feedback formally on whether the resulting draft document (Attachment 1) has captured the voice and future aspirations of the community and stakeholders.

Community Engagement

The Community Engagement Plan (Attachment 2) outlines key activities to be undertaken by the Mayor and Elected members, supported by Council officers to ensure that community members and stakeholders have an opportunity to review and discuss the Plan before it is formally presented for adoption by Council in July 2012. The background and consultation sections of this report outline the extensive activities that have been undertaken to engage with and obtain input from the community and stakeholders in the development of the draft Strategic Community Plan.

The intention of the engagement process is to encourage the community to assess, validate and provide final comments on the draft Strategic Community Plan before adoption. The process will also focus on informing the community on the relationship between the Strategic Community Plan and Corporate Business Plan.

Subject to Council approval for advertising, the engagement process will commence immediately and close on Friday, 15 June 2012. A report will then be provided to Council in July detailing the outcomes of the community engagement process, considering any necessary amendments (resulting from the feedback) and seeking final adoption of the Strategic Community Plan.

(Proposed) Theme 4 – Local Leadership

The lead document of the Integrated Planning Framework is the Strategic Community Plan which is the guiding document for the Corporate Business Plan. The Corporate Business Plan captures all activities of the Town of Port Hedland for the 4 year period and should have a clear 'line of sight' or connection to the Strategic Community Plan.

Early development of the (draft) Strategic Community Plan was based on 3 key strategic themes, with associated actions and performance indicators. The 3 key strategic themes are:

1. Community – We are a friendly, exciting city of neighbours that is vibrant and diverse
2. Economic – Our economy is resilient and provides choice and opportunities
3. Environment – A city in which we live in balance with our unique surrounds.

A fourth key strategic theme has been proposed recently to articulate the leadership that Council will provide within the community and confirms the alignment of both the internal and external functions of the organization to the Strategic Community Plan.

The proposed fourth theme is:

4. Local Leadership – We are leaders in the community, with a structured commitment to transforming Port Hedland

The Town of Port Hedland provides committed strategic planning and leadership, focused on strengthening Port Hedland's community, providing growth opportunities, and diversifying the economy. Bringing transformation to the Pilbara and enhancing the quality of life for Port Hedland's residents, the organization is governed in an ethically responsible manner that meets all its legislative and community obligations.

This fourth theme includes providing quality corporate governance, responsible management of infrastructure, assets and resources, high levels of customer service, accountable civic leadership and a productive workforce to deliver the Strategic Community Plan.

This report therefore seeks Council adoption of the draft Plan to allow for advertising and community consultation.

Attachments

1. Town of Port Hedland (draft) 10 Year Strategic Community Plan (Attached under separate cover)
2. Town of Port Hedland Community Engagement Plan (Attached under separate cover)

Officer's Recommendation

That Council:

1. Adopts the Town of Port Hedland (draft) 10 year Strategic Community Plan (Attachment 1) for advertising and community consultation
2. Adopts the associated Community Engagement Plan (Attachment 2)
3. Requests the Chief Executive Officer commence the period of advertising and public consultation commencing immediately and closing at 4.00pm Friday, 15 June 2012

4. Notes a report will be provided in late June 2012 detailing the outcomes of the community engagement process, considering any necessary amendments (resulting from the feedback) and seeking final adoption of the Strategic Community Plan.

201112/449 Council Decision**Moved: Cr S R Martin****Seconded: Cr A A Carter****Officer's Recommendation****That Council:**

1. **Adopts the Town of Port Hedland (draft) 10 year Strategic Community Plan (Attachment 1) for advertising and community consultation**
2. **Adopts the associated Community Engagement Plan (Attachment 2)**
3. **Requests the Chief Executive Officer commence the period of advertising and public consultation commencing immediately and closing at 4.00pm Friday, 15 June 2012**
4. **Notes a report will be provided to Council in late June 2012 detailing the outcomes of the community engagement process, considering any necessary amendments (resulting from the feedback) and seeking final adoption of the Strategic Community Plan.**

CARRIED 5/0

REASON: Council would like to ensure that this report comes back for its final determination.

11.4 Corporate Services**11.4.1 Finance and Corporate Services****11.4.1.1 *Financial Reports to Council for Period Ended 31 March 2012 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Lorraine Muzambwa
Finance Officer

Date of Report 31 March 2012

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the financial activities of the Town to 31 March 2012, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2010/11.

Background**1. *Financial Statements***

Presented (see attachments) in this report for the financial period ended 31 March 2012, are the:

- Statements of Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 31 March 2012;
- Review of Transaction Activity.

Note: Interest Rates for investments are selected from those provided from the following financial institutions: National Australia Bank, BankWest, Commonwealth Bank, AMP, Westpac Bank, Big Sky, Citigroup and the Australian and New Zealand Bank.

2. *Utility and Fuel Costs*

Presented in graph form (see attached), is the 2011/12 monthly water, power and fuel costs compared with 2010/11.

3. *Schedule of Accounts Paid*

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 9 May, 2012 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costs.

Voucher No's		Value \$	Pages		Fund No	Fund Name	Description
From	To		Frm	To			
NMF010312	NMF010312	\$569.14	1	1	1	Municipal Fund	Photocopier lease
NMF010312	NMF010312	\$1,244.32	1	1	1	Municipal Fund	Photocopier lease
NMF060312	NMF060312	\$284.57	108	108	1	Municipal Fund	Photocopier lease
CHQ21162	CHQ21168		1	2	1	Municipal Fund	
CHQ21169	CHQ21169		-	-	1	Municipal Fund	
CHQ21170	CHQ21202		2	6	1	Municipal Fund	
CHQ21203	CHQ21203		-	-	1	Municipal Fund	
CHQ21204	CHQ21238	\$403,578.92	6	12	1	Municipal Fund	Photocopier lease- Eng dept
EFT38842	EFT39411	\$5,880,255.87	12	108	1	Municipal Fund	Caltex Direct debit
CMS070312	CMS070312	\$192.39	108	108	1	Municipal Fund	
CAL140312	CAL140312	\$4,938.11	108	108	1	Municipal Fund	
							Woolworths direct debit
PAY060312	PAY060312	\$378,515.95	108	108	1	Municipal Fund	Woolworths direct debit
PAY200312	PAY200312	\$384,154.11	108	108	1	Municipal Fund	
							Monthly payment for equipment
WOW160312	WOW160312	\$1,005.22	108	108	1	Municipal Fund	Monthly payment for equipment
	Municipal Total	\$7,054,738.6					
3002221	3002227	\$149,293.67	109	109	3	Trust Fund	
	Trust Total	\$149,293.67					
	Sub-Total	\$7,204,032.27					
LESS: one-off pays		-					
	Total	\$7,204,032.27					

Consultation

Nil

Statutory Implications

Financial Statements

Regulation 34 of the Local Government (Financial Management Regulations), states as follows:

“34. Financial activity statement report - s. 6.4

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:

 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) budget estimates to the end of the month to which the statement relates;**

- (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing:*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown:*
- (a) *according to nature and type classification;*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be:*
- (a) *presented to the council:*
 - (i) *at the next ordinary meeting of the council following the end of the month to which the statement relates; or*
 - (ii) *if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;*
and
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.*

In this regulation:

“committed assets” means revenue unspent but set aside under the annual budget for a specific purpose;

“restricted assets” has the same meaning as in AAS 27.

Section 6.12 of the Local Government Act 1995 (Power to defer, grant discounts, waive or write off debts) states:

- “(1) Subject to subsection (2) and any other written law, a local government may –*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) *wave or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money, which is owed to the local government.*
- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.”*

Policy Implications

2/003 Financial Statements – Copies for Councillors

Apart from the financial reports presented to Council as required by way of legislation, the following reports will be presented to Council:

Monthly

- Bank Reconciliation of the Municipal, Reserve and Trust Fund
- +90 day outstanding Sundry Debtors Report
- List of Accounts paid under Delegated Authority
- Register of Investments
- Rate Summary Trial Balance
- Reserve Account Balances.

Quarterly

- Quarterly Budget Review
- Report on all Budgeted Grants of \$50,000 or more
- Irregular Financial reports will be presented to Council on request.

Strategic Planning Implications

Key Results Area 5: Environment
Goal 2: Natural Resources
Strategy 1: Continue to monitor and report on the level of Council's energy, fuel and water use.

Budget Implications

At the Special Meeting held on 7 July 2010, Council resolved to adopt item 6.1.1.1 '2010/2011 Budget Adoption' en block, which included Recommendation 13 as follows:

"Recommendation 13

That Council adopts the following percentage or dollar value for determining and reporting material variances as follows:

1. *10% of the Function amended budget; or*
2. *\$100,000 of the Function amended budget whichever is the lesser, for the following categories of revenue and expenditure:*
 - a. *Operating Revenue*
 - b. *Operating Expenditure*
 - c. *Non-Operating Revenue*
 - d. *Non-Operating Expenditure"*

Officer's Comment

For the purpose of explaining Material Variance (Expense/Revenue Up or Down, and see attachment Schedule 2) a three-part approach was taken:

Period Variation

Relates specifically to the value of Variance between the Budget and Actual figures for the period of the report.

Primary Reason

Identifies the primary reasons for the period Variance. As the report is aimed at the higher level analysis, minor contributing factors are not reported.

Budget Impact

Forecasts the likely \$ impact on the Amended Annual Budget position. It is important to note that figures in this part are 'indicative only' at the time of reporting, and that circumstances may subsequently change.

Attachments

1. Monthly Statement of Business Activity
(Attached under separate cover)
 - 1.1 Page 2–4. Schedule 2 being a Statement of Financial Activity
 - 1.2 Pages 5 to 16. Notes 3 to 11 which form part of the Statements of Financial Activity.
Also Note 10– March 2012 Bank Reconciliations.
 - 1.3 Pages 17 to 66. Detailed Financial Activity by Program.
 - 1.4 Pages 67 to 69. Comparison Between 2011/12:2010/11 Utility & Fuel Costs
2. March 2012 Accounts for Payment
(Attached under separate cover)

201112/450 Officer's Recommendation/Council Decision

Moved: Cr S R Martin

Seconded: Cr Carter

That Council notes the:

- i)
 - a) **Statements of Financial Activity (represented by Schedules 3 to 14);**
 - b) **Notes (1 to 11) to and forming part of the Statements of Financial Activity for the period ending 31 March 2012; and**

- c) **Review of Transaction Activity, as attached and/or presented be received;**
- ii) **Graphic representation of the Town's energy, water and fuel use as attached be received; and**
- iii) **List of Accounts paid during March 2012 under Delegated Authority, as presented and/or attached be received.**

CARRIED 5/0

11.4.1.2 South Hedland and Wedgefield Underground Power Project – Investigation of Rebate Options (File No.: .../...)

Officer Jodie McMahon
Acting Manager
Financial Services

Date of Report 24 November 2011

Disclosure of Interest by Officer Nil

Summary

For Council to consider providing rebates for the South Hedland and Wedgefield Underground Power Project.

Background

2006/07 Port Hedland Underground Power Project

During 2006/07 the Council, jointly with Western Power and Office of Energy undertook the Port Hedland Underground Power project. The total cost of that project was \$11,862,110 with Council contribution of 50% (\$5,931,055). This cost was passed on to the Port Hedland property owners by issuing a supplementary bill as part of the 2006/07 rates notice.

The gross charge (prior to rebate) for an average household was calculated to be:

Connection	\$1,733
KVA charge (10x\$288)	\$1,728
Total Gross Payable	\$3,461

For this project the Council was successful in accessing the following funds to reduce the costs to the Port Hedland property owners:

Pilbara Fund	\$1,000,000
Port Hedland Enhancement Scheme	\$750,000
Total	\$1,750,000

With access to these funds, the Council needed to collect \$4,181,055 (\$5,931,055 less \$1,750,000) from property owners to finance its share of the project costs.

To reduce the amount payable by Port Hedland property owners, the Council decided on various rebates, utilizing the grant funding of \$1,750,000 and the additional funds generated from Pretty Pool of \$80,500. Rebates provided were as follows:

- 100% rebate for Council, Pensioners and Not for Profit Organisations;
- Partial rebates for Owner Occupiers, small businesses and all property owners.

To obtain an indication of the quantum of the rebates required, the Council issued a survey to all property owners to indicate which rebates would be applied for. Based on the outcomes of the survey and the assumptions used in the Port Hedland Underground Power project billing model, the net bill for an average family owned and occupied house was worked out to be:

Connection fee	\$1,733
KVA charge (6x\$288)	\$1,728
Total Gross Payable	\$3,461
Less: Owner Occupier Rebate	(\$1,885)
Less: General Rebate	(\$332)
Net payable	\$1,246

2011/12 South Hedland and Wedgefield Underground Power Project

The Council is currently participating in a joint project with Horizon Power and Royalties for Regions to connect all South Hedland and Wedgefield properties with underground power. The total cost of the project is \$43,387,795, with the Council contribution being 25% (\$10,846,949). This cost needs to be passed onto the property owners that will benefit from the underground project, thus requiring a supplementary bill to be issued, as part of the 2012/13 rates notice.

At a Special Council Meeting held on 30th November 2011 Council endorsed a billing model for the project:

201112/240 Council Decision

Moved: Cr G J Daccache

Seconded: Cr D W Hooper

That Council:

- 1. Notes the significant efforts contributed by the staff within the Town of Port Hedland and Horizon Power to date;*
- 2. Approves the following assumptions for the Underground Power Billing Model:*
 - i) a normal Household capacity is 10 kVA (advised by Horizon Power);*
 - ii) gross contribution per property to be based on a set connection fee plus a charge per kVA capacity of the premise (i.e. higher kVA capacity, higher cost);*

- iii) *properties which are already connected to underground attract a kVA charge however not a connection fee;*
 - iv) *vacant properties attract a kVA charge however not a connection fee;*
 - v) *connection fees for group of units (that is, a dwelling that shares a common wall) will be divided among the number of units as these are likely to have one central connection. Each unit will attract a kVA based on whether is it a duplex (7.5kVA), triplex (5.5kVA) or quadroplex (3.5kVA) (as advised by Horizon Power). If the dwelling has more than 4 units, then a kVA for a quadroplex applies;*
 - vi) *each house in group dwellings will attract the full connection fee as well as the kVA charge based on average residential kVA of 10;*
 - vii) *properties that will not attract any charges include reserves, drainages, pedestrian access, roads, sewerage tank and power station; and*
 - viii) *the Town's properties attract a charge.*
3. *Acknowledge a service charge for the under grounding of power for South Hedland and Wedgefield properties of:*
 - a) *Connection fee of \$1,154.14 per connection; and*
 - b) *A KVA charge of \$117.27 per KVA capacity of each premise on the property;*
 4. *Acknowledge that the funding source for costs relating to Town's properties of \$249,807 will need to be identified and funded through the 2012/13 Budget process;*
 5. *Allows property owners an option to make payments over 5 years as for the Port Hedland Underground Power project. Interest and instalment charges will be determined at the time of the adoption of 2012/13 Budget;*
 6. *Approve the funding of the Council's portion of the project costs (\$10,846,949) to be from a self supporting loan, being repaid as the funds are collected from property owners over 5 years;*
 7. *In accordance with Section 6.38 (2)(b) of the Local Government Act 1995, approve the establishment of a Underground Power Reserve Fund commencing in the 2012/13 financial year;*

8. *Identify the purpose of the Underground Power Reserve Fund as being for “the installation of underground power within the Town of Port Hedland”; and*
9. *Supports the signing and affixing of the common seal to the funding agreement between the Town and Horizon Power to facilitate its execution.*
10. *Request the Chief Executive Officer to investigate rebates as part of the 2012/13 budget process for pensioners, not for profits, owner occupier residentials and owner occupiers businesses.*

CARRIED 8/1

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

This report outlines several options for Council to consider in relation to rebate possibilities.

Consultation

- Horizon Power
- McLeods Barrister & Solicitors
- Department of Local Government
- Port Hedland Chamber of Commerce
- Small Business Centre
- Town of Port Hedland Staff

A Project Team was established in February 2011 that included officers of the Town of Port Hedland and Horizon Power. This team has met regularly over the past 12 months in order to develop the communications plan that would be rolled out when the project commences, and to gain a full understanding of the project and its impacts.

Statutory Implications

Section 6.38 of the *Local Government Act 1995* applies:

“6.38. Service charges

(1) A local government may impose on:

(a) owners; or

(b) occupiers,

of land within the district or a defined part of the district a service charge for a financial year to meet the cost of providing a prescribed service in relation to the land.

(2) A local government is required to:

(a) use the money from a service charge in the financial year in which the charge is imposed; or

- (b) to place it in a reserve account established under section 6.11 for the purpose of that service.
- (3) Where money has been placed in a reserve account under subsection (2)(b), the local government is not to:
 - (a) change the purpose of the reserve account; or
 - (b) use the money in the reserve account for a purpose other than the service for which the charge was imposed, and subsections (2), (3) and (4) of section 6.11 do not apply to such a reserve account.
- (4) A local government may only use the money raised from a service charge:
 - (a) to meet the cost of providing the specific service for which the service charge was imposed or
 - (b) to repay money borrowed for anything referred to in paragraph (a) and interest on that money.
- (5) If a local government receives more money than it requires from the service charge imposed under subsection (1)(a) it:
 - (a) may, and if so requested by the owner of the land, is required to, make a refund to the owner of the land which is proportionate to the contributions received by the local government; or
 - (b) is required to allow a credit of an amount proportionate to the contribution received by the local government in relation to any land on which the service charge was imposed against future liabilities for rates or service charges in respect of that land.
- (6) If a local government receives more money than it requires from the service charge imposed under subsection (1)(b) it is required to make a refund to the person who paid the service charge which is proportionate to the contributions received by the local government.”

Local Government (Financial Management) Regulations 1996 (in part) state:

- “54. *Service charge - prescribed services - s. 6.38(1)*
For the purposes of section 6.38(1), the services for which a local government may impose a service charge are the provision of -
- (a) television and radio rebroadcasting;
 - (b) volunteer bush fire brigades;
 - (c) underground electricity;
 - (d) property surveillance and security; and
 - (e) water.

Section 6.47 of the Local Government Act 1995 applies:

6.47. Concessions

Subject to the Rates and Charges (Rebates and Deferrals) 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.*

Section 6.48 of the *Local Government Act 1995* applies:

*6.48. Regulation of grant of discounts and concessions
Regulations may prescribe circumstances in which a local government is not to exercise a power under section 6.46 or 6.47 or regulate the exercise of the power.*

Local Government (Financial Management) Regulations 1996 (in part) state:

“69A.Circumstances where concessions under section 6.47 may not be granted — s. 6.48

A local government is not to exercise a power to grant a concession in relation to a rate or service charge under section 6.47 of the Act in circumstances where the concession is based on whether or not, or the extent to which, the land in respect of which the rate or service charge is imposed is occupied by a person who owns the land.

[Regulation 69A inserted in Gazette 7 Jan 2005 p. 72.]

Section 6.39 of the *Local Government Act 1995* applies:

6.39. Rate record

(2) A local government —

(a) is required, from time to time, to amend a rate record for the current financial year to ensure that the information contained in the record is current and correct and that the record is in accordance with this Act; and

(b) may amend the rate record for the 5 years preceding the current financial year.

Section 6.8 of the *Local Government Act 1995* applies:

6.8 Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government;

(b) is authorized in advance by resolution; or*

(c) is authorized in advance by the mayor or president in an emergency.

In subsection (1) —

additional purpose *means a purpose for which no expenditure estimate is included in the local government’s annual budget.*

(2) Where expenditure has been incurred by a local government —

(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

- (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

[Section 6.8 amended by No. 1 of 1998 s. 19.]

Policy Implications

Nil

Strategic Planning Implications

Within the Town of Port Hedland Strategic Plan 2010-2015, the Vision captures the following statements that are relevant:

Our district will have:

- State of the art communication systems
- Interconnected power system

Key Result Area 4: Economic Development
Goal 4: Land Development Projects
That land is being released and developed to meet the needs of a growing community.

Other Action: Work with the State Government to enact civil infrastructure projects that will enable additional developments to occur including:

- c. Ensure that the South Hedland Underground Power Project proceeds in a timely manner.

Budget Implications

Any rebates Council considers providing will need to be sourced through the 2012/13 Budget process on top of the current commitment of \$249,807 for ToPH owned properties. There are various options that Council may consider when providing rebates that will each result in a different budget impact for the Town. These are outlined in the next section of this report.

Officer's Comment

The South Hedland and Wedgefield Underground Power Project is a major project for Horizon Power, the Town of Port Hedland and the residents affected. Allocating the cost of the project to property owners is extremely complex and may not satisfy all affected parties.

Billing Model

The endorsed billing model is an endeavour to fairly charge property owners and meet the Council's needs.

The total cost of the project is \$43,387,795, with Council's contribution of 25% (\$10,846,949). Effectively this cost needs to be passed on to the property owners that will benefit from the underground project, thus requiring a supplementary bill to be issued, as part of the 2012/13 rates notice.

The Council does not have access to any additional funding for this project as it did for the Port Hedland Underground Power project in 2006 and therefore has to finance its share of project costs fully from the property owners. If Council is to endorse any rebates for property owners they will need to be sourced during the 2012/13 budget process.

Based on the endorsed assumptions, the following charges apply:

- Connection fee for each property = \$1,154.14
- KVA Charge = \$117.27 per KVA (based on total calculated KVA capacity)

The charge for an average household would be:

Connection fee	\$1,154.14
KVA charge (10x\$117.27)	\$1,172.70
Total Gross Payable	\$2,326.84

The kVA charge per property for the Port Hedland Underground project was \$288. This is higher than the kVA charged for this project, being \$117.27. This was mainly as a result of the higher project cost per property for Port Hedland Underground Project as demonstrated in the table below:

	South Hedland & Wedgefield	Port Hedland
Total Cost	\$10,846,949	\$5,931,055
Total Properties	4,481	1,559
Cost per property	\$2,326.84	\$3,461.00

The table below also provides some useful comparisons between the South Hedland & Wedgefield and Port Hedland Underground Power projects:

	South Hedland & Wedgefield	Port Hedland
Connection fee per property	\$1,154.14	\$1,733.00
KVA charge for an average household	\$1,172.70	\$1,728.00
Total Gross Payable for an average household	\$2,326.84	\$3,461.00
Properties on underground	2,150	161
Additional Funding Available to Provide Rebates	Nil	\$1,750,000
Rebates Provided	Nil	100% rebates for Council properties, pensioners and not for profit entities Partial rebates for owner occupiers, small business and all property owners

Rebate Investigation

While carrying out the investigation of rebates that may be provided to ratepayers it was identified that the Town would not be able to provide rebates or concessions to Owner Occupiers due to legislation contained within the *Local Government Act 1995*. This legislation states that Council may not offer rebates or concessions to ratepayers due to the status of the occupancy of the land that the ratepayer holds.

Local Government (Financial Management) Regulations 1996 (in part) state:

“69A.Circumstances where concessions under section 6.47 may not be granted — s. 6.48

A local government is not to exercise a power to grant a concession in relation to a rate or service charge under section 6.47 of the Act in circumstances where the concession is based on whether or not, or the extent to which, the land in respect of which the rate or service charge is imposed is occupied by a person who owns the land.

[Regulation 69A inserted in Gazette 7 Jan 2005 p. 72.]

Officers sought legal advice to clarify legislation and also advice on how rebates and concessions were provided to owner occupier ratepayers in 2006.

The advice received (Attachment 1) outlines that the interpretation was correct in that rebates and concessions may not be provided based on ownership status.

In relation to those provided in 2006, the Town should not have provided this rebate as section 69A of the *Local Government (Financial Management) Regulations 1996* came into effect on 7 January 2005. Advice sought from both the Department of Local Government and McLeods Barristers and Solicitors indicates that under section 6.39(2)(b) of the *Local Government Act 1995* the Town would not be authorised to remove the owner occupier rebate and reassess the service charge. Section 6.39(2)(b) prohibits the Town from conducting such an exercise as the rebates were provided outside the 5 year period of being able to amend the rate records.

Local Government Act 1995:

6.39. Rate record

(2)A local government —

(a) is required, from time to time, to amend a rate record for the current financial year to ensure that the information contained in the record is current and correct and that the record is in accordance with this Act; and

(b) may amend the rate record for the 5 years preceding the current financial year.

Based on this advice owner occupiers have been excluded from the investigation process for possible application of rebates.

Officers have therefore used the endorsed model to investigate the possibility of providing rebates to the following ratepayers:

- Not for Profits;
- Pensioners; and
- Owner Occupiers Businesses.

The investigation at this stage has been based on broad assumptions to allow for preliminary costing to be provided to Council.

The assumptions that officers have used to obtain figures are:

1. Not for Profit
 - a. Those ratepayers that were granted concessions or exemptions as part of the 2011/12 budget process. The rates database does not record Not for Profit status.
2. Pensioners
 - a. Ratepayers who have registered with Council as a pensioner under the Rates and Charges (Rates and Deferment) Act 1992
3. Owner Occupiers Business
 - a. Postal address matched property address
 - b. Postal address in the case of a PO Box is in Port Hedland or South Hedland
 - c. Where more than one property is going to the same postal address with the same owner(s) only one is assumed to be an owner occupier with all other properties assumed to be investments.

Officers recommend redefining the Business Owner Occupiers rebate to a Small Business Rebate to be consistent with those rebates offered in Port Hedland previously. In 2006 Council qualified a small business to be a business having fewer than 20 employees and a turnover of less than \$1 million per annum.

In Port Hedland's current economic climate this definition may have changed since 2006 and advice was sought from the following services for their current definition of a small business:

- Port Hedland Chamber of Commerce;
- Small Business Centre;
- Wedgefield Association; and
- South Hedland Business Association

Two replies were received indicating that the current definition of a small business was correct. The Australian Taxation Office defines a small business turnover to be less than \$2 million.

With this information officers recommend that the Town define a small business as one that has:

- Fewer than 20 employees; and
- A turnover of less than \$2 million.

Based on the above assumptions the table below outlines the estimated cost to council of providing rebates of between 5% and 20%:

	Possible Rebate				
	Total Cost of Project	5%	10%	15%	20%
Not for Profit	\$118,952	\$5,948	\$11,895	\$17,842	\$23,790
Pensioners	\$70,687	\$3,534	\$7,069	\$10,603	\$14,137
Business Owner Occupiers	\$672,362	\$33,618	\$67,236	\$100,854	\$134,472
Total Cost to Council	\$862,001	\$43,100	\$86,200	\$129,299	\$172,399

The charge for an average household who would qualify for the pensioner rebate would be:

	Possible Rebate				
	Total Cost of Project	5%	10%	15%	20%
Connection Fee	\$1,154.14	\$1,96.43	\$1,037.73	\$981.02	\$923.31
kVA (10x\$117.27)	\$1,172.70	\$1,114.07	\$1,055.43	\$938.16	\$938.16
Total Gross Payable	\$2,326.84	\$2,210.50	\$2,094.16	\$1,977.81	\$1,861.47
Saving to Rate Payer		\$116.34	\$232.68	\$349.02	\$465.37

If for example Council decides to provide a 5% rebate, the estimated cost to Council would be \$43,100 and would result in an estimated saving for a pensioner of \$116.34. The question for Council is whether or not it wishes to provide any form of rebate given the additional impact this creates on the 2012/13 budget, particularly as there are no external funds to assist in supporting the rebate provision. The rebates provided to the Port Hedland residents were in the order of 64% (\$2,217) of an average bill of \$3,461 resulting in a total payment of \$1,244.

If Council decided to provide a rebate, it is proposed to send a brief survey to all affected ratepayers to determine which rebates (if any) they will be applying for and the payment terms they would use (ie. up front, over 4 instalments in year 1 or over a 5 year period). The information from the survey responses could be used to give a greater degree of accuracy to the billing model and the budget impacts for the 2012/13 budget. This survey would only be issued if Council decided to go ahead with providing a rebate as issuing this prior to a decision would create expectations that a rebate is definitely going to be offered. The proposed timeline for the completion of the survey would be:

11 th May 2012	Mail survey to ratepayers
25 th May 2012	Final reminder notice
1 st June 2012	Last day for surveys to be returned

A copy of the proposed survey to residents has been attached.

Summary

Council was able to fund rebates to ratepayers during the Port Hedland Underground project in 2006 through funds that had been provided by external parties. Council has not been able to access additional funding from external parties for the South Hedland and Wedgefield Underground project, so any rebates will be at a cost to Council on top of the \$249,807 already required for ToPH owned properties.

If Council is to consider providing rebates, officers recommend that a survey be undertaken to determine the level of rebates that individuals are likely to apply for so that the billing model and loan requirements can be adjusted where necessary to ensure accuracy and reliability as we move into 2012/13.

If Council decides to provide rebates it is recommended that Council provides a conservative rebate amount in order to minimise the impact to Council keeping in mind that it must fund the \$249,807 of Council owned houses. Other budgetary impacts will affect the 2012/13 budget such as the operational costs of the Multi Purpose Recreation Centre Marquee Park and the JD Hardie Centre which will be coming on board in the 2012/13 financial year.

Attachments

1. Legal Advice (Confidential) – attached under separate cover
2. Draft Underground Power Rebate Survey

201112/451 Officer's Recommendation/Council Decision**Moved: Cr A A Carter****Seconded: Cr S R Martin****That Council:**

1. **Recognises that there are no external funding sources for the South Hedland and Wedgefield Underground Power project and any rebates will be sourced through Council funds;**
2. **Notes that the definition of Business Owner Occupiers be redefined to a Small Business Rebate where a small business is defined as having fewer than 20 employees and a turnover of less than \$2 million per annum;**
3. **Endorses the following rebate percentages to be applied:**
 - a. **Pensioners: 5%**
 - b. **Not for Profit: 5%**
 - c. **Small Business: 5%**
4. **Sources the additional funds from the 2012/13 budget process in order to provide the rebates; and**
5. **Notes the survey that will be distributed to all ratepayers to assist in firming up the details required for the final billing model and loan requirements.**

CARRIED BY ABSOLUTE MAJORITY 5/0

ATTACHMENT 2 TO ITEM 14.2

PILBARA UNDERGROUND POWER PROGRAM

Ratepayer Rebate Survey

Feedback is sought from ratepayers who will benefit from the Pilbara Underground Power Program on the type of rebates that they will apply for when they receive their bill for the underground power project. Please note that you will be required to provide evidence demonstrating your eligibility for the rebate prior to it being provided.

Ratepayer Name: «PostalName»
 Ratepayer Address: «PostalAddress1»
 «PostalAddress2»
 Property Address: «PropertyAddress1»,
 «PropertyAddress2»
 «PropertyAddress3»
 Assessment Number: «AssessmentNo»

Please tick the boxes next to the areas of rebate that you are eligible to claim

1. Pensioner

Available to ratepayers who eligible for registration as a pensioner under the Rates and Charges (Rates and Deferment) Act 1992.

(See Details Overleaf)

2. Not for Profit Rebate

Available to ratepayers who have concession or exemptions applied for through the 2012/13 budget process.

3. Small Business Rebate

Available to business owners who use the property for small business purposes. For the purpose of the rebate, small business is defined as having fewer than 20 employees or a turnover of less than \$2million per annum.

4. Council is offering ratepayers the option of repaying their contribution towards underground power upfront, in quarterly payments or over five years. Please tick one of the following boxes:

I will be paying my contribution towards underground power in a lump sum payment upfront

I will be paying my contribution towards underground power in four quarterly payments (interest charges apply)

I will be paying my contribution towards underground power over five years (interest charges apply)

Please return this survey by Friday 1st June 2012 by one of the following means:

Mail - Using the reply paid envelope provided.
 Fax - (08) 9173 9339
 In Person - Civic Centre, 41 McGregor St Port Hedland

Failure to reply to this survey by the due deadline may result in exclusion from access to the rebates.

Requirements for Eligibility for Pensioner Rebate

To access the Pensioner Rebate, ratepayers must fulfil the following requirements from the Rates and Charges (Rebates and Deferments) Act 1992:

23. Pensioners eligible to apply for registration

- (1) Subject to this Act, a person is eligible to apply to the administrative authority to have their entitlement as regards any land registered if a prescribed charge is payable on that land, on sufficient evidence of eligibility being accepted by the administrative authority under section 26, so long as —
 - (a) that person is the holder of a pensioner concession card; and
 - ~~[(b) deleted]~~
 - (c) unless the person is permanently blind, the person does not possess income or assets of a value in excess of that permitted by any prescribed means test applicable.
- (1a) The regulations may provide that a person of a prescribed class is not eligible to make an application under subsection (1) despite being the holder of a pensioner concession card.
- (2) Subject to this Act, a person is eligible to apply to the administrative authority to have their entitlement as regards any land registered if a prescribed charge is payable on that land, on sufficient evidence of eligibility being accepted by the administrative authority under section 26, so long as under the Veterans' Entitlements Act 1986 of the Commonwealth that person is —
 - (a) a veteran to whom, by reason of incapacity or blindness, a pension under section 24 or section 25 or a pension to which an extreme disablement adjustment applies under section 22(4) of that Act is payable;
 - (b) a veteran to whom or in respect of whom there is payable a pension or an allowance because that veteran has suffered or is suffering from pulmonary tuberculosis; or
 - (c) a person who may, under section 86(1) of that Act, be provided with treatment under Part V of that Act as a dependant of a deceased veteran, regardless of the income or assets of that person.
- (3) Subject to this Act, a person is eligible to apply to the administrative authority to have their entitlement as regards any land registered if a prescribed charge is payable on that land, on sufficient evidence of eligibility being accepted by the administrative authority under section 26, so long as by virtue of the operation of Part II of the Veterans' Entitlements (Transitional Provisions and Consequential Amendments) Act 1986 of the Commonwealth, that person is a person to whom is payable a pension as —
 - (a) the widow of a member of the Forces;
 - (b) the unmarried mother of a deceased unmarried member of the Forces; or
 - (c) the widowed mother of a deceased unmarried member of the Forces.
- (4) Subject to this Act, a person who is the holder of both a seniors' card and a Commonwealth seniors health card is eligible to apply to the administrative authority to have their entitlement as regards any land registered if a prescribed charge is payable on that land, on sufficient evidence of eligibility being accepted by the administrative authority under section 26.
- (5) A person is eligible to apply to the administrative authority to have their entitlement as regards any land registered, if a prescribed charge is payable on that land, on sufficient evidence of eligibility being accepted by the administrative authority under section 26, so long as —
 - (a) the person is related to a disabled person who occupies the land as his or her ordinary place of residence; and
 - (b) no owner of the land occupies the land.
- (6) For the purposes of subsection (5)(a) —
 - (a) the following persons are related to a disabled person —
 - (i) a parent or grandparent of the disabled person;
 - (ii) a brother or sister of the disabled person; and
 - (b) an illegitimate person is to be treated as the legitimate child of that person's parents; and
 - (c) it is irrelevant whether a relationship is of the whole or half-blood, or whether it is a natural relationship or a relationship established by a written law.
- (7) In this section — **disabled person** means a person who —
 - (a) receives a disability support pension under the Social Security Act 1991 (Commonwealth) Part 2.3; or
 - (b) is under 16 years of age and is cared for by a parent or guardian, within the meaning given in the Social Security Act 1991 (Commonwealth), who receives a carer payment under Part 2.5 of that Act in respect of that care.

11.4.2 Governance and Administration**11.4.2.1 *Appointment of a Community Representative to the Airport Committee (File No.: 30/09/0037)***

Officer Ayden Fabien Férdeline
Administration Officer
Governance

Date of Report 26 April 2012

Disclosure of Interest by Officer Nil

Summary

This report requests that Council consider appointing an additional community representative to the Airport Committee following the recent resignation of a committee member.

Background

At its Ordinary Meeting held on 14 March 2012, Council resolved to advertise for an additional member of the public to join the Airport Committee.

“That Council:

...

3. *call for applications through public advertisement for one additional community representative to form part of the Committee’s membership.”*

Consultation

Expressions of Interest were called by way of a Public Notice that appeared in the *North West Telegraph* on 21 March 2012, via the notice boards at the Civic Centre and Port and South Hedland Libraries, and on Council’s website.

Applicants were requested to include a brief CV and a letter stating why he or she wished to join the Committee. Applications closed on Wednesday, 18 April 2012.

Statutory Implications

Division 2 of Section 5 of the *Local Government Act (1995)* specifically relates to the establishment and operations of committees of Council. In summary, the legislation:

- Requires committees to have at least three members if they are established;

- Outlines the prescribed method of appointment of committee members;
- Details the tenure of committee representatives; and
- Details quorum requirements of committees.

Section 5.8 of the *Local Government Act (1995)* also applies:

5.8. Establishment of committees

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.*

Policy Implications

Nil

Strategic Planning Implications

Council's current Plan for the Future includes the following statements that are relevant to this matter:

Key Result Area 1: Infrastructure

Goal 2:

Airport

That the Port Hedland International Airport is recognised as a leading regional airport in the area of passenger and freight movements and customer satisfaction.

Key Result Area 6: Governance

Goal 1:

Leadership

That the community acknowledges that the Town is leading the future development and management of municipality in an effective and accountable manner.

Budget Implications

There is an allocation in the 2011/12 Budget for the advertising of Public Notices, by way of GL code 401275.

Officer's Comment

Four (4) applications were received for the one (1) vacant position from the following members of the public:

- Ms Florence Bennett
- Mr Jason Pinner
- Ms Mary Russell
- Mr Chris Whalley.

A summary of the applicant's background and what he or she would bring to the Committee is provided in the table below:

<i>Applicant:</i>	<i>Background</i>
Ms Florence Bennett	Ms Bennett is a local small business owner who owns and operates the Harvey World Travel franchise in South Hedland. She assists tourists, the community and other visitors to the town with their travel queries, and she hears first hand from clients as to what flights and facilities the airport requires
Mr Jason Pinner	Mr Pinner has worked as a commercial pilot in Broome and Sydney, and has also been employed as an acting executive director Mirage Aviation. Mr Pinner has taken an active role in the Port Hedland real estate market through Hedland First National, and would bring to the Committee a broad understanding of property, leasing and commercial real estate.
Ms Mary Russell	Ms Russell has 22 years experience in managing an aviation company and has been exposed to airports throughout the North West. She is also past president of the Port Hedland Tourism Bureau. Ms Russell would bring to the committee expertise in setting strategic direction, finance and human resource management, skills she honed in the four years she spent as a non-executive director on the Port Hedland Port Authority Board.
Mr Chris Whalley	Mr Whalley says that upgrading the airport is the 'big ticket item' in town right now and we need to ensure that our airport will be able to cope with an increase in passenger numbers and air freight for at least the next 20 years. Mr Whalley would join the Committee with the experience gained from being a part of Council's South Hedland CBD Stakeholder Working Group and Main Road's Stakeholder Committee involved in the construction of the new Port Road for road trains.

Full applications and CVs appear as part of Attachment 1. In the interests of privacy, the personal contact details for each application have been removed from this documentation.

Council is required to appoint a minimum of two (2) community representatives to enable the formal establishment of members of the Airport Committee in accordance with the provision of Section 5.8 of the Local Government Act 1995.

Attachments

1. Applications received from members of the community.

Officer's Recommendation

That Council appoints the following member to the Town of Port Hedland Council Airport Committee in accordance with Section 5.8 of the Local Government Act:

- _____.

201112/452 Council Decision**Moved: Cr A A Carter****Seconded: Cr S R Martin**

That Council appoints the following members to the Town of Port Hedland Council Airport Committee in accordance with Section 5.8 of the Local Government Act:

- **Mr Chris Whalley; and**
- **Ms Florence Bennett.**

CARRIED 5/0

*ATTACHMENT 1 TO ITEM 11.4.2.1***Ms Florence Bennett**

To whom it may concern,

My name is Florence Bennett and I have resided in Port Hedland for over 24 years, so I guess you can say I'm a local. I originally got into travel after completing school and loved it so much that in late June of 2008 I bought into the Harvey World Travel franchise.

I'm expressing my interest in becoming a part of the airport committee because I believe that the industry (travel) I'm in and the airport committee are connected together. Not only do we deal with our local communities but we also deal with the tourists and visitors into our town on a daily basis, assisting them with their travel queries. We also listen and receive feedback from clients as to how the airport should be and what needs to be done for improvements in order to provide them with more travel conveniences, such more international flights and better airport facilities.

I would also like to be a part of the committee because having grown up in Hedland for most of my life, I have seen the changes, the challenges and the many wonderful things that has and is happening to our town and I would like to contribute what I can by being a voice for our local community.

My passion is travel and the opportunity to be part of such a team where a difference to the way our locals travel can be made would be an amazing learning experience on its own.

Should you require further information or have any further queries please do not hesitate to contact me.

Yours sincerely

Florence Bennett

Florence Bennett



Work History

Harvey World Travel Port Hedland
June 2008

March 2000 to

Travel Consultant

2000 to 2008

- Responsible for client holiday arrangements, domestic and international.
- Book domestic and international holiday arrangements, such as hotels, tours, car hire, flights, train passes.
- Organising and selling foreign currency
- Daily banking
- Cleaning of the office
- Daily accounting for all client files

Harvey World Travel Port Hedland

Owner/Manager

2008 –present

- Responsible for everyday running and maintenance of the office and staff.
- Booking and arranging all travel arrangements
- Branding, managing and Organising all franchise requirements
- Organising monthly advertising with our local radio station
- Maintenance of all reservation and accounting systems in the office
- Training of new employees and getting them qualified in the industry
- Organising fortnightly staff meetings
- All accounting checks and allocations within the office
- BAS and PAYG
- Organising training sessions for staff to attend
- Responsible for the daily operations of the office, from ordering foreign cash, balancing the branch accounting,
- Preparing weekly schedules for employees
- Payment of all bills and chasing payments
- Invoicing corporate clients, airlines and wholesalers
- Responsible to hire, right reviews, as well as fire employees.
- Supervise all employees and their daily duties, making sure payment deadlines are met with wholesalers, airlines ect.

Mr Jason Pinner

30 March 2012

Dear 

Re: Airport committee community representatives

I would like to become a member of the airport committee because I offer a wide range of aviation and real estate experience which would greatly benefit the airport and the community.


My background is predominately aviation, having worked as a commercial pilot in Broome & Sydney. Management is also one of my strengths and my experience includes acting as an executive director for Mirage Aviation which is one of Australia's leading aerial survey companies. I also have an active role in the Port Hedland real estate market through Hedland First National which gives me a broad understanding of property, leasing and commercial real estate.

I look forward to becoming a part of the committee, please feel free to contact me at any point on my mobile – 0450 233 804.

Yours sincerely

Jason Pinner

Jason Pinner



Skills Summary

- ◆ Proven management ability.
- ◆ Excellent organisational skills.
- ◆ Sales and marketing skills.
- ◆ Excellent communication skills.
- ◆ Proven ability to work in high pressure environments.
- ◆ Proven ability to work in a team and also lead a team to achieve results.
- ◆ Drive & initiative to excel beyond expectations.

Professional Experience

AVIATION MANAGEMENT: FLIGHT OPERATIONS MANAGER.

- ◆ The development, implementation and maintenance of the company flight operations manual which is a requirement of holding an air operators certificate & subject to Civil Aviation Safety Authority approval.
- ◆ Liaising with corporate clients to ensure that the needs of those clients are met.
- ◆ Meeting with prospective clients to sell and market our services, with contracts frequently worth upwards of half a million dollars.
- ◆ The development, implementation and maintenance of the standard operating procedures for the aircraft fleet, including checklists, flight profiles and emergency procedures based on the aircraft manufacturers recommendations and industry safest practices.
- ◆ Management of the company's air operators certificate, internal & external auditing as well as liaising with the flight operations inspector from the Civil Aviation Safety Authority.
- ◆ Development, implementation and maintenance of a safety management system which was designed specifically for aviation operations.
- ◆ Comprehensive understanding of the regulations, acts, orders and publications associated with all aspects of aviation operations.
- ◆ Managing a team of flight crew and ensuring that flight and duty times are not exceeded, crew currency, license, medical and ratings are up to date.
- ◆ Managing aircraft and ensuring that the airworthiness directive, scheduled and unscheduled maintenance is carried out in accordance with the applicable regulations and manufacturer's requirements.
- ◆ 100% Safety Record

LINE PILOT/OPERATIONS DUTIES

- ◆ Conducting safe & professional flight operations on a continual basis, including regular flight proficiency checks.
- ◆ Conducting flights in accordance with standard operating procedures.
- ◆ Conducting flight operations for mining companies, such as Svitzer, BGC, Tanami Gold, Gem Diamonds Ltd, Aztec Resources Ltd, Fortescue Metals Group Ltd.
- ◆ Flight management & planning, including fuel, ATC, route, landing clearances, overflight clearances, airport and aircraft limitations.
- ◆ Safe marginal weather flight operations.
- ◆ Handling emergency situations in a safe and efficient manner.
- ◆ Crew resource management.

Jason Pinner

Employment History

HEDLAND FIRST NATIONAL – Port Hedland, WA 6721
Sales, December 2011 to Present

MIRAGE AVIATION PTY LTD. – Jandakot Airport, WA 6164
Executive Director, September 2009 to Present

BROOME AIR SERVICES PTY LTD. – Broome International Airport, WA 6725
Line Pilot, Operations, July 2008 to September 2009

HARVERY NORMAN – Port Hedland & O’Conner, WA 6721
Sales, January 2005 to August 2007

Education

REAL ESTATE TRAINING WA – ONLINE
Sales Representative Theory, 2011 (1 unit remaining)

ADVANCED FLIGHT THEORY – MAROOCHYDORE, QLD
Air Transport Pilot License theory subjects completed, 2009

ADASTRAL AVIATION – PERTH INTERNATIONAL AIRPORT, WA
Multi engine command instrument rating (MECIR – VOR, NDB, DGA, LLZ, ILS), crew resource management certificate, controlled flight into terrain certificate, GPS/WAAS Certificate (2008)

AIR AUSTRALIA INTERNATIONAL – JANDAKOT AIRPORT, WA
Commercial pilots license, commercial pilots license theory subjects completed, 2007/2008

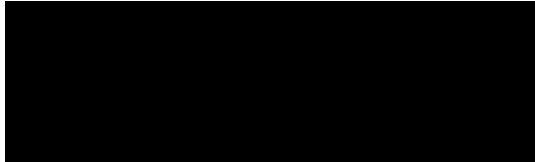
MELVILLE SENIOR HIGH SCHOOL – PERTH, WA
Year 11 & Year 12 Tertiary entrance examinations, Physics, Aviation, Mathematics (Discrete), English, Geography & Accounting.
Tertiary Entrance Result – 83.05

Personal

Marital Status	-	Single
Passport	-	Australian (unrestricted) expires 2019
Drivers License	-	WA Class C (unrestricted)

Ms Mary Russell

16 April 2012



Dear 

**EXPRESSION OF INTEREST
AIRPORT COMMITTEE COMMUNITY REPRESENTATIVE**

Further to our conversation today, please find attached a copy of my resume in support of my expression of interest to be a community representative on the Port Hedland Airport Committee.

You will see from my resume that I have many years experience in aviation and as a resident of Port Hedland for nearly 25 years, I am keen to offer my experience and services to contribute and participate as a community representative on the Committee because this is my home and I care about what happens in our town, in particular the airport.

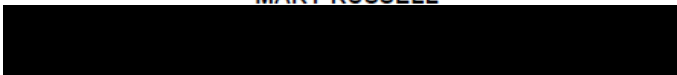
Establishing and managing an aviation company for the past 22 years has given me a lot of exposure to airports particularly in the North West.

Areas in which I have managed operations in airports include the following:

- Airline RPT services and regulatory requirements that come with this
- Aircraft charter services and regulatory requirements
- Provision of light aircraft maintenance services
- Provision of check in and ground handling services to other airlines such as QANTAS, Skywest and Strategic Airlines as well as ad hoc business jets and freighter aircraft such as those provided by the Antinov
- Provision of freight acceptance and door to door delivery of air freight for Australian air Express, Toll Air Express, TOLL Priority and TNT

From the perspective of an end user of various facets of airports from Kununurra to Karratha, I believe my experience would be extremely useful in future development of Port Hedland Airport as from experience I know only too well what works and what does not.

MARY RUSSELL



The four years I served as a non executive director on the Port Hedland Port Authority Board as well as my time with the Darwin Port Authority gave me experience not only in setting the strategic direction for the business of these ports, but also in port development. I believe that this experience would be a great asset to the airport committee at this time.

My background in financial and human resource management would also be an asset to the committee as these two areas are key considerations to any project and development. I believe that my experience in these areas enables me to bring significant skills and knowledge to the committee that will enhance the function of the committee.

As discussed, from time to time a conflict of interest may occur simply by my company being an end user of the airport and it's facilities. However, I believe that my previous experience in executive positions with a previous regional tourism association, Pilbara Regional Tourism Association, and past president of the Port Hedland Tourist Bureau, will enable me to declare these interests and refrain from such interest "muddying the waters".

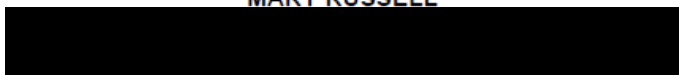
If successful in becoming a community representative on the airport committee, I will undertake to use my experience and skills to influence the development of the airport to the benefit of all airport users and the wider community.

Yours sincerely,



Mary Russell

MARY RUSSELL



Resume of Mary Russell



Personal Statement

After graduating from University of Western Australia in 1982, I have spent the last 30 years working predominately in the aviation industry particularly in the areas of finance and human resources. All of my work experience has been in regional Australia both in the Northern Territory and Western Australia. In 1990 I co-founded Golden Eagle Airlines with my husband Keith Russell. We started out with one aircraft and one pilot in Port Hedland and today we have a fleet of eleven aircraft with offices in Port Hedland, Broome and Derby.

Work Experience

Company Director (Aug-1989 - Present)

Golden Eagle Airlines, North Western Australia

- Responsible for the strategic development of Golden Eagle Airlines and ensuring that the company conducts business in a profitable way in accordance with corporate governance principles
- Business planning and policy development
- Human resources and financial management and development

Non-Executive Director (Jul-2001 - Jun-2005)

Port Hedland Port Authority, Port Hedland, Western Australia

- Contributed to and ensured the profitable management of the Port Hedland Port Authority Board
- Used external experience to provide constructive and effective challenge in Board discussions and decision-making
- Provided independent advice on matters relating to individual areas of expertise, such as audit and risk, corporate governance, financial and human resource management.

Regional Human Resource Manager - Pilbara (Jul-1990 - Apr-1992)**Health Department of Western Australia, Port Hedland, Western Australia**

- Responsible for the oversight of human resource management practices in Pilbara hospitals and health centres
- Advised Regional Director and Hospital Administrators on Best Practice HRM strategies
- Participated as part of the Pilbara Regional Management Team

Staff Clerk/Acting Admin Manager (Oct-1987 - Jun-1990)**Hedland College, Port Hedland, Western Australia**

- Responsible for the day to day management of HR and Administration Division
- Participated in the College Building Committee
- Provided secretarial duties to the College Board
- Provided oversight of staff housing and allocations

Housing Manager (Feb-1986 - Sep-1987)**Maningrida Council, Maningrida, Northern Territory**

- Responsible for the day to day management of the Housing Section of the Maningrida Council
- Provided advice to Council on housing matters
- Developed scope of works for requests for tenders for provision of housing in accordance with Council requirements
- Prepared submissions for funding for housing in Maningrida

Executive Assistant (Jan-1985 - Jan-1986)**Darwin Port Authority, Darwin, Northern Territory**

- Provided support to Director and Executive team on project matters
- Assisted with the introduction of significant development which occurred in the Port during the mid 1980s including development of the roll on/roll off facility for car carriers and other developments
- Prepared ministerial correspondence
- Provided support to the Marketing Manager with event management

Various Administrative Positions (Jun-1982 - Jan-1985)

N T Department of Transport and Works, Darwin, Northern Territory

- Carried out various administrative roles in Salaries and Transport Divisions
 - Worked in the Staff Development Section as Apprentice and Trainee Co-ordinator over one hundred apprentices and trainees across the Territory
 -
-

Voluntary Positions

Executive Member (Jul-1990 - Mar-1993)

Pilbara Regional Tourism Association, Pilbara, Western Australia

- Participate as an Executive Committee Member of the Executive Committee
 - Participated in developing a marketing plan for the Pilbara Region
 - Represented the Pilbara Regional Tourism Association at trade shows
-

Education

Bachelor of Arts (1982)

University of Western Australia, Nedlands, Western Australia

Bachelor of Arts - Double Major in Japanese Language and Chinese History

References available on request

Mr Chris Whalley



MR CHRIS WHALLEY

Dear Sir,

I am writing to submit my interest in joining the Airport Committee as a representative of the Hedland Community. I am already a member of the South Hedland (S) Stakeholder Committee & a member of the Main Road Stakeholder Committee involved in the construction of the new Port Road for road trains.

I believe the upgrading of the airport is the single 'big ticket item' in town right now and we need to ensure that whatever is decided for our airport it will be able to cope with an increase in passengers & air ~~freight~~ freight for at least the next 20 years.

Yours Sincerely
J C Whalley

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL**12.1 *South Hedland Aquatic Centre Upgrade – Relocation of Electricity Transformer (File 26/13/0018)***

Officer Rob Baily
Projects Coordinator

Date of Report 13 May 2012

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to request Council approval to utilise funds from the South Hedland Aquatic Centre (SHAC) project budget to relocate the transformer provided by Landcorp to supply power to the site.

Background

The SHAC facility has been the subject of investigations and concept planning for upgrades over several years. It was determined that it requires aquatic plant replacement, upgrades and modifications to pools, compliance upgrades, aesthetic updating and general refurbishment. Stage 1 of the upgrade project received Council approval on 13 July 2011.

The SHAC is a joint funding partnership in conjunction with various stakeholders including the Town of Port Hedland (ToPH), BHP Billiton (BHPB), Royalties for Regions (R4R), Country Local Government Fund, Regional & Local Community Infrastructure Program and Department of Sport & Recreation.

On 13 July 2011, Council Decision 201112/006 awarded AVP Commercial Pools the demolition and reconstruction of the main pool, a learn to swim pool with an integrated children's play pool, a water playground feature, a wave machine, a new plant room, new concourse paving and suitable reticulation network for water and power to operate all of those facilities.

The ToPH will be responsible for additional facilities to the pool surrounds including lighting, main power to the plant room, sewer connection, drainage, service road, project management and landscaping.

The 13 July 2011 Council Decision is shown below -

"201112/006 Officer's Recommendation/Council Decision

That Council:

1. *Awards Tender 11/10 South Hedland Aquatic Centre Upgrade to AVP Commercial Pools for the lump sum price of \$8,293,405 (ex. GST) being for:*
 - a. *Essential Elements (50 metre pool, leisure water, plant, filtration, pipework and plant buildings, concourse and drainage)*
 - b. *Highly Desirable Elements (learn to swim)*
 - c. *Landscaping (family area, dry playground and service conduiting)*
 - d. *Other items (wave machine and solar heating)*
 - e. *Allowances (drainage, service road, crossover, sewer, lighting allowance and project contingency)*

2. *Acknowledges the following budget allocations, including approval of 2011/12 allocations:*

<i>Income</i>	<i>Amount</i>	<i>Status</i>
<i>Department Sport and Recreation (CSRFF)</i>	<i>\$ 600,000</i>	<i>Confirmed in 2010/11 budget</i>
<i>CLGF (ToPH)</i>	<i>\$ 807,745</i>	<i>Confirmed in 2011/12 budget</i>
<i>TOPH</i>	<i>\$ 600,000</i>	<i>Confirmed in 2011/12 budget</i>
<i>Royalties for Regions</i>	<i>\$ 3,600,000</i>	<i>Confirmed in 2011/12 budget</i>
<i>RLCIP</i>	<i>\$ 150,000</i>	<i>Confirmed in 2011/12 budget</i>
<i>BHPB Funding</i>	<i>\$ 2,500,000</i>	<i>Confirmed 2011/12 funding</i>
<i>BHPB (Interest Earned)</i>	<i>\$ 1,000,000</i>	<i>Confirmed 2011/12 funding</i>
<i>Total</i>	<i>\$ 9,257,745</i>	

3. *Authorises additional funds of \$960,000 be allowed within the total project budget for additional work including drainage allowance, service road / crossover, sewer connection, lighting allowance, contingency and project management*

4. *Endorses option 2 of the proposed construction program allowing for a reduce summer open season (Oct 2011 to Jan 2012 inclusive) at the SHAC and a redevelopment completion / reopening in October 2012*

5. *Notes that \$ 275,923 is allocated within the draft 2011 / 2012 budget for the contract management of the SHAC by the YMCA for a potentially reduce summer season (Oct 2011 to Jan 2012 inclusive)*
6. *Endorses the allocation of \$807,745 (CLGF funding) towards the SHAC redevelopment project as part of the draft 2011/12 budget."*

This report seeks Council approval to utilise a portion of the allocation noted in point 3 of the Council resolution for the purpose of relocating the electrical transformer.

Consultation

External

- Landcorp

Internal

- Director Community Development
- Director Corporate Services
- Manager Infrastructure Development
- Manager Recreation Services & Facilities
- Senior Planning Officer
- Manager Technical Services
- Recreation Coordinator
- Projects Coordinator

Statutory Implications

Council approval of the recommendation in this report will result in the engagement of Landcorp, agents for the State Government for the redevelopment of the South Hedland Town Centre, to undertake the proposed relocation. This is acceptable within the *Local Government Act (1995)* under the following clause:

Local Government (Functions and General) Regulations 1996

Part 4 Provision of goods and services

Division 2 Tenders for providing goods and services (s 3.57)

Section 11 When tenders have to be publicly invited

- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if –*
 - (e) *the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government*

Policy Implications

Procurement of the proposed works is in accordance with Council's Procurement Policy 2/007.

Strategic Planning Implications

Key Result Area 3: Community Development
 Goal 1: Youth and Children: That parents and young people in the Town have access to a range of facilities and services that is comparable to a metropolitan area
 Goal 2: Sports and Leisure: That the community has access to sports and leisure facilities at or above the quality that they would be able to access in the metropolitan area

Budget Implications

As advised in the Council Decision 201112/006 Council has an allocation of \$960,000 to accommodate additional work inclusive of lighting, drainage, crossover, services, project management and contingency, separate to the AVP Commercial Pool's contract for the SHAC redevelopment.

Table 1 below provides details of the funds available to relocate the transformer from this budget allocation, resulting in nil impact on the project budget whilst still delivering the project outcomes.

Table 1

Additional Works Breakdown	Allocated Amounts	Funds available for transformer	Current Status
Drainage Allowance	\$110,000	\$100,000	Landcorp has provided a drainage connection point. AVP is responsible for concourse drainage. Minimal funds required from Council.
Service Road, Crossover	\$30,000	\$0	Full allocation required.
Sewer connection	\$70,000	\$40,000	Reduced amount required. Scope for Water Corp connection only.
Lighting allowance	\$100,000	\$0	Currently under review due to tender submissions. Likely to be staged under separate budget submission.

Project Contingency	\$500,000	\$0	Full allocation required.
Project Management	\$150,000	\$0	Full allocation required.
TOTAL	\$960,000	\$140,000	Available for transformer relocation

Officer's Comment

Recent changes to the road reserves within LandCorp's town centre development has provided the SHAC site with the ability to increase in size and the potential to add additional community facilities including a library and skate park. Both the library and skate park have been developed to concept stage to ensure design integration can be accommodated.

During the early stages of AVP Commercial Pool's design process for the SHAC redevelopment Landcorp installed a new electrical transformer in accordance with the subdivision design in a similar position to the existing power connection. Upon request from Council, Landcorp upgraded the transformer to accommodate the power demand required by the SHAC development and estimated future requirements of the site.

The AVP Commercial Pool layout of infrastructure including the wave machine and the plant room was also simultaneously being developed to ensure the potential for additional facilities can be accommodated. It is the Town's responsibility to ensure that an adequate power supply is provided to the new plant room.

Within the SHAC upgrade project an allowance amount of \$960,000 is allocated to provide lighting, drainage, sewer connection, service road, project management and general contingency.

An investigation determined that the existing lights within the facility were not able to be repaired or upgraded to compliance levels, therefore the Town recently requested cost estimates through a public tender to design, supply and install a lighting system to the new SHAC infrastructure. The light tender also requested that power be supplied from the transformer to the plant room.

The tender submissions are currently under assessment and will be the subject of a separate report to Council pending design negotiations and budget assessment. However, it has become apparent that the current location of the electrical transformer will result in costs for the supply of power to the plant room in excess of \$600,000. This is based on the distance between the transformer and the plant room, the complexity of the proposed route and the capacity requirements of cabling to carry the electrical load along that route.

Significant savings, in excess of \$350,000 are expected if the transformer is relocated to a position adjacent to the plant room.

LandCorp has agreed to delay the power connection of the underground power in this section of the Town Centre until this request has been considered by Council.

LandCorp has provided a quotation of \$125,000 to relocate the transformer. The benefits of transformer relocation will be:

- Savings of approximately \$225,000 in power connection to plant room after LandCorp payment.
- The transformer will be positioned away from the main entrance point of existing SHAC allowing better interface with the new Leake Street.
- The transformer will be positioned away from proposed new entry areas of the proposed library, skate park and redeveloped SHAC entry allowing better interface to the new Leake Street and Town Centre.
- Future power feeds back from the relocated transformer to the proposed new library/skate park development areas will only carry smaller power capacity and associated reduced cables resulting in minor costs to install.
- Potential to further upgrade transformer power from nearby Horizon power main line at minimal additional costs as opposed to existing location, if required for future site development.

Attachments

Nil

201112/453 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

- 1. Approves the relocation of the electrical transformer from the existing location adjacent to the South Hedland Aquatic Centre (SHAC) entrance to a new location adjacent to Forrest Circle close to proposed SHAC plant room at a cost of \$125,000 utilising savings from additional works shown on table 1.**

CARRIED 5/0

201112/454 Council Decision**Moved: Cr A A Carter****Seconded: Cr S R Martin**

That the order of business be changed so that the following matter may first be considered:

12.3 Section 70A Notification for Lot 245 (60) Morgans Street, Port Hedland (File No.: 118240G)

CARRIED 5/0

12.3 Section 70A Notification for Lot 245 (60) Morgans Street, Port Hedland (File No.: 118240G)

Officer Ryan Djanegara
A/Senior Planning Officer

Date of Report 8 May 2012

Disclosure of Interest by Officer Nil

Summary

Council has received a request from Kate Thouas on behalf of the owner of Lot 245 (60) Morgans Street, Port Hedland, to affix the Towns Common Seal to a Section 70A notification form, which will enable lodgement of the form with the Registrar of Titles.

Background

A development approval (2011/207) was granted by Planning Services on 21 June 2011. The following condition was imposed as part of the approval:

"2. *Prior to commencing works, the landowner is to prepare a notification under Section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:*

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

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

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

In order to finalise the Section 70A form and obtain the Town's Common Seal, a Council resolution is required.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

The required Section 70A notification is an important mechanism to ensure any prospective owners / buyers of the lot / unit are alluded to the restrictions / conditions pertaining to the lot / unit.

The use of the Town's Common Seal will only enable the lodgement of the application with the Registrar of Titles and will not complete the land owner / developers obligations under the conditions. To complete their obligation, a copy of the documentation confirming the registration of the notification must be supplied to the Town.

In light o the above, Council is requested to grant approval for the use of the Town's Common Seal.

Attachments

Nil

201112/455 Officer's Recommendation/Council Decision**Moved: Cr A A Carter****Seconded: Cr S R Martin****That Council:**

- 1. Approves the request from Kate Thouas on behalf of the owner of Lot 245 (60) Morgans Street, Port Hedland, to affix the Town's Common Seal to a Section 70A Notification form;**
- 2. Approves the use of the Town's Common Seal for the purposes associated with the registering of a Section 70A Notification on Lot 245 (60) Morgans Street, Port Hedland;**
- 3. Advises the applicant that once the notification is registered and a copy of the documentation confirming the registration is provided to the Town, it will be deemed that Condition 2 of the Development Approval (2011/207) has been satisfactorily complied with.**

CARRIED 5/0

NOTE: Section 5.23 of the Local Government Act 1995 states:

“(1) Subject to subsection (2), the following are to be open to members of the public —

(a) all council meetings; and

(b) all meetings of any committee to which a local government power or duty has been delegated.

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

(f) a matter that if disclosed, could be reasonably expected to —

(i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;

201112/456 Council Decision**Moved: Cr J M Gillingham****Seconded: Cr D W Hooper**

That the meeting be closed to members of the public as prescribed in Section 5.23 (2)(f)(i) of the Local Government Act 1995, to enable Council to consider the following Item:

- 1. 'Confidential - Esplanade Hotel Car Parking (File no. 120880G)'**

CARRIED 5/0

7:18pm Deputy Mayor advised the meeting is closed to members of the public.

12.2 Confidential - Esplanade Hotel Car Parking (File No. 120880G)

201112/457 Council Decision

Moved: Cr A A Carter Seconded: Cr J M Gillingham

That Council:

- (a) Requests Officers to proceed in accordance with the principles set out in the confidential report under the heading 'Recommendation for Continued Mediation'.**
- (b) Delegates to the Director Planning and Development the power to instruct the Council's lawyers in relation to all current review applications in the State Administrative Tribunal concerning the Esplanade Hotel, including the power to settle those review applications, generally in accordance with the principles set out in the report under the heading 'Recommendation for Continued Mediation'.**
- (c) If no resolution regarding the number of car parking bays can be resolved during mediation, the number be referred back to Council for finalisation.**

CARRIED 4/1

REASON: Council added point c as it would like to remain involved in this process if no resolution can be achieved during the mediation process.

Recording of Vote:

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

201112/458 Council Decision

Moved: Cr S R Martin Seconded: Cr J M Gillingham

That the Meeting be opened to members of the public.

CARRIED 5/0

7:26pm Deputy Mayor advised that the meeting is now open to members of the public.

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil

ITEM 14 CONFIDENTIAL ITEMS

Nil

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 23 May 2012, commencing at 5.30pm.

16.2 Closure

There being no further business, the Deputy Mayor declared the meeting closed at 7:27pm.

Declaration of Confirmation of Minutes

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

CONFIRMATION:

MAYOR

DATE