



TOWN OF PORT HEDLAND

MINUTES ORDINARY COUNCIL MEETING

**WEDNESDAY 27 AUGUST 2014 AT
5:30PM**

**COUNCIL CHAMBERS, MCGREGOR
STREET, PORT HEDLAND**

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Town of Port Hedland for any act, omission, statement or intimation occurring during Council Meetings. The Town of Port Hedland disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, and statement of intimation occurring during Council Meetings.

Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in a Council Meeting does so at their own risk. The Town of Port Hedland advises that any person or legal entity should only rely on formal confirmation or notification of Council resolutions.

**“A nationally significant, friendly city, where
people want to live and are proud to call home”**

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

ITEM 1	OPENING OF MEETING	5
ITEM 2	RECORDING OF ATTENDANCE AND APOLOGIES	5
2.1	Attendance	5
2.2	Apologies	5
2.3	Approved Leave of Absence	5
ITEM 3	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	5
3.1	Questions from Public at Ordinary Council Meeting held on Wednesday 23 July 2014	5
3.2	Questions from Elected Members at Ordinary Council Meeting held on Wednesday 23 July 2014	5
3.2.1	Councillor Gillingham.....	6
3.3	Questions from Public at Special Council Meeting held on Wednesday 30 July 2014	6
3.3.1	Patricia Mason.....	6
3.4	Questions from Elected Members at Special Council Meeting held on Wednesday 30 July 2014	6
ITEM 4	PUBLIC TIME	7
4.1	Public Question Time.....	7
4.2	Public Statement Time.....	7
ITEM 5	QUESTIONS FROM MEMBERS WITHOUT NOTICE	7
5.1	Councillor Taylor	7
ITEM 6	DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING	8
ITEM 7	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	8
7.1	Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 23 July 2014	8
7.2	Confirmation of Minutes of Special Meeting of Council held on Wednesday 30 July 2014	8
ITEM 8	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	8
ITEM 9	REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION	11
9.1	Councillor Daccache	11
9.2	Councillor Gillingham.....	11
9.3	Councillor Hunt.....	11
9.4	Councillor Taylor	12
9.5	Councillor Butson	14
ITEM 10	PETITIONS/ DEPUTATIONS/ PRESENTATIONS/ SUBMISSIONS	14
10.1	Councillor Gillingham - WALGA Honours Award	14
10.2	Joseph Moore – handover of Town of Port Hedland original Silver Tea Set	14

10.3	Town of Port Hedland Rates Incentive Draw	14
ITEM 11	REPORTS OF OFFICERS	15
11.1	Planning and Development Services	15
11.1.1	Proposed Road Dedication - Great Northern Highway Realignment Project ..	15
11.1.2	Proposed Local Development Plans for Lot 330 Hamilton Road, South Hedland	22
11.1.3	Proposed Initiation of Scheme Amendment No. 72 to the Town of Port Hedland Town Planning Scheme No.5.....	35
11.1.4	Proposed Initiation of Scheme Amendment No. 73 to the Town of Port Hedland Town Planning Scheme No. 5.....	40
11.1.5	Delegated Planning, Building & Environmental Health Approvals and Orders for July 2014	45
11.1.6	Review of Time Limited Parking Arrangements – Port Hedland CBD.....	56
11.1.7	Trading in Public Places – Additional Vendor.....	59
11.1.8	Request for Commitment to Funding for the Spoilbank Marina Precinct Development.....	61
11.2	Engineering Services.....	71
11.3	Community Development	72
11.3.1	Port Hedland Waterfront Place Plan – Consideration of Public Submissions and Adoption of Plan.....	72
11.4	Corporate Services.....	77
11.4.1	Financial Report to the Council for the Period Ended 30 June 2014	77
11.4.2	Request to Lease - Play and Learn WA Pty Ltd	80
11.4.3	Request to Lease - Nextgen Networks Pty Limited	84
11.4.4	Strategic Community Plan – Two-Yearly Desktop Review	90
11.4.5	Making of Town of Port Hedland Standing Orders Local Law 2014.....	94
11.4.6	Occupational Health and Safety Policy	101
11.5	Office of the CEO	104
ITEM 12	LATE ITEMS AS PERMITTED BY PRESIDING MEMBER/ COUNCIL.....	105
12.1	Marina Waterfront Development Reference Group.....	105
ITEM 13	REPORTS OF COMMITTEES	108
ITEM 14	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	108
ITEM 15	CONFIDENTIAL ITEMS.....	108
15.1	Earthcare Pty Ltd Contract Settlement	108
ITEM 16	APPLICATIONS FOR LEAVE OF ABSENCE	109
ITEM 17	CLOSURE.....	110
17.1	Date of Next Meeting.....	110
17.2	Closure.....	110

ITEM 1 OPENING OF MEETING

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*

Deputy Mayor Gloria Jacob
Councillor George Daccache
Councillor Jan Gillingham
Councillor Julie Hunt
Councillor Penny Taylor
Councillor Lorraine Butson

Officers

Mal Osborne	Chief Executive Officer
Clare Phelan	Director Corporate Services
Russell Dyer	Director Engineering Services
Eber Butron	Director Planning & Development
Eddie Piper	Acting Director Community Development
Brett Reiss	Program Director Airport Redevelopment
Grace Waugh	Minute Taker/ Governance Officer

Town of Port Hedland Officers	6
Media	1

2.2 Apologies

Nil

2.3 Approved Leave of Absence

Mayor Kelly Howlett
Councillor David Hooper
Councillor Troy Melville

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 23 July 2014**

Nil

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 23 July 2014

3.2.1 Councillor Gillingham

Will any other signs on Wallwork Road Bridge be installed? The current signs advise drivers that one needs to be in the left lane to turn left and in the right lane to turn right and do not give people enough notice to change lanes.

Director Engineering advised that clarification has been sought from Main Roads WA who have confirmed that no more sign will be installed on Wallwork Road. Main Roads WA also advised that vehicles cannot legally turn right at a roundabout while on the left lane. There is a roundabout sign indicating turning movements and providing over 200 metres advance notice to the driver.

Furthermore, there are two additional signs of 'Left Turn Must Turn Left' providing sufficient warnings specifying that left lane can only turn left. If the driver does not notice any of these signs, that would be a total of nine seconds of travel time without attention to road signs and line marking at 80 km/h.

3.3 Questions from Public at Special Council Meeting held on Wednesday 30 July 2014

3.3.1 Patricia Mason

We have a map for the Old Port Hedland Cemetery that show areas that have lines through them; what does this mean, so I can inform the Elders?

Manager Infrastructure Development advised that the plan Ms Mason is referring to is the original burial register. The plan indicates the different religious denominations and cultures. The plan was shown to various persons at the consultation held on Thursday 7 August. Although the plan was historically correct showing the various denomination set outs for the cemetery the areas shown as hatched was a copy of a working drawing and did not form any purpose of historical value. The original archaeologist also present at the consultation could not find any connection of the plans hatched areas with anything developed through their consultation and reports.

I would like to ensure that the people that were originally involved in process of the old Port Hedland Cemetery project be involved in the next steps of the project.

Manager Infrastructure Development advised that has been a significant amount of stakeholder engagement throughout this project. This is continuing with the first workshop of this stage on 7 August 2014. A register of participants involved in this project from the beginning has been kept updated to ensure all involved have been invited along to any other consultations. The most recent consultation included telephoning people, emailing and also picking up people to ensure they were given a fair opportunity to attend. Where persons do not reside in the Town information will be sent out to them regarding any outcomes.

3.4 Questions from Elected Members at Special Council Meeting held on Wednesday 30 July 2014

Nil

ITEM 4 PUBLIC TIME

Important note:

'This meeting is being recorded on audio tape as an additional record of the meeting and to assist with minute-taking purposes which may be released upon request to third parties. If you do not give permission for recording your participation please indicate this at the meeting. The public is also reminded that in accordance with Section 20.3 of the Town of Port Hedland Local Law on Standing Orders nobody shall use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by the presiding member to do so.'

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

4.1 Public Question Time

Nil

Deputy Mayor closed Public Question Time at 5:33pm.

Deputy Mayor opened Public Statement Time at 5:34pm.

4.2 Public Statement Time

Nil

Deputy Mayor closed Public Statement Time at 5:34pm.

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

The Multi-Agency Taskforce Children at Risk/Youth on the Streets has been meeting for some time, can an update on the outcomes and actions from the meetings be provided?

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

Can the Town write a submission to the Public Administration Committee Patient Assisted Travel Scheme (PATS) enquiry meeting on Monday 8 September 2014 outlining the importance of the scheme for the community? It is a critical service for Port Hedland.

Chief Executive Officer advised that a letter will be submitted.

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

Deputy Mayor Jacob	Councillor Hunt
Councillor Daccache	Councillor Taylor
Councillor Gillingham	Councillor Butson

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 23 July 2014

201415/019 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR BUTSON

That Council confirm that the Minutes of the Ordinary Meeting of Council held on Wednesday 23 July 2014 are a true and correct record.

CARRIED 6/0

7.2 Confirmation of Minutes of Special Meeting of Council held on Wednesday 30 July 2014

201415/020 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR GILLINGHAM

That Council confirm that the Minutes of the Special Meeting of Council held on Wednesday 30 July 2014 are a true and correct record.

CARRIED 6/0

ITEM 8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Mayor Activity Report for the July/August 2014 period to date is as follows:

July 2014

Wednesday 9th July

- Elected Member & Executive Meetings

Thursday, 10th July

- Attended 2014 Mining The Pilbara Conference
- Speech At 2014 Mining The Pilbara Conference
- Attended NAIDOC Week Karlarra House Open Day Event
- Meeting With Creating Communities (Andrew Watt)
- Attended The Unveiling South Hedland Liquor Solar Power Project

Friday, 11th July

- Meeting McDonalds South Hedland (Luke Jessop)
- Attended Wirraka Maya NAIDOC Celebration Family Fun Day
- Assisted Presenting Cheque To Hedland Women's Refuge From Charity Masquerade Ball
- Meeting With Finbarr (John Bell)

Saturday, 12th July

- Chair TOPH Friends Of South Hedland Cemetery Meeting
- NAIDOC Award Presentation – 2014 Artist Of The Year To Ann Sibasado At Spinifex Hill Artists Studio

Sunday, 13th July

- Attended & Presented Awards Boodarie Bowling Carnival – Farewell Dinner

Monday, 14th July

- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Meeting With CEO & Cr Gillingham
- Meeting With TransAlta Australia
- Meeting With Local Resident Pulido Francisco

Tuesday, 15th July

- Weekly Chat Spirit Radio (1026am)
- Attended HACC House Birthday Celebration Morning Tea
- Meeting With ANZ Bank Manager Charlene Peters & YIC Re: Youth Enterprise Opportunities
- Weekly TOPH/North West Telegraph Catch Up
- Attended YIC General Board Meeting

Wednesday, 16th July

- Telephone Meeting Save The Children Youth Services Manager Paul Kah-Nutt Kununurra
- Attended TOPH CEO Recruitment Working Group Meeting
- Elected Member & Executive Meetings
- Chair Public Agenda Briefing Session

Thursday, 17th July

- Interview With ABC NW Radio (603am) Re: Upcoming Port Hedland Marina Community Conversations Event
- Meeting Department Sport & Recreation Re: KidSport
- Attended Opening North Western Australia Airport Forum

Friday, 18th July

- Chair TOPH Multi Agency Taskforce Children At Risk/Youth On The Streets

Saturday, 19th July

- Attended & Speech Port Hedland Marina Community Conversations Event
- Attended FMG NAIDOC Ball Fundraising For YIC

Monday, 21st July

- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Interview With ABC NW Radio (603am) Re: Saturday's Port Hedland Marina Community Conversations Event
- Attended TOPH Local Housing Steering Group Meeting
- Attended Rose Nowers Early Learning Centre Board Meeting

Tuesday, 22nd July

- Weekly Chat Spirit Radio (1026am)
- Telephone Meeting The West's Kate Emery Re: Saturday's Port Hedland Marina Community Conversations Event
- Attended TOPH South Hedland CBD Forum
- Weekly TOPH/North West Telegraph Catch Up

Wednesday, 23rd July

- Attended PHCCI/SHBA Business Breakfast Event
- Meeting With Department Of Housing Re: Opportunities For Community Gardens In South Hedland
- Visited The New Sonic Health Plus Clinic Hedditch St, South Hedland
- Attended The Great Northern Highway Re-Alignment Official Opening
- Attended Meeting With TOPH Council/Executive & Hon Warren Truss and Hon Melissa Price
- Elected Member & Executive Meetings
- Chair OCM – July
- Attended Osprey Key Worker Village Residents Meeting

Thursday, 24th July

- Interview With ABC NW Radio (603am) Re: OCM July
- Meeting With PHCCI President & EO
- Meeting With Local Resident Kim Gentle
- Attended Official Opening Of Osprey Key Worker Village

Friday, 25th July

- Attended & Speech At Cedarwoods Pty Ltd Official Opening Of Elements Development South Hedland
- Meeting With Full Board Cedarwoods Pty Ltd
- Official Opening Of 2014 Spinifex Spree Carnival

Saturday, 26th July

- Attended 2014 Spinifex Spree Carnival

Monday, 28th July

- Attended A Briefing By @Leisure Re: Infrastructure Study
- Attended Meeting KPMG & Rose Nowers Early Learning Centre Board

Tuesday, 29th July

- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Weekly Chat Spirit Radio (1026am)

Wednesday, 30th July

- Elected Member & Executive Meetings

- Attended Telephone Meeting Pilbara JDAP
- Attended Community Conversations Wedgefield Event

Thursday, 31st July

- Meeting Port Hedland After School Care (Danielle Baker)
- Attended Hedland Women Of Influence Luncheon
- Officiated Australian Citizenship Ceremony
- Attended Esplanade Hotel Exclusive Menu Tasting Event

August 2014

Tuesday, 5th August

- Weekly Chat Spirit Radio (1026am)
- Site Visit Hillarys Marina & Boat Harbour
- Attended City Of Stirling OCM

Wednesday, 6th August

- Attended PRC Meeting
- Attended Departmental Dialogues & Ministerial Panel Luncheon Event
- Attended The WALGA Honours Awards Luncheon Event
- Attended WALGA AGM & Honours Awards Presentation
- Attended WALGA Convention Opening Sundowner

Deputy Mayor attended the WA Local Government Association Convention in Perth in the first week of August. She also attended the PDC meeting in Perth and also attended a best practice for elected members workshop referring to the guide on planning delegations on development applications.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 Councillor Daccache

Councillor Daccache attended the WALGA convention in Perth in August which was great.

9.2 Councillor Gillingham

Councillor Gillingham attended the WA Local Government Association Convention in Perth where she met other Councillors who experience the same issues as Port Hedland. She also attended the Esplanade Hotel Sundowner Event and the North West Festival over the weekend and would like to congratulate everyone involved in organising the event.

9.3 Councillor Hunt

Councillor Hunt attended the North West Festival which was amazing. She also attended the Airport Real Estate Conference in Perth while other Elected Members attended the WA Local Government Association Convention. It was interesting to see Port Hedland's potential in real estate.

9.4 Councillor Taylor

Councillor Taylor commended staff and Elected Members as she has seen how other local governments operate and in comparison the Town of Port Hedland is very welcoming and professional.

Councillor Taylor read out the following statement.

It is with some regret that I offer my resignation as a Councillor with the Town of Port Hedland at the end of tonight's meeting. I apologise to the Town for not serving my full term but circumstances have prevented me from fulfilling my duties.

In my short time on Council I have worked hard to bring professionalism and diligence to the role and I have learnt so much, which I am thankful for. It's the people that make Port Hedland great. I am so grateful for the opportunity to represent the people of Port Hedland.

Council represents a partnership between the organisation that is the local government and the leadership board elected by the community.

Leadership by Elected Members requires foresight and action. The loss of the Gratwick Community Hall and the Pretty Pool creek intertidal zone to urban development during my tenure has been disappointing. The council resolution to preserve Gratwick Aquatic Centre for the future allows the Town to align its finances and operations with the directives from Council. Failing to provide proactive leadership at a Council level does not serve the Town organisation well as officers look to Council for direction and leadership as they work to serve the community.

I have seen in the last two years a significant improvement in the operations and management by the Town. The appointment of Mal Osborne as Chief Executive Officer (CEO) has assisted in this. Prior to his commencement, the CEO position was a revolving door, there was large scale project mismanagement and rates were increasing at over 15% per annum. Since Mal Osborne commenced, there has been stability in leadership, improved accountability and transparency and rates rises have finally come close to 5%.

Being elected to Council is an amazing privilege. Our community have chosen us to represent them. We should take that privilege seriously and use our seat at this table to communicate, deliberate and work together to make the best decisions for our town. The team commitments all Elected Members and Executive agreed to were the following:

1. Abiding by our agreed values – unity, integrity and quality;
2. Identifying "above the line" and "below the line" behaviours;
3. Providing courageous, accountable and honest leadership;
4. Doing the right things in the right way;
5. Working as a unified, proactive, dynamic team (Elected Members and Staff);
6. Better communication with the community and listening; and
7. Showing pride in our Town of Port Hedland achievements and supporting our team.

Can Elected Members continue this commitment to excellence, respect, courage, accountability and communication for the remainder of your term of office? The community needs you to if we are to have the best outcomes at Council.

As I have said, it's people that make Hedland great. Port Hedland has the opportunity to lead the state in reconciliation and improved community outcomes. It won't happen unless we make it happen. This is something the Town of Port Hedland with the community can do. Not by words or by meetings but by actions – that involve real, hurting, needy people.

The buildings and infrastructure aren't what will make the changes that are required. It will take hard work by people and a fair degree of love. A love that says "I love you too much to not have you going to school". A love that says "whatever the wrongs of the past, we must take action against the wrongs we are seeing today". A love that says "this is not ok, let's work together to make it right".

Much of our community is broken. Sit at the shops in South Hedland on a Thursday night and tell me it's not. The prevalence of young children on the street demonstrates the lack of safety and care in the home and shows the generational problems in progress. Foetal alcohol syndrome, dysfunction, crime, hopelessness - are these words we want used about our community?

Let's make tackling this our next "major project". It will be an investment that pays us back 10-fold in great families, protected children, strong culture and community and less jail. Countless research shows that people focused programs work.

The contribution of Port Hedland to the State of Western Australia can be more than iron ore shipment statistics, our contribution can be a legacy of improved community outcomes. Community leaders from across the State can come here to work with our people to learn how lives are being changed and hope is being restored. The most vulnerable in our community will not be forgotten, they will assist Hedland in developing the diversification that it so desperately needs as they are supported and nurtured to be confident, contributing members of our community.

And if we're visioning major projects that will make a difference it is education, health and community safety that are raised again and again. Let's not get distracted by state funding and big buildings, let's focus on what our community needs and will make a difference in the lives of individuals today.

It has been an honour to be an Elected Member at the Town of Port Hedland. I thank staff and fellow Elected Members for your support and wish you well in your challenging and rewarding tasks ahead. While in Perth I will continue to advocate for the Pilbara region and be somewhat of an Ambassador for the Town of Port Hedland - I've even got the hat for it.

Whether in elected office or not, I will continue to work for the betterment of our community and the world in which we live.

Deputy Mayor advised that the Town will formally thank Councillor Taylor for her contribution to the community. Deputy Mayor thanked Councillor Taylor for her service and wished her family all the best in the future. The Town looks forward to Councillor Taylor being an ambassador for the Town.

Chief Executive Officer thanked Councillor Taylor for her input while on Council and wished her family good health in the future.

9.5 Councillor Butson

Councillor Butson attended the Alinta mine site tour and the dinner. She also attended the Esplanade Hotel Sundowner Event and the North West Festival weekend.

ITEM 10 PETITIONS/ DEPUTATIONS/ PRESENTATIONS/ SUBMISSIONS

10.1 Councillor Gillingham - WALGA Honours Award

Deputy Mayor Jacob re-presented the WALGA Honours Award to Councillor Gillingham for her nine years of service to the local government.

10.2 Joseph Moore – handover of Town of Port Hedland original Silver Tea Set

Deputy Mayor Jacob advised that Joseph Moore's great-granddaughter, Roz Sutton, and her husband, Peter Sutton, presented the Town of Port Hedland original Silver Tea Set that was given to Joseph Moore.

10.3 Town of Port Hedland Rates Incentive Draw

The following names were drawn by Elected Members:

1. Graham and Anna Slater
2. Shail Gupta
3. Jason Karey
4. Raewyn Chadwick
5. Karen Thompson

In the event any of the above people are ineligible the below names were drawn

6. Stephen and Leonie Humphries
7. Vojko Tolj
8. Nicholas Moulden
9. Vojko Tolj
10. Lesley Pett

Disclaimer

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

ITEM 11 REPORTS OF OFFICERS**11.1 Planning and Development Services****11.1.1 Proposed Road Dedication - Great Northern Highway Realignment Project**

Katherine Press, Lands and Technical Officer
File No. 18/07/0019

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/021 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR GILLINGHAM

That Council:

- 1. Dedicate the land subject of Main Roads Drawings: 1060-077-4, 1060-078-3 and 1060-079-2 (Attachment 2) to road, under Section 56 of the Land Administration Act 1997, subject to:**
 - a) A statutory declaration being received from Main Roads of WA indemnifying the Town of Port Hedland against all associated costs and charges relating to the road dedications and against any claim for compensation that may arise;**
- 2. Request the Chief Executive Officer, or his delegate(s), to request the Minister of Lands to dedicate the land as road, as depicted on Main Roads Drawings: 1060-077-4, 1060-078-3 and 1060-079-2 (Attachment 2) to road, under Section 56 of the Land Administration Act 1997.**

CARRIED 6/0

EXECUTIVE SUMMARY

As part of the Great Northern Highway Realignment Project, Main Roads Western Australia (MRWA) has requested Council dedicated land as road reserve for the new Great Northern Highway realignment project.

The request is supported by the Town's officers and Council is requested to approve the request.

DETAILED REPORT

Great Northern Highway is a major regional express route linking the regions of the Pilbara and Kimberley to Perth. In these areas, the key industries of mining, pastoral stations and tourism are all dependent on the Great Northern highway.

The Great Northern Highway realignment is an important upgrade for the Town of Port Hedland. It will reduce traffic conflict in the area and improve the traffic flow, particularly for heavy vehicles.

Attached are plans outlining the road works relating to the Great Northern Highway realignment project. MRWA requires the land hatched on drawings 1060-077-4, 1060-078-3 and 1060-079-2 to be acquired and dedicated as road reserve. Please refer to Attachment 2 – MRWA Drawings.

The Great Northern Highway realignment project includes the construction of the following connection roads:

- Access to Wedgefield industrial area via a new connection to Pinga Street north;
- Access to the port's proposed area of development to the north of Wedgefield;
- Access to Landcorp's proposed area of development to the east of Wedgefield;
- New intersection with Utah Road to provide access to the western port area.

Where the Utah Road overpass bridge crosses the BHP Billiton railway, the road is to be dedicated and limited in depth to the underside of the bridge (drawing 1060-077-4). The land beneath the bridge will not be dedicated as road will remain within BHP's special rail lease.

Where the Wallwork Road Bridge crosses BHP's special rail lease, the dedicated road is to be limited in depth to the underside of the bridge, with the exception of the centre pier supporting the bridge which will be included in the dedicated road.

MRWA has liaised with affected land and interest holders and obtained consent to the construction of the road over their respective land parcels.

FINANCIAL IMPLICATIONS

MRWA has advised that they indemnify the Town of Port Hedland and Minister of Lands against all associated costs and charges relating to the Great Northern Highway road dedications, in accordance with *Section 56(4) of the Land Administration Act 1997*.

MRWA also indemnifies the Town against any claim for compensation that may arise as a result of the road dedications.

Main Roads WA has constructed the new connection to Pinga Street North, this road will become a local road and all costs associated with the care, control and management of the road will be the Towns responsibility.

STATUTORY AND POLICY IMPLICATIONS

To enable the land to be dedicated as road reserve it is a requirement under the *Land Administration Act 1997* that the Local Authority consent be obtained for the dedication of roads.

An extensive review of all options available for the dedication of the roads was carried out by MRWA and the Department of Lands. It was agreed the most efficient method of road dedication under Main Roads WA control was under *Section 56 of the Land Administration Act 1997*. This method requires the Local Government to request the Minister of Lands to dedicate the road.

Strategic Community Plan

6.2.2 Gateway City & an attractive destination

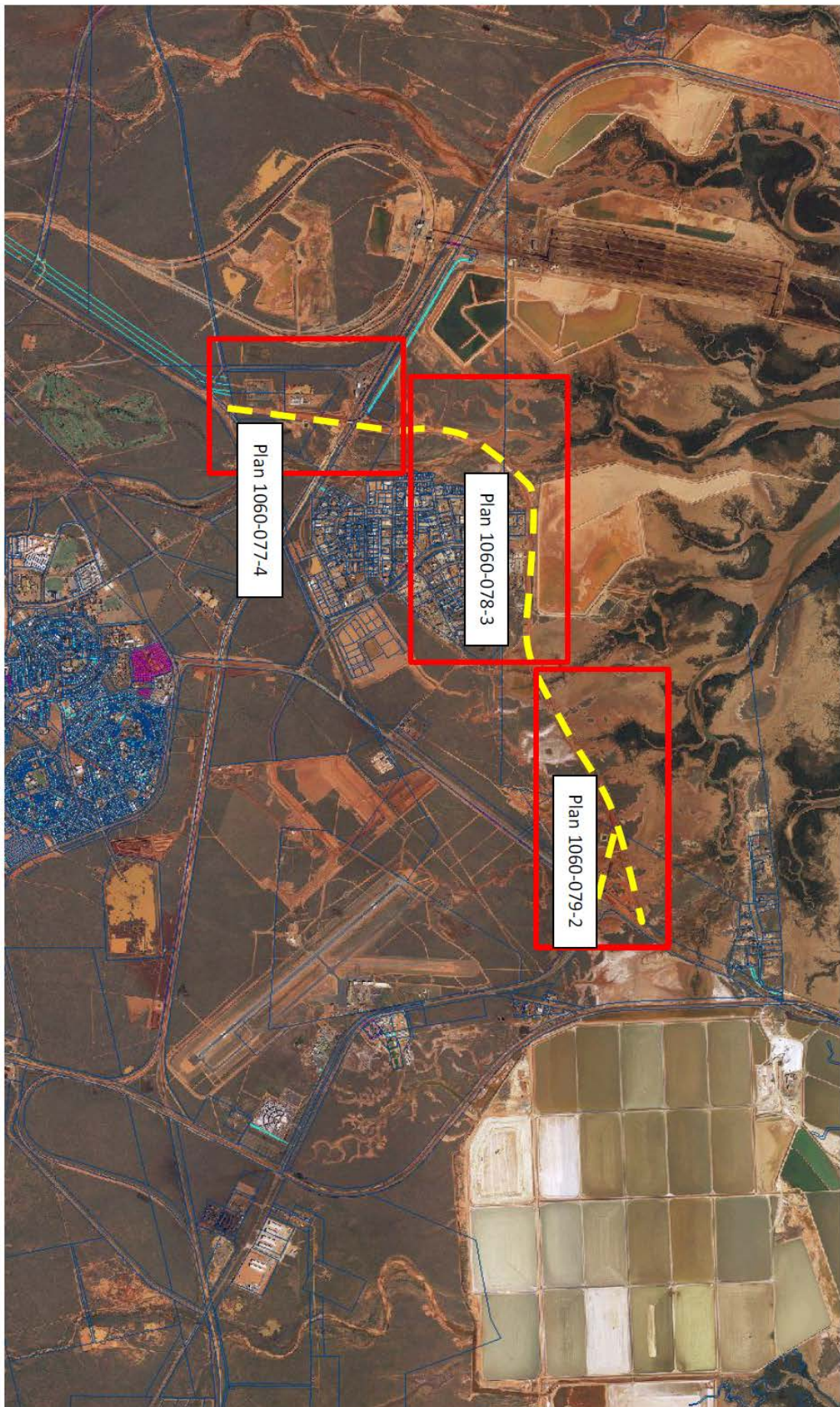
Develop Port Hedland's sea, air and road transport infrastructure so that it becomes the main access hub for the Pilbara.

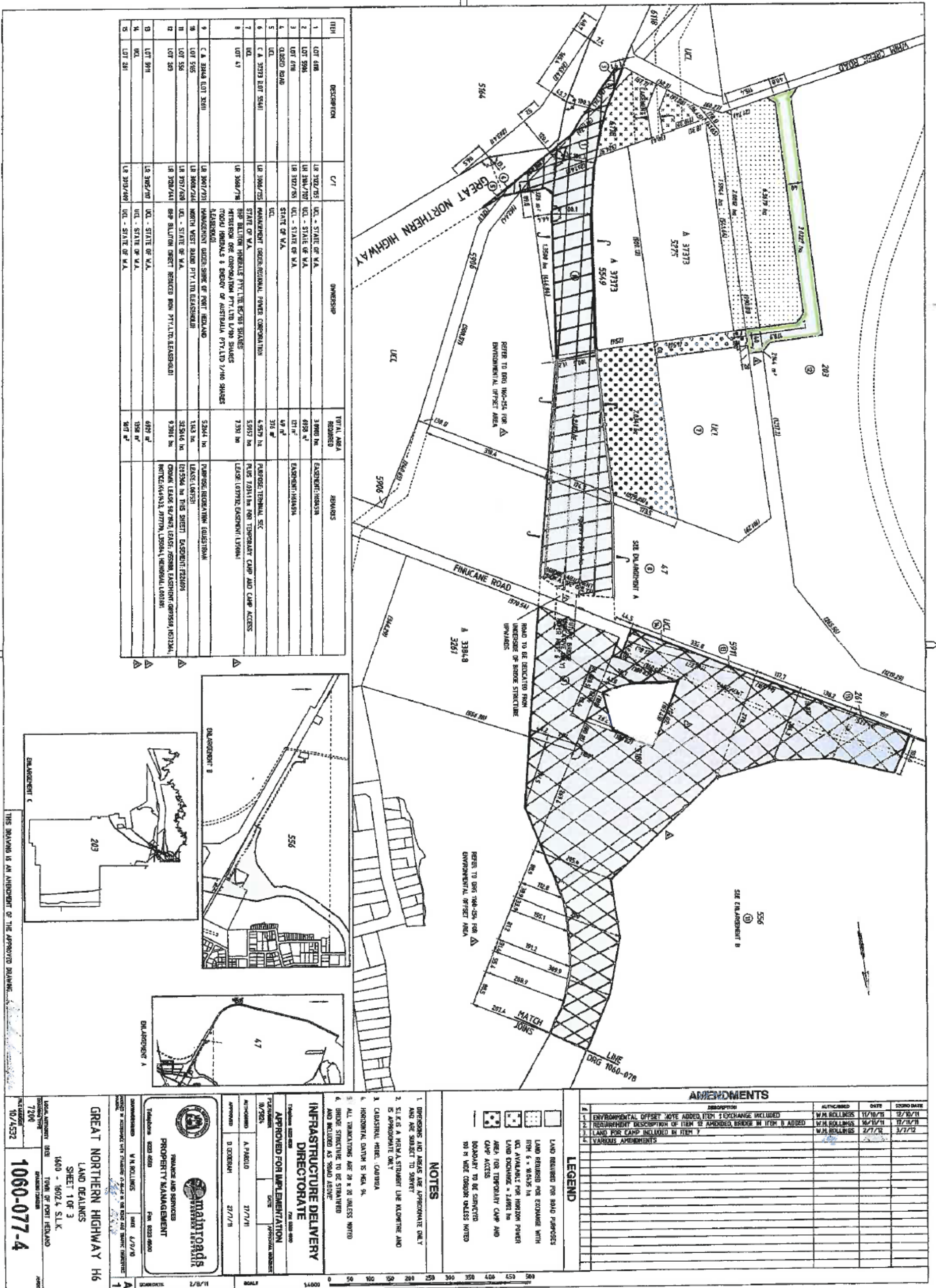
ATTACHMENTS

1. Locality
2. MRWA Drawings.

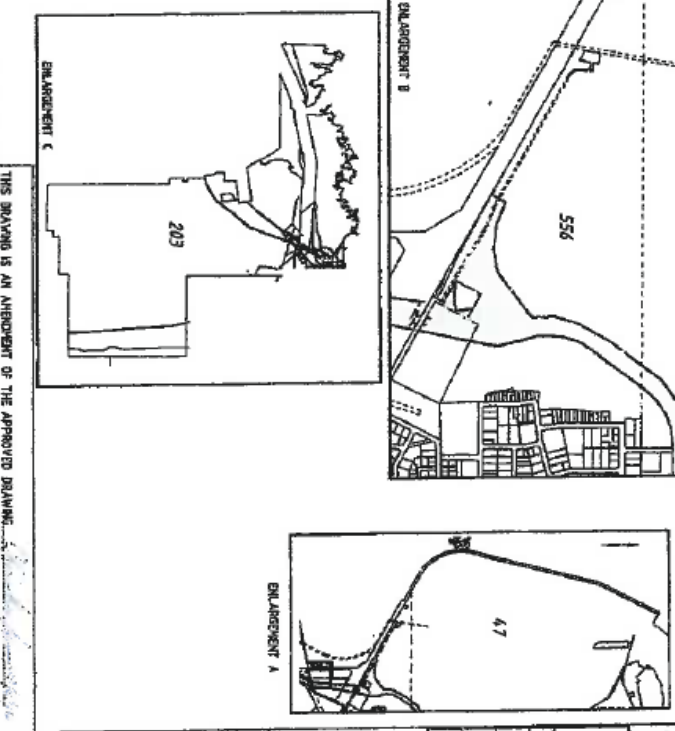
3 July 2014

ATTACHMENT 1 TO ITEM 11.1.1





ITEM	DESCRIPTION	C/I	OWNERSHIP	TOTAL AREA REQUIRED	REMARKS
1	LOT 418	UR 302/75	UCL - STATE OF W.A.	3880 m ²	EASEMENT: HIGHWAY
2	LOT 508	UR 304/70	UCL - STATE OF W.A.	6120 m ²	EASEMENT: HIGHWAY
3	LOT 618	UR 302/75	UCL - STATE OF W.A.	171 m ²	EASEMENT: HIGHWAY
4	UNDEVELOPED ROAD		STATE OF W.A.	47 m ²	
5	UCL		UCL	371 m ²	
6	C.A. 30733 LOT 3041	UR 306/75	MANAGEMENT REGIONAL POWER CORPORATION	4,579 m ²	ROADS: TERMINAL, SEC
7	UCL		STATE OF W.A.	5,057 m ²	RUE 70311m FOR TEMPORARY CAMP AND CAMP ACCESS
8	LOT 47	UR 306/75	RRP BILLION HERALS PTY LTD (S/700 SHARES) MITSUBISHI ORE CORPORATION PTY LTD (1/90 SHARES) TOSHI HERALS & ENERGY OF AUSTRALIA PTY LTD (1/90 SHARES) (LEASER/LEASEE)	7,359 m ²	LEASE (TEMPER. EASTERN LYSKAM)
9	C.A. 3044 LOT 3041	UR 306/75	MANAGEMENT REGIONAL POWER CORPORATION	5,344 m ²	PURPOSE: RECREATION (EQUESTRIAN)
10	LOT 516	UR 306/75	MORRIS WEST BLDG PTY LTD (LEASEHOLD)	143 m ²	LEASE (L/10/25)
11	LOT 556	UR 307/69	UCL - STATE OF W.A.	31,514 m ²	LEASE: 10/25/09
12	LOT 249	UR 308/41	RRP BILLION HERALS PTY LTD (S/700 SHARES) (LEASER/LEASEE)	9,201 m ²	LEASE: 10/25/09
13	LOT 891	UR 308/70	UCL - STATE OF W.A.	4,977 m ²	LEASE: 10/25/09
14	UCL		UCL - STATE OF W.A.	158 m ²	
15	LOT 241	UR 307/49	UCL - STATE OF W.A.	817 m ²	



THIS DRAWING IS AN AMENDMENT OF THE APPROVED DRAWING...

mainroads
PROPERTY MANAGEMENT
Telephone: 8333 4000 Fax: 8333 4000

GREAT NORTHERN HIGHWAY H6
LAND DEALINGS
SHEET 1 OF 3
1400 - 1602 & S.L.K.
TOWN OF PORT HEDLAND

7200
10/4/522
1060-077-4

NOTES

- DIVISIONS AND AREAS ARE APPROXIMATE ONLY AND ARE SUBJECT TO SURVEY
- S.L.K.'S A HIGHWAY STRAIGHT LINE MEASURE AND IS APPROXIMATE ONLY
- CADASTRAL WHITE, COURTESIA
- INCORPORATED DATED 15 MAR 94
- ALL DIMENSIONS ARE IN METRES UNLESS NOTED
- BRIDGE STRUCTURE TO BE STRAIGHTENED AND INCLUDE AS SHOWN ABOVE

INFRASTRUCTURE DELIVERY DIRECTORATE
APPROVED FOR IMPLEMENTATION

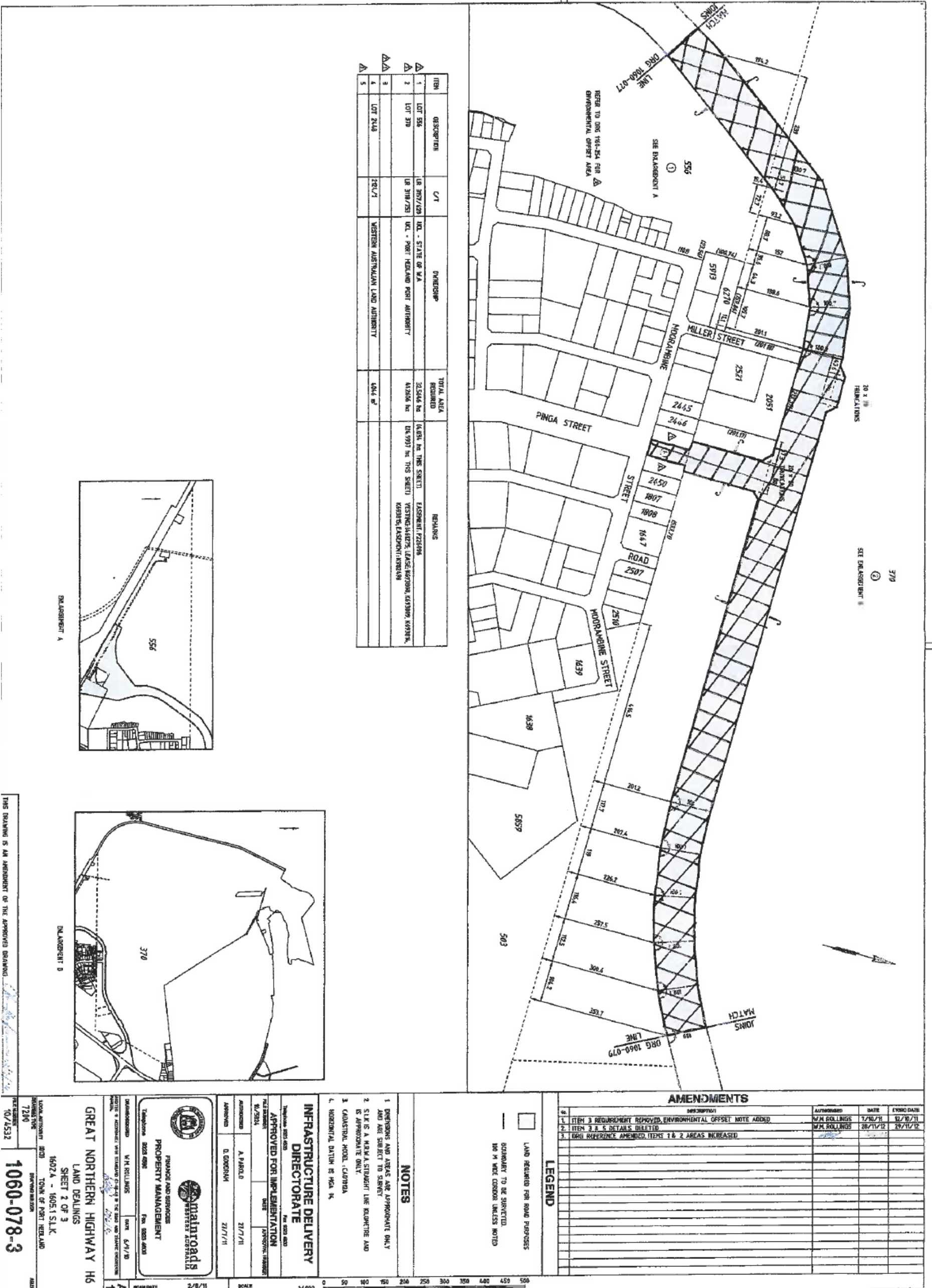
APPROVED: A. FAYLID 27/7/11
APPROVED: D. O'DRISCOLL 27/7/11

AMENDMENTS

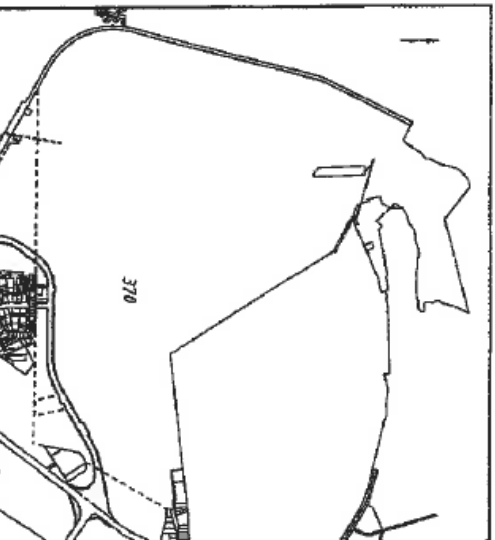
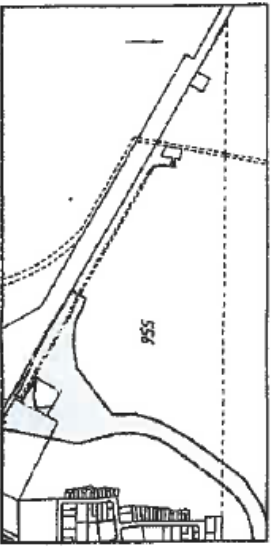
NO.	DESCRIPTION	AUTHORISED	DATE	ENDORSE DATE
1	ENVIRONMENTAL OFFSET NOTE ADDED, ITEM 1 EXCHANGE INCLUDED	W.M. ROLLINGS	11/10/11	12/10/11
2	REQUIREMENT DESCRIPTION OF ITEM 10 AMENDED, BRIDGE IN ITEM B ADDED	W.M. ROLLINGS	16/11/11	17/11/11
3	LAND FOR CAMP INCLUDED IN ITEM 7	W.M. ROLLINGS	2/1/12	3/1/12
4	VARIOUS AMENDMENTS			

LEGEND

- LAND REQUIRED FOR ROAD PURPOSES
- LAND REQUIRED FOR EXCHANGE WITH ITEM 5 - 9/6/09 1m
- UCL AVAILABLE FOR HIGHWAY POWER
- LAND EXCHANGE - 1/1/09 1m
- AREA FOR TEMPORARY CAMP AND CAMP ACCESS
- BOUNDARY TO BE SURVEYED
- BY 31 WIRE CORNER UNLESS NOTED



ITEM	DESCRIPTION	CT	DIMENSIONS	TOTAL AREA REQUIRED	REMARKS
1	LOT 556	UR 395/428	IND. - STATE OF N.Z.	32546 m ²	(4.8% IN THIS STREET) EASTERN PORTION
2	LOT 370	UR 318/753	IND. - PORT HEDLAND PORT AUTHORITY	41306 m ²	(14.9% IN THIS STREET) WESTERN PORTION, LANEWAY, EASTERN PORTION, KOSCIUSKO, EASTERN PORTION
3	LOT 2448	28/4/1	WESTERN AUSTRALIAN LAND AUTHORITY	4464 m ²	



NO.	DESCRIPTION	AUTHORISED	DATE	CYBER DATE
1	ITEM 3 REQUIREMENT REMOVED, ENVIRONMENTAL OFFSET NOTE ADDED	M.M. ROLLINGS	17/10/11	12/10/11
2	ITEM 3 & 5 DETAILS DELETED	M.M. ROLLINGS	26/11/12	29/11/12
3	DRG REFERENCE AMENDED ITEMS 1 & 2 AREAS INCREASED			

LEGEND

□ LAND REQUIRED FOR ROAD PURPOSES
 □ ROADWAY TO BE SURFACED
 □ NOT TO BE CONSIDERED UNLESS NOTED

NOTES

- DIMENSIONS AND AREAS ARE APPROXIMATE ONLY AND ARE SUBJECT TO SURVEY
- S.L.K.'S A NEW, STRAIGHT LINE ROUTE AND IS APPROXIMATE ONLY
- COASTAL HOOD, CALIBRA
- NORIENTAL DALLIN IS NEA 14

INFRASTRUCTURE DELIVERY DIRECTORATE

APPROVED FOR IMPLEMENTATION

DATE: 21/7/11

APPROVED: D. GOODMAN

mainroads
 PROPERTY MANAGEMENT

Telephone: 8023 4892 Fax: 8023 4893

MANAGED BY: M.M. ROLLINGS DATE: 14/9/10

GREAT NORTHERN HIGHWAY H6

LAND DEALINGS

SHEET 2 OF 3

1602A - 16051 SLX

TOWN OF PORT HEDLAND

1060-078-3

THIS DRAWING IS AN AMENDMENT OF THE APPROVED DRAWING

11.1.2 Proposed Local Development Plans for Lot 330 Hamilton Road, South Hedland

Ryan Del Casale, Strategic Planning Officer
File No. 18/08/0006

DISCLOSURE OF INTEREST BY OFFICER

Nil

RECOMMENDATION

That Council:

1. Request the applicant to modify the Local Development Plan for Lot Type A to include provisions for the R20 lots abutting the rear laneways to require passive surveillance over the rear laneway;
2. Require the applicant to modify the provision for car parking and access for both Local Development Plans to read:
 - a. Parking shall be provided as prescribed by the R-Codes, where on street parking is directly abutting a proposed development this car parking may be used to provide visitor car parking;
 - b. Where the landowner makes use of the abutting on street car parking the landowner shall enter into a maintenance / licence agreement with the Town of Port Hedland.
3. Subject to (2) above, approve the initiation of the Local Development Plans for Lot 330 Hamilton Road - Type Lot A and B;
4. Give notice of the Local Development Plans in accordance with section 5.1.4 of the Town Planning Scheme No. 5 as follows:
 - a. Publishes a notice of the proposed Local Development Plan once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving the details of:
 - (a) Where the draft Local Development Plan may be inspected,
 - (b) The subject and nature of the Local Development Plan, and
 - (c) In what form and during what period (being no less than 21 days from the day the notice is published) submissions may be made.
5. Note this matter will be workshopped with all Elected Members at a future concept forum; and
6. Should no objections be received during the advertising process, delegate the Chief Executive Officer, or his delegate(s), to approve the Local Development Plans for 330 Hamilton Road - Type Lot A and B and adopts the Local Development Plan as Local Planning Policy 01/2014.

201415/022 AMENDED RECOMMENDATION/ COUNCIL DECISION**MOVED: CR HUNT****SECONDED: CR GILLINGHAM****That Council:**

- 1. Request the applicant to modify the Local Development Plan for Lot Type A to include provisions for the R20 lots abutting the rear laneways to require passive surveillance over the rear laneway;**
- 2. Require the applicant to modify the provision for car parking and access for both Local Development Plans to read:**
 - a. Parking shall be provided as prescribed by the R-Codes, where on street parking is directly abutting a proposed development this car parking may be used to provide visitor car parking;**
 - b. Where the landowner makes use of the abutting on street car parking the landowner shall enter into a maintenance / licence agreement with the Town of Port Hedland.**
- 3. Subject to (1) and (2) above, approve the initiation of the Local Development Plans for Lot 330 Hamilton Road - Type Lot A and B;**
- 4. Give notice of the Local Development Plans in accordance with section 4.3.3 of the Town Planning Scheme No. 5 as follows;**
 - a. Publishes a notice of the proposed Local Development Plan once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving the details of:**
 - (a) Where the draft Local Development Plan may be inspected,**
 - (b) The subject and nature of the Local Development Plan, and**
 - (c) In what form and during what period (being no less than 14 days from the day the notice is published) submissions may be made.**
- 5. Note this matter will be workshopped with all Elected Members at a future concept forum; and**
- 6. Should no objections be received during the advertising process, delegate the Chief Executive Officer, or his delegate(s), to approve the Local Development Plans for 330 Hamilton Road - Type Lot A and B and adopts the Local Development Plan.**

CARRIED 6/0

EXECUTIVE SUMMARY

An application was received by the Town in March 2014 for a Local Development Plan (LDP) formerly known as a Detailed Area Plan (DAP) over a development area in South Hedland known as the Hamilton Precinct. The purpose of the LDP is to vary the provisions of the R-Codes with respect to setbacks, building height, vehicular access, visitor car parking, stormwater disposal and retaining walls. The LDP was prepared and lodged by the TPG Consultants as part of the detailed planning of the site.

DETAILED REPORT

The Town has received a LDP prepared by TPG Planning Consultants on behalf of Cedar Woods for Lot 330 Hamilton Road, South Hedland. A LDP provides the ability to vary the design control measures under the Residential Design Codes (R-Codes). In terms of the TPS5, a LDP can be required either at the request of the landowner, in accordance with a Development Plan or as part of a subdivision approval condition. In this instance, an LDP is required for the lots coded R80 and R160 as per the endorsed Development Plan over the Hamilton Precinct.

Site Description

The subject site is located on Lot 330 Hamilton Road, South Hedland (Refer to Attachment 2). The site is located at the corner of Hamilton and North Circular Roads. The subject site concerns two parcels of lots within the Hamilton Precinct known as 'four pack lots' (lot types A & B). The site was designed to be developed to create approximately 300 residential lots, capable of supporting 450 residential dwellings in various styles and types.

To facilitate the development of the subject site, the site was rezoned to 'Urban Development'. A Development Plan was prepared over the area, which proposed a range of residential densities from R20, R25, R80 and R160. The proposed R80 sites were intended to be developed to support "Multiple Dwellings" in a 'four pack' arrangement. The Development Plan was approved by the Western Australian Planning Commission (WAPC) in June 2012 and subdivision approval granted in August 2012.

In accordance with the approved Development Plan (refer to Attachment 3), LDPs were required for the sites zoned R80 and R160, and all lots zoned R20 and R25 that address any drainage reserves.

Purpose of LDP

The main purpose of the LDP is to guide the built form of the subject lots within the Hamilton Precinct which propose a "Multiple or Grouped Dwelling" configuration or address public open space and drainage areas. It is intended that the LDP be adopted by the Town as a Local Planning Policy pursuant to the Development Plan and TPS5, which development within the subject lots will then be assessed against.

The aim of the LDP is to achieve a high level of passive surveillance over the public realm, in particular over the Public Open Space (POS) and drainage reserves, ensure the efficient use of land and provide a variety of housing types and built form outcomes which respond to the location of the lots within the Hamilton Precinct. The proposed LDP is intended to;

- Contain four “Multiple Dwellings” on each lot, with two dwellings above and two below;
- Address the Primary Street and POS with primary pedestrian access being from the front and vehicular access from the rear;
- Ensure dwellings are oriented and designed to provide a good level of passive surveillance over the public realm, further enhanced through the increased density and permeable front fencing;
- Ensure development on lots is in keeping with the surrounding predominantly single storey residential built form by providing a maximum height of two storeys; and
- Allow for a terraced style streetscape to be provided by permitting a two storey parapet wall on either side of the lots.

In order to achieve these outcomes, the LDPs will be varying certain “deemed to comply” provisions of the Residential Design Codes, which include:

- Boundary, Primary and Secondary Street Setbacks;
- Building height;
- Garaging, Vehicle access and parking;
- Stormwater disposal; and
- Retaining walls and estate fencing.

The variations as proposed by above are able to be varied under the Residential Design Codes without requiring further approval from the Western Australian Planning Commission. The provisions of the LDP will prevail over the Residential Design Codes.

Access and Passive Surveillance over rear laneways

The LDP for Lot Type A will be primarily achieving access from rear laneways. An additional provision has been included for this Local Development Plan which states:

“Dwellings to have more than one or more major openings to a habitable room facing the laneway and secondary street”

Any residential development would be required to orientate the building(s) to the primary street, however the above clause will require passive surveillance is provided over the rear laneway and secondary street.

Notwithstanding this however, there are no provisions within the LDP for the abutting R20 single residential lots to have passive surveillance onto the rear laneway. A concern therefore could be raised about the lack of passive surveillance from the abutting R20 lots despite passive surveillance being achieved from the R80 Multiple/Grouped dwellings.

The endorsed Development Plan and subdivision approval did not require the developer to submit a LDP for these lots. In order to address this concern, it is recommended the Council requests the applicant to amend the Local Development Plan to require the abutting R20 single residential lots to provide passive surveillance over the rear laneway, in addition to the multiple dwellings.

Visitor Parking

In addition to the variations proposed, the applicant has proposed:

“Parking shall be provided as prescribed by the R-Codes with the exception that visitor parking is not required to be provided on site.”

The above clause has been proposed on the basis that formal car parking will be provided within the road reserve as per the endorsed Development Plan and subdivision approval over the site. The “deemed to comply” provisions of the R-Codes do not require specifically that visitor car parking be provided onsite for multiple dwellings in areas coded R30 and above. The design principles do however allow the local authority to consider visitor car parking on the street.

The R-Codes require a visitor bay be provided at a ratio of 0.25 bays per dwelling in a Multiple Dwelling configuration, hence four multiple dwelling units would require 1 visitor bay. The requirements differ for grouped dwellings however, whereby 1 visitor bay is required to be provided onsite for every four dwellings in excess of four dwellings that achieve access from the same common access way. Therefore four grouped dwellings do not require a visitor bay but would where five grouped dwellings that achieve access from the same access way are proposed.

The approved Development Plan shows formal street car parking abutting various R80 lots, the Public Open Space and the R160 Block. The proposed clause is not considered an issue, however should a developer propose to build more than 4 multiple dwellings the Town would require additional car parking bays. On this basis it is recommended the proposed LDPs are amended to read as follows:

- a) Parking shall be provided as prescribed by the R-Codes, where on street parking is directly abutting a proposed development this car parking may be used to provide visitor car parking.
- b) Where the landowner makes use of the abutting on street car parking the landowner shall enter into a maintenance / licence agreement with the Town of Port Hedland.

The above modification would serve to inform any potential developer that on street parking abutting a development site can be considered but that there will be a requirement to contribute to the maintenance of the on street parking bays.

Consultation

The application was circulated as follows:

Internally:

- A/Senior Statutory Planning Officer
- Building Surveyor
- Manager Infrastructure and Development Services
- Manager Engineering Services
- Manager Community and Cultural Services
- Manager Recreation Services

No objections were received from the internal departments of the Town.

In accordance with Appendix 6 of TPS5, the LDP will be required to be advertised for a period of no less than 21 days, including advertising in the local newspaper for 2 consecutive weeks.

- Locally distributed newspaper
- Site notice will be placed on the site

Notice will be placed on the information board at the Civic Centre Offices.

FINANCIAL IMPLICATIONS

The applicant has paid the prescribed fee of \$1,572 to initiate and adopt the Local Development Plans.

STATUTORY AND POLICY IMPLICATIONS

In accordance with the *Planning and Development Act 2005*, the proposed Local Development Plan is subject to the provisions of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5) and the Residential Design Codes.

Strategic Planning Implications

The following section of Council's Strategic Community Plan 2012 - 2022 is considered relevant to the proposal:

6.3 Environment 6.3.1 Housing

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

Planning's Comment

The proposed Local Area Plans are consistent with the Town's Strategic Community Plan. These statutory documents seek to allow for appropriate development controls over the subject sites to facilitate a preferred built form outcome.

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

5.6.6 Precinct 10 – South Hedland West

Precinct Summary

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

Planning's Comment

The Local Development Plans contributes to one of the Precinct highlights, which is to ensure medium/long future residential land supply.

Policy Implications

Should Council resolve to adopt the Local Development Plans, they shall be adopted as a Local Planning Policy within the Town of Port Hedland Local Planning Policy Manual.

10/001 – Existing Trees

“Pundal trees shall not be removed without prior consent of Council”.

A recent site visit has confirmed there are no Pundul Trees located on the subject site (refer to Attachment 4).

Draft Residential Design Guidelines

In context of the Town's draft Residential Design Guidelines, where a Local Development Plans applies, the provisions of the LDP will prevail over the guidelines.

ATTACHMENTS

1. Proposed Local Development Plans
2. Location Plan
3. Endorsed Development Plan
4. Site Photos

30 July 2014

HAMILTON PRECINCT DETAILED AREA PLAN (DAP) Lot Type A

The requirements of the Residential Design Codes (R-Codes) and any relevant Local Planning Policies are varied as shown on this Detailed Area Plan (DAP).

The requirements for the R-Codes, the Town of Port Hedland Town Planning Scheme and any other relevant policy or legislation shall be satisfied in all other matters.

Setbacks and Height

- All setbacks are as per the plan opposite. Where a setback is not specified within the DAP the provisions of the R-Codes shall prevail.
- The maximum height is two storeys and a loft with a maximum wall height of 7.0m and a maximum roof height of 10.0m, measured from finished ground level.
- Nil setbacks to truncations will be permitted.

Garaging

- Garages, carports or parking areas are to be located at the rear, accessed from the rear lane/road and provided with a minimum setback of 1.0m from the laneway/road.

Laneways/Secondary Streets

- All dwellings shall be suitably designed to ensure passive surveillance over the public domain. Dwellings shall have one or more major openings to a habitable room facing the laneway and secondary streets.

Car Parking and Access

- Parking shall be provided as prescribed by the R-Codes with the exception that no visitor parking is required to be provided on site.
- Vehicle access is permitted directly onto the laneway or rear street and the crossover may extend to 90% of the rear frontage of the lot.

Stormwater Disposal

- All water draining from roofs and other impermeable surfaces should be directed to garden areas but given the climatic and soil conditions may be directed towards public roads for collection and disposal.

Retaining Walls/Estate Fencing

- Any existing retaining wall and fence is to remain unaltered. No fixtures or appendages shall be added to the fence that may result in an increased wind load during cyclonic events.

Passive Surveillance

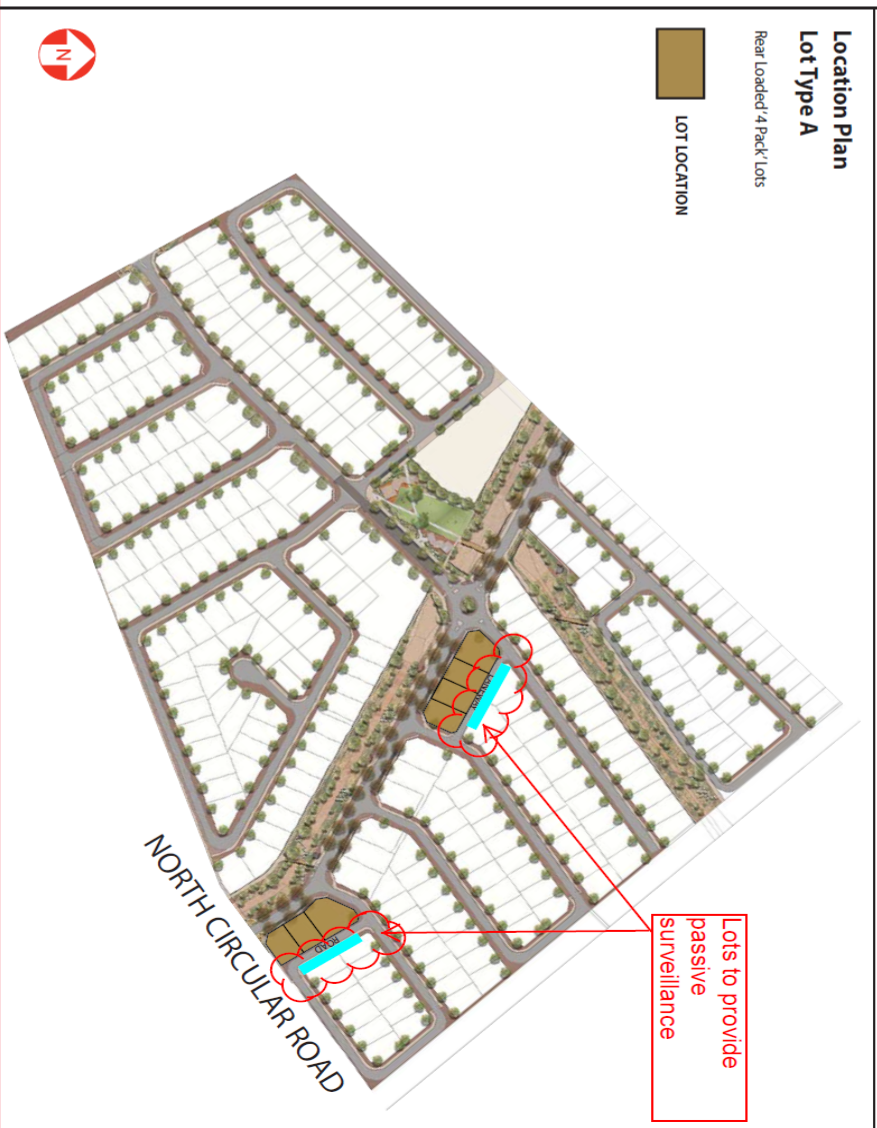
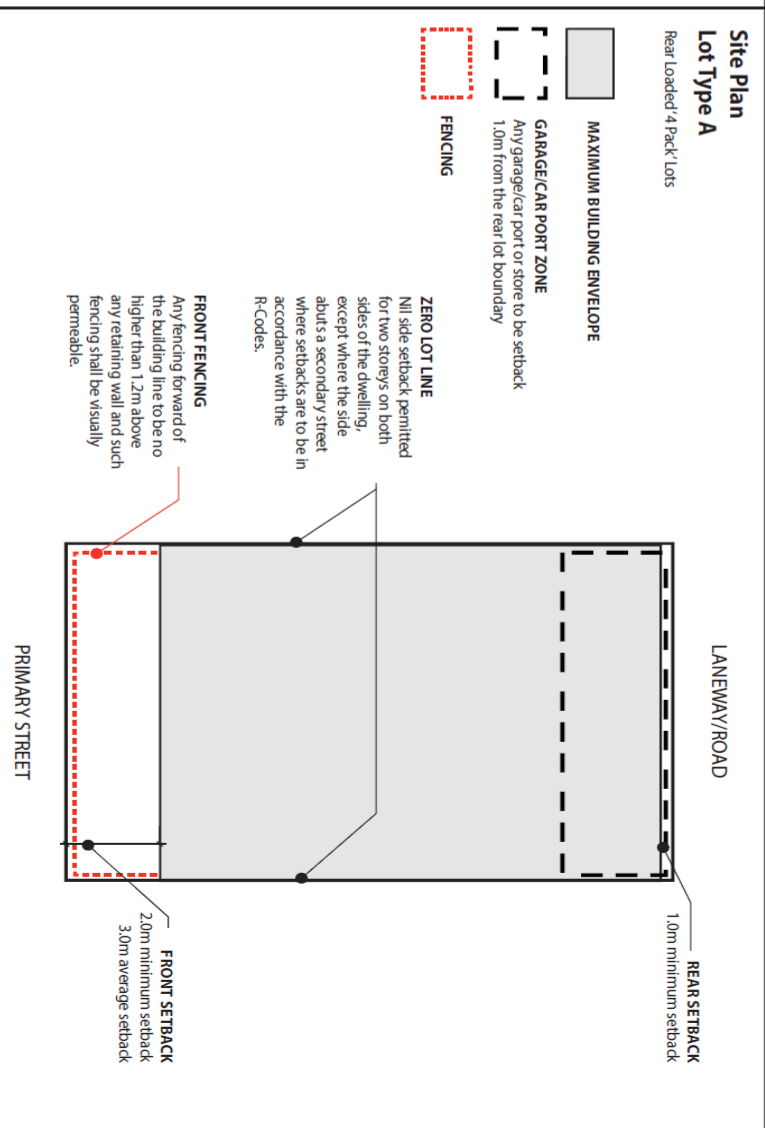
The dwellings on the Lots zoned R20 and where abutting the rear laneways shall be designed to ensure passive surveillance over the rear laneways.

This Detailed Area Plan has been approved by the Town of Port Hedland.

Director Planning and Development: _____ Date: _____

Hamilton Precinct Detailed Area Plan (DAP) - Lot Type A
Hamilton Road, Port Hedland

Date: 23 Apr 2014
Scale: N18 @ A3
Drawing No: 711-340 DAP Lot Type A.pdf



Lot 1, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 2682, 2683, 2684, 2685, 2686, 2687, 2688, 2689, 2690, 2691, 2692, 2693, 2694, 2695, 2696, 2697, 2698, 2699, 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2727, 2728, 272

HAMILTON PRECINCT DETAILED AREA PLAN (DAP) Lot Type B

The requirements of the Residential Design Codes (R-Codes) and any relevant Local Planning Policies are varied as shown on this Detailed Area Plan (DAP).

The requirements for the R-Codes, the Town of Port Hedland Town Planning Scheme and any other relevant policy or legislation shall be satisfied in all other matters.

Setbacks and Height

- All setbacks are as per the plan opposite. Where a setback is not specified within the DAP the provisions of the R-Codes shall prevail.
- The maximum height is two storeys and a lot with a maximum wall height of 7.0m and a maximum roof height of 10.0m, measured from finished ground level.
- Nil setbacks to truncations will be permitted.

Garaging

- Garages, carports or parking areas are to be located at the rear, accessed from the secondary street or batteneaxe leg (where applicable).

Secondary Streets

- All dwellings shall be suitably designed to ensure passive surveillance over the public domain from an upper level. Dwellings shall have one or more major openings to a habitable room facing the secondary streets.

Car Parking and Access

- Parking shall be provided as prescribed by the R-Codes with the exception that visitor parking is not required to be provided on site.

Stormwater Disposal

- All water draining from roofs and other impermeable surfaces should be directed to garden areas but given the climatic and soil conditions may be directed towards public roads for collection and disposal.

Retaining Walls/Estate Fencing

- Any existing retaining wall and fence is to remain unaltered. No fixtures or appendages shall be added to the fence that may result in an increased wind load during cyclonic events.

This Detailed Area Plan has been approved by the Town of Port Hedland.

Director Planning and Development: _____ Date: _____

Hamilton Precinct Detailed Area Plan (DAP) - Lot Type B
Hamilton Road, Port Hedland
Date: 23 Apr 2014 Designer: ER
Scale: NTS @ A3 Drawn: PR
Drawing No: 711-340 DAP Lot Type B.pdf

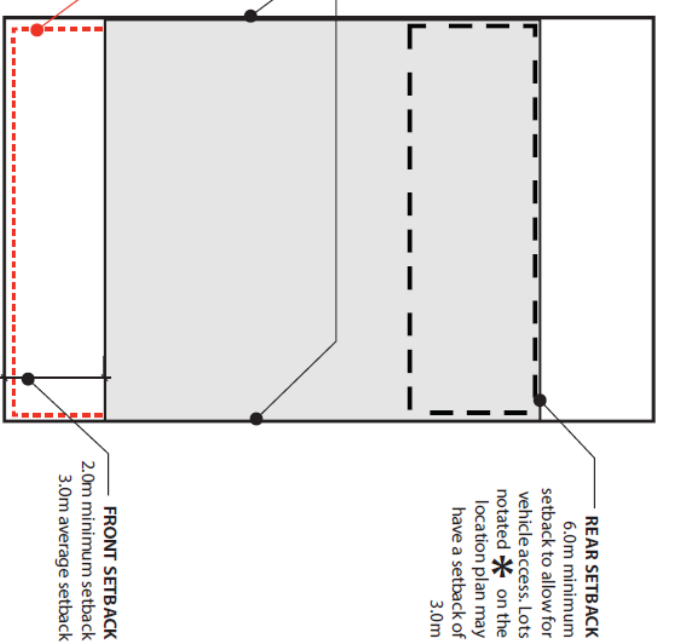


TOWN PLANNING
AND URBAN DESIGN

Site Plan Lot Type B

Rear Accessed '4 Pack' Lots

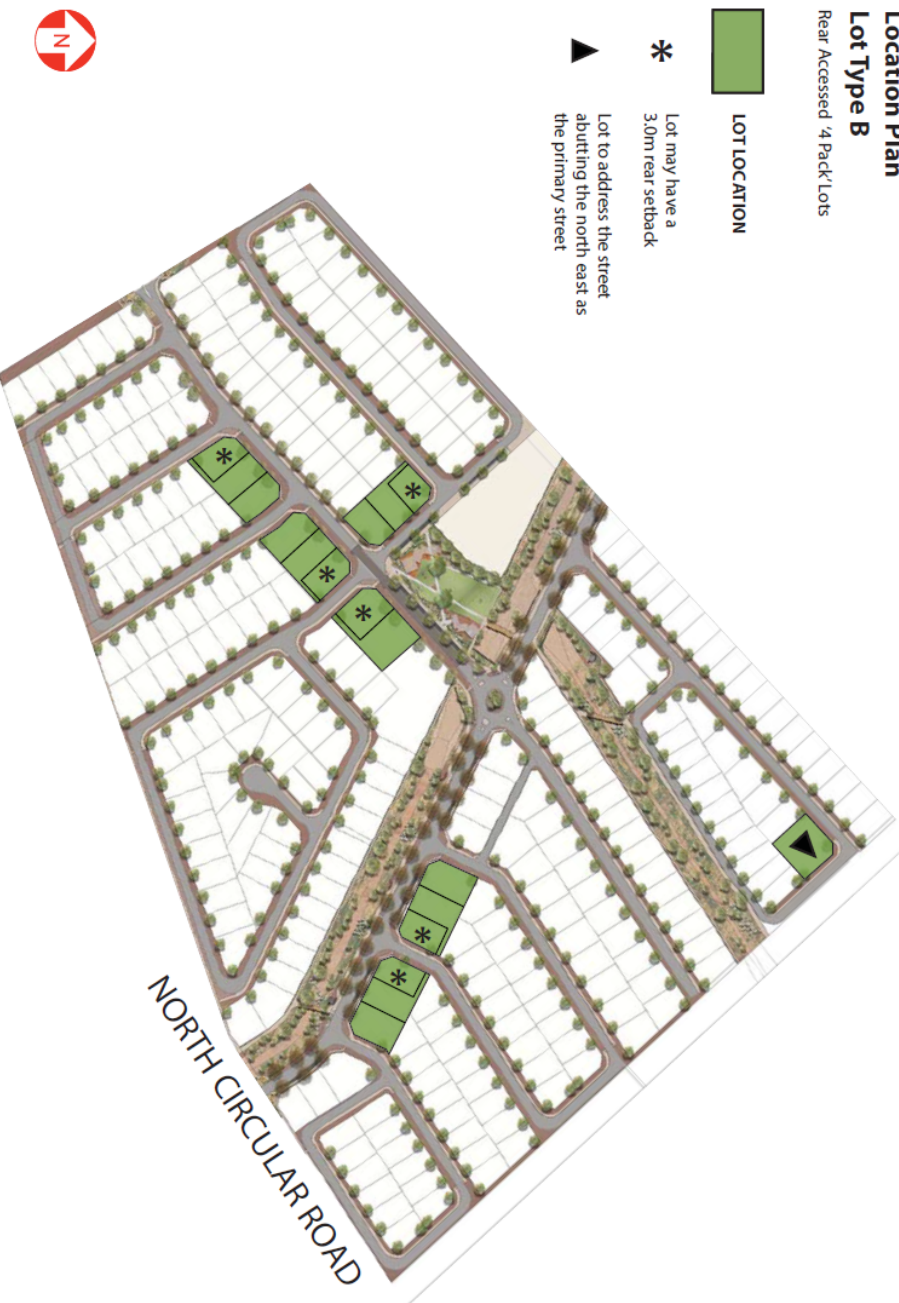
- MAXIMUM BUILDING ENVELOPE**
- GARAGE/CAR PORT ZONE**
Any garage/car port or store to be setback 6.0m from the rear lot boundary unless otherwise indicated by *
- FENCING**
- ZERO LOTT LINE**
Nil side setback permitted for two storeys on both sides of the dwelling, except where the side abouts a secondary street where setbacks are to be in accordance with the R-Codes.
- FRONT FENCING**
Any fencing forward of the building line to be no higher than 1.2m above any retaining wall and such fencing shall be visually permeable.



Location Plan Lot Type B

Rear Accessed '4 Pack' Lots

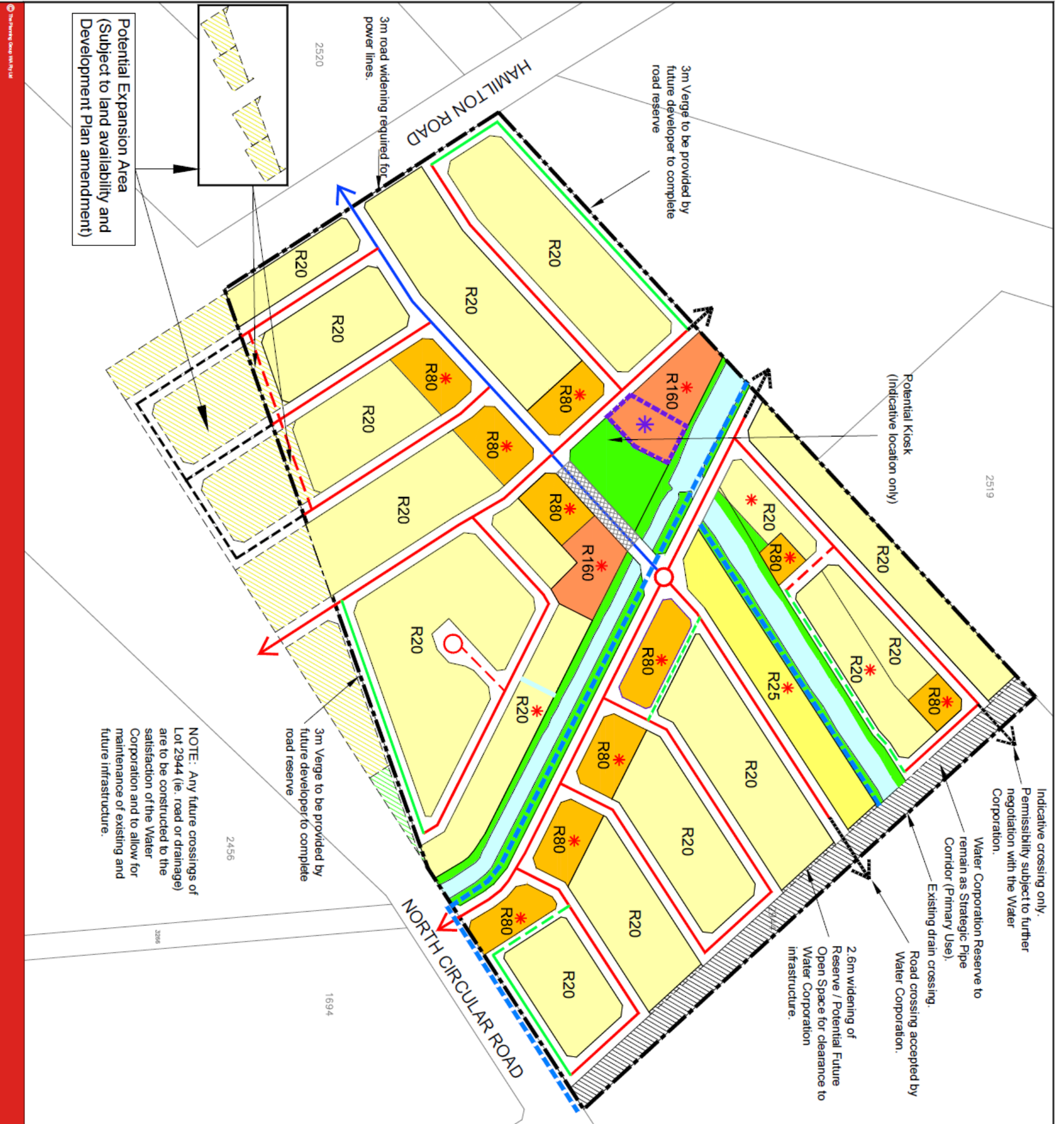
- LOT LOCATION**
- * Lot may have a 3.0m rear setback
- ▲ Lot to address the street abouting the north east as the primary street



ATTACHMENT 2 TO ITEM 11.1.2

Lot 330 Hamilton Precinct





DEVELOPMENT PLAN LEGEND

- Development Plan Area
- LAND USE/ DEVELOPMENT YIELD
- Public Open Space/ Drainage
- Drainage
- Potential Future Open Space
- Residential R20
- Residential R25
- Residential R80
- Residential R160
- Potential Future Development
- Detailed Area Plan Required
- Commercial uses permitted in this area. (Refer to Development Plan text.)

ROADS & TREATMENTS

- Access Road 'A' (18m reserve)
- Access Road 'B' (15m reserve)
- Access Road 'C' (13.7m reserve)
- Access Road 'D' (12m reserve)
- Laneway 'E' (8m reserve)
- Laneway 'F' (6.01m reserve)
- 3m Dual Use Path
- Possible Future Access
- Traffic Roundabout
- Visitor Parking
- Brick Paved Carriageway

Hamilton - Development Plan

Date: 24th May 2012
 Scale: 1:500 @ A3
 Drawing No: 711-340 CPIC Development Plan 240512

Designer: DRK
 Checker: PRK
 Drawing No: 711-340 CPIC Development Plan 240512

This consent has been provided for the purpose of providing draft specifications. The drawings do not constitute an invitation, agreement or contract for any part thereof of any kind whatsoever.

Although care has been taken in the completion of this drawing by The Planning Group Pty Ltd, it is not intended to be a substitute for professional advice. The Planning Group Pty Ltd is not responsible for any errors or omissions. The client is responsible for the accuracy of the information provided.

Liability is acceptedly excluded by The Planning Group Pty Ltd for any loss or damage which may be incurred by any person acting on any material prepared or obtained from this drawing.

0 75m 150m

tpg

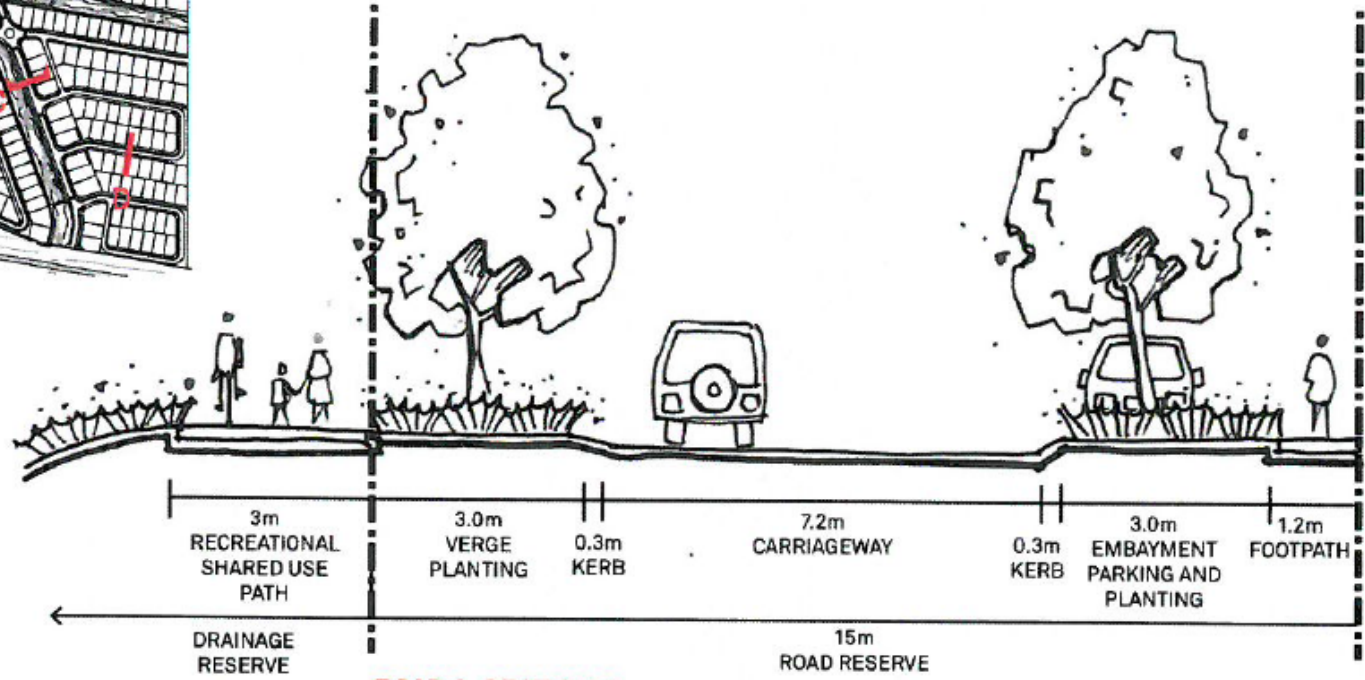
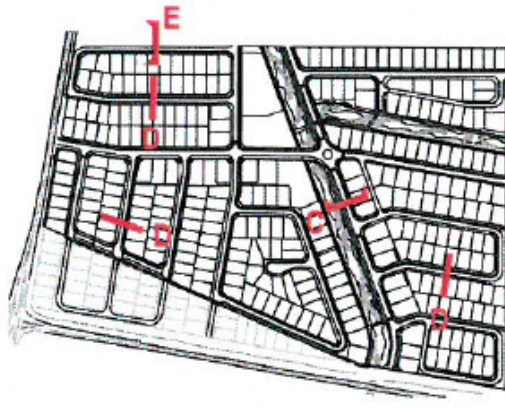
Lot 711 10 Exchange Terrace Perth Western Australia 6000
 Lot 711 10 Exchange Terrace Perth Western Australia 6000
 Telephone: 08 9447 8300
 Fax: 08 9447 8301
 Email: info@tpg.com.au
 Website: www.tpg.com.au



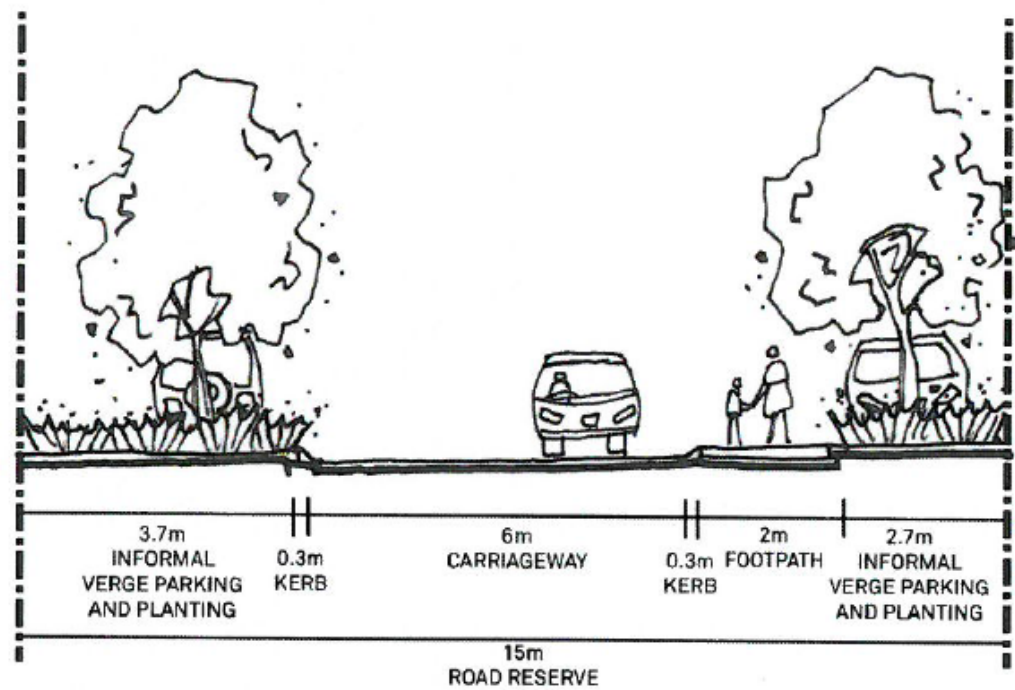
- LEGEND**
- 1 Central public open space
 - 2 Footbridge
 - 3 Resting points with seating
 - 4 2m footpaths along local streets
 - 5 Linear drainage parkway
 - 6 On street embayment parking
 - 7 Private pedestrian access to lots
 - 8 Recreation path
 - 9 2m local circuit path (share use)
 - 10 Trafficable paving

Hamilton Development_South Hedland
Master plan
7.4.March.2013

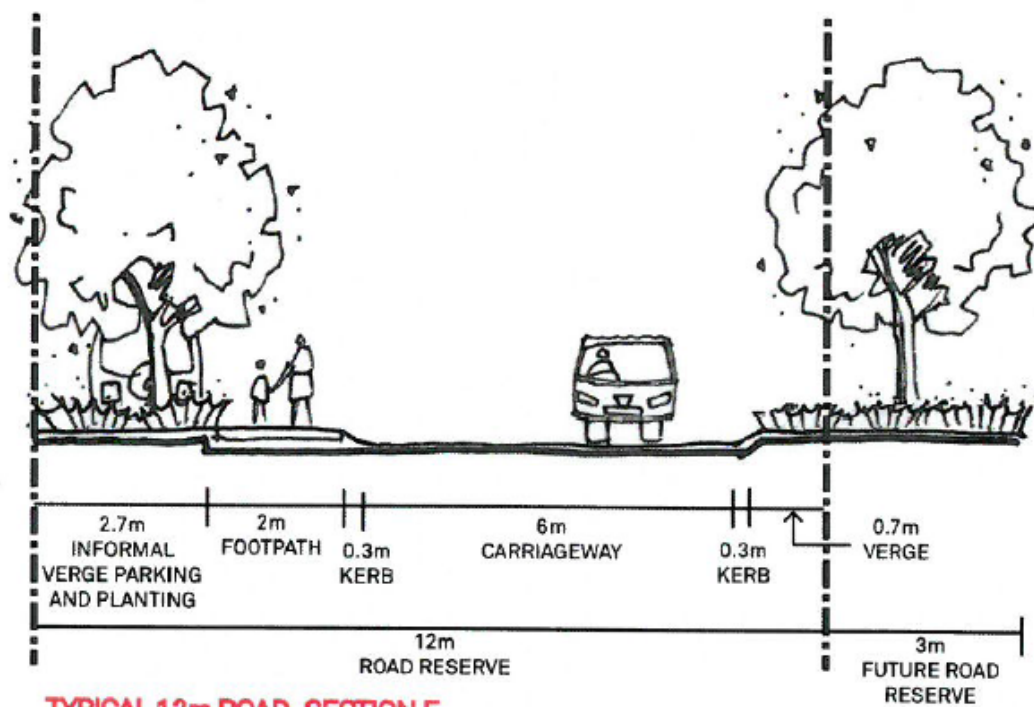
Scale 1:1000 @ A1
HASSFEL



ROAD 8_SECTION C

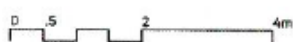


TYPICAL 15m ROAD_SECTION D



TYPICAL 12m ROAD_SECTION E

STREETSCAPE SECTIONS



Revision
 1, Preliminary

Date
 27-March2012

Scale
 1:100@A3
 1:50@A1

Client
 NS Projects

Project Name
 Hamilton Development
 South Hedland

Drawing
 SK03
 Road Sections

HASSELL

11.1.3 Proposed Initiation of Scheme Amendment No. 72 to the Town of Port Hedland Town Planning Scheme No.5

Ryan Del Casale, Strategic Planning Officer
File No. 18/09/0086

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/023 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR GILLINGHAM

That Council:

1. Pursuant to Part 5 of the *Planning and Development Act 2005*, initiate Scheme Amendment No. 72 to the Town of Port Hedland Town Planning Scheme No.5 to:
 - a. Rezone Lot 3581 on Deposited Plan 214186, Yanderra Crescent, South Hedland from 'Parks and Recreation' Reserve to "Residential R30"; and
 - b. Amend the Scheme map accordingly.
2. Forward Amendment No. 72 to the Town of Port Hedland Town Planning Scheme No.5 to the Environmental Protection Authority (EPA) for comment, pursuant to Section 81 of the *Planning and Development Act, 2005*; and
3. Should confirmation from the EPA indicate the amendment is not subject to formal environmental assessment, advertise the amendment pursuant to Regulation 25(2) of the *Town Planning Regulations 1967 (as amended)* for a period of 42 days).

CARRIED 6/0

EXECUTIVE SUMMARY

The Town appointed Right Foot Forward (RFF) Planning Consultants to prepare the subject scheme application to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5 (TPS5)* by rezoning Lot 3581 Yanderra Crescent, South Hedland from 'Parks and Recreation' Reserve to 'Residential R30' (Attachment 1). Council is requested to support the Town's officer's recommendation to initiate the proposed scheme amendment.

DETAILED REPORT

Site Description

The subject site is located at Lot 3581 Yanderra Crescent, South Hedland within the Koombana residential area of South Hedland. The subject site has an approximate area of 6,518m² and is currently reserved "Parks and Recreation". The subject site is owned by the State of Western Australia with a Reserve Management Order to the Town of Port Hedland for use as parkland. The subject site is generally surrounded by a range of medium density residential properties.

Hedland Land Availability Plan

In 2008, RPS Consultants were commissioned by the Town of Port Hedland to prepare the Port Hedland Land Rationalisation Plan (LRP). The LRP was used to identify public land for immediate and long term residential development. This plan also provided the Town with a strategic direction in terms of the statutory requirements to prepare the land for residential development, including scheme amendments and cancellation of reservations.

The LRP was reviewed in 2011, to ensure its ongoing relevance and to broaden its scope to include potential private land and non-residential land. The document has since been renamed the Hedland Land Availability Plan (HLAP). The Hedland Land Availability Plan has identified the subject site for redevelopment.

The Port Hedland Active Open Space Strategy

During the preparation of Growth Plan the Town commissioned the Port Hedland Active Open Space Strategy (AOS), which was completed in September 2011. The AOS provides the Town with recommendations on the amount and location of active open space required across the Town. The AOS recommends that smaller parks and recreational reserves in the Town be rezoned for more desirable uses. The intention is to rezone unwanted and underutilised space to be used for infill housing. The proposed scheme amendment is consistent with these objectives as it seeks to redevelop the underutilised reserve for residential purposes.

Business Case & Feasibility Report

At its previous Ordinary Council Meeting dated 25 July 2012 Council resolved to prepare a business case for the acquisition of certain land parcels identified within the HLAP. The land parcels identified are undeveloped recreational reserves not required for the future provision of Public Open Space in the Town.

The subject site is one of the eleven parcels identified. The decision to excise the subject site and cancel its recreation reserve was reaffirmed a second time at the Ordinary Council Meeting dated 26 September 2012. Subsequent to these previous Council resolutions, a Feasibility Report was prepared on behalf of the Pilbara Regional Council dated 6 May 2013.

The Feasibility Report assesses the development of the site and recommends the site be acquired by the Town and be given a residential zoning prior to development. The Feasibility Report recommends this be done via the preparation of a scheme amendment to zone the land "Residential".

Zone and Density

Whilst this proposed scheme amendment comprises spot rezoning it rationalises undeveloped land and the proposed "R30" density is consistent with the surrounding land uses. The unique shape and limited road access limits the potential redevelopment of the site under a 'R20' density. The 'R30' density is proposed to make the most efficient use of the subject site.

Servicing Considerations

As part of the Feasibility Study development infrastructure advice was provided regarding all infrastructure issues for the subject site to be developed for residential purposes. A summary of these findings are provided below;

- **Sewer & Water** – preliminary discussions have commenced with the Water Corporation regarding any capacity issues. And if initiated this proposed scheme amendment will be referred to the Water Corporation for comments;
- **Power** – there is an existing low voltage cable passing through the southern side of the subject site. A service connection to the existing low voltage cable is expected to be appropriate;
- **Traffic** – the Feasibility Report included a desktop review of traffic and given the size of the proposed scheme amendment did not identify any flaws for access onto the site. Any future development will be required to be designed to fit in with the existing road network.

Consultation

The application was circulated as follows:

Internally:

- Manager Economic and Land Development
- Manager Technical Services (now Infrastructure Development)
- Manager Community and Cultural Services
- Manager Recreation Facilities and Services
- Manager Investment & Business Development.

The Technical Services team noted that no direct access to Murdoch Drive will be permitted when the site is developed.

The Community and Cultural Services team provided the following comments regarding the community use of the exercise equipment and the pathway crossing the site;

“This is a very well used section of pathway and it has been observed that as the trees have grown over the past year or so more people are walking, riding, meeting along the pathway & stopping to chat under the trees shade as well as using the exercise equipment. It is seen as an important area for the community connection and physical activity and as long as this is retained and considered within the development application, no other issues can be seen with this”.

The Recreation Facilities and Services team requested further information regarding the following items;

- (1) There needs to be a plan with regard to the relocation of the exercise equipment located along Murdoch Drive; and
- (2) That the Recreation Services team would like to be involved in this process.

Should Council resolve to support the Town’s officer’s recommendation for initiation, the scheme amendment documentation including all attachments will be submitted to the Environmental Protection Authority (EPA) for assessment pursuant to Section 81 of the *Planning and Development Act, 2005*.

Dependent on the assessment outcome by the EPA the proposed scheme amendment will be advertised as per the *Town Planning Regulations 1967*, as follows:

- Locally distributed newspaper
- Registered letters to all adjoining properties within 100m radius
- Site notice will be placed on the site
- Notice will be placed on the information board at the Civic Centre office.

Need and Desirability

There is a need to initiate this proposed scheme amendment as it seeks to rezone a site which is redundant and surplus to the Town’s requirements. Plans and studies prepared on behalf of the Town indicate that there is a general shortage of residential properties available for rent/sale within South Hedland. This proposed amendment will provide for the highest and best use of undeveloped land and assist in addressing the Town’s housing shortage.

The proposed scheme amendment is desirable as it will allow for the subject site to be subdivided and/or developed to provide additional housing options for the Town in accordance with the Council’s strategic policies

FINANCIAL IMPLICATIONS

A prescribed fee of \$9,758.60 has been paid for the initiation of the scheme amendment.

STATUTORY AND POLICY IMPLICATIONS

The following section of Council’s Strategic Community Plan 2012-2022 is considered relevant to the amendment:

6.3 Environment

6.3.1 Housing:

Address housing shortage & affordability through using Council held land, providing high quality modular construction, providing incentives and other forms of inducement to deliver housing by 2013.

Planning Comment

The proposed Scheme Amendment is consistent with the findings of Council's Strategic Community Plan 2012 – 2022, which seeks to develop Council held land for residential housing.

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

2.2 City Growth Themes

3. Housing Diversity & Land Supply Capacity

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

Planning Comment

The proposed Scheme Amendment is consistent with the Growth Plan which seeks to increase the supply of affordable housing options

5.6.12 Precinct 12 – South Hedland East

"South Hedland East Comprises the four original neighbourhoods of South Hedland, together with adjoining land to the south within Circular Road and Cottier Road. It is a place of safe landscaped and connected streets and a place that continues to be regenerated through redevelopment and infill".

Planning Comment

Precinct Plan 12 identifies South Hedland East as an area with the opportunity for infill development and regeneration of the area. The proposed Scheme Amendment is consistent with these objectives.

Policy 10/001 – Existing Trees

"Pundal trees shall not be removed without prior consent of Council".
A visit to the site has revealed there are no Pundal Trees located on the site.

ATTACHMENTS

1. Scheme Amendment Report (under separate cover).

29 July 2014

11.1.4 Proposed Initiation of Scheme Amendment No. 73 to the Town of Port Hedland Town Planning Scheme No. 5

Ryan Djanegara, Senior Strategic Planning Officer
File No. 18/09/0087

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/024 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR TAYLOR

That Council:

1. Pursuant to Part 5 of the *Planning and Development Act 2005*, initiate Scheme Amendment No. 73 to the Town of Port Hedland Town Planning Scheme No.5 to:
 - a. Rezone a portion of Lot 5991 Cottier Drive, South Hedland from “Parks and Recreation” Reserve and “Residential R20” to “Residential R40”; and
 - b. Amend the Scheme map accordingly.
2. Forward Amendment No. 73 to the Town of Port Hedland Town Planning Scheme No.5 to the Environmental Protection Authority (EPA) for comment, pursuant to Section 81 of the *Planning and Development Act, 2005*; and
3. Should confirmation from the EPA indicate the amendment is not subject to formal environmental assessment, advertise the amendment pursuant to Regulation 25(2) of the *Town Planning Regulations 1967 (as amended)* for a period of 42 days).

CARRIED 6/0

EXECUTIVE SUMMARY

The Town appointed Whelans to prepare the subject scheme application to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5 (TPS5)* to rezone Lot 5991 Cottier Drive, South Hedland (subject site) from “Parks and Recreation” Reserve and “Residential R20” to “Residential R40” (ATTACHMENT 1). Council is requested to support the Town’s officer’s recommendation to initiate the proposed scheme amendment.

DETAILED REPORT

Site Description

The subject site is located on the eastern side of the JD Hardie Youth zone building and has frontage to Cottier Drive. The subject site has an approximate area of 8,600m² and is currently reserved for "Parks and Recreation" and "Residential R20". The subject site was previously used as an outdoor mini golf area however has not been maintained and is currently derelict.

Hedland Land Availability Plan

In 2008, RPS was commissioned by the Town of Port Hedland to prepare the Port Hedland Land Rationalisation Plan (LRP). The LRP was used to identify public land for immediate and long term residential development. This plan also provided the Town with a strategic direction in terms of the statutory requirements to prepare the land for residential development, including scheme amendments and cancellation of reservations.

The LRP was reviewed in 2011, to ensure its ongoing relevance and to broaden its scope to include potential private land and non-residential land. The document has since been renamed the Hedland Land Availability Plan (HLAP). The Hedland Land Availability Plan has identified the site as having the potential to be rezoned to "Residential R30".

Business Plan

At its previous Ordinary Council Meeting dated 22 February 2012 Council resolved to prepare and submit a feasibility study for the acquisition of the subject site being on Part Lot 5991 within Reserve 41675.

A business plan was submitted to the Department of Regional Development and Lands (RDL) identifying the subject portion of land together with other recreational reserves in the immediate vicinity as surplus.

On the 18 February 2013, the parcel was appraised by RDL at its unimproved value totaling \$2.97 million. The agreement with the RDL allows the Town of Port Hedland to purchase the land parcels at 5% of unimproved market value. This is permitted on the condition that all funds acquired from subsequent development or sale of the land is reserved for expenditure on upgrades to existing or development of new recreation space in the Town of Port Hedland.

The acquisition of the subject site was approved by Council at its OCM held on 6 March 2013 for the price of \$135,000, which was 5% of the unimproved market value.

Infrastructure capacity and traffic assessment

As part of the initiation request the applicant has provided service infrastructure capacity and traffic assessment reports. These reports were prepared on the basis of a concept site plan that proposed 58 Multiple Dwellings and 6 Grouped Dwellings. The findings of those reports are as follows:

- Infrastructure Capacity Report (summary)
- Power Supply
 - A suitable transformer will be required to be installed.
- Water Supply
 - It is anticipated the development will be serviced by extension of the existing mains.
- Wastewater
 - There is not sufficient capacity to supply the site. The waste water pump station will need to be upgraded.
- Drainage
 - There is existing drainage infrastructure which is capable of conveying stormwater that is collected onsite.
- Traffic Assessment Report
- Based on the proposed concept, the development of the subject site can be expected to generate an additional 512 vehicle movements per day to the local road network.
- Further analysis has shown the site could be further developed an increase density of up to 50% without impacting the existing road capacity.
- The proposed location of the crossover onto Cottier Drive and design of the proposal will need to be reviewed to ensure no impediment to sight lines and built in accordance with Council's policies.
- A review of the pedestrian and cyclist facilities indicate adequate infrastructure for the safe pedestrian movements. Cycle facilities are minimal however, and cyclists will generally be required to use either the footpath or the road. The road is wide enough to accommodate a dedicated cycle lane.
- It is concluded that the development of the site for residential purposes will have no detrimental traffic impact.

Consultation

The application was circulated as follows:

Internally:

- Manager Economic and Land Development
- Manager Investment and Business Development
- Manager Infrastructure Development

- Manager Community and Cultural Services
- Manager Recreation Services

The Town's internal departments have raised no objection to the proposed Scheme Amendment. The comments raised however have been captured within the report.

Externally:

Should Council resolve to support the Town's officers recommendation for initiation, the scheme amendment documentation including all attachments will be submitted to the Environmental Protection Authority (EPA) for assessment pursuant to Section 81 of the *Planning and Development Act, 2005*.

Dependent on the assessment outcome by the EPA the proposed scheme amendment will be advertised as *Town Planning Regulations 1967*, as follows:

- Locally distributed newspaper
- Registered letters to all adjoining properties within 100m radius
- Site notice will be placed on the site
- Notice will be placed on the information board at the Civic Centre office.

Need and Desirability

The site is currently reserved for "Park and Recreation" and "Residential R20" under the Scheme. The rezoning is intended to facilitate the subdivision and subsequent development of the land to provide staff housing for the Town of Port Hedland and to the community.

The agreement with the Department of Regional Development and Lands allows the Town to purchase the land parcel at 5% of unimproved market value, subject to all funds acquired from the development or sale of the subject site is reserved for expenditure on upgrades to existing or development of new recreation spaces in the town.

The location of the subject site is considered favourable given its proximity to the recreational amenities and reserves. Further the subject site not been used for recreational purposes and provides the Town to develop housing for staff. The amendment will result in better use of the site and be in accordance with Council's strategic policies.

FINANCIAL IMPLICATIONS

A prescribed fee of \$9,758.60 has been paid for the initiation of the scheme amendment.

STATUTORY AND POLICY IMPLICATIONS

The Planning and Development Act 2005 and the Town Planning Regulations 1967, provides the Council the authority to amend its Town Planning Scheme and establishes the procedure required to make this amendment.

Strategic Planning Implications

The following section of Council's Strategic Community Plan 2012 - 2022 is considered relevant to the proposal:

6.3 Environment.

6.3.1 Housing:

Address housing shortage & affordability through using Council held land, providing high quality modular construction, providing incentives and other forms of inducement to deliver housing by 2013.

Planning Comment

The proposed Scheme Amendment is consistent with the findings Council's Strategic Community Plan 2012 – 2022, which seeks to develop Council held land for residential housing.

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

"South Hedland East comprises of the original four neighbourhoods of South Hedland, together with adjoining land to the south within Circular Road and Cottier Road. It is a place of safe, landscaped and connected streets and a place that continues to be regenerated through redevelopment and infill. A strong sense of community continues to develop through the celebration of local art and culture, community uses and sporting opportunity."

Planning Comment

Precinct Plan 12 identifies the intended land use and development for the South Hedland East at providing more affordable housing and greater housing choice through redevelopment and infill opportunities. The rezoning is intended to facilitate the subdivision and subsequent development of the land to provide staff housing for the Town of Port Hedland and to the community.

Furthermore the profits generated from the development of the site will be placed in a reserve to contribute to the improvement in the quality and provision of Public Open Space within the area. The Scheme Amendment will inevitably assist in meeting housing demand by zoning land for residential development and allow for improvements to recreational infrastructure.

Policy 10/001 – Existing Trees

"Pundal trees shall not be removed without prior consent of Council".

A visit to the site has revealed there are no Pundal Trees located on the site.

ATTACHMENTS

1. Scheme Amendment Report (under separate cover)

29 July 2014

11.1.5 Delegated Planning, Building & Environmental Health Approvals and Orders for July 2014

Carly Thompson, Executive Assistant – Planning & Development
File No. 18/07/0002 & 07/02/0003

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/025 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR TAYLOR

SECONDED: CR HUNT

That Council receive the Schedule of Planning and Building approvals, Environmental Health Orders issued under Delegated Authority and the listing of current legal actions for the month of July 2014.

CARRIED 6/0

EXECUTIVE SUMMARY

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the month of July 2014.

DETAILED REPORT

A listing of Planning, Building and Environmental Health approvals and Orders issued by the Town's Planning, Building and Environmental Health Services under Delegated Authority for the month of July 2014 are attached to this report. Further to Council's request a listing of current legal actions is also attached to this report.

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND POLICY IMPLICATIONS

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

ATTACHMENTS

1. Statistics for Building, Planning and Health Approvals for the month of July

07 August 2014

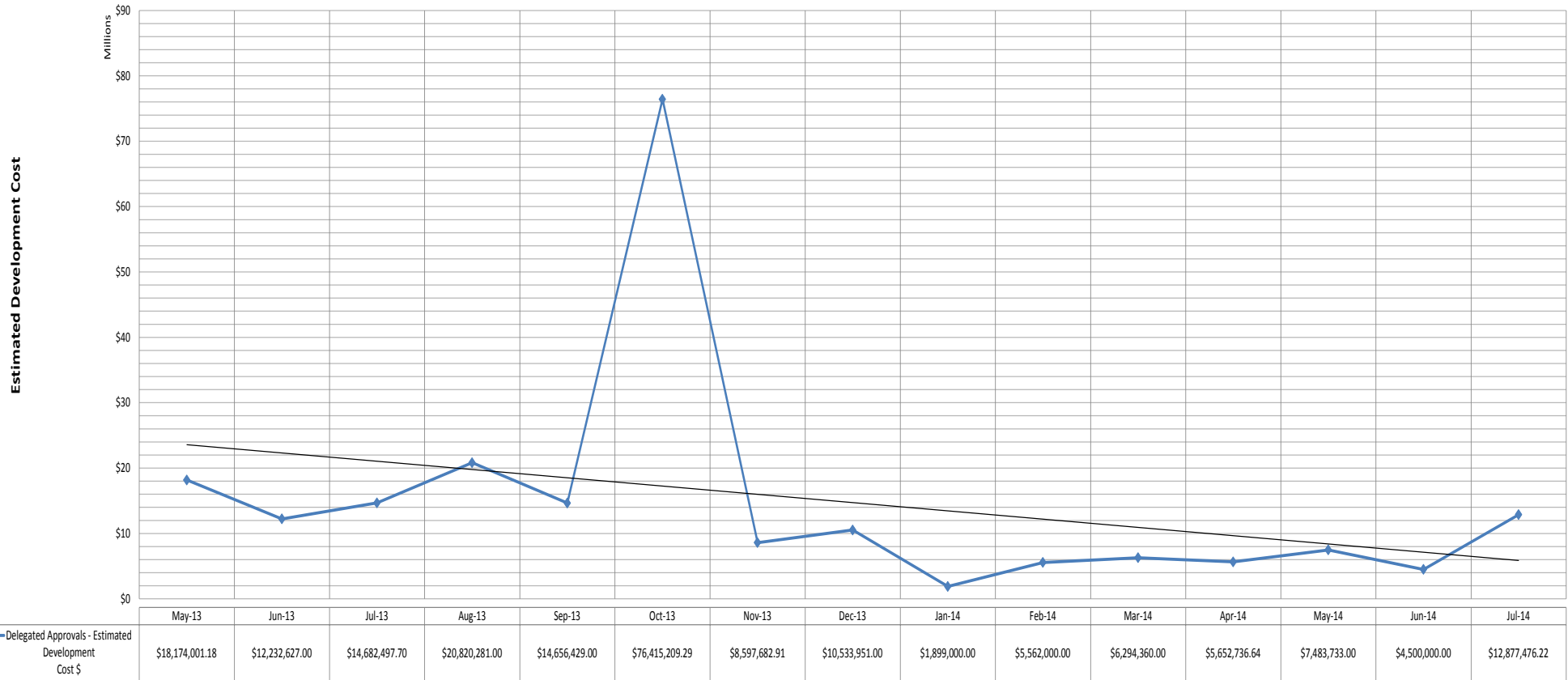
ATTACHMENT 1 TO ITEM 11.1.5

DELEGATED PLANNING APPROVALS FOR JULY 2014

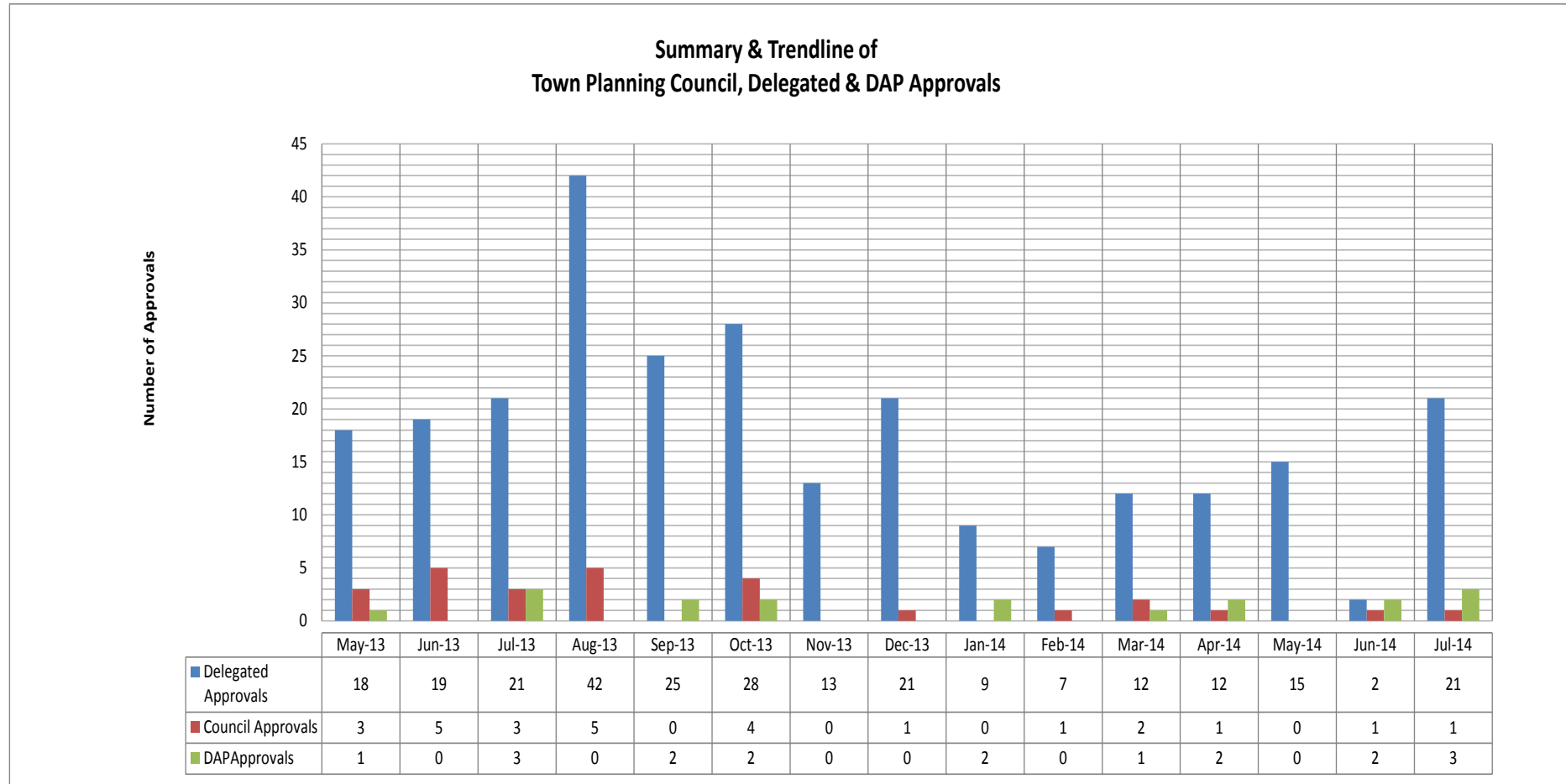
APPLICATION NO.	DESCRIPTION	LOT	PROPERTY ADDRESS	DATE APPROVED	APPLICANTS NAME	DEVELOPMENT VALUE
2014/107	INDUSTRY - EXTRACTIVE - SHED AND LAYDOWN AREA	126	L126 GREAT NORTHERN HIGHWAY PIPPINGARRA	01/07/2014	RFF PTY LTD	\$ 750,000.00
2012/256.01	AMENDMENT TO APPLICATION 2012/256 - TELECOMMUNICATIONS INFRASTRUCTURE	2	20 CLARK STREET PORT HEDLAND 6721	02/07/2014	PLANNING SOLUTIONS	\$ -
2014/140	MOTOR VEHICLE AND/OR MARINE SALES OR HIRE	115	L115 OXIDE WAY WEDGEFIELD 6722	02/07/2014	PURSUIT ENTERPRISES PTY LTD	\$ 500,000.00
2014/166	SINGLE HOUSE - BALI HUT	805	13 CENTAUR AVENUE SOUTH HEDLAND 6722	11/07/2014	ROBERT FRANK MORRISON	\$ 7,000.00
2014/177	CHANGE OF USE - 'STORAGE FACILITY/DEPOT/LAYDOWN AREA' TO 'INDUSTRY - LIGHT'	116	29 PINNACLES STREET WEDGEFIELD 6722	14/07/2014	RFF AUSTRALIA	\$ -
2014/154	HOME BUSINESS - FAMILY DAYCARE	4500	3 CURLEW CRESCENT SOUTH HEDLAND 6722	16/07/2014	LINDSEY NUNN	\$ -
2014/164	SEA CONTAINER	203	45 STEEL LOOP WEDGEFIELD 6721	16/07/2014	BOSCH REXROTH PTY LTD	\$ 200.00
2014/174	RETROSPECTIVE SINGLE HOUSE AND ANCILLARY ACCOMMODATION	5229	LOT 5229 TWELVE MILE CREEK ROAD PIPPINGARRA 6722	16/07/2014	RFF PTY LTD	\$ 250,000.00
2014/155	SINGLE HOUSE - PATIO ADDITION	525	42 NIX AVENUE SOUTH HEDLAND 6722	17/07/2014	MJW BUILDING PTY LTD	\$ 19,000.00
2014/87	NON-CONFORMING USE - TRANSPORT DEPOT	11	10 SANDHILL STREET WEDGEFIELD 6724	18/07/2014	THE SPATIAL GROUP	\$ 3,000,000.00
2014/145	TELECOMMUNICATIONS INFRASTRUCTURE AND ASSOCIATED FACILITIES	3772	22 CARLINDIE WAY WEDGEFIELD 6724	18/07/2014	DALY INTERNATIONAL	\$ 200,000.00
2014/147	TWO (2) GROUPED DWELLINGS (ONE EXISTING)	1936	3 CORBET PLACE SOUTH HEDLAND 6722	18/07/2014	BRAVO DEVELOPMENTS	\$ 217,505.00
2014/161	INFRASTRUCTURE - TEMPORARY PUMP STATION AND PRESSURE MAIN		NORTH CIRCULAR ROAD RESERVE - OPPOSITE PARKER STREET	18/07/2014	FLAMETREE PROPERTY PTY LTD	\$ 815,764.00
2014/141	THREE (3) ADDITIONAL GROUPED DWELLINGS	510	19 DEMPSTER STREET PORT HEDLAND 6721	21/07/2014	RESOLVE GROUP PTY LTD	\$ 1,375,785.00
2014/142	RE- POSITIONING OF A MOTOR VEHICLE WASH AND ADDITIONAL SHOPS	5250	13-15 NAIRN STREET SOUTH HEDLAND 6722	21/07/2014	WODIAR PTY LTD C/O R.J. SINCLAIR PTY LTD	\$ 1,100,000.00
2014/167	HOME BUSINESS - FAMILY DAY CARE	2575	57 LIMPET CRESCENT SOUTH HEDLAND 6722	21/07/2014	KRISTIE THOMAS	\$ -
2014/170	SINGLE HOUSE - PORCH AND CARPORT	6	LOT 6 MANILINHA DRIVE BOODARIE 6722	21/07/2014	RAYMOND KEVIN WHITE	\$ 20,000.00
2014/175	RESTROSPECTIVE SINGLE HOUSE	5230	LOT 5230 TWELVE MILE CREEK ROAD PIPPINGARRA 6722	21/07/2014	RFF PTY LTD	\$ 200,000.00
2014/165	SIX (6) GROUPED DWELLINGS	220	L220 TREVALLY ROAD SOUTH HEDLAND 6722	22/07/2014	THOMAS BUILDING PTY LTD	\$ 2,522,222.22
2014/178	SIX (6) MULTIPLE DWELLINGS	2019	25 SOMERSET CRESCENT SOUTH HEDLAND 6722	24/07/2014	AZTEC ARCHITECTS	\$ 1,300,000.00
2014/138	SEVEN (7) GROUPED DWELLINGS (TWO EXISTING)	500	2 BROWN WAY SOUTH HEDLAND 6722	25/07/2014	IAIN WILLIAMS / ESAM WILLIAMS	\$ 600,000.00
TOTAL 21						\$ 12,877,476.22

DELEGATED PLANNING APPROVALS FOR JULY 2014

Summary & Trendline of
Town Planning Delegated Approvals
Estimated Development Costs



COUNCIL, DELEGATED & DAP PLANNING APPROVALS FOR JULY 2014



DELEGATED BUILDING APPROVALS FOR JULY 2014

BUILDING PERMITS						
Permit Number	Decision Date	Property Address	Locality	Applicant	Description of Work	Estimated Construction Value (\$)
14-174	04.07.2014	50 BRODIE CRESCENT	SOUTH HEDLAND 6722	Jeremiah O'Driscoll	1 x Carport and Shed	\$ 40,000.00
14-044	15.07.2014	LOT 2115 NORTH CIRCULAR ROAD	SOUTH HEDLAND 6722	FRANK MARTINO	2 x Unauthorised BBQ Shelters	\$ 16,000.00
14-169	15.07.2014	13 CENTAUR AVENUE	SOUTH HEDLAND 6722	Rob Morrison	1 x Gazebo	\$ 7,000.00
14-045	15.07.2014	LOT 2115 NORTH CIRCULAR ROAD	SOUTH HEDLAND 6722	APC PT HEDLAND PTY LTD	2 x Unauthorised BBQ Shelters	\$ 16,000.00
14-155	17.07.2014	42 Nix Avenue	SOUTH HEDLAND 6722	MJW Building Pty Ltd	Patio	\$ 19,965.00
14-172	23.07.2014	Lot 6 MANILINHA DRIVE	BOODARIE 6722	Raymond Kevin White	CARPORT AND PORCH	\$ 20,000.00
14-175	01.07.2014	9 CRAKE STREET	SOUTH HEDLAND 6722	Goldman Constructions Pty Ltd	SINGLE DWELLING	\$ 463,000.00
14-173	03.07.2014	1 SKIPPERS LOOP	SOUTH HEDLAND 6722	Giuseppe Malatino	TWO RESIDENTIAL DWELLINGS	\$ 530,000.00
14-179	10.07.2014	13 THOMPSON STREET	PORT HEDLAND 6721	Everbetter Pty Ltd T/As Eaton Building	Recladding of Roof	\$ 35,000.00
14-180	16.07.2014	22B BALER CLOSE	SOUTH HEDLAND 6722	RSA Pty Ltd	RE-ROOFING OF DWELLING - UNAUTHORISED	\$ 30,000.00
14-188	18.07.2014	8 RAVEN STREET	SOUTH HEDLAND 6722	Goldman Construction Pty Ltd	Single Dwelling	\$ 439,500.00
14-191	29.07.2014	10 DARTER STREET	SOUTH HEDLAND 6722	Goldman Constructions Pty Ltd	1 x Single Storey Dwelling including Gar	\$ 489,100.00
14-190	18.07.2014	5 TREVALLY ROAD	SOUTH HEDLAND 6722	Lennox Wildman	Single Dwelling	\$ 495,305.00
14-189	23.07.2014	5 RAVEN STREET	SOUTH HEDLAND 6722	Lennox Wildman	1 x Single Dwelling including Carport	\$ 450,000.00
14-197	30.07.2014	19 DEMPSTER STREET	PORT HEDLAND 6721	J Hutchinson Pty Ltd	3x Residential Dwellings	\$ 1,513,363.00
14-183	17.07.2014	41 JABIRU LOOP	SOUTH HEDLAND 6722	Mitie Construction Pty Ltd	1 x Single storey Dwelling with Alfresco	\$ 595,114.00
14-184	17.07.2014	6 STILT LINK	SOUTH HEDLAND 6722	Mitie Construction Pty Ltd	1 x Single storey dwelling including Gar	\$ 595,114.00
14-181	17.07.2014	24 DOWITCHER AVENUE	SOUTH HEDLAND 6722	Mitie Construction Pty Ltd	1 x DWELLING GARAGE ALFRESCO AND FENCE	\$ 595,114.00
14-182	17.07.2014	2 DOWITCHER AVENUE	SOUTH HEDLAND 6722	Mitie Construction Pty Ltd	1 x Dwelling Garage Fence and Alfresco	\$ 595,114.00
14-185	18.07.2014	3 STILT LINK	SOUTH HEDLAND 6722	Mitie Construction Pty Ltd	1 x Single storey dwelling including Gar	\$ 595,114.00
14-186	18.07.2014	4 DOWITCHER AVENUE	SOUTH HEDLAND 6722	Mitie Construction Pty Ltd	1x Single storey Dwelling including Gar	\$ 595,114.00
14-198	31.07.2014	67 WILSON STREET	PORT HEDLAND 6721	Modus Compliance	4x New Buildings - Accommodation Office	\$ 982,736.00
14-187	17.07.2014	41 STEEL LOOP	WEDGEFIELD 6721	Peter Fairbairn	Fit-out of an existing office area assoc	\$ 24,000.00
14-176	08.07.2014	43 CAJARINA ROAD	WEDGEFIELD 6724	DA Burke Builders	ALTERATIONS TO WORKSHOP STAGE 1A FOOTING	\$ 419,482.00
14-177	08.07.2014	43 CAJARINA ROAD	WEDGEFIELD 6724	DA Burke Builders	ALTERATIONS TO WORKSHOP STAGE 1 AND FENCE	\$ 419,482.00
14-178	08.07.2014	18 PINNACLES STREET	WEDGEFIELD 6724	Steven Reid Duncan	Workshop Office and Ablution buildings	\$ 495,000.00
13-300	16.07.2014	18 SCHILLAMAN STREET	WEDGEFIELD 6721	Malcolm Parnell	CDC - WORKSHOP	\$ 18,000.00
13-299	17.07.2014	18 SCHILLAMAN STREET	WEDGEFIELD 6721	Malcolm Parnell	WORKSHOP - PAINTING SHED	\$ 18,000.00
Total 28						\$ 10,511,617.00

TOWN OF PORT HEDLAND CERTIFICATION	
Certificate Type	Number Issued
Certificate of Design Compliance	7
Certificate of Construction Compliance	2
Certificate Building Compliance	2
TOTAL	11

OCCUPANCY PERMIT FOR JULY 2014

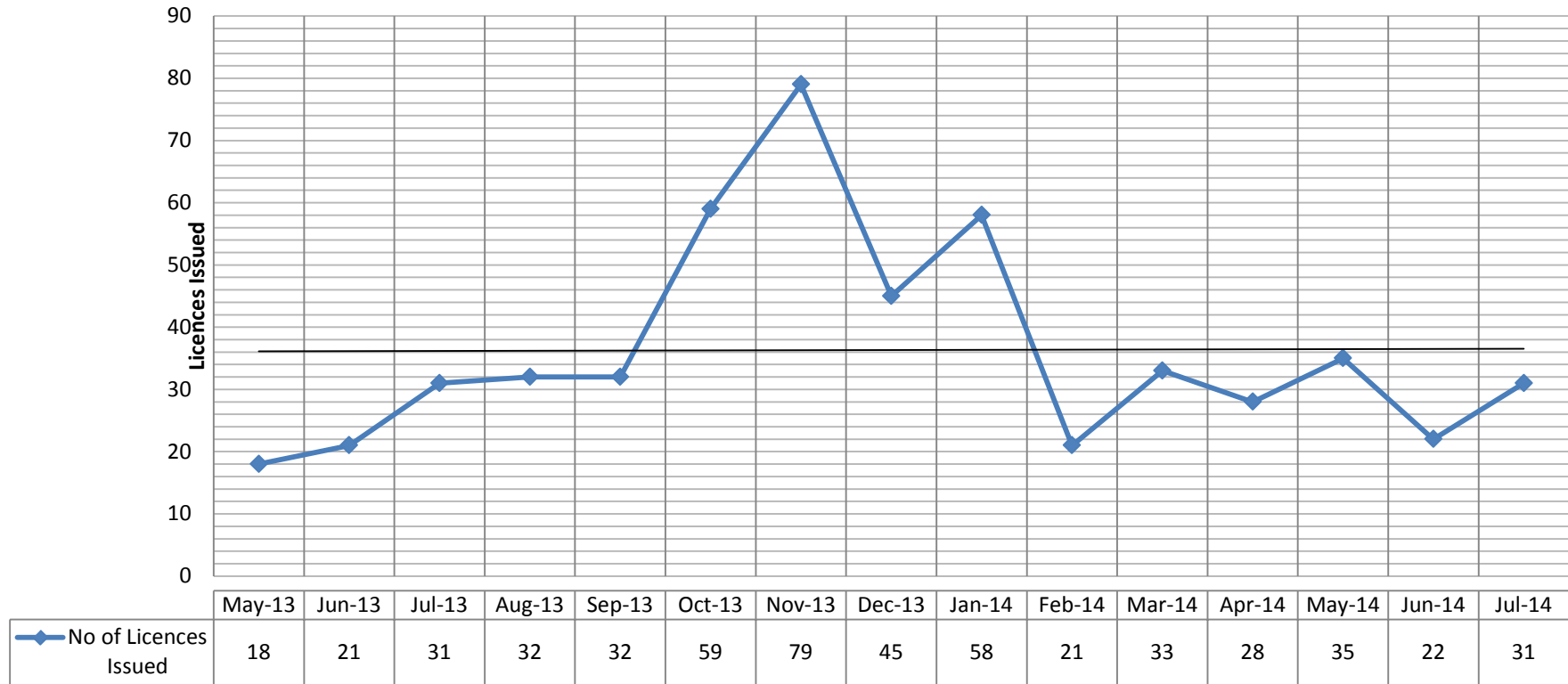
OCCUPANCY PERMIT			
Permit Number	Decision Date	Property Address	Description of Work
14-101	09/07/2014	Lot 3826 (10) Hedditch Street, South Hedland	Medical Centre (temporary Occupancy Permit only)
13-099	10/07/2014	Lot 103 Oxide Way, Wedgefield	6x Industrial Sheds
13-043	18/07/2014	Lot 6164 Cottier Drive, South Hedland	44 Units - Stage One
13-157	23/07/2014	Lot 552 Parker Street, South Hedland	Student Accommodation
13-361	29/07/2014	Lot 1003 (9-31) Throssell Road, South Hedland	Shop Fitout - Pizza Capers
10396	29/07/2014	Lot 2115 North Circular Road, South Hedland	Rooms 32-43
Total 6			

OVERVIEW SUMMARY FOR JULY 2014

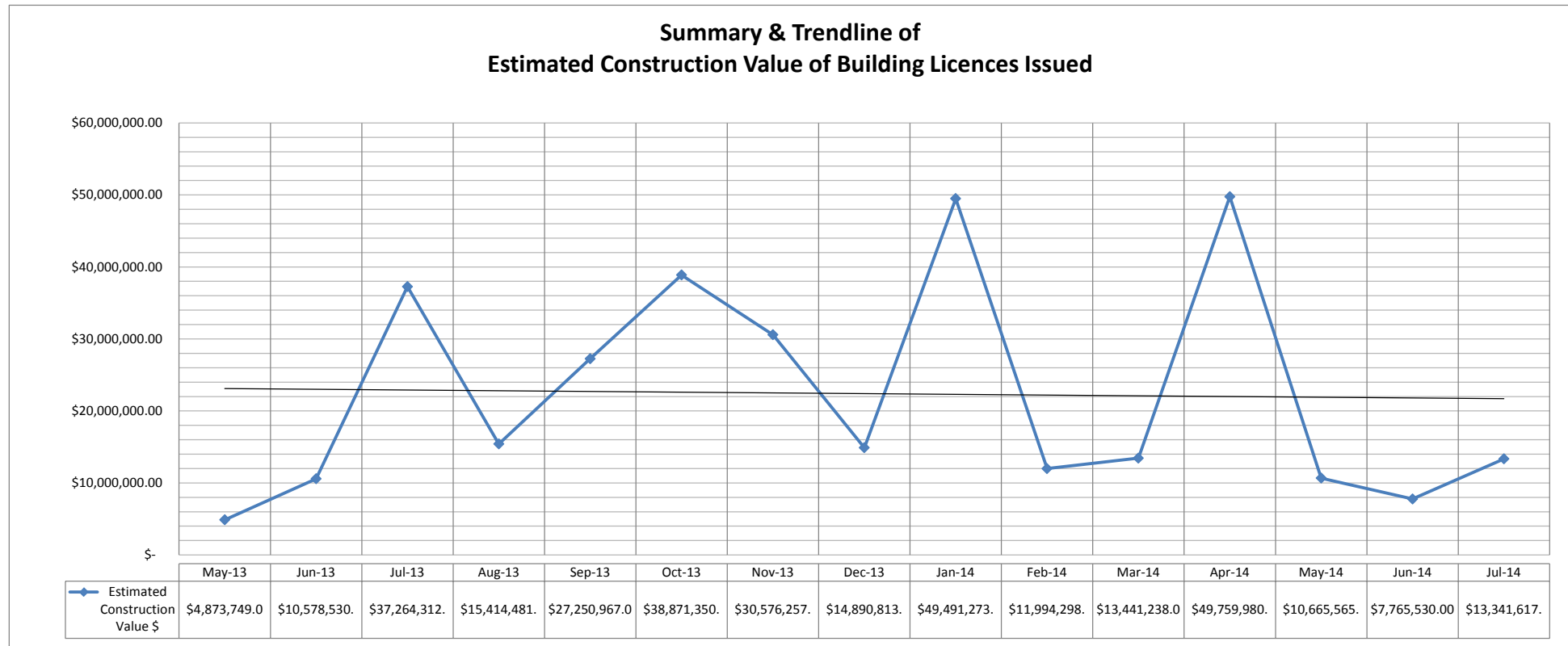
SUMMARY				
No of Permits	Permit Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
2	Demolitions	\$2,830,000	11685	\$242.19
16	Dwellings	\$8,998,688	3,887	\$2,315.07
6	Class 10a	\$118,965	346	\$343.83
0	Class 10b	\$0	0	\$0.00
6	Commercial	\$1,393,964	667	\$2,089.90
1	Strata - Occupancy	N/A	N/A	N/A
31		\$13,341,617	16,585	

BUILDING APPROVALS FOR JULY 2014

Summary & Trendline for Building Licence Approvals



BUILDING APPROVALS FOR JULY 2014



CURRENT LEGAL MATTERS FOR JULY 2014

CURRENT LEGAL MATTERS				
File No.	Address	Issue	Current Status	Officer
117650G	Lot 2505 # 7 Moorambine Street, Wedgefield	Unauthorised Residential Structures	<p>Handed over to the attorney.</p> <ul style="list-style-type: none"> - 1st Hearing set for Friday 2nd August 2013. - Adjourned until 30th August 2013. - Adjourned until 18th October 2013. - Sentencing scheduled for 22nd November 2013. - Adjourned until 20th Feb 2014. - Sentencing scheduled for the 9th April 2014. - Adjourned until 9th May 2014. - Set down for trial on 2nd December 2014. 	BM
401840C	Lot 841 # 34 Sutherland Street, Port Hedland	Asbestos house dumped on reserve (Old hospital site)	First mention on 15th August 2014.	MS
118711G 405960G	Lot 1675 (3) Harwell Street, Wedgefield Lot 1690 (2) Harwell Street, Wedgefield	Non compliance with planning conditions (Sealing of the site)	Adjourned for mention on 5th September 2014.	RS
154433C	Lot 21 (71) Greenfields Street, South Hedland	Unapproved Sea Containers	First mention on 28th September 2014.	MS
126300C	Lot 2065 Wilson Street, Port Hedland	Unauthorised Dwelling	Adjourned until 28th August 2014	RS

CURRENT HEALTH ORDERS AS OF JULY 2014

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

6:02pm Councillor Hunt declared a financial interest in item 11.1.6 "Review of Time Limited Parking Arrangements – Port Hedland CBD" as she is employed by a business in the designated area.

Councillor Hunt left the room.

11.1.6 Review of Time Limited Parking Arrangements – Port Hedland CBD

Peter Wilden, Coordinator Ranger Services
File No. 19/04/0002

DISCLOSURE OF INTEREST BY OFFICER

Nil

RECOMMENDATION

That Council:

- 1. Approve the installation and enforcement of one (1) hour "time limited" parking on Wedge Street and within the car park adjacent to the ANZ Bank, as indicated on the attached map;**
- 2. Approve the installation and enforcement of two (2) hour "time limited" parking in Edgar Street and the portion of Anderson Street between Wedge Street and The Esplanade; and**
- 3. Receive a further report on the effectiveness of "time limited" parking in Port Hedland CBD in six months' time.**

201415/026 AMENDED RECOMMENDATION/ COUNCIL DECISION

MOVED: CR GILLINGHAM

SECONDED: CR TAYLOR

That Council:

- 1. Approve the installation and enforcement of one (1) hour "time limited" parking on Wedge Street and within the car park adjacent to the ANZ Bank, as indicated on the attached map;**
- 2. Approve the installation and enforcement of two (2) hour "time limited" parking in Edgar Street and the portion of Anderson Street between Wedge Street and The Esplanade;**
- 3. Receive a further report on the effectiveness of "time limited" parking in Port Hedland CBD in six months' time;**
- 4. Request the Chief Executive Officer, or his delegate(s), not to implement the time limited parking in the areas indicated on the attached map until 1 November 2014; and**

5. **Request the Chief Executive Officer, or his delegate(s), to undertake a communication strategy to inform community members and business owners of the proposed changes in parking arrangements.**

CARRIED 5/0

6:05pm Councillor Hunt re-entered the room and resumed her chair. Deputy Mayor advised Councillor Hunt of Council's decision.

EXECUTIVE SUMMARY

The purpose of this report is for Council to review the time limited parking" arrangements in Wedge Street including the car park adjacent to the ANZ Bank, Anderson Street and Edgar Street in the Port Hedland CBD.

DETAILED REPORT

In January 2010, the Town received concerns from businesses operating in the Port Hedland CBD that customer parking was being consumed due to vehicles being parked in available bays all day. As result of these concerns a survey of business was undertaken and at that time Council resolved to introduce (1) one hour time limited parking in Wedge Street with no restrictions in Edgar Street or Anderson Street.

With the recent upgrades to Wedge Street completed it was considered by the Councillors present at a concept forum that it is an opportune time to revisit time limited parking in the area.

The initiative was referred to the Port Hedland Chamber of Commerce for comment and it was placed on their agenda. Unfortunately, there was a lack of a quorum for that particular meeting no resolution was made however, a representative of the Chamber stated that they were unlikely to support time limited parking in the West End.

To assist Council in the decision making process a survey of businesses operating in the immediate area was undertaken in late March 2014 and the results are listed below.

In obtaining the below results the following questions were asked to shop owners/managers.

"Would you as an operator/owner of a business in this area support timed parking in Wedge Street, Anderson Street and Edgar Street Port Hedland?"

If yes, what time limit would you consider to be appropriate, given the nature of businesses in the area? i.e. 1 hour or 2 hour parking limits?"

Most businesses in Wedge Street supported the 1 hour parking limit as it was stated that it would free up the area of over stayers and allow more business.

Location	Support	Disagree
Wedge Street	9	7
Anderson Street	2	5
Edgar Street	2	14

Initially it is intended the operative hours will be during existing office hours, being from 8am to 6pm. However these hours may be reviewed in the future. Appropriate signage will be installed and updated to reflect this.

FINANCIAL IMPLICATIONS


Cost of signs approximately \$2000 and 12-16 man hours in installation / erection.


STATUTORY AND POLICY IMPLICATIONS

Should Council decide to adopt time limited parking in the West End then policing of this strategy would form part of the Ranger functions under the Towns Parking Local Laws.

ATTACHMENTS

Map of Port Hedland Central Business District (CBD) and proposed time limited parking areas.

Blue line (1) one hour parking 

Red line (2) two hour parking 



8 August 2014

11.1.7 Trading in Public Places – Additional Vendor

Courtney King, Environmental Health Officer
File No. 19/04/0001

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/027 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR GILLINGHAM

SECONDED: CR DACCACHE

That Council approve the issuing of a Trading in Public Places Permit for 'Indian Curry in Hedland' until 30 June 2015.

CARRIED 6/0

EXECUTIVE SUMMARY

The Town's Environmental Health Service (EHS) has received a Trading in Public Places application, for a mobile food van, to trade in accordance with our Trading in Public Places Policy. The applicant first made enquires with the Town's EHS in January 2014, and the official application was submitted in July, 2014, which is outside of the designated submission period of May. In fairness to the applicant, who was seeking a compliant food van since January, it was decided to present this application to Council outside the normal May submission protocol for Category 3 Traders.

DETAILED REPORT

As per the Town of Port Hedland's Trading in Public Places Policy 13/014, All Category 3 Food Van Trading applications are to be considered by Council.

The Trading in Public Places application for 'Indian Curry in Hedland' was submitted outside of the designated application period of May, because the potential trader has only recently acquired his food van. The application was received on the 27th July 2014, but the applicant had made contact with the Town's EHS unit as early as the 31st January 2014, in regards to obtaining a Trading in Public Places permit.

As per the Town's Trading In Public Places Policy 13/014, the Trading in Public Places permit would be granted until 30th June 2015, with a view to re-approve or renew the licence for the following 12 months, until the 30th June 2016.

The 'Indian Curry in Hedland' would be classified as a Category 3- Medium Risk food premise, as defined in the Trading in Public Places Policy. The Policy also stipulates the times, terms and locations of trading.

'Indian Curry in Hedland' has proposed to make authentic Indian cuisine from the food van. The food van has been inspected by the Town's Environmental Health Services and with a few minor adjustments, will meet all health requirements stipulated under the Food Safety Standards. As this is a new operation there are no outstanding compliance issues.

CONSULTATION

Community concerns in relation to the operation of food vans have primarily been in regards to concerns about specific vendors or vans remaining on site after designated hours of operation.

The Town has received strong concerns from a community member who currently operates a food business from a designated food premises. The concerns related specifically as to why the Town allows food vans to operate as they feel that it disadvantages their business due to food vans not being required to pay rent, electricity, water and other service charges. The complainant requests that the Town of Port Hedland cease all approvals for food vans.

FINANCIAL IMPLICATIONS

Annual licensing fees for a 12 month licence are \$642.00 with a Trading in Streets and Public Places application fee of \$57.00, plus a Food Act Notification/Registration application fee of \$58.00.

STATUTORY AND POLICY IMPLICATIONS

While the regulation on how food vans operate remains under the control of the *Food Act 2008*, *Food Regulations 2009* and the *Food Safety Standards* the Town's Trading in Public Places Policy 13/014 stipulates the conditions of operation of food vans.

ATTACHMENTS

Nil.

07 August 2014

11.1.8 Request for Commitment to Funding for the Spoilbank Marina Precinct Development

Eber Butron, Director, Planning & Development
File No. 01/04/0006

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/028 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR GILLINGHAM

That Council request the Chief Executive Officer to amend the current funding agreement between the Town of Port Hedland and Landcorp that outlines the Town's commitment to reimburse the monies expended to date, and any future expenditure in relation to the Spoilbank project to a maximum amount of \$1.8 million (excl GST).

CARRIED BY ABSOLUTE MAJORITY 6/0

EXECUTIVE SUMMARY

The Town has received a formal request from Landcorp to reimburse costs and for the Town of Port Hedland (the Town) to commit funds to cover the costs of investigative studies currently being undertaken associated with the Spoilbank Marina Development.

The additional project deliverables include:

- Environmental Studies
- Concept Planning
- Marina Development application

The letter asks for the Town's funding commitment to be increased from its capped funding commitment to the Spoilbank Marina project from \$1.45M to \$1.8M to cover Landcorps forecasted costs.

To maintain momentum with the project and to ensure current and additional investigations are completed the Towns officers are recommending support for the increased funding commitment.

DETAILED REPORT

The following provides a background of Council resolutions to date.

At the Special Council Meeting of 12 March 2012, Council adopted the Business Plan for the development of Kingsford Smith Business Park (formally known as Precinct 3) which included a prepayment of the lease to the amount of \$40 million.

Council further resolved to redirect the \$40 million from the Airport Redevelopment Reserve to the Spoilbank Reserve with future funds sourced from the Kingsford Business Park to “make good” the \$40 million for the Airport Redevelopment.

The resolution of this meeting also included (in part):

“201112/351 Council Decision

Moved: Cr A A Carter, Seconded: Cr S R Martin

Officers Recommendation 3

That Council:

- 4. Requests the CEO to present a report to a future Council meeting that outlines the financial arrangements of the Spoilbank Marina Precinct Development and to gain Council direction for the aspects of the development that Council wishes to invest in.”*

This report was subsequently provided to Council on 25 July 2012, whereby clarification was sought from Council as to what aspects of the Spoilbank Marina Development the funding would be committed to.

At this meeting, Council resolved:

“201213/026 Amended Officer’s Recommendation/Council Decision

Moved: Cr Martin Seconded: Cr Jacob

That Council:

- 1. Notes the request from LandCorp and supports Option 3 as noted by LandCorp in Attachment 1.*
- 2. Reaffirms its willingness to contribute up to \$40 million towards the Spoilbank Precinct development on the basis of:*
 - a) Feasibility and due diligence being undertaken prior to final commitment*
 - b) Deliverables for the Town and community including:*
 - Caravan/tourist park site (freehold title to the Town at no cost)*
 - Boardwalks associated with the marina and other public facilities and spaces*
 - Amenities as an open air entertainment area / event space*
 - Opportunities for public swimming*
 - Play spaces – both dry and water based*
 - Fishing spaces and platforms*
 - Public interaction spaces incorporating cafes, bars and restaurants*
 - Picnic and BBQ areas*
 - Opportunities for public exercise, walking and healthy interaction*

- *Public artworks, including culture and heritage works.*
- 3. *Notes the provisional payments of the \$40 million contribution as:*
 - *2012/13 - \$1.5 million*
 - *2013/14 - \$5.7 million*
 - *2014/15 - \$23.1 million*
 - *2015/16 - \$9.7 million*
\$40.0 million
- 4. *Requires appropriate legal and contractual arrangements being entered into between the Town of Port Hedland, LandCorp and the Department of Regional Development and Lands prior to the commitment of funds.*

CARRIED 7/0

A further report was presented to Council in September 2013 following correspondence received from Landcorp requesting a funding commitment to undertake various projects including Planning Scheme amendment and associated investigations, Environmental Studies, concept planning and engineering.

At the Special Council meeting on 10 September 2013 Council resolved the following:

“201314/087 Council Decision 1

Moved: Cr Jacob Seconded: Cr Hunt

That Council:

1. *Revokes point 2 (a) of the Council Decision 201213/026 from 25 July 2012 recorded on page 18 of those minutes:*

“Feasibility and due diligence being undertaken prior to final commitment.”

2. *Revokes point 4 of the Council Decision 201213/026 from 25 July 2012 recorded on page 19 of those minutes:*

“Requires appropriate legal and contractual arrangements being entered into between the Town of Port Hedland, LandCorp and the Department of Regional Development and Lands prior to the commitment of funds.”

CARRIED BY ABSOLUTE MAJORITY VOTE 9/0

201314/088 Council Decision

Moved: Cr Jacob Seconded: Cr Hunt

That Council:

- 1. Acknowledges the request from LandCorp in Attachment 1;*
- 2. Approves the reimbursement of funds expended to date by LandCorp related to the scheme amendment process only, to the amount of \$170,324.31 (excl. GST);*
- 3. Requests the CEO to enter into a separate funding agreement that outlines the Town's commitment to reimburse the monies expended to date, and any future expenditure in relation to the scheme amendment only, until such time as a business plan may be adopted, to a maximum amount of \$1.45 million (excl GST) for 2013/14 recognising that Town expenditure will also be incurred from this budgeted amount;*
- 4. Notes that the Town is currently preparing a business plan for the major land transaction associated with the Spoilbank Marina Development;*
- 5. Subject to consideration of the business plan at a future Council Meeting, requests the CEO to enter into appropriate legal and contractual arrangements to be entered into between the Town of Port Hedland, LandCorp and the Department of Regional Development and Lands prior to committing the remaining funds in excess of \$1.45 million (GST excl); and*
- 6. Request that the CEO contact the Minister for Regional Development & Lands and Landcorp seeking the preparation of a submission to Cabinet proposing that the State Government funds allocated to the Spoilbank Marina project are utilised prior to those funds committed by the Town of Port Hedland.*

CARRIED 9/0"

Landcorp was engaged by the State Government to deliver the Spoilbank Marina Precinct development. The Cabinet Submission outlined that the \$152 million would be sourced via the Town in the first instance through its \$40 million contribution, and the State funds are to be utilized thereafter. Landcorp project managers, charged with delivering the project and their fees and costs are charged to the project in accordance with the endorsed Cabinet Submission, and previous Council resolutions.

A formal funding agreement was entered into between the Town and Landcorp to reflect point 5 of Councils resolution (201314/088) resolved at Special Council meeting of 10th September 2013.

Landcorp are now requesting Council reconsider their prior resolution of 10 September 2013 and are requesting Council to increase its funding commitment from \$1.45M to \$1.8M.

Landcorps correspondence outlining the project deliverables and costs to be incurred is provided in Attachment 1. As noted in Landcorps correspondence the request from Landcorp will enable various studies to be completed including: Environmental Studies, Concept Planning and Marina Development Application. To ensure these projects are completed it is recommended Council support the request to amend the funding commitment from \$1.45M to \$1.8M.

With regards to the Business Plan, for the Spoilbank Marina Development, this item has been placed in abeyance until such time the review of the concept planning for the Spoilbank and the proposed Cooke Point site is finalised.

There are two options that Council has:

Option 1 – Approve Landcorps request to increase Councils capped funding commitment from \$1.45M to \$1.8M.

Option 2 – Refuse Landcorps request to increase Councils capped funding commitment.

The Town Officers are recommending Option 1, that Council increase its capped funding commitment to \$1.8M.

Substantial studies and investigations have already been undertaken over the Spoilbank site to date and it is imperative that these and further studies continue to maintain momentum with the project.

CONSULTATION

- Chief Executive Officer – Town of Port Hedland
- Director Planning and Development – Town of Port Hedland
- McLeods Barristers and Solicitors – (Formal legal advice was received from McLeods for the 10th September 2013 Special Council Meeting)
- Todd Wood – Landcorp

FINANCIAL IMPLICATIONS

Costs incurred to date by the Town include those associated with the preparation of the business plan and the funding agreement. Costs have also been incurred for the consultancies engaged by Landcorp to undertake various studies and investigations over the Spoilbank site. These costs are consistent with Councils resolution of 10th September 2013. To date, the costs are being sourced from the \$1.45 million held within account 1304256 “Spoilbank Development”.

Costs borne by Landcorp to date include:

1. Scheme Amendment costs
2. Concept Planning costs
3. Various Environmental and engineering investigations

The total costs, to date, associated with the Spoilbank Development are \$1,202,769. This includes both Landcorp and Town costs associated with the development.

The 2014/15 budget currently contains \$600,000 expenditure funded; \$350,000 from Spoilbank Reserve and \$250,000 from BHP Partnership Reserve. This is allocated \$500,000 for alternative site studies and \$100,000 for Town of Port Hedland development costs.

The budget for Spoilbank construction in 2015/16 and 2016/17 is \$19m for each year.

Any unspent budget from 2013/14 will be presented to Council for revote into the 2014/15 budget at the September Ordinary Council Meeting.

The increase to the Landcorp funding agreement will be reflected in the 2014/15 budget as part of the September quarterly budget review.

STATUTORY AND POLICY IMPLICATIONS

The relevant sections of the Local Government Act 1985 pertinent to this matter include:

1. Section 3.59 Commercial enterprises by local government
2. Section 8A major land transactions and exempt land transactions

While this report is not the subject of the proposed major land transaction, the officer wishes to highlight section 3.59 (2) of the legislation which outlines that a business plan must be prepared before it enters into a major land transaction, or enters into a land transaction that is preparatory to entering into a major land transaction.

To this end, the Town has received previous legal advice in relation to LandCorps request for reimbursement of these costs is not considered preparatory to entering into a major land transaction.

STRATEGIC PLANNING IMPLICATIONS

The Spoilbank Marina Precinct development is a landmark project for Council and the Town, and would provide considerable benefits to the community from a recreational, residential, economic and tourist perspective.

There are many Strategic Community Plan implications for this project, namely:

Town Vision – A nationally significant, friendly city, where people want to live and are proud to call home.

6.1 Community, 6.1.2 Vibrant –

- Provide access to recreational, cultural, entertainment facilities and opportunities
- Commit to improving the quality of life and wellbeing of residents

- Develop Port Hedland's tourism industry to broaden the tourist opportunities available
- Maintain and extend the visual and physical access to the coast and thoroughfares for general public

6.2 Economic, 6.2.1 Diverse Economy –

- Facilitate commercial, industry and town growth
- Create local employment and investment and diversify the economy
- Enhance supply of suitable located and supported industrial and retail land

6.4 Local Leadership, 6.4.1 Deliver responsible management of infrastructure, assets, resources and technology –

- Responsible and transparent management of financial resources

ATTACHMENTS

1. Letter from Landcorp requesting funding

12 August 2014

ATTACHMENT 1 TO ITEM 11.1.7



Our Ref A1055778
Enquiries Todd Wood (08) 9742 7893

Mr Mal Osborne
Chief Executive Officer
Town of Port Hedland
Civic Centre
McGregor Street
PORT HEDLAND WA 6721

Dear Mal

SPOILBANK MARINA PRECINCT PROJECT

In reference to the Spoilbank Marina funding letter (attached) between the Town of Port Hedland and LandCorp, below is the current financial summary outlining the project costs incurred by LandCorp, subject to reimbursement by Council. Additionally, we have included the project deliverables to be completed by the end of 2014/early 2015 (subject to approval by Council) and the forecast budget.

Incurring costs between 1 May 2012 – 31 March 2014	\$569,217
Less Costs reimbursed to date – 1 May 2012 – 30 April 2013	\$170,324
	\$398,893
Less Legal costs relating to Funding Agreement	\$26,269
Costs to be reimbursed	\$372,624

Note

1. Costs above are GST exclusive.
2. Legal costs relating to the funding agreement to be reimbursed upon execution of funding agreement, or if not signed and the project does not proceed, then a resolution will be put to Council to approve the payment of these costs.
3. Attached to this letter is a schedule of the \$372,624 in costs to be reimbursed, along with copies of the tax invoices.

Upon your confirmation that the costs are acceptable for reimbursement, LandCorp will issue Council a tax invoice.

Project deliverables to be completed by the end of 2014/early 2015

- Environmental studies commenced January 2014 with proposed completion December 2014. These studies relate to the land use scheme amendment which has been referred to the Environmental Protection Authority and are required to support the future Marina Development Application.
- Concept plan commenced May 2012 (commencement of scheme amendment) with the proposed completion August 2014. This will be developed in consultation with key stakeholders to assist in developing the project master plan and informing the marina layout.
- Marina Development Application preparation proposed to commence September 2014 to be lodged late 2014/early 2015.

Project Deliverables	Incurred Costs to 31 March 2014	Forecast Cost	Total Costs (Incurred costs + Forecast costs)
Environmental Studies	\$314,827	April – Dec 2014 \$524,006	\$838,833
Concept Plan	\$254,390	April – Aug 2014 \$479,098	\$733,488
Contingency 20%		\$200,621	\$200,621
Sub – Total	\$569,217	\$1,203,725	\$1,772,942
Marina DA	Nil	Sep – Dec 2014 \$686,807	\$686,807
Contingency 20%		\$137,253	\$137,253
Sub - Total	Nil	\$823,517	\$823,517
Total	\$569,217	\$2,072,242	\$2,596,459

Note

1. Costs above are GST exclusive.
2. LandCorp project management fees of \$6,405 attributed to the funding agreement negotiation and \$93,980 for internal project management from 1 April 2013 – 31 March 2014 are reflected in the concept plan forecast costs to be reimbursed from Council in May 2014.
3. The forecast costs include a 20% contingency.
4. Included as an attachment to this letter is a schedule detailing the consolidated costs above.

In September 2013, Council approved a reimbursement limit of \$1.45 million (plus GST) for costs that can be legally reimbursed to LandCorp. This approval facilitated the reimbursement of costs incurred by LandCorp associated with the preparation of the scheme amendment (concept plan) and future costs relating to the environmental studies.

This funding is also utilised by the Town of Port Hedland for reimbursement of costs relating to the preparation of the business plan, funding agreement and the project. Council has provided a current estimate of incurred / forecast costs of \$112,000 (plus GST) so assuming Council incurs total expenditure of \$150,000 (plus GST) this provides \$1.3 million (plus GST) for LandCorp to utilise on the project.

Recommendation

The table above highlights that to meet the current project program of completing the environmental studies by December 2014 and the concept plan by August 2014, the reimbursement limit needs to be increased to \$1,772,942 (plus GST). This figure includes the 20% contingency of \$200,621, however, excludes the costs incurred by the Town. LandCorp recommends Council provides this increase to the reimbursement limit to allow the project to proceed in line with the current program.

Additional costs of \$823,517 (this figure includes the 20% contingency of \$137,253 plus GST) are required to provide for the preparation and lodgement of the Marina Development Application increasing the funding limit to \$2,596,459 (plus GST). As this funding does not require approval until August 2014, LandCorp recommends Council awaits progress of the study on the Cooke Point location before making a decision to commit these funds.

In reference to the Town of Port Hedland's total funding commitment, can you please provide an update regarding the status of Council's business plan for the proposed Port Hedland Marina Precinct.

If you require further detail on the project deliverables and financials, please contact the project's Senior Development Manager, Todd Wood on 9482 7893.

Yours sincerely



Frank Marra
CHIEF EXECUTIVE OFFICER

14 April 2014

11.2 Engineering Services

Nil.

11.3 Community Development**11.3.1 Port Hedland Waterfront Place Plan – Consideration of Public Submissions and Adoption of Plan**

Eddie Piper, Acting Director Community Development
File No.

DISCLOSURE OF INTEREST BY OFFICER

Nil

RECOMMENDATION

That Council:

- 1. Receive the public submissions on the Port Hedland Waterfront Place Plan and thank the organisations/individuals for their interest; and**
- 2. Adopt the Port Hedland Waterfront Place Plan as prepared by Village Well and dated 23 June 2014.**

AMENDED RECOMMENDATION

That Council:

- 1. Receive the public submissions on the Port Hedland Waterfront Place Plan and thank the organisations/individuals for their interest;**
- 2. Adopt the Port Hedland Waterfront Place Plan as prepared by Village Well and dated 23 June 2014;**
- 3. Require any reference to park names that do not represent the actual park/reserve name to be corrected;**
- 4. Require a further period of four weeks public comment; and**
- 5. Require, following the further period of public consultation, that the comments are analysed and recommendations to amend the Place Plan be made as appropriate.**

201415/029 COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR GILLINGHAM

That Council:

- 1. Receive the public submissions on the Port Hedland Waterfront Place Plan and thank the organisations/individuals for their interest;**
- 2. Adopt the Port Hedland Waterfront Place Plan as prepared by Village Well and dated 23 June 2014;**

3. **Require any reference to park names that do not represent the actual park/reserve name to be removed;**
4. **Require a further period of four weeks public comment; and**
5. **Require, following the further period of public consultation, that the comments are analysed and recommendations to amend the Place Plan be made as appropriate.**

CARRIED 6/0

EXECUTIVE SUMMARY

Council is requested to consider the public submissions and appropriately amend the Place Plan. Further, Council is requested to receive the Port Hedland Waterfront Place Plan and endorse it as the final.

DETAILED REPORT

In September 2013, Council engaged Village Well, Melbourne to prepare a Port Hedland Waterfront Place Plan (Attachment 1) at a cost of \$37,587.00.

Four workshops were conducted with community members, stakeholders, ToPH Executive and Elected Members in March 2014. These workshops were followed by an online survey, distributed in hardcopy and online and available for completion for four weeks.

At the time of conducting the workshops and consultation, the waterfront development location was not firmly established.

It is explained in the Place Plan that there is no reference to any specific location for the Waterfront and Marina development. Therefore it may be necessary to undertake a further study once the alternative site study is completed and a location has been determined.

The draft Waterfront Place Plan was circulated to stakeholders and workshop attendees for comment and was open for submissions for a period of two weeks, closing 11 July 2014. The comments received are included at Attachment 2. The feedback was essentially positive and is supported by the Acting Director Community Development.

The response to the request from stakeholders and workshop attendees was noted, however, there may be merit in inviting public comment on the Waterfront Place Plan.

FINANCIAL IMPLICATIONS

Nil in 2014/15.

Costs to undertake the placemaking were allocated to the Spoilbank Marina fund in 2013/14, funded jointly by LandCorp and ToPH.

STATUTORY AND POLICY IMPLICATIONS

The Town of Port Hedland's adopted Community Engagement Strategy was followed throughout the placemaking process.

This Place Plan has been undertaken to meet the Town's Strategic Community Plan 2012 - 2022. In particular, with reference to developing Port Hedland's unified and vibrant community by broadening Port Hedland's tourism opportunities as well as integrating the community functionally, physically and culturally.

Environmental implications are nil at present. However, when the contents of the Place Plan are developed into projects, consideration will need to be given to environmental implications.

ATTACHMENTS

1. Port Hedland Waterfront Place Plan (Village Well – 23 June 2014) – under separate cover
2. Comments received on (draft) Port Hedland Waterfront Place Plan – July 2014

29 July 2014

ATTACHMENT 2 TO ITEM 11.3.1

Comments received on (draft) Port Hedland Waterfront Place Plan - July 2014		
Contact	Organisation	Comments
Dennise Allen	WA Country Health Service	Great document.
Dan Collins	Hedland Accounting and Finance	<p>Thanks for the reminder about getting a response to you before the cut off date.</p> <p>The draft plan proposed seems to be pretty much on the mark.</p> <p>One thing I'd like to point out is that many tourists, and new residents are fascinated with watching the ships move in and out of the harbour. It would be great if the new waterfront development provided an area where people could watch the shipping movements, after all, this is one of the things that Hedland is famous for.</p>
Alex Craig	WA Country Health Service	<p>Feedback:</p> <ul style="list-style-type: none"> - During the workshop kitesurfing was brought up by several people and was identified as something beautiful to watch as a spectator and enjoyable with nil negative effects to the environment for the participant. I would like to see something mentioned on page 12 re this... and again on page 15, 56, 58 - I think the pictures on page 9 should be of Port Hedland - I really like the pictures of the Port with the ships... this is Port Hedland to me. - I am surprised by the facts re Port Hedland on page 14, particularly the 3000 temporary residents relating to 7.1.2.4 is really beautiful! 7.1.3.8 I think should be a picture of Port Hedland - Picture on page 54 is not so lovely. P58's pictures I would have preferred to see an artists impression of the development with the port Hedland background. These pictures seem irrelevant. If they are to identify what other Ports look like then fine, however, a) most people have seen a port, and b) the whole idea is that Port Hedland is different a different place than where the norm would be wearing a jumper in a boat. Maybe copying pictures from a place with a similar climate/ population, may be more appropriate. Feels like there is a big discrepancy between the recommendations and descriptions of Port Hedland and the photographs inserted into the plan - Love the idea of the bush tucker garden, p66. <p>Other than that, it's great to see further work towards an identifiable plan of developments of this nature in port Hedland. I like that it is planning to be in line with the strengths of the town, and is to provide some more atmosphere and aesthetically pleasing environments.</p>

Ilse Gosper	Training Ship Pilbara	<p>Thank you for your email. Unfortunately I was on shift work and unable to attend the forums, however while the concept looks great, please Does the plan have an area for Navy Cadets headquarters? It is currently next to the yacht club.</p>
Mark Donovan	BHP Billiton	<p>I refer to Caroline Fenton's email of 26 June 2014 to Chris Cottier and Rob Carruthers attaching the draft Place Plan and thank you for the invitation to provide comment. BHP Billiton Iron Ore (BHP Billiton) supports the consultative approach being adopted by the Town of Port Hedland (Town) in setting a vision for the proposed Port Hedland Waterfront development.</p> <p>The Company has worked collaboratively with the Town over many years to deliver community infrastructure to improve the liveability of Port Hedland. Our operations in the Port are anticipated to continue for the next hundred years or more, and we are committed to continuing to support the Port Hedland community in the long term.</p> <p>The Company's interest is to ensure the location and land use mix of the proposed Waterfront development is based on orderly and proper planning principles.</p> <p>Our concern remains the potential for long term land use conflict in the West End between residential and the operation of the world's largest bulk export port, and the threat this conflict poses to the primacy of the port and BHP Billiton's operations. Consistent with the Government's Dust & Noise Taskforce recommendations we will continue to oppose permanent residential development on the Spoilbank and old Hospital site.</p> <p>We believe Cooke Point is to be preferred as the location for a waterfront and landside development that contains permanent residential development. We hold a first right of refusal over the former Detention Centre site, which the Commonwealth is considering to dispose of. We believe this site could form a central component of the landside development necessary to support the proposed Port Hedland Waterfront development.</p>
Steve Jenkins	Department of Transport	<p>Thank you for forwarding the "Port Hedland Waterfront Place Plan". Our comments are in the context of the role and responsibilities of Coastal Infrastructure.</p> <p>There is little detail on the boat harbour itself other to say that it is a key component of Waterfront and that is should be a public harbour that accommodates the needs of the local fleet. It also highlights the desirability of the inclusion of a New Wharf and a Dock Square within the harbour precinct.</p> <p>Some other observations on the Report:</p> <ul style="list-style-type: none"> . It seeks to provide a development vision for the Port Hedland Waterfront – the Town foreshore. It discusses the types of development that should be included. . It acknowledges that site for the boat harbour has yet to be selected. . Other desirable components of the Waterfront relate to onshore developments such as: foreshore promenade, recreation areas, events green, campground and village hub. . It is intended to inform site selection and future design work.

11.4 Corporate Services**11.4.1 Financial Report to the Council for the Period Ended 30 June 2014**

Peter Kocian, Manager Financial Services
File No. 12/14/0003

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/030 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR TAYLOR

That Council:

- 1. Note the accounts paid during June 2014 under delegated authority; and**
- 2. Endorse the deferment of the monthly Statement of Financial Activity for the period ended 30 June 2014 until the September Ordinary Meeting of Council to allow for the finalisation of the end of year accounts.**

CARRIED 6/0

EXECUTIVE SUMMARY

This report recommends that Council endorse the deferment of the monthly Statement of Financial Activity for the period ended 30 June 2014 until the September Ordinary Meeting of Council to allow for the finalisation of the end of year accounts. This will ensure that the financial statements are a true and accurate representation of the Town's financial position at the end of the financial year.

DETAILED REPORT

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires a local government to prepare a Statement of Financial Activity and for it to be presented to Council within two (2) months after the end of the month to which the Statement relates.

The end of year audit is scheduled for the week commencing 8 September 2014 and it is envisaged that the draft Annual Financial Report for the Year Ended 30 June 2014 will be finalised by the end of the August.

A significant amount of work is required to finalise the end of year accounts (i.e. reconciliation of reserves, accounting for land held for resale, implementation of fair value accounting for land and buildings) and it is proposed that the presentation of the June Financial Statements be deferred until the accounts are finalised. This will also allow a thorough comparison of June 30 balances against the 2014/15 Budget, including net current assets carried forward.

FINANCIAL IMPLICATIONS

There are no financial implications relative to this report.

STATUTORY AND POLICY IMPLICATIONS

Upon advice from the Department of Local Government, monthly payment warrants have been moved back into the public section, and Officers are investigating report formatting options that provide the appropriate degree of disclosure, whilst balancing the privacy of individual's financial and personal information. Officers are reviewing the report format of other local governments in WA to find a suitable option.

Local Government Act 1995 – Section 6.4

Financial Management Regulations 1996 – Regulation 34

The Statement of Financial Activity will be prepared each month, compiled on an accrual basis and set out in a similar format to the Rate Setting Statement. It includes a comparison of actual results with budget estimates and a summary of the net assets at the end of the month to which the statement relates. There is an explanation of the composition of the net current assets at the end of the month to which the statement relates less committed and restricted assets.

Material variances between the actual revenue and expenditure and the comparable year to date budget estimates are investigated.

At the Special Meeting held on 31 July 2013, the Council resolved to adopt item 6.3.1 *'Adoption of the 2013/2014 Budget'*, which included the adoption of material variances for the 2013/14 financial year:

- 10% of the Function amended budget; or
- \$100,000 of the Function amended budget;

Whichever is the lesser, for operating and non-operating revenue and expenditure.

The monthly Statement of Financial Activity is to be presented to the Council at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates.

Local Government Act 1995 - Section 6.12

The Council has the power to defer, grant discounts, waive or write off debt.

2012-2022 Town of Port Hedland Strategic Community Plan
6.4 Local Leadership

The monthly financial reports provided to the Council on a monthly basis are of high quality, meeting legislative and organisational requirements.

These reports display the Town's transparent management of financial resources and the optimisation of investment opportunities.

2/003 Financial Statements – Copies for Councillors

This policy states that the following reports will be presented to the 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 the Council as deemed necessary by the Director of Corporate Services, the Manager of Financial Services or requested by the Council by resolution.

The Rate Summary Trial Balance and the Report on all Budgeted Grants of \$50,000 or more is currently not provided to the Council. These documents will be incorporated into the monthly financial report in future months.

ATTACHMENTS

1. Accounts paid under delegated authority detailing the total payment from the Municipal Fund for the month (Under Separate Cover)

29 July 2014

11.4.2 Request to Lease - Play and Learn WA Pty Ltd

Sara Bryan, Manager Investment and Business Development
File No. 05/05/0113

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/031 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR TAYLOR

SECONDED: CR HUNT

That Council:

1. **Dispose of a 1582.42m² portion of Reserve 37820, Lot 550 Hedditch Street, South Hedland to Play and Learn WA Pty Ltd by way of land lease in accordance with Section 3.58 (3) of the Local Government Act 1995 on the following terms and conditions:**
 - a) **Initial lease term 21 years;**
 - b) **Option to extend by 21 years, subject to approval from the Minister of Lands in accordance with the management order;**
 - c) **Annual rental of \$2,500 exclusive GST;**
 - d) **Annual increase to the base rental by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date;**
 - e) **All costs associated with the occupation of the land to be borne by the lessee, including, but not limited to any capital, operational and whole of life asset costs and Local Government rates; and**
 - f) **Permitted purpose child care centre.**

Subject to no submissions being received in the requisite advertising period.

CARRIED 6/0

EXECUTIVE SUMMARY

Play and Learn WA Pty Ltd (Play and Learn) are a private childcare provider who have occupied a property at the Pilbara TAFE Campus located in South Hedland by way of lease. This lease is due to expire in March 2016 with no option for renewal and Play and Learn have been actively investigating alternative sites to enable them to continue offering their service in Town.

In early 2013 Play and Learn approached the Town's Economic Development team to enquire whether there were any options to utilise land in the Town's control.

As part of the redevelopment of the South Hedland Bowls and Tennis Club (SHBTC), it was identified that on completion of the project, by re locating the clubhouse to the centre of the site, there was a balance of land which could accommodate additional users.

Play and Learn submitted a proposal to the Town requesting to lease a portion of Reserve 37820 for the development of a new child care facility. Officers are now seeking Councils approval to formally consider the request to dispose of portion of the Reserve and enter into a formal lease arrangement with Play and Learn.

DETAILED REPORT

Reserve 37820, Lot 550 Hedditch Street, South Hedland is Crown land owned by the State of Western Australia. The Town of Port Hedland (Town) has the Management Order for the Reserve with power to Lease for up to 21 years with consent from the Minister of Lands. The permitted use of the Reserve is recreation, club premises and childcare “

At Ordinary Council Meeting (OCM) held on the 29 January 2014, Council resolved the following (part resolution):

“That Council:

...

- a) *Approve the request to amend the purpose of Reserve 37820 located at Lot 550 Hedditch Street, South Hedland on Deposited Plan 61032, to include “Childcare”, with the power to lease for a period of twenty one (21) years; and*
- b) *Request the Chief Executive Officer or their delegate to request the Department of Lands to amend the purpose of Reserve 37820 located at Lot 550 Hedditch Street, South Hedland on Deposited Plan 61032, to include “Childcare” and to include the power to lease for a period of twenty one (21) years.”*

Following this decision of Council, Officers requested the Minister of Lands to formally endorse the decision to amend the Management Order to include “childcare” as a permitted land use. On the 13 June 2014, the Town received correspondence from the Minister endorsing this amendment.

Shared Site

The proposed site accommodates the old SHBTC clubhouse building. This building is in the process of being refurbished by the RSL Port Hedland Sub Branch (RSL) to be used as a community shop and Anzac house. It is proposed that the remainder of this site will be occupied by Play and Learn for the development of a child care centre. Play and Learn and the RSL have been working together to make arrangements for shared use of the site and are in the planning stages of developing a shared site plan to consider shared use arrangements for car parking. This will be considered separately as part of the regulatory approvals process, and any outcomes for shared use arrangements will be documented by way of a Memorandum of Understanding between the parties to ensure effective management of the site.

Development

Play and Learn currently operate a 57 place childcare centre at their current location. Should Council resolve to enter into a lease for portion of Reserve 37820, Lot 550 Play and Learn would look to develop a ninety (90) place childcare facility which would provide much needed additional child care place in town.

Lease term

Further to negotiations with Play and Learn, and in recognition of the substantial capital investment proposed for the development, Play and Learn have requested an initial lease term of twenty one (21) years with a further twenty one (21) year extension option.

The permitted lease term in accordance with the management order for the reserve is limited to a maximum term of twenty one (21) years. This 21 year term includes any extensions to the initial term of the lease.

Should Council resolve to dispose of the land by way of lease, Officers will seek relevant regulatory approvals from the Minister of Lands requesting an amendment to the management order to increase the power to lease for a maximum period of forty two (42) years.

Proposed lease fee

Based on a recent valuation report for similar sites, the market value of the site is approximately \$30 per square meter per annum exclusive of GST. While Play and Learn do not technically fall into the Community Leasing Policy principals by virtue of their company status, it is proposed that their lease fee be aligned with the annual community lease fee of \$2500 per annum excluding GST, due to the nature of their business providing necessary service to the residents of the town.

Play and Learn would be responsible for all costs associated with the occupation of the site, including capital costs of the development, operational and ongoing maintenance costs and Local Government Rates.

Should Council proceed with the officers recommendation of this item, a lease agreement will be developed with Play and Learn on the following terms and conditions:

- a) Initial lease term 21 years;
- b) Option to extend by 21 years, subject to approval from the Minister of Lands in accordance with the management order;
- c) Annual rental of \$2,500 exclusive GST;
- d) Annual increase to the base rental by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date ;
- e) All costs associated with the occupation of the land to be borne by the lessee, including, but not limited to any capital, operational and whole of life asset costs and Local Government rates; and
- f) Permitted purpose child care centre

FINANCIAL IMPLICATIONS

Should Council proceed with the Officers Recommendation the following budget implications will apply.

Play and Learn would be liable to pay \$2,500 per annum exclusive of GST, with the rental amount increased annually by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date. Over the initial 21 year Lease term, this would see an amount of \$52,500 attributed to the Lease Income account.

Play and Learn would be responsible for all outgoings associated with the occupation of the site including but not limited to any capital improvements and maintenance of the site, utility costs and Local Government Rates.

In addition to the above, In accordance with the Towns standard practice all Lessees are required to pay for the legal costs associated with the preparation of a Lease document

STATUTORY AND POLICY IMPLICATIONS

In accordance with Section 3.58 of the Local Government Act Disposing of Property, Officers will be required to locally advertise the proposed disposition by way of public notice for a period of two weeks. Should no public submissions be received during the requisite advertising period officers will formalise the disposal by entering into a lease agreement with Play and Learn.

This item addresses two points within the Strategic Community Plan by promoting an increase in the range and type of business investing and operating within the Town and responsible management of infrastructure, assets, resources and technology.

ATTACHMENTS

Nil

07 August 2014

11.4.3 Request to Lease - Nextgen Networks Pty Limited

Jessica Melia, Leasing Officer
File No. 05/05/0107

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/032 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR TAYLOR

SECONDED: CR GILLINGHAM

That Council:

1. **Approve the disposal of a 500m² of Reserve 8214, Lot 1 McGregor Street, Port Hedland to Nextgen Group Holdings Pty Ltd. by way of land lease in accordance with Section 3.58 (3) of the *Local Government Act 1995* on the following terms and conditions:**
 - a) **Initial lease term of 10 years;**
 - b) **Option to extend for 11 years (total 21 years);**
 - c) **Annual rental of \$15,000 per annum exclusive of GST;**
 - d) **Annual increases to the base rental fixed at 3%;**
 - e) **Annual rental to be quarantined in the Towns community facilities reserve account and applied to community facilities; and**
 - f) **Permitted purpose of telecommunications facility.**

Subject to no submissions being received during the requisite advertising period.

CARRIED 6/0

EXECUTIVE SUMMARY

Council is requested to approve the disposal of a 500m² portion of Reserve 8214, McGregor Street, Port Hedland by way of lease to Nextgen Networks Pty Limited (Nextgen).

Reserve 8214, Lot 1 McGregor Street, Port Hedland is Crown land owned by the State of Western Australia. The Town of Port Hedland (Town) has the Management Order for the Reserve with power to Lease for up to 21 years with consent from the Minister of Lands. The permitted use of the Reserve is "Recreation & Telecommunications"

Nextgen have submitted a proposal to the Town requesting to lease a portion of Reserve 8214 to install a communications facility (equipment shelter) to support the provision of an extended broadband network.

DETAILED REPORT

On 22 January 2014 representatives from Visionstream acting on behalf of Nextgen presented their proposal to Council via a Concept Forum. The presentation specifically referenced the public interest and pro-competitive outcomes of the project, detailed the site evaluation process including planning and environmental considerations and the operations of the maintenance of infrastructure.

At the Ordinary Council Meeting held on the 26 February 2014, Council resolved the following (part resolution):

“That Council:

...

- a) *amend the purpose of Reserve 8214 Located Lot 1 McGregor Street ,Port Hedland on Deposited Plan 34051, to include “Telecommunications”.*

Following this decision of Council, Officers requested the Minister of Lands to formally endorse the decision to amend the Management Order to include “telecommunications” as a permitted land use.

On 8 August 2014, the Town received correspondence from the Minister endorsing this amendment on the condition that all funds received from a lease arrangement would be put towards any improvements and maintenance of the Reserve.

Officers are now seeking Councils approval to formally consider the request to dispose a portion of the Reserve and enter into a formal lease arrangement with Nextgen.

Proposal

Nextgen was established in 1994 and is the second largest optic fibre telecommunications network provider servicing mainland capital cities and regional towns with in Australia. Nextgen proposes to construct an optic fibre cable in Port Hedland to support the provision of extended broadband network coverage. The proposal requires a suitable connection point close to shore for the purpose of building a base cable landing station (equipment shelter).

Nextgen have identified a portion of Reserve 8214 as a suitable location for their equipment shelter. The purpose of this facility is to maintain the optic fibre cable in the water in conjunction with the interconnection service on land.

The proposal from Nextgen will effectively increase the number of broadband service providers that are currently available to residents of the town. Regions similar to Port Hedland that currently benefit from this infrastructure have experienced the following outcomes/direct benefits from this service:

- Substantial reductions in the price of broadband services;
- Large increases in download/upload quotas offered by service providers;
- Major improvements in mobile phone services, quality, bandwidth and coverage;

- Improvements to the service levels provided to residents in the locality due to the competitive pressures; and
- Increase to the range of services offered to both residential and industrial customers supporting new industry creations

There are no health risks with the type of infrastructure that will be installed as all the relevant Australian and International Standards that guide the design approach to the proposal are obliged to take into account the health and safety of the wider community in the setting of the standards. Nextgen have a comprehensive management system and stringent process to ensure that works can demonstrate full compliance with relevant safety standards.

Should Council agree to dispose of a portion of Reserve 8214 McGregor Street, Port Hedland, the construction for the development is anticipated to commence January 2015, subject to all relevant regulatory approvals.

In summary, it is anticipated that enabling Nextgen to install their infrastructure will have a positive impact on the current telecommunication services available to residents of town.

Proposed site

During the feasibility process Nextgen have consulted with various stakeholders including the Federal Communications Commission, Department of Lands, Western Australia Environmental Protection Authority and Department of Fisheries as well as State and Local Government Agencies.

Nextgen have considered alternative locations when investigating suitable sites for the equipment shelter and on shore infrastructure.

Alternative location sites included the Corner of Howe and Kingsmill Street located in Port Hedland, Clarke Street located in Port Hedland and Wilson Street far side of McGregor Street Reserve. The alternative sites that were investigated by Nextgen were deemed unsuitable for this development for the following reasons:

- The corner of Howe Street and Kingsmill Street is not suitable as the conduit alignment options were either too close to port channels or adjacent to the spoil grounds which pose a high risk to the cables. In addition the proposed Spoilbank Marina plans impact the off shore alignments.
- Clark Street was deemed too problematic with other established Telstra infrastructure.
- Wilson Street far side of McGregor Street is not suitable as this is a low lying area which is subject to flooding in extreme weather situations.

In summary, the site located on McGregor Street is preferred as it provides good technical conditions for constructing the conduit off shore as well as the ability to manage and service the visual amenities.

Town Planning

The Town's Planning Department and Landcorp have identified a portion of Reserve 8214 as a potential area that may become available for a future residential development.

Nextgen were advised by Landcorp that at present, planning within the area is conceptual and the site identified would be acceptable as the layout of the equipment shelter would be consistent with similar structures used within residential developments.

Notwithstanding the comments above, should Council resolve to dispose of the land by way of lease, Nextgen will need to seek relevant regulatory approvals (planning and building) separate to this process.

Proposed lease fee

In accordance with Section 3.58 of the *Local Government Act 1995*, Australian Property Consultants (APC) prepared a valuation report for the site identified for the proposed telecommunications equipment shelter.

In analyzing the value of land for a telecommunications use, there is consideration given to the number of carriers able to benefit from the particular site. Valuations of this type traditionally propose three indicative valuation amounts based on a single carrier, dual carrier or a multiple carrier licence. The valuation report indicated the following amounts:

Carrier type	Single	Dual	Multiple
Annual lease fee (ex gst)	\$10,000	\$15,000	\$20,000

It is proposed that Nextgen will have exclusive use of the facility and will operate as a wholesaler within the telecommunications market, enabling a number of carriers to benefit from the infrastructure on site.

In traditional telecommunications terms, where a mobile network operator has exclusive use of a site, other operators may collocate through sub lease arrangements and have interests in the land through the installation of hard, physical infrastructure.

As Nextgen make use of optic fibre technologies, other carriers will be able to benefit from the established infrastructure by collocating via the optic fibre cable.

Initially, Nextgen proposed annual lease fees to be considered on the terms indicated for a single carrier and made an offer of \$10,000 per annum exclusive of GST.

Further negotiations continued between the parties to determine whether this Nextgen proposal would fit in to a single, dual or multiple carrier scenario and as a result of these discussions Nextgen presented a second offer to the Town for the amount of \$15,000 per annum exclusive of GST.

Based on the negotiations and analysis of the proposed operations, it is the Officer's opinion that this is a fair annual rental amount. It is proposed that this fee will be increased on an annual basis at a fixed rate of 3%.

Nextgen would be responsible for all outgoings associated with the occupation of the site including but not limited to any capital improvements and maintenance of the site, utility costs and Local Government Rates.

Conclusion

In consideration of all matters presented above the Officer recommends that Council proceed with formalising a lease arrangement with Nextgen.

Should Council agree to dispose of portion of Reserve 8214 on McGregor Street Port Hedland, the disposal would be locally advertised for public comment for a requisite period of two weeks.

Should no submissions be received within the requisite advertising period a lease will be offered to Nextgen on the following terms:

- a) Initial lease term of 10 years;
- b) Option to extend for 11 years (total 21 years);
- c) Annual rental of \$15,000 per annum exclusive of GST and;
- d) Annual increases to the base rental fixed at 3%;
- e) Annual rental to be quarantined in the Towns community facilities reserve account and applied to community facilities; and
- f) Permitted purpose of telecommunications facility.

FINANCIAL IMPLICATIONS

Should Council proceed with the Officers Recommendation the following budget implications will apply.

Nextgen would be liable to pay \$15,000 per annum exclusive of GST, with the rental amount increased annually at a fixed rate of 3%. Over the initial 10 year Lease term, this would see an amount of \$152,270.30 attributed to the Lease income account.

It is proposed that the annual rental fee of \$15,000 per annum exclusive of GST will be transferred to the Towns community facilities reserve account for investment towards ongoing maintenance, refurbishments and upgrades to community facilities.

In addition to the above, In accordance with the Towns standard practice all Lessees are required to pay for the legal costs associated with the preparation of a Lease document.

STATUTORY AND POLICY IMPLICATIONS

In accordance with Section 3.58 of the Local Government Act *Disposing of Property*, Officers will be required to locally advertise the proposed disposition by way of public notice for a period of two weeks. Should no public submissions be received during the requisite advertising period officers will formalise the disposal by entering into a lease agreement with Nextgen.

This item addresses two points with in the Strategic Community Plan by promoting an increase in the range and type of business investing and operating with in the Town and responsible management of infrastructure, assets, recourse's and technology.

ATTACHMENTS

Nil

01 August 2014

11.4.4 Strategic Community Plan – Two-Yearly Desktop Review

Anna Duffield, Manager Corporate Information
File No. 04/01/0001

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/033 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR GILLINGHAM

That Council:

- 1. Endorse the revised Strategic Community Plan for public exhibition; and**
- 2. Request the final Strategic Community Plan be presented to Council for final adoption by end 2014.**

CARRIED 6/0

EXECUTIVE SUMMARY

The Town of Port Hedland's Strategic Community Plan (the plan) is the overarching document that sets out the vision, aspirations and objectives of our community. A series of associated plans, including the Corporate Business Plan, Long Term Financial Plan and Resourcing Plan, support its implementation and ensure the Town's operations are aligned to community aspirations.

The development of the plan is a requirement under the Local Government Act 1995 to 'plan for the future'. It was first adopted by Council at its July 2012 meeting and as per regulations is required to undergo a desktop review every two years. The review is an opportunity to make sure the goals and strategies are still relevant and to refine these to better reflect our community's aspirations.

The plan sets out our community's aspirations for the next ten years and articulates strategies as to how we are going to achieve these. Our vision is to be a nationally significant friendly city where people are proud to call home.

This vision is supported by four key themes:

- Building a unified and vibrant community
- Supporting a diverse economy
- Balancing our built and natural environment
- Leading our community

Internal workshops and community engagement was undertaken as part of the review. Further consultation will occur during a public exhibition process in September. It should be noted that the final plan will be presented in an easy to read and designed format, rather than report format.

This report summarises the revised plan following the desktop review and seeks Council endorsement prior to releasing for public exhibition.

DETAILED REPORT

Legislative requirements

Integrated planning and reporting gives local governments a framework for establishing local priorities and linking these to operational functions – this is activated through strategic community and the corporate business plans.

At its 11 July 2012 Ordinary Council Meeting, the 2012-2022 Town of Port Hedland Strategic Community Plan (the plan) was endorsed. It is the Town's overarching document that sets out the vision, aspirations and objectives of our community.

The Local Government Act (section 5.56) outlines the requirement for local governments to plan for the future. The adoption and implementation of strategic community and corporate business plans facilitates this requirement.

As per the regulations, the plan is to:

- be for a minimum 10-year timeframe
- state community aspirations, vision and objectives
- be developed or modified through engagement with the community, and this is documented
- have regard to current and future resource capacity, demographic trends and strategic performance measurement
- be adopted or modified by an absolute majority of council
- undergo a strategic review two years from when it is adopted and a full review four years from when it is adopted

Review process

The two-yearly minor review is an opportunity to make sure our goals and strategies are still relevant and to refine these to better reflect our community's aspirations.

A series of internal workshops were held with key staff, executive and elected members. The goals and strategies were regrouped to better align to the current environment and priorities. The themes were also expanded to be more relevant.

Community feedback was obtained through the annual community survey, a community information stall, online survey and feedback at the Civic Centre:

- The Spinifex Spree stall, held on 25 and 26 July, invited community members to nominate their top six priorities for the Town. 611 community members provided feedback – the top priorities were facilities, environment, local business and housing
- The online survey, conducted in early August 2014, mirrored the Spinifex Spree event and invited feedback on top priorities for the town. 27 responses were recorded – the top priorities were facilities, community engagement, housing and financial management
- The annual community survey, conducted in February 2014, sought feedback from 641 community members – priority areas included airport redevelopment, litter collection, environmental health, public lighting, street appearance, parking, footpaths, streets and roads.

It should be noted that these priorities are addressed in the strategies and goals of the plan. As an example, the need to deliver community facilities is reflected under theme 'building a unified and vibrant community', goal 'a vibrant community rich in diverse cultures' and strategy 'deliver and support programs, facilities and services which attract and retain residents to increase our permanent population'.

Key elements of the plan

The plan sets out our community's aspirations for the next ten years and articulates strategies as to how we are going to achieve these. Our vision is to be a nationally significant friendly city where people are proud to call home.

This vision is supported by four key themes:

- Building a unified and vibrant community – We are a friendly and exciting city of diverse neighbours which is alive with recreational, cultural and entertainment activities that enrich residents' and visitors' quality of life. Generations of residents are proud to call Port Hedland home
- Supporting a diverse economy – Our economy is resilient and provides choice and opportunities. As the economic powerhouse of Australia we will be a domestic and international gateway to the North West.
- Balancing our built and natural environment – We are a safe, modern and attractive city that is sustainably balanced with our natural surroundings and cultural heritage.
- Leading our community – We provide strong leadership and are focused on strengthening our community. Our organisation is governed in an ethically responsible manner and meets all of its legislative and community obligations in accordance with defined service levels

The supporting goals and strategies are outlined in Appendix 1 – Strategic Community Plan.

Community consultation

If endorsed, the plan will be released for public exhibition for a month. This will include public notices, community notices and online surveys.

Feedback is being sought on the content of the plan, rather than its format or design. Following consultation, the final plan will be designed to ensure it is easy to read and understand, including photos of Port Hedland and our community.

FINANCIAL IMPLICATIONS

The plan is reflective of the Town's long-term financial position.

STATUTORY AND POLICY IMPLICATIONS

The Local Government Act (section 5.56) outlines the requirement for local governments to plan for the future. The adoption and implementation of strategic community and corporate business plans facilitates this requirement.

The final Strategic Community Plan adoption will require an absolute majority vote, however as the item only seeks endorsement for public exhibition, simple majority vote is required.

ATTACHMENTS

1. Town of Port Hedland revised Strategic Community Plan 2024 (Under Separate Cover)

11 August 2014

11.4.5 Making of Town of Port Hedland Standing Orders Local Law 2014

Josephine Bianchi, Governance Coordinator
File No.

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/034 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR TAYLOR

That Council:

1. **Note the submission from the Department of Local Government and Communities in relation to the proposed Town of Port Hedland Standing Orders Local Law 2014;**
2. **Resolve to make the Town of Port Hedland Standing Orders Local Law 2014, as per Attachment 1, in accordance with section 3.12 of the Local Government Act 1995:**
 - a) **the purpose of which is to provide rules of conduct of meetings of the council, its committees and to meetings of electors; and**
 - b) **the effect being-**
 - (i) **better decision making by the council and its committees;**
 - (ii) **the orderly conduct of meetings dealing with council business;**
 - (iii) **better decision understanding of the process of conducting meetings; and**
 - (iv) **the more efficient and effective use of time at meetings.**
3. **Publish the Town of Port Hedland Standing Orders Local Law 2014, as per (2) above, in the Government Gazette and provide copies of the local law to the Minister for Local Government;**
4. **Give local public notice after gazettal of the local law advising the date on which the local law commences;**
5. **Submit a copy of the gazetted local law, explanatory memoranda and associated documentation to the Joint Standing Committee on Delegated Legislation for review; and**
6. **Authorise the affixing of the Common Seal to the Town of Port Hedland Standing Orders Local Law 2014.**

CARRIED BY ABSOLUTE MAJORITY 6/0

EXECUTIVE SUMMARY

For Council to consider the submission received from the Department of Local Government and Communities after the closure of the public submission period on the proposed Town of Port Hedland Standing Orders Local Law 2014.

DETAILED REPORT

The proposed Town of Port Hedland Standing Orders Local Law 2014 was presented to the Council at its Ordinary meeting of 25 June 2014 for adoption for advertising purposes.

The procedure for making local laws requires Council to advertise state-wide, advising of its intention to make a local law, and invite submissions to be made on the proposed local law for a six-week period. At the closure of the submission period, Council is to consider all submissions before making a local law. After resolving to make the local law, it is to publish the local law in the Government Gazette and provide a copy of it to the Minister for Local Government. Copies of the local law along with the completed Explanatory Memorandum are to be forwarded to the Joint Standing Committee on Delegated Legislation for review. Local public notice of the commencement of the local law is to occur after its gazettal.

State-wide advertising was undertaken in the West Australian on 28 June, with the submission period for public comment closing on 11 August 2014.

At the closure of the submission period, one submission, from the Department of Local Government and Communities, was received.

Internal consultation in relation to the proposed local law was undertaken with Councillors and relevant officers prior to the advertising of the local law.

Public consultation was undertaken through the placement of an advertisement in the West Australian, local newspapers and a notice was also placed on local notice boards.

Comments were received from the Department of Local Government and Communities on the format and drafting of the local law. The key items are addressed in the table below:

CLAUSE NO.	HEADING	PROPOSED AMENDMENT	TOWN'S POSITION
N/A	N/A	Remove page numbers from draft local law, as these numbers may not be correct upon publication.	Agreed. Page numbers were initially included to assist councillors and staff negotiate the draft local law. Page numbering has now been removed
	All Part Headings	Part and schedule headings should be bold, sentence case and centralised.	Noted. In checking all recently published local laws, they have Part headings in capital letters. Notwithstanding this, Council's local law has been amended according to the advice from the Department.

CLAUSE NO.	HEADING	PROPOSED AMENDMENT	TOWN'S POSITION
1.3	Part 1	The Town can remove this clause if it wishes as it has no legislative effect.	Noted. It is suggested that this clause remain, as it provides readers of the local law of the purpose and intent of the local law at the commencement.
1.5, 18.1 and 18.2	Part 1 and Part 18	It is suggested that the term 'standing orders' be deleted as it is not necessary.	Agreed. This clause has been amended by deleting this definition. Clauses 18.1 and 18.2 have been amended by removing the referral to this definition and inserting the words 'this local law'.
6.16	Part 6	It is suggested that the word 'vocal' be replaced with 'audio'.	Agreed. This clause has now been amended and the wording changed to reflect that suggested by the Department.
21.1	Part 21	The Joint Standing committee on Delegated Legislation has previously requested that the penalties in Standing Orders Local Laws be reduced from \$5,000 to \$1,000.	Agreed. The current wording of this clause only provides for the maximum penalty provided for under the Act, regardless of the type of breach. This clause has now been amended and the wording changed to reflect that suggested by the Department.

The Department of Local Government and Communities have suggested a series of minor drafting amendments throughout the local law. These drafting suggested amendments have been incorporated into the final local law.

The amendments suggested above are considered minor in nature and will not result in a local law significantly different from that originally proposed.

To comply with the provisions of section 3.12 of the Act, when making a local law, the Presiding Person is required give notice of the purpose and effect of the proposed local law at the Council meeting where the local law is being considered. This is achieved by:

- a) ensuring that the purpose and effect of the local law is included in the agenda for that meeting; and
- b) by ensuring that the minutes of the meeting of the council include the purpose and effect of the proposed local law.

The purpose and effect of the Standing Orders local law is –

Purpose – To provide rules of conduct of meetings of the council, its committees and to meetings of electors.

Effect - To result in-

- (a) better decision making by the council and its committees;

- (b) the orderly conduct of meetings dealing with council business;
- (c) better decision understanding of the process of conducting meetings; and
- (d) the more efficient and effective use of time at meetings.

FINANCIAL IMPLICATIONS

Gazettal of the adopted local law is required, which currently costs \$97.80 per page. These costs are included in the current budget.

STATUTORY AND POLICY IMPLICATIONS

Section 3.12 of the Local Government Act 1995 states deals with the Procedure for making of local laws.

ATTACHMENTS

1. Gazette ready copy of the Town of Port Hedland Standing Orders Local Law 2014 (under separate cover).
2. Email from the Department of Local Government and Communities.

11 August 2014

ATTACHMENT 2 TO ITEM 11.4.5

From: Vicki Gilmore [mailto:vicki.gilmore@dlgc.wa.gov.au]
Sent: Wednesday, 6 August 2014 12:26 PM
To: Records
Cc: Josephine Bianchi
Subject: Town of Port Hedland Standing Orders Local Law 2014 - DLGC comments

Dear Mr Osborne,

This email is in response to your correspondence dated 30 June 2014 regarding the proposed *Town of Port Hedland Standing Orders Local Law 2014*.

The Department's comments are set out below:

Town of Port Hedland Standing Orders Local Law 2014

1. Page numbers

It is suggested that page numbers should not be included in the gazetted version of the local law, since these numbers may not be correct after the local law is published in the *Government Gazette*.

2. Part headings

Part headings and Schedule headings should be in bold, lower case and centralised:

Part 4 – Presiding member and quorum

Division headings should be italicised, lower case and centralised:

Division 1 – Who presides

3. Clause 1.3 Purpose and Effect

Clause 1.3(3) sets out the intent of the local law. This clause has no legislative effect and can be removed if the Town wishes. While the *Local Government Act 1995* (the Act) requires the purpose or intent (and effect) be included in the public notices relating to a proposed local law, there is no requirement to include the intent (and effect) in the local law itself.

4. Clause 1.5 Interpretation

It is suggested that the term '*standing orders*' be deleted as it is not necessary.

The following formatting amendments are also suggested for this clause:

- The second line in the definitions of '*adjourned meeting*' and '*deputation*' should align.

5. Clause 6.16 Recordings

It is suggested that the word 'vocal' be substituted with 'audio'.

6. Clause 18.1 Presiding member to ensure compliance

It is suggested that the words 'the Standing Orders' be deleted and the words 'this local law' be inserted.

7. Clause 18.2 Suspension of standing orders

In clause (1) it is suggested the words 'standing order, or' be deleted. The comma after 'of' should also be deleted. The clause should then read '*...one or more of the provisions of this local law be suspended*'.

8. Clause 21.1 Penalties

The Delegated Legislation Committee has previously requested that the penalties in standing orders be reduced from \$5000 to \$1000. It is suggested that this clause be amended to reflect a lower penalty.

9. Use of the term 'Town'

The Delegated Legislation Committee has recently voiced concerns at the use of the word "Town" in local laws as a replacement for the term "local government".

The Committee's current position is that "local government" is the correct terminology to be used in local laws, since that is the term used in the *Local Government Act 1995*.

All other references to the term "Town" in the local law should then be replaced with the words "local government". For example, clause 5.6(2) should read: '*Subject to subclause (3), the local government may pass an adoption by exception resolution*'.

10. Use of term 'Regulations' and 'General Regulations'.

These terms are used interchangeably throughout the local law – 'General Regulations' is defined – "Regulations" is not. It is suggested that the Town choose one of these terms to refer to the *Local Government (Administration) Regulations 1996* and ensure it is used consistently throughout the local law.

11. Use of capital letters

The use of capitalisation in the words 'member(s)' and 'committee' is inconsistent throughout the local law. It is suggested that these words should not be capitalised so as to be consistent with clause 1.5. Furthermore, it is suggested that the term 'council' not be capitalised so as to be consistent with the Act.

Minor edits:

The following minor edits are suggested:

- Clause 4.12(2): capitalise 'if' and insert a space between subclause (2) and (3);
- Clause 4.14: insert spaces between subclauses (1), (2) and (3) to be consistent with formatting throughout the law.
- Clause 12.1: spacing between paragraphs is inconsistent with remainder of local law.
- Clause 9.16(1)(a)(i): 'employee' should not have a capital 'e';
- Clause 18.3: insert 'this' before 'local law' in the title of this clause.

Minister's Directions – pursuant to s 3.12(7) of the *Local Government Act 1995*

Please note: Once the Town has published a local law in the *Government Gazette*, you must comply with the requirements of the Minister's *Local Laws Explanatory Memoranda Directions 2010*. The Town, within ten working days of the gazettal publication date, needs to forward the signed EM material to the Committee at the current address -

Committee Clerk
Joint Standing Committee on Delegated Legislation

Legislative Council Committee Office
GPO Box A11
PERTH WA 6837

Tel: 9222 7300 Fax: 9222 7805
E-mail: delleg@parliament.wa.gov.au

A copy of the [Minister's Directions and EM forms](#) can be downloaded from the Department's webpage. Failure to comply with the Directions may render the local law inoperable.

My comments:

- **have been provided to assist you with drafting matters;**
- **do not constitute legal advice;**
- **have been provided in good faith for your consideration; and**
- **should not be taken as an approval of content.**

You should ensure that your proposed local law has had a detailed editorial analysis, and that the content is in accordance with your council's policies and objectives.

Should you have any queries regarding my comments, please do not hesitate to contact me.

Kind regards

Vicki Gilmore

Legislation Officer

Legislation

Department of Local Government and Communities

Tel: +61 8 6552 1625

Fax: +61 8 6552 1555

Email: vicki.gilmore@dlgc.wa.gov.au

Web: www.dlgc.wa.gov.au

11.4.6 Occupational Health and Safety Policy

Patrick Brown, Manager People and Culture
File No. 22/02/0003

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/035 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR GILLINGHAM

SECONDED: CR HUNT

That Council adopts the Town of Port Hedland Occupational Health and Safety Policy.

CARRIED 6/0

EXECUTIVE SUMMARY

Under the Occupational Safety and Health Act 1984 it is a requirement of the organisation to adopt an OH&S Policy and make this document available to all staff, visitors, contractors and volunteers.

DETAILED REPORT

The Town of Port Hedland Occupational Health and Safety Policy reflects key components of the requirements of an organisation to meet its obligations under the Occupational Safety and Health Act 1984 for Western Australia. This is simply meeting our obligations under legislation.

The Local Government Insurance Scheme (LGIS) was consulted to ensure this policy meets our requirements and supports our insurance scheme under LGIS.

FINANCIAL IMPLICATIONS

The cost of implementation of this Policy has been factored into the existing OH&S Budget for 2014/2015. There is no further funding requirements.

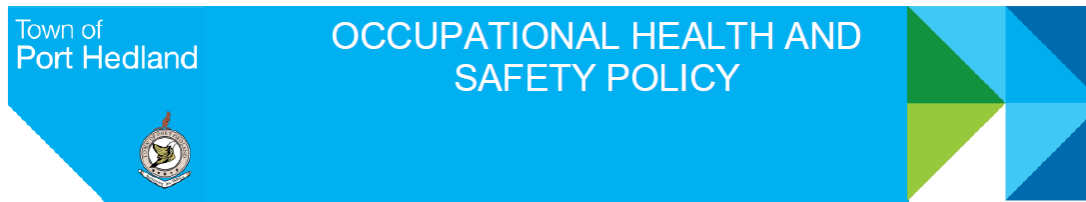
STATUTORY AND POLICY IMPLICATIONS

The relevant legislation supporting this Policy is the Occupational Safety and Health Act 1984 and the Occupational Safety and Health Regulations 1996.

ATTACHMENTS

1. Town of Port Hedland Occupational Health and Safety Policy

5 August 2014

ATTACHMENT 1 TO ITEM 11.4.6**Policy Title and Number**

Town of Port Hedland Occupational Health and Safety Policy

Policy Objective

To outline Town of Port Hedland's commitment to Occupational Health and Safety as an organisation and give direction to the Executive to ensure the highest standards of Occupational Health and Safety.

Scope

All employees, Elected Members, contractors, sub-contractors, suppliers and visitors.

Policy Content*Provisions*

The Town of Port Hedland is committed to ensuring a safe and healthy work environment for our employees, councillors, contractors and visitors to the workplace. This will be achieved by adopting and promoting the provisions of the "Occupational Safety and Health Act 1984" and Occupational Health and Safety Regulation of WA, along with other legislative requirements, such as, Codes of Practice, Guidance Notes and Australian Standards.

The Chief Executive Officer and the Executive Team of Town of Port Hedland accepts responsibility for the effective implementation of this policy and will provide systems, training, supervision and visible support to ensure a safe work environment.

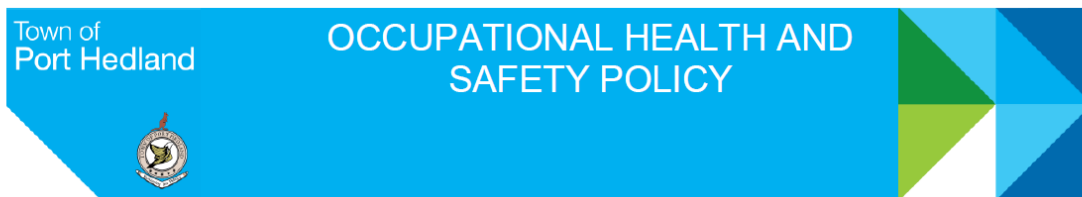
Managers are to ensure all employees and frontline supervisors are trained in the development and use of Safe Work Procedures, hazard identification, incident reporting, risk assessment and control.

Line management shall be held responsible for their safety and the safety of their workers. They must accept that all injuries are preventable and continually aspire toward this goal.

All employees have the responsibility to perform their duties in a manner, which ensures their own health and safety and that of others.

To achieve this Town of Port Hedland shall ensure:

- Due diligence to issues of health and safety in all stages of planning, design and construction to incorporate systems to eliminate or control hazards.
- Reasonable and sufficient resources for the effective implementation of safety management systems in all areas of our operation and undertakings.
- All personnel are competent and suitably skilled to undertake the duties for which they are employed in a productive and safe manner.



- A continuous program of education and training to enhance skills and increase safety awareness.
- Promptly investigate, correct and report all accidents, incidents and hazardous conditions.
- Support and participation in the promotion of pro-active safety management systems and strive for continual improvement through internal and external audits and evaluation programs.
- All management levels and the workforce, understand and accept their health and safety responsibilities and are held accountable for those matters within their control.
- Effective system of injury management and rehabilitation in which all personnel shall participate.
- Specific health and safety requirements are acknowledged and implemented.
- Only engage competent sub-contractors who can demonstrate safety management systems, which complement our own high standards.

Definitions

Nil

Council Adoption Date and Resolution No.	
Date of adoption of amendment and Resolution Number Do not delete previous dates	
Relevant Legislation	Occupational Safety and Health Act 1984
Delegated Authority	N/A
Business Unit	People & Culture
Directorate	Corporate Services
Review Frequency	As required

Document Control Statement

*The electronic reference copy of this Policy is maintained by the **Governance Department**. Any printed copy may not be up to date and you are advised to check the electronic copy at <http://intranet/> to ensure that you have the current version. Alternatively, you may contact the Governance Department.*

11.5 Office of the CEO

Nil

**ITEM 12 LATE ITEMS AS PERMITTED BY PRESIDING MEMBER/
COUNCIL****201415/036 COUNCIL DECISION****MOVED: CR HUNT****SECONDED: CR TAYLOR**

That Council accept late item 12.1 “Marina Waterfront Development Reference Group”.

CARRIED 6/0

12.1 Marina Waterfront Development Reference Group

Eber Butron, Director Planning & Development
File No.

DISCLOSURE OF INTEREST BY OFFICER

Nil

201415/037 RECOMMENDATION/ COUNCIL DECISION**MOVED: CR DACCACHE****SECONDED: CR GILLINGHAM**

That Council:

- 1. Endorse the Terms of References for the Marina Waterfront Development Reference Group (Attachment 1);**
- 2. Request the Chief Executive Officer, or his delegate, to publicly advertise seeking community representation on the reference group; and**
- 3. Request the Chief Executive Officer, or his delegate, to report the matter back to Council upon completion of the public advertising period.**

CARRIED 6/0

EXECUTIVE SUMMARY

With various investigations ongoing at the Spoilbank and Cooke Point it is proposed to establish a Reference Group to provide advice to Council on Marina and Waterfront Development matters for Port Hedland.

The Town's officers are seeking endorsement from Council with regards to:

1. A Terms of Reference for the Reference Group; and
2. Public advertising seeking community representation on the Reference Group.

DETAILED REPORT

On the 19th of July 2014, the Town held a Community Conversations session on the lawns of the Town Civic Centre. The forum was well attended by the community with many issues raised and discussed.

At this meeting the Mayor gave an undertaking to establish a Reference Group that would provide Council with advice, with respect to the future development of a Marina Waterfront Development in Port Hedland.

Previously, the Town had established a Spoilbank Marina Committee (subsequently changed to a Working Group). This group was disbanded in 2012/13 after Council resolved to proceed with a preferred concept plan for the development of a Marina at the Spoilbank. The Committee comprised of various key stakeholder and community representatives and they operated within a terms of reference established for the Committee.

The Town's officers have utilised the Committees previous Terms of Reference as a basis for preparing the Terms of Reference for the Marina Waterfront Reference Group. The purpose and aims of the Terms of Reference have been modified and the spectrum and number of stakeholders has been increased. The Terms of Reference for the Reference Group are provided as attachment 1.

FINANCIAL IMPLICATIONS

The financial implications with respect to establishing and operating the Reference Group are limited to advertising costs, officer's time and catering for meetings. (if required)

STATUTORY AND POLICY IMPLICATIONS

Nil

ATTACHMENTS

1. Marina Waterfront Reference Group Terms of Reference

21 August 2014

*ATTACHMENT 1 TO ITEM 12.1***WATERFONT DEVELOPMENT COMMUNITY REFERENCE GROUP
TERMS OF REFERENCE****AIM/PURPOSE**

- To provide advice to the Town on the development of a Marina/Waterfront Development for Port Hedland
- To provide a means of engagement with key stakeholders about the project
- To advise and make recommendations on investigative studies, concept plans and other issues pertaining to a Marina/Waterfront development for Port Hedland

MEMBERSHIP

The membership of the Community reference group is as follows:

Mayor Kelly A Howlett
Councillors

A representative to be nominated from the following organisations:

Pilbara Port Authority
Port Hedland Yacht Club
Port Hedland Returned Services League
TSS Pilbara
Port Hedland Industries Council
Port Hedland Fishing Club
Port Hedland Sea Rescue
Port Hedland Chamber of Commerce
South Hedland Business Association

Community members x 6

QUORUM

The quorum for the Committee is to be a minimum of 50% of its membership.

DELEGATION

Nil

TENURE

Ongoing

MEETING FREQUENCY

Monthly or as required

ITEM 13 REPORTS OF COMMITTEES

Nil

ITEM 14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

ITEM 15 CONFIDENTIAL ITEMS**201415/038 COUNCIL DECISION****MOVED: CR GILLINGHAM****SECONDED: CR DACCACHE**

That Council close the meeting to members of the public as prescribed in section 5.23(2) of the Local Government Act 1995, to enable Council to consider the following item:

15.1 Earthcare Pty Ltd Contract Settlement

CARRIED 6/0

6:21pm Mayor advised that the meeting is closed to members of the public.

15.1 Earthcare Pty Ltd Contract Settlement**RECOMMENDATION**

That Council:

1. Acknowledge the progress of the dispute mediation between the Town of Port Hedland and Earthcare Pty Ltd for Contract 10/20 Construction of the Marquee Iconic Park;
2. Authorise the Chief Executive Officer to finalise negotiations and execute the Deed of Settlement;
3. Authorise adjustments to the 2014/15 Adopted Budget in accordance with the agreed settlement;
4. Authorise the write off of debts for Earthcare Pty Ltd in accordance with the agreed settlement; and
5. Request the Chief Executive Officer to pursue a claim for reimbursement of the settlement through the Towns insurance.

201415/039 AMENDED RECOMMENDATION/ COUNCIL DECISION**MOVED: CR DACCACHE****SECONDED: CR TAYLOR****That Council:**

- 1. Acknowledge the progress of the dispute mediation between the Town of Port Hedland and Earthcare Pty Ltd for Contract 10/20 Construction of the Marquee Iconic Park;**
- 2. Delegate the authority to the Chief Executive Officer to finalise negotiations and execute the Deed of Settlement;**
- 3. Authorise adjustments to the 2014/15 Adopted Budget in accordance with the agreed settlement;**
- 4. Authorise the write off of debts for Earthcare Pty Ltd in accordance with the agreed settlement; and**
- 5. Request the Chief Executive Officer to pursue a claim for reimbursement of the settlement through the Towns insurance.**

CARRIED BY ABSOLUTE MAJORITY 6/0**201415/040 COUNCIL DECISION****MOVED: CR DACCACHE****SECONDED: CR TAYLOR****That Council open the meeting to members of the public.*****CARRIED 6/0***

6:26pm Mayor advised that the meeting is open to the public. Mayor advised the public of Council's decision whilst behind closed doors.

ITEM 16 APPLICATIONS FOR LEAVE OF ABSENCE**201415/041 COUNCIL DECISION****MOVED: CR DACCACHE****SECONDED: CR GILLINGHAM****That Council approve the following applications for leave of absence:**

- Councillor Daccache from 23 September 2014 to 2 October 2014;**
- Councillor Gillingham from 9 September 2014 to 17 September 2014;**
- Councillor Hunt from 30 August 2014 to 7 September 2014; and**
- Deputy Mayor Jacob from 12 September 2014 to 12 October 2014.**

CARRIED 6/0

ITEM 17 CLOSURE

Deputy Mayor tabled Councillor Taylor's resignation letter.

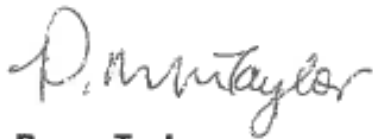
Mal Osborne
Chief Executive Officer
Town of Port Hedland
PO Box 41
Port Hedland 6721

Dear Mal,

In accordance with section 2.31 of the *Local Government Act 1995* I hereby resign from my position of Councillor on the Town of Port Hedland Council.

I thank everyone for their support during my time with the Town of Port Hedland and it was a pleasure working with you all.

Yours sincerely



Penny Taylor

28 August 2014

17.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 24 September 2014, commencing at 5:30pm, with the Public Agenda Briefing being held on Wednesday 17 September 2014, commencing at 3:30pm.

17.2 Closure

There being no further business, the Mayor declared the meeting closed at 6:27pm.