



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 30 APRIL 2014

AT 5.30 PM

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

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

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

OUR COMMITMENT

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

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ITEM 1 OPENING OF MEETING**1.1 Opening**

The Mayor declared the meeting open at 5.31pm and acknowledged the traditional owners, the Kariyarra people.

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

Mayor Kelly Howlett

Councillor George Daccache

Councillor Jan Gillingham

Councillor David Hooper

Councillor Julie Hunt

Councillor Lorraine Butson

Councillor Troy Melville

Officers

Mal Osborne

Clare Phelan

Eber Butron

Jenella Voitkevich

Eddie Piper

Grace Waugh

Chief Executive Officer

Director Corporate Services

Director Planning & Development

Acting Director Engineering
Services

Acting Director Community
Development

Minute Taker/ Governance Officer

2.2 Apologies

Councillor Gloria Jacob

Councillor David Van Vugt

2.3 Approved Leave of Absence

Councillor Penny Taylor

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Special Council Meeting held on
Wednesday 19 March 2014**

Nil

**3.2 Questions from Elected Members at Special Council Meeting held
on Wednesday 19 March 2014**

Nil

3.3 Questions from Public at Ordinary Council Meeting held on Wednesday 26 March 2014

3.3.1 *Mr Val Middleton*

I have two grandchildren and another one on the way and a big concern for the family has been child care. Both grandchildren have been attending the child care centre at the South Hedland TAFE however the site is not suitable. While I was investigating possible sites for the RSL shop I found the old Girl Guides site which would be ideal for a child care centre as it is in close proximity to schools and the Matt Dann Cultural Centre. What are the options for using that site as a child care centre?

Director Community Development advised that the Girl Guides management order has been handed back to the State. Only the management order on land for the JD Hardie Centre is still with the Town.

3.4 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 26 March 2014

3.4.1 *Councillor Taylor*

What are the concrete actions that have been implemented since the multi-agency taskforce began for children at risk?

Director Community Development advised that the answer provided to Councillor Taylor at the Ordinary Council Meeting held on Wednesday 26 March 2014 included the most recent actions that have been implemented as a result of the multi-agency taskforce.

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'.

Mayor opened Public Question Time at 5:33pm.

4.1 Public Question Time

Nil

Mayor closed Public Question Time at 5:34pm.

Mayor opened Public Statement Time at 5:34pm.

4.2 Public Statement Time**4.2.1 Ms Gitte Hall**

Ms Hall made a statement in relation to item 11.1.3 'Reconsideration of Council Resolution 201314/215 Residential Building on Lot 5 (17-21) Greenfield Street South Hedland Rural Estate (File No.: 154415G)'.

I would once again like noted that I was unable to attend the debriefing as the letter informing me of the debriefing was emailed to me on Monday 14/04/2014 at 12:09pm giving me not even 48 hours notice of the meeting and due to work commitments I was unable to attend. I would suggest that to enable a fair system where people are able to attend maybe 1- 2 weeks' notice would be appropriate. My hard copy which was in the mail was received after the date of the meeting.

Building design

The use of the building and design complies with the use of a residential building. The proposed development is properly defined as a 'Residential Building' in accordance with the definition outlined in the Town of Port Hedland Town Planning Scheme No. 5. A 'Residential Building' is an 'AA' use in the 'Rural Residential' zone and therefore can be approved at the discretion of Council.

A 'Residential Building' is defined as follows:

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

- a) Temporarily by two or more persons; or*
- b) Permanently by seven or more persons."*

We confirmed the building is intended to be used to either provide accommodation on a temporary basis by 2-3 people requiring accommodation in Hedland for short periods of time associated with business travel which complies with example a). As such, the use of the building is intended to be in a manner that is consistent with the definition of a Residential Building and not a Dwelling. The proposal is a Residential Building and can be approved at the discretion of Council.

I am confused why my application needs to build a dormitory type of building when the 2 previous applications in the rural estate had their residential buildings approved with 4x2 and 5x2, neither application that was approved contained six bedrooms each with their own bathroom. Could the councillors please explain why my application cannot be viewed the same and why they did not have to adhere to this. The councillors voted unanimously that they both were a residential building, so I am not sure why my application, which is the same as the others, is being classified as a group dwelling and the others were not. I am confused to which merits the other applications had that my application does not have. I would appreciate an explanation from councillors on this matter.

Town planning consideration

My application should be more favourable than the previous two applications as my residential building will be built with a surrounding area in excess of the minimum zoning which is 1 ha. The surrounding land attached to the residential building will be greater than that required by planning, thus retaining the appeal and nature of the rural residential zone. This is highlighted by the Town planning who would support a subdivision of said area. The two previous applications that have been approved in this estate are both on less than 5,000 square metres which is less than half a hectare. So once again if anybody should have contravened the appearance of the rural lifestyle the two other applications would have done this, we on the other hand will maintain the appearance of this.

I would like to make councillors aware of the cost incurred to myself for subdivision it is not just \$500 that is being thrown around, the cost incurred to myself would be approximately between \$20,000 and \$30,000. This includes payment of \$10,000 for a flood study which I understand that the person who is giving it out had it done previously at a cost of \$100,000. Then we would have to get the block resurveyed at cost of a further \$10,000, plus additional costings which, if approval for smaller size subdivisions in the future is given, we would have to incur into once more. A Town planner has already said that the planning department would not object to the sizing of the subdivision, as prior approval for smaller blocks has been approved in the area behind the estate. Several meetings regarding this matter have already taken place with the Whelan Group.

Once again the cost of relocation of my all weather drive way will cost approximately \$60,000 to move and reconstruct.

I ask councillors to reassess and consider my application which does meet the criteria for a residential building as defined by the town planning scheme no 5. The 'Rural Residential' zone section 6.8.4 of TPS5 we comply with, the reticulated water is provided. Council objects to a group dwelling as this is not permitted but as we are not building a group dwelling but a residential building this recommendation does not become valid and hence should be entered into.

I also understand that a councillor wants to make a stand and change the fact that councillors should abide by the decision in which town planning has made. Although I have been led to believe that there are processes that councillors are currently working on to stop this occurring in the future nothing has been put in place to change this prior to my application. So therefore I am unsure why I appear to have been discriminated against. I only ask my application be given the same consideration and approval as the other six applications which have been successful prior to my application.

The proposed development of a 'Residential Building' at Lot 5 Greenfield Street is consistent with the relevant objectives of the Rural Residential zone. It will not detract from the amenity of the area and is consistent with the existing established rural setting of the South Hedland Rural Residential Estate. My residential building will comply with the southern precinct which provides residents opting for a rural residential lifestyle in which limit growth of the established rural residential area will remain balanced and is protected for future urban development requirements. The use of the building will be in accordance with the definition of a 'Residential Building' as outlined and therefore can be approved on the site at the discretion of the Council. Therefore I ask only that I be given the same consideration as the other six applications and the councillors not just focus on the size of block and subdivision potential but that they look at it in regards to the rural residential lifestyle that I am currently maintaining and give me the same consideration that the other residential buildings that were approved prior received.

4.2.2 Ms Joan Foley

Ms Foley made a statement in relation to item 10.1 'Petition by the Electors of the Town of Port Hedland on the Percy Gratwick VC Hall'.

It is sad that the Gratwick Hall has been lost to office accommodation for the Town of Port Hedland staff. The Town of Port Hedland is lucky to have a hall dedicated to Percy Gratwick who was one of 100 people to receive a Victoria Cross medal. The Gratwick Hall holds many memories for the community. The community fought hard to get a lift installed in the late 90's so people of all mobilities had access. Before Judith Enrith passed away I found her wandering around the Port Hedland shopping centre trying to find the Pilbara Music Festival which was being held at the Matt Dann Centre. When the festival was held in Gratwick Hall Judith Enrith was always one of the first people in attendance. The hall belongs to the community.

Mayor closed Public Statement Time at 5:41pm.

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

Can an update on the watering of the median strips in the West End be provided?

Acting Director Engineering Services advised that this question is taken on notice.

Mayor advised that a community notice in relation to the watering in the West End can be distributed.

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

Mayor Howlett	Councillor Hunt
Councillor Daccache	Councillor Butson
Councillor Gillingham	Councillor Melville
Councillor Hooper	

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**7.1 Confirmation of Minutes of Special Meeting of Council held on Wednesday 19 March 2014**

201314/298 Officer's Recommendation/ Council Decision

Moved: Cr Hunt

Seconded: Cr Gillingham

That the Minutes of the Special Meeting of Council held on Wednesday 19 March 2014 be confirmed as a true and correct record.

CARRIED 7/0

7.2 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 26 March 2014

201314/299 Officer's Recommendation/ Council Decision

Moved: Cr Hunt

Seconded: Cr Melville

That the Minutes of the Ordinary Meeting of Council held on Wednesday 26 March 2014 be confirmed as a true and correct record with the following amendment:

The total funding allocated included in decision 201314/291 for item 12.1 'Community Funding and Donations – Endorsement of Funding Requests (November 2013 to March 2014) (File No.: 02/05/0001)' recorded on page 190 of the Minutes be changed from \$5,432.80 to \$3,932.80.

CARRIED 7/0

ITEM 8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Mayor Activity Report for the March 2014 period to date is as follows:

March 2014

Saturday, 8th March

- Participated In The Town of Port Hedland Team For The 2014 South Hedland Street Blitz/Clean Up Australia Day
- Attended Soroptimist International – Port Hedland International Womens Day Afternoon Tea Event
- Interview On Hedland Community Radio (101.3FM)

Monday, 10th March

- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Attended Meeting Port Hedland Marina Project Steering Group
- Meeting & Site Visit New Energy Corp (Bayswater)

Tuesday, 11th March

- Meeting With Mineral Resources Re: Lease Of Portion Lot 2444
- Weekly Chat Spirit Radio (1026am)
- Attended ACBC Pilbara Committee Meeting

Wednesday, 12th March

- Meeting With PHCCI Executive Officer Michelle Scott
- Attended Pilbara-JDAP Meeting (Teleconference)
- Meeting Major Scott Fuller – Pilbara Regiment 1 Squadron
- Attended Elected Member & Executive Meetings
- Participated In Airport Governance Workshop

Thursday, 13th March

- Attended Port Hedland Dust Management Taskforce Meeting

Friday, 14th March

- Meeting WA Police, Taxi Owners & Drivers, Department of Transport Re: South Hedland CBD Streets, Pedestrian, Taxi and Parking Issues
- Interview With The Sunday Times Re: Royalites For Regions and Pilbara Cities Vision
- Officiated Australian Citizenship Ceremony

Saturday, 15th March

- Attended Community Forum: Proposed Pretty Pool Caravan Park Proposal and Draft Non Residential Workforce Accommodation Strategy

Monday, 17th March

- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Attended HSHS Out Of Session Board Meeting

Tuesday, 18th March

- Weekly Chat Spirit Radio (1026am)
- Weekly TOPH & NWT Catch Up
- Attended Stakeholder Placemaking Workshop – Port Hedland Marina
- Attended Session With Western Australian Cricket Association CEO & WA Country Cricket Manager
- Attended Community Placemaking Workshop – Port Hedland Marina

Wednesday, 19th March

- Interview ABC NW Radio Re: Port Hedland Marina Community Placemaking Workshops
- Meeting With Thomas Building (Evan Campbell)
- Media Photo With BHPBIO Chris Cottier Re NW Festival
- Meeting With Port Hedland Visitor Centre Re Upcoming Cruise Ship Visit
- Attended Elected Member & Executive Meetings
- Chair Agenda Briefing Session
- Chair Special Council Meeting

Thursday, 20th March

- Attended VSU – Working Group Meeting
- Meeting With Acting Regional Manager ICC
- Attended Port Hedland Historical Society – Koombana Days Book Launch Event

Saturday, 22nd March

- Mayor Coffees – Port Hedland
- Mayor Coffees – South Hedland
- Attended South Hedland Town Square Markets

Sunday, 23rd March

- Participated In Bike Week Community Bike Ride Event

Monday, 24th March

- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Meeting With Resident Pat Mason

Tuesday, 25th March

- Weekly Chat Spirit Radio (1026am)

- Attended School Assembly At Cassia Primary School For 2014 Bike Week
- Meeting With Hon Mark McGowan and Hon Fran Logan & TOPH Elected Members and Executive
- Attended Department of Child Protection and Family Services – Luncheon Event For Director General Terry Murphy and Executive Director Emma White
- Weekly TOPH & NWT Catch Up

Wednesday, 26th March

- Attended South Hedland Business Association & PHCCI Breakfast Event
- Meeting With Creating Communities
- Attended TOPH Local Housing Steering Group Meeting
- Attended Elected Member and Executive Meetings
- Chair OCM - March

Thursday, 27th March

- Interview ABC NW Radio (603am) Re: March OCM
- Attended FMG Solomon Mine Opening Event Dinner

Friday, 28th March

- Attended FMG Solomon Mine Opening Event
- Attended Courthouse Gallery Art Exhibition Opening Event

Sunday, 30th March

- Volunteered As A Town Ambassador For Voyager Of The Seas Cruise Ship Visit

Monday, 31st March

- Weekly CEO, Deputy Mayor and Mayor Catch Up

Mayor commended RSL Port Hedland for a well organised and attended ANZAC Day dawn service held on Friday 25 April 2014. The Town of Port Hedland is looking forward to being a significant player in next year's 100th ANZAC Day service.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 *Councillor Gillingham*

Councillor Gillingham congratulated RSL Port Hedland for the ANZAC Day dawn service. There were cars parked past North West Liquor well before the ceremony started. Councillor Gillingham thanked the Port Hedland Yacht Club for hosting the gun barrel breakfast after the service.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**10.1 *Petition by the Electors of the Town of Port Hedland on the Percy Gratwick VC Hall***

The Council was presented with a petition containing 330 signatures at the Ordinary meeting on 26 February 2014 requesting the following:

- The decision to convert the Percy Gratwick VC Hall into office space for use by Council members be revoked.
- The Hall remains available for use by the public and community groups of Port Hedland.

The Council is requested to consider this petition in accordance with Section 20.2 of the Town's Local Law on Standing Orders.

Administration Comment

This resolution was taken to afford much needed office space to Town officers following extensive decision making by the Council, and at considerable cost. Given that the decision of the Council has been enacted, the time elapsed since that decision and advice received from the Department of Local Government and Communities, it would not be reasonable for Council to meet this request. As such it is recommended that the Council accepts the petition in accordance with Section 20.2(3)a of the Town's Local Law on Standing Orders by acknowledging all petitioners submissions but take no further action on this matter. Council is committed to the development of a 'new' Gratwick Hall and looks forward to members of the public being involved in future community consultation on this matter.

Recommendation

That Council:

1. Accept the petition submitted at the Ordinary meeting of 24 February 2014 related to the Percy Gratwick VC Hall;
2. Resolve to take no further action on the reconsideration of its decision to convert the Percy Gratwick VC Hall; and
3. Advise all petitioners of Council's decision.

201314/300 Council Decision

Moved: Cr Gillingham

Seconded: Cr Hooper

That Council:

1. **Accept the petition submitted at the Ordinary meeting of 24 February 2014 related to the Percy Gratwick VC Hall;**

2. **Resolve to take no further action on the reconsideration of its decision to convert the Percy Gratwick VC Hall although it is keen to fast track the planning and delivery of a new civic hall; and**
3. **Advise all petitioners of Council's decision.**

CARRIED 7/0

10.2 *Deputation from McDonald's Australia Limited, Mr Scott Bellerby, Senior Development Manager WA*

Mr Scott Bellerby made a deputation in relation to item 12.4 'Mixed Business – Additional Takeaway Food Outlet (McDonalds) and Pylon Sign on Lot 724 (150) Anderson Street, Port Hedland, and Proposed Road Dedication being Lots 5828 and 5827 on Plan 189999 on Unallocated Crown Land, Port Hedland (File No.: 120510G)' on behalf of McDonald's Australia Limited.

Mr Bellerby raised the following matters:

- The proposed development is consistent with the applicable planning framework, as a permitted use.
- The proposed restaurant will significantly improve the amenity of a currently under-utilised key corner site and will provide an additional complimentary and convenience service within the town. The restaurant will also provide community facilities as well as generate significant employment opportunities within Port Hedland (approx. 60 to 80 jobs).
- We would like to express our appreciation to officers for their efforts in progressing the matter. The plan for the proposed development has been updated in consultation with staff and in order to respond to the recommendation from the independent traffic review.
- Whilst McDonald's is supportive of the overall officer recommendation to approve the proposed development, we cannot offer our full support for some of the recommended conditions at this time – as there does not appear to be a clear need and nexus demonstrated. The costs associated with development are significant. For the development to proceed, the conditions (and associated cost implications) need to be reasonable.
- Concerns at this time relate to 5 of the recommendation conditions (3, 13b, 14 and 16 and 21), relating to the provision of carparking, shade trees, footpath construction and sediment control requirements, and lighting. In the context of an approval and through further consultation with officers associated with current mediation proceedings before the State Administrative Tribunal, we are hopeful that such matters can be satisfactorily addressed.

- In order to establish a level of flexibility in the detailed design phase and in obtaining future approvals (i.e., Town's officers, Water Corporation, Department of Lands), McDonald's is seeking the deletion of Condition No.3 and request a new condition be applied which requires carparking to generally be in accordance with the approved stamped plan, unless otherwise agreed in writing, as opposed to quoting specific carparking bay numbers. McDonald's remains committed to providing sufficient car parking bays to satisfy the requirements under the Town's Planning Scheme.
- McDonald's is supportive of the officer recommendation to support partial road dedication of UCL Lot 5827 and 5828 for the provision of carparking, acknowledging that this remains the subject of final approval through the Department of Lands.

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 Council has been received. Decisions made at this meeting can be revoked, pursuant to the Local Government Act 1995.

Requests have subsequently been received via Elected Members seeking that the Kingsford Business Park be renamed the Kingsford Smith Business Park. It is noted that renaming the business park will remove any ambiguity regarding the namesake of the bulky goods/light industrial area and be more historically accurate.

Consultation

The naming group, convened in March 2013, engaged with the community and requested suggestions for the potential name of the Precinct 3 area. The community engagement process was driven by the Town and included:

- Town of Port Hedland media releases and website
- Council News @ Your Fingertips
- Posters and flyers distributed around the community
- Article in North West Telegraph newspaper.

Overall consultation has involved:

- Town of Port Hedland Executive and staff
- Naming group including key stakeholder representatives
- Community members.

A naming group was established, comprising of representatives from the Pilbara Development Commission and the Town of Port Hedland.

Statutory Implications

Section 10 Local Government Administrative Regulations

Policy Implications

Nil.

Strategic Planning Implications

Town of Port Hedland – Strategic Community Plan 2012-2022

6.2 Economic

6.2.1 Diverse Economy

Facilitate commercial, industry and town growth
Enhance the supply of suitably located and supported industrial and retail land.

Budget Implications

The existing marketing materials (Investment Prospectus) were produced at a cost of \$18,000. The Town has the internal capability to amend the prospectus and if the new name is approved the Town will need to reprint the document.

It should be noted that the document needs to be updated occasionally regardless of the outcome of this proposed renaming.

Officer's Comment

Naming process – 2013

A naming group was established comprising of representatives from the Pilbara Development Commission and the Town of Port Hedland. The following guidelines were developed for the name selection:

- Reflects the strategic location of the precinct between the Port and South Hedland Town Centre's, and the Port Hedland International Airport, which will also be the base for an international freight hub
- Considers the future use and development (such as commercial, showroom, industrial and retail uses)
- Considers resource industry accommodation, usage and community integration

A total of 22 names were submitted by six different members of the community. The group selected "Port Central" to reflect Pilbara's Port City and Port Hedland and to reflect the centre and coming together to the Port, South, Wedgefield and airport areas.

However, as noted, Council elected to adopt a different name to reflect the connection to the Port Hedland International Airport, Kingsford Business Park.

Proposed name origins

Sir Charles Kingsford Smith is an Australian icon well known to the public for his many impressive aviation feats including the first Trans-Pacific Flight in 1928.

In addition, the famous aviator has a Port Hedland connection, arriving in 1921 as part of a flight from Perth. In 1921, the Town's first airfield was developed at the Port Hedland Race Track and the Town had an air service link with Perth using planes owned by Western Australian Airways. It took two days to fly from Perth to Port Hedland. The flight left Perth first thing in the morning, flew direct to Geraldton and then to Carnarvon for an overnight stop. The next day the flight left Carnarvon then stopped at Onslow and Roebourne and before finally arriving in Port Hedland. Sir Charles Kingsford Smith was one of the early pilots making the trip.

Given that other early aviators to Port Hedland, such as Len Taplin, are memorialised in the community it is only fitting that the area formerly known as Precinct 3 be named the Kingsford Smith Business Park.

Attachments

Nil

201314/301 Officer's Recommendation/ Council Decision

Moved: Cr Gillingham

Seconded: Cr Hunt

That Council:

- 1. Adopt the name "Kingsford Smith Business Park" for the area formerly known as the Kingsford Business Park;**
- 2. Endorse the Chief Executive Officer, or his delegate(s), to undertake a formal brand / marketing process to reflect the preferred name and tag-line development; and**
- 3. Note that signage, promotional material, and media announcements will be prepared once Council has endorsed the use of "Kingsford Smith Business Park".**

CARRIED 5/2

6.19pm Councillor Daccache declared a financial interest in Item 11.1.2 'Delegated Planning, Building & Environmental Health Approvals and Orders for March 2014 (File No.: 18/07/0002 & 07/02/0003)' as he lives within close proximity to an applicant.

Councillor Daccache left the room.

11.1.2 *Delegated Planning, Building & Environmental Health Approvals and Orders for March 2014 (File No.: 18/07/0002 & 07/02/0003)*

Officer Carly Thompson
Executive Assistant
Planning & Development

Date of Report 4 April 2014

Disclosure of Interest

The proposed development, application number 2013/660 for eight (8) multiple dwellings on Lot 28 Catamore Road, South Hedland, is being developed in partnership with Megara Construction Pty Ltd.

Summary

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

Background

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

Consultation

Nil

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

Nil

Attachments

1. Delegated Planning, Building & Environmental Health Approvals and Orders for March 2014

201314/302 Officer's Recommendation/ Council Decision

Moved: Cr Hooper

Seconded: Cr Hunt

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

CARRIED 6/0

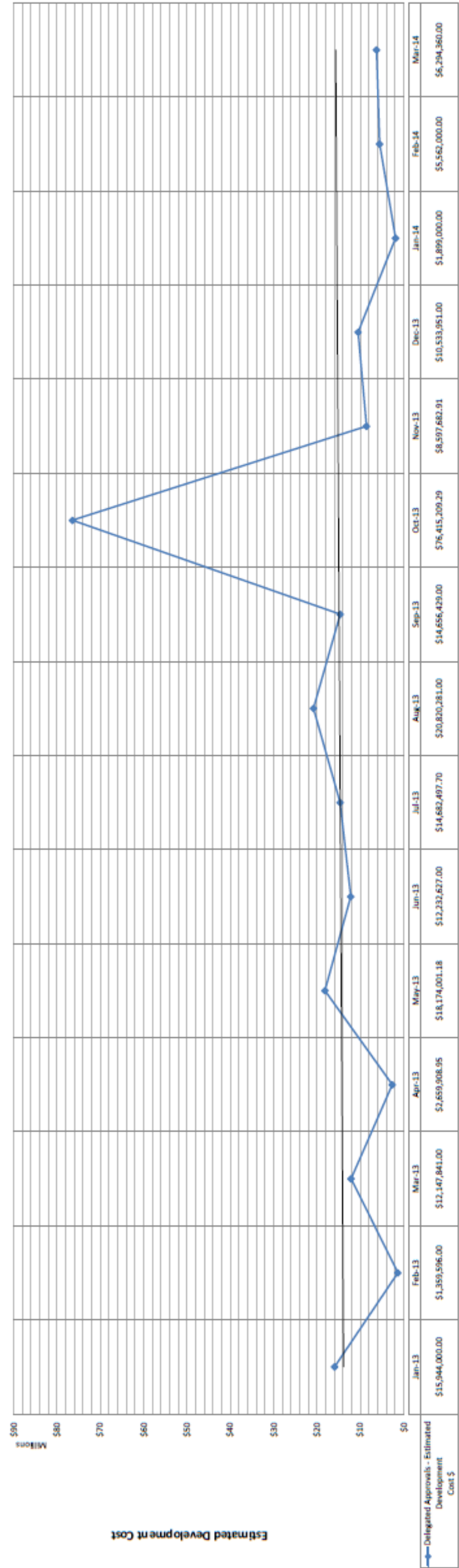
6.21pm Councillor Daccache reentered the room and resumed his seat.

DELEGATED PLANNING APPROVALS FOR MARCH 2014

Application No.	Description	Lot	Property Address	Date Approved	Applicants Name	Development Value
2013/660	EIGHT (8) MULTIPLE DWELLINGS	581	28 CATAMORE ROAD SOUTH HEDLAND 6722	27/03/2014	MEGARA CONSTRUCTIONS PTY LTD	\$ 3,000,000.00
2014/14	RETROSPECTIVE APPROVAL FOR MOTOR VEHICLE AND MARINE SALES AND/OR HIRE - WORKSHOP AND OFFICE	210	17 STEEL LOOP WEDGEFIELD 6721	27/03/2014	ARJAI DESIGNS	\$ 2,000,000.00
2014/37	INDUSTRY - NOXIOUS - ADDITIONAL SEA CONTAINERS, EMULSION TANKS AND FENCE	63	LOT 63 PIPPINGARRA ROAD PIPPINGARRA 6722	14/03/2014	MODUS COMPLIANCE PTY LTD	\$ 265,000.00
2014/63	PROPOSED VERANDAH AND CARPORT ENCLOSURE	771	22 MINDEROO AVENUE SOUTH HEDLAND 6722	18/03/2014	ALWAYS DESIGN PTY LTD	\$ 18,000.00
2014/69	RETROSPECTIVE PATIO	2	UNIT 27B LOT 2 MITCHIE CRESCENT SOUTH HEDLAND 6722	18/03/2014	QUENTIN GREEN	\$ 4,900.00
2014/72	HOME BUSINESS - BEEF JERKY, MUESLI AND CRACKERS	3263	12 DEMPSTER STREET PORT HEDLAND 6721	27/03/2014	ELUSA TRIFUNOSKI	-
2014/73	INFRASTRUCTURE - TEMPORARY LAYDOWN AREA	5977	L5977 HAMILTON ROAD SOUTH HEDLAND 6722	24/03/2014	DANIEL DONALDSON	\$ 30,000.00
2014/74	SINGLE HOUSE - OUTBUILDING	84	6 COUNCILLOR ROAD BOODARIE 6722	27/03/2014	WEST STEEL SHEDS	\$ 151,500.00
2014/75	SINGLE HOUSE - RETROSPECTIVE PATIO ADDITION	1258	7 CRAIG STREET PORT HEDLAND 6721	20/03/2014	RICK HOCKEY	\$ 25,000.00
2014/76	CHANGE OF USE - ADDITIONAL 'MOTOR VEHICLE AND OR MARNE REPAIR' TO EXISTING 'MOTOR VEHICLE AND/OR MARINE SALES AND HIRE'	204	41 STEEL LOOP WEDGEFIELD 6721	24/03/2014	SIME DARBY FLEET SERVICES PTY LTD	\$ -
2014/86	UPGRADE OF PUBLIC OPEN SPACE	8008	L8008 MINDEROO AVENUE SOUTH HEDLAND 6721	24/03/2014	TOWN OF PORT HEDLAND	\$ 750,000.00
2014/92	SINGLE HOUSE - OUTBUILDING	14	20 WANGARA CRESCENT SOUTH HEDLAND 6722	27/03/2014	NORTH WEST SHED MASTERS	\$ 49,960.00

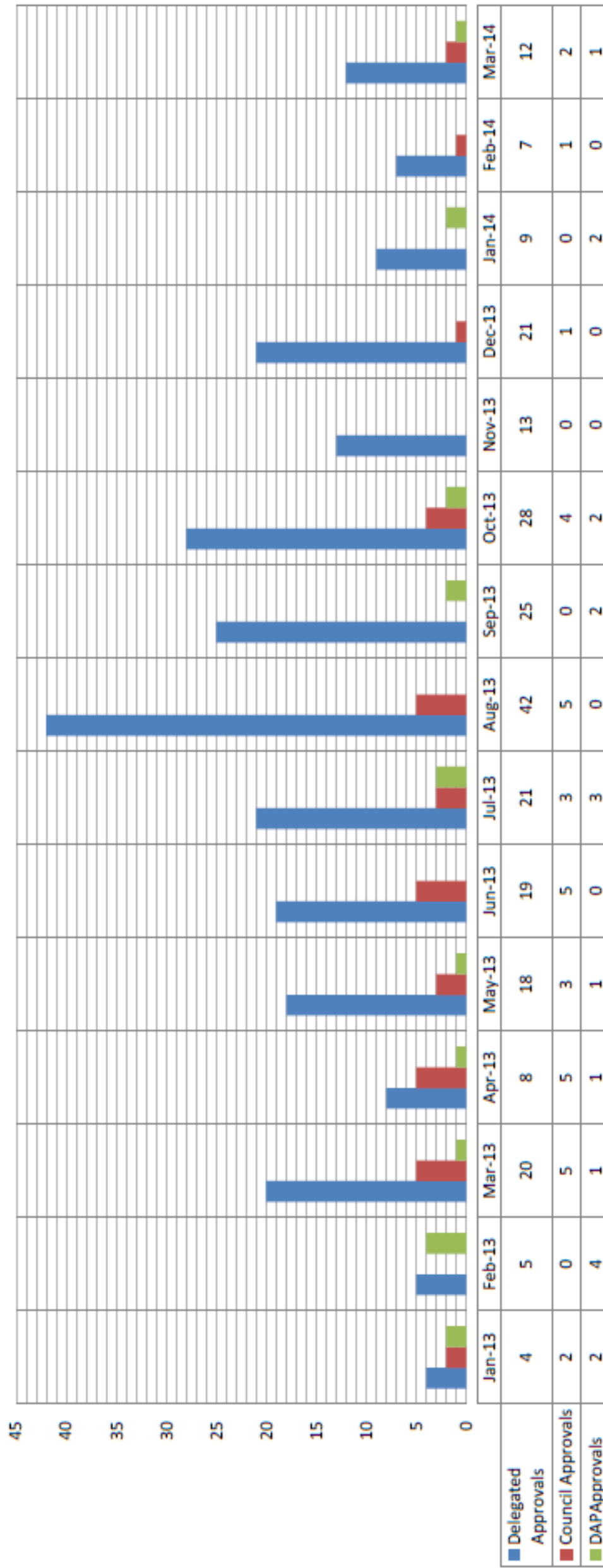
DELEGATED PLANNING APPROVALS FOR MARCH 2014

Summary & Trendline of
Town Planning Delegated Approvals
Estimated Development Costs



COUNCIL, DELEGATED & DAP PLANNING APPROVALS FOR MARCH 2014

Summary & Trendline of
Town Planning Council, Delegated & DAP Approvals



DELEGATED BUILDING APPROVALS FOR MARCH 2014

BUILDING PERMITS

Permit Number	Decision Date	Property Address	Locality	Applicant	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
14-095	26.03.2014	LOT 63 PIPPINGARRA ROAD	PIPPINGARRA 6722	Action Drill & Blast Pty Ltd	14 Sea Containers 3 Emulsion Tanks Stor	\$ 265,000.00	370	10a & 10b
14-066	05.03.2014	8 BECKER COURT	SOUTH HEDLAND 6722	Paul and Katherine Taylor	Above Ground Swimming Pool	\$ 4,600.00	15	10b
14-069	17.03.2014	LOT 304 REDBANK ROAD	REDBANK 6721	The Exhibitionist 2D-3D Designs P/L	6 x Signs	\$ 19,000.00	0	10b
13-145	21.03.2014	L582 FORREST CIRCLE	SOUTH HEDLAND 6722	DME CONTRACTORS	UNAUTHORISED WORKS - PEDESTRIAN BRIDGE	\$ 200,000.00	0	10b
14-053	10.03.2014	14 CENTAUR AVENUE	SOUTH HEDLAND 6722	Aussie Modular Solutions Pty Ltd	Dwelling Ancillary Accomodation & Carpo	\$ 601,164.00	164	1a & 10a
14-082	21.03.2014	7 KOOLAMA CRESCENT	SOUTH HEDLAND 6722	Winfield Constructions Pty Ltd	Conversion of Garage to Habitable Room &	\$ 36,500.00	27	1a & 10a
14-064	06.03.2014	13 LIMESTONE ROAD	SOUTH HEDLAND 6722	K58 Developments Pty Ltd	Dwelling Garage & Fence	\$ 512,989.00	283	1a 10a & 10b
14-059	10.03.2014	159 ATHOL STREET	PORT HEDLAND 6721	COLIN WILKINSON DEVELOPMENTS PTY LTD	2 x Dwellings Carports and Rear Fence	\$ 1,000,710.00	302	1a 10a & 10b
14-065	10.03.2014	Lot 5867 WEDGE STREET	PORT HEDLAND 6721	Modus Compliance	Hotel Accomodation - Forward Works Only	\$ 1,600,000.00	0	3
14-055	12.03.2014	2 HEMATITE DRIVE	WEDGEFIELD 6721	North West Shed Masters	Office/Workshop	\$ 900,000.00	828	5 & 8
14-083	14.03.2014	47 Phosphorus Street	WEDGEFIELD 6721	John Duffy	Transport Depot & Offices	\$ 1,500,000.00	1316	5 & 8
14-093	24.03.2014	L117 PINNACLES STREET	WEDGEFIELD 6722	Modus Compliance Pty Ltd	Amendments to existing Building Permit 1	\$ 1,044,567.00	590	5 & 8
14-071	11.03.2014	29 PHOSPHORUS STREET	WEDGEFIELD 6721	Cooper & Oxley Builders Pty Ltd	Stage 2 - Warehouse Workshop & Office	\$ 5,706,708.00	1440	5 7b 8
14-070	12.03.2014	2-8 THROSSELL ROAD	SOUTH HEDLAND 6722	Idit Adeley	Shop Fitout - Unit 4	\$ 50,000.00	145	6
14						\$ 13,441,238.00		

TOWN OF PORT HEDLAND CERTIFICATION	
Certificate Type	Number Issued
Certificate of Design Compliance	1
Certificate of Construction Compliance	5
Certificate Building Compliance	1
TOTAL	7

STRATA APPLICATIONS FOR MARCH 2014

STRATA APPLICATIONS								
Permit Number	Decision Date	Property Address	Locality	Applicant	Description of Work	Estimated Construction Value (\$)	Floor Area	Classification
14-063	06.03.2014	95 BOTTLEBRUSH CRESCENT	SOUTH HEDLAND 6722	Pilbara Design and Build Pty Ltd	2 Grouped Dwellings	\$ -	0	1a
14-057	11.03.2014	2 MCKAY STREET	PORT HEDLAND 6721	Hedland Projects Pty Ltd	Strata of Multi storey building	\$ -	0	2 3 5 6 7a
14-081	13.03.2014	21 STEEL LOOP	WEDGEFIELD 6721	Barry R Collins	STRATA - Offices and Industrial Units	\$ -	0	5 7b 8
14-080	14.03.2014	2 STEEL LOOP	WEDGEFIELD 6721	Barry R Collins	STRATA - Office & Light Industrial Units	\$ -	0	5 7b 8
Total 4						\$ -		

OCCUPANCY PERMIT FOR MARCH 2014

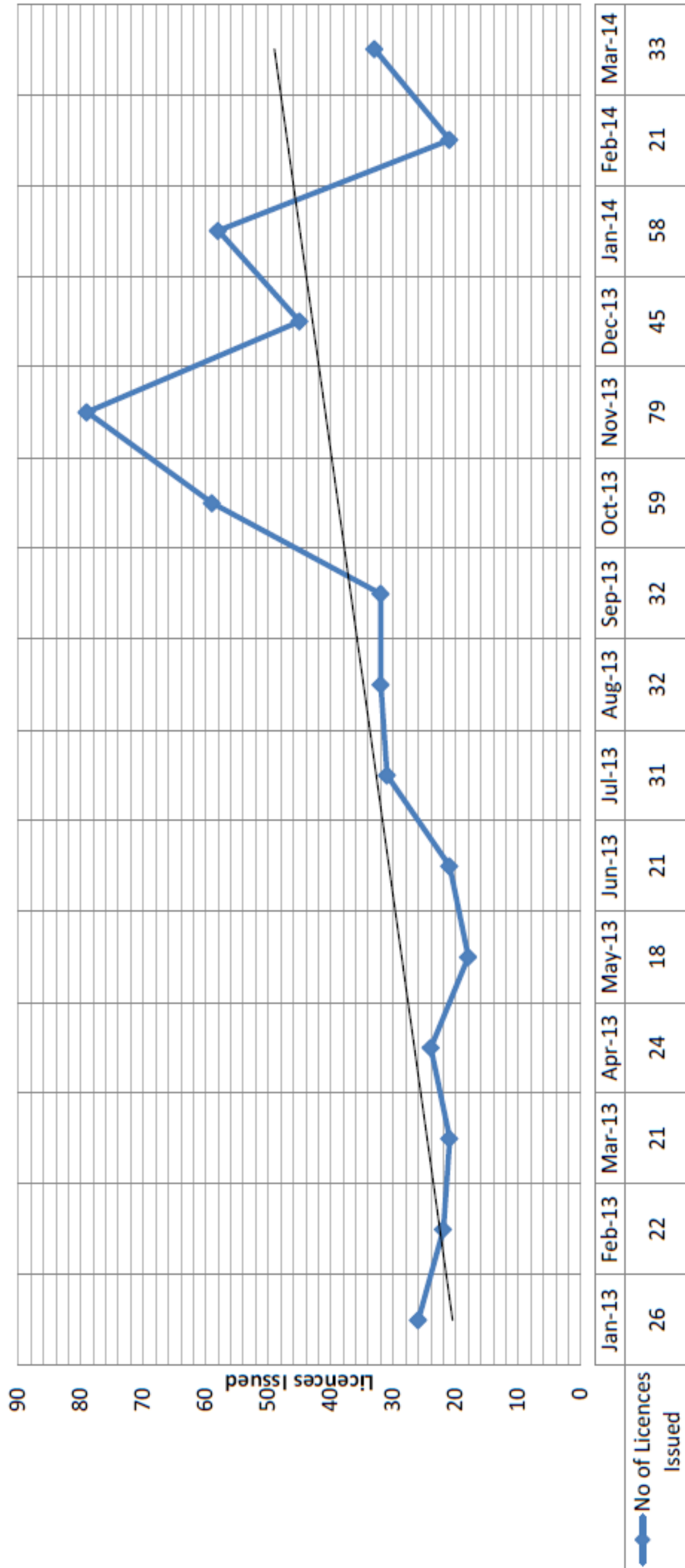
OCCUPANCY PERMIT			
Permit Number	Decision Date	Property Address	Description of Work
13-339	6/03/2014	13 Tailings Elbow, Wedgefield	Office
14-057	11/03/2014	2 McKay Street Port Hedland	Multi Storey Building
13-006	13/03/2014	21 Steel Loop, Wedgefield	Office and Industrial Unit
13-008	14/03/2014	2 Steel Loop, Wedgefield	Office and Industrial Unit
13-042	13/03/2014	Lot 202 Pippingarra Road	Fly Camp Accommodation
13-074	14/03/2014	45 Steel Loop, Wedgefield	Light Industrial units
14-026	18/03/2014	9-31 Throssell Road, South Hedland	Shop Fitout (Dick Smith)
14-008	20/03/2014	4 Clam Court, South Hedland	Unauthorised Works
14-091	21/03/2014	8 McKay Street, Port Hedland	Shop Fitout (Hairdresser)
13-357	21/03/2014	10-12 Murrena Street, Wedgefield	Truckwash and Workshop
14-092	26/03/2014	110 Sutherland Street	Retrospective Columns and Fence
12-005	26/03/2014	110 Sutherland Street, Port Hedland	9x Units
10325	20/03/2014	4 Clam Court, South Hedland	Apartments
13-402	20/03/2014	Poondano Village	Stage Two
13-402	31/03/2014	Poondano Village	Stage Three
Total 15			

OVERVIEW SUMMARY FOR MARCH 2014

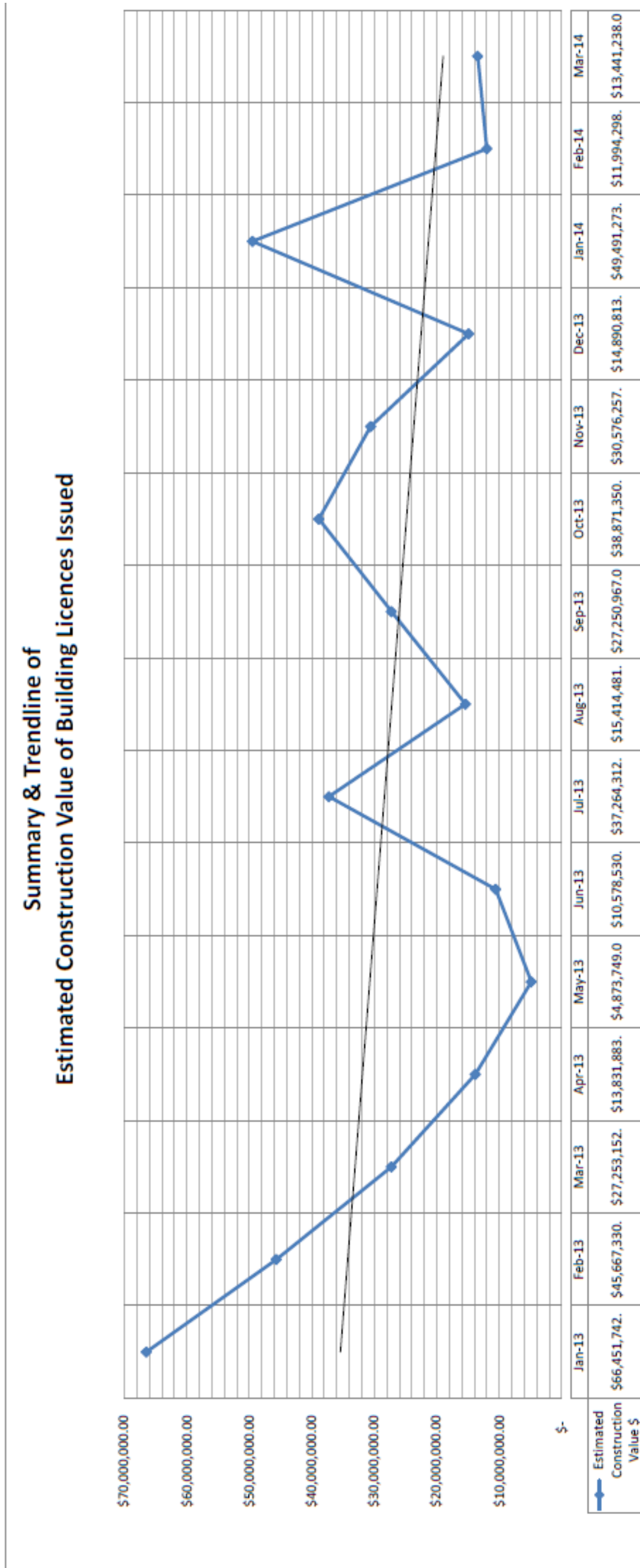
SUMMARY				
No of Permits	Permit Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
0	Demolitions	\$0	0	#DIV/0!
4	Dwellings	\$2,151,363	776	\$2,772.38
1	Class 10a	\$265,000	370	\$716.22
3	Class 10b	\$223,600	15	\$14,906.67
6	Commercial	\$10,801,275	4,319	\$2,500.87
19	Strata - Occupancy	N/A	N/A	N/A
33		\$13,441,238	5,480	

BUILDING APPROVALS FOR MARCH 2014

Summary & Trendline for Building Licence Approvals



BUILDING APPROVALS FOR MARCH 2014



CURRENT LEGAL MATTERS FOR MARCH 2014

CURRENT LEGAL MATTERS			
File No.	Address	Issue	Officer
118711G	Lot 1675 (1690) Harwell Way, Wedgefield	Non-compliance with planning conditions	BM
125910G	Lot 2445 # 32 Moorambine Street, Wedgefield - Owner	Unauthorised Concrete Batching Plant	BM
125910G	Lot 2445 # 32 Moorambine Street, Wedgefield - Tenant	Unauthorised Concrete Batching Plant	BM
117650G	Lot 2505 # 7 Moorambine Street, Wedgefield	Unauthorised Residential Structures	BM
803689G	Lot 173 # 19 Snappy Gum Way, South Hedland	Placing objects on a public thoroughfare	RS

CURRENT HEALTH ORDERS AS OF MARCH 2014

Current Health Orders under Delegated Authority by Environmental Health Services		
File No.	Address	Issue
803367G	Lot 2052 McGregor St Port Hedland	Metal frame spectator/grand stand seating erected on a trailer chassis.

Current Health Orders under Delegated Authority by Environmental Health Services

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

Site description (Attachment 1)

The subject site is located on the northern side of Greenfield Street South Hedland Rural Estate (Attachment 1) and measures approximately 2.8461 ha.

In terms of the Port Hedland Town Planning scheme No. 5 the subject site is zoned "Rural Residential". There is an existing "Single House" and associated outbuildings on the site. The permissibility of the proposed "Residential building" is an "AA" use.

Original Proposal (Attachment 2)

In December 2013, the Town received an application from McGrath Homes on behalf of Kevin and Gitte Hall being the owners of Lot 5 (17-21) Greenfield Street South Hedland Rural Estate (subject site), for a "Residential Building" consisting of a 4 bedroom, 2 bathroom single storey building.

Previous Council Resolution

As a result of the design of the building being that of a "Single House" and the information provided by the applicant, the Town's officers considered the proposal to be a "Grouped Dwelling", a use not permitted under the "Rural Residential" zone. The resolution states:

That Council:

- A. *Refuse the application submitted by McGrath Homes on behalf of Kevin and Gitte Hall for a Residential Building at Lot 5 (17-21) Greenfields Street, South Hedland Rural Estate for the following reasons:*
 - 1. *The proposed use does not meet the definition of a "Residential Building" as defined by the Town Planning Scheme No. 5*
 - 2. *In terms of TPS5 the proposed use is better defined as "Grouped Dwelling" being a prohibited use within a "Rural Residential" zone.*
- B. *Advise the landowner that it will fully supports a subdivision application at Lot 5 (17-21) Greenfields Street, South Hedland Rural Estate; and*
- C. *Strongly encourage the landowner to submit a subdivision application to the Department of Planning to create two freehold lots of a minimum lot size of 1ha.*

Request for reconsideration

Since then, the landowners lodged an application with the State Administrative Tribunal (SAT) for review of the Council's decision. On 5 March 2014, SAT has made the following order:

- "1. The applicant (being Kevin and Gitte Hall) must provide the respondent (being the Town) for consideration any additional information explaining how the proposed development would be used and how the use might be controlled.*
- 2. Pursuant to s 31(1) of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision on 30 April 2014 having regard to the additional information provided by the applicant."*

The applicant has provided further justification to support the proposal (Attachment 3).

Consultation

The scheme does not require an "AA" use to be advertised.

Statutory Implications

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

The applicant has requested that the building be approved as a "Residential Building" which is defined in the Scheme as being:

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

- a. temporarily by two or more persons, or*
- b. permanently by seven or more persons*

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

It is considered the proposal is best classified as a "Grouped Dwelling" which is defined as:

"A dwelling which is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate".

The Town’s officers consider the proposed development to be a Grouped Dwelling, being a prohibited use within the Rural Residential zone.

Policy Implications

Nil

Strategic Planning Implications

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

5.6.14 Precinct 14 – Southern

5.6.14 Precinct 14 – Southern

Precinct Summary

The Southern precinct provides opportunities for residents opting for a rural-residential lifestyle. Limited growth of the established rural-residential area is balanced with the need to protect the wider area for future urban development requirements.

Budget Implications

Should Council reaffirm its previous decision to refuse, the Town may incur costs to further define Council’s decision at the State Administrative Tribunal.

Officer’s Comment

As a result of the order handed down by the State Administrative Tribunal, Council is invited to reconsider its decision in light of the additional information provided by the applicant. The information provided was required to address two issues:

1. Explain how the proposed development would be used; and
2. How the use might be controlled.

The applicant has provided the following justification to support the reconsideration:

Applicant’s justification	Officers Response
<p>Building Design and Use</p> <p>The building has been designed to be flexible in use in order to provide for temporary users or several share couples using the building.</p> <p>The building is therefore intended to</p>	<p>The intention of a “Residential Building” is similar to a dormitory that is to provide accommodation permanently for 7 or more persons or temporarily for 2 or more persons.</p>

<p>be used to either provide accommodation for four couples (i.e. more than seven people) requiring accommodation or on a temporary basis by people requiring accommodation in Hedland for short periods of time associated with business travel.</p> <p>As such, the use of the building is intended to be in a manner that is consistent with the definition of a Residential Building and not a Dwelling.</p>	<p>As such, a “Residential Building” should be more than six bedrooms each with their own bathroom and communal facilities such as laundries and kitchens. The Town has previously supported “Residential Buildings” of this nature.</p> <p>An example of such a development is the Youth Accommodation Centre on Corbet Place, South Hedland. The building was designed to provide temporary accommodation for nine persons and two staff workers. The development comprised of three buildings including separate outbuildings that would allow persons to stay in that facility temporarily for three to six months.</p> <p>It is considered the plans submitted are that of an additional dwelling on the site and as such should be considered.</p>
<p>Town Planning Considerations</p> <p>The proposed development is of a scale commensurate with existing and recently approved developments within the South Hedland Rural Residential Estate.</p> <p>The dwelling is also setback from the street 20m and the side boundary by 24m, consistent with existing and recently approved development in the estate.</p> <p>The proposed development will not disrupt the frontage of the existing property therefore maintaining consistency in the width of lots throughout the estate and along Greenfield Street.</p> <p>The development as viewed from the street will therefore be consistent with the existing established rural setting and not detract from the amenity of the area.</p>	<p>Section 6.8.4 of TPS5 requires each lot in the “Rural Residential” zone to have a minimum lot size of 1ha where reticulated water is provided.</p> <p>The subject site is able to connect to reticulated water and with a total lot size of 2.8461ha the landowner is able to subdivide their property to create two freehold lots.</p> <p>The Town does not object to the applicant to subdivide the property to create two 1 ha lots, however as the proposed development is considered a “Grouped Dwelling” (a not permitted use in the Rural Residential zone) the Council cannot support the application.</p>

In summary, the proposed building design has not changed and the applicant has not provided sufficient justification for the Council to reconsider its decision. It is therefore recommended the request for reconsideration be refused.

Attachments

1. Locality Map
2. Development Plans
3. Justification Statement

201314/303 Officer’s Recommendation/ Council Decision

Moved: Cr Hunt

Seconded: Cr Hooper

That Council reaffirm its previous decision 201314/215 made at the 29 January 2014 Ordinary meeting on item 11.1.5 “Proposed Residential Building on Lot 5 (17-21) Greenfield Street South Hedland Rural Estate” to the application submitted by McGrath Homes on behalf of Kevin and Gitte Hall to construct a “Residential Building” on Lot 5 (17 – 21) Greenfield Street, South Hedland Rural Estate.

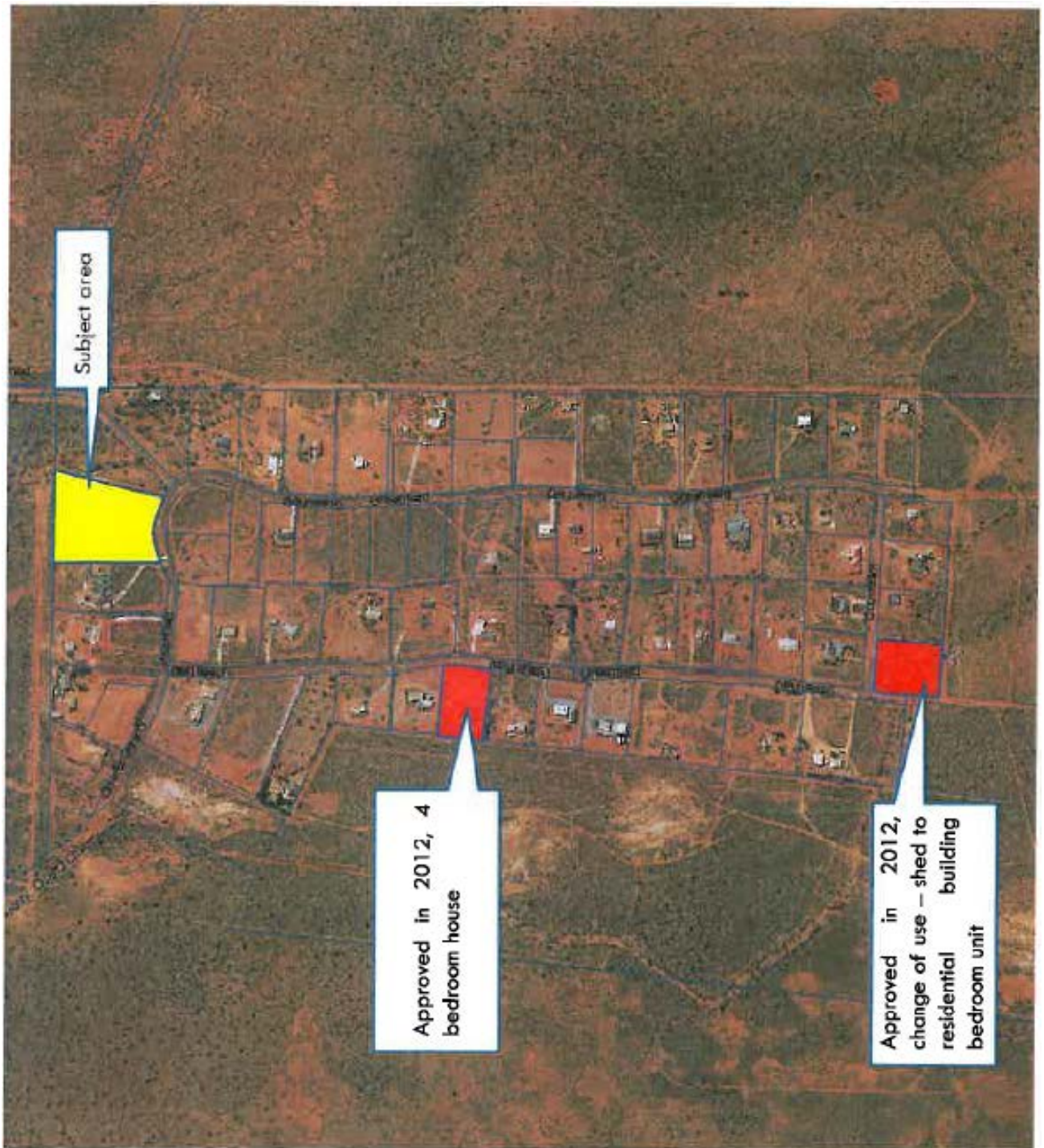
CARRIED 5/2

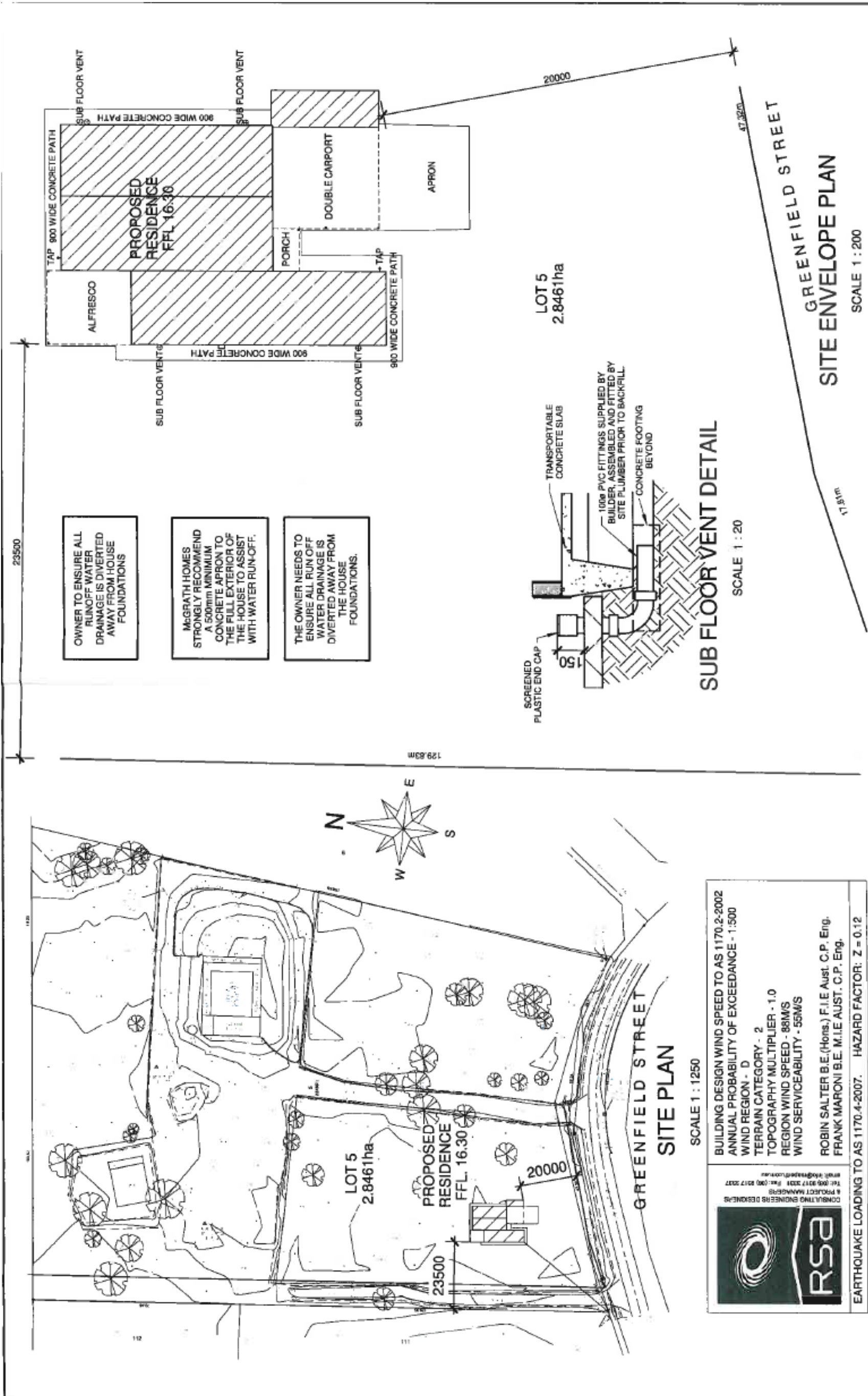
Record of votes:

For	Against
Mayor Howlett	Councillor Daccache
Councillor Gillingham	Councillor Butson
Councillor Hooper	
Councillor Hunt	
Councillor Melville	

ATTACHMENT 1 TO ITEM 11.1.3







job no.	131076
date	19/09/2013
drawn	GRE
checked	--
sheet no.	3

Date	Rev	Description

PROPOSED NULLAGINE FOR:

KA & G HALL

LOT 5 GREENFIELD STREET
SOUTH HEDLAND

RSB
CONSULTING ENGINEERS DESIGNERS
& PROJECT MANAGERS
TEL: (08) 9317 3338 Fax: (08) 9317 2337
www.rsbcad.com.au

Mcgrath homes
31 challenge boulevard, wangara, wa 6065
po box 1229, wangara, wa 6047
telephone: (08) 9302 1131 fax: (08) 9302 1132 country toll free: 1800 62 1131
website: www.mcgrathhomes.com.au e-mail: sales@mcgrathhomes.com.au

THIS PLAN IS THE PROPERTY OF McGRATH HOMES AND SHALL NOT BE COPIED OR USED WITHOUT THEIR PERMISSION

ATTACHMENT 3 TO ITEM 11.1.3

To Leonard Long of Town Planning

Re- Proposed residential building lot 5 Greenfield St

Please attach to my previous application the clarification of the proposed residential building. This additional information is being provided to clarify to council members prior to inviting them to reconsider their previous decision at its meeting on 30th April 2014 as directed by Member James Jordan of the State Administrative Tribunal Act 2004.

The following letter outlines the relevant information regarding the site and proposed development. It includes appropriate justification demonstrating the proposed development is a 'Residential Building' and that it is consistent with the intentions of the Rural Residential zone.

1. Proposed Development

It is proposed to construct a single storey building with direct frontage and access to Greenfield Street. The building includes 4 bedrooms and 2 bathrooms with large internal areas and a large alfresco. The building has been designed to be flexible in use in order to provide for temporary users or several share couples using the building.

The use of the building in is unique as it is not intended to solely provide for permanent accommodation of a family. The intent of the building is to provide for flexible accommodation options to assist in the current accommodation crisis effecting Port Hedland. It will provide either for permanent accommodation or short term accommodation related to business travel. Such accommodation options are needed to address flexibility in the accommodation market in Hedland so as to provide for market demand.

2. Proposed Use

The proposed development is properly defined as a 'Residential Building' in accordance with the definition outlined in the Town of Port Hedland Town Planning Scheme No. 5. A 'Residential Building' is an 'AA' use in the 'Rural Residential' zone and therefore can be approved at the discretion of Council.

A 'Residential Building' is defined as follows:

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

- a) Temporarily by two or more persons; or*
- b) Permanently by seven or more persons."*

The owner of the land has confirmed the building is intended to be used to either provide accommodation for four couples (i.e. more than seven people) requiring accommodation or on a temporary basis by people requiring accommodation in Hedland for short periods of time associated with business travel. As such, the use of the building is intended to be in a manner that is consistent with the definition of a Residential Building and not a Dwelling. The proposal is a Residential Building and can be approved at the discretion of Council.

3. Town Planning Considerations

There are no specific provisions which affect this development within the Shire's Town Planning Scheme No. 5 or Local Planning Policies. The 'Rural Residential' zone definition provides guidance for the type of development intended for the zone:

"Subdivision and development of land where lots and dwellings are located in a rural setting, where the use of the lots may include agriculture and the development standards for lots, including lot sizes have been endorsed by Council in accordance with Commission policy."

The proposed development is of a scale commensurate with existing and recently approved developments within the South Hedland Rural Residential Estate. The dwelling is also setback from the street 20m and the side boundary by 24m, consistent with existing and recently approved development in the estate. The proposed development will not disrupt the frontage of the existing property therefore maintaining consistency in the width of lots throughout the estate and along Greenfield Street. The development as viewed from the street will therefore be consistent with the existing established rural setting and not detract from the amenity of the area.

4. Summary

The proposed development of a 'Residential Building' at Lot 5 Greenfield Street is consistent with the relevant objectives of the Rural Residential zone. It will not detract from the amenity of the area and is consistent with the existing established rural setting of the South Hedland Rural Residential Estate. The use of the building will be in accordance with the definition of a 'Residential Building' as outlined by the owner and therefore can be approved on the site at the discretion of the Council.

11.2 Engineering Services

Nil

11.3 Community Development**11.3.1 *Port Hedland Turf Club – Final Concept Design and Implementation Report (File No.: 26/02/0043)***

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

Date of Report **4 April 2014**

Disclosure of Interest by Officer **Nil**

Summary

A Balanced View Leisure Consultancy were appointed to prepare the 'Needs Assessment, Concept Design and Implementation Plan' for the Port Hedland Turf Club. The project scope was designed to be delivered in two stages.

Stage one, being the 'Needs Assessment for the Port Hedland Turf Club', was adopted by Council in September 2012.

Stage two, being 'Concept Design and Implementation Plan' was noted by Council at the December 2013 meeting and has been circulated to relevant stakeholders for final comment.

The 'Concept Design and Implementation Plan' is now finalised and presented to Council for endorsement.

Background

The Town of Port Hedland (February 2012) engaged A Balanced View - Leisure Consultancy to undertake the 'Needs Assessment, Concept Design and Implementation Plan' for the Port Hedland Turf Club. The project scope was designed to be completed in two stages:

Stage One - Needs Assessment

This initial document focused on consultation with the community and stakeholders to determine the longer term needs of the Turf Club. Importantly, the future location of the Turf Club was determined prior to proceeding with any concept designs or operational plans.

The Ordinary Council meeting (26 September 2012), determined that the existing track used by the Turf Club should be maintained at the current site, being McGregor Reserve. The consultant proceeded on this basis to develop concept designs for the community sporting facilities and the Turf Club at the McGregor Reserve location.

Stage Two - Concept Design and Implementation Plan

Based on Council's resolution to retain the Turf Club on the current site, a plan was prepared for the community / sporting facilities, including the future facilities to be provided at the Turf Club. Understanding the management and operations of this future facility was an integral part of this plan.

Consultation

This project has included an extensive consultation process with all groups involved with equine activity. Also consulted at length were sporting and community groups, as well as residents of the Town.

The most recent consultation meeting with stakeholders was held on Tuesday 4 March 2014. A three week time frame was allocated for feedback from user groups on the Concept Design and Implementation Plan. The groups were encouraged by the consideration and costing provided for the relocation of the existing stables at Pretty Pool to the site leased by the South Hedland Owners and Trainers Association.

Consultation has included:

- Project Control Group
- Port Hedland Cricket Association
- Port Hedland Turf Club
- Port Hedland Pony Club
- South Hedland Owners and Trainers Association
- Port Hedland Golf Club
- Town of Port Hedland.

The overall view of the community was determined through a phone survey, conducted in July 2012 from 200 residents. The findings of the phone survey were supportive of the retention of the Turf Club at the current site and highlighted the significant benefits in creating a broader community precinct and spaces, as well as improved facilities for the Turf Club.

The concept designs and preliminary management options were presented to Council at a confidential briefing on Wednesday 2 October 2013.

No major issues have been raised by stakeholders regarding the (draft) Plan. Some comments provided by the Port Hedland Cricket Association will be pertinent during future consultation (May 2014) as part of the Port Hedland Community Planning (Open Space and Infrastructure) Master Plan.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications:

6.1 Community

6.1.1 Unified

The Town of Port Hedland is an integrated community functionally, physically and culturally.

6.1 Community

6.1.2 Vibrant

Provide access to recreational, cultural, entertainment facilities, and opportunities.

Budget Implications

There are no immediate budget implications from the findings of the final report.

Subject to Council adoption and progression of the development of the community / Turf Club facilities in the longer term, there will be significant capital expenditure required. Further clarity would also need to be obtained in later work around the management, operational and asset responsibilities / costs of facilities developed in the future.

Officer's Comment

The final 'Needs Assessment, Concept Design and Implementation Plan' is now presented to Council as a collated study and plan.

The Needs Assessment Report was endorsed by Council in September 2012. The key recommendation of the Needs Assessment report was to retain and upgrade the Port Hedland race track to meet both the passive and active recreation needs of the community.

The concept plans have been developed depicting the creation of a regional level, high capacity community hub in the heart of the Port Hedland town site. A building of this nature would facilitate a diverse range of user groups and have the capacity to accommodate multiple users concurrently.

The redevelopment would also provide a quality events venue for the hosting of major race meets, concerts, circuses and festivals that are integral to the social and cultural vibrancy of Port Hedland.

The report has identified that the McGregor Reserve / Turf Club upgrade provides some very real opportunities for the Town of Port Hedland.

The focus of the plan is to develop a community facility that is used by the Turf Club, rather than a Turf Club that is used by the community. The concepts presented for the open space have taken a holistic approach to the needs of the community.

Specific consideration has been given to reinvigorating the interior of the track as usable space; the building has cleverly considered the needs of a variety of users (specifically cultural initiatives), and in Port Hedland's case has focused on dancing as an important community activity.

The report also provides some surety for the occupants of the South Hedland Owners and Trainers Association. In the medium term their needs can be accommodated at the current site. In the longer term, it is likely that there may be a requirement for more space and therefore the need to relocate.

The amalgamation of the activities of the Port Hedland Pony Club and the South Hedland Owners and Trainers Association is an obvious and necessary alignment. Both parties will need to rearrange their current operations but the activities are not seen as being mutually exclusive. There are some design ideas which will seek to provide the Pony Club with the opportunity to utilise an area in the centre of the Turf Club for competitions. There are support facilities within the Turf Club building and also a sand and grass arena so that competitions can be conducted in an easily accessible and high profile location.

The Pony Club lease and the development of the Pretty Pool location for housing is a separate project that is outside of the scope of this project.

The plans outline a project that can be progressed as part of a staged development.

The consultant has provided some high quality plans for the proposed development. The attachments to the report are also very detailed and provide the Town with clear information regarding construction costs and whole of life costs for all of the facilities.

The key attachments include:

- Port Hedland race course redevelopment - construction cost estimate
- Port Hedland pony club replacement - construction cost estimate
- Port Hedland turf club stables replacement - construction cost estimate
- Port Hedland race course redevelopment - annual life cycle costs
- Port Hedland pony club replacement - annual life cycle costs
- Port Hedland turf club stables replacement - annual life cycle costs
- Multi-purpose community pavilion room hire income.

Attachments

1. Needs Assessment, Concept Design and Implementation Plan for the Port Hedland Turf Club - Final Report (April 2014) (Under Separate Cover)

201314/304 Officer's Recommendation/ Council Decision**Moved: Cr Daccache****Seconded: Cr Melville****That Council:**

1. **Endorse the Needs Assessment, Concept Design and Implementation Plan for the Port Hedland Turf Club - Final Report (April 2014);**
2. **Note a media strategy will be developed and implemented, so that the community is well informed about the development of the Port Hedland Turf Club;**
3. **Note that final facility requirements, particularly community meeting, will need to be considered in the context of any planned developments on the Civic Centre / Town Administration site; and**
4. **Thank BHP Billiton for their financial contribution towards this project.**

CARRIED 7/0

11.3.2 Active Open Space Strategy - Progress Report (April 2014) (File No.: 21/05/0005)

Officer Graeme Hall
Manager Recreation Services and Facilities

Date of Report 3 April 2014

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to provide Council with a progress report regarding the Active Open Space Strategy.

Background

The Town of Port Hedland (2010) commissioned CCS Strategic to undertake the Active Open Space Strategy. The final report was endorsed by Council in March 2012.

The Active Open Space Strategy:

- Details the required size and location of active open space (sporting field) for a predicted population of 50,000 residents
- Provides a plan for the development of recreational facilities within that active open space.

Since the adoption of the Active Open Space Strategy, the Town has changed significantly. A number of decisions have been made by the Town of Port Hedland, the State Government and developers that have impacted some of the key recommendations of the Active Open Space Strategy.

Consultation

Extensive consultation was conducted in 2011 by CCS Strategic in the development of the Active Open Space Strategy. The consultation process can be viewed in full in the final Active Open Space Strategy (Attachment 2, Page 19).

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

6.1 Community

6.1.1 Vibrant

Provide access to recreational, cultural, entertainment facilities, and opportunities.

Commit to improving the quality of life and wellbeing of residents.

Budget Implications

Nil

Officer's Comment

The Active Open Space Strategy - Progress Report (April 2014) provides:

- An overview of the endorsed Active Open Space Strategy report and key recommendations
- An overview of decisions made since the endorsement of the Active Open Space Strategy in 2012, and implications for the key recommendations made in the report
- Information on upgrades to the Town's sporting reserves and facilities since 2011
- An overview of the usage of the Town's sporting reserves and facilities in 2014
- An overview of the pressure on existing sporting reserves and facilities.

The Town of Port Hedland has recently secured funding to undertake the Port Hedland Community Planning (Open Space and Infrastructure) Master Plan. This project will build on work presented in the Active Open Space Strategy and develop master plans for the following key sites:

- East Port Hedland (including McGregor Street Reserve)
- Marie Marland Reserve, South Hedland
- Western Edge Sporting Precinct, South Hedland
- Osprey / Eastern Gateway Sporting Precinct, South Hedland.

Attachments

1. Active Open Space Strategy - Progress Report (April 2014).
2. Active Open Space Strategy, Final Report (Under Separate Cover).

201314/305 Officer's Recommendation/ Council Decision

Moved: Cr Hooper

Seconded: Cr Hunt

That Council note the Active Open Space Strategy - Progress Report (April 2014).

CARRIED 7/0



Active Open Space Strategy

Progress Report - April 2014

Purpose

The Active Open Space Strategy was commissioned by the Town of Port Hedland in 2010 and was endorsed by the Council in March 2012. Since this time the Town has changed significantly. A number of decisions have been made by the Town of Port Hedland, the Western Australian State Government and developers which impact some of the key recommendations made in the Active Open Space Strategy report.

The purpose of this document is to provide a status update on the key recommendations made in the Active Open Space Strategy. The progress report will provide:

- An overview of the endorsed Active Open Space Strategy report and key recommendations
- An overview of decisions which have been made since the Active Open Space Strategy was endorsed in 2012 and implications for the key recommendations made in the report
- Information on upgrades to the Town's sporting reserves and facilities since 2011
- An overview of usage of the Town's sporting reserves and facilities in 2014
- An overview of the pressure on existing sporting reserves and facilities.





Active Open Space Strategy Overview and Key Recommendations

The Town of Port Hedland contracted CCS Strategic to complete the Active Open Space Strategy in November 2010. This project was commissioned in response to the announcement of the Pilbara Cities Initiative in November 2009, proposing the transformation of Port Hedland into a city of more than 40,000 people by 2025 and subsequently to 50,000 by 2040.

The Active Open Space Strategy;

- Details the required size and location of active open space (sporting fields) for a predicted population of 50,000 residents
- Provides a plan for the development of recreational facilities within that active open space.

The report recommends that 60% of public open space should be suitable for active open space development. For a population of 50,000 residents the Town ultimately requires 168 hectare of public open space and therefore the provision of active open space should be approximately 100 hectares.

An underlying philosophy adopted in the strategy is for the creation of fewer, larger public open spaces that combine sporting areas with recreation and bushland spaces.

The Active Open Space Strategy report provides:

- A philosophical and strategic rationale for the provision of public open space throughout the Town
- A revised master plan for the South Hedland Sporting Precinct, including the development of a master plan for the entire site
- A new master plan for the redevelopment of the McGregor Street Reserve
- A master plan for the Western Edge Sporting Precinct in South Hedland, recommending size and location
- A master plan for the Osprey Drive Sporting Precinct in South Hedland, recommending size and location
- A summary of the stakeholder engagement process and its findings
- A detailed cost schedule outlining the order of probable cost for all facility provision and land allocation/acquisition
- An implementation strategy showing proposed acquisition/construction times for land and facilities and the resultant cost escalation over time.



Key recommendations for the size and location of active open space precincts are detailed in the table below:

Port Hedland		
Location	Size	Comment
Colin Matheson Oval	3.0 hectares	Retention of existing oval
McGregor Street Reserve and Cooke Point Drive	28.5 hectares	Redevelopment and relocation of existing sporting fields and facilities to allow for housing development.
Total Active Open Space Port Hedland	31.5 hectares	
South Hedland		
Location	Size	Comment
Kevin Scott Oval and Marie Marland Reserve	32.4 hectares	Retention and redevelopment of existing sporting reserves.
South Hedland Bowling and Tennis Club	3.6 hectares	Practical completion – April 2014.
New Western Edge Development	12.0 hectares	New recreation reserve site.
New Osprey Drive Development	12.0 hectares	New recreation reserve site.
Total Active Open Space	60.0 hectares	





Implications for Recommendations made in the Active Open Space Strategy

The Active Open Space Strategy provides probable costs and recommends timeframes for the upgrades and developments recommended in the report. These are detailed in full on page 39 of the final report.

Since the report was endorsed there have been a number of decisions which have impacted the Active Open Space Strategy key recommendations and project delivery timeframes. These are detailed in the table below.

Active Open Space Strategy Recommendation	Year for development	Status as of March 2014
Relocation of the Port Hedland Turf Club to SHOATA / Golf Club	2012	In 2012, the Town of Port Hedland engaged A Balanced View - Leisure Consultancy to undertake a 'Needs Assessment, Concept Design and Implementation Plan' for the Port Hedland Turf Club. The Needs Assessment recommended retaining the Port Hedland Turf Club in its existing location. This recommendation was endorsed by Council on the 26 September 2012.
Redevelopment of Hedland Senior High School Oval to an event space	2013	In 2012, 'Dreamer's Corner' was relocated to the Hedland Senior High School site. This area is now used by residents of the Town to advertise and sell vehicles, boats and trailers. The area is no longer suitable as an 'event space'.
Upgrade and development of McGregor Street Reserve	2012	Developers will be the key driver behind the relocation and development of the new McGregor Street Sporting Precinct. In 2012, when the Active Open Space Strategy was endorsed by Council there was a strong desire by the State Government to redevelop large areas of the existing McGregor Street Reserve for residential purposes. This drove the timeframes recommended in the Active Open Space Strategy report. Since 2012, the urgency to develop this space for residential purposes has decreased and altered the project timeframes.
New Western Edge Sporting Precinct	2030	Cedar Woods were selected as the developer of this site. They did not support retaining the location of the Western Edge site recommended in the Active Open Space Strategy report. The Town of Port Hedland has been working with developers to secure the best location for this sporting



		<p>reserve and therefore the best outcome for the community.</p> <p>The final location for this sporting precinct is yet to be determined.</p>
New Osprey Drive Sporting Precinct	2020	<p>The Department of Housing was appointed as the developer for this site. They did not support retaining the location of the Opsrey Drive Sporting Precinct site recommended in the Active Open Space Strategy report.</p> <p>The Town of Port Hedland has been working to secure the best location for a sporting precinct site and therefore the best outcome for the community.</p> <p>The final location for this sporting precinct site is yet to be determined.</p>





Upgrades to Sporting Reserves and Facilities

Since the Active Open Space Strategy was endorsed by Council the Town has progressed with a number of recommendations made in the report and upgraded a number of sporting reserves and facilities. These upgrades and developments are detailed in the table below.

Sporting Facility	Works that have been completed
South Hedland Bowls and Tennis Club	Construction of a new clubhouse facility, upgrade to the tennis courts and car parking area.
Colin Matheson Oval	Detailed designs are currently being prepared for the development of a new change room, ablution and storage facility.
Faye Gladstone Netball Courts	In 2012, the Town of Port Hedland upgraded the courts surface, overhead lighting system and fencing.
Marie Marland Reserve	Installation of a new overhead lighting system. The new lighting 250 lux system lights two rugby / soccer grounds. The Town is also currently working to re-level the grassed area located within the new lit rugby fields.
Kevin Scott Oval	Installation of a cricket wicket in the centre of Kevin Scott Oval and installation of a 500 lux overhead lighting system. The Town has recently received funding from BHPBilliton to construct new cricket practice nets at Kevin Scott Oval.





Usage of the Town's Sporting Reserves as of April 2014

Since 2012, there have been a number of new sporting groups formed and changes in usage of the Town's sporting grounds by existing groups.

The table below outlines the usage of the Town of Port Hedland's sporting reserves as of April 2014;

Sporting Ground	Summer	Winter	Comment
Port Hedland			
Colin Matheson Oval	Hedland Touch Association (games and training)		<p>The Hedland Touch Association was relocated from South Hedland to Port Hedland in 2010, as part of the construction of Wanangkura Stadium.</p> <p>At the time of the relocation the Hedland Touch Association expressed a strong desire to relocate back to South Hedland. Since 2010, the Town has become uncertain if there is still a desire to relocate.</p> <p>At the current time the Town does not have sufficient facilities available to relocate the Hedland Touch Association to South Hedland.</p>
		Rovers Football Club (games and training)	
	Port Hedland Cricket Club (training)		
	Baseball (training)		
Hockey / Soccer / Rugby Oval (McGregor Street)		Hawks Rugby League Club (games and training)	
		Hedland Junior Soccer Association (games and training)	
		Port Hedland United Football Club (games and training)	<p>The Port Hedland United Football Club (senior soccer) is a new and fast growing sporting group. They currently have two teams:</p> <ul style="list-style-type: none"> • Port Hedland United Football Club • South Hedland Saints Football Club



			<p>They are participating in the Karratha and Districts Senior Soccer Association (KDSSA). They have expressed a desire to the Town of hold games at Marie Marland Reserve in 2015.</p> <p>They are also intending to commence a women's league.</p>
	OzTag (games)		OzTag are a new sporting group.
Town Oval (inside the Turf Club)	Wanderers Cricket Club (training)		
South Hedland			
Kevin Scott Oval	Port Hedland Cricket Association (games)		Since the Active Open Space Strategy was endorsed the Port Hedland Cricket Association have commenced night cricket.
		Swans Football Club (games and training)	
		Hedland Junior Football Association (games and training)	
		Auskick (games and training)	
Marie Marland Reserve	Port Hedland Baseball Association (games and training)		
	Port Hedland Cricket Association (training)		
		Hedland Softball Association (games and training)	
		Hedland Teeball Association (games)	
		Cougars Junior/Senior Rugby League Club (games and training)	
Faye Gladstone Netball Courts	Port Hedland Netball Association (games and training)		



The Town of Port Hedland has also received applications from a number of new sporting groups requesting to utilise the sporting reserves and facilities including Little Athletics, Rugby 7's, Rugby 9's and AFL 9's.

A number of personal training groups, businesses and transient workers accommodation villages also regularly hire the Town's sporting reserves.





Pressure on Existing Sporting Reserves and Facilities

With the growth of the Town's population over the past few years there has been an increased usage of the Town's sporting reserves and facilities. This has put pressure on many of the ageing toilet, kiosk and change room buildings at the Town's sporting reserves. This progress report raises the following items for observation by Council:

- The existing ground and change room amenities at McGregor Street are in poor condition. The sporting grounds are uneven and require significant work to provide level playing areas.

Over the past few years' usage of this reserve has increased and it is now utilised most weekday evenings and weekends.

- The toilet, kiosk and change room buildings at Marie Marland Reserve are in poor condition. The Active Open Space Strategy recommended construction of a centralised facility. Marie Marland Reserve is the most used sporting reserve in the Town during the winter months. This places pressure of the toilet, kiosk and change room facilities. The recent installation of an overhead lighting at this reserve will see more sporting groups requesting to access to use this site. This will place increased pressure on the existing facilities.
- The Hedland Senior High School oval remains under utilised on Saturdays and Sundays during the winter months. The oval lacks toilet and change room amenities, which prevents usage by local sporting groups. The installation of a simple toilet and change room facility could help to alleviate some of the pressure of the Town's sporting reserves in the short-term.
- There is currently a lack of available space for new sporting groups and the growth of existing sporting groups. An overview of the recent growth of local sporting groups accessing the Town's sporting reserves is outlined below:
 - The new senior soccer club (Port Hedland United and South Hedland Saints Football Club) is growing rapidly and the Town has limited availability at the existing sporting reserves and facilities for this group to expand. They are also looking to expand to include a Women's League in 2015
 - The Hedland Junior Football Association (AFL) has experienced growth over the past few years. In 2014 they will be running Auskick, as well as two Hedland Red's teams (under 15's and under 17's) in the West Pilbara Junior Football League. It is expected that this competition will continue to grow in the next few years
 - South Hedland Cougars Junior Rugby League Club is also continuing to grow and participating in the Pilbara Rugby League competition
 - The Hedland Junior Soccer Association now has 24 junior teams and 250 members.



User groups at Kevin Scott Oval have expressed a general lack of satisfaction in regards to the amenities available at this reserve. The major areas of concern include:

- Lack of shade for players and spectators at this facility
- Afternoon sun creates a hot environment for volunteers working the kiosk area
- Lack of toilets for spectators when Wanangkura Stadium is closed on weekends
- Inadequate kiosk facilities.

Finucane Island Club

There has been no decision made regarding the long-term location for the Finucane Island Club and the possibility for integration with other community facilities. The existing location prevents integration between Kevin Scott Oval and Marie Marland Reserve.

A key outcome of the Open Space and Infrastructure Master Plan project will be to determine the long-term location for this facility within the existing South Hedland sporting precinct.

Overhead Lighting at the Existing Sporting Reserves

The existing overhead lighting systems at Colin Matheson Oval, Marie Marland Reserve and McGregor Street Reserve are approaching the end of their life. The Town will need to consider a replacement strategy within the next 5 years.





Conclusion

The Active Open Space Strategy was intended to guide all future development at the Town's sporting reserves and facilities. Many of the key recommendations and general philosophies made in the report remain valid.

The next step for the Town will be the completion of the Community Open Space and Infrastructure Master Plan. This body of work has been funded by BHPBilliton and will build on the work completed in the Active Open Space Strategy. As part of the project master plans will be developed for the four following sites:

- McGregor Street Reserve, Port Hedland
- Marie Marland Reserve, South Hedland
- New Western Edge Sporting Precinct, South Hedland
- New Opsrey Drive / Western Edge Sporting Precinct, South Hedland.

A key outcome of this project will be to work with developers to finalise the site locations for the sporting precincts identified above.



11.3.3 Review of Recreation Policies 6/010, 6/011 and 6/006

Officer	Graeme Hall Manager Recreation Services and Facilities
Date of Report	3 April 2014
Disclosure of Interest by Officer	Nil

Summary

This report outlines the desire to maintain the relevance of the Town's policies with the activities of sporting and community groups and requests Council endorse the following updated policies:

- 6/010 Recreation Reserves and Facilities – Seasonal Hire
- 6/011 Recreation Reserves and Parks – Casual Hire and Events
- 6/006 Consumption of Alcohol at Town of Port Hedland Owned and Managed Property.

Background

A review has been completed on a number of existing recreation policies. The policy review has focused on:

- Best practice management across a number of Western Australian Local Government Authorities
- Statutory and legislative requirements
- Endorsed Town of Port Hedland management / operational plans
- Providing safe and accessible facilities to the community.

This report seeks Council endorsement of the following revised (updated) policies:

- 6/010 Recreation Reserves and Facilities – Seasonal Hire (Attachment 1)
- 6/011 Recreation Reserves and Parks – Casual Hire and Events (Attachment 2)
- 6/006 Consumption of Alcohol at Town of Port Hedland Owned and Managed Property (Attachment 3).

The following policies outlined in Table 1 below need to be rescinded / removed from the Policy Manual as part this review process.

Table 1- Policies to be rescinded

Policy	Comment
6/008 Number of Rubbish Bins to be Supplied at Each Sporting Reserve.	This matter is now covered in policy Recreation Reserves and Facilities – Seasonal Hire.

6/004 Occasional Licenses and Consumption of Liquor on a Recreation Reserves or Council Owned or Managed Facility.	This policy is currently duplicated within the Town of Port Hedland Policy Manual with Policy 6/006 that will be retained.
--------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------

Consultation

Consultation has occurred with all relevant internal and external stakeholders in the development of (revised) policies presented in this report, including:

Internal

- Governance
- Planning Services
- Environmental Health
- Engineering Services
- Community Development and Recreation.

External

- Seasonal sporting users of the Town's recreation reserves
- Hedland Water Polo Association
- Water Polo Western Australia
- Local Government Insurance Services
- Department of Sport and Recreation
- YMCA
- Benchmarking with other Local Government's including:
 - City of Bunbury
 - City of Rockingham
 - City of Swan
 - City of Melville
 - City of Mandurah
 - City of Stirling
 - Shire of Roebourne
 - Shire of Ashburton
 - Shire of Broome
 - Shire of Exmouth.

The draft policies were presented to Elected Members on the 12 and 26 March 2014.

Statutory Implications

Nil

Policy Implications

Table 1 (above) identifies two policies that will be rescinded as a result of this review process; 6/008 Number of Rubbish Bins to be Supplied at Each Sporting Reserve, and 6/004 Occasional Licenses and Consumption of Liquor on a Recreation Reserves or Council Owned or Managed Facility.

Subject to Council endorsement, the following revised policies will be updated:

- 6/010 Recreation Reserves and Facilities – Seasonal Hire
- 6/011 Recreation Reserves and Parks – Casual Hire and Events
- 6/006 Consumption of Alcohol at Town of Port Hedland Owned and Managed Property.

Strategic Planning Implications

6.1 Community

6.1.1 Unified

The Town of Port Hedland is an integrated community functionally, physically and culturally.

Budget Implications

The endorsement of the policies presented in this report will have an impact on the 2013/2014 or future 2014/2015 budget.

6/011 Casual Hire and Events Policy recommends specifying bin numbers for events and bookings. This is standard practice across a number of Local Governments. The Town of Port Hedland's existing bin hire fee and charge is significantly higher than other Local Governments. Should the revised policy be endorsed by Council, the bin hire fee will be subsequently amended in the 2014 / 2015 Fees and Charges Schedule from \$49.50 per bin to \$25.60 per bin.

Table 2 provides an overview of the bin fees charged by other local authorities.

Table 2 - Analysis of bin fees

Local Government Authority	Charge	Comment
Shire of Roebourne	\$25.70 per bin	Minimum of 10 bins
Shire of Broome	\$22.00 per bin	Minimum of 10 bins
Shire of Ashburton	\$2.00 per bin	
City of Melville	\$11.10 per bin + \$93.50 delivery fee (per 12 bins)	

No other budget implications are anticipated.

Officer's Comment

The updated recreation policies presented in this report reflect a best practice approach and work toward appropriate management of the Town's recreation reserves, parks and facilities.

6/010 Recreation Reserves and Facilities – Seasonal Hire

This policy currently exists within the Town of Port Hedland Policy Manual 6/010 Recreation Reserves and Facilities – Seasonal Hire.

With the Town's population growth and subsequent increased demand for use of local sport and recreation reserves, it is important that the Town has effective policies and management practices that meet community need.

There have been limited amendments to this policy. The updated policy has been reformatted and placed into the new policy template.

6/011 Recreation Reserves and Parks – Casual Hire and Events

This policy currently exists within the Town of Port Hedland Policy Manual 6/011 Recreation Reserves and Facilities – Casual Hire and Events. The proposed changes are outlined in Table 3 below.

Table 3 - Key policy changes

Change	Comment
Policy scope increased to cover the Town's parks.	Details provided within the policy (Attachment 2).
Provisions for personal trainers and fitness classes when accessing the Town's recreation reserves and parks.	Details provided within the policy (Attachment 2).
The policy includes bin provision requirements for casual hire and events.	Will result in amendment to the bin hire fee in the 2014/2015 Fees and Charges Schedule.
Recommends hirers refer to the Accessible Event Guidelines.	In line with the Town's Disability Access and Inclusion Plan.

6/006 Consumption of Alcohol at Town of Port Hedland Owned and Managed Property

This policy will replace the existing policies in the Town of Port Hedland Policy Manual:

- 6/004 Occasional Licenses and Consumption of Liquor on a Recreation Reserve or Council Owned or Managed Facility
- 6/006 Occasional Licenses and Consumption of Liquor on a Recreation Reserve or Council Owned or Managed Facility.

Under the Liquor Control Act of 1988, it is an offence to consume liquor on a Council reserve, facility or public open space without approval from the Local Government Authority.

Council currently has a number of management plans / policies and local laws that restrict the consumption of alcohol. Existing arrangements are in place for the following facilities:

- Marquee Park
- South Hedland Town Centre
- JD Hardie Youth Centre
- South Hedland Aquatic Centre
- Gratwick Aquatic Centre.

Following a Council Briefing Session on 12 March 2014, further information has been collated regarding this matter. This information is outlined in Table 4 below.

Table 4 - Alcohol Consumption

Organisation	Comment
YMCA	<ul style="list-style-type: none"> • Concerned that permission to consume alcohol may breach relevant legislation and standards • Alcohol has been recognised as a contributing factor in many accidental drownings • If alcohol consumption is permitted it must be done responsibly and in an area where access to water is not possible • If this matter is pursued the YMCA may seek indemnity / contribution from the Town of Port Hedland • Strongly urge the Town of Port Hedland to give serious consideration to alternate proposals to prevent unnecessary negative impacts for both organisations. <p>See YMCA letter (Attachment 4).</p>
Local Government Insurance Services	<p>Generally alcohol and aquatic centres have proven not to be a good mix.</p> <p>If the Town is to pursue:</p> <ul style="list-style-type: none"> • Water polo will need to have the Town noted on their Public Liability Insurance policy • YMCA must agree to the consumption and sale of alcohol • If the Town is to approve alcohol consumption they must understand the risks and ensure they are within their acceptable levels • Encourage the Town of undertake a risk assessment exercise regarding this matter.

Water Polo WA	<ul style="list-style-type: none"> • If alcohol is served clubs must abide by all licensing laws • Marked areas for alcohol consumption, responsible service of alcohol are of primary concern for members • Appropriate life guards and facility requirements must be met to ensure safety of players and spectators • Insurance covers players only and does not extend to spectators.
Shire of Roebourne	<ul style="list-style-type: none"> • Dedicated club room for use by the local water polo association. Once alcohol is served the club room locked, preventing access to the pool body • Alcohol consumption was permitted in the previous facility. Risks were seen as too high. Consumption of alcohol has been restricted at new Leisureplex facility.
Shire of Ashburton	<ul style="list-style-type: none"> • Consumption of alcohol not permitted at the aquatic facilities.
City of Bunbury	<ul style="list-style-type: none"> • Large local water polo association • Consumption of alcohol restricted to a grassed area outside the facility • Once alcohol is consumed players and spectators cannot re-enter the water body area. Toilets are provided in the grassed area and there is a gate to exit the facility.

Generally water and alcohol are not seen as a good mix. Should permission be granted for consumption of alcohol at other local government facilities, access to water bodies is restricted. The YMCA, as facility managers, have provided correspondence regarding the consumption of alcohol. A key element to their position is that they may seek to divert any risk to Council.

Officers have consulted with representatives from the local Hedland Water Polo Association to discuss potential options/solutions. The following clause has been inserted in the policy as a result of recent discussions:

“Special approval may be granted by the Chief Executive Officer for the sale and consumption of alcohol at these facilities. This will require the development of a detailed Risk Management Plan specific to the event.”

This added clause will enable officers to review all of the advice received and to consider each request to consume alcohol individually and specific to the venue, event or activity.

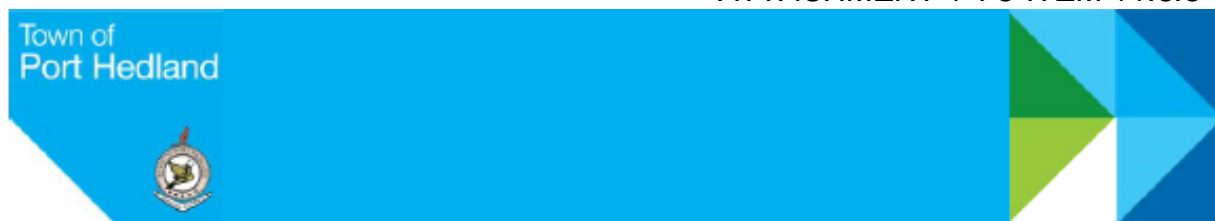
Attachments

1. Policy 6/010 , Recreation Reserves and Facilities – Seasonal Hire
2. Policy 6/011, Recreation Reserves and Parks – Casual Hire and Events
3. Policy 6/006, Consumption of Alcohol at Town of Port Hedland Owned and Managed Property
4. Letter from YMCA – Regarding alcohol consumption at the Town’s aquatic facilities.

201314/306 Officer’s Recommendation/ Council Decision**Moved: Cr Daccache****Seconded: Cr Hooper****That Council:**

1. **Adopt updated policies:**
 - a. **6/010 Recreation Reserves and Facilities – Seasonal Hire (Attachment 1)**
 - b. **6/011 Recreation Reserves and Parks – Casual Hire and Events (Attachment 2)**
 - c. **6/006 Consumption of Alcohol at Town of Port Hedland Owned and Managed Property (Attachment 3)**
2. **Rescind the following Town of Port Hedland policies:**
 - a. **6/008 – Number of Rubbish Bins to be Supplied at Each Sporting Reserve**
 - b. **6/004 – Occasional Licenses and Consumption of Liquor on a Recreation Reserves or Council Owned or Managed Facilities.**
3. **Note consideration of a revised cost for a 240 litre event bin hire fee of \$25.60 will be included in the 2014/2015 Fees and Charges Schedule.**

CARRIED 7/0



6/010 Recreation Reserves and Facilities – Seasonal Hire

Policy Statement

The purpose of this policy is to provide the Town of Port Hedland with guidelines for usage of the Town's recreation reserves and facilities by sporting groups.

The intent of this policy is to:

- Ensure appropriate management of the Town's recreation reserves and facilities by local sporting groups.
- Provide local sporting groups with the opportunity to hire the Town's recreation reserves and facilities.
- Ensure shared and equitable usage of the Town's recreation reserves and facilities by all local sporting groups.

Policy Application

This policy covers the following recreation reserves within the Town of Port Hedland municipality:

Port Hedland

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

South Hedland

- a) Kevin Scott Oval and associated facilities
- b) Marie Marland Reserve and associated facilities
- c) Faye Gladstone Netball Courts and associated facilities
- d) Hedland Senior High School Oval (out of school hours usage)
- e) Cassia, Baler and South Hedland Primary School Ovals (out of school hours usage)

Background

This policy replaces the existing Council Policy; Recreation Reserves and Facilities – Seasonal Hire, endorsed by Council in May 2012.

Outcomes

This policy will work towards achieving the following outcomes:

- Clear guidelines for the use and hire of the Town's recreation reserves and associated facilities.
- Appropriate management of the Town's recreation reserves and associated facilities.



- Provide equitable usage for sporting clubs and associations of the Town's recreation reserves and associated facilities

Policy Content

1. Shared Usage of Recreation Reserves and Facilities

The Town of Port Hedland supports the shared usage of all of the Town's recreation reserves and facilities. Where appropriate the Town will favour the usage of recreation reserves and facilities by multiple user groups.

2. Application Process

All sporting groups must submit all necessary booking application forms and supporting documentation to the Town of Port Hedland within the required booking timeframes.

The following documentation may also be required:

- Site map
- Provision of Public Liability Insurance and Certificate of Currency
- Trading in Public Places form, i.e. food application
- Application to Consume Alcohol on Council Facility or Reserve
- Public Health Event Classification Assessment
- Risk Management Plan
- Traffic Management Plan
- Club Health Check
- Certification for all temporary structures
- Form 1 Application to Construct, Extend or Alter a Public Building
- Form 5 Electrical Certification

3. Booking Timeframes

All summer seasonal applications must be submitted by the end of September of each calendar year.

The Town of Port Hedland will hold a bookings evening in the February of each calendar year for all winter seasonal applications. All applications will be assessed after this date.

The above dates are subject to change. All sporting groups will be notified in writing of any changes to the above timeframes.

4. Assessment of Ground Allocation

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



- The nature and sustainability of the proposed activity in relation to the facility
- The availability of the facility, giving consideration to all applications from other seasonal users
- The impact of the activity on the recreation reserves and surrounding residents
- The condition of the reserve, maintenance requirements and the availability of alternative venues
- Submission of the seasonal booking form within the required timeframes

Where possible preference will be given to the following:

- Historical user groups
- In season sports over preseason training
- Allocated use for match play over training
- Incorporated sporting clubs and associations
- Applications submitted by the seasonal allocation closing date (over late submissions)

5. Seasonal Hire Fees and Charges

The Town of Port Hedland will charge all fees and charges for usage of the recreation reserves and facilities in accordance with the Council adopted fees and charges.

Hirers will be eligible for the seasonal hire fees and charges if they meet the criteria identified below:

- a) Using the recreation reserves for sporting competitions (match play and or training)
- b) Hold current Public Liability Insurance for the primary purpose of the hire
- c) Incorporated body or working towards incorporation in the next 12 months
- d) Affiliated with a state or national sporting association relevant to the sport or activity

If groups do not meet the criteria outlined above special permission can be sought from the Town of Port Hedland to qualify for seasonal hire fees and charges.

Seasonal hire fees and charges provide sporting groups with the following services:

- a) Access to the Town's recreation reserves and associated facilities (toilets, change rooms)
- b) Provision of bins equivalent to 1 bin per 20 users for alcohol related bookings
- c) Provision of bins equivalent to 1 bin per 40 users for non-alcohol related bookings
- d) Preseason cleaning of the sporting reserve toilet and change room facilities

Hirers that do not meet the criteria outlined above will be charged casual hire fees and charges.

6. Bonds



The Town of Port Hedland will charge a bond for the use of the Town's recreation reserves, facilities and keys. Bonds will be determined by the Bond Matrix and must be paid prior to the commencement of the season.

7. Public Liability Insurance

All seasonal hiring groups are required to hold current Public Liability Insurance in the name of the club / association for an amount of no less than \$10,000,000.

The Town of Port Hedland does not cover contents insurance for any equipment or furniture stored at the Town's recreation reserves or facilities. Contents insurance is the responsibility of the sporting club or association.

8. Recreation Reserve Maintenance, Cleaning and Security

Town of Port Hedland Responsibility

a) Maintenance:

- i. Preseason facility inspections will be carried out at all sporting reserves and facilities. Users will be invited to attend these inspections with Town of Port Hedland Officer's.
- ii. All sporting reserves and facilities may be subject to scheduled maintenance.

b) Cleaning:

- i. The Town of Port Hedland will clean each facility prior to the commencement of each season.

c) Casual Hire and Events

- i. The Town of Port Hedland will advise seasonal users of other casual hirers and events that have hired facilities at their reserve during their season. Casual hirers and events do not have permission to access any furniture or equipment owned by sporting groups that is stored in the venue. Permission maybe sought from the sporting group that owns the furniture or equipment.

Sporting Club and Association Responsibility

a) Maintenance:

- i. Clubs and associations must notify in writing the Booking Officer of any maintenance issues.
- ii. All seasonal users are required to report any theft or break-ins to the Booking Officer at the earliest convenience, including the Police incident report number.
- iii. Clubs and associations will be invoiced the cost of repairs if the Town deems the damage as a direct result of the clubs / associations activity.

b) Cleaning:

- i. Cleaning of the facility during the season is the responsibility of the user groups. Users are required to maintain the ongoing cleanliness of the facilities. If required the Town will on charge necessary cleaning costs.



- ii. Clubs and associations are responsible for the removal of all litter associated with each booking. This includes the reserve, car park and within the facilities.
 - iii. Users are responsible for all mess left by spectators. Grounds need to be cleaned up fully by the hiring group by 10.00am the day following day.
- c) Security:
- i. Clubs and associations are responsible for ensuring all facilities are secured and locked after each use.
 - ii. Clubs and associations must inform the Town of Port Hedland Bookings Officer of all missing locks and any damage which may cause the facility not to be locked or secured immediately.

9. Consumption of Alcohol

All sporting clubs and associations must comply with the Consumption or Sale of Alcohol at Town of Port Hedland Owned or Managed Property policy and Department of Racing Gaming and Liquor requirements.

10. Cars on Recreation Reserves

- a) A maximum of two cars are permitted on the recreation reserves for equipment set up and pack down. All other cars must be parked in the designated car parking areas. Players and spectators cars cannot be parked on the recreation reserves for training or match games.
- b) Equipment trailers can be driven on to recreation reserves for training and match play. Where possible these must be parked on the boundary lines of the recreation reserve.

11. Provision on Bins

- a) The number of rubbish bins provided for seasonal hirers at recreation reserves or facilities is to be calculated in accordance with the application form submitted and will be worked out on a ratio of 1 bin per 20 users for alcohol related bookings and 1 bin per 40 users for non-alcohol related bookings.
- b) Requests for additional rubbish bins can be made to the Town of Port Hedland and will be assessed on a case by case basis.

12. Line Marking

- a) Clubs and Associations are responsible for grounds to be marked for use.
- b) Grounds must be marked in accordance with the standards set out by the Department of Sport and Recreation in its nationally adopted publication (<http://www.dsr.wa.gov.au/sportsdimensions>)
- c) Clubs are responsible for all additional line marking
- d) Water base paint is the only type of town approved paint to be used for all line marking. For safety reasons the following products are not permitted for marking reserves:
 - i. Lime
 - ii. Round Up and other herbicides and chemicals
 - iii. Oil



- iv. Or any growth retardants
- e) Line marking must not be carried out while the reserve is being used by another club or group.
- f) If inappropriate marking materials are used, then charges will be incurred to rectify any damage to grounds. Repairs will be carried out by the Town of Port Hedland's Parks and Gardens Staff and all associated costs will be on charged.

13. Conduct

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

14. Outstanding Accounts

All outstanding accounts must be settled by the hiring group prior to approvals being granted for use of the Town's recreation reserves and facilities.

Definitions

Seasonal Users

- a) Incorporated sporting clubs and associations
- b) New sporting groups that are working towards incorporation within a 12 month period.

Sporting Seasons

- a) Summer – October to March (inclusive)
- b) Winter – April to September (inclusive)

Relevant Policies and Laws

- Recreation Reserves and Parks – Casual Hire and Events.
- Guidelines for Concerts Events and Organised Gatherings – WA Department of Health 2009
- Health Act 1911
- Health (Public Building) Regulations 1997
- Environmental Protection (Noise) Regulations 1997
- Food Act 2008, Food Regulations 2009 and Food Safety Standards
- Liquor Control Act 1988 and Liquor Control Regulations 1989
- Consumption and Sale of Alcohol at Town of Port Hedland Owned and Managed Property.
- Recreation Reserves and Parks – Casual Hire and Events.

Additional Notes



Council Adoption Date and Resolution No.	
Date of adoption of amendment and Resolution Number <i>Do not delete previous dates</i>	
Relevant Legislation	
Delegated Authority	
Directorate	
Review Frequency	Annual

Document Control Statement

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Recreation Reserves and Parks – Casual Hire and Events

Policy Statement

The Town of Port Hedland will ensure its recreation reserves and parks are available for informal use and hire by the community.

The intent of this policy is to:

- Provide individuals, businesses, schools, sporting and community groups with the opportunity to hire the Town's recreation reserves and parks for approved purposes on a casual basis.
- Ensure appropriate management of the Town's recreation reserves and parks.
- Ensure events comply with all relevant statutory requirements.

Policy Application

Types of bookings covered in this policy include:

- Casual hire and events
- Personal training

This policy covers recreation reserves and parks within the Town of Port Hedland municipality.

Background

This policy replaces the existing Council Policy; Recreation Reserves and Facilities – Casual Hire and Event, endorsed by Council in May 2012.

Outcomes

This policy will work towards achieving the following outcomes:

- Clear guidelines for the use and hire of the Town's recreation reserves and parks.
- Appropriate management of the Town's recreation reserves and parks.

Policy Content

1. Booking Guidelines
 - a. Casual Hire and Events

Individuals, businesses and community groups are required to hire the Town of Port Hedland's recreation reserves and parks when they meet the following criteria:

- i. Sporting fixtures and training.
- ii. Events with over 50 attendees.
- iii. If events are open or advertised to the public.



- iv. If there will be any entertainment or structures erected (e.g. Bouncy Castles etc.).
- v. If vehicle access is required.
- vi. If food or goods will be sold.
- vii. If alcohol will be consumed or sold.
- viii. Personal training sessions or fitness classes will be conducted.
- ix. Require access to facilities e.g. change rooms, kiosks or overhead lighting.

b. Personal Training and Fitness Classes

All personal training and fitness class hire bookings must adhere to the following guidelines:

- i. Provide copies of current public liability insurance and certificates of currency.
- ii. Provide evidence of current membership with a peak body (e.g. Fitness Australia).
- iii. Groups cannot exceed 20 participants.
- iv. Activities cannot include formal/structured sporting games.

Please note – Personal training and fitness classes will not be granted exclusive or priority usage of the Town's recreation reserves and parks.

2. Application Process

All hirers must submit all necessary booking application forms and supporting documentation to the Town of Port Hedland within the required booking timeframes. Each event / venue hire is different and the specific approvals required will depend upon the type of event / venue hire.

A booking application form must be submitted for all events / venue hires.

The following documentation may also be required:

- Site map.
- Provision of Public Liability Insurance and Certificate of Currency.
- Trading in Public Places form, i.e. food application.
- Application to Consume Alcohol on Council Facility or Reserve.
- Public Health Event Classification Assessment.
- Risk Management Plan.
- Traffic Management Plan.
- Noise Management Plan.
- Emergency Plan.
- Fireworks Permit.
- Certification for all rides.
- Certification for all seating.
- Certification for all temporary structures.
- Form 1 Application to Construct, Extend or Alter a Public Building.

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- Form 5 Electrical Certification.

All events with 1,000 people and over must adhere to all guidelines outlined in the Western Australian Department of Health, Guidelines for Concerts, Events and Organised Gatherings.

3. Booking Assessment Process

The Town of Port Hedland will assess all applications against the following criteria:

- The availability of the facility, taking into account all other hire applications.
- The condition of the reserve, maintenance requirements and alternative venues.
- The impact on seasonal users when the application is for a recreation reserve or associated facility.
- Adherence to all relevant statutory requirements.
- The suitability of the event to the venue including:
 - Impact of the activity / event on the recreation reserve or park.
 - Neighbouring properties and tenants.
 - Parking facilities.
 - Facility able to meet the needs of the proposed numbers.
 - Buffer zones between noise sources and noise-sensitive neighbouring properties.
 - Absence of toxic industries in close proximity to the event.
 - Adequate toilet facilities.

All approved booking applications will be provided with written correspondence from the Town of Port Hedland. The Town of Port Hedland reserves the right cancel or change all bookings of recreation reserves and parks.

4. Creating an Accessible Event

Event organisers consider and comply with the Department of Disability Services 'Creating Accessible Events' guidelines. A copy of these guidelines can be found on the Town of Port Hedland's website www.porthedland.wa.gov.au

5. Booking Timeframes

The following time frames apply when submitting an application for use of a recreation reserve or park:

- Two weeks requests with less than 50 people
- Four weeks requests with 51 to 500 people
- Six weeks requests with 500 and 1,000
- Twelve weeks requests with over 1,000 people

Applications that fail to comply with the above timeframes will attract late bookings fees or may be refused.



6. Provision of Toilets

Event organisers are responsible for the provision of adequate ablution facilities for participants.

Please see table below which outlines the number of toilets required at temporary events.

Please note the figures below are for events where alcohol is available. If alcohol is not available, then reduce the requirements in the table below by 50%.

Total Attendance	Male Facilities			Female Facilities	Hand Basins	
	WC's	Urinal Meters	Urinals	WCs	Male	Female
1,000	2	1.5	3	5	1	1
1,000 – 2,000	3	3	6	10	2	2
2,000 – 3,000	4	4.5	9	15	3	3
3,000 – 4,000	5	6	12	20	4	4
4,000 – 5,000	6	7.5	15	25	5	5
5,000 – 6,000	7	9	18	30	5	6
6,000 – 7,000	8	10.5	21	35	6	7
7,000 – 8,000	9	12	24	40	7	8
8,000 – 9,000	10	13.5	27	45	8	9
9,000 – 10,000	11	15	30	50	9	10

Adjusting the required number of toilets at an event.

Duration of Event	Percentage of the table values (using Table Above)
More than 8 hours	100%
6 – 8 hours	80%
4 – 6 hours	75%
Less than 4 hours	70%

The requirements outlined above are extracted from the Department of Health Guidelines for Concerts, Events and Organised Gatherings. Event organisers must comply with all amendments to these guidelines.

7. Fees and Charges

All fees and charges for hire of the Town's recreation reserves and parks are set by Council as part of the annual budget process.

Fees and charges for hire of the Town's recreation reserves and parks include the following services:

- Use of the hired area.
- Booking administration.

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- Provision of Consumption or Sale of Alcohol at Town of Port Hedland Owned or Managed Property approvals (if required).
- Rescheduling of irrigation systems.
- Written confirmation for approved usage from the Town of Port Hedland.

8. Maintenance, Security and Cleaning

Town of Port Hedland Responsibility

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

Hiring Group Responsibility

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

9. Bonds

The Town of Port Hedland will charge a bond for the use of the Town's recreation reserves, facilities, parks and keys. Bonds will be determined by the Bond Matrix and must be paid prior to the booking.

10. Public Liability Insurance

Public Liability Insurance and a Certificate of Currency for an amount no less than \$10,000,000 is required for the following hirers:

- Incorporated bodies
- Companies
- Associations
- Corporate entities
- Casual hirers which use a Town of Port Hedland facility more than 12 times per annum in total

The Town of Port Hedland has an insurance policy arranged through the Local Government Insurance Services which provides public liability insurance protection for casual hirers of Town of Port Hedland owned and operated facilities. This policy covers hirers of venues for events such as weddings, parties, meetings.



Some activities are not covered under the Casual Hirers Policy. Each hire will be assessed on an individual basis.

11. Provision of Alcohol at Recreation Reserves and Facilities

All hirers must comply with the Consumption or Sale of Alcohol at Town of Port Hedland Owned or Managed Property policy and Department of Racing Gaming and Liquor requirements.

A Trading in Public Places application must also be submitted for the consumption and sale of alcohol at all of the Town of Port Hedland's parks and sporting reserves.

12. Provision of Bins

Provision of bins is not included in the hiring fees for any casual hire of the Town's recreation reserves and parks. Events with over 100 people bins must be provided at the following ratios:

- Alcohol (1 x 240 litre bin per 20 users)
- No Alcohol (1 x 240 litre bin per 40 users)

13. Conduct

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

14. Outstanding Accounts

All outstanding accounts must be settled by the hiring group prior to approvals being granted for use of the Town's recreation reserves and facilities.

Definitions

Event

A gathering of people brought together for a common purpose by some prearrangement.

Relevant Laws and Policies

- Guidelines for Concerts Events and Organised Gatherings – WA Department of Health 2009
- Health Act 1911
- Health (Public Building) Regulations 1997
- Environmental Protection (Noise) Regulations 1997

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- Food Act 2008, Food Regulations 2009 and Food Safety Standards
- Liquor Control Act 1988 and Liquor Control Regulations 1989
- Consumption and Sale of Alcohol at Town of Port Hedland Owned and Managed Property.
- Recreation Reserves and Parks – Casual Hire and Events.
- Marquee Park Management Plan
- South Hedland Town Square Management Plan

Additional Notes

Council Adoption Date and Resolution No.	
Date of adoption of amendment and Resolution Number <i>Do not delete previous dates</i>	
Relevant Legislation	
Delegated Authority	
Directorate	
Review Frequency	Annual

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Consumption of Alcohol at Town of Port Hedland Owned and Managed Property

Policy Statement

To provide clear guidelines for the consumption and sale of alcohol at Town of Port Hedland owned and managed property.

The intent of this policy is to:

- Provide permission for the consumption and sale of alcohol at Town of Port Hedland owned and managed property
- Adhere to the Department of Racing, Gaming and Liquor regulations for the consumption and sale of alcohol at Town of Port Hedland owned and managed property

Policy Application

The Consumption of Alcohol at Town of Port Hedland Owned and Managed Property policy covers the following property within the Town of Port Hedland municipality:

- Recreation reserves and associated facilities
- Parks
- Leased facilities
- Contract managed facilities
- Town of Port Hedland managed facilities

Permission for the sale and consumption of alcohol will not be granted at the following Town of Port Hedland facilities:

- Marquee Park 'Splash and Play'
- South Hedland Town Square
- JD Hardie Youth Centre
- South Hedland Aquatic Centre
- Gratwick Aquatic Centre

Special approval may be granted by the Chief Executive Officer for the sale and consumption of alcohol at these facilities. This will require the development of a detailed Risk Management Plan specific to the event.

Background

The Town has an existing Council Policy – Consumption of Alcohol on Town of Port Hedland Owned and Managed Land, endorsed by Council in 2006.



Under the Liquor Control Act of 1988 it is an offence to consume liquor on a Council reserve, facility or public open space without approval by the Local Government Authority.

Outcomes

This policy works towards achieving the following outcomes for the consumption and sale of alcohol at Town of Port Hedland owned and managed property:

- Safe consumption of alcohol
- Responsible service of alcohol
- Minimise harm and alcohol related damaged and violence

Policy Content

Written permission must be granted from the Town of Port Hedland for the consumption or sale of alcohol at any of the following property:

- Recreation reserves and associated facilities
- Parks
- Leased facilities
- Contract managed facilities
- Town of Port Hedland managed facilities

All applications must be made to the Town by submission of an 'Application to Consume Alcohol on Council Facility or Reserve'. The application will specify:

- Contact details of the applicant
- Proposed type of alcohol being sold or supplied
- Type of event
- Areas where alcohol will be served and consumed
- How alcohol will be served
- Dates and times for alcohol consumption

The Town will assess all applications against the following criteria:

- Nature of the function or activity
- Venue suitability
- Public safety
- Documented history of the applying individual or group
- Number of applications per year of the applying individual or group



If approval is granted the following terms and conditions will apply for the consumption and sale of alcohol at Town of Port Hedland owned and managed property:

- No alcohol consumption is permitted before 11.00am or after 11.00pm unless approved by the Chief Executive Officer or their delegated authority.
- Glass containers are not permitted on any Town of Port Hedland owned recreation reserve or park without approval from the Chief Executive Officer or their delegated authority. Products in glass containers may be served into plastic containers by staff at the bar service area.
- The permit holder must comply strictly with any relevant provisions of the Liquor Control Act 1988 (as amended) and Liquor Control Regulations 1989 (as amended).
- In the event of a cyclone approval to consume liquor may be revoked for safety reasons.
- The permit holder listed on the 'Application to Consume Alcohol on Council Facility or Reserve' is responsible for the safety and wellbeing of all people involved in the event and managing the activity to ensure other users and residents are not impacted.
- The permit holder must develop a risk management policy or plan to ensure that alcohol is served in a responsible manner.
- If alcohol is being sold the Town of Port Hedland must be provided with a copy of the liquor license as approved by the Department of Racing, Gaming and Liquor prior to the license period commencing.

Depending on the nature and location of the event or function the Town of Port Hedland may also place additional terms and conditions on the 'Application to Consume Alcohol on Council Facility or Reserve'.

The Town will only grant permission to consume and sell alcohol at the Town's recreation reserves, facilities and parks when they have been booked in accordance with the following policies and procedures:

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

Leased Facilities

The Town must grant permission to consume alcohol at the Town of Port Hedland's leased facilities. Permission must be sought by the completion of an 'Application to Consume Alcohol on Council Facility or Reserve' at the beginning of each calendar year.

If and when there are special events at the Premises held outside the permit hours, the Lessee will be required to apply for a singular 'Application to Consume Alcohol on Council Facility or Reserve' for the occasion. The Lessee can apply for these permits by contacting the Town of Port Hedland's Recreation Services.

Relevant Policies and Laws



- Liquor Control Act 1988 and Liquor Control Regulations 1989
- Town of Port Hedland Policies
 - Recreation Reserves and Facilities – Seasonal Hire
 - Recreation Reserves and Parks – Casual Hire and Events
- Marquee Park Management Plan
- South Hedland Town Square Management Plan
- Local Law – Aquatic and Recreation Centre
- Guidelines for Concerts Events and Organised Gatherings – WA Department of Health 2009
- Health Act 1911
- Health (Public Building) Regulations 1997
- Food Act 2008, Food Regulations 2009 and Food Safety Standards

Definitions

Recreation reserves and associated facilities

Provide a setting for formal structured sporting activities e.g. Kevin Scott Oval, Colin Matheson Oval.

Parks

Public space which can be used for informal play, relaxation, physical activity and social interaction e.g. Cemetery Beach Park, Civic Centre Gardens.

Leased facilities

The Town of Port Hedland has a number of leased facilities within the municipality. A lease is a right granted by the Town of Port Hedland for an occupant to have exclusive use of a facility or area for a specified period of time in exchange for an agreed rental payment.

Contract managed facilities

Town of Port Hedland owned facilities which are managed by an external contractor e.g. Wanangkura Stadium, Courthouse Gallery.

Council Adoption Date and Resolution No.	
Date of adoption of amendment and Resolution Number <i>Do not delete previous dates</i>	
Relevant Legislation	
Delegated Authority	
Directorate	
Review Frequency	Annual

Document Control Statement

ATTACHMENT 4 TO ITEM 11.3.3
YMCA Australia

We build strong **PEOPLE**
strong **FAMILIES** strong **COMMUNITIES**

24th March 2014

Graeme Hall
Manager Recreation Services & Facilities
PO Box 41
Port Hedland WA 6721

Dear Graeme,

I am writing in response to concerns expressed by the YMCA of Perth, regarding alcohol consumption at South Hedland Aquatic Centre in the Town of Port Hedland. As the manager of this facility the YMCA must uphold our duty of care to all staff and patrons, and we are concerned this situation may lead to breaches in relevant legislation and standards.

Information from the RLSSA website states as follows:

The operator of an aquatic facility is responsible not only for the health and safety of his or her employees, but also the public. This involves ensuring safe work processes are undertaken across all facets of the facility.

Although the Guidelines for Safe Pool Operation (GSPO) is published by Royal Life Saving, it represents the collective opinion of the aquatics industry across Australia through its development process. Operators of aquatic facilities are charged with a responsibility for public and occupational health and safety and they must work within a diverse web of standards, State legislation and industry best practice.

As the aquatics industry is largely unregulated the GSPO is a prime point of reference for the legal community when issues go to court, particularly in relation to the provision of supervision by lifeguards.

Further, GSPO – SU26 'Effects of Alcohol in an Aquatic Facility' states as follow:

"Alcohol has long been recognised as a contributing factor in many accidental drownings. It affects people's judgement, is likely to increase their risk-taking behaviour and at the same time diminishes their physical ability to carry out tasks"

It also states:

"If an aquatic facility wishes to serve alcohol to its patrons, it should:

- a) Conduct a thorough risk management assessment prior to deciding to serve alcohol; and*
- b) Take appropriate steps, such as locking doors, to prevent the patrons to whom it is serving alcohol, from accessing the water areas at that facility"*

Our stance regarding alcohol consumption is that it should be done responsibly, and in an area where access to any body of water is not possible. We suggest that should alcohol be consumed it be done in a room well away and secure from any aquatic access.

The expectation from our insurer is that all our activities in YMCA-managed facilities are managed appropriately including considerations given to (but not limited to) and compliance with:

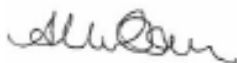
- Occupational Health and Safety legislation
- State Liquor Licencing laws
- Risk Management assessments
- RLSSA Guidelines for Safe Pool Operation

Obviously with the YMCA bearing the public liability insurance costs associated with any potential incidents, we are very concerned at not only the potential impact for both our organisations, but the human impact should an incident occur. We also wish to alert the Town of Port Hedland that whilst our underwriter would endeavour to dissuade any future public liability claims that may result, should they be unsuccessful in this regard, we wish to advise that they may seek indemnity/contribution from the Town of Port Hedland should a matter be pursued.

Given the evidence above, YMCA Australia as the insurance policy-holder for YMCA of Perth, strongly urge the Town of Port Hedland to give serious consideration to alternative proposals, to prevent unnecessary negative impact for both our organisations. A risk assessment should be completed with both parties to assist in this process, and any hazards identified should be addressed and actioned to reduce any known risks. YMCA Perth welcomes communication to assist this process as soon as possible.

Please don't hesitate to contact me should you have any queries.

Yours faithfully



ALLI CARR
National Risk Manager

11.4 Corporate Services**11.4.1 Financial Management - Fees & Charges 2014/15 – Adoption**

Officer Peter Kocian
Manager Financial Services

Date of Report 4 April 2014

Disclosure of Interest by Officer Nil

Summary

As part of the 2014/15 budget process, the Town has reviewed its fees and charges. This report consolidates the fees and charges for endorsement and inclusion in the 2014/15 Budget.

Background

In order to comply with the provisions of the *Local Government Act 1995*, all fees and charges to be levied by Council for the financial year are to be submitted for adoption by Council.

Council considered Waste Management and Airport fees and charges at the March Ordinary Council Meeting and endorsed that part of the proposed Schedule for public comment. Local public notice was provided in the North West Telegraph on Wednesday 2 April 2014 with the public submission period closing on Wednesday 16 April 2014. In addition, notification letters were sent to all airport and landfill customers that are recorded in the Town's financial database. Public submissions will be presented to Council for consideration.

The balance of the Schedule of Fees and Charges is presented to Council as Attachment 1. As previously advised at the March Council meeting, the following principles underpin the proposed Schedule of Fees and Charges for 2014/15:

A Pricing Principles paper was prepared and presented to Council at the 13 March 2013 Special Council Meeting to provide a framework for the setting of fees and charges. The Principles contained in the paper are summarised below:

Pricing Principles	Pricing Basis
Public Benefit – service provides a broad community benefit and therefore full cost recovery should not apply. Partial cost recovery could apply in some circumstances.	Zero to partial cost recovery
Private Benefit – service benefits particular users making a contribution to their individual	Full Cost Recovery

income, welfare or profits generally without any broader benefits to the community.	
Shared Benefit – service provides both community benefits and a private benefit.	Partial cost recovery
Regulatory – fee or charge fixed by legislation	Regulatory

Section 6.17 of the Local Government Act 1995 refers to setting the level of fees and charges and states (in part) as follows:

In determining the amount of a fee and charge for a service or for goods a local government is required to take into consideration the following factors –

- (a) the cost to the local government of providing the service or goods;
- (b) the importance of the service or goods to the community; and
- (c) the price at which the service or goods could be provided by an alternative provider.

2014/15 Fees and Charges

As a base-line, it is recommended to increase fees and charges by 3.5%. The Local Government Cost Index (LGCI) for December was 1.8% and the December Quarter Consumer Price Index (CPI) was 2.9%. There are additional cost pressures in the Pilbara, and a regional loading on the LGCI/CPI is required to ensure that costs aren't accelerating at a faster rate than income.

Consultation

Each Service Area has reviewed the fees and charges applicable to their particular area and their recommendations are submitted through this report to Council for consideration as part of the budget process.

The consolidated Schedule of Fees and Charges will be advertised prior to the effective date of 1 July 2014.

Direct consultation (written correspondence) has occurred with airport and landfill customers and public submissions on these proposed fees and charges will be considered by Council.

Statutory Implications

Local Government Act 1995

6.16 Imposition of fees and charges

6.17 Setting level of fees and charges

6.18 Effect of other written laws

6.19 Local government to give notice of fees and charges

Local Government (Financial Management) Regulations 1996
5. Financial management duties of the CEO
25. Fees and charges information

Policy Implications

There are no Council Policies relative to this item.

Strategic Planning Implications

6.4	Local Leadership
6.4.1	Strategic
	Deliver high quality corporate governance, accountability and compliance

Budget Implications

The Schedule of Fees and Charges will be incorporated into the 2014/15 Annual Budget, and the adopted fees will be used as a basis for income projections.

Officer's Comment

The consolidated schedule of fees and charges presented with this report is of similar format to the one that has previously been adopted as part of the annual budget.

A new column will be added to the schedule of fees and charges indicating anticipated budget income against each of the respective fees and charges.

It is important to note that the Town of Port Hedland is participating in a review of Division 81 fees and charges in order to obtain a ruling from the Australian Taxation Office on whether fees and charges are a GST taxable supply, GST free, or exempt from GST. A draft ruling has been prepared and is very comprehensive. It not only encompasses all of the Division 81 fees that the Town of Port Hedland actually charges but also includes a number of fees that the Town is authorised to charge but does not currently do so. This will enable Council to consider introducing new fees in the future.

Attachments

1. Proposed Schedule of Fees and Charges 2014/15 (Under Separate Cover)

201314/307 Officer's Recommendation/ Council Decision

Moved: Cr Hunt

Seconded: Cr Hooper

That Council endorse the proposed consolidated 2014/15 Schedule of Fees and Charges for advertising, inviting public submissions and comments.

CARRIED BY ABSOLUTE MAJORITY 7/0

11.4.2 *Interim Financial Reports to Council for the Period Ended 28 February 2014 (File Nos: FIN-008, FIN-014 and RAT-009)*

Officer Peter Kocian
Manager Financial Services

Date of Report 28 February 2014

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the financial activities of the Town for the period ended 28 February 2014, in comparison to the year-to-date budget. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2012/13.

Background

The Statement of Financial Activity was introduced by the Department of Local Government from 1 July 2005. The change was implemented to provide elected members with a better idea of operating and capital revenue and expenditure. It was also intended to link operating results with balance sheet items and to reconcile with end of month balances.

1. *Interim Financial Statements*

The following interim financial reports are attached for the period ended 28 February 2014:

- Statement of Interim Financial Activity (Attachment 1 – see Schedules 2 to 14);
- Statement of Interim Financial Activity (Attachment 1 – see Notes 3 to 11);
Utility and Fuel Costs: Presented in graph form is the 2013/14 monthly water, power and fuel costs compared with 2012/13.

2. *Summary Page Schedule of Accounts Paid – Attachment 2*

A summary of accounts for payment is presented detailing the total payment from the Municipal Fund for the month.

3. *Schedule of Accounts Paid – Attachment 3*

The Schedule of Accounts paid under delegated authority which is submitted to Council on 26 March 2014 for noting, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and delivery of services, and verification of prices, computations and costs.

This information is presented under confidential cover pursuant to section 5.23 (2) of the *Local Government Act 1995* as payment details may relate to the personal, commercial or financial affairs of an employee, any person or business.

Consultation

Nil

Statutory Implications

The financial statements are prepared in accordance with section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

Policy Implications

2/003 Financial Statements – Copies for Councillors

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

Monthly

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

Quarterly

- Quarterly Budget Review
- Report on all Budgeted Grants of \$50,000 or more

Irregular Financial reports will be presented to Council as deemed necessary by the Director, Corporate Services or Manager, Financial Services or requested by Council by resolution.

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

Strategic Planning Implications:

6.4 Local Leadership

6.4.1 Strategic

Deliver high quality corporate governance, accountability and compliance.

Deliver responsible management of infrastructure, assets, resources and technology.

Budget Implications

At the Special Meeting held on 31 July 2013, Council resolved to adopt item 6.3.1 'Adoption of the 2013/2014 Budget' en block with the exception of Recommendation 20, which included Recommendation 19 as follows:

"Recommendation 19

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, that Council adopts the following percentage or dollar value for determining and reporting material variances in 2013/14 as follows:

- i) 10% of the Function amended budget; or*
- ii) \$100,000 of the Function amended budget*

whichever is the lesser, for the following categories of revenue and expenditure:

- iii) Operating Revenue*
- iv) Operating Expenditure*
- v) Non-Operating Revenue*
- vi) Non-Operating Expenditure"*

Officer's Comment

Officers of the Town of Port Hedland will be further developing the Monthly Statement of Interim Financial Activity over the coming months to provide additional information. Information will include a summary of grant income and expenditure, a summary of new loan borrowings and expenditure, and a capital works schedule which will reconcile capital expenditure against funding sources such as grants, loans, reserves etc. These reporting mechanisms will assist in identifying restricted funding at the end of the year and any capital expenditure carryovers into the next budget year.

Attachments

- 1. Monthly Statement of Financial Activity (Under Separate Cover)
 - 1.1 Interim Statement of Financial Activity Pages 2 to 3
 - 1.2 Information on Borrowings Page 4

- | | | |
|-----|----------------------------------------------|----------------|
| 1.3 | Reserve Transfers | Page 5 |
| 1.4 | Trust Funds / Sundry Debtors | Page 6 to 7 |
| 1.5 | Bank Reconciliation / Investments | Page 8 |
| 1.6 | Utility & Fuel Costs | Pages 9 to 11 |
| 1.7 | Supplementary Information
Schedules 3 -14 | Pages 12 to 65 |
2. February 2014 List of Accounts paid under delegated authority - Summary
 3. February 2014 List of Accounts paid under delegated authority – Schedule of accounts presented under confidential cover

201314/308 Officer's Recommendation/ Council Decision

Moved: Cr Hunt

Seconded: Cr Gillingham

That Council note the:

- 1. Interim Financial Statements as at 28 February 2014, including graphical representation of the Town's energy, water and fuel use;**
- 2. List of Accounts paid during February 2014 under Delegated Authority – Summary; and**
- 3. List of Accounts paid during February 2014 under Delegated Authority - Schedule of accounts presented under confidential cover.**

CARRIED 7/0

ATTACHMENT 2 TO ITEM 11.4.2

TOWN OF PORT HEDLAND

ACCOUNTS FOR PAYMENT
AS AT 28th February 2014 PRESENTED TO THE
COUNCIL MEETING on the 28th March 2014

This Schedule of Accounts paid under delegated authority as detailed below, which is to be submitted to each member of Council on 26th March 2014, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods, delivery of services and verification of prices, computations and costings.

Voucher No's		Value	Pages		Fund No.	Fund Name	Description
From	To		From	To			
NMF030214	NMF030214	\$ 569.14	12	12	1	Municipal Fund	Photocopier Lease x 2 - South Hedland Library & JD Hardie
NMF030214	NMF0302114	\$ 1,244.32	12	12	1	Municipal Fund	Photocopier Lease x 2 - Regulatory Services
NMF060214	NMF060214	\$ 284.57	94	94	1	Municipal Fund	Photocopier Lease x 1 - Community Development (Airport)
		\$ 2,098.03					
CHQ 22967	CHQ 22970	\$ 44,528.99	1	2	1	Municipal Fund	Cancelled Cheque
CHQ 22971	CHQ 22971						
CHQ 22972	CHQ 22964	\$ 18,023.73	2	3	1	Municipal Fund	Cancelled Cheques
CHQ 22985	CHQ 22986				1	Municipal Fund	
CHQ 22987	CHQ 23000	\$ 10,265.98	3	5	1	Municipal Fund	
CHQ 23090	CHQ 23128	110635.84	6	12	1	Municipal Fund	
		\$ 183,354.54					
EFT48806	EFT60303	8918769.71	12	93	1	Municipal Fund	
		\$ 6,918,768.71					
WOW170214	WOW170214	\$ 3,038.13	94	94	1	Municipal Fund	Woolworths Direct Debit
		\$ 3,038.13					
FNE180214	FNE180214	\$ 486,736.73	94	94	1	Municipal Fund	
FNE040214	FNE040214	\$ 504,890.82	94	94	1	Municipal Fund	
FNE240214	FNE240214	\$ 7,723.76	94	94	1	Municipal Fund	
FNE060214	FNE060214	\$ 2,402.75					
		\$ 1,001,554.06					
CAL140114	CAL140114	\$ 1,027.62	94	94	1	Municipal Fund	Caltex Direct Debit
CAL140214	CAL140214	\$ 2,214.88	94	94	1	Municipal Fund	Caltex Direct Debit
		\$ 3,242.48					
	Muni Total	\$ 8,113,056.95					
	Total	\$ 8,113,056.95					

Officer: Katrechia Davis - Finance Officer Creditors
 Date of Report: 4/03/2014
 Disclosure of Interest by Officer: Nil



Checked & Reconciled: Barry Laurence - Co-Ordinator Finance Operations



11.5 Office of the CEO

11.5.1 *Western Australian Regional Capitals Alliance (WARCA) Membership (File No.: 13/05/0001)*

Note: This item has been withdrawn and will be considered at a future Council meeting.

11.5.2 Annual Corporate Plan Performance Report for the Period of 1 October 2013 – 31 March 2014 (File No.: 03/01/002)

Officer Josephine Bianchi
Governance Coordinator

Date of Report 25 March 2014

Disclosure of Interest by Officer Nil

Summary

This report is for Council to note the Town's Performance Report against the 2013/14 Annual Corporate Plan for the period of 1 October 2013 to 31 March 2014.

Background

Council at the 24 October 2012 Ordinary meeting endorsed in principle its 4 year Corporate Business Plan (CBP), pending the development of the Long Term Financial Plan (LTFP). In order to be able to meaningfully report against the CBP a further decision was made to adopt yearly Annual Corporate Plans. A 2012/13 Annual Corporate Plan was therefore adopted by Council at its 24 October 2012 Ordinary meeting and duly reported against over the course of the year. A 2013/14 Annual Corporate Plan was adopted by the Council at its 28 August 2013 Ordinary meeting and the Town is now reporting against this latest document.

The Town informally agreed with Council that a six monthly performance report for its 2013/14 Annual Corporate Plan would be adequate. This report is now presented to Council for information under Attachment 1.

Consultation

Internal

- Town of Port Hedland Executive
- Relevant Town of Port Hedland Officers

Statutory Implications

Local Government Act 1995 Section 5.56. 'Planning for the future'.

Local Government (Administration) Regulations 1996 Section 19DA 'Corporate business plans, requirements for'.

Policy Implications

Nil

Strategic Planning Implications

6.4 Local Leadership

6.4.1 Strategic

Deliver high quality corporate governance, accountability and compliance

Budget Implications

Actions reported on in this performance report reflect financial activity undertaken from October 2013 to March 2014.

Officer's Comment

The Corporate Business Plan is one of the documents required by the Department of Local Government and Communities as part of the Integrated Strategic Planning and Reporting Framework (IPRF) to ensure that a local government is planning sustainably for its future and is able to deal with short, medium and long term priorities.

The Annual Corporate Plan details the work to be undertaken by the Town during 2013-2014. It represents activity to achieve initiatives identified in the Town of Port Hedland 2012-2022 Strategic Community Plan and reflects projects and core activities, services and programs delivered by the Town of Port Hedland to its community and stakeholders.

This performance report provides an opportunity for Council and the community to note the work undertaken by the organisation in the past six months and to check that the required services programs and activities agreed to in the Annual Corporate Plan and the Strategic Community Plan are being delivered.

Attachments

1. ToPH Council Performance Report 1 October 2013 – 31 March 2014 (Under Separate Cover)

201314/310 Officer's Recommendation/ Council Decision

Moved: Cr Hunt

Seconded: Cr Gillingham

That Council receive the Annual Corporate Plan performance report for the 1 October 2013 – 31 March 2014 period.

CARRIED 7/0

ITEM 12 LATE ITEMS AS PERMITTED BY PRESIDING MEMBER/COUNCIL

12.1 *Financial Management – 2014/15 Budget – Differential General Rates and General Minimum Rates*

Officer Peter Kocian
Manager Financial Services

Date of Report 7 April 2014

Disclosure of Interest by Officer Nil

Summary

This report recommends that Council adopt the rating model as outlined in this report and advertise the proposed Differential General Rates and General Minimum Rates for public comment, as required by section 6.36 of the *Local Government Act 1995*.

Background

Rate revenue is a substantial source of discretionary revenue for the Town of Port Hedland, accounting for approximately 32% of operating revenue in the 2013/14 Budget. The *Local Government Act 1995* (the Act) empowers local governments to impose differential general rates and minimum payments on rateable land.

The Town of Port Hedland has adopted a differential general rate and general minimum rate for a number of years. The imposition of differential rates represents a conscious decision by a Council to redistribute the rate burden in its district by imposing a higher impost on some ratepayers and a lower impost on others.

The overall objective of a rating model is to provide for the net funding requirements of the Town's services, activities, financing costs and the current and future capital requirements of the Town as outlined in the Strategic Community Plan and Corporate Business Plan. Asset management is a significant challenge for all local governments in Western Australia and any rating model must also support asset renewal and replacement requirements in line with defined service levels.

Pursuant to section 6.36 of the *Local Government Act 1995*, local governments are required to give a minimum period of 21 days' notice of the proposed differential general rates and minimum payments and to consider any submissions received. The proposed differential general rates and minimum payments can then be imposed, with or without modifications.

Under the Act, the Minister for Local Government is authorised to approve the following in relation to rates:

- The imposition of a differential general rate which is twice the lowest differential general rate imposed by a local government;
- A minimum payment on vacant land that does not comply with legislative provisions;
- Changes in the method of valuation of land; and
- Land exempt from rates.

The Department of Local Government and Communities has developed policies and application forms to ensure that local governments provide all the necessary information.

The following information is required to be submitted to the Minister for assessment:

- Description of the characteristics of the land that have been used to determine the basis for the differential rates and minimum payments;
- Details of the differential rates and minimum payments being proposed and the percentage of assessments on the minimum payment as well as the average rates per assessment;
- The objects of, and reasons for, each proposed differential rate and minimum rate;
- What the reasons are for seeking to impose a differential rate which is more than twice the lowest differential rate;
- How does a particular category of ratepayers receive greater benefit from council services;
- Information on the likely impact on the rate assessments on the affected land;
- The year that land was last revalued by the Valuer General;
- Whether the proposed differential rates align with the rating strategies in the Corporate Business Plan and/or Long Term Financial Plan;
- Details on the consultation that has occurred, including the Council's response.

This information is to be supported by nine (9) attachments being:

1. A copy of the public notice;
2. A copy of the Objects and Reasons for each proposed rate;
3. Any other communication with landowners/ratepayers;
4. Copies of any objections that have been received;
5. The Council's response to these;
6. Officer's report to Council;
7. Relevant Council minutes;
8. Council resolution; and
9. The Town's Rating Strategy.

Consultation

- Executive
- Elected Members

It is also recommended that the proposed rating model be discussed at the Community Conversations forum on 14 May 2014. It is recommended that another forum be held on the 11 June 2014 to present the draft 2014/15 Budget and final rating model.

Subject to endorsement of the proposed rates model by Council, the proposed differential general rates and general minimum rates will be advertised in the West Australian newspaper on Saturday 3 May 2014, providing 21 days' notice. The Notice must also be placed in the local newspaper, on public notice boards and in all libraries. The Notice of Intention to Levy Differential Rates will be accompanied by a discussion paper Objects and Reasons for Differential Rates.

It is recommended that local public notice be provided in the North West Telegraph on Wednesday 7, 14 and 21 May 2014 to provide as much exposure as possible to encourage submissions.

Statutory Implications

- Section 6.33 of the *Local Government Act 1995* – Differential General Rates
- Section 6.35 of the *Local Government Act 1995* – Minimum Payments
- Section 6.36 of the *Local Government Act 1995* – Giving Notice

Policy Implications

Council Policy 2/002 Budget Strategy states that the Annual Budget is to be prepared based on concepts and assumptions in the Strategic Plan and Five Year Financial Plan.

The Department of Local Government and Communities has prepared four (4) Rating Policies that local governments must consider and comply with:

1. Rating Policy – Giving Notice (section 6.36 of the Local Government Act 1995) August 2013. The public notice process should start on 1 May or shortly thereafter (cannot be prior); every differential general rate and or minimum payment that is intended to be imposed must be stated in the notice; a document must be prepared which states the objects of, and reasons for, each rate and minimum payment; the minimum period that ratepayers have to make submissions is 21 days; submissions received must be considered by Council; Ministerial approval must be obtained prior to rates being imposed otherwise the budget is invalid and rates imposed are not recoverable.

2. Rating Policy – Minimum Payments (section 6.35 of the Local Government Act 1995) August 2013. A minimum payment can be separately applied to GRV properties, UV properties or each differential rating category where differential rates are imposed. This is known as the general minimum for each category. Ministerial approval is required when a differential general rate is applied to land because it is vacant in the following circumstances: where the minimum payment is to be imposed on more than 50% of the UV or GRV properties in the district or on more than 50% of the properties in any differential rating category, unless the minimum is no more than \$200. If the land subject to the minimum is not vacant, there is no ministerial discretion to approve a local government imposing a minimum that applies to more than half of the properties.
3. Rating Policy – Differential Rates (section 6.33 of the Local Government Act 1995) August 2013. A differential rate occurs when categories of property within the UV or GRV land valuation methods are rated differently. A local government may impose differential general rates according to any, or a combination, of the following characteristics – the purpose for which the land is zoned, a purpose for which the land is held or used as determined by the local government, whether or not the land is vacant land. In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.
4. Rating Policy – Rateable Land (section 6.26 of the Local Government Act 1995) August 2013.

Strategic Planning Implications

6.4 Local Leadership

6.4.1 Strategic

Deliver high quality corporate governance, accountability and compliance
Fiscal Accountability

Budget Implications

The proposed differential general rates and minimum payments is expected to yield a total rate revenue of approximately \$23,685,592 in 2014/15.

Officer's Comment

For the 2014/15 financial year it is recommended that Council adopt a yield management strategy across the differential rating categories, with a **5%** increase in yield from the 2013/14 budget figures.

This proposed increase will yield a total of **\$23,685,592** in rates for 2014/15, an increase of \$1,128,019 from 2013/14. It is important to note that the increase in yield of 5% is applied to the Town's budgeted 2013/14 rate revenue yield of \$22,557,573.

It is recommended that a 3.5% increase in yield be applied against the Municipal budget, with an amount equivalent to a 1.5% increase in yield transferred to the Town's Asset Management Reserve for asset renewal requirements. This strategy is not uncommon amongst local governments with the City of Swan for example transferring 3% from an overall increase of 5% into a Infrastructure Reserve in 2013/14.

In determining the rate increase for 2014/15 several factors need to be considered particularly in relation to the cost pressures faced by the Town for goods and services in particular labour costs; materials and contracts expenditure; increases in utilities costs and insurance premiums; and the Town's desired capital works program.

There is also significant financial risk associated with the Mass Accommodation rating category. In 2013/14, 19 rateable properties provided a budgeted rate yield of \$3,147,993 or approximately 14% of the total rate yield. As at 1 July 2014, Assessment 804928 (Compass Catering and Services Pty Ltd) becomes non-rateable and the rateable status of Assessment 102530 (Department of Immigration and Cultural Affairs) also needs to be clarified. Rates raised from these properties in 2013/14 amounted to \$603,605 and \$407,563 respectively. As a minimum, the Town will lose 2.7% of its rate base from 2013/14 with the potential for a 4.4% loss in rate revenue from only two properties. This lost yield needs to be recouped across remaining assessments, whether that be from within the Mass Accommodation rating category or more broadly distributed.

It is proposed that a new Differential General Rate Category be established titled 'Commercial – Tourist Accommodation Improved Land'. This rate category is to cover commercial properties that provide large scale accommodation for visitors to the Town of Port Hedland. This rate category includes six (6) hotels/motels that were previously rated under Mass Accommodation.

Whilst the Town has experienced growth in recent years, which has resulted in significant interim rates, it is recommended that interim rates not be budgeted for in 2014/15. Instead, it is proposed that any interim rates will be assessed as part of the quarterly budget review process. This is a conservative approach and will ensure that a budget deficiency is not created due to a shortfall in estimated interim rates (as occurred in the 2012/13 financial year).

Valuation Increase or Decrease vs Rate in \$ Decrease or Increase

Rates are calculated by multiplying the valuation (either GRV or UV), provided by Landgate (the Valuer General), with a rate in the dollar, set by Council when adopting the Budget. When Landgate revalue properties, the Town can adjust the rate in the dollar to offset significant fluctuations in valuation.

Included as Attachment 1 is a workbook which models a 5% increase against the 2013/14 Budget rate yield. The Valuation Register is separated in the workbook according to the rate category.

SUMMARY – Proposed Rating Model for 2014/15

- The following differential general rate categories apply:
 - Residential land
 - Residential unimproved land
 - Commercial improved land
 - Commercial unimproved land
 - Industrial improved land
 - Industrial unimproved land
 - Shopping Centre improved land
 - Mass accommodation improved land
 - Commercial – Tourist Accommodation improved land
 - Mining improved land
 - Mining unimproved land (vacant)
 - Pastoral unimproved land
 - Other unimproved land

- A 5% increase in the gross rate yield from each differential general rate category (including minimum payments) is to be achieved on the 2013/14 budget amount;

- Any loss in rate revenue due a reduction in rateable properties will need to be made up from the existing rateable properties within that specific differential general rate category. The Mass Accommodation rate category is such an example (explained earlier in this report).

- A uniform general minimum rate of \$1,223 is to be applied for all differential rating categories (this is a 5% increase against the 2013/14 minimum payment of \$1,165). The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the rate burden (irrespective of what the rate assessment would be if the rate is applied to the property valuation).

- The expected revenue from this rating strategy is \$23,685,592 with \$338,406 of this amount to be transferred into the Asset Management Reserve.

Attachments

The Town of Port Hedland's existing rate modelling platform is very limited. The Town has purchased software to develop comprehensive rating models and these will be produced during the week 22-24 April and distributed to Council.

1. Rate Modelling Workbook
2. Discussion Paper – Objects and Reasons for Differential Rates
3. Public Notice of Intention to Levy Differential Rates

Officer's Recommendation

That Council:

1. Adopt the following principles that underpin the proposed 2014/15 Rating Model:
 - The following differential general rate categories apply:
 - Residential land
 - Residential unimproved land
 - Commercial improved land
 - Commercial unimproved land
 - Industrial improved land
 - Industrial unimproved land
 - Shopping Centre improved land
 - Mass accommodation improved land
 - Commercial – Tourist Accommodation improved land
 - Mining improved land
 - Mining unimproved land (vacant)
 - Pastoral unimproved land
 - Other unimproved land
 - A 5% increase in the gross rate yield from each differential general rate category (including minimum payments) is to be achieved on the 2013/14 budget amount;
 - Any loss in rate revenue due a reduction in rateable properties will need to be made up from the existing rateable properties within that specific differential general rate category. The Mass Accommodation rate category is such an example (explained earlier in this report).
 - A uniform general minimum rate of \$1,223 is to be applied for all differential rating categories (this is a 5% increase against the 2013/14 minimum payment of \$1,165). The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the rate burden (irrespective of what the rate assessment would be if the rate is applied to the property valuation).

- The expected revenue from this rating strategy is \$23,685,592 with \$338,406 of this amount to be transferred into the Asset Management Reserve.
2. Endorse the following proposed differential general rates and general minimum rates for 2014/15 with an implementation date of 1 July 2014:

Rating Category	Proposed Rate in \$	Proposed Minimum Rate	No. Assess	% of Assess. on Minimum Payment	Total Rateable Value of Assess.	Budget Rate Yield 2013/14	Proposed Budget Rate Yield 2014/15	Average Rates per Assess.
GRV Residential	3.5741 cents	\$1,223	5,690	10.79%	\$414,876,864	\$14,507,449	\$15,232,895	\$2,677
GRV Commercial	3.4453 cents	\$1,223	246	31.71%	\$26,651,071	\$922,505	\$968,596	\$3,937
GRV Industrial	3.4559 cents	\$1,223	392	15.56%	\$48,300,171	\$1,629,452	\$1,710,982	\$4,365
GRV Shopping Centre	7.2971 cents	\$1,223	2	0%	\$8,681,850	\$603,354	\$633,523	\$316,762
GRV Mass Accomm.	13.0861 cents	\$1,223	11	0%	\$20,096,520	\$3,147,993	\$2,629,851	\$239,077
GRV Tourist Accomm.	10.4173 cents	\$1,223	6	0%	\$6,485,440	\$0 (previously rated under Mass Accomm.)	\$675,608	\$112,601
UV Mining Improved	43.0073 cents	\$1,223	94	45.74%	\$1,628,028	\$695,780	\$730,545	\$7,772
UV Mining Vacant	35.9826 cents	\$1,223	342	75.15%	\$1,643,505	\$786,878	\$826,169	\$2,416
UV Pastoral	6.7837 cents	\$1,223	11	18.18%	\$1,912,889	\$124,172	\$130,380	\$11,853
UV Other	16.4562 cents	\$1,223	13	15.38%	\$1,316,962	\$207,991	\$218,444	\$16,803
UV Other Vacant	16.2588 cents	\$1,223	9	88.89%	\$200,047	\$40,290	\$42,304	\$4,700
TOTALS			6,816		\$531,796,347	\$22,665,863	\$23,799,296	
					Concession	(\$108,290)	(\$113,705)	
						\$22,557,573	\$23,685,592	

Note: The above rate modelling has been completed on the Valuation Register as at 4 April 2014.

3. Endorse the discussion paper 'Objects and Reasons for Differential Rates' and advertise the proposed Differential General Rates and General Minimum Rates for twenty-one (21) days public comment on Saturday 3 May 2014 as required by section 6.36 of the *Local Government Act 1995*.

201314/311 Amended Officer's Recommendation/ Council Decision

Moved: Cr Hunt

Seconded: Mayor Howlett

That Council:

1. **Adopt the following principles that underpin the proposed 2014/15 Rating Model:**
 - **The following differential general rate categories apply:**
 - Residential land
 - Residential unimproved land
 - Commercial improved land
 - Commercial unimproved land
 - Industrial improved land
 - Industrial unimproved land
 - Shopping Centre improved land
 - Mass accommodation improved land
 - Commercial – Tourist Accommodation improved land
 - Mining improved land
 - Mining unimproved land (vacant)
 - Pastoral unimproved land
 - Other unimproved land
 - **A 5% increase in the gross rate yield from each differential general rate category (including minimum payments) is to be achieved on the 2013/14 budget amount;**
 - **Any loss in rate revenue due a reduction in rateable properties will need to be made up from the existing rateable properties within that specific differential general rate category. The Mass Accommodation rate category is such an example (explained earlier in this report).**
 - **A uniform general minimum rate of \$1,223 is to be applied for all differential rating categories (this is a 5% increase against the 2013/14 minimum payment of \$1,165). The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the rate burden (irrespective of what the rate assessment would be if the rate is applied to the property valuation).**

- The expected revenue from this rating strategy is \$23,685,592 with \$338,406 of this amount to be transferred into the Asset Management Reserve.
2. Endorse the following proposed differential general rates and general minimum rates for 2014/15 with an implementation date of 1 July 2014:

Rating Category	Proposed Rate in \$	Proposed Minimum Rate	No. Assess	% of Assess. on Minimum Payment	Total Rateable Value of Assess.	Budget Rate Yield 2013/14	Proposed Budget Rate Yield 2014/15	Average Rates per Assess.
GRV Residential	3.5741 cents	\$1,223	5,690	10.79%	\$414,876,864	\$14,507,449	\$15,232,895	\$2,677
GRV Commercial	3.4453 cents	\$1,223	246	31.71%	\$26,651,071	\$922,505	\$968,596	\$3,937
GRV Industrial	3.4559 cents	\$1,223	392	15.56%	\$48,300,171	\$1,629,452	\$1,710,982	\$4,365
GRV Shopping Centre	7.2971 cents	\$1,223	2	0%	\$8,681,850	\$603,354	\$633,523	\$316,762
GRV Mass Accomm.	13.0861 cents	\$1,223	11	0%	\$20,096,520	\$3,147,993	\$2,629,851	\$239,077
GRV Tourist Accomm.	10.4173 cents	\$1,223	6	0%	\$6,485,440	\$0 (previously rated under Mass Accomm.)	\$675,608	\$112,601
UV Mining Improved	43.0073 cents	\$1,223	94	45.74%	\$1,628,028	\$695,780	\$730,545	\$7,772
UV Mining Vacant	35.9826 cents	\$1,223	342	75.15%	\$1,643,505	\$786,878	\$826,169	\$2,416
UV Pastoral	6.7837 cents	\$1,223	11	18.18%	\$1,912,889	\$124,172	\$130,380	\$11,853
UV Other	16.4562 cents	\$1,223	13	15.38%	\$1,316,962	\$207,991	\$218,444	\$16,803
UV Other Vacant	16.2588 cents	\$1,223	9	88.89%	\$200,047	\$40,290	\$42,304	\$4,700
TOTALS			6,816		\$531,796,347	\$22,665,863	\$23,799,296	
					Concession	(\$108,290)	(\$113,705)	
						\$22,557,573	\$23,685,592	

Note: The above rate modelling has been completed on the Valuation Register as at 4 April 2014.

- 3. Endorse the discussion paper 'Objects and Reasons for Differential Rates' and:**
 - a) Advertise the proposed Differential General Rates and General Minimum Rates for 21 days public comment on Saturday 3rd May, 2014 as required by Section 6.36 of the Local Government Act 1995, and**
 - b) Hold community and stakeholder forums to allow ratepayers the opportunity to provide comment and feedback on the discussion paper.**

CARRIED BY ABSOLUTE MAJORITY 7/0

Differential Rates	2013/14					Rate Yield	2014/15 Proposed						Overall Increase in Rates 14/15	Increase in Properties	Total No Assess	% Assess on Minimum	Total Rates	2014/15 Average Rates (all properties)	2013/14 Average Rates (all properties)	
	Rate/Min	No. of Properties	Valuations	Interim Rates	2013/14 Budgeted Rates		% increase in RID	Rate in Dollar/ Minimum Rate	No. of Properties	Valuations	Total Valuation	Total Rates								
GRV Residential	3.3507	4,918	385,356,312	1,000,000	13,912,134	14,507,449	6.67%	3.5741	5,076	405,187,852	414,879,864	14,481,819	569,685	158	5,690	10.79%	15,232,895	2,677	2,672	
GRV Commercial	3.3847	167	24,501,583		829,305	922,505	1.79%	3.4453	168	25,344,175	26,651,071	873,183	43,878	1	246	31.71%	968,596	3,937	3,735	
GRV Industrial	3.3507	327	46,544,051		1,559,552	1,629,452	3.14%	3.4559	331	47,349,867	48,300,171	1,636,364	76,813	4	392	15.56%	1,710,982	4,365	4,210	
GRV Shopping Centre	6.9496	2	8,681,850		603,354	603,354	5.00%	7.2971	2	8,681,850	8,681,850	633,523	30,169	-	2	0.00%	633,523	316,762	301,677	
GRV Ex Gratia	3.4748	-	-		-	-	0.00%	3.4748	-	-	-	-	-	-	-	-	-	-	-	
GRV Mass Accomodation (includes A102530 'Beachfront')	9.9212	19	31,729,960		3,147,993	3,147,993	31.90%	13.0861	11	20,096,520	20,096,520	2,629,851	- 518,142	8	11	0.00%	2,629,851	239,077	165,684	
GRV Tourism - Commercial	9.9212	-	-		-	-	5.00%	10.4173	6	6,485,440	6,485,440	675,608	675,608	6	6	0.00%	675,608	112,601	107,239	
UV Mining Improved	39.6198	51	1,620,881		642,190	695,780	8.55%	43.0073	51	1,576,350	1,628,028	677,946	35,756	-	94	45.74%	730,545	7,772	7,173	
UV Mining Vacant	39.6197	76	1,236,262		489,803	786,878	-9.18%	35.9826	85	1,422,337	1,643,505	511,794	21,991	9	342	75.15%	826,169	2,416	2,377	
UV Pastoral	6.4607	9	1,885,889		121,842	124,172	5.00%	6.7837	9	1,885,889	1,912,889	127,933	6,091	-	11	18.18%	130,380	11,853	11,288	
UV Other	13.1282	13	1,566,560		205,661	207,991	25.35%	16.4562	11	1,312,560	1,316,962	215,997	10,336	2	13	15.38%	218,444	16,803	13,866	
UV Other Vacant	14.9027	1	200,000		29,805	40,290	9.10%	16.2588	1	200,000	200,047	32,518	2,712	-	9	88.89%	42,304	4,700	4,029	
Subtotal		5,583	503,323,348		21,541,638	22,665,863			5,751	519,542,840	531,796,347	22,496,535	954,897	168	6,816		23,799,296			
Minimum																				
GRV Residential	1,165	511	9,014,702		595,315		5.00%	1,223	614	9,692,012		751,076	155,761	103						
GRV Commercial	1,165	80	1,174,746		93,200		5.00%	1,223	78	1,306,896		95,414	2,214	2						
GRV Industrial	1,165	60	926,654		69,900		5.00%	1,223	61	950,304		74,618	4,718	1						
GRV Shopping Centre	1,165	-	-		-		5.00%	1,223	-	-		-	-	-						
GRV Ex Gratia	1,165	-	-		-		5.00%	1,223	-	-		-	-	-						
GRV Mass Accomodation	1,165	-	-		-		5.00%	1,223	-	-		-	-	-						
GRV Tourism - Commercial	1,165	-	-		-		5.00%	1,223	-	-		-	-	-						
UV Mining Improved	1,165	46	58,211		53,590		5.00%	1,223	43	51,678		52,600	990	3						
UV Mining Vacant	1,165	255	211,514		297,075		5.00%	1,223	257	221,168		314,375	17,300	2						
UV Pastoral	1,165	2	27,000		2,330		5.00%	1,223	2	27,000		2,447	117	-						
UV Other	1,165	2	4,402		2,330		5.00%	1,223	2	4,402		2,447	117	-						
UV Other Vacant	1,165	9	48		10,485		5.00%	1,223	8	47		9,786	699	1						
Subtotal		965	11,417,277		1,124,225				1,065	12,253,507		1,302,761	178,536	100						
Total		6,548	514,740,625		22,665,863				6,816	531,796,347		23,799,296	1,133,433	268						
Concessions					-108,290							- 113,705								
TOTAL RATE YIELD					22,557,573							23,685,592	5.0%							



STATEMENT OF RATING OBJECTS AND REASONS

FOR THE 2014/15 RATING YEAR



In accordance with section 6.36 of the Local Government Act 1995 and the Council's "Notice of Intention to Levy Differential Rates and Minimum Payments", the following information details the objectives and reasons for those proposals.

WHAT ARE RATES?

Rates are levied on all rateable properties within the boundaries of the Town of Port Hedland Municipality in accordance with the *Local Government Act 1995*.

The overall objective of the proposed rates in the 2014/15 Budget is to provide for the net funding requirements of the Town's services, activities, financing costs and the current and future capital requirements of the Town, after taking into account all other forms of revenue.

The formulation of a rating system is about achieving a means by which Council can raise sufficient revenue to pay for the services it provides. Throughout Australia, the basis of using property valuations has been found to be the most appropriate means of achieving rating equity; however, the achievement of a wholly equitable rating system for all properties, in all areas, is a difficult task if it is based on the property valuations alone. For this reason there are refinement options made available, such as differential rating, the Town of Port Hedland has elected to use.

In Western Australia land is valued by Landgate Valuation Services (Valuer General's Office – a state government agency) and those values are forwarded to each Local Government.

Two types of values are calculated - Gross Rental Value (GRV) which generally applies for urban areas; and Unimproved Value which generally applies for rural land.

LOCAL GOVERNMENT ACT 1995 – RATING PROVISIONS

The *Local Government Act 1995* sets out the basis on which differential general rates may be based as follows:

Section 6.32 (1) of the *Local Government Act 1995* states:

- (1) When adopting the annual budget, a local government –
 - a. in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either –
 - i. uniformly; or

- ii. differentially

DIFFERENTIAL RATES

6.33. Differential general rates

- (1) A local government may impose differential general rates according to any, or a combination, of the following characteristics –
 - a. (a) the purpose for which the land is zoned, whether or not under a local planning scheme in force under the Planning and Development Act 2005;
 - b. a purpose for which the land is held or used as determined by the local government;
 - c. whether or not the land is vacant land; or
 - d. any other characteristic or combination of characteristics prescribed.
- (2) Regulations may –
 - a. specify the characteristics under subsection (1) which a local government is to use; or
 - b. limit the characteristics under subsection (1) which a local government is permitted to use.
- (3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.
- (4) If during a financial year, the characteristics of any land which form the basis for the imposition of a differential general rate have changed, the local government is not to, on account of that change, amend the assessment of rates payable on that land in respect of that financial year but this subsection does not apply in any case where section 6.40(1) (a) applies.
- (5) A differential general rate that a local government purported to impose under this Act before the Local Government Amendment Act 2009 section 39(1) (a) came into operation is to be taken to have been as valid as if the amendment made by that paragraph had been made before the purported imposition of that rate.

MINIMUM RATES

6.35. Minimum payment

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than –
 - a. 50 per cent of the total number of separately rated properties in the district; or
 - b. 50 per cent of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.

- (4) A minimum payment is not to be imposed on more than the prescribed percentage of -
- a. the number of separately rated properties in the district;
 - Or
 - b. the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories -
- a. to land rated on gross rental value;
 - b. to land rated on unimproved value; and
 - c. to each differential rating category where a differential general rate is imposed.

2014/15 BUDGET PROPOSAL

The following are the proposed Differential General Rates and Minimum Payments for the Town of Port Hedland for the 2014/15 financial year, to be effective from 1 July 2014.

Rate Category	Rate in Dollar (expressed as cents in \$)	Minimum Payment
GRV Residential	3.5741	\$1,223
GRV Commercial	3.4453	\$1,223
GRV Industrial	3.4559	\$1,223
GRV Shopping Centre	7.2971	\$1,223
GRV Mass Accommodation	13.0861	\$1,223
GRV Tourist Accommodation	10.4173	\$1,223
UV Mining Improved	43.0073	\$1,223
UV Mining Vacant	35.9826	\$1,223
UV Pastoral	6.7837	\$1,223
UV Other	16.4562	\$1,223
UV Other Vacant	16.2588	\$1,223

GROSS RENTAL VALUATION (GRV)

Council has adopted differential rates in its Gross Rental Valuation area for Residential properties, Commercial properties, Industrial properties, Ex-Gratia properties, Shopping Centres and Mass Accommodation properties to all town site properties utilizing property valuations supplied by the Valuer General.

Properties are grouped according to Town Planning zonings and level of development with each having a separately calculated rate in the dollar to achieve greater equity across all sectors.

The rates in the dollar will be based on the *general valuation* as supplied by the Valuer General (VG) respect of gross rental values (GRV's) effective from 1 July 2012 and as amended by any *interim valuations* received subsequent to that date.

UNIMPROVED VALUATION (UV)

Council has adopted differential rates in its Unimproved Valuation area for improved and vacant mining leases, pastoral leases and improved and vacant UV Other.

PROPOSED DIFFERENTIAL RATES

Following are the objects and reasons for each of the differential rates:

GRV RESIDENTIAL

The residential category covers properties that are used for singular and multi-dwellings and are zoned Residential under the Town Planning Scheme.

The proposed residential rate is 3.5741 cents per dollar of GRV. The residential rate is relatively low to offset the comparative high gross rental values in Port Hedland.

Proposed Rate in \$:	3.5741 cents
Average Rates per Assessment:	\$2,677

GRV COMMERCIAL

The commercial category covers the town centre, commercial business precincts, tourism, mixed business and the airport.

The proposed commercial rate is 3.4453 cents per dollar of GRV. This is similar to the GRV residential rate.

Proposed Rate in \$:	3.4453 cents
Average Rates per Assessment:	\$3,937

GRV INDUSTRIAL

The industrial category covers the Wedgefield Industrial Estate and light industry.

The proposed industrial rate of 3.4559 cents per dollar of GRV is comparative to the residential GRV rate and commercial GRV rate.

Proposed Rate in \$:	3.4559 cents
Average Rates per Assessment:	\$4,365

GRV SHOPPING CENTRE

This rating category applies to two rateable assessments being the shopping centre complexes in Port and South Hedland.

The positive differential rate for these properties is in order to fund the additional costs of servicing these types of properties. The shopping centres generate high volumes of pedestrian and traffic movements and this results in increased road and streetscape maintenance requirements, additional onsite parking needs and the requirement to install additional traffic treatments. The Town is also required to provide additional litter collection services to these areas.

Proposed Rate in \$:	7.2971 cents
Average Rates per Assessment:	\$316,762

GRV EX GRATIA

There are currently no rateable properties under this rate category. This category often refers to arrangements with Co-operative Bulk Handling Limited or land leased from the Crown or a statutory authority and the company has agreed in writing to make a contribution to the local government.

GRV MASS ACCOMMODATION

The GRV mass accommodation rating category covers transient workforce accommodation facilities.

Patrons and employees of these premises are consumers of municipal services but unless they are also property owners within the Town, are not contributing to the costs of services used by them in the Town of Port Hedland. There are 11 rateable assessments in this category.

Proposed Rate in \$:	13.0861 cents
Average Rates per Assessment:	\$239,077

GRV TOURIST ACCOMMODATION

The GRV tourism accommodation rating category covers hotels and motels that provide provide large scale accommodation for visitors to the Town of Port Hedland. This rate category includes six (6) hotels/motels that were previously rated under Mass Accommodation.

Proposed Rate in \$:	10.4173 cents
Average Rates per Assessment:	\$112,601

UV MINING IMPROVED

This rating category covers mining leases that have improvements on the land. All of these mining leases are located in the vicinity of Port Hedland.

The proposed mining rate of 43.0073 cents per dollar of UV is comparatively high to offset the relatively low property valuations (mining leases may be subject to the State Agreement Act) in this rating category.

Proposed Rate in \$:	43.0073 cents
Average Rates per Assessment:	\$7,772

UV MINING VACANT

This rating category covers all other mining tenements including exploration, prospecting and general purpose leases.

The proposed mining vacant rate of 35.9826 cents per dollar of UV is comparatively high to offset the relatively low property valuations in this rating category.

Proposed Rate in \$:	35.9826 cents
Average Rates per Assessment:	\$2,416

UV PASTORAL

This rating category applies to all pastoral leases that have been granted under the repealed *Land Act 1933* and expire on 30 June 2015. Renewal of pastoral leases is administered by the Department of Lands.

The proposed rate of 6.7837 cents per dollar of UV is comparatively low to offset the relatively high property valuations in this rating category.

Proposed Rate in \$:	6.7837 cents
Average Rates per Assessment:	\$11,853

UV OTHER

This rating category applies to crown leases which are assessed as rural.

The proposed rate of 16.4562 cents per dollar of UV is comparatively low to offset the relatively high property valuations in this rating category.

Proposed Rate in \$:	16.4562 cents
Average Rates per Assessment:	\$16,803

UV OTHER VACANT

This rating category applies to nine rateable assessments. Eight of these assessments are held by BHP Billiton Minerals Pty Ltd. These assessments are on the minimum rate payment.

Proposed Rate in \$:	16.2588 cents
Average Rates per Assessment:	\$4,700

MINIMUM RATES

The Town imposes one general minimum rate payment that applies to all rateable properties within the boundaries of the municipality. The minimum payment impacts mainly in the residential category and UV mining category. The rate is imposed to discourage holding undeveloped land within the Town, which reduces the amenity of the area, and thereby encourages its early development. Regarding the UV mining category, the minimum is applied to ensure that the rate burden is distributed equitably between all property owners. Mining and general purpose leases fall under this category and the majority are held by large mining companies.

SUBMISSIONS

Submissions are invited from any Elector or Ratepayer with respect to the proposed differential general rates and minimum payments within 21 days of the date of the notice of intent. All submissions in writing must be received by the Town of Port Hedland no later than close of business on Wednesday 29 May 2013.

M J (MAL) OSBORNE

CHIEF EXECUTIVE OFFICER

ATTACHMENT 3 TO ITEM 12.1

Notice of Intention to Levy Differential Rates

The Town of Port Hedland is in the process of finalising its budget for the 2014/15 financial year. The funding proposals include the following principles in relation to each rating category for differential general rates and minimum rates.

The following are the proposed Differential General Rates and Minimum Payments for the Town of Port Hedland for the 2014/15 financial year, to be implemented on 1 July 2014.

Rate Category	2014/15	
	Rate in Dollar (expressed as cents in \$)	Minimum Payment
GRV Residential	3.5741	\$1,223
GRV Commercial	3.4453	\$1,223
GRV Industrial	3.4559	\$1,223
GRV Shopping Centre	7.2971	\$1,223
GRV Mass Accommodation	13.0861	\$1,223
GRV Tourist Accommodation	10.4173	\$1,223
UV Mining Improved	43.0073	\$1,223
UV Mining Vacant	35.9826	\$1,223
UV Pastoral	6.7837	\$1,223
UV Other	16.4562	\$1,223
UV Other Vacant	16.2588	\$1,223

A Statement of Objects and Reasons for adopting these differential general and minimum rates has been prepared and is available for inspection at the Civic Centre, McGregor Street, Port Hedland between 8.00am and 4.30pm and at Town of Port Hedland libraries during normal library opening hours.

For more information please contact Peter Kocian on 9158 9322 or email mgrfin@porthedland.wa.gov.au.

Submissions are invited from any elector or ratepayer with respect to the proposed rates, and any related matters, within 21 days of the date of this notice. Submissions should be sent to Town of Port Hedland, PO Box 41, Port Hedland WA 6721 and clearly marked Submission - Differential Rating.

All submissions should be received by no later than 5.00pm on Thursday 29 May 2014.

The Town of Port Hedland will also be holding Community Conversations on 14 May 2014 (insert time and place). This will provide further opportunity for electors and ratepayers of the Town of Port Hedland to discuss the proposed rates. Copies of this public notice and the statement of Objects and Reasons will be available at these forums.

Mal Osborne
Chief Executive Officer

12.2 ***Port Hedland International Airport Electrical Upgrade – Variation to Tender 13/03 and Associated Budget Modifications (File No.: 30/12/0008)***

Note: This item has been withdrawn and will be considered at a future Council meeting.

12.3 Port Hedland International Airport Terminal Renovations – Contract Variation (File No.: 05/09/0036)

Officer Anna Duffield
Airport Development
Officer

Date of Report 9 April 2014

Disclosure of Interest by Officer Nil

Summary

This report seeks Council endorsement to upgrade the arrivals area restrooms by approving variations to previously awarded Tender 14/04 Port Hedland International Airport terminal renovations.

Background

At 26 February 2014 ordinary Council meeting, Jaxon Construction was awarded Tender 14/04 Port Hedland International Airport terminal renovations, as per below resolution:

That Council:

- 1. Award Tender 14/04 Port Hedland International Airport terminal renovations to Jaxon Construction for the lump sum price of \$465,497 (+ GST)*
- 2. Authorise the Chief Executive Officer or his delegate to negotiate any contract variations as and if required.*

The original tender was to undertake terminal renovation works to create a larger departures area, incorporate the café as part of departures area and improve passenger flow.

Since the award of the tender, it was recognised that to achieve best practice compliance with the Town's disability access inclusion plan, the arrivals area restrooms should also be upgraded.

This agenda item seeks Council approval to vary the awarded tender and upgrade the restrooms.

Consultation

Internal

- Chief Executive Officer
- Program Director Airport Redevelopment
- Superintendent Works – Airport Redevelopment
- Acting Manager Airport

External

- Jaxon Construction

Statutory Implications

Procurement regulations

As per *Functions and General Regulation 20(1)* the Chief Executive Officer can approve minor variations (10% of total project value) to contracts, subject to the funds being contained within the budget.

As the required variations are greater than 10% of total project value, Council approval is sought for the variation.

Building regulations

As the airport is a public building, it is required to meet the Building Codes of Australia. Among other things, this includes compliance with disability access provisions.

Policy Implications

The variations were sought in accordance with the Town's procurement and delegations policies.

The Town's disability access and inclusion plan ensures, among other things, that access to existing buildings and facilities is improved and that all new developments are accessible. The proposed variations will ensure a best practice approach to ensure disability access is achieved.

Strategic Planning Implications

6.2 Economic

6.2.2 Gateway City & an attractive destination

Develop the Port Hedland International Airport as a leading regional airport in the area of passenger and freight movements and customer satisfaction

Budget Implications

The allocated budget for the interim improvement's program was \$800,000 in GL 1210410. This budget included renovations, verge works, shade sails and public art program. The original tender was for \$465,497 (ex GST). The proposed variations will cost \$105,126 (ex GST) and will be funded from GL 1210410.

Officer's Comment

Disability access

In line with the Town's adopted policy, a disability access consultant was engaged to review the terminal renovations scope of works and provide recommendations on compliance with relevant legislation. It was identified as part of this review that the arrivals area restrooms were not compliant.

It was recommended that the restrooms were renovated to install ambulant toilet cubicles in both male and female toilet facilities in addition to the existing facilities

Variations

To improve the amenity of the arrivals area restrooms, install additional toilet facilities and achieve best practice compliance with the Town's disability access inclusion plan and relevant legislation, it was noted that the arrivals area restrooms should be upgraded.

As Jaxon Construction was awarded Tender 14/04 for the terminal renovations project, officers requested a quote for required restroom refurbishment works.

Works include:

- Install two additional cubicles in the female toilets and one additional cubicle in the male toilets
- Refurbish one cubicle in male and female toilets to be an ambulant toilet ensuring compliance with Town's disability access inclusion plan
- Upgrade toilet partitioning in male and female toilets to improve amenity
- Demolish first aid room (noting the first aid facilities will be installed in the departures area parents room as part of other upgrade works)
- Reduce storeroom size (to create space for additional ambulant male toilet)
- Make good to existing areas
- Install appropriate universal signage

The quotation for these works was \$105,126 (ex GST). This quotation is this amount due to the extensive labor component and the necessity of undertaking the works outside of the airport's operational hours (overnight).

Construction timeline

Should Council resolve to upgrade the restrooms, it is proposed that the works occur outside of terminal operational hours to ensure minimal disruption to passengers and airport operations. It should be noted that the restrooms would have to be closed for the construction period, which is estimated to be three weeks.

Patrons will be directed towards the departure area restrooms during the renovations of the arrivals area restrooms. The works must be undertaken prior to the departures area renovations, as once the departure area works are completed the departures restrooms will be wholly contained within the post-security screening area.

Based on the three-week procurement timeline, it is anticipated that the arrivals restroom works would be completed by early June.

Passenger information

The Town would ensure that passengers were informed of the works and potential disruption. This would include media releases and posters displayed within the terminal.

Additional variations

It should be noted that additional variations to the departures (secure zone) area are currently being scoped and will be brought to Council for their consideration in due course. These variations will ensure best practice compliance with the Town's disability access and inclusion plan and relevant legislation as well as greater improve the terminal's amenity and passenger flow.

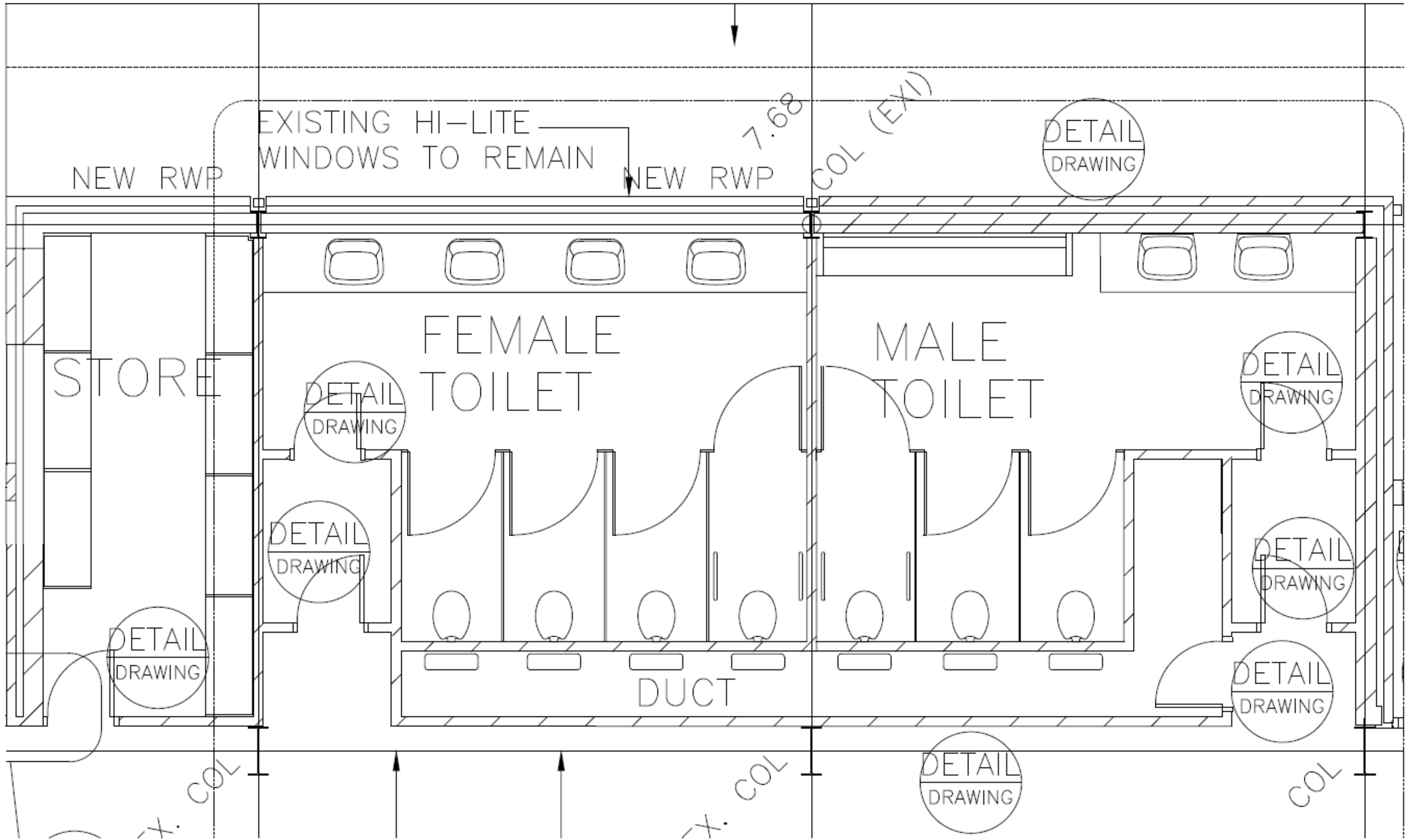
Attachments

1. Plan of the arrivals area restroom renovation works

201314/312 Officer's Recommendation/ Council Decision**Moved: Cr Gillingham****Seconded: Cr Butson**

That Council approve variation to Tender 14/04 Port Hedland International Airport terminal renovations awarded to Jaxon Construction for the lump sum price of \$105,126 (ex GST).

CARRIED 7/0



12.4 *Mixed Business – Additional Takeaway Food Outlet (McDonalds) and Pylon Sign on Lot 724 (150) Anderson Street, Port Hedland, and Proposed Road Dedication being Lots 5828 and 5827 on Plan 189999 on Unallocated Crown Land, Port Hedland (File No.: 120510G)*

Officer	Leonard Long Manager Development Services
Date of Report	7 April 2014
Application No.	2013/713
Disclosure of Interest by Officer	Nil

Summary

The Town has received an application from Urbis on behalf of the owners of the Port Hedland Boulevard Shopping Centre being the Werrett Property Group to construct in addition to the existing shopping centre development a “Take-away Food Outlet” and Pylon sign on Lot 724 (150) Anderson Street, Port Hedland (subject site).

During the planning assessment and negotiation of the application, the applicant has requested the application be deemed refused as it was over the 60 day time frame (being the legislative requirement to determine an application). Subsequently the applicant lodged an application with the State Administrative Tribunal (SAT) requesting the matter to be reviewed.

The State Administrative Tribunal has made the following order:

- “1. Pursuant to s31(1) of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider the matter at its next Ordinary Council Meeting dated on 30 April 2014.”*

As part of a previous Council Resolution 200607/348, the landowners were required to provide a minimum of 234 car parking bays onsite. Currently the shopping centre provides 212 car parking bays. As part of the proposed development the applicant will provide 248 car parking bays catering for the existing and proposed development.

Council is requested to support the Town’s officers recommendations:

- a. Approve the proposed “Take Away Food Outlet” subject to conditions, and
- b. Approve the partial road dedication of UCL 5828 and 5827 Anderson Street.

Background

Site Description (Attachment 1)

The Port Hedland Boulevard Shopping Centre is located over Lots 5769 and 724 Anderson Street with a total area of 20,855m². The proposed development will be located on part Lot 724 and will be leased from the landowners.

Access and egress from the site is achieved via Wilson Street, McGregor Street and Anderson Street.

In terms of the Port Hedland Town Planning Scheme No. 5 (TPS5) the subject site is zoned "Commercial". The proposed "Takeaway Food Outlet" is a "P" (Permitted) land use under this zone.

Previous Approval

In June 2007, Council resolved to approve Caltex Service Station subject to inter alia the following advice note:

"ADVICE TO DEVELOPER

- 1. The applicant is advised that the Town is prepared to accept a reduction in car parking bays to a minimum of 234 bays, and reserves the right to require the landowner to construct the required car parking bays at any time, to maintain desirable safety, convenience and amenity standards."*

From the plans provided by the applicant the development only provides 212 car parking bays on site for the shopping centre opposed to the required 234 car parking bays resulting in a shortfall of 22 car parking bays.

Therefore, should Council resolve to approve the subject application, the resolution should include the requirement of the landowner to comply with Council resolution 200607/348, for the construction of a MOTOR and/or MARINE SERVICE STATION at Lot 724 Anderson Street as outlined in the Application received 23 March 2007 (Application 2007/075).

Proposal (Attachment 2)

The applicant has proposed to construct in addition to the existing shopping centre development a:

- a. "Takeaway Food Outlet" on the southeast portion of Lot 724 Anderson Street, with main access achieved via the McGregor Street entrance.

The proposed development will comprise of two drive-thru facilities catering for 13 cars and 23 fixed car parking bays onsite

- b. the redevelopment of a pylon sign along Wilson Street, to be on Lot 724 Anderson Street and which will project over the Wilson Street Road Reserve.
- c. the development of a minimum of 57 car parking bays to be relocated on Unallocated Crown Land, Lots 5827 and 5828 Anderson Street, which lots are the subject of the road dedication.
- d. improvements to the internal car parking layout and traffic flow to address the existing internal traffic issue present at the shopping centre. In this regard the Town has undertaken through an independent engineering consultancy a peer review of the applicants submission to:
 - i. verify the proposal will not detrimentally impact on the existing traffic flows, and
 - ii. confirm the proposed amendments to the traffic layout will improve the current internal traffic flow.

Road dedication request proposal (Attachment 3)

In order to support the development and subsequent relocation of the bays, Council is requested to favourably consider the dedication of the Unallocated Crown Land, Lots 5827 and 5828 Anderson Street, as road to form part of the Anderson Street Road Reserve.

Consultation

The application was circulated as follows:

Internally:

- Manager Infrastructure Development Services
- Manager Engineering Services
- Building Surveyor
- Manager Environmental Health Services
- Manager Economic & Land Development

Externally:

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

The following noteworthy comments were received (summarized):

Water Corporation:

1. There is an existing asbestos water pipe along the unallocated crown lots 5828 and 5827 Anderson Street that will need to be relocated and replaced with PVC pipes should any car parking be proposed over the land.

Planning Response

In this regard the applicant has planned the parking layout around the mentioned infrastructure.

Main Roads Western Australia (MRWA):

1. MRWA confirms that it has plans to duplicate Wilson Road (Port Hedland Road) in the near future and it is highly unlikely that there would be any allowance for full movements in or out of the proposed development.
2. Subsequently, a detailed intersection modelling and traffic assessment would be required that shows the traffic impacts of the new McDonald's would need to be provided.
3. In addition, no objections to the pylon sign on Wilson Street, subject to a condition advising the developer shall pay for the removal or relocation of the sign as required by MRWA.

Applicant's Response:

Riley Consulting has updated the Traffic Impact Statement, based on the latest traffic counts available and determining the likely impact on the regional road network and associated intersections.

Overall, the updated report concludes that, based on an assessment of the surrounding road network, the proposed development will have no significant traffic impact.

Importantly, a peak hour analysis has also demonstrated that the McDonald's restaurant will not negatively impact on the operation of the Wilson Street/McGregor Street intersection, even in an extreme scenario.

MRWA's Response:

The MRWA and the Town's Engineers have reviewed the updated report and are satisfied with the information provided. Subsequently these referral agencies have raised no objections subject to conditions.

Statutory Implications

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

Section 56 of the *Land Administration Act 1997* establishes the procedure for road dedication involving the excision of land from Crown Land.

Policy Implications

Local Law (Signs, Hoardings and Bill Posting) 2000

12/002 Off Site Car Parking Policy

Strategic Planning Implications

Strategic Community Plan 2012 – 2022

The following section of the Strategic Community Plan 2012 – 2022, is considered by the Town's Officers to be compliant with the intent of this document.

6.2	Economic
6.2.1	Diverse Economy

Planning Comment

From a planning perspective the proposed development is in line with the objectives of the "Strategic Community Plan 2012 – 2022", through the introduction of an additional business venture to Town whereby local employment can be provided.

"Pilbara's Port City Growth Plan"

5.6.2 Precinct 2 – East End Urban Village

5.6.1 Precinct 2 – East End Urban Village

Planning Comment

The "Pilbara's Port City Growth Plan" identifies the development as being located within the primary neighbourhood centre for the Port Hedland. The development is considered to align with the guiding principles of the "Pilbara's Port City Growth Plan" for this precinct as it will broaden the available dining options in an existing neighbourhood centre.

Budget Implications

As per the approved fees and charges the applicant has paid the prescribed fee of \$8,833.60.

Whole of Life:

Road dedication

By approving the road dedication of the unallocated crown land, the Town would be required to maintain the road. However, it is proposed through a condition of approval that the landowner enter into a licence agreement with the Town to ensure no additional costs are incurred by the Town with regard to maintenance of the car parking bays within the newly dedicated road portion.

Officer's Comment

Internal Access and McGregor Street entrance

The Town's Engineers have raised concerns with the existing and proposed car parking and traffic flow arrangement. In order to address these concerns, the applicant has proposed to modify the existing internal access widths and provide a designated McDonald's Drive-thru.

The Town's Engineers have reviewed the plans and are satisfied with the proposed access arrangements. In addition, the Town's officers requested a peer review from an independent traffic engineer to review the plans and traffic report provided by the applicant. (Attachment 5)

Car parking requirements

- As part of a previous Council Resolution 200607/348, the shopping centre was required to provide a minimum of 234 car parking bays onsite.
- The shopping centre currently provides a total of 212 car parking bays.
- The proposed development takes up 51 of the 212 car parking bays allocated to the shopping centre.
- To ensure there is no loss of car parking bays currently provided, it is proposed to construct a minimum of 57 car parking bays within the proposed new road dedication area. This results in a total of 218 car parking bays being provided for the existing shopping centre alone, which would including two (2) oversized parking bays for caravans
- In accordance with the Appendix 7 of TPS5, the applicant is required to provide a minimum of 32 car parking bays for the proposed "Take Away Food Outlet". The applicant has provided a total of 36 car parking bays as follows,
 - 23 designated car parking bays, and
 - 13 car stacking bays relating to the drive thru.

Taking the entire development on the site into consideration both existing and proposed, the landowner would be required to provide a total of 270 car parking bays which would include the 22 bay shortfall.

Discussions with the applicant regarding the opportunity of providing a waste disposal point for caravans has not been able to be resolved. Officers will continue to look for appropriate sites for this purpose together with requisite funding.

Road dedication request

As a result of the development, 51 existing car parking bays associated with the shopping centre will be lost. However, as indicated the applicant will reconstruct 57 within the Unallocated Crown Land, Lots 5827 and 5828 Anderson Street, which are subject of a road dedication.

The Town's officers support the proposal to dedicate Lots 5827 and 5828 Anderson Street as road. This will allow additional development to take place but also resolve a long standing issue with the construction of car parking including oversized car parking for caravans on the existing "dust bowl".

The proposed development has also given the applicant and landowner an opportunity to improve the current traffic flow patterns. The proposed traffic flow has been scrutinised via a peer review which has confirmed the proposals will result in an improved internal traffic flow.

Attachments

1. Locality Plan
2. Site and Floor Plans
3. Road Dedication request proposal
4. Traffic report
5. Peer Review

Officer's Recommendation

That Council:

- A. Support the request to permanently dedicate the Lots 5828 and 5827 Anderson Street being Unallocated Crown Land as road reserve as shown in Attachment 3, subject to:
 - i. All costs associated with the dedication to be at the landowners of Lot 724 and 5769 Anderson Streets, cost.
- B. Delegate the Chief Executive Officer, or his delegate(s), to submit the road dedication request to the Department of Regional Development and Lands (State Lands Services);
- C. Subject to the approval by Department of Regional Development and Lands (State Lands Services), approve the application received from Urbis on behalf of the owners Werrett Property Group to construct a "Take-away Food Outlet" and Pylon Sign on Lot 724 (150) Anderson Street, Port Hedland, subject to the following conditions:

1. This approval relates only to the proposed Mixed use Additional "Take-away Food Outlet" (McDonalds) and Pylon Sign, as indicated on the approved plans (DRG2013/713/1 - DRG2013/713/11). It does not relate to any other development on this lot;
2. If the development referred to in (1) above is not substantially commenced within a period of two years from the date of approval, the approval shall lapse and be of no further effect;
3. A minimum of 270 car parking bays shall be provided which shall comprise of:
 - a. 234 car parking as per Council resolution 200607/348 whereby 51 car parking bays shall be relocated and constructed at the applicant's cost in the Anderson Street, road reserve.
 - b. An additional 36 car parking bays (inclusive of 13 car parking bays in a stacking arrangements)
4. The 57 car parking bays to be provided on the Anderson Street, road reserve by the landowner shall be designed, constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface or equivalent in accordance with a design approved by the Town's Manager Development Services at the landowners expense;
5. The car parking bays constructed on the Anderson Street, road reserve shall remain accessible and be used solely for the purpose of car parking at all times;
6. No car parking bays shall be obstructed in any way or used for any other purpose than car parking;
7. Roof mounted or freestanding plant or equipment such as air conditioning units and hot water systems shall be located and / or screened to the satisfaction of the Town's Manager Development Services;
8. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the landowner's cost to the satisfaction of the Town's Manager Development Services;
9. The landowner shall ensure refuse collection / storage is in accordance with the approved Refuse Collection Strategy / Management Plan. (RCP2013/713/1);

10. The landowner shall ensure all activities related to the construction of the development (such as but not limited to, storage of building materials and contractor vehicles) be contained wholly within the lot boundaries;

Prior to the issuing of a building permit the landowner is to obtain a clearance certificate confirming the following planning conditions have been complied with. In this regard contact the Town's Development Compliance Officer to obtain the necessary application form and pay the prescribed fee.

11. Prior to issuing a building permit, the landowner shall enter into and thereafter comply with an agreement with the Town documenting the conditions in which the Town is prepared to grant permission to construct the car parking bays on the Anderson Street, road reserve under Reg 17 of the Regulations (Agreement). The Agreement is to be prepared by the Town's solicitors to the satisfaction of the Town's Manager Development Services, and the obligations, rights and powers of the parties under Reg 17 of the Regulations.

The agreement shall also impose the following additional obligations on the landowner to:

- a. Repair at its own cost, to the satisfaction of the Town's Manager Development Services, any damage to Anderson Street road reserve, resulting from the construction, use or maintenance of the car parking bays;
 - b. Maintain and repair at its own cost, to the satisfaction of the Town's Manager Development Services, the car parking and landscaping within the Anderson Street road reserve;
 - c. Indemnify the Town for any damage, claims or loss relating to the construction, use or maintenance of the car parking bays; and
12. Prior to the issuing of a building approval, a "Stormwater management plan" shall be submitted and approved by the Town's Manager Development Services;
 13. Prior to the issuing of a building permit, a detailed landscaping and reticulation plan including the Anderson Street and McGregor Street verge, shall be submitted and approved by the Town's Manager Development Services. The plan shall include:
 - a. location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001; and

- b. shade trees provided at a ratio of 1 tree per four (4) consecutive external parking spaces.

Prior to the commencement of works the landowner is to obtain a clearance certificate confirming the following planning condition has been complied with. In this regard contact the Town's Development Compliance Officer to arrange and inspection and pay the prescribed fee.

14. The landowner shall ensure sediment control barriers as prescribed by SCB2014, are placed along all boundaries abutting public land;

Prior to the issuing of an occupation certificate the landowner is to obtain a clearance certificate confirming the following planning conditions have been complied with.

In this regard contact the Town's Development Compliance Officer to arrange and inspection and pay the prescribed fee.

15. Prior to the issuing of an occupation certificate, the development shall be connected to reticulated mains sewer;
16. Prior to the issuing of an occupation certificate, aged/disabled access to the existing Council footpath in accordance with "Austroads Part 13 – Pedestrians" shall be provided, to the satisfaction of the Town's Manager Development Services;
17. Prior to the issuing of an occupation certificate the landscaping and reticulation is to be completed as per the approved landscaping and reticulation plan, and thereafter shall be maintained to the satisfaction of the Town's Manager Development Services;
18. Prior to the issuing of an occupation certificate, lighting shall be installed along all driveway(s), access way(s), parking area(s), turning area(s) and pedestrian pathways by the landowner. Design and construction standards shall be in accordance with relevant Australian Standards;
19. Prior to the issuing of an occupation certificate, access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface by the landowner in accordance with the relevant Australian Standards;
20. Prior to the issuing of an occupation certificate the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005; and

21. Prior to the issuing of an occupation certificate the landowner shall ensure any damage to road pavements / kerbing / footpaths or other Town assets caused by any activity associated with the construction of the development, including but not limited to vehicle movements, shall be repaired to the satisfaction of the Town's Manager Development Services.

ADVICE NOTES:

1. You are reminded this is a Planning Approval only and does not obviate the responsibility of the landowner to comply with all relevant building, health and engineering requirements;
2. The landowner shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval;
3. Main Roads Western Australia (MRWA) wishes to advise an 'Application to Undertake Works within Road Reserve' will need to be submitted and approved by MRWA before the commencement of any works within Road Reserve;
4. The landowner shall be responsible for the removal of any approved roadside signage, if required in future by Main Roads Western Australia;
5. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Manager Development Services;
6. Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 1999;
7. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times;
8. Be advised that as per the Environmental Protection (Noise) Regulations 1997, construction noise, that does not comply with the AS 2436-1981, is not permitted outside of 0700-1900 Mondays-Saturdays and not on Sundays or Public Holidays;
9. Be advised that the Town's Environmental Health Services Department has raised the following matters. If any of these matters require clarification please contact the Department on 9158 9325
 - a. It is a requirement under the Food Act 2008 that all food premises be registered prior to beginning operations;

- b. The applicant is advised that the construction and use of the proposed premises is required to comply with the Food Regulations 2009 and the Food Safety Standards;
 - c. Prior to the issue of a building licence, a fit out plan of all internal fixtures, finishes and fittings must be provided and approved to the specifications of Town's Environmental Health Services; and
 - d. Be advised that the food premises may be required to be connected to a grease trap prior to effluent entering the disposal system.
10. The development is to comply with the Health (Public Buildings) Regulations 1992; and
11. Public Toilets to be supplied in accordance with the BCA (Building Code of Australia).

201314/313 Alternative Officer's Recommendation/ Council Decision

Moved: Cr Hunt

Seconded: Cr Melville

That Council:

- A. Support the request to permanently dedicate the Lots 5828 and 5827 Anderson Street being Unallocated Crown Land as road reserve as shown in Attachment 3, subject to:**
 - i. All costs associated with the dedication to be at the landowners of Lot 724 and 5769 Anderson Streets, cost.**
- B. Delegate the Chief Executive Officer, or his delegate(s), to submit the road dedication request to the Department of Regional Development and Lands (State Lands Services);**
- C. Delegate the Chief Executive Officer, or his delegate(s), to enter into a legal agreement (and or lease) with the landowner of Lot 724 and Lot 5769 Anderson Street Port Hedland, for the use as a carpark. The subject carpark is to be designed to the specification of the Chief Executive Officer or his delegate and shall include landscaping, kerbing, forming, grading, drainage, line marking and be finished with a sealed or paved surface; and**
- D. Subject to the approval by Department of Regional Development and Lands (State Lands Services), approve the application received from Urbis on behalf of the owners Werrett Property Group to construct a "Take-away Food Outlet" and Pylon Sign on Lot 724 (150) Anderson Street, Port Hedland, subject to the following conditions:**

1. This approval relates only to the proposed Mixed use Additional "Take-away Food Outlet" (McDonalds) and Pylon Sign, as indicated on the approved plans (DRG2013/713/1 - DRG2013/713/11). It does not relate to any other development on this lot;
2. If the development referred to in (1) above is not substantially commenced within a period of two years from the date of approval, the approval shall lapse and be of no further effect;
3. As per Council Resolution 200607/348 dated 27 June 2007 a minimum of 303 car parking bays shall be provided. With regard to clause 6.13.6 of the Port Hedland Town Planning Scheme No 5, the Town is willing to accept the total provision of 234 car parking bays;
4. Prior to the commencement / closure of any portion of the existing parking bays located on Lot 724 Anderson Street, (to be taken up by the development of the "Take-away Food Outlet"), the landowner shall:
 - a. Construct 52 car parking bays on (inclusive of long vehicle bays parallel to Anderson Street) within the Anderson Street, road reserve. The car parking bays shall be landscaped, constructed, kerbed, formed, graded, drained, line marked and finished with a seal or paved surface or equivalent in accordance with a design approved by the Town's Manager Development Services.
5. Lot 724 Anderson Street shall be amalgamated with Lot 5769 Anderson Street Port Hedland;
6. The car parking bays constructed on the Anderson Street, road reserve shall remain accessible and be used solely for the purpose of car parking at all times;
7. No car parking bays shall be obstructed in any way or used for any other purpose than car parking;
8. Roof mounted or freestanding plant or equipment such as air conditioning units and hot water systems shall be located and / or screened to the satisfaction of the Town's Manager Development Services;
9. Alterations or relocations of existing infrastructure within any road reserve shall be carried out and reinstated at the landowner's cost to the satisfaction of the Town's Manager Development Services;

10. The landowner shall ensure refuse collection / storage is in accordance with the approved Refuse Collection Strategy / Management Plan (RCP2013/713/1);
11. The landowner shall ensure all activities related to the construction of the development (such as but not limited to, storage of building materials and parking of contractor vehicles) be contained wholly within the lot boundaries;

Prior to issuing of a building permit the landowner is to obtain a clearance certificate confirming the following planning conditions have been complied with. In this regard contact the Town's Development Compliance Officer to obtain the necessary application form and pay the prescribed fee.

12. Prior to issuing a building permit, the landowner shall enter into and thereafter comply with an agreement with the Town documenting the conditions in which the Town is prepared to grant permission to construct the car parking bays within the Anderson Street, road reserve under Reg 17 of the Regulations (Agreement). The Agreement is to be prepared by the Town's Solicitors at the landowners of Lot 724 and 5769 Anderson Street's cost to the satisfaction of the Town's Manager Development Services and the obligations, rights and powers of the parties under Reg 17 of the Regulations;

The Agreement shall also impose the following additional obligations on the landowner to:

- a. Repair at its own cost, to the satisfaction of the Town's Manager Development Services, any damage to Anderson Street road reserve, resulting from the construction, use or maintenance of the car parking bays.
 - b. Maintain and repair at its own cost, to the satisfaction of the Town's Manager Development Services, the car parking and landscaping within the Anderson Street road reserve.
 - c. Indemnify the Town for any damage, claims or loss relating to the construction, use or maintenance of the car parking bays, and
13. Prior to the issuing of a building approval, a stormwater management plan shall be submitted and approved by the Town's Manager Development Services;

14. Prior to issuing of a building permit, a detailed landscaping and reticulation plan including the Anderson Street and McGregor Street verge, shall be submitted and approved by the Town's Manager Development Services. The plan shall include:
 - a. Location, species and planting details with reference to Council's list of recommended "Low-Maintenance Tree and Shrub species for General Landscaping" included in Council Policy 10/001, and
 - b. Shade trees provided at a ratio of 1 tree per 4 consecutive external parking spaces.

Prior to the commencement of works the landowner is to obtain a clearance certificate confirming the following planning condition has been complied with. In this regard contact the Town's Development Compliance Officer to arrange and inspection and pay the prescribed fee.

15. The landowner shall ensure sediment control barriers as prescribed by SCB2014, are placed and maintained along all boundaries of the construction site to the satisfaction of the Town's Manager Development Services;

Prior to the issuing of an occupation certificate the landowner is to obtain a clearance certificate confirming the following planning conditions have been complied with. In this regard contact the Town's Development Compliance Officer to arrange and inspection and pay the prescribed fee.

16. Prior to the issuing of an occupation certificate, the development shall be connected to reticulated mains sewer;
17. Prior to the issuing of an occupation certificate, aged / disabled access to the existing Council footpath in accordance with "Austroads Part 13 – Pedestrians" shall be provided to the satisfaction of the Town's Manager Development Services;
18. Prior to the issuing of an occupation certificate the landscaping and reticulation is to be completed as per the approved landscaping and reticulation plan, and thereafter shall be maintained to the satisfaction of the Town's Manager Development Services;

19. Prior to the issuing of an occupation certificate, lighting shall be installed along all driveway(s), access way(s), turning area(s) and pedestrian pathways by the landowner. Design and construction standards shall be in accordance with relevant Australian Standards;
20. Prior to the issuing of an occupation certificate, access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface by the landowner in accordance with the relevant Australian Standards;
21. Prior to the issuing of an occupation certificate the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005; and
22. Prior to the issuing of an occupation certificate the landowner shall ensure any damage to road pavements / kerbing / footpaths or other Town assets caused by any activity associated with the construction of the development, including but not limited to vehicle movements, shall be repaired to the satisfaction of the Town's Manager Development Services.

ADVICE NOTES:

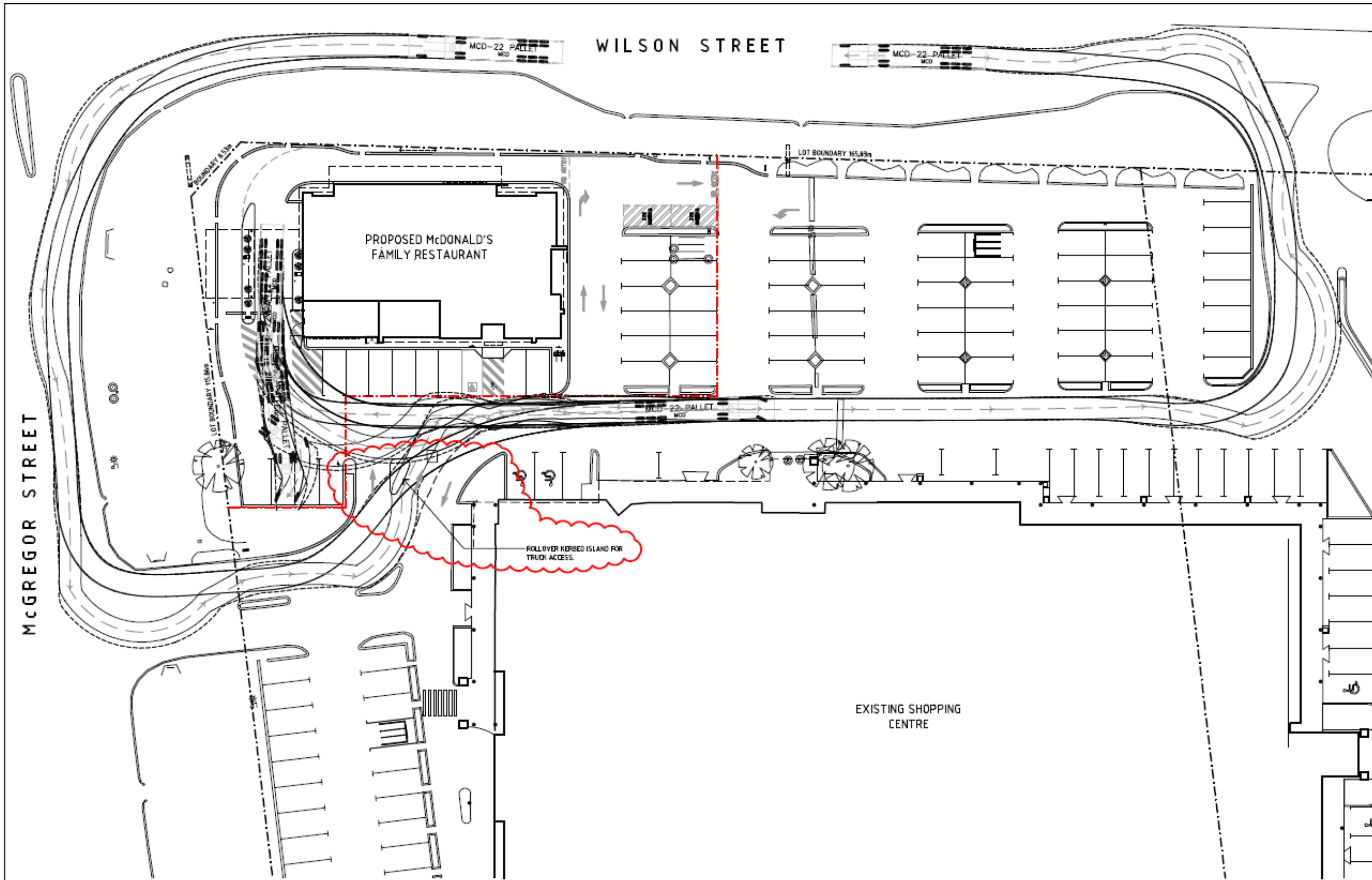
1. You are reminded this is a Planning Approval only and does not obviate the responsibility of the landowner to comply with all relevant building, health and engineering requirements;
2. The landowner shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval;
3. Main Roads Western Australia (MRWA) wishes to advise an "Application to Undertake Works within a Road Reserve" will need to be submitted and approved by MRWA before the commencement of any works within Road Reserve;
4. The landowner shall be responsible for the removal of any approved roadside signage, if required in future by Main Roads Western Australia;
5. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999, and to the satisfaction of the Town's Manager Development Services;

6. **Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 1999;**
7. **The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times;**
8. **Be advised that as per the Environmental Protection (Noise) Regulations 1997, construction noise, that does not comply with the AS 2436-1981, is not permitted outside of 0700 – 1900 Mondays – Saturdays and not on Sundays or Public Holidays;**
9. **Be advised that the Town's Environmental Health Services Unit has raised the following matters. If any of these matters require clarification please contact the unit on 9158-9325;**
 - a. **It is a requirement under the Food Act 2008 that all food premises be registered prior to beginning operations.**
 - b. **The applicant is advised that the construction and use of the proposed premises is required to comply with the Food Regulations 2009 and the Food Safety Standards.**
 - c. **Prior to the issue of a building licence, a fit out plan of all internal fixtures, finishes and fittings must be provided and approved to the satisfaction of the Town's Manager Environmental Health.**
 - d. **Be advised that the food premises may be required to be connected to a grease trap prior to effluent entering the disposal system.**
10. **The development is to comply with the Health (Public Buildings) Regulations 1992; and**
11. **Public toilets are to be supplied in accordance with the Building Code of Australia.**

CARRIED 5/2

ATTACHMENT 1 TO ITEM 12.4





ISSUE	AMENDMENT	DATE	INT	NOTES
A	ISSUED FOR PLANNING APPROVAL	11.12.13	DIA	1. DO NOT SCALE THIS DRAWING
B	DRIVEWAY LAYOUT	01.04.14	AU	2. THE DRAWING SHOWS DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR/MANUFACTURER.
				3. THIS IS A COMPUTER GENERATED DRAWING. DO NOT AMEND BY HAND.
				4. FIGURE DIMENSIONS ARE TO BE USED. CONTACT ARCHITECT FOR CLARIFICATION IF DIMENSIONS ARE NOT CLEAR.
				5. ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO THE ARCHITECT FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK.
				6. ALL DIMENSIONS ARE IN MILLIMETERS



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 PHONE +8188 8888
 FAX +8188 8700
 admin@hindley.com.au

BUILDING OPTIONS

McDonald's
 McDonald's Australia Limited
 ABN: 43 009 496 023
 P: 02 9575 8968
 F: 02 9575 8969
 1100 Springvale Road, Springvale, VIC 3171
 www.mcdonalds.com.au

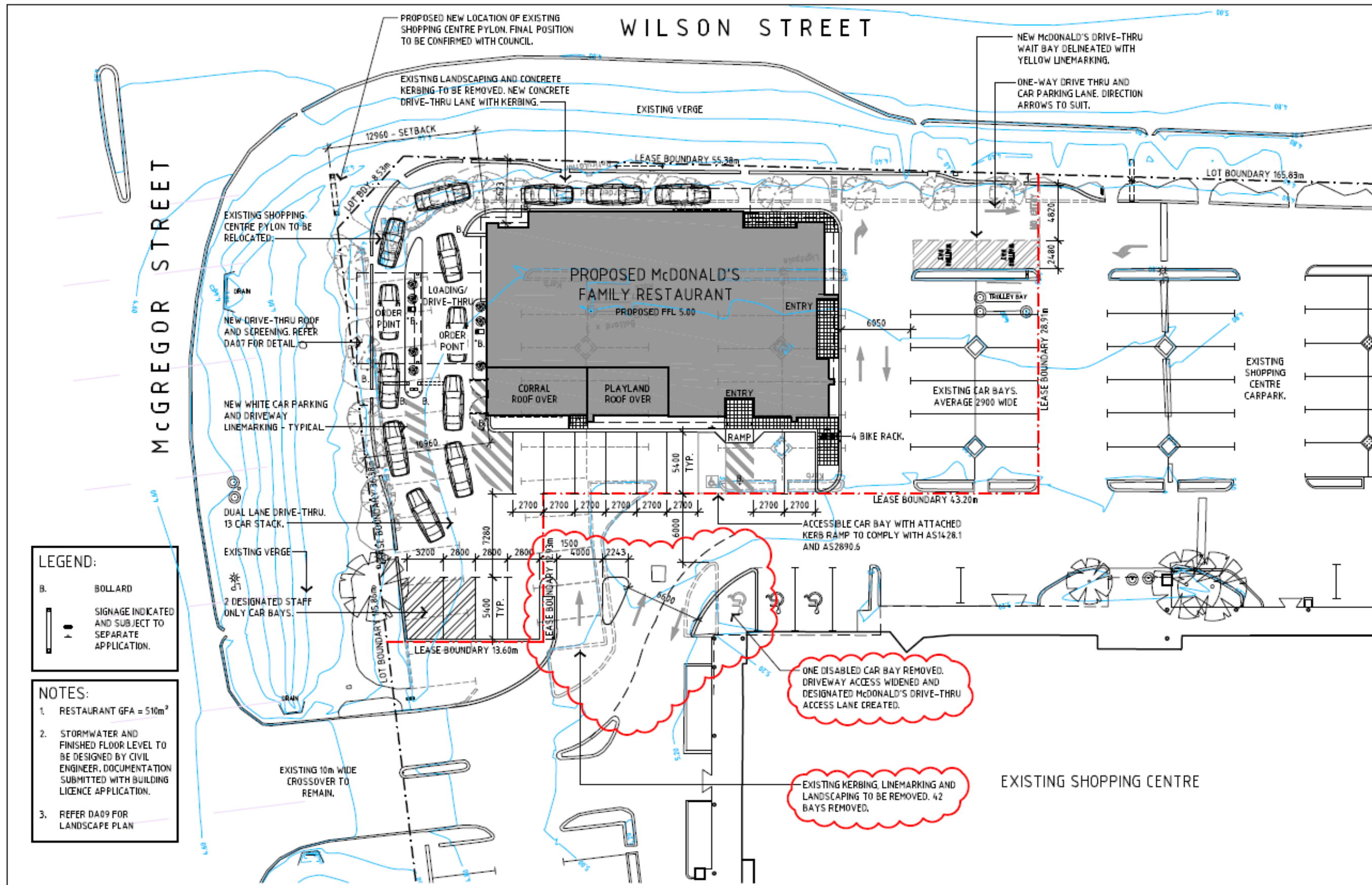
NDGI
 NATIONAL DEVELOPMENT GROUP

STATUS: FOR PLANNING APPROVAL

SERIES: MOD_CUSTOM REF: 01

UNMODIFIED MASTER DRAWING
 PROJECT SPECIFIC DRAWING
 © 2013 McDonald's

PROJECT:		JOB: 0510	
PROPOSED McDONALD'S RESTAURANT WILSON STREET, PORT HEDLAND BOULEVARD PORT HEDLAND WA 6721			
TITLE: DELIVERY TRUCK PATH			
DRAWN	CHECKED	SCALE	DWG. NO.
DIA	AU	1:400	DA03
REV.			
B			



LEGEND:

B. BOLLARD

— SIGNAGE INDICATED AND SUBJECT TO SEPARATE APPLICATION.

NOTES:

- RESTAURANT GFA = 510m²
- STORMWATER AND FINISHED FLOOR LEVEL TO BE DESIGNED BY CIVIL ENGINEER. DOCUMENTATION SUBMITTED WITH BUILDING LICENCE APPLICATION.
- REFER DA09 FOR LANDSCAPE PLAN

ISSUE	AMENDMENT	DATE	INT	NOTES
A	ISSUED FOR PLANNING APPROVAL	31.12.13	DIA	1. DO NOT SCALE THIS DRAWING
B	CAR BAYS WIDENED	24.02.14	DIA	2. THE DRAWING SHOWS DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR/MANUFACTURER.
C	DRIVEWAY DESIGN	01.04.14	AJ	3. THIS IS A COMPUTER GENERATED DRAWING. DO NOT AMEND BY HAND.
				4. FIGURE DIMENSIONS ARE TO BE USED. CONTACT ARCHITECT FOR CLARIFICATION IF DIMENSIONS ARE NOT CLEAR.
				5. ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO THE ARCHITECT FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK.
				6. ALL DIMENSIONS ARE IN MILLIMETERS

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NDGI
NATIONAL DEVELOPMENT GROUP

STATUS: FOR PLANNING APPROVAL

SERIES: MOD_CUSTOM REF: 01

UNMODIFIED MASTER DRAWING
PROJECT SPECIFIC DRAWING
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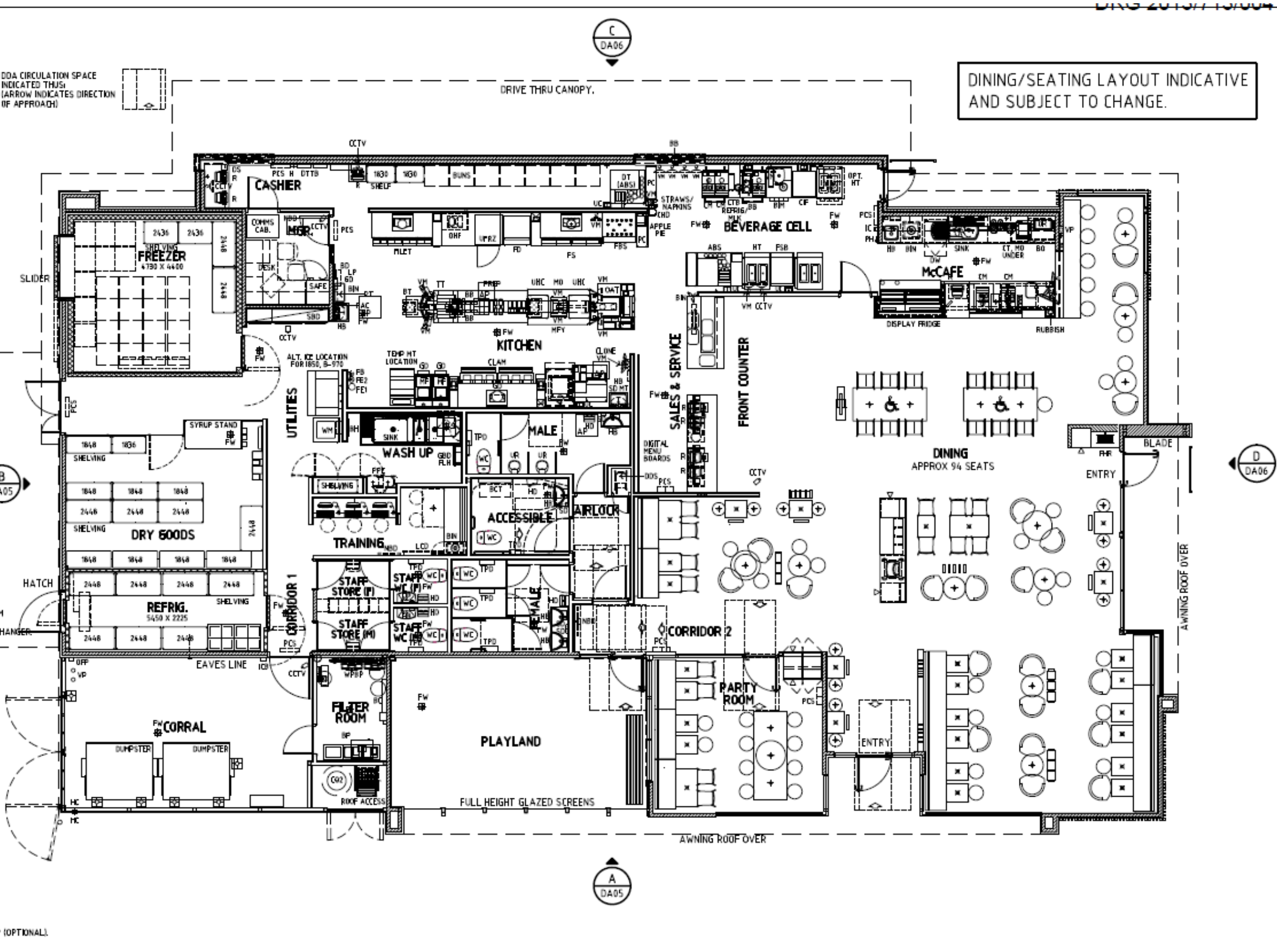
PROJECT:		JOB: 0510	
PROPOSED McDONALD'S RESTAURANT WILSON STREET, PORT HEDLAND BOULEVARD PORT HEDLAND WA 6721			
TITLE: SITE PLAN			
DRAWN	CHECKED	SCALE	DWG. NO.
DIA	AJ	1:300	DA02
REV.			
C			

LEGEND

- ABS - AUTOMATIC BEVERAGE SYSTEM.
- BB - BUMBAR
- BM - BLENDED ICE MACHINE
- BCT - BABY CHANGE TABLE
- BD - BUNDY CLOCK
- BH - BROOM HOLDER
- BT - BUN TROLLEY
- CARB - CARBONATORS
- CCTV - CCTV (SECURITY) CAMERA.
- CF - COMBI FREEZER
- CHD - CUP HOLDER DISPENSER.
- CF - CENTRE ISLAND FRIDGE
- CLAM - CLAMSHELL GRILL
- CM - COFFEE MACHINE.
- COND - CONDIMENT TRAY.
- CO - COMBI OVEN
- COH - COMBI OVEN HOOD.
- CP - CONTROL PANEL
- CPT - COMBI PREP TABLE
- CT - CONTACT TOASTER
- CTB - COFFEE & TEA BREWER.
- DP - DOWNPIPE
- DS - DRIP SAFE
- DT - DRINKS TOWER
- DTTB - DRIVE THRU TIMER BASE STATION.
- DW - DISHWASHER
- EMC - ELECTRICAL METERING CUBICLE
- FAC - FIRST AID CABINET
- FB - FIRE BLANKET
- FBS - FRY BAGGING STATION
- FD - FRY DISPENSER
- FSB - FROZEN SPARKLING BEVERAGE
- FE1 - CO2 FIRE EXTINGUISHER
- FE2 - WET CHEMICAL FIRE EXTINGUISHER
- PICT - PIE / PILE CHICKEN STATION
- FLH - FRY LIQ HOLDER
- FRP - FRAPPE
- FS - FRY STATION
- FW - FLOOR WASTE
- GBD - GARBAGE BAG DISPENSER
- GD - GLOVES DISPENSER
- H - HELIUM OUTLET
- HB - HAND BASIN
- HC - HIGH CHAIR
- HD - HAND DRYER
- HLZ - HEATED LANDING ZONE
- HT - HEAT TREAT
- HW - HOT WATER UNIT
- IF (S) - IRONS
- LP - LABEL PRINTER
- MCR - MCF LURRY
- MF - MEAT FREEZER
- MFY - MADE FOR YOU EQUIP. UNE
- MLN - MILK DISPENSER
- MO - MICROWAVE OVEN
- MT - MUFFIN TOASTER TROLLEY
- NBU - NOTICE BOARD
- OHF - OVERHEAD FREEZER
- ORL - OVEN COOLING RACK
- P - PALLET
- PC - PRESENTER CART
- PCS - PEST CONTROL SYSTEM
- PCF - POWER FACTOR CORRECTION SYSTEM
- PH - PHONE
- PPB - PERSONAL PROTECTIVE EQUIPMENT HANGER
- PRB - DRINKS PRECHILLER (OPTIONAL)
- PT - PAPER TOWEL DISPENSER
- R - CASH REGISTER
- RO - REVERSE OSMOSIS UNIT (OPTIONAL)
- SBO - SWITCHBOARD
- SD - SOAP DISPENSER
- TPD - TOILET PAPER DISPENSER
- TR - TOMATO RACK
- TT - TOASTER TABLE
- UC - UNIVERSAL CHASE
- UPRZ - UPRIGHT FREEZER
- UHC - UNIVERSAL HOLDING CABINET
- UL/DL - UP/DOWN WALL WASH LIGHTING
- UR - URINAL
- VM - VIDEO MONITOR
- VP - VENT PIPE
- WC - WATER CLOSET
- WM - WASHING MACHINE

CORRAL LEGEND

- BC - BEVERAGE COMPRESSOR
- CO2 - BULK CO2 TANK
- DP - DOWNPIPE
- FW - FLOOR WASTE
- HC - HOSECOCK
- HE - HELIUM TANKS
- ICB - IRRIGATION CONTROL BOX
- WPBP - WATER PRESSURE BOOSTER PUMP (OPTIONAL)



ISSUE	AMENDMENT	DATE	INT	NOTES
A	ISSUED FOR PLANNING APPROVAL	11.12.13	DA	1. DO NOT SCALE THIS DRAWING. 2. THE DRAWING SHOWS DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR/MANUFACTURER. 3. THIS IS A COMPUTER GENERATED DRAWING. DO NOT AMEND BY HAND. 4. FIGURE DIMENSIONS ARE TO BE USED. CONTACT ARCHITECT FOR CLARIFICATION IF DIMENSIONS ARE NOT CLEAR. 5. ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO THE ARCHITECT FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK. 6. ALL DIMENSIONS ARE IN MILLIMETERS

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STATUS FOR PLANNING APPROVAL

SERIES MOD_CUSTOM REF. 01

UNMODIFIED MASTER DRAWING
PROJECT SPECIFIC DRAWING

PROJECT: PROPOSED McDONALD'S RESTAURANT
WILSON STREET, PORT HEDLAND BOULEVARD
PORT HEDLAND WA 6721

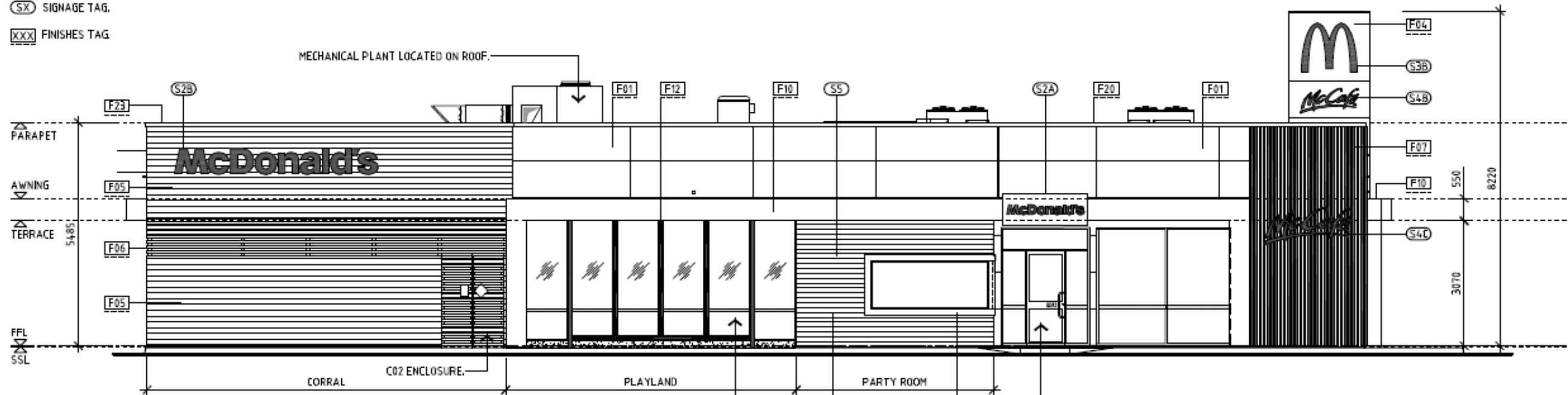
JOB: 0510

TITLE: FLOOR PLAN

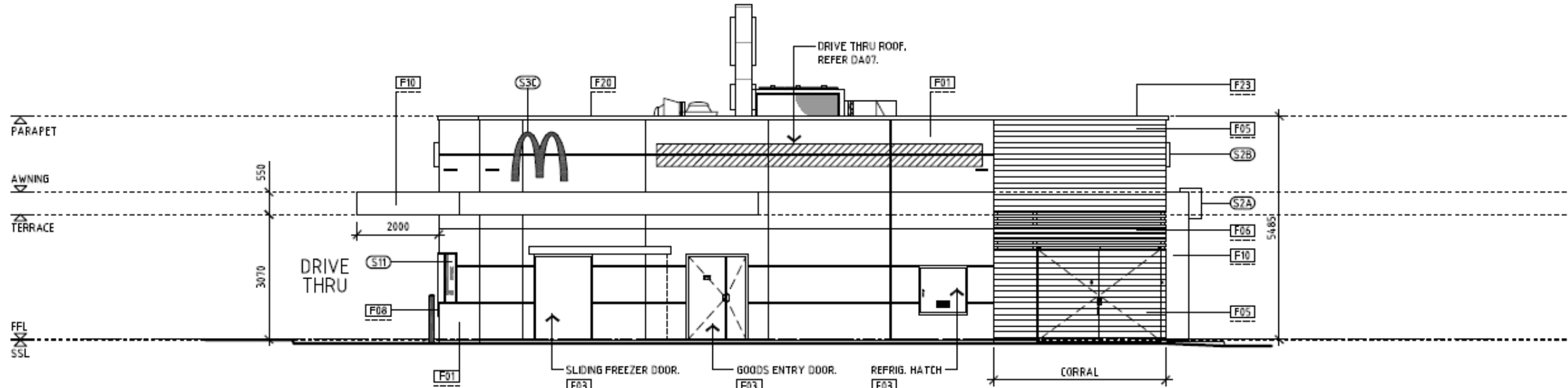
DRAWN	CHECKED	SCALE	DWG. NO.	REV.
DJA	AJ	1:100	DA04	A

LEGEND

- (SX) SIGNAGE TAG.
- (XXX) FINISHES TAG.



A SIDE ELEVATION
DA03 REFER DA07 FOR DRIVE-THRU ROOF DETAILS.



B REAR ELEVATION
DA03 WITHOUT DRIVE-THRU ROOF AND SCREENING. REFER DA07 FOR DETAILS.

ISSUE	AMENDMENT	DATE	INT	NOTES
A	ISSUED FOR PLANNING APPROVAL	11.12.13	DIA	<ol style="list-style-type: none"> DO NOT SCALE THIS DRAWING. THE DRAWING SHOWS DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR/MANUFACTURER. THIS IS A COMPUTER GENERATED DRAWING. DO NOT AMEND BY HAND. FIGURE DIMENSIONS ARE TO BE USED. CONTACT ARCHITECT FOR CLARIFICATION IF DIMENSIONS ARE NOT CLEAR. ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO THE ARCHITECT FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK. ALL DIMENSIONS ARE IN MILLIMETERS

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111 degrayroad@westnet.com.au

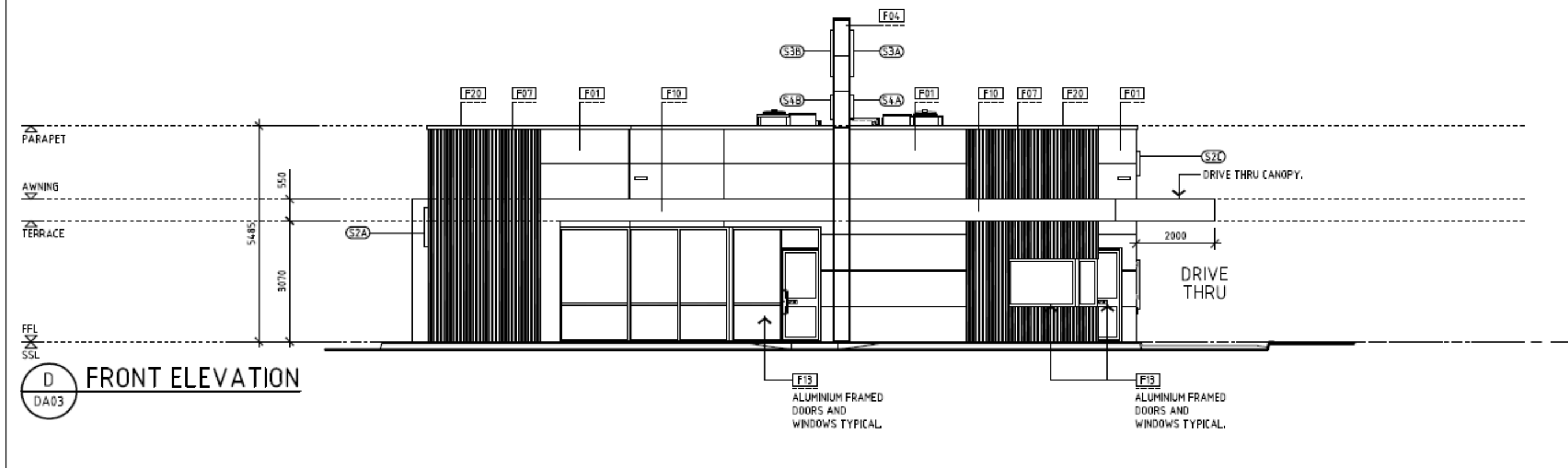
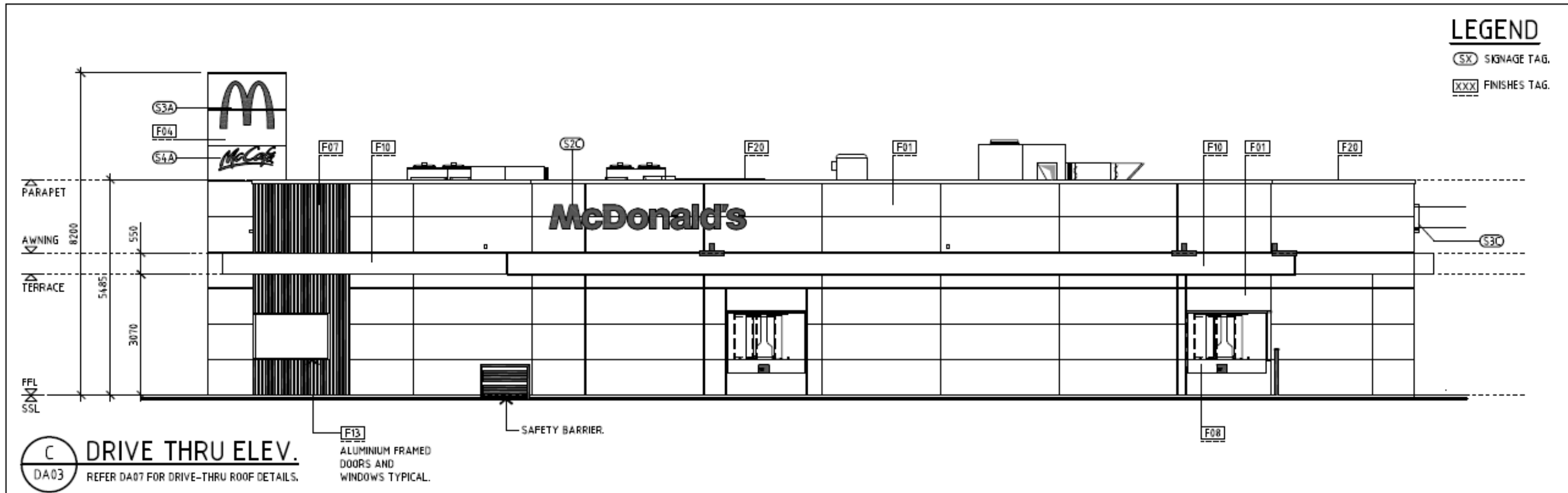
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STATUS: FOR PLANNING APPROVAL

SERIES: MOD_CUSTOM REF: 01

UNMODIFIED MASTER DRAWING
PROJECT SPECIFIC DRAWING
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PROJECT:	JOB: 0510
PROPOSED McDONALD'S RESTAURANT WILSON STREET, PORT HEDLAND BOULEVARD PORT HEDLAND WA 6721	
TITLE: SIDE AND REAR ELEVATIONS	
DRAWN: DIA	CHECKED: AU
SCALE: 1:100	DWG. NO.: DA05
REV: A	



ISSUE	AMENDMENT	DATE	INT	NOTES
A	ISSUED FOR PLANNING APPROVAL	-	S4	1. DO NOT SCALE THIS DRAWING. 2. THE DRAWING SHOWS DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR/MANUFACTURER. 3. THIS IS A COMPUTER GENERATED DRAWING. DO NOT AMEND BY HAND.
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NATIONAL DEVELOPMENT GROUP

STATUS: FOR PLANNING APPROVAL

SERIES: MOD_CUSTOM REF: 01

UNHatched MASTER DRAWING
 PROJECT SPECIFIC DRAWING

PROJECT:	JOB: 0510			
PROPOSED McDONALD'S RESTAURANT WILSON STREET, PORT HEDLAND BOULEVARD PORT HEDLAND WA 6721				
TITLE: DRIVE THRU AND FRONT ELEVATIONS				
DRAWN: DA	CHECKED: AU	SCALE: 1:100	DWG. NO.: DA06	REV: A



ISSUE	AMENDMENT	DATE	INT	NOTES
A	ISSUED FOR PLANNING APPROVAL	11.12.13	cjk	<p>1. DO NOT SCALE THIS DRAWING</p> <p>2. THE DRAWING SHOWS DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR/MANUFACTURER.</p> <p>3. THIS IS A COMPUTER GENERATED DRAWING. DO NOT AMEND BY HAND.</p>
				<p>4. FIGURE DIMENSIONS ARE TO BE USED. CONTACT ARCHITECT FOR CLARIFICATION IF DIMENSIONS ARE NOT CLEAR.</p> <p>5. ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO THE ARCHITECT FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK.</p> <p>6. ALL DIMENSIONS ARE IN MILLIMETERS</p>

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 SERIES: MOD_CUSTOM
 REF: 01

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NBDG
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 PROJECT SPECIFIC DRAWING
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PROJECT: PROPOSED MCDONALD'S RESTAURANT
 WILSON STREET, PORT HEDLAND BOULEVARD
 PORT HEDLAND WA 6721

TITLE: ARCHITECTURAL VIEWS

DRAWN	CHECKED	SCALE	DWG. NO.	REV.
RCP	ALL	NTS	DA10	A

DRG 2013/713/008

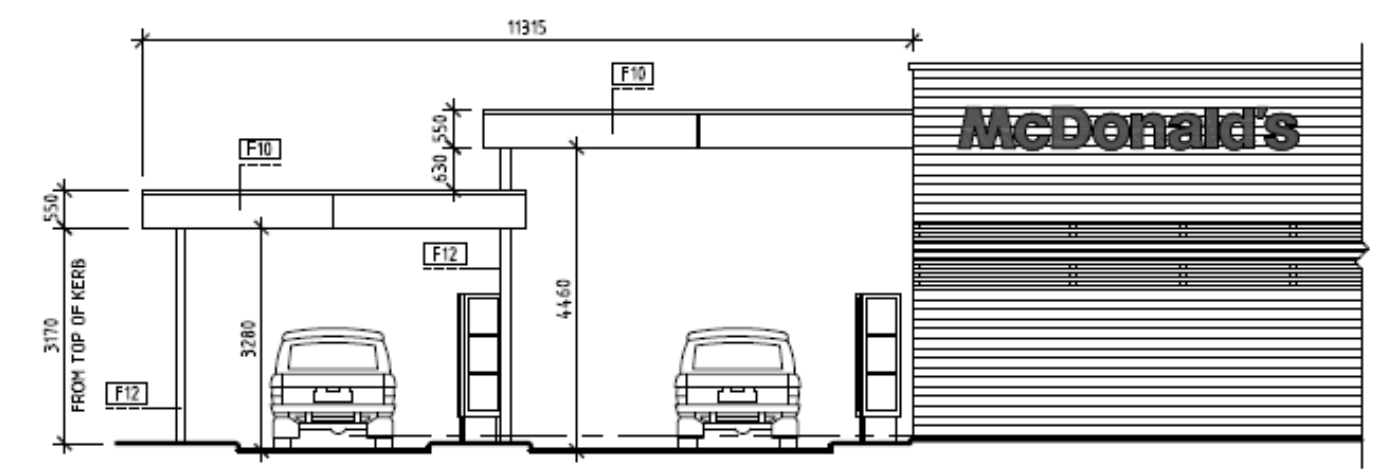
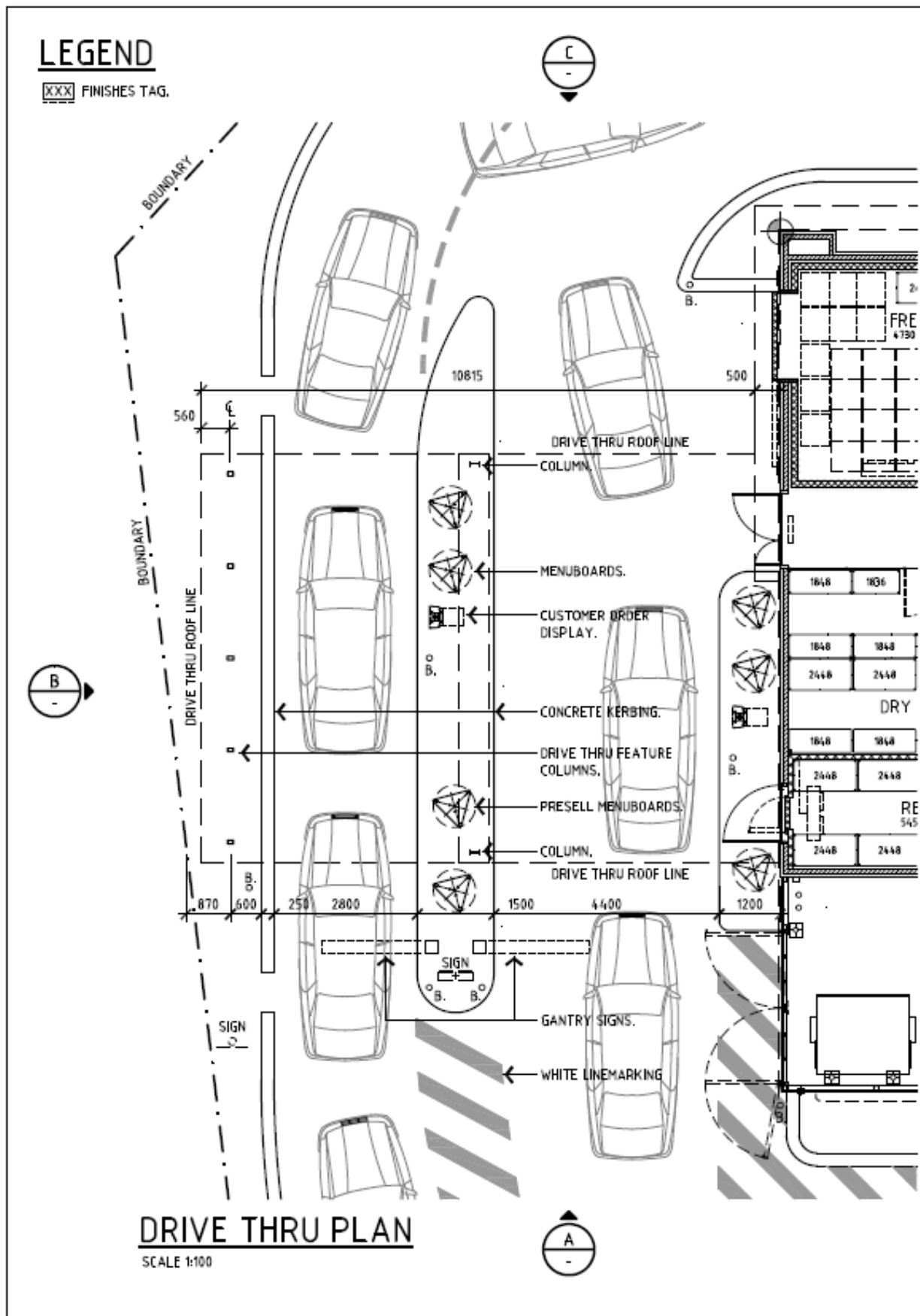


McDonalds Port Hedland - Cnr Wilson Street & Mcgregor Street (Looking North West)



McDonalds Port Hedland - Wilson Street (Looking North East)

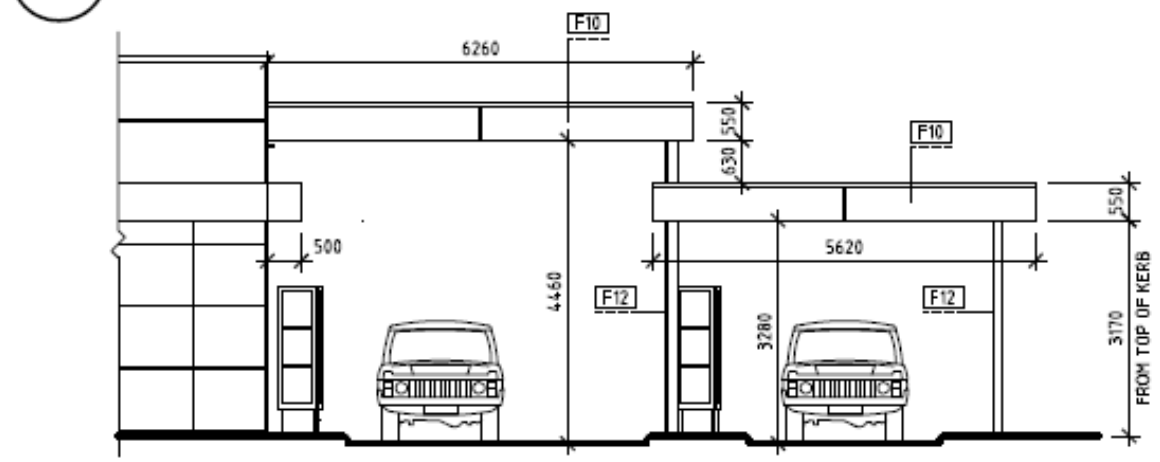




A DRIVE THRU CANOPY ELEVATION
SCALE 1:100

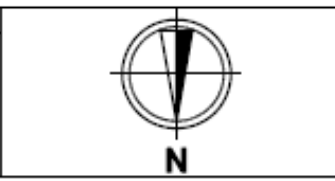


B DRIVE THRU CANOPY ELEVATION
SCALE 1:100



C DRIVE THRU CANOPY ELEVATION
SCALE 1:100

ISSUE	AMENDMENT	DATE	INT	NOTES
A	ISSUED FOR PLANNING APPROVAL	-	DA	1. DO NOT SCALE THIS DRAWING. 2. THE DRAWING SHOWS DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR/MANUFACTURER. 3. THIS IS A COMPUTER GENERATED DRAWING. DO NOT AMEND BY HAND. 4. FIGURE DIMENSIONS ARE TO BE USED. CONTACT ARCHITECT FOR CLARIFICATION IF DIMENSIONS ARE NOT CLEAR. 5. ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO THE ARCHITECT FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK. 6. ALL DIMENSIONS ARE IN MILLIMETERS.



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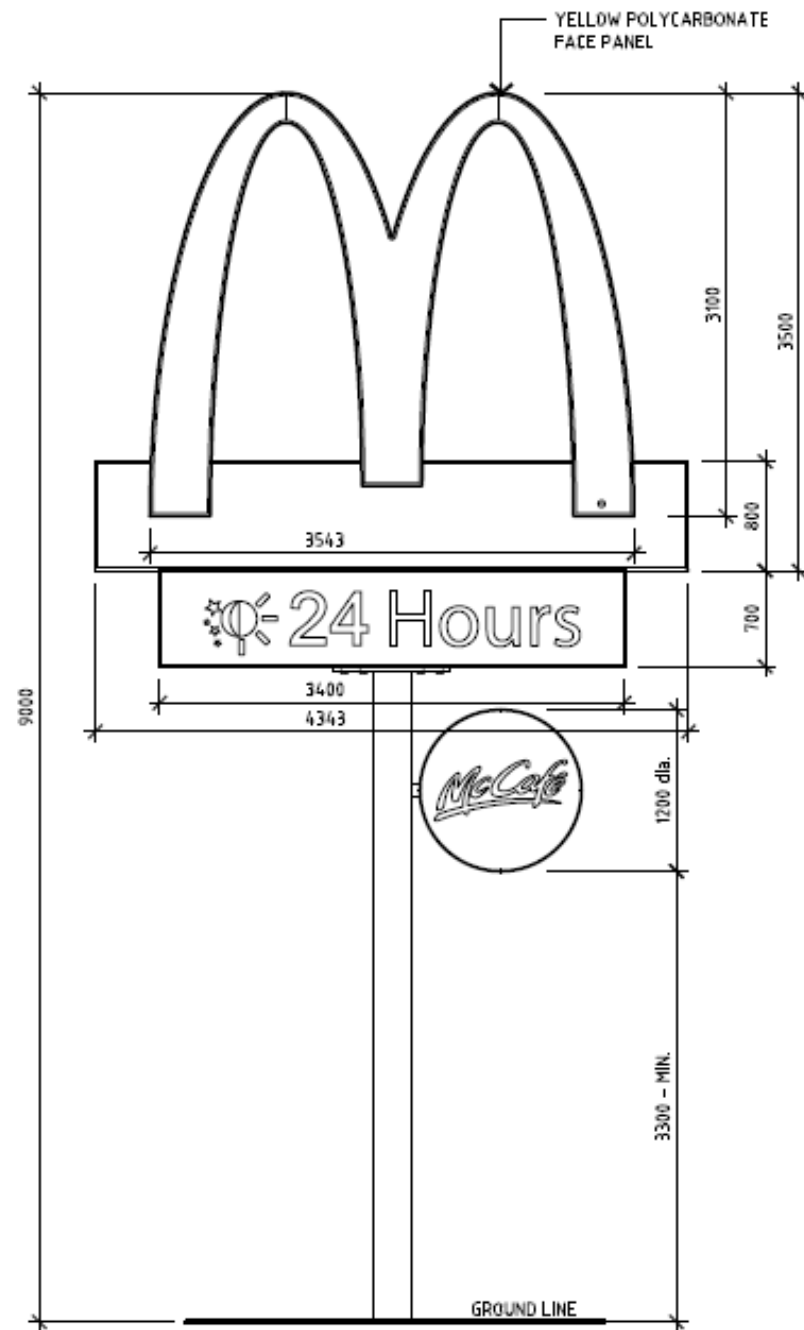
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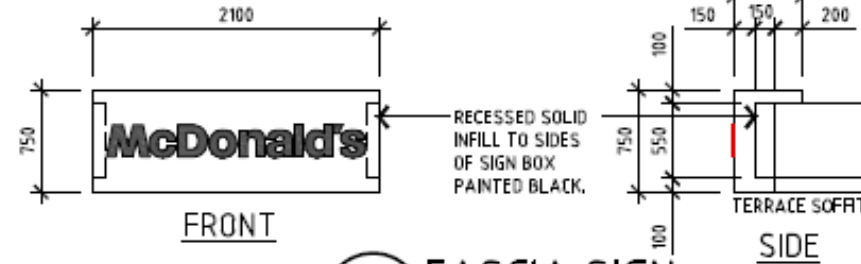
PROJECT:	JOB: 0510
PROPOSED McDONALD'S RESTAURANT WILSON STREET, PORT HEDLAND BOULEVARD PORT HEDLAND WA 6721	
TITLE: DRIVE THRU ROOF AND SCREEN DETAILS	
DRAWN: DA	CHECKED: AU
SCALE: 1:100	DWG. NO: DA07
REV: A	



S1 PYLON SIGN
S01



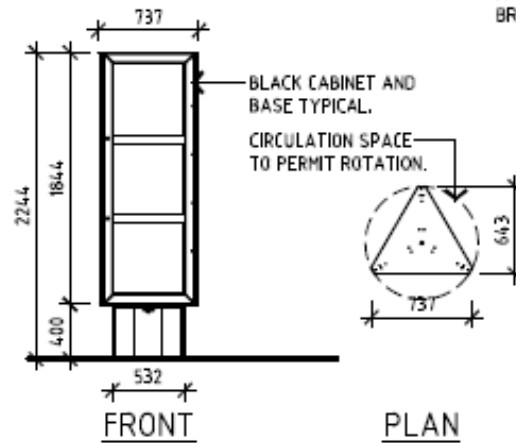
S2 WALL SIGN
S01 INDIVIDUAL POLYCARBONATE LETTERING. INTERNALLY ILLUMINATED. WHITE LETTERS.



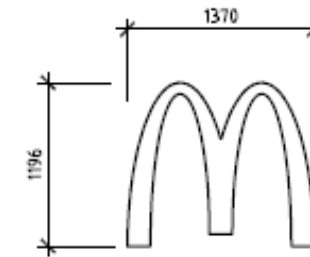
S2A FASCIA SIGN
S01 ENTRY CLIP



S4C WALL SIGN
S01 INDIVIDUAL HALO ILLUMINATED REVERSE PAN FABRICATED ALUMINIUM CHANNEL LETTERS. BRUSHED ALUMINIUM FINISH.



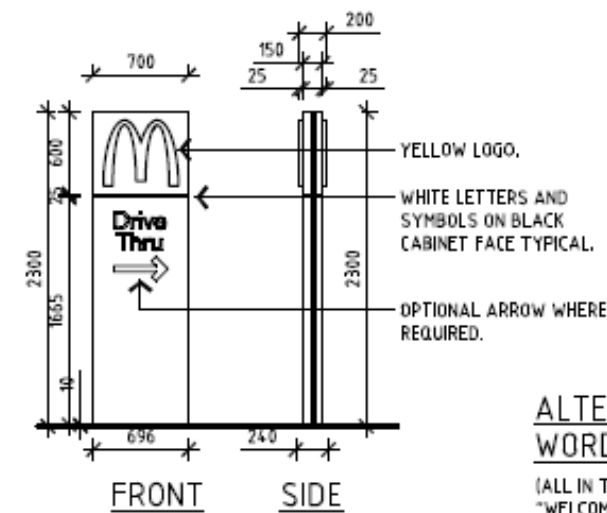
S7 ROTATING MENUBOARD / TRANSLITE
S01



S3 BLADE & WALL SIGN
S01 YELLOW FLAT FACE POLYCARBONATE LOGO. INTERNALLY ILLUMINATED. YELLOW LOGO ON SOLID RED BACKGROUND.



S4 BLADE SIGN
S01 INDIVIDUAL HALO ILLUMINATED REVERSE PAN FABRICATED ALUMINIUM CHANNEL LETTERS. BRUSHED ALUMINIUM FINISH.



S8 DIRECTIONAL SIGN
S01 FABRICATED ALUMINIUM CABINET FACES SHALL WITH WET SPRAY FINISH. FLAT BAR ALUMINIUM EDGE BANDING WITH WET SPRAY FINISH. LOGO, LETTERS AND SYMBOLS SHALL BE PUSH THROUGH ACRYLIC TYPE. LETTERS AND SYMBOLS SHALL BE INTERNALLY ILLUMINATED BY 240 VOLT FLUORESCENT TUBING.

ALTERNATIVE WORDING
(ALL IN TITLE CASE):
"WELCOME",
"NO ENTRY",
"THANK YOU",
"ANY LANE, ANY TIME"

ISSUE	AMENDMENT	DATE	INT	NOTES
A	ISSUED FOR PLANNING APPROVAL	11.12.13	DJA	<ol style="list-style-type: none"> DO NOT SCALE THIS DRAWING THE DRAWING SHOWS DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR/MANUFACTURER. THIS IS A COMPUTER GENERATED DRAWING. DO NOT AMEND BY HAND. FIGURE DIMENSIONS ARE TO BE USED. CONTACT ARCHITECT FOR CLARIFICATION IF DIMENSIONS ARE NOT CLEAR. ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO THE ARCHITECT FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK. ALL DIMENSIONS ARE IN MILLIMETERS

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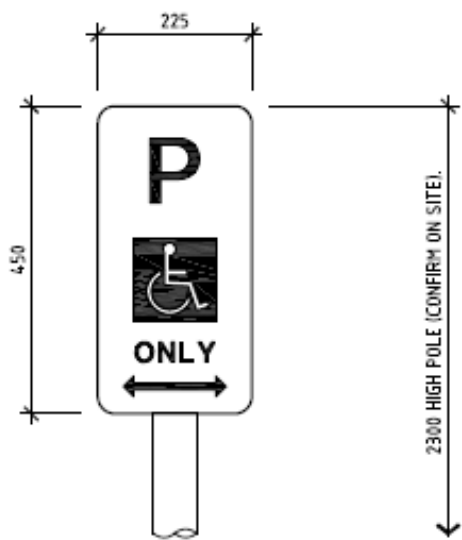
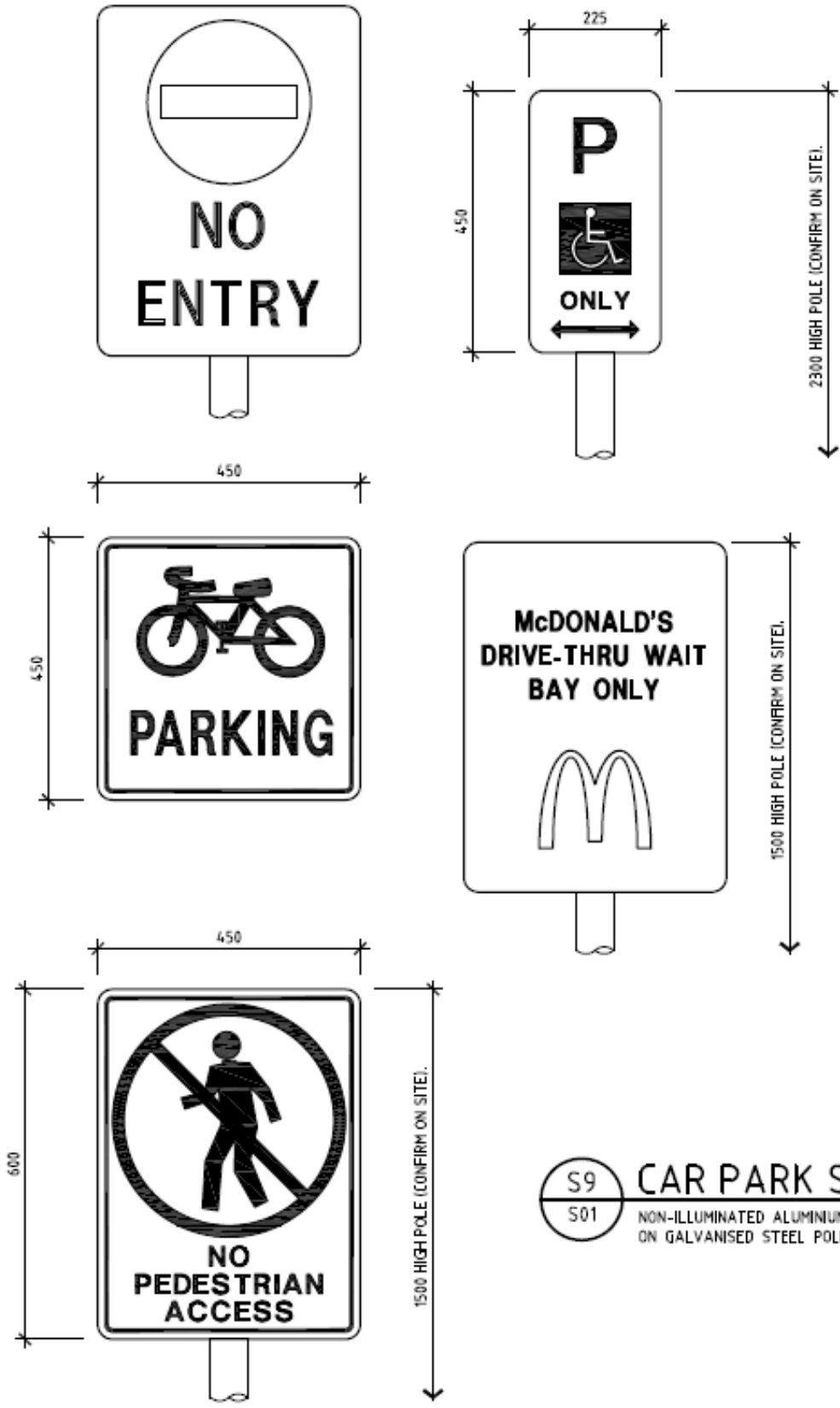
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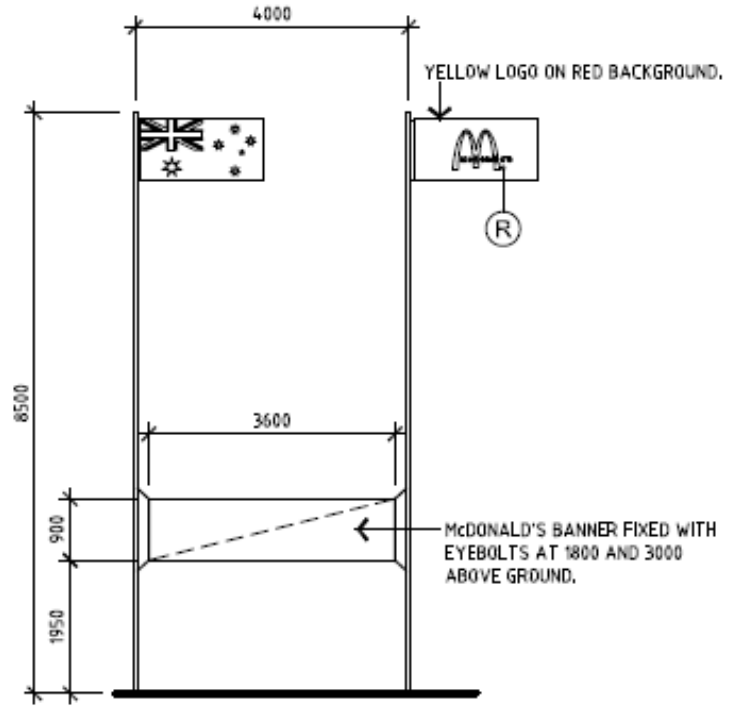
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SERIES: MOD_CUSTOM
REF: 01
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PROJECT SPECIFIC DRAWING
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PROJECT:	JOB: 0510
PROPOSED McDONALD'S RESTAURANT WILSON STREET, PORT HEDLAND BOULEVARD PORT HEDLAND WA 6721	
TITLE: SIGNAGE DETAILS 1 OF 2	
DRAWN: DIA	CHECKED: AU
SCALE: NOTED	DWG. NO: S04
REV: A	

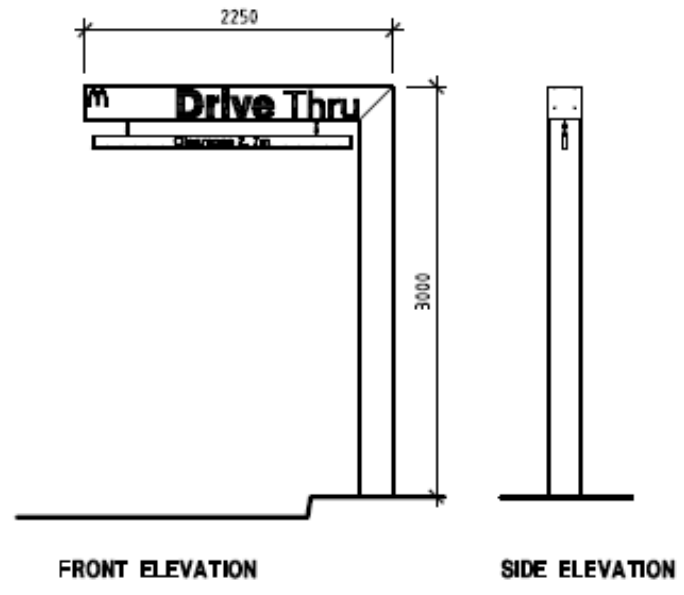
REFERENCES
FOR SIGNAGE COLOUR SPECIFICATION
(REFER DWG S01)



S9 CAR PARK SIGNAGE
S01 NON-ILLUMINATED ALUMINUM REFLECTIVE SIGN ON GALVANISED STEEL POLE TYPICAL.



S12 FLAG POLES
S01 SCALE 1:100



S6 HEIGHT CLEARANCE GANTRY
S01 SCALE 1:50
FRAMEWORK CONSTRUCTED FROM HOT DIP GALVANISED STEEL TUBE WITH BLACK PAINT FINISH. NON-ILLUMINATED. WHITE VINYL LETTERS. YELLOW VINYL "M" LOGO.

ISSUE	AMENDMENT	DATE	INT	NOTES
A	ISSUED FOR PLANNING APPROVAL	11.12.13	DJA	<ol style="list-style-type: none"> DO NOT SCALE THIS DRAWING THE DRAWING SHOWS DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR/MANUFACTURER. THIS IS A COMPUTER GENERATED DRAWING. DO NOT AMEND BY HAND. FIGURE DIMENSIONS ARE TO BE USED. CONTACT ARCHITECT FOR CLARIFICATION IF DIMENSIONS ARE NOT CLEAR. ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO THE ARCHITECT FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK. ALL DIMENSIONS ARE IN MILLIMETERS

<p>HINDLEY & ASSOCIATES PTY LTD BUILDING DESIGNERS 180 STirling Highway NEDLANDS WA 6009 PHONE +61 8 9388 8888 FAX +61 8 9388 8700 adh@hndley.com.au</p>	<p>BUILDING OPTIONS</p>	<p>McDonald's Australia Limited MARR 43 028 496 503 P 02 9875 8988 E1.dry@usa.mcd.com</p>	<p>NATIONAL DEVELOPMENT GROUP</p>	PROJECT:	JOB: 0510			
				<p>PROPOSED McDONALD'S RESTAURANT WILSON STREET, PORT HEDLAND BOULEVARD PORT HEDLAND WA 6721</p>	<p>TITLE: SIGNAGE DETAILS 2 OF 2</p>			
<p>STATUS FOR PLANNING APPROVAL</p>	<p>SERIES MOD_CUSTOM</p>	<p>REF. 01</p>	<p>UNMODIFIED MASTER DRAWING PROJECT SPECIFIC DRAWING</p>	<p>DRAWN DIA</p>	<p>CHECKED AUJ</p>	<p>SCALE NOTED</p>	<p>DWG. NO. S05</p>	<p>REV. A</p>

WASTE MANAGEMENT PLAN**McDonald's Restaurant – Part Lot 724 Anderson Street, Port Hedland**

- Any food product waste produced by the restaurant will be placed in garbage bags, sealed and deposited in a lidded waste container stored in the corral area of the restaurant (the 'Main Bin'), which is located to the north-east of the restaurant. The waste container will typically be emptied 4 times per week by a private waste collection service.
- The bin compound is cleaned following deliveries, approximately twice per week.
- All waste collections will be carried out between the hours permitted being 7.00am to 8.00pm.
- Cardboard waste will be compacted on site and collected separately.
- Waste cooking oil is stored in sealed containers and will be collected on a regular basis (typically monthly) by an accredited contractor and disposed of in an appropriate manner.
- Eight (8) waste bins are provided in appropriate locations to control litter both inside and outside the restaurant. These waste bins will be checked and emptied on a regular basis by our staff into the main bin.
- The main bin utilises vehicular collection during prescribed hours. The procedure involved is specific collection times are agreed with nominated waste contractor. The collection times are generally programmed to occur at 11.00am weekdays and will always be within the prescribed times imposed by the permit; namely between not before 7.00am and not after 8.00pm.

The times of collection are dependent upon the trading patterns of the restaurant, as are the numbers of collections required, and will be set once the restaurant is trading to ensure minimum disruption. The driver of the waste management vehicle (WMV) contacts the restaurant to alert them that the WMV is in close proximity prior to entering the site. As the WMV enters the site, our staff open the corral gates and prepare to manoeuvre the bin to the WMV. Once the WMV is stopped in the central driveway our staff manoeuvre the bin to WMV. The WMV then lifts and empties the bin, which is manoeuvred back to the corral by our staff as the WMV leaves the site. It is expected the collection will take less than 90 seconds. The operation is supervised by our staff at all times.

- McDonald's standard operating procedures continually strive to reduce waste and maximise the use of recyclable materials. Paper and cardboard is compacted and collated separately from the waste.

ATTACHMENT 3 TO ITEM 12.4



Scale : 1:2632 (Geographical)
MGA : SW=667625.6E,7752885.1N Zone 50 / NE=668153.3E,7753613.2N Zone 50
Lat/Long : 118°36'19.846", -20°18'52.683" / 118°36'37.790", -20°18'28.840" H 263mm by W 198mm

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MCDONALD
PROPOSED RESTAURANT
MCGREGOR STREET, PORT HEDLAND

TRAFFIC ASSESSMENT

February 2014



PO Box Z5578
Perth WA 6831
0413 607 779 Mobile

Issued on	25 February 2014	Amendment	Date
Version	V1A	Text amendment	25-02-14
Reference	725		

McDonalds, Port Hedland



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- 7.0 ACCESS
- 8.0 SERVICE VEHICLE ACCESS

1.0 EXECUTIVE SUMMARY

Riley Consulting has been commissioned by McDonalds to consider the traffic impacts of the proposed Port Hedland restaurant to be located adjacent to the existing Port Hedland Boulevard shopping centre. The analysis undertaken in this report indicates the following:

- The proposed development of a McDonalds store adjacent to the Boulevard shopping centre can be expected to result in a high level of reciprocal trade. During the evening peak period it is calculated that the proposed restaurant could increase local traffic by about 72 vehicle movements during the evening peak hour.
- Assessment of the surrounding road network indicates the proposed development will have no significant traffic impact. All roads are forecast to continue to operate with current Levels of Service. The development will have no detrimental impact to the operation of the surrounding road network.
- Peak hour analysis has been undertaken of the Wilson Street / McGregor Street intersection. The analysis indicates all movements operating with Level of Service A except the right turn from McGregor Street which is shown to operate at Level of Service B. The proposed McDonalds will not negatively impact the operation of the Wilson Street / McGregor Street intersection.
- Sensitivity testing is also provided for Wilson Street / McGregor Street and shows with an increase in traffic of 162%, all movements operate with Level of Service A/B except the right turn from McGregor Street which is shown to operate at Level of Service D. The operation of the intersection under this extreme scenario is still acceptable.
- Analysis of the access to McGregor Street indicates Level of Service A for all movements. The development of a McDonalds store adjacent to the shopping centre is shown to have no detrimental impact to the operation of the access to McGregor Street. Sensitivity analysis also indicates excellent Levels of Service.



McDonalds, Port Hedland

2.0 THE SITE AND SURROUNDING ROAD NETWORK

The proposed restaurant is to be located adjacent to the Port Hedland Boulevard shopping centre at the corner of McGregor Street and Wilson Street. Figure 1 shows the location of the site. Road adjacent to the subject site are discussed below.

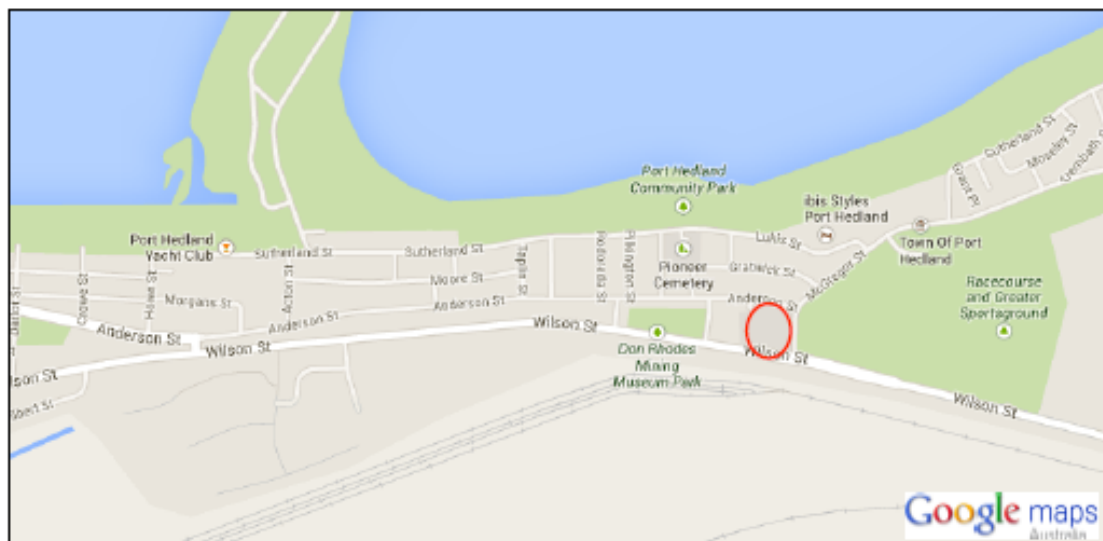


Figure 1 Site Location

Current traffic data available from Main Roads is shown in Table 1.

Table 1 Traffic Data

Road	Location	VPD	HGV	AM		PM	
Wilson St	E Coolinda St	9,992	16%	359 E	292 W	221 E	546 W
Wilson St	W Cooke Point Rd	11,825	16%	420 E	301 W	391 E	577 W
McGregor St	W Crawford St	5,194	-	116 N	239 S	372 N	197 S
Anderson St	E Brearley St	2,878	-	79 E	121 W	144 E	103 W

Counts taken in 2012 and 2013

Wilson Street is the main access road into the town of Port Hedland. It is constructed with a four lane divided carriageway adjacent to the subject site, but reduces to a single carriageway of two lanes further to the southeast. Current traffic data sourced from Main Roads indicates 9,992 vehicles per day passing the subject site.

McDonalds, Port Hedland



McGregor Street is a local distributor road servicing the shopping centre and provides access to a catchment of about 200 dwellings. Available traffic data adjacent to Crawford Street shows 5,194vpd (2012). It is constructed as a standard single carriageway road of about 7.2 metres width.

Anderson Street is a local distributor road that provides a parallel route to Wilson Street to the centre business area of Port Hedland. It provides secondary access for the shopping centre and is constructed with a standard single carriageway of about 7.2 metres.

The shopping centre has an approximate floor area of 5,000m² based on the level of car parking provided. The gross floor area equates to about 6,400m² (based on aerial photography) suggesting about 1,400m² would be common mall area. Reference to recognised trip generation source documents indicates this size of centre would generate about 120 trips per 100m², or about (5,000 / 100 x 120) 6,000 movements per day. Approximately 12.5% of the daily movement can be expected during the evening peak hour, or 750 movements.

3.0 TRAFFIC GENERATION

The provision of a McDonalds store adjacent to the shopping centre can be expected to attract a very high level of cross-visitation. Research undertaken for McDonalds has identified that some 40% of vehicle movements attracted to McDonalds are reciprocal to adjacent shopping centres. It had also been identified that about 70% of movements use the drive-through facility.

Typically, McDonalds stores have an average peak hour attraction of 60 customers, of which 70% (42) are associated with the drive-through. Based on customer numbers it can be derived that there will typically be (60 customers x 2 trips) 120 vehicle movements during the evening peak hour. Of these movements, 40% can be expected to be associated with trips to the shopping centre, indicating that the proposed McDonalds store can be expected to increase local traffic movements by up to 72 trips during the evening peak hour.

It is anticipated that McDonalds will attract 72 new evening peak hour trips.

McDonalds, Port Hedland



Although the increase in movements shown is used for traffic assessment purposes, it is likely that a further 40%¹ of the traffic attraction would be pass-by trips (traffic already driving past the site) and the actual increase in local traffic movements would be in the order of 43 trips in the evening peak hour.

The typical customer patronage between 5pm and 6pm equates to about 6% of the daily customer numbers, indicating that the peak attraction of 72 movements would equate to 1,200 movements per day. Again with reference to the ITE Trip Generation, 40% of the forecast traffic would be expected to currently pass the site, indicating that the new store would actually increase local traffic by about 720 vehicle movements per day.

It is expected that the proposed McDonalds could increase local traffic by 720vpd to 1,200vpd depending upon the current pass-by attraction.

4.0 DISTRIBUTION

ABS data indicates Port Hedland has 1,006 dwellings of which 50% would be accessed from McGregor Street, 30% accessed from Wilson Street east, 10% from Anderson Street. The high level of commercial land uses to the west can be expected to increase the attraction and an attraction of 10% is assumed from Wilson Street west. However, during the evening peak most trips would be pass-by. Appendix A indicates the anticipated distribution of traffic associated with the shopping centre and McDonalds.

5.0 TRAFFIC IMPACTS

The proposed development of a McDonalds store in port Hedland can be expected to attract a high level of pass-by trade. Based on the distribution, assessment of the local road network is made in regard to daily traffic flows. Table 2 indicates the impacts to current Levels of Service. The Level of Service rates are shown in Appendix B.

¹ Refer ITE Trip Generation manual

McDonalds, Port Hedland

**Table 2 Traffic Impact to Level of Service**

Road	VPD	LoS	Development	Forecast	LoS
Wilson Street west	9,992	A	120	10,112	A
Wilson Street east	11,825	A	360	12,185	A
McGregor St	5,194	C	600	5,794	C
Anderson St	2,878	B	120	2,998	B

Table 1 demonstrates that the proposed development will have no impact in regard to current Levels of Service.

The proposed McDonalds store will not current Levels of Service on the surrounding road network

6.0 PEAK HOUR ANALYSIS

Analysis of the intersection of Wilson Street and McGregor Street has been requested to ensure that the intersection will continue to operate in a safe and appropriate manner. Analysis using Sidra has been undertaken and the results attached as Appendix C and include the proposed McDonalds store. Table 3 shows the summary results for the PM peak period with McDonalds.

Table 3 Wilson Street / McGregor Street PM Peak Analysis

Approach	V/C	Delay	LoS
Wilson Street east	0.297	6.5s	A
McGregor St	0.206	13.2	B
Wilson Street west	0.152	0.7s	A

Table 3 shows excellent Levels of Service can be expected at the Wilson Street / McGregor Street intersection.

The intersection of Wilson Street / McGregor Street will continue to operate with good Levels of Service.

McDonalds, Port Hedland



Sensitivity testing has also been undertaken using Sidra's design life model and with a flow scale analysis of 162%. Under both tests the intersection is shown to operate within capacity and with acceptable Levels of Service. The test results are attached as Appendix D.

The proposed McDonalds will not adversely affect the operation of the Wilson Street / McGregor Street intersection.

7.0 ACCESS

Access to the proposed McDonalds store can be expected to primarily occur from McGregor Street and Wilson Street. Whilst traffic attracted to the shopping centre will also use Anderson Street, it is unlikely that traffic attracted to McDonalds will use this access due to the circuitous nature of the car park.

Sidra analysis of the access to McGregor Street is attached as Appendix E. The analysis includes the proposed McDonalds store and indicates that Level of Service A can be expected for all movements.

Access to McGregor Street will operate with Level of Service A.

Sensitivity analysis of a 200% increase to all movements indicates that Level of Service D would occur for the right turn out of the shopping centre access to McGregor Street. All other movements continue to operate with Level of Service A. The sensitivity analysis reflects a shopping centre twice as large and the equivalent of about 8,500 vehicles per day using McGregor Street.

It is concluded that the existing access to the shopping centre from McGregor Street will continue to operate in an acceptable manner.

8.0 SERVICE VEHICLE ACCESS

A check of the proposed layout has been undertaken and based on NAASRA (Austroads) turning templates for a semi trailer, appropriate road widths are provided on site to cater for such vehicles to service the store.

McDonalds, Port Hedland



APPENDIX A

SHOPPING CENTRE ATTRACTION



McDonalds, Port Hedland



APPENDIX B

Table 1 Levels of Service by Road Type

LOS	Single Carriageway ¹	2-Lane Boulevard ²	Dual Carriageway (4-Lanes) ³	Dual Carriageway (4-lane Clearway) ³
A	2,400vpd	2,600vpd	24,000vpd	27,000vpd
B	4,800vpd	5,300vpd	28,000vpd	31,500vpd
C	7,900vpd	8,700vpd	32,000vpd	36,000vpd
D	13,500vpd	15,000vpd	36,000vpd	40,500vpd
E	22,900vpd	25,200vpd ⁴	40,000vpd	45,000vpd
F	>22,900vpd	>25,200vpd ⁴	>40,000vpd	>45,000vpd

¹ Based on Table 3.9 Austroads - Guide to Traffic Engineering Practice Part 2

² Based on single carriageway +10% (supported by Table 3.1 Austroads - Guide to Traffic Engineering Practice Part 3) – Boulevard or division by medians.

³ Based on RRR Table 3.5 - mid-block service flow rates (SF.) for urban arterial roads with interrupted flow. Using 60/40 peak split.

⁴ Note James Street Guildford passes 28,000vpd.



McDonalds, Port Hedland

APPENDIX C

ANALYSIS OF WILSON STREET INTERSECTION

MOVEMENT SUMMARY

Site: Wilson PM maccas

Wilson Street / McGregor Street
 PM Peak
 With McDonalds

Giveaway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flow	HV	Deg. Satn	Average Delay	Level of Service	95% Back of Queue Vehicles	Distance	Prop. Queued	Effective Stop Rate	Average Speed	
		veh/h	%	v/c	sec		veh	m		per veh	km/h	
East: Wilson St east												
5	T	193	16.0	0.055	0.0	LOS A	0.0	0.0	0.00	0.00	60.0	
6	R	231	0.0	0.297	11.9	LOS A	1.7	12.1	0.59	0.88	45.2	
Approach		423	7.3	0.297	6.5	LOS A	1.7	12.1	0.32	0.48	50.9	
North: McGregor St												
7	L	129	0.0	0.206	12.2	LOS A	1.0	6.7	0.56	0.85	44.9	
9	R	43	0.0	0.117	16.4	LOS B	0.5	3.4	0.72	0.90	41.4	
Approach		173	0.0	0.206	13.2	LOS B	1.0	6.7	0.60	0.86	44.0	
West: Wilson St west												
10	L	48	0.0	0.152	8.2	LOS A	0.0	0.0	0.00	0.97	49.0	
11	T	489	16.0	0.152	0.0	LOS A	0.0	0.0	0.00	0.00	60.0	
Approach		538	14.6	0.152	0.7	LOS A	0.0	0.0	0.00	0.09	58.8	
All Vehicles		1134	9.6	0.297	4.8	NA	1.7	12.1	0.21	0.35	53.0	



McDonalds, Port Hedland

APPENDIX D

SENSITIVITY TESTING OF WILSON STREET INTERSECTION

MOVEMENT SUMMARY

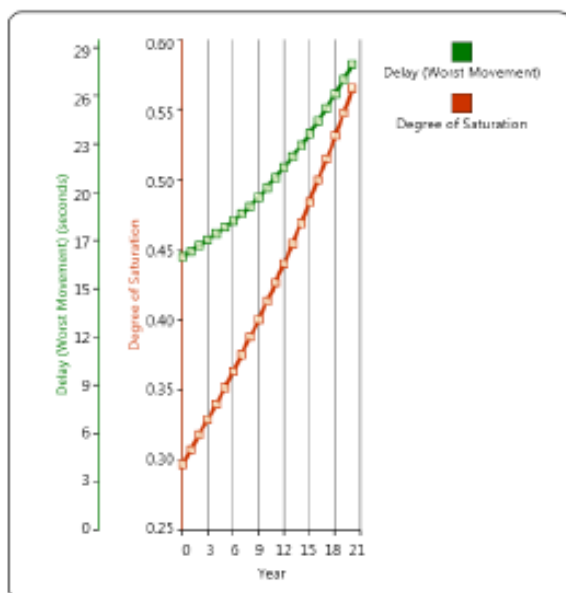
Site: Wilson PM maccas

Wilson Street / McGregor Street
 PM Peak
 With McDonalds

Giveaway / Yield (Two-Way)

Flow Scale Analysis (Practical Capacity): Results for Flow Scale (chosen as largest for any movement) = 162.0 %

Movement Performance - Vehicles											
Mov ID	Turn	Demand Flow veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles	95% Back of Queue Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
East: Wilson St east											
5	T	312	16.0	0.088	0.0	LOS A	0.0	0.0	0.00	0.00	60.0
6	R	373	0.0	0.786	26.1	LOS B	7.9	55.1	0.91	1.36	34.9
Approach		686	7.3	0.787	14.2	LOS B	7.9	55.1	0.49	0.74	43.1
North: McGregor St											
7	L	210	0.0	0.566	21.8	LOS B	3.5	24.3	0.83	1.08	37.5
9	R	70	0.0	0.499	43.7	LOS D	2.2	15.4	0.94	1.05	27.3
Approach		280	0.0	0.566	27.3	LOS D	3.5	24.3	0.86	1.08	34.3
West: Wilson St west											
10	L	78	0.0	0.246	8.2	LOS A	0.0	0.0	0.00	0.97	49.0
11	T	793	16.0	0.246	0.0	LOS A	0.0	0.0	0.00	0.00	60.0
Approach		871	14.6	0.246	0.7	LOS A	0.0	0.0	0.00	0.09	58.8



Design Life Sidra Analysis

McDonalds, Port Hedland



APPENDIX E

ANALYSIS OF SHOPPING CENTRE ACCESS TO MCGREGOR STREET

Shopping Centre Access to McGregor Street
PM Peak with McDonalds
Giveaway / Yield (Two-Way)

Movement Performance - Vehicles											
Mov ID	Turn	Demand Flow veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Queue Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
South: McGregor St South											
1	L	129	0.0	0.145	8.2	LOS A	0.0	0.0	0.00	0.83	49.0
2	T	147	0.0	0.145	0.0	LOS A	0.0	0.0	0.00	0.00	60.0
Approach		277	0.0	0.145	3.8	LOS A	0.0	0.0	0.00	0.39	54.3
North: McGregor Street North											
8	T	63	0.0	0.140	1.3	LOS A	0.9	6.1	0.39	0.00	51.6
9	R	117	0.0	0.140	9.5	LOS A	0.9	6.1	0.39	0.75	47.9
Approach		180	0.0	0.140	6.7	LOS A	0.9	6.1	0.39	0.48	49.2
West: Shopping Centre Access											
10	L	117	0.0	0.264	9.3	LOS A	0.6	4.0	0.33	0.67	47.5
12	R	91	0.0	0.186	13.5	LOS A	0.9	6.4	0.56	0.83	43.7
Approach		207	0.0	0.264	11.1	LOS A	0.9	6.4	0.43	0.74	45.8
All Vehicles		664	0.0	0.264	6.9	NA	0.9	6.4	0.24	0.52	50.0

SENSITIVITY ANALYSIS

Shopping Centre Access to McGregor Street
PM Peak with McDonalds
Giveaway / Yield (Two-Way)

Flow Scale Analysis (Practical Capacity): Results for Flow Scale (chosen as largest for any movement) = 198.0 %

Movement Performance - Vehicles											
Mov ID	Turn	Demand Flow veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Queue Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
South: McGregor St South											
1	L	256	0.0	0.288	8.2	LOS A	0.0	0.0	0.00	0.83	49.0
2	T	292	0.0	0.288	0.0	LOS A	0.0	0.0	0.00	0.00	60.0
Approach		548	0.0	0.288	3.8	LOS A	0.0	0.0	0.00	0.39	54.3
North: McGregor Street North											
8	T	125	0.0	0.366	4.8	LOS A	3.2	22.7	0.66	0.00	47.1
9	R	231	0.0	0.365	13.0	LOS A	3.2	22.7	0.66	0.98	45.0
Approach		356	0.0	0.365	10.1	LOS A	3.2	22.7	0.66	0.64	45.8
West: Shopping Centre Access											
10	L	231	0.0	0.609	14.1	LOS A	2.4	17.1	0.54	0.95	43.2
12	R	179	0.0	0.776	43.6	LOS D	6.4	45.0	0.93	1.31	27.2
Approach		411	0.0	0.776	27.0	LOS D	6.4	45.0	0.71	1.11	34.4
All Vehicles		1315	0.0	0.776	12.8	NA	6.4	45.0	0.40	0.68	44.1



09 April 2014

Ryan Soerja Djanegara
Senior Strategic Planner
Town of Port Hedland
PO Box 41
Port Hedland WA 6721

Our ref: 61/30813
140961
Your ref:

Dear Ryan,

McDonald's Port Hedland Development Application Transport Review

We have undertaken a review of the following transport elements of the McDonald's Port Hedland Development Application:

- Traffic data utilised
- Trip generation
- Traffic report analysis
- Assumptions
- Circulation and access arrangements
- Car parking provision and requirements

The following documentation was considered in the review:

- McDonald Proposed Restaurant, McGregor Street, Port Hedland Traffic Assessment, Riley Consulting (25 February 2014 Issue)
- Urbis Letter Re "Proposed McDonald's Restaurant – Part Lot 724 Anderson Street, Port Hedland (DA 2013/713) – Response to Comments Raised" dated 26 February 2014
- Email correspondence between Town of Port Hedland, Main Roads and Urbis re additional information from February and March 2014
- Email correspondence between Town of Port Hedland and Urbis (11 March 2014) regarding parking provision
- Drawings including
 - Overall Site Plan, Dwg No DA01 Rev C
 - Site Plan, Dwg No DA02 Rev C
 - Delivery Truck Path, Dwg No DA03 Rev B
 - Parking Calculations Plan

Further to the above, a discussion was held with the author of the Traffic Assessment; Riley Consultants (Jonathon Riley), providing additional clarification and information on components of the report. This additional data has been included in the findings provided.

The sections below provide a technical summary of the findings from the review, in accordance with the elements detailed above.

Traffic Data Used

The traffic data used for the mid-block analysis of the local road networks is sourced from Main Roads WA 2013 counts and is considered suitable for this assessment. The traffic volumes used for the analysis of the Wilson St/McGregor St intersection are discussed in the analysis section of this summary.

Trip Generation

Generation Rates

The RTA Guide to Traffic Generating Developments allows for an evening peak hour trip generation of 180 vehicles for a McDonalds. It does however state *"Surveys in 1990 of McDonalds and Kentucky Fried Chicken outlets found substantially different generation rates. Gross floor area did not provide a good indication of the generation rates. The general guidelines presented provide a basis for assessment. If these guidelines are considered to be inappropriate in the circumstances, the applicant should prove why other rates might be more appropriate, preferably through comparison with other similar sites."*

In the traffic assessment undertaken, it is stated that "McDonalds stores have an average peak (evening) hour attraction of 60 customers." From further discussion with Riley Consulting, it was determined that this figure is based on surveys undertaken at the Innaloo (Perth) McDonald's store. We were advised that the Innaloo store has a population catchment of approximately 72,000, and the population of Port and South Hedland combined is approximately 13,000. Whilst this is significantly lower, the Innaloo store is competing for customers with a variety of other fast food outlets, whereas this competition is much lower in Port Hedland. It is therefore considered appropriate and conservative to use the figure of 60 as the trip generation rate for this development. Obviously it would be ideal to utilise information from a regional location at a shopping centre, similar to the site proposed, but we understand that this information is not currently available.

Given the above, the likely traffic generation of 120 vehicle movements in the peak period detailed in the traffic report is considered appropriate.

Reciprocal Movements

Riley Consulting confirmed that the research (surveys) used to determine the likely percentage of reciprocal movements to a shopping centre and the percentage of movements that use the drive through is taken from stores at Innaloo, North Perth, Morley and Mirrabooka. When considering the Innaloo store

specifically the pedestrian route between the shopping centre and the McDonald's store is not attractive (crossing the entry road to a selection of fast food outlets, markets and a service station and over a change in grade), yet the 40% is still achieved. This figure was also consistent across the different locations, suggesting that it is a typical occurrence at McDonald's stores situated adjacent to shopping centres.

Further to this, we understand that the shopping centre evening peak period from approximately 5.30 to 6.30 aligns with the evening peak period for the proposed store. This supports the assumption of reciprocal use.

As there is consistent research undertaken that supports the 40% reciprocal use, it is considered appropriate to apply this figure, which equates to a likely additional traffic movement of 72 in the peak period from the McDonald's development.

Pass-by trips

The traffic report indicates that 40% of the traffic attraction would be pass-by trips (in accordance with ITS Trip generation manual). It is considered that this 40% has effectively been covered already by the allowance for reciprocal movements and therefore should not be applied a second time. This means that the daily increase of 1,200 vehicles is considered the appropriate number for analysis (as has been used in the traffic assessment).

Traffic report analysis

Shopping centre entry/exit analysis

Analysis has been undertaken of the McGregor St entry/exit to the shopping centre. It would be expected that analysis should also be undertaken of the Wilson St entry/exit, as it is the other access point likely to be used by customers of the proposed McDonald's store.

Details have not been provided of the source of the volumes for the McGregor St access point analysis and therefore we are unable to make comment on the suitability of these and the results themselves.

However, if actual traffic counts at the access points are not available, we would suggest the Town of Port Hedland consider the current operation from local knowledge. If there does not appear to be an issue currently, then the addition of 72 vehicle movements split between entries (the majority of these is likely to utilise the Wilson St and McGregor St entry points) may not be an issue and further analysis may not be required.

If the Town is not comfortable making this assessment, then it is considered that the most appropriate way to undertake this analysis would be to complete surveys at the entry/exit points on a typical evening peak period and use this combined with the traffic generation as the assessment volumes. Alternatively, confirmation should be sought on the source of the volumes used for McGregor St.

Local road network mid-block analysis

The likely distribution of the trips generated by the proposed McDonald's can be determined in a variety of ways. If the trips are to come from residential areas, then the ABS data documented in the traffic report would be appropriate. If the trips are coming from the pass-by trade (or those already accessing the shopping centre) then it would be appropriate to distribute the movements in accordance with current traffic volumes on adjacent roads. It is our understanding that the expected origin of trips is to be a combination of both and therefore not as simple as documented in the traffic report. Therefore 40% of the trips generated should be distributed in accordance with current traffic volumes on surrounding road networks and the remaining 60% in accordance with the ABS data documented.

However, if we ignore the distribution for the moment and add the total number of daily generated trips onto each of the adjacent roads, we can assess the worst case scenario for each road. By using the Austroads level of service volumes provided in Appendix B of the report, the addition of all 1,200 vehicles onto each road shows that they are likely to still operate with the same level of service. This means that the distribution is irrelevant to the local road network mid-block assessment.

Wilson St/McGregor St Intersection analysis

The traffic volumes used for analysis of the site have been determined based on assumed distribution of traffic and the 2013 Main Roads WA mid-block volumes, as actual turning counts were not available. GHD undertook project work on the possible future upgrade of the Wilson St/McGregor St intersection for Main Roads WA in 2013 and as part of this project had access to turning counts at this location. Our Main Roads project manager has confirmed that we are able to utilise these in this review. It is noted that these turning counts are from a single survey on the 23 August 2013. The table below provides a comparison of these volumes (PM peak hour) with those determined in the traffic assessment.

Street	Movement	Traffic Assessment Volume (veh)	Turning Count Volumes (veh)
Wilson St East	T	193	206
	R	231	246
McGregor St	L	129	137
	R	43	62
Wilson St West	L	48	160
	T	489	525

Most of the numbers utilised in the traffic assessment are comparable with those from the August 2013 count. The concern is the left turn from Wilson St west to McGregor St. The number of vehicles used in the assessment is 48 compared to a count of 160 vehicles. This is likely to have a substantial impact on the analysis results. We suggest that a review of the analysis be undertaken with the count volumes above.

Following our discussion with the Main Roads project manager we understand that Main Roads are currently considering the upgrade of Port Hedland Road which may possibly commence in 2015 (subject to approval and Federal Government funding). Depending on the proposed timing for the McDonalds development, consideration should be given to using the future intersection layout for analysis.

Assumptions

As mentioned above, if an analysis of the entry/exit points to the shopping centre is required, then we believe that surveys would be appropriate. In the traffic report, an assumption was made on the floor area based on the current parking provision and back calculations undertaken to determine the evening peak hour movements this equates to. Given that anecdotal evidence suggests there is insufficient parking at the shopping centre at the moment, this assumption appears flawed.

Circulation and access arrangements

The arrangement proposed for the entry from McGregor St into the proposed McDonald's drive through appears to have a number of conflict issues.

Firstly the vehicles entering the drive through may be in conflict with vehicles reversing from the bays proposed both adjacent to the McDonald's and on the northern side of the drive through. Two of the bays on the northern side are designated for staff, which should mean that these vehicles are not leaving whilst the drive through is in operation, and hence pose minimal concern. However, the remaining two bays are proposed for customers and would be an issue. It is likely that these bays will not be utilised. This should be taken into consideration when reviewing the parking provision.

A second concern is the conflict between the vehicles entering the drive through from McGregor St and those coming from the western end of the shopping centre. It is unclear who would have right of way. In addition there is a cross over with vehicles entering and exiting the shopping centre itself. The provision of a small island to separate the vehicles entering the drive through and those entering the shopping centre may cause more issues than it solves. It is considered an unlikely occurrence that vehicles will queue far enough back to block the entry into the shopping centre, as customers seeing a queue of this size are likely to park and enter the premises. Further to this, (as is discussed under trip generation rates) likely patronage of the venue does not suggest that queuing to this point is likely to occur. There is also the possibility that the additional island may create uncertainty for drivers as to where they are going and any hesitation at a corner like this, may result in increased rear end collisions.

It is proposed that the island be removed and a single line marking separating entering and exiting traffic be created. This will also allow for slightly wider lanes at this point ie provision of two lanes rather than three.

Whilst the swept paths of turning vehicles have not been provided, there does not appear to be an obvious issue for car access. The swept paths for trucks accessing the McDonald's have been provided and whilst these utilise all available space, this is not considered an issue as this is generally out of service hours.

Car Parking

We understand that an agreement has been reached on the provision of parking bays in accordance with the email from Town of Port Hedland (Ryan Djanegara) and Urbis (Simon Wilkes) on Tuesday 11th March 2014. This agreement includes 52 bays to be provided for the development (in the addition to the 21 already proposed).

The placement of two staff bays behind the queuing of the drive through appears appropriate, however access to and use of the two bays adjacent to these is impacted by the drive through operation. It is considered that these may be wasted bays and should be further considered in the provision of parking.

Summary

The key findings are summarised below:

- The 2013 traffic data used is considered suitable for the assessment.
- The trip generation rates (from McDonald's research) are considered conservative and suitable for use in the assessment.
- Allowing for 40% reciprocal movements with the shopping centre is justified based on research undertaken.
- The application of an additional reduction of 40% for pass-by trips is considered inappropriate; however this was not applied in the analysis undertaken.
- The analysis of shopping centre access points is limited to McGregor St only and is not based on actual survey volumes. It would be preferable to undertake surveys to obtain data and then complete analysis for both the McGregor St and Wilson St access points. However, if the Town of Port Hedland is confident that the current access points are not an issue and can make a judgement on anecdotal evidence, then additional analysis may not be required.
- The mid-block analysis, even without distribution of vehicle movements generated, indicates no change in the level of service achieved on the surrounding road network.
- The Wilson St/McGregor St intersection analysis should be revisited using actual turning counts available from Main Roads WA (2013). Consideration should be given to the timing of the proposed development and possible timing of the intersection upgrade, and whether this analysis should use the existing layout or the proposed future layout.
- Minor improvements are suggested to the proposed layout at the entry point to the drive through, in order to reduce the complication. Consideration should be given to the level of conflict achieved between vehicles entering the drive through from Wilson St direction and those entering the shopping centre from McGregor St.
- The car parking provision appears to have been agreed between the Town of Port Hedland and Urbis. However, further consideration should be given to the suitability of customer bays opposite the entry point to the drive through.

We trust that this provides the Town of Port Hedland with sufficient information to consider the transport elements of the McDonald's Port Hedland development application. If there is any further information or clarification required, please do not hesitate to contact us.

Sincerely
GHD Pty Ltd

A handwritten signature in blue ink, appearing to read 'Alexandra Piper', written over a light blue horizontal line.

Alexandra Piper
Principal Transport Consultant
6222 8928

6.44pm Councillor Hunt declared a financial interest in Item 12.5 'Kingsford Business Park – Progress Report (File No.: 01/04/0001)' as she has BHP Billiton shares over the statutory threshold.

6.44pm Councillor Daccache declared a financial interest in Item 12.5 'Kingsford Business Park – Progress Report (File No.: 01/04/0001)' as he has BHP Billiton shares over the statutory threshold.

Councillors Hunt and Daccache left the room.

12.5 *Kingsford Business Park – Progress Report (File No.: 01/04/0001)*

Officer Sara Bryan
Manager Investment and Business Development

Jenella Voitkevich
Manager Infrastructure Development

Date of Report 7 April 2014

Disclosure of Interest by Officer Nil

Summary

This report provides a summary of the progress of the development, specifically the following key topics:

- Subdivision Construction
- Disposal Strategy
- Subdivision of Lot 412

Council is requested to approve strategies associated with the key topics.

Background

In March 2012 Council supported a Private Treaty with BHP Billiton (BHPB) to undertake a 39 lot subdivision of Airport land now formally named the Kingsford Business Park. Upon completion of the subdivision, all of the lots (excluding Lot 34) would remain in the ownership of the Town and subject to sale or lease. BHPB is currently constructing the subdivision.

The Town is presently marketing the Kingsford Business Park to investors as the premier business address in Port Hedland.

The money received from the Private Treaty and sale / leasing of the Kingsford Business Park will be initially spent on two major projects which will transform the economic landscape of the Town; the development of the Spoilbank Marina (joint venture between the Town of Port Hedland and the Western Australian State Government) and the redevelopment of the Port Hedland International Airport.

In August 2013 an application to subdivide Lot 412 (Bunnings Lot) was approved. This creates a 1.5436ha lot for Bunnings, 3 smaller parcels for separate sale and a new road to access the lots.

Consultation

This report has been prepared in consultation with the Towns Marketing, Planning, Economic Development and Airport Redevelopment departments.

Statutory Implications

Section 6.8 'Expenditure from municipal fund not included in annual budget' applies.

Policy Implications

Nil.

Strategic Planning Implications

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

6.2	Economic
6.2.1	Diverse Economy
	Facilitate commercial, industry and town growth. Enhance supply of suitably located and supported industrial and retail land.

Budget Implications

Subdivision of Lot 412 and Associated Construction:

The construction and servicing of the subdivision of Lot 412 is separate to the current agreement with BHPB and has not been allocated an expenditure budget. To satisfy the current BHPB Agreement conditions and the Towns procurement policy it's proposed that the construction will occur in two consecutive stages. The following table outlines cost estimates and Councils contribution.

Stage Description	Cost Estimate	TOPH Contribution
1 – BHPB construct three Lots, inclusive of trafficable road (unsealed), during the current subdivision construction program.	\$996,000	\$190,992.75 (2013/14)
2 – TOPH construct road pavement, services and crossovers, via normal procurement arrangements.	\$525,000	\$525,000 (2014/15)
Total:	\$1,521,000	\$715,992.75

The budget for Lot 412 subdivision construction costs will be sourced from the sale of Lots within the Kingsford Business Park. This cost has not been considered as part of the Airport Redevelopment Program, however neither has the additional revenue expected from the 3 created Lots. It is expected that the value of the sale of the 3 Lots will exceed the subdivision construction costs, therefore approval of this expenditure will not have a negative impact on the budget.

The supervision fee of \$190,992.75 is already a consideration in GL 1204333. It is recommended to create a new account for the subdivision expenditure (\$715,992.75 total) and arrange an internal journal to cover the supervision fee in GL 1204333. The expenditure will be allocated over 2013/14 and 2014/15 to ensure adequate cashflow in relation to the revenue received from the sale/lease of Lots. This will ensure a minimal impact on the municipal budget.

Officer's Comment

Subdivision Construction Milestone Update:

The following table provides a summary of construction milestones identified in the BHPB Agreement:

Milestone Description	Due Date	Status/Comment
BHPB to provide Bank Guarantee for project.	21 July 2012	Complete. BG reviewed on assessment of outstanding items.
Subdivision WAPC approval obtained.	21 Dec 2012	Completed 8 May 2012.
BHPB to submit subdivision design drawings.	8 July 2012	Completed.
Completion of contamination report.	19 Sept 2012	Completed 3 October 2012.
BHPB to award construction contract.	8 Jan 2013	Completed January 2013.
Completion of subdivision works.	8 July 2014	Partial Practical Completion of the subdivision has been awarded on 14 March 2014.

		Outstanding items included service connections and the construction of the intersection with Great Northern Highway. Further information is provided below under separate heading. It is expected that service connections will not be completed by the Milestone due date, potentially impacting on WAPC clearance and issuing of Titles.
Request for WAPC clearance and issue of Titles.	8 Oct 2014	Subject to completion of service connections or alternate arrangement with Horizon Power and Water Corporation.

Construction of Road Intersection with Great Northern Highway:

The construction of the road intersection that will connect the Kingsford Business Park to Great Northern Highway was delayed due to concerns regarding the impact of additional stormwater draining into the system that was already at capacity. Several solutions were explored, with the outcome being the construction of a drainage swale from the new intersection towards the Broome turn-off. This swale is currently being constructed by Main Roads WA. BHPB has now commenced construction of the intersection, with completion due prior to the milestone date of 8 July 2014.

Provision of Services – Power and Water:

Part of the subdivision construction requirements and WAPC clearance conditions is the provision of services to each lot. Since commencement of the project BHPB has been liaising with Horizon Power and Water Corporation for the construction of these services. Significant upgrades are required for water and power supply to reach this location, especially considering that it's relatively isolated between Port and South Hedland. At the time of achieving Practical Completion all internal services were constructed, however the connection of these services to the main supply had not yet been implemented. This is largely due to the processes and resource availability of the relevant service providers. The indicative date for the connection of power is September 2014 and water is February 2015.

The Towns officers and BHPB are exploring opportunities with Water Corporation and Horizon Power to expedite these works or make other arrangements that may allow WAPC clearance to proceed. This will facilitate the early release of Titles prior to the lots being fully serviced. Property owners will then be permitted to commence development using temporary facilities until permanent services are completed.

Subdivision of Lot 412 and Associated Construction:

In August 2013 an application to subdivide Lot 412 (Bunnings Lot) was approved. This creates a 1.5436ha lot for Bunnings, 3 smaller parcels for separate sale and a new road to access the lots.

BHBP has estimated the construction cost at \$1,521,000. BHPB has offered to subsidise a portion of these costs by undertaking works using the current contractors. The scope of works would result in a trafficable road to the 3 Lots, however the Town would need to undertake further works including road pavement, service connections and crossovers, to facilitate WAPC clearance. It is estimated that the contribution from the Town under this arrangement is approximately \$716,000. A condition of the offer is the set-off of the subdivision supervision fees of \$190,992.75.

This has been included in calculating the Towns contribution and budget allocation proposal.

Disposal Strategy for remaining Lots

Over the last twelve months, the Town's Economic Development team has actively worked on achieving sales and lease arrangements for a number of the lots created within the subdivision.

Lot No	Purchaser/Lessee
401	Roger Higgins
402	Jupps Carpets
403	Des Maloney
404	Des Maloney
405	Gus Princi (Tradesman Homes)
412 (portion of)	Bunnings Properties Pty Ltd
436 (portion of)	Stayover by Ausco Pty Ltd

It is now proposed that a formal request for proposals process will be undertaken in order to engage a suitably qualified real estate agent or marketing company to manage the disposal process of the remaining industrial and commercial Lots.

The remaining portion of Lot 436, and Lots 437, 438 and 439 (intended for the use of Non Residential Workforce Accommodation developments) will not form part of this process and will continue to be managed by the Town in accordance with the Non Residential Workforce Strategy.

The criteria for the request for proposals will include, but not be limited to the following:

- Preference for management by one local, one national/international representative;
- Preference for an Auction process, but willing to accept alternative proposals with demonstrated justifications;
- Demonstrated experience in a similar field;

- Clear fee structures (including estimate of marketing budget).

The RFP will be advertised for submissions for a period of 6 weeks, following the receipt of submissions, a further report will be presented to Council to consider a way forward.

Attachments

Nil.

Officer's Recommendation

That Council:

1. Note the progress report for the development of the Kingsford Business Park;
2. Approve the construction of Lot 412 subdivision, including:
 - a) Acknowledgment of the Towns contribution to Stage 1 of the subdivision works with the offset of the \$190,992.75 (+GST) supervision fee invoiced to BHP Billiton, and amend the 2013/14 budget;
 - b) Allocation of expenditure of \$525,992.75 (+GST) in 2014/15;
3. Note that a further report will be presented to Council following the advertisement of a Request for Proposals to engage a suitably qualified real estate agent or marketing company to manage the disposal process for the sales and/or lease of the remaining Industrial Lots.

MOTION LAPSED FOR WANT OF AN ABSOLUTE MAJORITY

6.45pm Councillors Hunt and Daccache re-entered the room and resumed their chairs. Mayor advised Councillors that the motion lapsed for want of an absolute majority and that this item will be considered at a future Council meeting.

ITEM 13 REPORTS OF COMMITTEES

NOTE: The Minutes of this Committee meeting are enclosed under separate cover.

13.1 Airport Committee Minutes – 2 April 2014***13.1.1 En-bloc Resolutions*****201314/314 Officer's Recommendation/ Council Decision****Moved: Cr Hunt****Seconded: Cr Gillingham**

That Council receives the Minutes of the Ordinary Meeting of the Airport Committee held on 2 April 2014 at 12:30pm inclusive of the following decisions:

- 7.1 Confirmation of Minutes of the Airport Committee Meeting held on Wednesday 5 February 2014**
- 10.1 Port Hedland International Airport – projects update April 2014 (File No.: 08/02/0025)**
- 15 Applications for Leave of Absence**

CARRIED 7/0***13.1.2 Port Hedland International Airport Committee Meeting Dates and Times (File No.:13/05/0002)*****201314/315 Officer's Recommendation/ Council Decision****Moved: Cr Hunt****Seconded: Cr Gillingham****That Council:**

- 1. Adopt recommendation AC201314/048 from the Airport Committee meeting held on 2 April 2014 and listed on page 49 and 50 of those Minutes;**
- 2. Adopt the following meeting framework;**

Meeting/ Briefing/ Forum	Time	Day	Week
Confidential Concept Forum	11:45 – 12:15pm	Wednesday	First week of every second month (April, June, August, October, December)
Public Agenda Briefing Session	12:15 – 12:30pm	Wednesday	First week of every second month
Committee Meeting	12:30pm	Wednesday	First week of every second month

3. **Change the date of August 2014 Airport Committee meeting from 6 August 2014 to 13 August 2014;**
4. **Acknowledge that the venue will be Council Chambers;**
5. **Amend the Airport Committee Terms of Reference accordingly; and**
6. **Note a local public notice will be issued outlining the proposed meeting dates.**

CARRIED 7/0

ITEM 14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

ITEM 15 CONFIDENTIAL ITEMS

201314/316 Council Decision

Moved: Cr Daccache

Seconded: Cr Hooper

That the meeting be closed 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 Acceptance of Offer from T & H Russell Investments Pty Ltd trading as Pilbara Boats n Bikes for the purchase of lot 4 within the Kingsford Business Park via a Private Treaty (File No. 08/03/0006)

CARRIED 7/0

6.47pm Mayor advised that the meeting is now closed to members of the public.

15.1 *Acceptance of Offer from T & H Russell Investments Pty Ltd trading as Pilbara Boats n Bikes for the purchase of lot 4 within the Kingsford Business Park via a Private Treaty (File No. 08/03/0006)*

201314/317 Officer's Recommendation/ Council Decision

Moved: Cr Hunt

Seconded: Cr Melville

That Council:

- 1. Accept the offer from T & H Russell Investments Pty Ltd trading as Pilbara n Bikes to purchase lot 4 received within the Kingsford Business Park for the amount of \$885,000 + GST in accordance with Section 3.58 of the Local Government Act 1995; and**
- 2. Request the Chief Executive Officer, or his delegate(s), to finalise the legal documentation to formalize the disposition of lot 4 within the Kingsford Business Park in accordance of the Local Government Act 1995.**

CARRIED 7/0

201314/318 Council Decision

Moved: Cr Gillingham

Seconded: Cr Daccache

That the meeting be opened to members of the public.

CARRIED 7/0

6.49pm Mayor advised that the meeting is now open to members of the public. Mayor also advised of Council's decision whilst behind closed doors.

ITEM 16 APPLICATIONS FOR LEAVE OF ABSENCE

201314/319 Council Decision

Moved: Cr Gillingham

Seconded: Cr Hooper

That Council approve the following applications for leave of absence:

- Councillor Gillingham from 5 May 2014 to 19 June 2014;**
- Councillor Butson from 5 May 2014 to 11 May 2014; and**
- Councillor Melville from 24 June 2014 to 2 July 2014.**

CARRIED 7/0

ITEM 17 CLOSURE

Mayor advised that Councillor Van Vugt has advised that he will be resigning from Council. Once an official resignation has been received correspondence will be sent to Elected Members and the community.

17.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 28 May 2014, commencing at 5.30 pm, with the Public Agenda Briefing being held on Wednesday 21 May 2014, commencing at 3:30pm.

17.2 Closure

There being no further business, the Mayor declared the meeting closed at 6:53pm.