



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING  
OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 11 MAY 2011

AT 5.30 PM

IN COUNCIL CHAMBERS  
MCGREGOR STREET, PORT HEDLAND

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*Paul Martin  
Chief Executive Officer*



## OUR COMMITMENT

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

|                |   |           |
|----------------|---|-----------|
| <b>ITEM 1</b>  | <b>OPENING OF MEETING .....</b>   | <b>5</b>  |
| 1.1            | OPENING .....   | 5         |
| <b>ITEM 2</b>  | <b>RECORDING OF ATTENDANCE AND APOLOGIES.....</b>   | <b>5</b>  |
| 2.1            | ATTENDANCE.....   | 5         |
| 2.2            | APOLOGIES .....   | 5         |
| 2.3            | APPROVED LEAVE OF ABSENCE.....  | 5         |
| <b>ITEM 3</b>  | <b>RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE .....</b>   | <b>5</b>  |
| 3.1.           | QUESTIONS FROM ELECTED MEMBERS AT SPECIAL COUNCIL MEETING HELD ON 19 APRIL WEDNESDAY 2011.....  | 5         |
| 3.1.1          | <i>Councillor D W Hooper.....</i>   | 6         |
| 3.2            | QUESTIONS FROM PUBLIC AT ORDINARY COUNCIL MEETING HELD ON 27 APRIL WEDNESDAY 2011.....  | 6         |
| 3.2.1          | <i>Mr Chris Whalley.....</i>  | 6         |
| 3.2.2          | <i>Councillor S R Martin .....</i>  | 6         |
| 3.2.3          | <i>Councillor S J Coates.....</i>   | 6         |
| <b>ITEM 4</b>  | <b>PUBLIC TIME .....</b>  | <b>7</b>  |
| 4.1            | PUBLIC QUESTION TIME .....  | 7         |
| 4.1.1          | <i>Mr Chris Whalley.....</i>  | 7         |
| 4.2            | PUBLIC STATEMENT TIME .....   | 8         |
| 4.2.1          | <i>Ford Murray and Raymond Valentin from Fortescue Metals Group Ltd (FMG).....</i>  | 8         |
| <b>ITEM 5</b>  | <b>QUESTIONS FROM MEMBERS WITHOUT NOTICE.....</b>   | <b>9</b>  |
| 5.1            | <i>Councillor J M Gillingham .....</i>  | 9         |
| <b>ITEM 6</b>  | <b>DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING.....</b>  | <b>10</b> |
| <b>ITEM 7</b>  | <b>CONFIRMATION OF MINUTES OF PREVIOUS MEETING .....</b>  | <b>10</b> |
| 7.1            | CONFIRMATION OF MINUTES OF SPECIAL MEETING OF COUNCIL HELD ON TUESDAY 19 APRIL 2011.....  | 10        |
| 7.2            | CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 27 APRIL 2011.....   | 10        |
| <b>ITEM 8</b>  | <b>ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION.....</b>  | <b>11</b> |
| <b>ITEM 9</b>  | <b>REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION.....</b>   | <b>13</b> |
| 9.1            | <i>Councillor A A Carter.....</i>   | 13        |
| 9.2            | <i>Councillor G J Daccache .....</i>  | 13        |
| 9.3            | <i>Councillor J M Gillingham .....</i>  | 13        |
| 9.3            | <i>Councillor D W Hooper.....</i>   | 13        |
| 9.3            | <i>Councillor M Dziombak.....</i>   | 14        |
| <b>ITEM 10</b> | <b>PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....</b>   | <b>14</b> |
| <b>ITEM 11</b> | <b>REPORTS OF OFFICERS.....</b>   | <b>15</b> |
| <b>11.1</b>    | <b>PLANNING AND DEVELOPMENT SERVICES .....</b>  | <b>15</b> |
| 11.1.1         | PLANNING SERVICES.....  | 15        |
| 11.1.1.1       | <i>Proposed Partial Closure of Portion of Crowe Street Road Reserve, Port Hedland. (File No.: 28/01/0017).....</i>  | 15        |
| 11.1.1.2       | <i>Proposed Multiple Dwellings – 8 Single bedroom dwellings on Lot 1/103 (1/43) Kingsmill Street, Port Hedland (File No: 120800G).....</i>  | 20        |
| 11.1.1.3       | <i>Proposed “Use Not Listed” - Mixed Use Development – Twelve Professional Suites, Backpackers Accommodation with an Incidental Caretakers Dwelling (File No.: 124320G &amp; 127020G) ...</i> | 35        |

|                |   |            |
|----------------|---|------------|
| 11.1.1.4       | Authorisation of Dog Registration Officers – Dog Act 1976 (File No. :19/09/001) .....   | 53         |
| 11.1.1.5       | Draft Pilbara Planning & Infrastructure Framework (File No.: ../...) .....  | 55         |
| 11.1.1.6       | Proposed Final Adoption of Amendment 36 to the Town of Port Hedland Town Planning Scheme No. 5, for Re-Coding of Lots 2782, 2783 & 2784 Acacia Way South Hedland (File No.: 18/09/0049) ..... | 59         |
| <b>11.2</b>    | <b>ENGINEERING SERVICES .....</b>   | <b>64</b>  |
| 11.2.1         | INFRASTRUCTURE DEVELOPMENT .....  | 64         |
| 11.2.1.1       | Port Hedland International Airport Paid Parking System – Fee Structure (File No.: 30/12/0003) 64  |            |
| 11.2.1.2       | Tender 11/17 Civil Construction Works Limpet Crescent (File No.: 28/16/0009) .....  | 72         |
| <b>11.3</b>    | <b>COMMUNITY DEVELOPMENT .....</b>  | <b>77</b>  |
| 11.3.1         | Multi Purpose Recreation Centre Update and Consideration of Design Elements, Capital Costs, and Future Operational Impacts (File No.: 26/13/0015) .....                                       | 77         |
| 11.3.2         | Installation of Temporary Buildings at Kevin Scott Oval and the Port Hedland Turf Club (File No.:26/02/0043) .....  | 88         |
| <b>11.4</b>    | <b>GOVERNANCE AND ADMINISTRATION .....</b>  | <b>92</b>  |
| 11.4.1         | FINANCE AND CORPORATE SERVICES .....  | 92         |
| 11.4.1.1       | Request to waiver legal fees and penalty interest for Assessment A111240, address 51 Brodie Crescent, South Hedland. ....   | 92         |
| 11.4.1.2       | Appointment of Auditor. (File No.:...) .....  | 102        |
| 11.4.2         | GOVERNANCE .....  | 106        |
| 11.4.2.1       | Western Australian Local Government Convention and Exhibition 2011 (File No: 13/01/0009) 106  |            |
| 11.4.2.2       | Invitation to Join Regional Cities Alliance (File No.: ../...) .....  | 110        |
| <b>ITEM 12</b> | <b>LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL .....</b>   | <b>118</b> |
| <b>ITEM 13</b> | <b>MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN .....</b>   | <b>118</b> |
| <b>ITEM 14</b> | <b>CONFIDENTIAL ITEMS .....</b>   | <b>118</b> |
| <b>ITEM 15</b> | <b>APPLICATIONS FOR LEAVE OF ABSENCE .....</b>  | <b>118</b> |
| <b>ITEM 16</b> | <b>CLOSURE .....</b>  | <b>118</b> |
| 16.1           | DATE OF NEXT MEETING .....  | 118        |
| 16.2           | CLOSURE .....   | 118        |

**ITEM 1      OPENING OF MEETING**

## 1.1          Opening

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

**ITEM 2      RECORDING OF ATTENDANCE AND APOLOGIES**

## 2.1          Attendance

Mayor Kelly A Howlett  
Councillor Arnold A Carter  
Councillor George J Daccache  
Councillor Jan M Gillingham  
Councillor Steve J Coates  
Councillor David W Hooper  
Councillor Michael (Bill) Dziombak

|                        |                                   |
|------------------------|-----------------------------------|
| Mr Paul Martin         | Chief Executive Officer           |
| Ms Natalie Octoman     | Director Corporate Services       |
| Mr Russell Dyer        | Director Engineering Services     |
| Mr Eber Butron         | Director Planning and Development |
| Mr Gordon MacMile      | Director Community Development    |
| Miss Josephine Bianchi | Governance Coordinator            |

|                       |   |
|-----------------------|---|
| Members of the Public | 8 |
| Media                 | 1 |

## 2.2          Apologies

Nil.

## 2.3          Approved Leave of Absence

Councillor Stan R Martin

**ITEM 3      RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

## 3.1.          Questions from Elected Members at Special Council Meeting held on 19 April Wednesday 2011

### 3.1.1 *Councillor D W Hooper*

*Is Council aware of any pollution that is leaching from the Shell Roadhouse/service station into Hedland Christian Church property?*

Manager Environmental Health advised that the Town is not aware of any possible pollution leaching from a service station in Port Hedland into an adjoining property.

The Town's Manager of Environmental Health has been provided with an update from a representative from Regional Development & Lands that the Department of Environment & Conservations Contaminated Sites branch is currently investigating the matter.

### 3.2 Questions from Public at Ordinary Council Meeting held on 27 April Wednesday 2011

#### 3.2.1 *Mr Chris Whalley*

*Could Council along with Parks and Gardens replant those trees saplings that have been ripped out of the ground at the top end of Anderson Street? This time could each one of these new trees have four steel rods or wooden posts surrounding each tree and a wire mesh wrapped around the four posts? This way we have a better chance of protecting each young tree.*

Director Engineering services advised that the trees that are being ripped out at the top end of Anderson Street will be replaced, and the CCTV footage will be checked to see if the vandals can be identified.

With regard to the trees protection, Director Engineering will discuss options with BHP Billiton, as currently this is their project.

#### 3.2.2 *Councillor S R Martin*

*Councillor Martin followed on from Mr Whalley's previous question about the actions of vandals around town and enquired as to whether a CCTV camera can be installed on Anderson Street or if the Town can engage a ranger to patrol the area?*

The Director Engineering advised that currently there are CCTV cameras installed under the veranda at the Esplanade Hotel and there is also camera at the intersection of Anderson and Wedge Street and at the intersection of Wedge and Richardson Streets.

#### 3.2.3 *Councillor S J Coates*

*Councillor Coates enquired as to whether Council would consider installing a CCTV camera at the corner of Cottier and Murdoch Drives.*

Director Engineering advised that Council has the capacity to increase the CCTV network but this would need to be considered in the 2011/ 12 budget. The current project has been completed with cameras at the following locations:

**South Hedland**

Somerset Crescent, Cone Place, Acacia/Banksia, Goderick Place, Limpet/Stronds, Captains/Koombana, Koombana/Daylesford, Skate Park, Centenary Park, Steamer/Daylesford, Gregory/Bypass, Acacia Cottier/Kennedy, Paton/Cottier, Brodie Crescent, Shay Gap Park, Weaver Place, Caltex Service Station.

**Port Hedland**

Cemetery Beach Park, Thompson/Athol, Port Authority/Anderson Street, Anderson/Wedge Streets, Marrapikurinya Park/Wedge Street, Boat Ramp.

*NOTE: Cr Coates noted that his question raised at the Council meeting of 27 April 2011 regarded the consideration of CCTV along Cottier Drive and the Mayor then also suggested Murdoch Drive. Cottier and Murdoch do not intersect one another, so the 'corner of Cottier and Murdoch Drives' is incorrect.*

*The Minutes from Ordinary Council meeting of 27 April 2011 will be amended accordingly.*

**ITEM 4 PUBLIC TIME**

4.1 Public Question Time

5:35pm Mayor opened Public Question Time

*4.1.1 Mr Chris Whalley*

*Could Council initiate the cutting and clearing of grass areas at the end of Judith Way cul-de-sac and also around other areas of town considering that the weather has now cooled down?*

Director Engineering Services advised that Council is currently working on clearing grass on a number of areas around Port and South Hedland however some spots have been left behind for the time being as they were still too wet.

*Could Council inform Pilbara Echo to wrap up their newspapers so they do not blow all over the streets?*

Mayor advised that the Town will re-issue the invite to Pilbara Echo to come and present to Council at one of the next Council meetings.

5:37pm Mayor closed Public Question Time

5:37pm Mayor opened Public Statement Time

4.2 Public Statement Time

4.2.1 *Ford Murray and Raymond Valentin from Fortescue Metals Group Ltd (FMG).*

Mr Murray requested that his statement be recorded as follows:

- On 30 March FMG submitted the Development Application (DA) with elevations and floor plans
- On Easter Tuesday (public holiday), 26 April, the CEO forwarded FMG the Officer's recommendations and the next day at the 27 April Council meeting FMG requested the item lay on the table to allow time for FMG to clarify several conditions with the Council officers.
- In the last two weeks FMG and Council officers have held discussions and revised conditions were agreed and are incorporated into the agenda for this meeting as posted on the Council website last week.
- At Council officer's request a further meeting was held on 5 May to discuss the matter of elevations and street front look. This matter has not been resolved to the satisfaction of Council officers and FMG is committed to continue working together.
- The DA approval is critical for FMG

FMG asked Council to approve at this meeting the Officer's Recommendation and conditions included in the Agenda as posted on the Council website and allow FMG and Council officer to finalise the street front elevations and general look of such in accordance with condition 3 of the Officer's Recommendation which reads "Prior to the submission for Building Licence application the developer/owner is to submit elevation drawings (Working Drawings) to Council's Manager Planning for approval".

Mr Valentin endorsed Mr Murray statement and also added that FMG has agreed to accept the \$2.6M contributions requested by the Town in full, although, with regard to the conditions of payment, FMG would prefer an annual payment option.



Mayor thanked Mr Murray and Mr Valentin for their statements and advised that Agenda Item 11.1.1.7 'Proposed Partial Road Closure of "District Road" Reserve and Motel Development Thereon' has been withdrawn from tonight's Agenda. Mayor stressed the fact that Council needs complete information before considering the item as there are concerns about the feel and the look of the streetscape of what is one of the main entrances to South Hedland. Mayor also advised that she is confident that a decision can be reached soon (and possibly consider FMG's item at a Special Council meeting) provided that FMG continues working alongside Town of Port Hedland officers.

5:45pm Mayor closed Public Statement Time

## **ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE**

### *5.1 Councillor J M Gillingham*

*Councillor Gillingham advised that she has received a phone call from a concerned member of the public who has seen kids at the bus stop on the other side of the road from the skate park in South Hedland that wait for the bus to arrive and then jump and hang on the back of the bus and get a free ride. Can Council look into this matter ?*

Mayor advised that Council will look into this matter.

*Councillor Gillingham asked if there are any updates on the Woolworths car park on Anderson street , which at the moment looks like a dust bowl?*

Mayor advised that the Department of Regional Development and Lands has been approached about this matter; this is their land and the matter is now in their hands.

*Councillor Gillingham asked whether Council could engage with developers and ask them to look at alternative options for their future developments as at the moment there are some bad examples such as in Rogers Street in Pretty Pool. In this street all the houses are very far forward, there is no parking and often cars take up all of the road. These issues need to be taken in consideration when planning future developments.*

*Councillor Gillingham asked whether there are any news regarding upgrades for backpackers accommodation?*

Chief Executive Officer advised that as part of the Town's partnership with BHP Billiton, backpackers accommodation has been identified as a concept to be considered in the next Financial Year; the Town is currently working on some concepts for backpackers facilities that will be presented to Council for consideration.

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

|                   |                      |
|-------------------|----------------------|
| Mayor K A Howlett | Cr J M Gillingham    |
| Cr A A Carter     | Cr D W Hooper        |
| Cr G J Daccache   | Cr M (Bill) Dziombak |
| Cr S J Coates     |                      |

**ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

7.1 Confirmation of Minutes of Special Meeting of Council held on Tuesday 19 April 2011.

**201011/362 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr G J Daccache

That the Minutes of the Special Meeting of Council held on Tuesday 19 April 2010 be confirmed as a true and correct record of proceedings

*CARRIED 7/0*

7.2 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 27 April 2011.

**201011/363 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr G J Daccache

That the Minutes of the Ordinary Meeting of Council held on Wednesday 27 April 2011 be confirmed as a true and correct record of proceedings, with the following amendments:

Amendment 1

Item 11.1.2.7 Proposed Use Not Listed – Mixed Use Development at Lot 54 (8) McKay Street, Port Hedland (File No.:12800G) recorded on page 55 of those Minutes:

The proposal is to develop twelve (12) Multiple Dwellings and ~~two~~ ~~four~~ ~~(2)~~ ~~(4)~~ Office's. The Multiple Dwellings are proposed to range from 50.05m<sup>2</sup> to 52.01m<sup>2</sup>. The subject site has frontage onto McKay Street.

Item 11.1.2.7 Proposed Use Not Listed – Mixed Use Development at Lot 54 (8) McKay Street, Port Hedland (File No.:12800G)

recorded on page 59 of those Minutes:

This approval relates to a MIXED USE DEVELOPMENT incorporating twelve (12) Multiple Dwellings and ~~two~~ four (2) (4) Offices as shown on the approved plans. It does not relate to any other development on this lot.

Amendment 2

Item 11.1.2.1 Proposed Permanent Closure of Parkland Reserve 39660, Lot 5993 Cottier Drive, South Hedland, Parkland Reserve 41675, Lot 5992 Cottier Drive, South Hedland, Drainage Reserve 46653, Lot 6000 Trumpet Way, South Hedland (File No.:28/01/0017) recorded on page 17 of those Minutes:

Notifies Department of Regional Development & Lands that Council has no objection to the cancellation of Reserves ~~35324~~ 39660 and ~~37546—~~ 41675 "Parklands", and Reserve 46653 "Drainage"

*CARRIED 7/0*

## **ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION**

Mayor Howlett's Activity Report for the April/ May 2011 period to date as follows:

April

Thursday, 21<sup>st</sup> April

- Meeting With FORM (Lynda Dorrington & Kate Antonas)
- Meeting Port Hedland Seafarers Centre Re: Refurbishment Plans
- Meeting Pastor Luke Bell (Hedland Aboriginal Fellowship Church)

Saturday, 23<sup>rd</sup> April

- Attended Spirit Radio/BHPBIO Easter Egg Hunt Party @ SHAC

Monday, 25<sup>th</sup> April

- Attended ANZAC Day Dawn Service + CEO
- Attended RSL March Past & Wreath Laying Service + Deputy Mayor

Tuesday, 26<sup>th</sup> April

- Weekly Deputy Mayor & Mayor Catch up

Wednesday, 27<sup>th</sup> April

- Weekly CEO, Deputy Mayor and Mayor Catch up + Cr Dziom
- Chair OCM

Thursday, 28<sup>th</sup> April

- Meeting Port Hedland Seafarers Centre Re: Refurbishment Plans

- Attended Hedland Health Campus Official Opening + Deputy Mayor + Cr Hooper
- Weekly Media Catch up With NWT
- Attended TOPH Airport Committee Meeting + Deputy Mayor + Cr Martin + Cr Dziombak + DENG + DCORP
- Friday, 29<sup>th</sup> April
- Meeting Department Corrective Services (Claire Dimer) Re: Youth & Anti-Social Behaviour Issues In Town
- Meeting CEO, Deputy Mayor & Mayor Re: Finalisation CEO KPIs

Saturday, 30<sup>th</sup> April

- Attended Rovers Vs Swans Local Derby AFL Game

May

Sunday, 1<sup>st</sup> May – Sunday 8<sup>th</sup> May

- Annual Leave

Saturday, 7<sup>th</sup> May

- Speaker At NW Expo, Broome (Pink Tent) Re: Engaging The Community

Mayor advised that a local resident asked her how to donate blood in Hedland. Mayor did some research and found that up until 2004 there used to be a Red Cross spot for blood donations but unfortunately this closed due to staffing issues. Mayor found out that if we want to reinstate this service in town there are some federal funding implications, but there is the opportunity for a mobile service. For a blood donation service to come up for a 2 day campaign at least 50 people a day are required, so the Mayor urged all Councillors to spread this message throughout the community to get as many people involved as possible.

Mayor advised that this morning together with other Councillors and Town staff she attended a breakfast meeting with Landcorp and other development agencies from South Australia, Northern Territory and Queensland; it was really good to hear what is happening in other states and share ideas and look at partnerships. Mayor thanked Landcorp for facilitating the visit.

Tomorrow the Mayor will fly to Perth for the Local Government Reform Forum. Minister Castrilli is moving forward with the Local Government Reform process and has invited all shires to attend this forum. The Mayor will update everybody on the outcome of this meeting at the next Council meeting.

Over the weekend the Mayor spoke at the North West Expo in Broome, which Mayor believes is similar to our 'Welcome to Hedland' night but spread over a week-end.

There were a lot of displays from government agencies and community organisations; focus was given to the upcoming census and emphasis put on trying to encourage as many people as possible to be on the electoral roll. Mayor reminded and invited everybody to attend the 'Welcome to Hedland' night this Friday 13 May from 5-9pm at the Hedland Senior High School oval.

Mayor advised that the town has entered for the third year in a row the 'WA Clean Beach' challenge with Pretty Pool and Cemetery beaches. The judges have been in touch and will potentially be coming up for a visit next week.

## **ITEM 9      REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION**

### *9.1      Councillor A A Carter*

Councillor Carter advised that he attended the developers breakfast meeting today, and that a number of developers from Queensland were impressed to see what is happening here as unfortunately in Queensland everything is very slow after the floods.

Councillor Carter attended the Pilbara cities meeting last Thursday, regarding the future direction of Pilbara Cities and an update on major projects.

Councillor Carter also attended the Breast Cancer Walk for Mother's Day on Sunday at Cemetery beach.

### *9.2      Councillor G J Daccache*

Councillor Daccache last night attended the South Hedland Bowling and Tennis Club meeting; Councillor Daccache hopes that a decision will be reached soon and put forward to next Council meeting with regard to the club's new building.

### *9.3      Councillor J M Gillingham*

Councillor Gillingham also attended the South Hedland Bowling and Tennis Club meeting and is looking forward to some positive outcomes for the club in the near future.

### *9.3      Councillor D W Hooper*

Councillor Hooper attended the opening of the new South Hedland hospital, which has a great huge foyer. Councillor Hooper also advised that it was great to be able to catch up with the doctor that saw the birth of his daughter twenty years ago.

Councillor Hooper also attended the Men Shed meeting. A part from some issues regarding wheelchair access the meeting was very productive. A committee has been put together and Councillor Hooper is looking forward to the group coming up with a name for itself.

*9.3 Councillor M Dziombak*

Councillor Dziombak advised that last night the Port Hedland Chamber of Commerce held its monthly 'Business After Hours' function. Pilbara Development Commission, Pilbara Cities and Landcorp were in attendance and presented projects that will help with staff retention, accommodation affordability and land availability. Hopefully in two weeks the Port Hedland Chamber of Commerce will be announcing the inaugural Hedland Economic and Development forum summit which will be held in October.

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

Nil.



Councils Engineering Services have advised that they have no objection to the proposed partial closure subject to the following:

- i. Any alteration or relocation of existing infrastructure is to be carried out and reinstated at the developer's expense to the satisfaction of Councils Manager Infrastructure & development and/or necessary service providers;
- ii. Minimum 4.5m verge is to be maintained to the satisfaction of Councils Engineering Services;

### **Statutory Implications**

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

The subsequent sale of the Crown Land is undertaken by State land Services on behalf of the Minister in accordance with Part 6 of the *Land Administration Act 1997*.

**Policy Implications** Nil

**Strategic Planning Implications** Nil

### **Budget Implications**

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

### **Officer's Comment**

The section of the Crowe Street Road Reserve (approximately 351m<sup>2</sup>) which is being sought by the applicant is not required for road purposes. The proposed road closure will enable the land to be developed for residential purposes.

Should a similar application for partial road closure adjoining Lot 3 Crowe Street be received, a 4m wide pedestrian access way (PAW) will be required. Retaining this 4m wide PAW will ensure that pedestrian access to the foreshore is retained. A condition will be imposed to ensure that the PAW does not become a haven for undesirable activities by ensuring open style fencing is used adjacent to the PAW. This will promote passive surveillance and enhance the aesthetical aspect of the PAW.

The closure will not pose any traffic or pedestrian risk. The amalgamation of the closed portion with Lot 1 Crowe Street, will increase the development potential of the lot resulting in a better overall outcome for both the community and the developer.



When considering the request for partial road closure the Council has the following options:

*Options*

- 1) Support the request for partial closure of Crowe Street Road Reserve, Port Hedland.

The closure of the portion will improve the streetscape by allowing unused land to be incorporated into residential land and developed as such. This will result in the lot achieving maximum development potential.

- 2) Reject the request for partial closure of Crowe Street Road Reserve Port Hedland.

Should Council not support the closure, the portion of unused road will remain vacant, unsightly and undevelopable.

It is recommended that Council support the partial closure of Crowe Street Road Reserve, Port Hedland.

**Attachments**

1. Locality Plan

**Officer's Recommendation**

That Council:

- i. SUPPORTS the permanent closure of a portion of Crowe Street Road Reserve, Port Hedland, with the following conditions:-
  - a. The proposed Road Closure being advertised for a period of 35 days pursuant to section 58(3) of the *Land Administration Act 1997*,
  - b. No objections being received during the advertising period,
  - c. Any relocation of existing infrastructure within the proposed portions shall be carried out and reinstated to the specification and satisfaction of the Manager Infrastructure and Development and at the developers/applicants expense
  - d. Minimum truncation and road reserve widths are required to the satisfaction of Engineering Services.

- ii. Delegates the Director Planning & Development under Delegation 40(12) to submit the roads closure request to the Department of Regional Development and Lands (State land Services), subject to no adverse submissions being received during the statutory advertising period.

**201011/364 Council Decision****Moved:** Cr S J Coates**Seconded:** Cr M Dziombak

That Council rejects the request for partial closure of Crowe Street Road Reserve Port Hedland, and investigates options of developing the area as an attractive recreational community asset.

*CARRIED 7/0*

*REASON: Council believes it needs to maintain coastal access availability for the community.*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.1



*11.1.1.2 Proposed Multiple Dwellings – 8 Single bedroom dwellings on Lot 1/103 (1/43) Kingsmill Street, Port Hedland (File No: 120800G)*

|  |   |
|--|---|
| <b>Officer</b>                           | <b>Ryan Djanegara</b><br>Planning Officer |
| <b>Date of Report</b>                    | 28 April 2011                             |
| <b>Application No.</b>                   | 2011/158                                  |
| <b>Disclosure of Interest by Officer</b> | Nil                                       |

**Summary**

Council has received an application from Burgess Design Group on behalf of Lyle Vincent Stanley, for Multiple Dwellings – 8 single bedroom dwellings on Lot 1/103 (1/43) Kingsmill Street Port Hedland. The proposal lacks sufficient parking and proposes to construct 2 additional car parking bays within the Darlot Street Road Reserve.

The proposal is being referred to Council for determination as the development requires a variation to the parking requirements.

The proposal is supported by the Planning Unit subject to conditions.

**Background**

*Site Description*

The subject site comprises of approximately 705m<sup>2</sup> and achieves vehicular access from Darlot Street. Currently there is a dwelling on the lot that will be removed pending the outcome of this application.

The subject site is currently zoned “Residential R12.5/50”, and is subject to proposed Scheme Amendment No. 22, which aims to amend the zoning to “West End Residential” with a minimum density of R30 and maximum density of R80.

*Proposal*

The applicant is proposing to construct 8 single bedroom dwellings. The applicant has provided sufficient car parking bays for the residents to meet the requirements of the R-Codes. However, has not provided any visitor car parking bays on-site and is proposing to utilise the Darlot Street Road Reserve.

**Consultation**

The application has been referred internally with any requirements captured in the report.

Public consultation has taken place with the adjoining property owners in accordance with section 4.3.1 of the Port Hedland Town Planning Scheme No. 5, no objections were received.

**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.

**Scheme Amendment No. 22**

Scheme Amendment No. 22, (West End Residential) has been initiated and advertising completed. The scheme amendment proposes to, when gazetted, zone the "Residential" land west of Taplin Street from "Residential R12.5/50" to "West End Residential" with a minimum density of R30 and a maximum density of R80.

In accordance with the proposed Scheme Amendment No. 22, the zoning table identifies the proposed land uses as follows:

Multiple Dwellings: "AA" (the development is not permitted unless the Council has granted planning approval)

**Policy Implications**

Council's Draft Local Planning Policy 12 – Reciprocal Car Parking & Cash in Lieu of Car Parking

**Strategic Planning Implications**

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

Key Result Area 4: Economic Development

Goal 4: Land Development Projects

Fast-track the release and development of commercial, industrial and residential land.

**Budget Implications**

An application fee of \$17,550 has been received as per the prescribed fees approved by Council.

### **Officer's Comment**

#### Need & Desirability

It is recognised that there is a severe shortage of housing throughout the Town. The proposed multiple dwelling development will help elevate this need by providing 8 residential units.

The proposed location for the multiple dwelling development along Kingsmill and Darlot Street is considered to be desirable given that it is Council's strategic direction to have higher density residential development in the area (Scheme Amendment No. 22).

#### Car Parking requirements

In accordance with Appendix 7 of the Port Hedland Town Planning Scheme and Clause 7.3.3 of the R-Codes the proposal is required to provide a minimum of 10 parking bays on-site (8 bays for residents and 2 bays for visitors). The applicant has provided 8 bays on-site, meeting the requirements to provide car parking for the permanent residents.

#### Utilising the Darlot Street Road Reserve

The applicant has requested to use the Darlot Street Road reserve to provide additional parking to support the proposed development. Council's Engineering Department has raised no objections to the proposed use of the road reserve.

In light of the above it is recommended that the Council support the use of the road reserve for parking provided that there is a lease / licence agreement formalized between the applicant and Council.

#### Landscaping

The applicant has not proposed any internal landscaping for the proposed development. Landscaping contributes significantly to improving the visual amenity and streetscape of the locality and surrounding properties.

It is therefore recommended that the standard landscaping condition be imposed and to also include the need to provide an internal landscaping plan.

#### Options

Council has the following options when considering the application:

1. Approve the application as submitted permitting the use of the Darlot Street Road Reserve for parking, subject to the successful negotiation of a lease.

The approval of the application would lead to both the development providing a needed resource and at the same time improve the streetscape by requiring landscaping and maintenance of the Darlot street verge through a proposed lease / licence agreement.

2. Refuse the application.

Refusal of the application would result in the possible down scaling of the development.

It is recommended that Council approve the development as submitted.

### **Attachments**

1. Locality Plan
2. Site and floor plans
3. Elevations

### **201011/365 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr J M Gillingham

That Council approves the application submitted by Burgess Design Group on behalf of Lyle Vincent Stanley, for a Multiple Dwellings – 8 single bedroom dwellings on Lot 1/103 (1/43) Kingsmill Street Port Hedland, subject to the following conditions:

1. This approval relates only to a MULTIPLE DWELLINGS - 8 multiple single bedroom dwellings and other incidental development, as shown on plan number 2011/169.drg/1 to 2011/169.drg/8. It does not relate to any other development on this lot.
2. Prior to commencing works, the land owner is to prepare a notification pursuant to section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:
  - a. **The Western Australian Department of Health has advised in a preliminary investigation that it does not support medium density residential development in this area due to a potential causal link between the dust generated by nearby ore mining processes and port facilities, and increased likelihood of respiratory health impacts,**

**b. Seniors, children, and persons with existing heart or lung disease appear to be at an elevated risk of dust-related health impacts.**

Should additional information be required in regard part 'a' or 'b', the prospective landowners should contact the Western Australian Department of Health.

3. This approval to remain valid for a period of twenty four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
4. A minimum of 8 car parking bays are to be provided on-site to the satisfaction of Council's Manager Planning.
5. Prior to the submission of a Building Licence the applicant is to have a formalised lease / licence agreement with the Town of Port Hedland for the exclusive use of 2 car parking bays and 3 bicycle bays including the access ways, landscaping and footpaths on the Darlot Street Road Reserve to the specifications of Council's Manager Investment & Business Development and to the satisfaction of Council's Manager Planning.
6. Provision must be made for clothes drying facilities within the dwellings or in a secure, visually screened area, to the satisfaction of Council's Manager Planning.
7. The driveways and crossovers shall be designed and constructed to specifications of Council's Manager Infrastructure Development, and to the satisfaction of Council's Manager Planning, prior to the occupation of the building.
8. Access ways, parking areas, turning areas to be designed and constructed in accordance with Town Planning Scheme No. 5 (including kerbed, formed, drained & finished with a sealed or paved surface).
9. Lighting shall be installed along all driveways, car parking and pedestrian ways to the specifications of Council's Manager Infrastructure Development and to the satisfaction of Council's Manager Planning.
10. The parking areas and / or associated access ways shall not be used for storage (temporary or permanent) without the prior approval of the Town of Port Hedland.



11. Within 30 days of this approval, a detailed landscaping and reticulation plan including the Darlot street verges, must be submitted to Council's Manager Planning. The plan to include 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.
12. Within 60 days, or such further period as may be agreed by Council's Manager Planning, landscaping and reticulation to be established with the use of mature shrubs and trees in accordance with the approved detailed plans to the satisfaction of Council's Manager Planning.
13. Any roof mounted or freestanding plant or equipment, such as air conditioning units, to be located and / or screened so as not to be visible from beyond the boundaries of the development site, to the satisfaction of Council's Manager Planning.
14. Stormwater disposal is to be contained onsite and designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of Council's Manager Planning.
15. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.
16. All dust and sand to be contained on site with the use of suitable dust suppression techniques to the specification of the Manager Environmental Health Services and to the satisfaction of Council's Manager Planning.
17. Any alterations or relocation of existing infrastructure within the road reserve shall be carried out and reinstated to the specification and satisfaction of the Town of Port Hedland's Engineering Services Department at the developer's expense.
18. The submission of a construction management plan at the submission of a Building Licence application stage for the proposal detailing how it is proposed to manage:
  - a. **The delivery of materials and equipment to the site;**
  - b. **The storage of materials and equipment on the site;**
  - c. **The parking arrangements for the contractors and subcontractors;**
  - d. **Impact on traffic movement;**
  - e. **Operation times including delivery of materials; and**
  - f. **Other matters likely to impact on the surrounding residents;**

to the satisfaction of Council's Manager Planning.

FOOTNOTES:

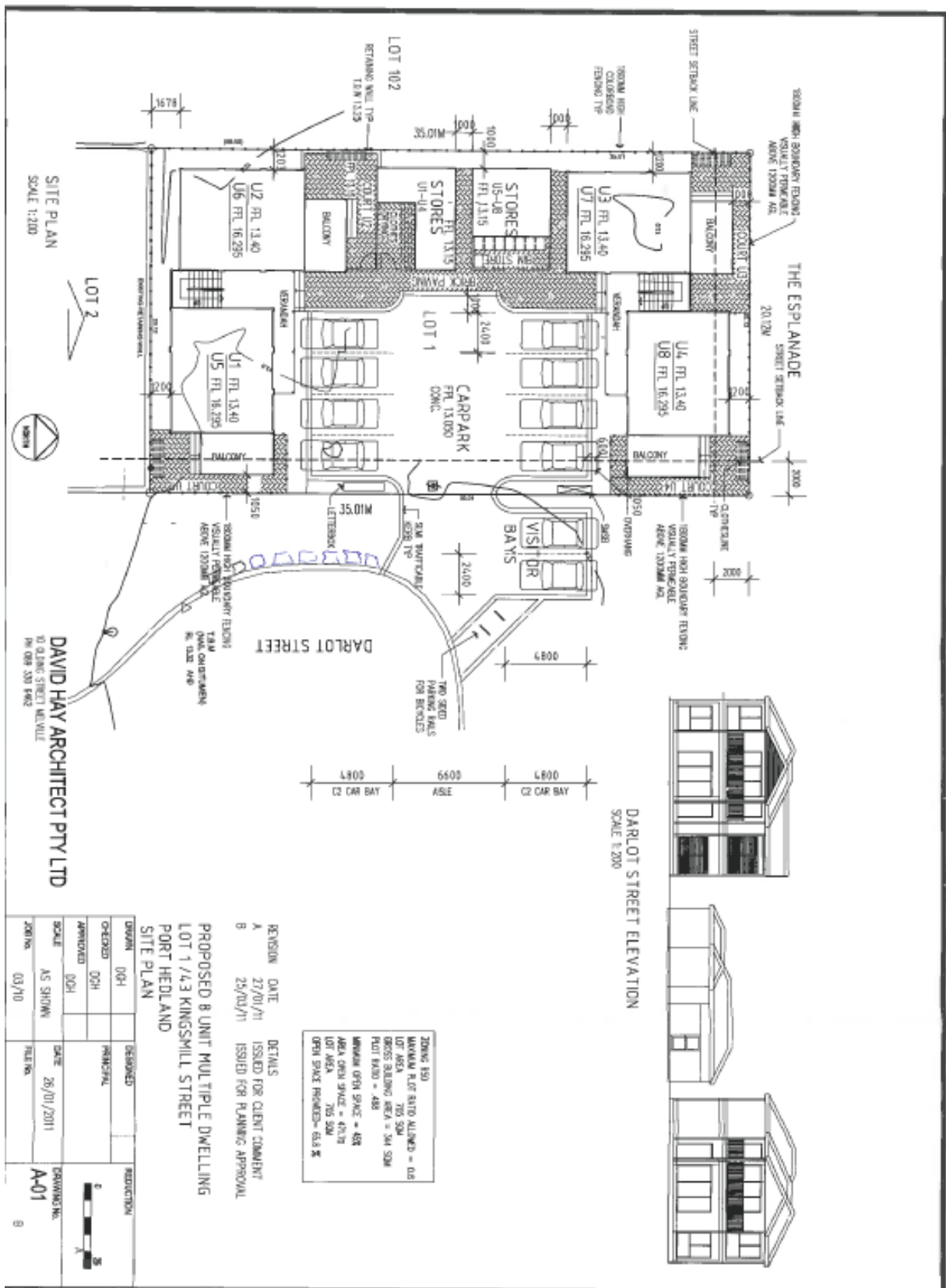
1. You are reminded that this is a Planning Approval only, and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. With regards to Conditions 11 and 12, an internal landscaping plan for the proposed development will also need to be submitted in order to satisfy these conditions.
3. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year average recurrence interval (A.R.I) cycle of flooding could affect any property below the ten (10) meter level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and / or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
4. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

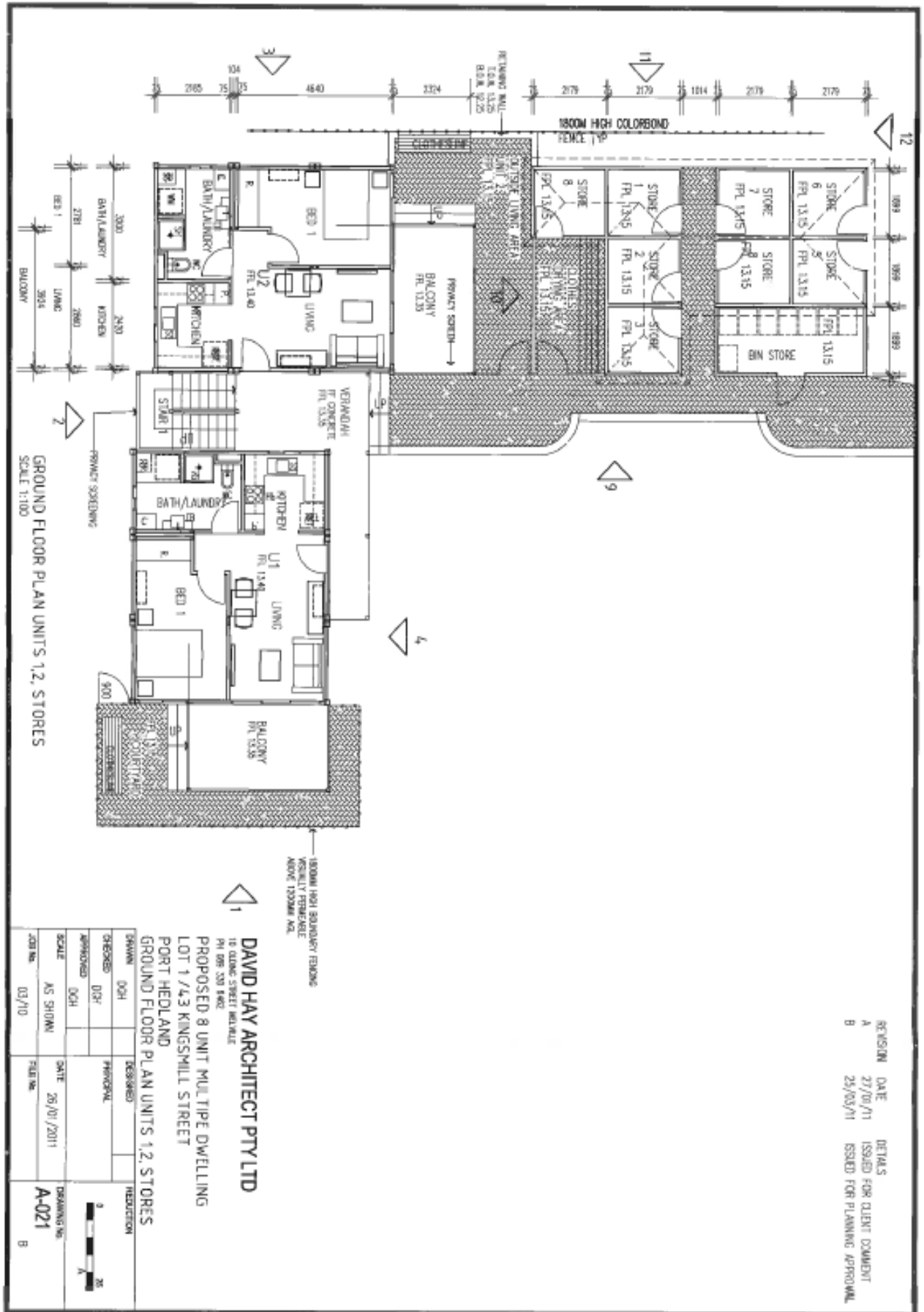
*CARRIED 7/0*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.2



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.2

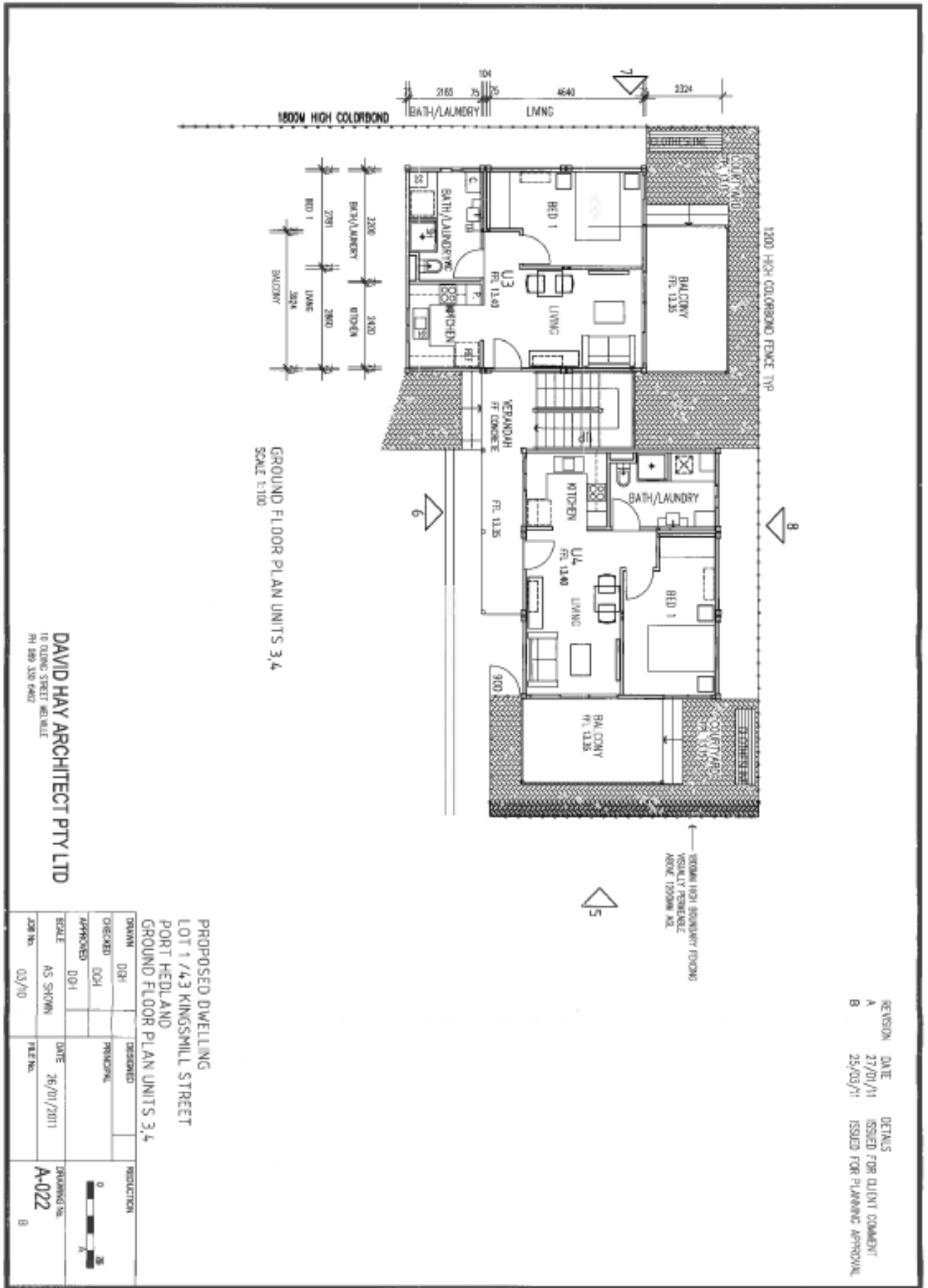




**DAVID HAY ARCHITECT PTY LTD**  
10 CLARE STREET MELB  
PH 039 539 8462  
PROPOSED 8 UNIT MULTIPLE DWELLING  
LOT 1/4,3 KINGSMILL STREET  
PORT HEDLAND  
GROUND FLOOR PLAN UNITS 1,2, STORES

|          |            |            |       |          |  |
|----------|------------|------------|-------|----------|--|
| DESIGNED | DOH        | DESIGNED   | DOH   | REVISION |  |
| CHECKED  | DOH        | APPROVED   | DOH   |          |  |
| DATE     | 26/01/2011 | DRAWING NO | A-021 |          |  |
| SCALE    | AS SHOWN   | FILE NO    | B     |          |  |
| JOB NO   | 03/10      |            |       |          |  |

|          |          |                              |
|----------|----------|------------------------------|
| REVISION | DATE     | DETAILS                      |
| A        | 27/01/11 | ISSUED FOR CLIENT COMMENT    |
| B        | 25/03/11 | ISSUED FOR PLANNING APPROVAL |

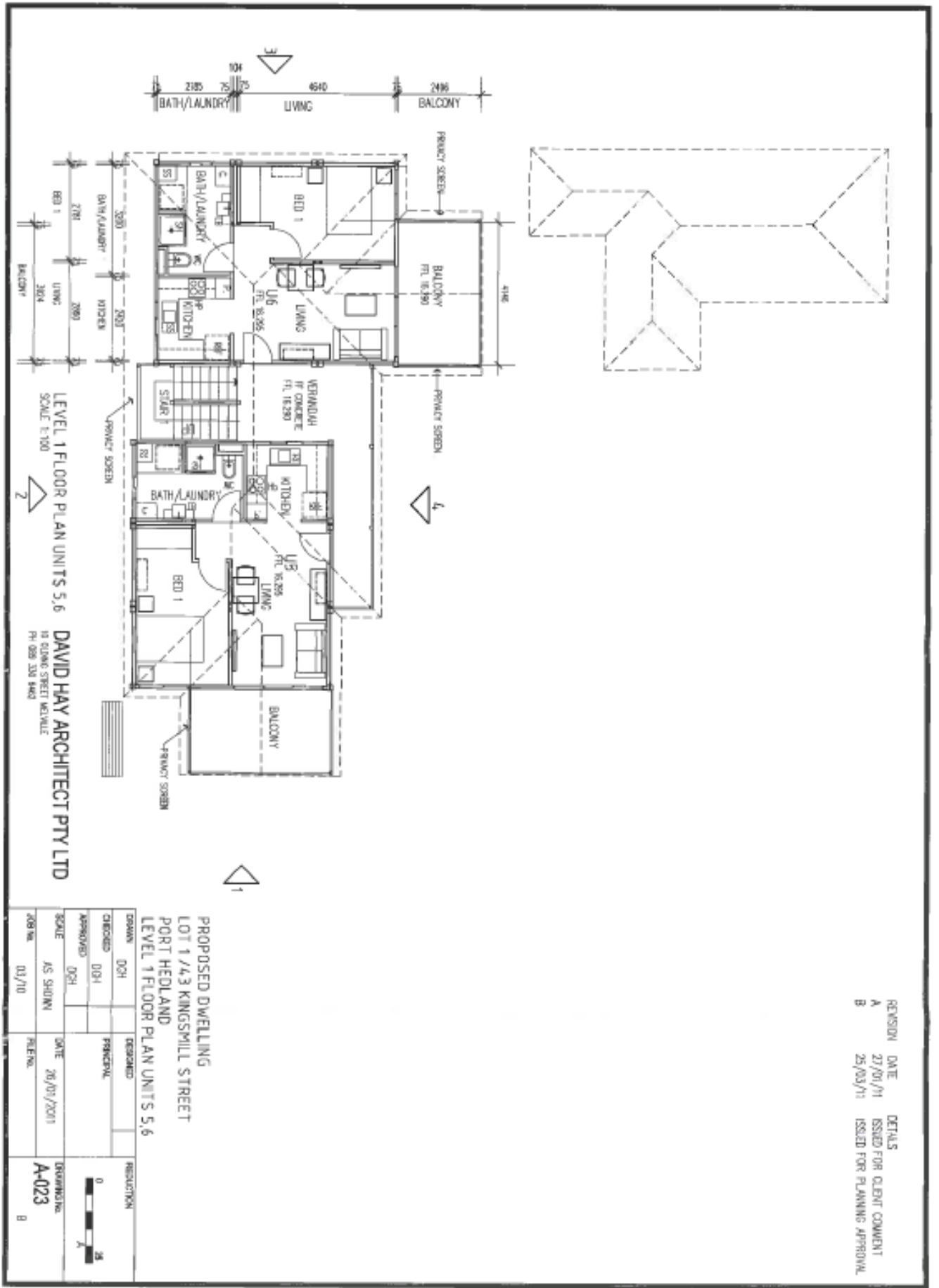


**DAVID HAY ARCHITECT PTY LTD**  
18 COLING STREET MELBULE  
PH 999 329 6967

PROPOSED DWELLING  
LOT 1/43 KINGSMILL STREET  
PORT HEDLAND  
GROUND FLOOR PLAN UNITS 3,4

|          |          |           |            |             |
|----------|----------|-----------|------------|-------------|
| DRAWN    | DGH      | DESIGNED  |            | REDUCTION   |
| CHECKED  | DOH      | PRINCIPAL |            |             |
| APPROVED | DGH      |           |            |             |
| SCALE    | AS SHOWN | DATE      | 26/01/2011 | DRAWING NO. |
| ZDR NO.  | 03/10    | FILE NO.  |            | A-022       |
|          |          |           |            | B           |

|          |          |                              |
|----------|----------|------------------------------|
| REVISION | DATE     | DETAILS                      |
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| B        | 25/03/11 | ISSUED FOR PLANNING APPROVAL |

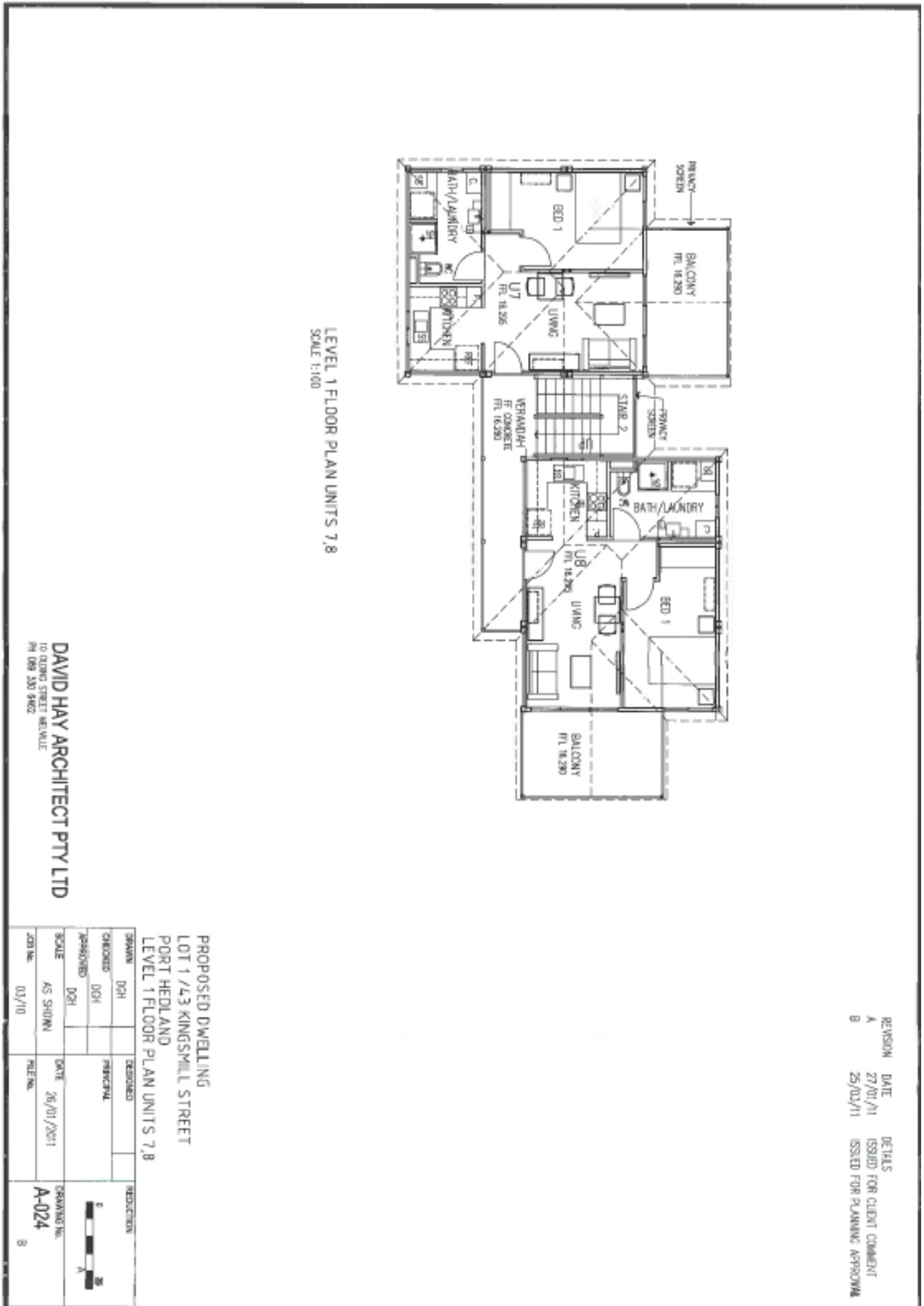


| REVISION | DATE     | DETAILS                      |
|----------|----------|------------------------------|
| A        | 27/09/11 | ISSUED FOR CLIENT COMMENT    |
| B        | 25/03/11 | ISSUED FOR PLANNING APPROVAL |

PROPOSED DWELLING  
 LOT 1/43 KINGSMILL STREET  
 PORT HEDLAND  
 LEVEL 1 FLOOR PLAN UNITS 5, 6

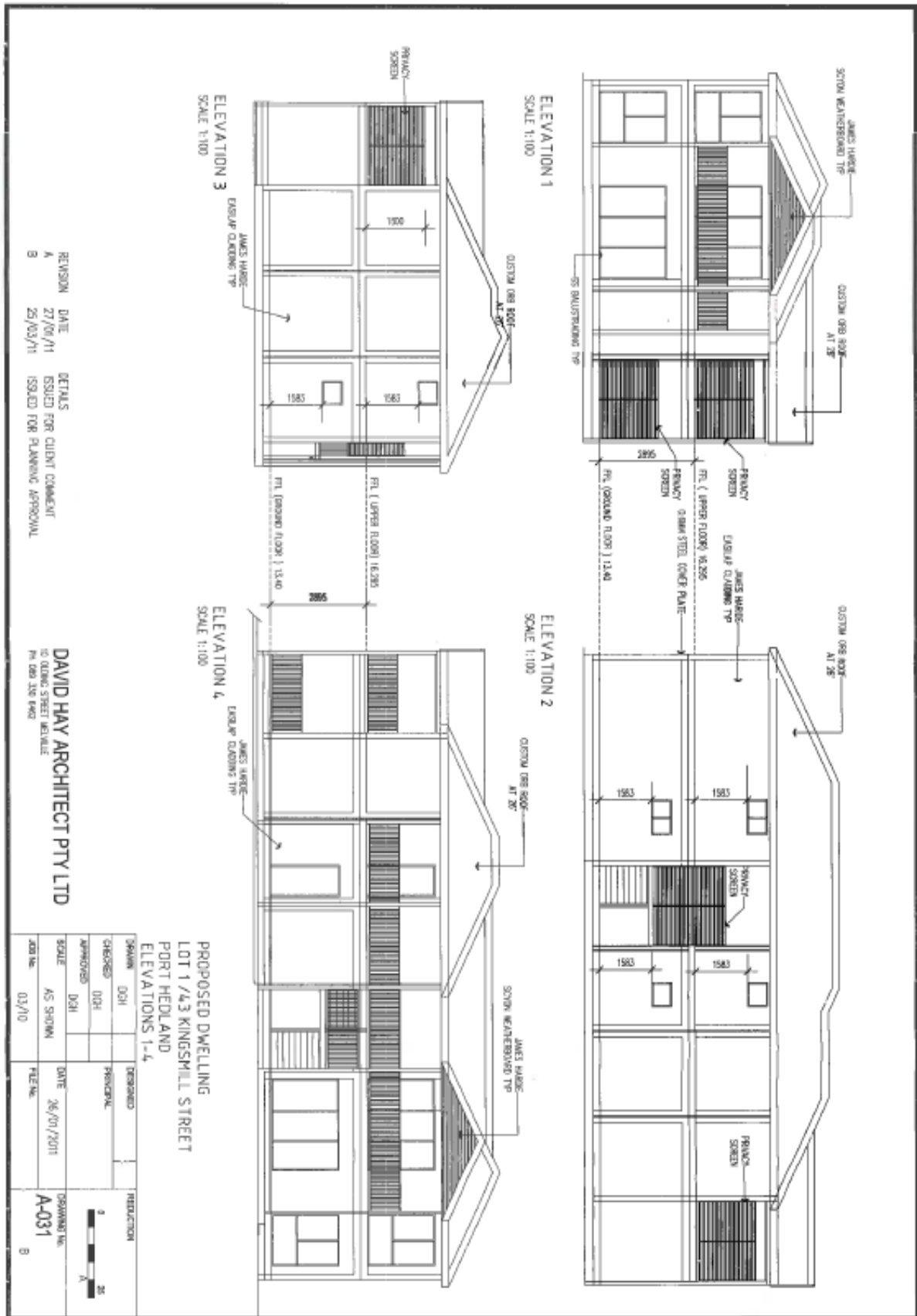
|          |          |           |            |             |
|----------|----------|-----------|------------|-------------|
| DRAWN    | DCH      | DESIGNED  |            | REVISION    |
| CHECKED  | DCH      | PRINCIPAL |            |             |
| APPROVED | DCH      |           |            |             |
| SCALE    | AS SHOWN | DATE      | 26/07/2011 | DRAWING NO. |
| DWG NO.  | 01/10    | REF. NO.  |            | A-023       |

0 25 50





ATTACHMENT 3 TO AGENDA ITEM 11.1.1.2



**ELEVATION 12**  
SCALE 1:100

**ELEVATION 10**  
SCALE 1:100

**ELEVATION 11**  
SCALE 1:100

**ELEVATION 9**  
SCALE 1:100

PROPOSED DWELLING  
LOT 1/4/3 KINGSMILL STREET  
FORT HEDLAND  
ELEVATIONS 9-12

|                             |            |          |
|-----------------------------|------------|----------|
| DESIGNED BY                 | DATE       | REVISION |
| DAVID HAY ARCHITECT PTY LTD | 26/07/2011 | A-033    |
| CHECKED BY                  | DATE       |          |
| APPROVED BY                 | DATE       |          |
| DESIGNED BY                 | DATE       |          |
| DAVID HAY ARCHITECT PTY LTD | 26/07/2011 | A-033    |

0 5 10 M

DAVID HAY ARCHITECT PTY LTD  
10 DUNDY STREET MELB  
VIC 3000 9414

ISSUED FOR CLIENT COMMENT  
ISSUED FOR PLANNING APPROVAL

DATE  
27/06/11  
26/06/11

REVISIONS  
A  
B

*11.1.1.3 Proposed "Use Not Listed" - Mixed Use Development – Twelve Professional Suites, Backpackers Accommodation with an Incidental Caretakers Dwelling (File No.: 124320G & 127020G)*

|  |  |
|--|--|
| <b>Officer</b>                           | <b>Michael Pound</b><br>Planning Officer |
| <b>Application No</b>                    | 2010/301                                 |
| <b>Date of Report</b>                    | 28 April 2011                            |
| <b>Disclosure of Interest by Officer</b> | Nil                                      |

**Summary**

Council has received an application from Port (WA) Pty Ltd, for a "Use Not Listed" being a "Mixed Use Development" on Lots 120-121 (14-16) Kingsmill Street, Port Hedland (subject site).

The proposal includes twelve (12) "Professional Suites" (offices with incidental bedsit) and twelve (12) backpacker accommodation units with an incidental caretakers dwelling.

The proposal lacks sufficient parking to and proposes to construct seven (7) additional car parking bays within the Kingsmill Street Road Reserve.

The item is referred to Council for determination as it is a 'Use Not Listed' within the Town of Port Hedland Town Planning Scheme (TPS5) and requires a variation to the parking requirements.

The application is supported by the Planning Unit subject to conditions.

**Background**

Property Location (ATTACHMENT 1)

The subject site comprises of two lots along Kingsmill Street, with an area of approximately 2024m<sup>2</sup>. It is wholly contained within the 'Mixed Business' zone under the provisions of TPS5.

The subject site currently contains two existing single dwellings on each lot respectively.

The subject site has two road frontages being Kingsmill Street and Anderson Street.

### *The Proposal*

It is proposed to develop the subject site with twelve (12) "Professional Suites" which comprise an office with incidental bedsit and twelve (12) backpacker accommodation units with an incidental caretakers dwelling.

The applicant proposes to provide thirty five (35) car parking bays on site and seven (7) car parking bays within the Kingsmill Street Road Reserve.

Clause 3.2 'Zoning Table' of TPS5 indicates the development (and uses) permitted in TPS5. The zoning permits the proposed land uses in the following manner:

Office : "P" (the development is permitted by the scheme)

Caretakers Dwelling : "IP" (the development is not permitted unless the use to which it is put is incidental to the predominant use as decided by Council)

TPS5 does not make provision for "Mixed Use Developments" or "Backpackers Accommodation", as such the development needs to be considered as a "Use Not Listed".

The application has been assessed in accordance with TPS5, and the assessment is further discussed under the officer's comments.

### **Consultation**

The application has been referred internally with any requirements captured in the report.

Public consultation has taken place with the adjoining property owners in accordance with section 4.3.1 of the Port Hedland TPS5.

No objections were received.

### **Statutory Implications**

'Backpackers Accommodation' and 'Mixed Use Development' is a Use not Listed within the TPS 5 Zoning table. As such Section 3.2.6 of the Scheme is relevant:

*"If the development of land for a particular purpose is not specifically mentioned in the zoning table and cannot reasonably be included in the definition of one of the development categories the Council may determine:*

- a) *That the development or use is not consistent with the objectives and purposes of the particular zone or precinct and is, therefore, not permitted, or*
- b) *By absolute majority that the proposed development may be consistent with the objectives and purposes of the zone and an application for planning approval should be determined in accordance with Part IV, including the advertising procedures of clause 4.3.”*

The development of the land must be done in accordance with TPS5.

### **Policy Implications**

Council's Draft Local Planning Policy 12 – Reciprocal Car Parking & Cash in Lieu of Car Parking

### **Strategic Planning Implications**

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

Key Result Area 4: Economic Development

Goal Number 1: Land Development Projects

Fast-track the release and development of commercial, industrial and residential land.

Goal Number 3 – Business Development

Strategy 2 (other actions) – Provide support and incentives for entrepreneurs who are interested in establishing tourism related businesses within the Town.

### **Budget Implications**

An application fee of \$6,547.50 has been received as per the prescribed fees approved by Council.

### **Officer's Comment**

'Backpacker Accommodation' is not a listed use within the Zoning Table. As such Council must, by absolute majority, determine that the proposal is consistent with the objectives and purpose of the 'Mixed Business' zone.

The proposal and design of the development has been amended on a number of occasions since lodgement to address staff concerns and to comply with the provisions of TPS5.

*Need & Desirability*

As the population is expected to surge in both Port and South Hedland, the demand and need for quality short term accommodation and professional suites has increased.

The proposed development has arisen from a combination of the need for more flexible accommodation options serving a wider demographic and the imperative to move towards providing professional suites. As such, the location is considered to be an ideal showcase for the proposed development.

It is recognised that there is a severe shortage of short term accommodation and professional suites throughout the Town. The proposed development will begin to address this need by providing twelve (12) professional suites and twelve backpacker accommodation units.

*Objectives of the zone*

Clause 5.3.6 (f) of TPS5 stipulates that the "Mixed Business" zone is to be developed as a precinct in which:

"Businesses may be developed in conjunction with single residences;

An approach to design provides for dual frontage with residential development fronting Morgans Street and business operations fronting Anderson Street;

Uses are not permitted which are inconsistent with the residential component; and

No site may be developed just for a residential function."

The proposed development contains professional suites, comprising office space and a bedsit as well as backpackers accommodation. The application address has both street frontages, being Kingsmill and Anderson Street.

The proposed backpackers accommodation is of a short stay residential nature and is consistent with the proposed Scheme Amendment 22.

*Car Parking requirements*

In accordance with Appendix 7 of TPS5 the landowner is required to provide a minimum of sixty three (63) car parking bays. Thirty five (35) car parking bays have been provided on-site leaving a shortfall of twenty eight (28) car parking bays.

Reciprocal Car Parking Arrangement  
(Draft Reciprocal Car parking Policy No. 12)

Council's Draft Local Planning Policy 12 – Reciprocal Car Parking & Cash in Lieu of Car Parking, initiated by Council at its Ordinary Meeting on 9<sup>th</sup> February 2011, allows for car parking requirements to be waived in light of potential reciprocal uses on-site or with neighbouring properties, and/or cash-in-lieu alternatives.

As such, in accordance with Clause 6.13.7 of TPS5 Council may consider reciprocal car parking for a development in order to reduce the shortfall of car parking bays.

The Draft Reciprocal Car parking Policy No. 12, recommends 100% reciprocal car parking for visitor car parking bays associated with the residential component of a development (2 bays). Thus, reducing the shortfall to 26 bays.

The applicant has requested a variation to the parking requirements by utilising reciprocal uses between the offices, backpacker accommodation and the incidental caretaker dwellings. Thus, reducing the shortfall to 13 car parking bays.

*Utilising the Kingsmill Street Road Reserve*

The applicant has requested to use the Kingsmill Street Road reserve to provide seven (7) car parking bays to support the proposed development. Thus, reducing the shortfall to six (6) car parking bays.

In order to support the proposed use of the Road Reserve, Council's engineering staff requested a number of amendments which have been provided by the applicant.

Should Council resolve to approve the application the applicant will be required to landscape the verge / parking area, resulting in an improved streetscape and amenity.

In light of the above it is recommended that the Council support the use of the road reserve for parking provided that there is a lease agreement formalised between the applicant and Council.

*Cash-in-lieu Payment Calculation*  
(Draft Reciprocal Car parking Policy No. 12)

Clause 6.13.3 of TPS5 allows for cash-in-lieu to compensate for reducing the number of bays to be provided on-site. Clause 6.13.5 requires that the provision of cash-in-lieu does not reduce the safety standards of the locality.

In terms of the provisions of the Scheme, Council's Draft Reciprocal Car parking Policy No. 12, provides further clarity and additional requirements for developers wishing to make cash-in-lieu contributions to compensate any parking shortfalls. In accordance with the Draft Reciprocal Car parking Policy No. 12, cash-in-lieu contributions can only be considered:

*For employee and visitor car parking only (i.e cash in lieu of car parking will not be considered for any residential parking requirements whether related to permanent or temporary/tourism accommodation)*

In light of the above, the cash-in-lieu requirements for this development are required only for employee parking as all residential parking has been provided on site.

Where public car parking is available within 250m of the development site.

Within 250m of the subject site there is a public car parking area for the Airey Point Boat ramp.

Given that the proposal is consistent with the provisions of the draft policy, it is considered that the request to make a cash-in-lieu payment for the required 4 bays shortfall is supported.

The cash-in-lieu requirement to pay for additional bays is split into two components, land acquisition and construction cost. The construction cost is estimated at \$7,500 and land acquisition cost based on locality being approximately \$1250.00/m<sup>2</sup> (30m<sup>2</sup> = \$37,500.00).

Given that Council does not have an acquisition cost for the six (6) carparking bays located at the boat ramp. Council may consider providing the land at no cost. This will require the developer having to pay a cash in lieu payment of \$45,000.00.

Given that the proposal is consistent with the provisions of the draft policy, it is considered that the requested parking arrangement can be supported subject to a cash-in-lieu payment for the required six (6) bays shortfall provided.

#### *Options*

The Council has the following options when considering the application:

1. Support the application as submitted with reciprocal carparking, permitting the use of the Kingsmill Street Road Reserve for parking, subject to the successful negotiation of a lease and the payment of Cash-in-lieu for the shortfall of six (6) bays.



The approval of the application would lead to both the development providing a needed resource and at the same time improve the streetscape by requiring landscaping and maintenance of the Kingsmill street verge through a proposed lease agreement.

2. Refuse the proposal

Refusal of the application would result in the possible down scaling of the development and having a less desirable outcome on the Kingsmill street Streetscape.

It is recommended that Council supports the proposed development subject to conditions.

**Attachments**

1. Locality Plan
2. Site and floor plans
3. Elevations

**201011/366 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That Council approves the application submitted by Port (WA) Pty Ltd, for a "Use Not Listed" being a "Mixed Use Development", on Lots 120/121 Kingsmill Street Port Hedland, subject to the following conditions:

1. This approval relates only to a MIXED USE DEVELOPMENT – twelve (12) professional suites (office including a bedsit), twelve (12) backpacker accommodation units and incidental caretakers dwelling, as shown on the approved plans (plan No. 2010/301/drg/1 – 2010/301/drg/6). It does not relate to any other development on this lot.
2. This approval to remain valid for a period of twenty four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
3. Prior to commencing works, the land owner is to prepare a notification pursuant to section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:

- a. **The Western Australian Department of Health has advised in a preliminary investigation that it does not support medium density residential development in this area due to a potential causal link between the dust generated by nearby ore mining processes and port facilities, and increased likelihood of respiratory health impacts,**
- b. **Seniors, children, and persons with existing heart or lung disease appear to be at an elevated risk of dust-related health impacts.**

Should additional information be required in regard part 'a' or 'b', the prospective landowners should contact the Western Australian Department of Health.

4. Prior to the submission of a Building Licence, amended plans being submitted to and approved by Councils Manager Planning incorporating the following:
  - a. **Alternative facade treatments / finishes on both Kingsmill and Anderson Streets;**
  - b. **Detailed plans indicating design of the proposed verge parking in Kingsmill Street, to the specifications of Councils Manager Infrastructure Development and to the satisfaction of Councils Manager Planning;**
  - c. **Detailed plans indicating how the laundries can be adequately ventilated and separated from cooking facilities.**
5. Prior to the submission of a Building Licence the applicant is to have paid a cash in lieu contribution of \$45,000 for the six (6) car parking spaces that cannot be provided on-site.
6. Within 60 days of the date of this approval the applicant / landowner is required to amalgamate Lots 120 and 121 Kingsmill Street, Port Hedland.
7. A minimum of 35 car parking bays are to be provided on-site to the satisfaction of Councils Manager Planning.

8. Prior to the submission of a Building Licence the applicant is to have a formalised a lease / licence agreement with the Town of Port Hedland for the exclusive use of 7 car parking bays including the access ways, landscaping and footpaths on the Kingsmill Street Road Reserve to the specifications of Councils Manager Investment & Business Development and to the satisfaction of Councils Manager Planning
9. The driveways and crossovers shall be designed and constructed to specifications of Councils Manager Infrastructure Development, and to the satisfaction of Councils Manager Planning, prior to the occupation of the building. Existing Crossovers not required for the proposed development to be removed, the verge made good and kerbing reinstated immediately upon completion.
10. Accessways, parking areas, turning areas to be designed and constructed in accordance with TPS No. 5 (including kerbed, formed, drained & finished with a sealed or paved surface).
11. Lighting shall be installed along all driveways, car parking and pedestrian ways to the specifications of Councils Manager Infrastructure Development and to the satisfaction of Councils Manager Planning.
12. Ensure that signs/painted arrows on driveway access is provided for one way only manoeuvring to the specifications of Councils Manager Infrastructure Development and to the satisfaction of Councils Manager Planning.
13. The parking areas and / or associated access ways shall not be used for storage (temporary or permanent) without the prior approval of the Town of Port Hedland.
14. Within 30 days of this approval or such further period as may be agreed by Councils Manager Planning, a detailed landscaping and reticulation plan including the Kingsmill and Anderson Street verges, must be submitted to Councils Manager Planning. The plan to include 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.
15. Within 60 days, or such further period as may be agreed by Councils Manager Planning, landscaping and reticulation to be established using mature shrubs and trees in accordance with the approved detailed plans to the satisfaction of Councils Manager Planning.

16. All storage / service areas shall be suitably screened and access doors / gates closed other than when in use, to the satisfaction of Councils Manager Planning.
17. Any roof mounted or freestanding plant or equipment, such as air conditioning units, to be located and / or screened so as not to be visible from beyond the boundaries of the development site, to the satisfaction of Councils Manager Planning.
18. Stormwater disposal is to be contained onsite and designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of Councils Manager Planning.
19. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.
20. All dust and sand to be contained on site with the use of suitable dust suppression techniques to the specification of Councils Manager Environmental Health Services and to the satisfaction of Councils Manager Planning.
21. Any alterations or relocation of existing infrastructure within the road reserve shall be carried out and reinstated to the specification and satisfaction of the Town of Port Hedland's Engineering Services Department at the developer's expense.
22. The submission of a construction management plan at the submission of a Building Licence application stage for the proposal detailing how it is proposed to manage:
  - a. **The delivery of material and equipment to the site;**
  - b. **The storage of material and equipment on the site;**
  - c. **The parking arrangements for the contractors and subcontractors;**
  - d. **Impact on traffic movement;**
  - e. **Operation times including delivery of materials;**
  - f. **Other matters likely to impact on the surrounding uses;**
  - g. **Building waste management control;**
  - h. **Point of contact of personnel for control of enquiries and any complaints; and**

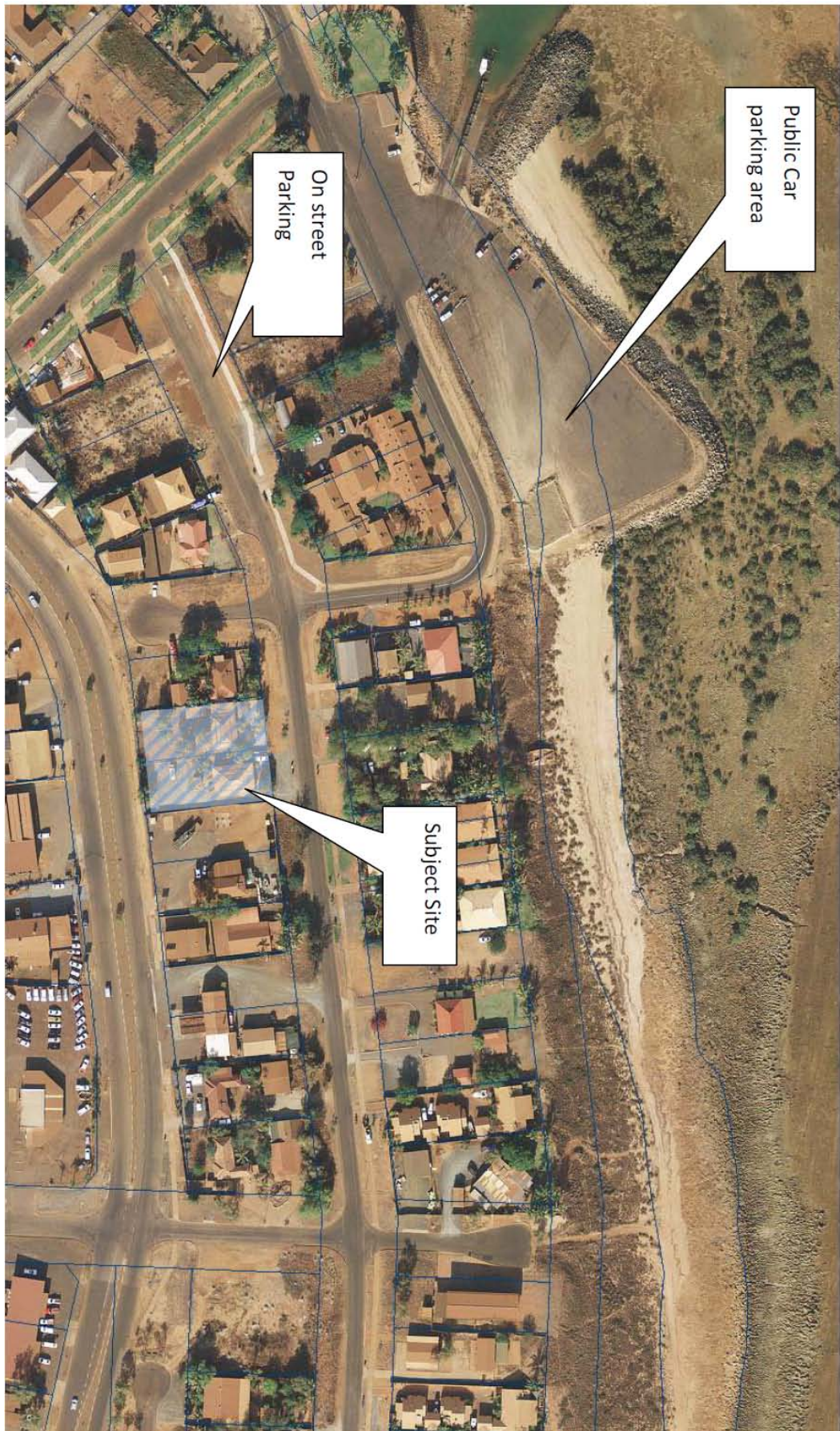
All to the satisfaction of Councils Manager Planning

FOOTNOTES:

1. You are reminded that this is a Planning Approval only, and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. Be advised that all lodging houses are required be registered under the Health Act 1911 and operate in accordance with that Act and the Town of Port Hedland Health Local Laws 1999.
3. Be advised that at the building licence stage a detailed floor plan is required to be submitted in order for Town's Environmental Health Services to assess compliance to the Town of Port Hedland Health Local Laws 1999.
4. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year average recurrence interval (A.R.I) cycle of flooding could affect any property below the ten (10) meter level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and / or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
5. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

*CARRIED 7/0*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.3



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.3

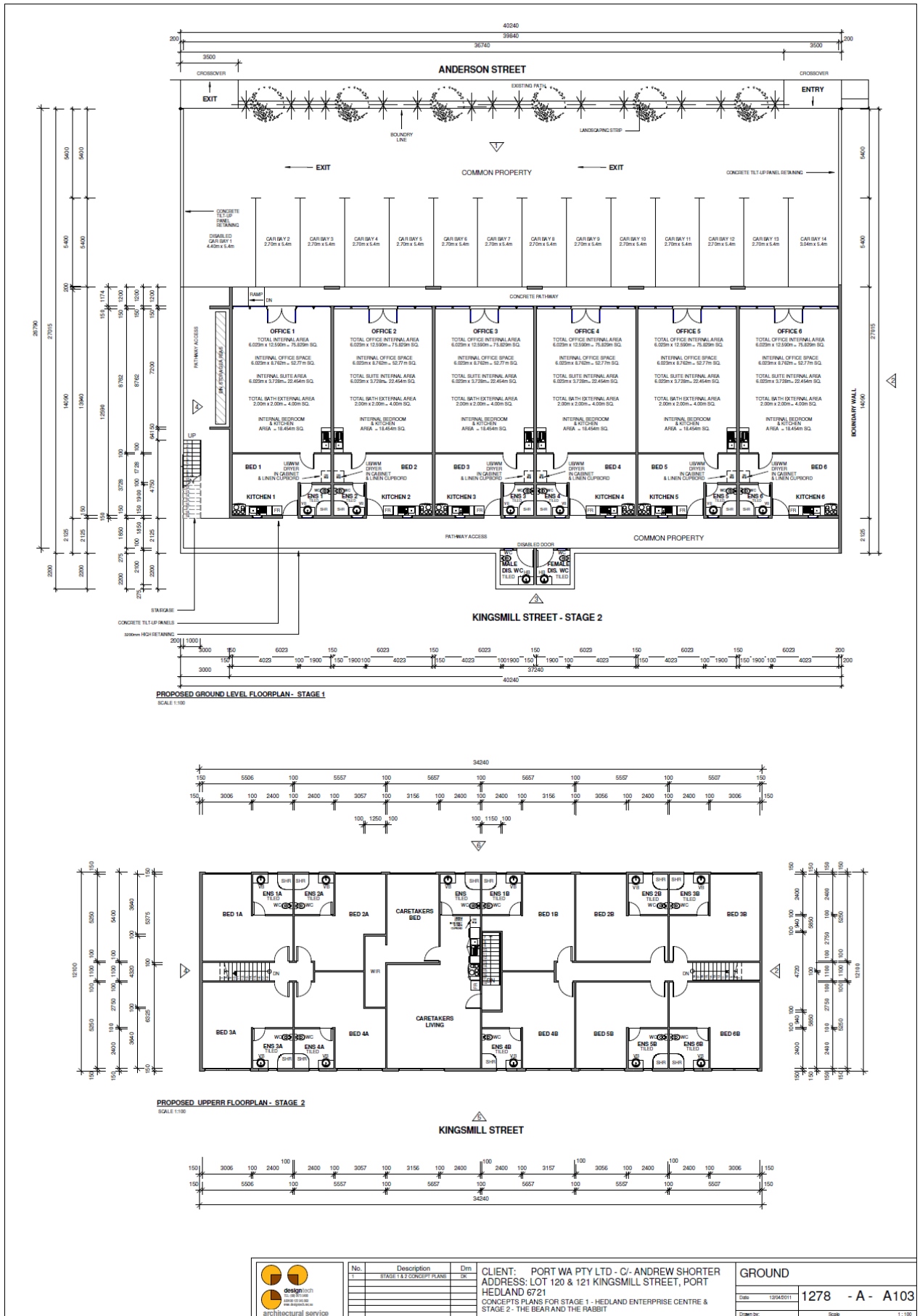


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|--|-----|-------------|------|--|----------|------------|--|
|  | No. | Description | Dim. | CLIENT: PORT WA PTY LTD - CJ ANDREW SHORTER<br>ADDRESS: LOT 120 & 121 KINGMILL STREET, PORT<br>HEDLAND 6721<br>CONCEPTS PLANS FOR STAGE 1 - HEDLAND ENTERPRISE CENTRE &<br>STAGE 2 - THE BEAR AND THE RABBIT | 3D VIEWS |            |  |
|  |     |             |      |  | 1278     | - A - A101 |  |
|  |     |             |      |  |          |            |  |
|  |     |             |      |  |          |            |  |



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|--|-----|-------------|-----|--|-----------|-----------|--|
|  | No. | Description | Dim | CLIENT: PORT WA PTY LTD - CJ ANDREW SHORTER<br>ADDRESS: LOT 120 & 121 KINGSMILL STREET, PORT<br>HEDLAND 6721<br>CONCEPTS PLANS FOR STAGE 1 - HEDLAND ENTERPRISE CENTRE &<br>STAGE 2 - THE SHED AND THE TRUST | BIRDS EYE |           |  |
|  |     |             |     |  | 1278      | -A - A102 |  |
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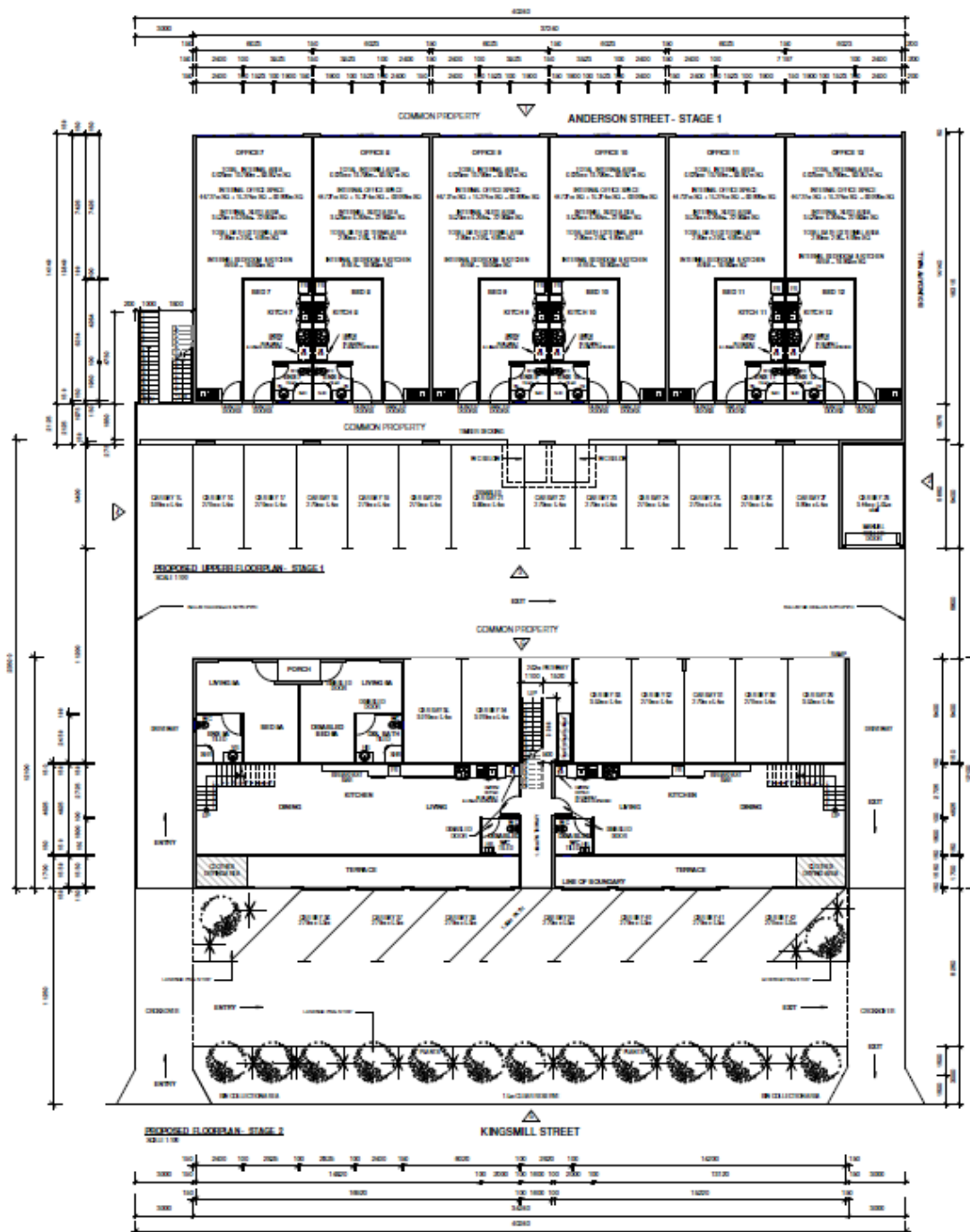




| No. | Description               | Dim |
|-----|---------------------------|-----|
| 1   | STAGE 1 & 2 CONCEPT PLANS | DK  |

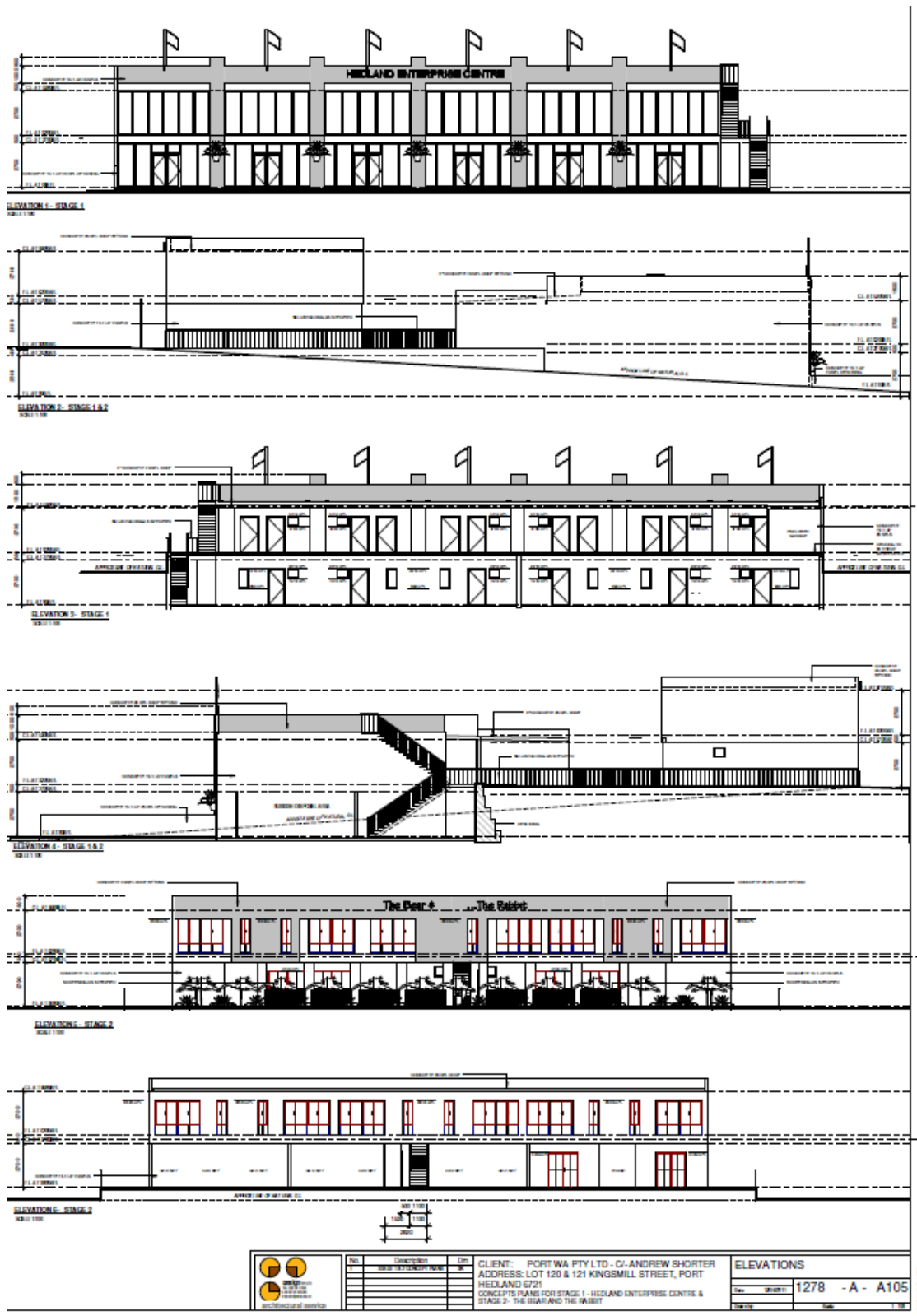
CLIENT: PORT WA PTY LTD - C/ ANDREW SHORTER  
 ADDRESS: LOT 120 & 121 KINGSMILL STREET, PORT  
 HEDLAND 6721  
 CONCEPTS PLANS FOR STAGE 1 - HEDLAND ENTERPRISE CENTRE &  
 STAGE 2 - THE BEAR AND THE RABBIT

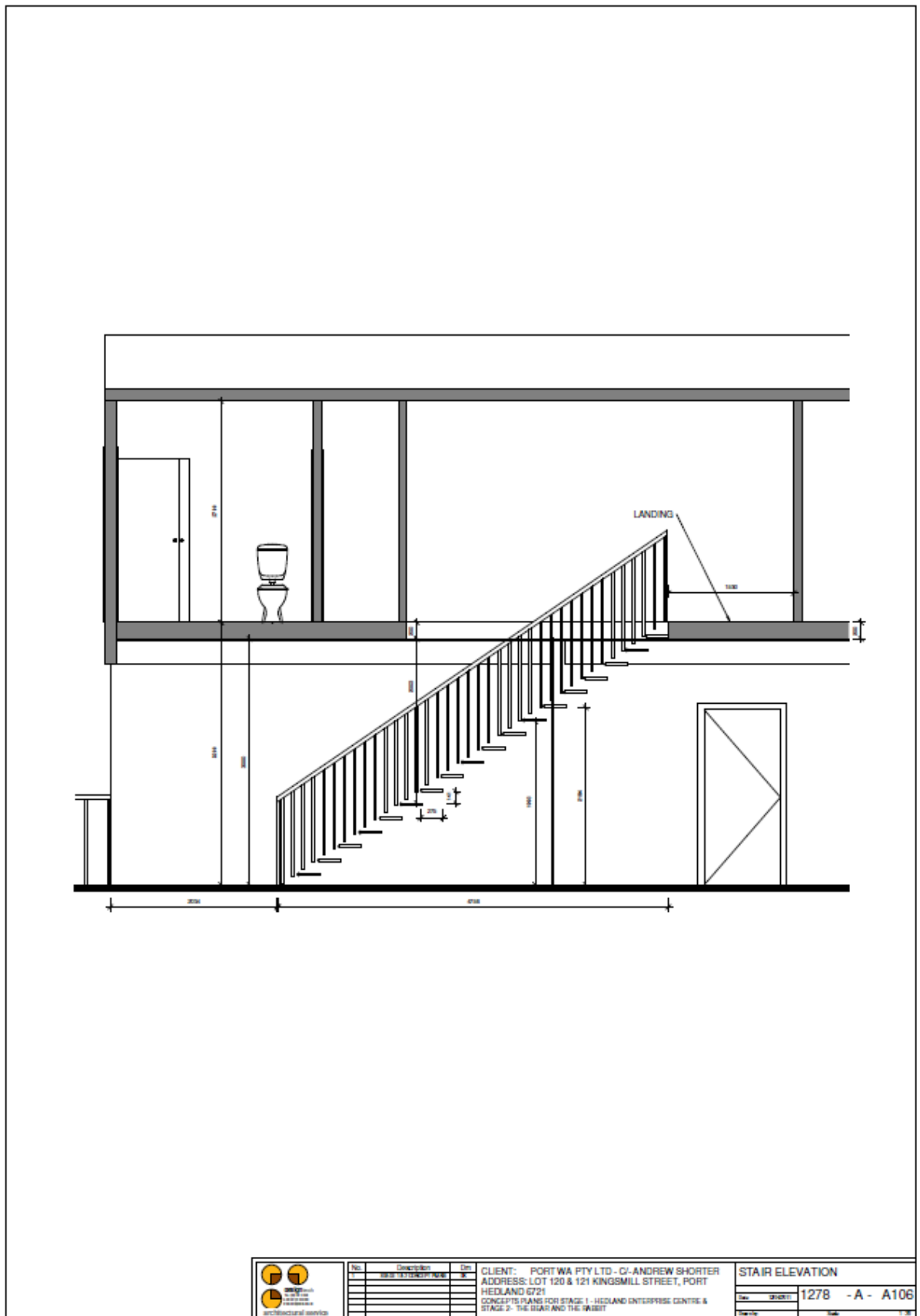
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|  | NO. | Description | DATE | CLIENT: PORT WA PTY LTD - C/- ANDREW SHORTER<br>ADDRESS: LOT 120 & 121 KINGSMILL STREET, PORT<br>HEDLAND 6721<br>CONCEPT PLANS FOR STAGE 1 - HOLLAND ENTERPRISE CENTRE &<br>STAGE 2 - THE DEAR AND THE GARRET | FIRST |                 |
|  |     |             |      |   | Date: | 1278 - A - A104 |

ATTACHMENT 3 TO AGENDA ITEM 11.1.1.3





|  |     |             |      |  |                 |               |
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|  | No. | Description | Dim. | CLIENT: PORT WA PTY LTD - CJ-ANDREW SHORTER<br>ADDRESS: LOT 120 & 121 KINGSMILL STREET, PORT<br>HEDLAND 6721<br>CONCEPTS PLANS FOR STAGE 1 - HIGHLAND ENTERPRISE CENTRE &<br>STAGE 2 - THE DEAR AND THE RABBIT | STAIR ELEVATION |               |
|  |     |             |      |  | Doc. NO:        | 1278 -A- A106 |
|  |     |             |      |  | Scale:          | 1:50          |
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*11.1.1.4 Authorisation of Dog Registration Officers – Dog Act 1976 (File No. :19/09/001)*

Officer Peter Wilden  
Coordinator Rangers

**Date of Report** 27 April 2011

**Disclosure of Interest by Officer** Nil

**Summary**

For Council to consider the appointment of Ranger Administration Officer Melissa De GROOT, as Registration Officer authorised under the Dog Act 1976 and Regulations the Litter Act 1979 and Regulations 1981 for the Town of Port Hedland.

With Customer Service Officers Izabela Sandrini, Merja Stockton and Anna Fiorini also being authorised to Register Dogs as registration officers under the Dog Act 1976.

**Background**

To aid in delivering a higher level of customer service to the community EFTPOS facilities have been installed at the Ranger Services office located at the Works Depot in Wedgefield.

The Administration officer will be required to register dogs that are released re-homed and adopted and as well as issue fines relation to Litter Report Cards handed in for follow-up.

The Customer Service Officers will only be required to be authorised to register dogs from the Civic Centre and will increase the Towns level of customer service.

**Consultation** Nil

**Statutory Implications**

The Dog Act 1976 (as amended) requires that all persons that register dogs be authorised under the Act to carry out this function.

The Litter Act 1979 and Regulations also require persons to be authorised under the Act.

**Policy Implications** Nil

**Strategic Planning Implications** Nil

**Budget Implications**

Authorisation of officers will need to be advertised in the Government Gazette, which will incur a cost to Council of approximately \$200.00.

**Officers Comment**

It is a requirement that any officer that affects the registration of dogs is authorised. Authorisation of officers also gives the Council and staff legal protection while carrying out this function while acting in good faith.

**201011/367 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr D W Hooper

That Council:

1. approves the authorisation of Melissa De Groot as a Registration Officer in accordance with the provisions of the Dog Act 1976 and the Dog Regulations 1976 and the Litter Act 1979 and Litter Regulations 1981.
2. approves the authorisation of Ilabela Sandrini, Merja Stockton and Anna Fiorini as Registration officers in accordance with the provisions of the Dog Act 1976.
3. Authorise the removal of Christine Nunn and Rachel Machado as authorised officers
4. Approves all appointments and removal of officers to be advertised in the Government Gazette.

*CARRIED 7/0*

*11.1.1.5 Draft Pilbara Planning & Infrastructure Framework (File No.: .../...)*

**Officer** Eber Butron  
Director Planning & Development

**Date of Report** 04 May 2011

**Disclosure of Interest by Officer** Nil

Summary

The draft Pilbara Planning and Infrastructure Framework (PPIF) is a document prepared by the Department of Planning intended to establish a strategic direction for the future development of the region over the next 25 years. The draft document is being publicly advertised to 9<sup>th</sup> May 2011.

It is recommended that Council request an extension of time to comment on the draft PPIF until the 30<sup>th</sup> June 2011 when it will provide a more detailed and informed response to this important document, and once the Growth Plan is complete.

Background

The draft PPIF is proposed to establish a strategic framework for the future development of Pilbara.

The draft document has been prepared under the direction of the newly formed Pilbara Regional Planning Committee. It has been endorsed as a regional strategy by the Planning Commission to be incorporated within State Planning Policy 1. The draft plan promotes the development of Twin Pilbara Cities in Karratha and Port Hedland, proposed to have a population of 50,000 in each city. The draft Framework is intended to provide direction for regional planning and to Local Government for the preparation of more detailed Local Planning Strategies and Schemes.

Consultation

The draft plan is being publicly advertised for a period of 60 days until the 9<sup>th</sup> May 2011

Statutory Implications

The draft plan has been endorsed as a regional strategy to be listed with in the State Planning Policy 1.

**Policy Implications** Nil

### Strategic Planning Implications

The draft plan identifies various key projects and actions identified within Councils Strategic Plan, it will enable Council to effectively review and amend future Strategic Plans accordingly.

### Budget Implications

Projects identified within the draft Framework may have significant financial considerations in future budgets with regard to delivery of major infrastructure, facilities and projects.

### Officer's Comment

Council officers have reviewed the draft Framework and generally support the intent of the document, an underlying issue raised concerns of timing, content and future implications to the Town of Port Hedland.

Council is in the process of preparing the Growth Management Plan (GMP) for the Town of Port Hedland. Council, Department of Planning, Pilbara Cities and other stakeholders have invested significant time, monies and resources towards the development of the GMP. It is anticipated the draft findings of the GMP will be available by early to mid June 2011. It is imperative from Councils perspective that the findings of the GMP formulate and be integrated into the PPIF. It is envisaged the GMP will provide greater detail on future planning, social, economic and infrastructure requirements to develop the Town of Port Hedland into a future city of 50,000. Given the considerable commitment provided by Council and other stakeholders, it is logical that the findings of the GMP be included in the PPIF.

In summary issues raised to date, with regards to the draft PPIF include

- Effective coordination & integration with other Pilbara regional and local Port Hedland planning, infrastructure , community and other documents/strategies prepared for the area
- Some projects that have been identified within the draft PPIF have already commenced or nearing completion. The draft PPIF should be updated and amended to reflect this
- The current PPIF identifies priority projects upto 2015. Given the framework is intended to guide development to 2035 it should identify key projects or actions beyond 2015
- The Pilbara is a rapidly growing and changing region. Some detailed provided within the PPIF has progressed or changed. The draft plan needs to be amended to reflect changes in the region especially the economic and social environment.



- Comparison to Townsville region on the North Coast of Queensland is not necessarily reflective of the Pilbara, currently or even the future vision of the Pilbara, there are differing economic, social and environmental attributes if one was to compare both towns.
- To provide a more effective document it is considered the draft PPIF can provide more detailed with regards to commentary on the actions and delivery of future strategic infrastructure and programs, especially with regards to the type, scale and quantity of these items to ensure a sustainable 50,000 person city.
- The draft PPIF should provide more detail with regards to future projects and infrastructure within the Town of Port Hedland
- It is considered the implementation of the document is extremely critical to the effective and successful delivery of projects identified within the draft PPIF. This section within the document requires a lot more detail with regards to projects and actions, timing, delivery, review and responsible agencies to deliver these project/items.
- Following on previous point it would be ideal if the draft plan was a whole of government endorsed document and all relevant stakeholders (state agencies, Council, Community and other stake holders) had ownership of the document and where involved and responsible for the delivery of the projects identified in the PPIF.
- In summary it is considered many of issues identified above would be addressed by the GMP that would effectively inform and provide greater detail for incorporation in the PPIF.

### *Options*

Council has the following options with regards to the PPIF

1. Endorse and support the draft PPIF
2. Endorse and support the draft PPIF subject to further comments and amendments
3. Formally request an extension of time so council can provide a more informed comment to the draft document. Ideally council request an extension of time to June 30<sup>th</sup> 2011, providing enough time to incorporate the preliminary findings of the GMP
4. Not endorse the PPIF

**Attachments**

1. Pilbara Planning & Infrastructure Framework – attached under separate cover

**201011/368 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr D W Hooper

That Council formally requests an extension of time to comment on the draft Pilbara planning and infrastructure framework until the 30<sup>th</sup> June 2011

*CARRIED 7/0*

*11.1.1.6 Proposed Final Adoption of Amendment 36 to the Town of Port Hedland Town Planning Scheme No. 5, for Re-Coding of Lots 2782, 2783 & 2784 Acacia Way South Hedland (File No.: 18/09/0049)*

|  |                                       |
|--|---------------------------------------|
| Officer                                  | Luke Cervi<br>Senior Planning Officer |
| <b>Date of Report</b>                    | 27 April 2011                         |
| <b>Disclosure of Interest by Officer</b> | Nil                                   |

### **Summary**

Council at its Ordinary Meeting held on 8 December 2010 resolved to initiate a Scheme Amendment to the Town Planning Scheme No. 5 (TPS 5) by re-coding Lots 2782, 2783 & 2784 Acacia Way South Hedland.

The application was subsequently forwarded to the Environmental Protection Authority (EPA) and advertised in accordance with the relevant legislation.

This report seeks Council's approval to adopt the Scheme Amendment.

### **Background**

To facilitate proper and orderly planning, Council has initiated a re-coding of Lots 2782, 2783 & 2784 Acacia Way South Hedland from R20 to R30. This has been proposed to ensure a consistent coding with adjoining lands and facilitate the development of Lot 2784 with 3 Grouped Dwellings.

### **Consultation**

In accordance with the Town Planning Regulations 1967, the proposed scheme amendment has been advertised and circulated as follows:

- North West Telegraph – 9/3/11, 30/3/11 & 13/4/11.
- Written notification to – Affected Landowners, Telstra, Horizon Power, Water Corporation and Optus.

A submission was received from Water Corporation identifying current servicing issues. The comments have been captured in the report.

**Statutory Implications**

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

**Policy Implications**

Nil

**Strategic Planning Implications**

Key Result Area 4: Economic Development

Goal 4: Land development projects

Strategy 1:

Fast-track the release and development of commercial, industrial and residential land in a sustainable manner including:

- Pretty Pool developments
- South Hedland New Living developments
- Landcorp's Various Industrial land release programs
- Moore St development and West End developments
- South Hedland CBD developments
- Redevelopment of the Port Hedland Telstra / Water Corporation Site.

**Budget Implications**

The applicant has paid the initiation, finalisation and on-site advertising fee of \$4,069.6, as per the approved fees and charges.

**Officer's Comment**

The original proposal was amended at the request of Council to include additional lands to ensure proper and orderly planning by ensuring consistent land coding. During the notification period Council received one submission. The submission was from Water Corporation and whilst not objecting to the proposal, they did identify that the East Pilbara Water Scheme is under extreme pressure and may not be able to immediately service development arising from the amendment. Council has been aware of this issue for some time and continues to be updated on progress. It is considered that this issue should not prevent or delay Council amending its Scheme to facilitate the proper and orderly planning of the Town towards becoming a city.

**Options**

Taking the above into consideration the Council has the following options when considering the request for final adoption.

1. Approve the final adoption of Scheme Amendment 36 as initiated.

This option involves no change to the amendment and is consistent with Council's resolution to initiate the amendment.

2. Approve the final adoption of Scheme Amendment 36 subject to modifications.

This option would enable Council to adopt the scheme amendment in an amended format.

3. Abandon Scheme Amendment 36

This option would be used if Council is of the opinion the proposed R30 coding is not acceptable.

It is recommended that Scheme Amendment 36 be endorsed for final adoption as initiated.

### **Attachments**

1. Scheme No. 5, Amendment No. 36, Maps

### **201011/369 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That Council:

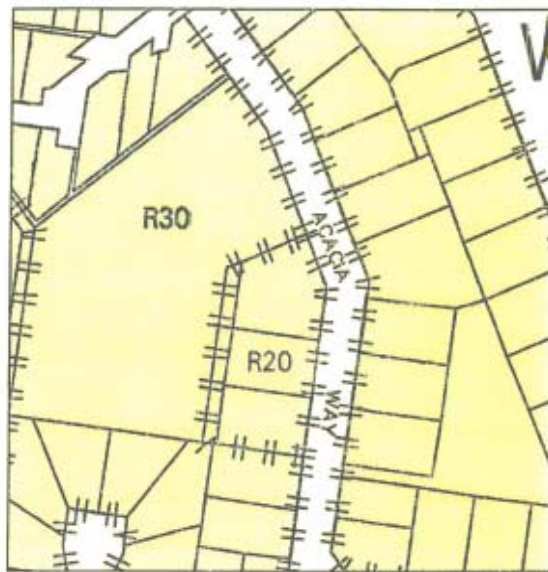
1. Adopts Scheme Amendment 36, to Town of Port Hedland Town Planning Scheme No.5 consisting of the following changes:
  - i. **Re-coding lots 2782, 2783 & 2784 Acacia Way, South Hedland from "Residential R20" to "Residential R30".**
  - ii. **Amending the Scheme Map accordingly.**
2. Authorise the Mayor and Chief Executive Officer to execute three (3) copies of the amendment documents in accordance with the Town Planning Regulations 1967 (as amended)
3. Forwards all required documentation to the Western Australia Planning Commission for Ministerial Consent in accordance with the Town Planning Regulations 1967 (as amended).
4. Advise the applicant of Council's decision

*CARRIED 7/0*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.6

### SCHEME AMENDMENT MAP

SHIRE OF PORT HEDLAND  
TOWN PLANNING SCHEME No.5  
AMENDMENT No.



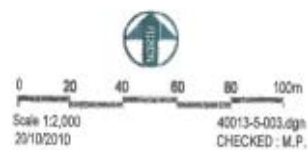
EXISTING ZONING

#### LEGEND

- LOCAL SCHEME RESERVES
- LOCAL ROAD
- ZONES
- RESIDENTIAL
- OTHER
- R20 R CODES



PROPOSED ZONING



*NOTE: Mayor advised that Agenda Item 11.1.1.7 'Proposed Partial Road Closure of "District Road" Reserve and Motel Development Thereon' has been withdrawn.*

**11.2 Engineering Services**

## 11.2.1 Infrastructure Development

**11.2.1.1. Port Hedland International Airport Paid Parking System – Fee Structure (File No.: 30/12/0003)**

Officer Jenella Voitkevich  
Manager of Infrastructure  
Development

**Date of Report** 3<sup>rd</sup> May 2011

**Disclosure of Interest by Officer** Nil

## Summary

The purpose of this report is to provide Council with the outcomes of the pricing study component of the Traffic and Carparking study for the Port Hedland International Airport carpark, in order to adopt a fee structure for the paid parking system currently being developed.

## Background

At the Airport Committee meeting held on 1<sup>st</sup> March 2011 Council awarded Tender 11/11 Design, Supply and Install of Port Hedland International Airport Paid Parking System to Sabar Technologies based on the Committee's recommendation as follows:

*“That the Airport Committee:*

- 1. Awards Tender 11/11 Design, Supply & Installation of Paid Parking System to Sabar Technologies Pty Ltd for a total of \$539,785 + GST*
- 2. Requests the preparation of an Operational Management Plan for the Port Hedland International Airport parking area, to be approved and implemented prior to commissioning the paid parking system”*

The paid parking system is being developed as per the awarded contract. A fee structure must be adopted prior to the system being commissioned.

## Consultation

- Cardno Eppll Olsen
- Sabar Technologies
- Councils Engineering Staff



- Airport Committee (informal briefing prior to meeting held on 28th April 2011)

**Statutory Implications** Nil

**Policy Implications** Nil

Strategic Planning Implications

Key Result Area 1 – Infrastructure

- Goal 2 - Airport
- Immediate Priority Strategy 3 - Progress planning and design for an upgraded and extended terminal building
- Other Action Strategy 1 - Undertake upgrades to the terminal and surrounds to improve the functionality of the facility including:
  - Creating more common-user check in points
  - Improving airport security screening arrangements
  - Review parking options and implement an agreed Airport Parking Plan

Budget Implications

The proposed fee structure will be included in the 2011/12 budget process. The expected annual revenue from the proposed fee structure is:

|                    | Current Development | Future Development |
|--------------------|---------------------|--------------------|
| Short Term Parking | \$350,000           | \$940,000          |
| Long Term Parking  | \$925,000           | \$2,460,000        |
| Total              | \$1,275,000         | \$3,400,000        |

Officer's Comment

A detailed report on a proposed fee structure for paid parking was recently completed by Cardno Eppell Olsen. The report is based on:

- The car parking capacity
- The car parking demand (current and future)
- Pricing options
- Impact of price vs patronage
- Comparison with other airport parking fees

Cardno Eppell Olsen has made the following fee structure recommendation predominately based on achieving the maximum revenue for the car park capacity:

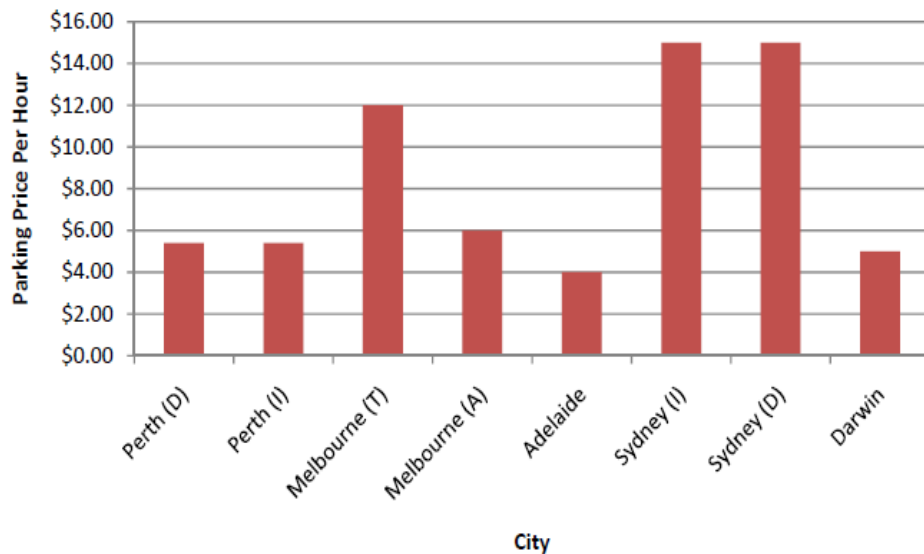
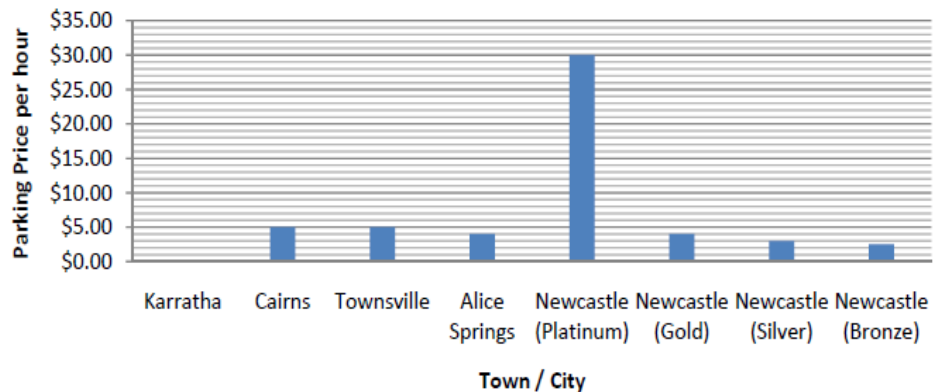
- Long term parking - \$18/day
- Short term parking - \$1.50/hr

This will result in the following estimated revenue generation:

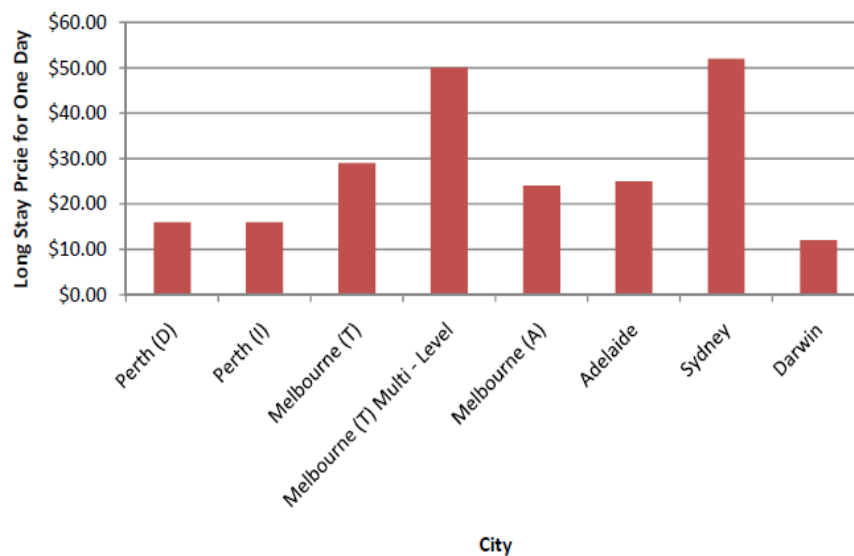
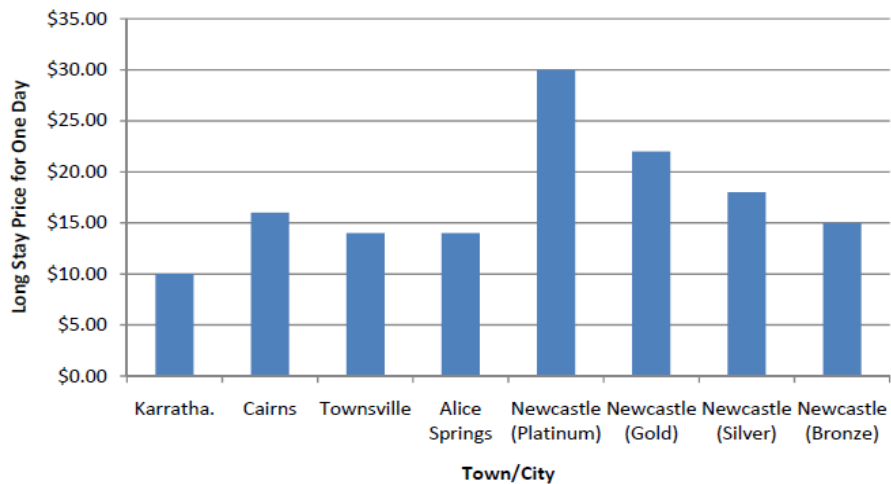
- \$1.4M from current design and demand
- \$3.8M by 2030 based on demand and development of car parking area

Cardno has provided the comparisons in pricing for short and long term parking at other airports in the following graphs.

*Comparison of Short Stay Car Parking Prices*



*Comparison of Long Stay Car Parking Prices*



Further analysis of other airport car parking fees, separate to the Cardno report, are shown below:

*Mackay Airport Parking Fees*

|                       |         |
|-----------------------|---------|
| SHORT TERM (PER HOUR) | FEE     |
| 0-30mins              | \$2.50  |
| 30mins-1 Hour         | \$5.00  |
| 1-2 Hours             | \$6.00  |
| 2-3 Hours             | \$7.00  |
| 3-4 Hours             | \$8.00  |
| 4-5 Hours             | \$9.00  |
| 5-6 Hours             | \$10.00 |
| 6-7 Hours             | \$10.00 |
| 6-7 Hours             | \$10.00 |
| 7-8 Hours             | \$10.00 |
| Each additional hour  | \$1.00  |
| 24 hour charge        | \$20.00 |
| LONG TERM (PER DAY)   | FEE     |

|                         |         |
|-------------------------|---------|
| Per Day                 | \$14.00 |
| Per Day covered carpark | \$20.00 |

*Mildura Parking Fees*

| SHORT TERM (PER HOUR) | FEE                  |
|-----------------------|----------------------|
| 0-3 Hours             | Free                 |
| 3-4 Hours             | \$8.00               |
| 4-5 Hours             | \$10.00              |
| 5-6 Hours             | \$12.00              |
| 6-7 Hours             | \$14.00              |
| Each additional Hour  | \$2.00 up to \$24.00 |
| Beyond 1 day          | \$24.00              |
| LONG TERM (PER DAY)   | FEE                  |
| Up to 5 Days          | \$8.00               |
| >5 Days               | \$5.00               |
| Secure parking        | \$16.00              |

*Karratha Airport Parking Fees*

| SHORT TERM (PER HOUR) | FEE     |
|-----------------------|---------|
| 0-2 Hour              | Free    |
| 2-3 Hours             | \$5.00  |
| 3-4 Hours             | \$6.00  |
| 4-5 Hours             | \$7.00  |
| 5-6 Hours             | \$8.00  |
| 6-7 Hours             | \$9.00  |
| 7-24 Hours            | \$25.00 |
| Additional Days       | \$25.00 |
| LONG TERM (PER DAY)   | FEE     |
| 1-7 Days              | \$10.00 |
| 8-14 Days             | \$8.00  |
| >14 Days              | \$6.00  |

The fees recommended by Cardno are significantly higher than at other locations (for long term parking) and create management issues for short term parking (change handling). It is recommended to reduce the long term parking fee to be more consistent with other airport locations. The short term parking fee should be increased to a single gold coin payment to reduce issues with change handling. Any further increases in the short term parking fee may significantly reduce the expected revenue due to reduced patronage and would create a higher demand for the drop off/pick up zone.

Other considerations when adopting a fee structure include the provision of a period of free parking in the short term carpark. This allows vehicles to exit without charge if no parking is available, plus will accommodate additional space for pick up and drop off of passengers close to the terminal.

Many airports have also introduced a fee for replacement of damaged or lost tickets. The cost to replace damaged tickets is based on a staff call-out rate, acknowledging that the parking fee itself will still be able to be calculated and charged. The cost to replace a lost ticket will be assessed on each application as it may not be possible to determine how long the vehicle has been parked, therefore what parking fee would apply. In these cases the maximum fee would apply. Parking tickets that are damaged to the point where the term of parking can't be established will be charged according to the lost ticket fee.

### *Summary*

Based on the report by Cardno, comparison with other airports and consultation with the Airport Committee, staff recommend the following fee structure:

|  |                                |
|--|--------------------------------|
| Short Term Parking   |                                |
| 0 - 30 minutes   | Free                           |
| 30 minutes - 1 hour  | \$2.00                         |
| Per hour thereafter  | \$2.00                         |
| Long Term Parking  |                                |
| Per day or part thereof  | \$15.00                        |
| More than 7 days   | 10% discount                   |
| Damaged ticket fee (plus standard parking fee)                 |                                |
| During staffed hours   | \$10.00                        |
| After hours  | \$75.00                        |
| Lost ticket fee  |                                |
| Upon assessment to determine if parking fees can be determined | \$120.00 max (no parking fees) |

Based on the above fee structure (no discounts applied), the following annual revenue may be achieved:

|                    | Current Development | Future Development |
|--------------------|---------------------|--------------------|
| Short Term Parking | \$350,000           | \$940,000          |
| Long Term Parking  | \$925,000           | \$2,460,000        |
| Total              | \$1,275,000         | \$3,400,000        |

The proposed fee structure, once approved, will be included in the 2011/12 budget and advertised as part of the budget process.

### Attachments

Cardno Eppel Olsen Port Hedland Airport Car parking Study – attached under separate cover

### 201011/370 Council Decision

**Moved:** Cr A A Carter

**Seconded:** Cr J M Gillingham

That Council suspends Standing Orders.

6:03pm Mayor advised that Standing Orders were suspended.

### 201011/371 Council Decision

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That Council resumes Standing Orders.

6:08pm Mayor advised that Standing Orders were resumed.

### 201011/372 Officer's Recommendation/Council Decision

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That Council approves the following fee structure for the Port Hedland International Airport paid parking system:

|   |                                       |
|---|---------------------------------------|
| <b>Short Term Parking</b>   |                                       |
| <b>0 - 30 minutes</b>   | <b>Free</b>                           |
| <b>30 minutes - 1 hour</b>  | <b>\$2.00</b>                         |
| <b>Per hour thereafter</b>  | <b>\$2.00</b>                         |
| <b>Long Term Parking</b>  |                                       |
| <b>Per day or part thereof</b>  | <b>\$15.00</b>                        |
| <b>More than 7 days</b>   | <b>10% discount</b>                   |
| <b>Damaged ticket fee (plus standard parking fee)</b>                 |                                       |
| <b>During staffed hours</b>   | <b>\$10.00</b>                        |
| <b>After hours</b>  | <b>\$75.00</b>                        |
| <b>Lost ticket fee</b>  |                                       |
| <b>Upon assessment to determine if parking fees can be determined</b> | <b>\$120.00 max (no parking fees)</b> |

*CARRIED 5/2*

## Record of vote:

| FOR             | AGAINST             |
|-----------------|---------------------|
| Cr A A Carter   | Cr G J Daccache     |
| Cr S J Coates   | Mayor Kelly Howlett |
| Cr J Gillingham |                     |
| Cr D W Hooper   |                     |
| Cr M Dziombak   |                     |

**11.2.1.2** *Tender 11/17 Civil Construction Works Limpet Crescent  
(File No.: 28/16/0009)*

Office Anthony Williams  
Project Development Officer

**Date of Report** 3 May 2011

**Disclosure of Interest by Officer** Nil

**Summary**

The purpose of this report is to provide a summary and assessment of submissions received for Tender 11/17 Civil Construction Works Limpet Crescent, to enable Council to award the Tender.

**Background**

Limpet Crescent is an important neighbourhood link road in the Shellborough nucleus of South Hedland & extends from Cottier Drive to Clam Court.

Main Roads crash data has demonstrated that 9 recorded crashes took place between Jan 2004 & Dec 2008. The nature of the crashes suggests that there may be issues with the alignment, lighting, visibility, signage or delineation of the road. Town's officers have prepared a road safety audit and road improvement designs in order to help improve the traffic flow & general traffic/pedestrian safety on Limpet Crescent.

The road improvement designs have recommended a series of works aiming to rectify the current safety issues. Town's officers have organized these works into 2 stages due to funding and approvals.

Stage 1 works cover 680m and extends from Cowrie Way to the Trumpet Way intersection. These works include concrete works such as kerbing and footpaths, tree pruning and traffic calming.

Stage 2 works cover 230m and extends from Cowrie Way to the Oriole Way intersection. These works include road realignment, intersection improvements, residential land amalgamation and service relocations. The approvals involved with these works will take some time to process and as such stage two works will be reviewed as a separate project through Council's future budget processes.

On 5<sup>th</sup> March 2011 tenders were called for the proposed stage 1 works; therefore the road is ready for upgrades pending awarding the contract to a suitably qualified company.



### **Consultation**

The design and specifications were developed in consultation with qualified engineers and Main Roads WA. The tender submissions have been assessed by Council's Engineering staff.

### **Statutory Implications**

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

*3.57. Tenders for providing goods or services*

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

*(2) Regulations may make provision about tenders.*

### **Policy Implications**

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

### **Strategic Planning Implications**

Key Result Area 1 – Infrastructure

Goal 1 – Roads, Footpaths and Drainage

Immediate Priority 1 – Undertake road works in South Hedland to improve road permeability

### **Budget Implications**

The 2010/11 budget for this project is \$449,617, consisting of contributions from MWRA State Black Spot funding and Council. The budget summary is as follows:

|                                 |            |
|---------------------------------|------------|
| 10/11 Budget                    | \$ 449,617 |
| Expenditure to date             | \$31,759   |
| Outstanding purchase orders     | \$4,000    |
| Future project management costs | \$5,000    |
| Budget remaining for Tender     | \$408,858  |

Tender 11/17 closed at 2.30pm on Wednesday 30<sup>th</sup> March 2011. Submissions were received from 5 companies as listed below:

- ANG Bobcat Hire
- Australian Civil
- Riverlea
- Downer EDI works
- CARR Civil

ANG Bobcat Hire's tender submission was considered non-conforming because they did not submit any of the information required in the Tender documentation Schedule's C through H.

Table 1 below indicates the lump sum prices submitted by each of the above conforming Tenderer's.

Table 1:

| Tenderer         | Total Price (ex GST) |
|------------------|----------------------|
| Australian Civil | \$ 281,179.00        |
| Riverlea         | \$ 360,941.44        |
| Downer EDI Works | \$ 491,715.00        |
| CARR Civil       | \$ 767,868.17        |

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

Table 2:

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

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

$$(Tlp \div Tslp) \times 50$$

The comparison of each of the assessment criteria for the tender submissions received is as follows and is summarised in Table 3 below:

Table 3

| Contractor/<br>Assessment Criteria | Price (50%) | Experience (20%) | Resources (10%) | Understand WUC (10%) | Local Industry Dev. (10%) | Total Score (100%) |
|------------------------------------|-------------|------------------|-----------------|----------------------|---------------------------|--------------------|
|                                    | Score       | Score            | Score           | Score                | Score                     |                    |
| Australian Civil                   | 50          | 14               | 7               | 4                    | 9                         | 84%                |
| Riverlea                           | 38.95       | 8                | 4               | 3                    | 5                         | 58.95%             |
| Downer EDI Works                   | 28.59       | 11               | 6               | 7                    | 6                         | 58.59%             |
| CARR Civil                         | 18.31       | 8                | 3               | 3                    | 2                         | 34.31%             |

#### *Experience*

Australian Civil and Downer EDI demonstrated a good level of experience performing similar projects, including small scale concreting and kerbing works within established residential areas. Riverlea and CARR Civil demonstrated mostly large scale road construction works.

#### *Resources*

Most tenderers demonstrated suitable resources and resource availability, however some lacked detail on equipment, subcontractors and suppliers.

#### *Understanding of Works Under Contract*

Downer EDI demonstrated detail in their works schedule and management approach. The tenderers had a good understanding of the scope however some listed exclusions to the works which impacted on scoring.

#### *Local Industry Development*

Australian Civil is a locally based company and scored well in this area.

#### *Summary*

At the conclusion of the assessment Australian Civil scored the highest, are qualified in this type of work and their lump sum price was within the budget amount. It is recommended to award the contract to Australian Civil.

#### **Attachment**

Nil

**201011/373 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr G J Daccache

That Council awards Tender 11/17 Civil Construction Works Limpet Crescent to Australian Civil for a total of \$ \$281,179.00 + GST

*CARRIED 7/0*

**11.3 Community Development****11.3.1 *Multi Purpose Recreation Centre Update and Consideration of Design Elements, Capital Costs, and Future Operational Impacts (File No.: 26/13/0015)***

Officer Gordon MacMile  
Director Community  
Development

**Date of Report** 5 May 2011

**Disclosure of Interest by Officer** Nil

**Summary**

The Multi Purpose Recreation Centre (MPRC) construction at Kevin Scott Oval in South Hedland is progressing well, currently on program for completion in May 2012. Investigations into the internal designs (from an operational perspective) have been undertaken, and potential alterations and additions have been identified. These suggested changes may impact on the completion date of the construction of the facility, however also has the potential to reduce overall ongoing operational deficit in subsequent years.

Council is therefore requested to authorise the detailed review, costing and program implications of the potential design alterations by architects, Ashton Raggatt and McDougall (ARM) with a subsequent report on the findings presented to for Council consideration.

This item was presented to Council at its Ordinary Meeting of 27 April 2011, where it was laid on the table for further consideration.

**Background**

In November 2011, the Town of Port Hedland awarded the responsibility of the development of the Management Plan for the MPRC to CCS Strategic Management (CCS), to determine financial, human resource, asset management requirements for the Centre. Initial investigations by CCS identified that the existing internal floor design would lead to inefficiencies in terms of operations, limitations to programming opportunities and resultant higher financial deficits.

CCS, Thinc Projects (Project Managers), Town of Port Hedland staff and the Architects from Ashton Raggatt and McDougall (ARM) discussed potential changes that could improve the operations and revenue generation within the MPRC.

ARM have reviewed all options and provided their comments on the suitability of the proposed changes (from an architectural viewpoint), with CCS and officers reviewing the financial implications these changes may incur.

Estimates have been provided to ensure understanding of the financial implications. Impacts on the construction program have also been estimated, and are based on a tight approval process.

The primary internal facility amendments under consideration were:

- 24 hour access to the Fitness area
- Removal of Squash Courts and reconfigure space for tenancy
- Add external space to existing Childcare area
- Kitchen and Kiosk layouts (ground floor) to be remodeled
- Bar and Servery to be redesigned (first floor)
- Operable wall to be installed in Function Hall
- Teapoint added within joinery in Function Hall.

It is estimated that approximately eight (8) weeks will be required (subject to and following Council endorsement) for the proposed changes to be designed to concept stage and the delivery of a detailed cost estimate. Should Council endorse the new concepts, it is estimated there will be an additional eight (8) weeks for detailed design and documentation completion, along with a final cost estimate report.

It needs to be noted that although the timeframes increase the program by four (4) months, it is unlikely that the construction program will be impacted by the same amount (although this cannot yet be confirmed, as technical specification changes need to be examined). The delay in the construction program is not yet determined, however it is feasible to consider that any amendments to the design of this building at this stage of the project will lead to financial implications and construction program delays.

Council has previously been reluctant to consider the potential design changes in isolation to consideration of the Multi Purpose Recreation Centre draft management plan. Discussions in relation to the draft management plan have commenced and progressing to a point where it is hoped Council is prepared to consider the proposed design changes.

#### Consultation

The approved and endorsed design was developed following community and Council consultation. The proposed changes have been discussed with the following:

- Chief Executive Officer
- Director Community Development
- Manager Libraries and Cultural Development
- Manager Recreation and Youth Services
- Town of Port Hedland Recreation team
- Thinc Projects /
- Ashton, Raggatt and McDougall
- CCS Strategic Management

#### Statutory Implications

The tender for the construction of the Multi Purpose Recreation Centre was called and awarded in accordance with the Local Government Act (1995):

*“3.57. Tenders for providing goods or services:*

1. *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods and serves*
2. *Regulations may make provisions about tenders.”*

Changes to the internal design falls within all relevant statutory requirements of the tender and contract management, and can be undertaken in consultation with the contractor and the client.

#### **Policy Implications** Nil

#### Strategic Planning Implications

Key Result Area 3 – Community Development

Goal 2 – Sports and Leisure

Immediate Priority 1 – Build the Multi Purpose Recreation Centre

#### Budget Implications

The overall impact on the Multi Purpose Recreation Centre construction budget is unknown at this stage, however it is anticipated that should the Officer's recommendation be endorsed, there will be in the order of \$600,000 required, inclusive of prolongation costs. This includes all architectural re-design, engineering approval and construction costs. Whilst the current budget can support these additional estimates, a contingency of only 1.5% will remain within the budget for the remainder of the project. Whilst a contingency budget of 4 – 5% is usually recommended, this project is now at a phase where variations will most likely be of a lesser nature.

Council is requested to authorise the detailed review, costing and program implications of the potential design alterations by architects, Ashton Raggatt and McDougall (ARM) identified in the table below and summarized as:

- 24 hour access to the Fitness area
- Add external space to existing Childcare area
- Kitchen and Kiosk layouts (ground floor) to be remodelled
- Bar and Servery to be redesigned (first floor)
- Operable wall to be installed in Function Hall
- Teapoint added within joinery in Function Hall.

A preliminary estimate of \$100,000 has been developed for the above redesign and costing (inclusive of all architectural and all sub-consultant fees).

It is anticipated that should the recommendation be endorsed, a reduced operational deficit will occur for the operational life of the Centre. Whilst the total reduction in deficit is extremely preliminary / draft, the benefits of allowing these changes are estimated to be approximately \$150,000 per annum in reduced operational deficit.

As part of the development of the Management Plan for the MPRC, a draft operating budget has been created, incorporating the net reduction in operating costs based on the recommended design changes as listed within this report.

Note that internal corporate expenses (administration, depreciation and loan repayments) have not yet been included. These figures are currently being established internally, however it is expected that these will add at least \$200,000 to the net operating loss.

The draft budget for the operations of the MPRC are therefore as follows:



| <b>MULTI PURPOSE RECREATION CENTRE – DRAFT BUDGET</b> |                    |
|---|--------------------|
| <b>Operating Revenue</b>                              |                    |
| Facility hire   |                    |
| - Squash  |                    |
| - Sports hall   | 10,605             |
| - Function room                                       | 16,320             |
| - Meeting room  | 15,400             |
| - Clubroom  | 2,500              |
| - Kiosk/s   | 500                |
| - Crèche  | 39,000             |
| - Outdoor courts                                      | 1,620              |
| - Commercial tenancy - wellness centre                | 44,300             |
| <b>Program revenue</b>                                |                    |
| - Gym membership                                      | 652,500            |
| - Fitness Classes                                     | 31,500             |
| - Casual use  | 21,000             |
| - Sports competitions                                 | 149,625            |
| - After-school programs                               | 25,200             |
| - Kids programs                                       | 26,400             |
| - Event   | 5,805              |
| - Holiday Program                                     | 60,000             |
| - Centre Sponsorship                                  | 15,000             |
| - Kiosk sales   | 40,400             |
| - Housing return                                      | 12,480             |
| - Vehicle   | 4,680              |
| - Internal donations                                  |                    |
|   |                    |
| <b>Total Revenue</b>                                  | <b>\$1,174,835</b> |

| Operating Expenditure                    |                    |
|--|--------------------|
| Labour and personnel                     |                    |
| - Salaries and Wages                     | 839,135            |
| - Superannuation Guarantee Levy          | 8,091              |
| - Super Council contribution             | 75,522             |
| - Workers Compensation Insurance         | 41,957             |
| - Uniforms                               | 21,000             |
| - Staff training / induction             | 7,500              |
| - Staff housing                          | 234,000            |
| Vehicle Operation                        | 30,000             |
| Asset management                         |                    |
| - Security                               | 2,500              |
| - Insurance                              | 18,000             |
| - Cleaning materials                     | 6,500              |
| - Cleaning contract                      | 87,958             |
| - Service contacts                       | 6,000              |
| - Repairs and maintenance                | 18,500             |
| - Grounds maintenance (inc. KSO)         | 65,000             |
| - Outdoor courts maintenance and repairs | 2,500              |
| Utilities                                |                    |
| - Electricity                            | 115,000            |
| - Gas                                    | 5,000              |
| - Water                                  | 7,500              |
| - Sewer and drainage                     | 4,800              |
| Communications                           |                    |
| - Telephone                              | 4,500              |
| - Data / Internet                        | 3,000              |
| - ITC Licensing                          | 10,000             |
| APRA Royalties fee                       | 10,000             |
| Administration and overheads             |                    |
| Internal (ToPH) Administration Costs     | TBD                |
| - Stationery                             | 1,000              |
| - Consumables                            | 1,500              |
| - Depreciation on Assets                 | TBD                |
| - Loan Interest Repayments               | TBD                |
| - Marketing and Promotion                | 55,000             |
| - Research and consultancy               | 20,000             |
| Programs and variable outgoings          |                    |
| - Recreation Programs                    | 2,500              |
| - Kiosk Purchases                        | 26,000             |
| - Holiday Program                        | 13,600             |
| - Minor events                           | 1,000              |
| - Minor Equipment                        | 1,000              |
|  |                    |
| <b>Total Expenditure</b>                 | <b>\$1,745,863</b> |
| <b>Trading Profit (-Loss)</b>            | <b>-\$810,678</b>  |

As mentioned above, this figure is based on the recommended changes within this report. It is expected that should these changes not be endorsed, the overall deficit will increase by approximately \$150,000 per annum.

#### Officer's Comment

Prompt consideration of the internal design changes, as well as the overall impact of these changes, is required. Whilst these changes make commercial sense, there is a requirement for the Town of Port Hedland to ensure that the community receives a facility that will maximise the beneficial to their needs. The community has endorsed the current design, so any proposed changes adopted will need to be communicated to relevant persons or groups. It is anticipated however, that there will be an improvement in the operating financial deficit, which will have significant budgetary advantages for each year of operation to come. The proposed amendments and a summary of the main points from CCS and the Architect's comments are listed below. The Officer's Recommendation is also included.

| CCS Comment  | ARM Comment                                | Recommendation  |
|--|--|---|
| <b>24 hour fitness / gym access</b>  |  |   |
| Responsive to the needs of the community                                     | Adds value to the project                  | Approve:<br>Undertake redesign process  |
| Delivery of a flexible financial return                                      | Redesign and documentation pending         |   |
| Requires a high-quality fit-out (IT)   | Should have minimal impact on construction |   |
| <b>Remove Squash Court facilities and reconfigure space for tenancy</b>      |  |   |
| Reducing from 3 to 2 reduces the critical mass needed for a sustainable club | Major effect on current design and program | Not Approve: Do not undertake redesign due to significant increased cost and construction impact. |
| 2 remaining courts will be under-utilised                                    | Walls are major structural elements        |   |
| Offer Port Haven as an equivalent  | Design was purpose-built for squash        |   |
|  | Redesign would be substandard due to space |   |
| <b>Add external space to existing Childcare area</b>                         |  |   |

|  |   |  |
|--|---|--|
| <p>The space is well positioned but does not have an external play area</p> <p>This is essential to accommodate larger numbers at peak times</p> | <p>Provides amenity to the building</p> <p>Requires careful architectural input to enhance, not detract from, iconic design</p> <p>Is generally an architectural landscape and structural issue</p> <p>Should not create any major impact on the construction program</p> | <p>Approve:<br/>Undertake redesign process</p> |
| <p>Kitchen and Kiosk layouts to be remodeled</p>   |   |  |
| <p>A revenue stream is for secondary spend on additional items</p> <p>Does not appear to be any accommodation to increase the length of stay</p> | <p>Would require a rework of the design to incorporate requirements</p>   | <p>Approve:<br/>Undertake redesign process</p> |
| <p>Bar and Servery to be redesigned (first floor)</p>  |   |  |
| <p>Provide a small food service and preparation area</p> <p>Two service areas to support the creation of two function spaces</p>                 | <p>Would require a rework of the design to incorporate requirements</p>   | <p>Approve:<br/>Undertake redesign process</p> |
| <p>Operable wall to be installed in Function Hall</p>  |   |  |

|  |  |  |
|--|--|--|
| This will combine with the two service areas to provide two separate areas | Separate zones in the function area to provide amenity to the Centre                                       | Approve:<br>Undertake redesign process |
| Fit out option improvement   | Pending the mechanical, fire and BCA consultant review, there may be an impact on the construction program |  |
| Teapoint added with joinery in Function Hall                               |  |  |
| Fit out option improvement   | Will require a redesign  | Approve:<br>Undertake redesign process |

As can be seen from the table, all items are considered possible, with the exception of the removal of the squash courts which is viewed as undesirable for a number of reasons.

It is therefore recommended that the following items be redesigned, with an understanding that additional architectural and engineering fees will be on charged, prior to the detailed designs being developed:

- 24 hour access to the Fitness area
- Add external space to existing Childcare area
- Kitchen and Kiosk layouts (ground floor) to be remodeled
- Bar and Servery to be redesigned (first floor)
- Operable wall to be installed in Function Hall
- Teapoint added within joinery in Function Hall.

As this process will likely take eight (8) weeks to achieve, it is anticipated that the total cost, concept design and construction programme impact will be presented at the Council Meeting in late June / early July 2011. At this meeting, should Council elect not to proceed with the internal design changes, it is likely there will still be an impact on the construction program, as the Main Builder (Doric) will have adjusted their construction programme in anticipation of these changes.

The June / July 2011 Council Meeting will also be presented with anticipated operational budget impacts / improvements for the MPRC that will result from the proposed changes.

Should Council choose not to consider these potential design options at this time, then it is likely that the construction of the facility will move on to a point that the changes will not be able to be easily and cost effectively considered.

**Officer's Recommendation**

That Council:

1. Requests that Ashton Raggatt and McDougall undertake a redesign of the following features within the Multi Purpose Recreation Centre:
  - a) 24 hour access to the Fitness area
  - b) Add external space to existing Childcare area
  - c) Kitchen and Kiosk layouts (ground floor) to be remodeled
  - d) Bar and Served to be redesigned (first floor)
  - e) Operable wall to be installed in Function Hall
  - f) Teapoint added within joinery in Function Hall
2. Considers the cost estimate and construction program impact at the Council Meeting in late June / early July 2011, and decides whether the internal changes are to be incorporated into the final design
3. Notes that regardless of the resolution to undertake the internal design changes in late June / early July 2011, an impact on the construction program will occur
4. Advises the MPRC Main Builder (Doric) of the potential changes to the internal design, and requests an amendment to their current construction program to ensure minimal impact
5. Requests that the MPRC Main Builder (Doric) provides an indicative programme to incorporate these design changes at this phase of the construction process.

**201011/374 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That Council:

1. Requests that Ashton Raggatt and McDougall undertake a redesign of the following features within the Multi Purpose Recreation Centre:
  - a) **24 hour access to the Fitness area**
  - b) **Add external space to existing Childcare area**
  - c) **Bar and Served to be redesigned (first floor)**
  - d) **Operable wall to be installed in Function Hall**

2. Considers the cost estimate and construction program impact at the Council Meeting in late June / early July 2011, and decides whether the internal changes are to be incorporated into the final design; and
5. Requests that the MPRC Main Builder (Doric) provides an indicative program to incorporate these design changes at this phase of the construction process, on condition that there is no impact upon the completion date.

*CARRIED 7/0*

*REASON: Council believes that at this stage of the project no delays are acceptable.*





*Port Hedland Turf Club – Temporary Buildings*

Resulting from the demolition of existing buildings (already undertaken), Council is to provide temporary facilities for each race meet to include:

- 1 x Male Tank-Mounted Toilet
- 2 x Female Tank-Mounted Toilet

**Consultation**

A copy of the temporary building plans and site showing their location has been forwarded to Planning Services for comment in relation to the Kevin Scott Oval. Planning has indicated that they have no issues with the proposed location for the buildings.

A building license has also been lodged for installation and is currently awaiting official sign off from Building Services. In relation to the Port Hedland Turf Club a building license is currently under assessment for the installation of male jockey facilities

Rob Baily, Project Officer, Engineering Services  
Leonard Long, Manager Planning  
Luke Cervi, Senior Planning Officer  
Keith Brameld, Acting Manager Building  
Gordon MacMile, Director Community Development  
Nicole Roukens, Recreation Coordinator  
Sarah Cunningham, Club and Project Development Officer  
Swans Football Club  
Port Hedland Turf Club

**Statutory Implications**

Nil

**Policy Implications**

Council is considered a Section 6 body under the Planning and Development Act 2005. Section 6 bodies are exempt from the need to obtain planning permits for public works but are required to consult with the Local Government.

**Strategic Planning Implications**

Goal 2 - Sports and Leisure (That the community has access to sports and leisure facilities at or above the quality that they would be able to access in the metropolitan area).

1. Build the Multi Purpose Recreation Centre

### Budget Implications

All costs associated with the hire and installation of the temporary buildings at Kevin Scott Oval has been budgeted for in the 2010/2011 year budget, within the Multi Purpose Recreation Centre.

Council allocation of additional funds to the Port Hedland Turf Club facility at the OCM on 27 April 2011.

### Officer's Comment

Planning Services have been consulted and have indicated that they have no issues with the location or type of buildings being installed at Kevin Scott Oval.

Once building approval has been granted the temporary buildings will be installed at the location shown on the site map in Attachment 1, for use by the Swans Football Club on the 11 June 2011.

### Attachments

1. Site Map of Kevin Scott Oval including temporary buildings

### **201011/375 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That Council:

1. Note the report for the installation of the 6 x 3m toilet block and 12 x 3m crib at Kevin Scott Oval until the opening of the Multi Purpose Recreation Centre
2. Remove the buildings and all associated fittings from the site once facilities at the Multi Purpose Recreation Centre are available for use by sporting group
3. Notes the report for the installation of 1 x Male Tank-Mounted Toilet and 2 x Female Tank-Mounted Toilet to the Port Hedland Turf Club for the 2011 race season.

*CARRIED 7/0*



**11.4 Governance and Administration**

## 11.4.1 Finance and Corporate Services

**11.4.1.1 *Request to waiver legal fees and penalty interest for Assessment A111240, address 51 Brodie Crescent, South Hedland.***

Officer Carmen Hanisch  
Senior Rates Officer

**Date of Report** 24 February 2011

**Disclosure of Interest by Officer** Nil

**Summary**

For Council to consider the request to waive the legal fees of \$383.80 on assessment A111240, 51 Brodie Crescent, South Hedland.

**Background**

On the 6<sup>th</sup> November 2007 the Town of Port Hedland received notice from the office of Shane Jacob Settlements, that the property at 51 Brodie Crescent, South Hedland, had settled into the purchasers name Maxine Hartshorn and Christopher May. The address provided was 149 Ziatas Rd, Pinjar WA 6065. The Assessment file was updated with these details.

The 2008/09 financial year Rates Notices were issued to this address and paid in full. In August 2009 the Rates Notice for the 2009/10 financial year were returned as unclaimed mail. When contacting the Water Corporation for an alternative address, the Rates Department was advised that, as per their records, Ms Hartshorn and Mr May's postal address was at 51 Brodie Crescent, South Hedland WA 6722.

A copy of the 2009/10 Rates Notice was sent to the alternative address, along with a change of address form for completion to update the rate payer's details if their details had changed. These rates were paid in full.

The Rates Notice for the 2010/11 financial year remained unpaid again and on advice from the Senior Rates Officer, Dun & Bradstreet issued a warning notice to Ms Hartshorn and Mr May for outstanding rates on the 30<sup>th</sup> November 2010. The warning letter was issued to the address on file. This mail was not returned as unclaimed mail. Upon nonpayment from the warning letters, the Senior Rates Officer then instructed Dun & Bradstreet to proceed with the General Procedure Claim. Dun & Bradstreet issued the claim on the 3<sup>rd</sup> December 2010.

Dun & Bradstreet advised that they were unable to serve the General Procedure claim, as they were unable to make contact with Ms Hartshorn and Mr May.

The Rates Officer then conducted further searches and checked White Pages for a phone number for Ms Hartshorn and Mr May at 51 Brodie Cr, South Hedland. The Senior Rates Officer contacted this number on 17<sup>th</sup> December 2010 and was advised by Maxine Hartshorn that she had not received any rates notices prior to the phone call. She advised that she had received a Notice to her correct address in the prior year. The Senior Rates Officer informed her that a change of address had not been received in writing and that changes could not be made unless received in writing.

A change of address form was emailed to Maxine Hartshorn and returned immediately. The outstanding rates, including interest were also paid in full on the same day.

Ms Hartshorn and Mr May are requesting that Council waive the legal fees on their account on the basis that they did not receive any Rates Notices prior to legal action being taken against them and that they received mail to the correct address in the previous year.

**Consultation**

Nil

Statutory Implications

Section 6.12 of the Local Government Act 1995 provides that Council may resolve to write-off any amount of money as debt, which is owed to the Local Government.

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

*(1) Subject to subsection (2) and any other written law, a local government may —*

- (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money;*
- (b) waive or grant concessions in relation to any amount of money; or*
- (c) write off any amount of money, which is owed to the local government.*

*\* Absolute majority required.*

*(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*

*(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*

*(4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.*

Policy Implications

2/004 Rating

**Strategic Planning Implications** Nil

Budget Implications

All legal charges are paid directly to Dun & Bradstreet by the Town of Port Hedland and then on charged to the respective properties to recover costs. To write off the \$383.80 legal fees will not offset the expenditure incurred.

Officer's Comment

Ms Hartshorn and Mr May took ownership of this property 6<sup>th</sup> November 2007. Upon notification of this change in ownership by the settlement agent acting on their behalf, The Town of Port Hedland was advised that the address for correspondence was to be 149 Ziatas Rd, PINJAR WA 6065.

While the Rates Notice for 2009/10 were received by the ratepayer at the correct address, this address had not been formally changed by the ratepayer. The correct address of 51 Brodie Street, for the 2009/10 Rates Notice was used as an alternative address sought by Council staff after making contact with the Water Corporation. No formal correspondence was received by Council after this event even though Rates Officers attached a change of address form along with the Rates Notice.

Town of Port Hedland Rates Notices have communication on the reverse side notifying ratepayers of additional information. Included in this information is Change of Ownership / Address information. It states the following:

Please provide Council in writing of any changes of address to which notices are to be sent. The assessment should be quoted in all such correspondence.

The Rates Notice also has a small form at the bottom of the reverse for completion if address details need to be corrected.

In this particular case the ratepayer's correspondence address had not been updated and mail was not returned to Council which means that we could only assume that the Rates Notice was received.

Every year the Rates Department deals with a large number of overdue rates and if details are incorrect on file due to ratepayers not updating their details it makes it difficult for the Rates Officers to contact all rate payers before commencing legal action.

As per council policy 2/004 Rating, outstanding rates that have not been paid within 69 days after issue of the original assessment, are then forwarded onto the Council debt collection agent. The debt collection agency, in this case Dun & Bradstreet has proceeded to recover the debt on the Councils behalf by issuing a "General Procedure Claim".

Ms Hartshorn and Mr May have made full payment of the outstanding rates on the 17<sup>th</sup> December 2010 and have confirmed in writing, details of their postal address for future correspondence.

#### **Attachments**

1. Email from Maxine Hartshorn, received 23<sup>rd</sup> February 2011.

#### **Officer's Recommendation**

That Council decline the request to write-off the legal fees of \$383.80.

#### **201011/376 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr D W Hooper

That Council waive the request to write-off the legal fees of \$383.80.

*CARRIED 7/0*

*REASON: After careful consideration of the officer's report Council believes that the legal fees of \$383.80 should be waived.*

*ATTACHMENT 1 TO AGENDA ITEM 11.4.1.1*

**From:** Hanisch Carmen  
**Sent:** Wednesday, 23 February 2011 3:34 PM  
**To:** McMahon Jodie  
**Cc:** Thompson Jessica  
**Subject:** ICR12963 - FW: FW: 51 Brodie Crescent South Hedland

Hi Jodie,

I have received the below email requesting to write off legal fees on 51 Brodie Cr, South Hedland. I wrote an email below explaining to the rate payer why these fees were added. Can you please advise where to go from here.

Thanks.

---

**From:** Chris May [<mailto:chrismay@hedlandmobilewindscreens.com.au>]  
**Sent:** Wednesday, 23 February 2011 3:28 PM  
**To:** Hanisch Carmen  
**Subject:** Re: FW: 51 Brodie Crescent South Hedland

Dear Carmen,  
as per our previous conversation, please remove all the LEGAL costs from our account citing the following reasons;

1. TOPH already knew where we were living as rates had been paid in FULL from this address
2. we are in the phone book
3. you were advised of our place of residence AGAIN by the WATER CORP.
4. I can't believe that the TOPH could REALLY expect us to pay for someones lack commonsense
5. we actually received a phone call at our place of work (and rates were paid immediately), why weren't we rung BEFORE?

Also has this been lodged as a bad debt with Dunn and Bradstreet?

kindest regards

Maxine Hartshorn

*Hedland Mobile Windscreens*

*1300 755 827*



On 15 February 2011 09:32, Carmen Hanisch <[snratesofficer@porthedland.wa.gov.au](mailto:snratesofficer@porthedland.wa.gov.au)> wrote:

Good morning Maxine.

I am in receipt of your email to Jessica from last Friday.

The outstanding costs include legal fees and late payment fee.

As per our records, in November 2007 we received confirmation of settlement from Shane Jacob Sealments, advising of your new postal address 149 Ziamas Rd, Pirjar WA 6065. This is where we have been sending mail in the 2008/09 financial year, rates were paid in full. In the 09/10 financial year we received the notice as returned mail and contacted the water corporation for an alternative address, they advised 51 Brodie Cr. We are unable to make changes to addresses unless they are in writing, so we posted a copy of the notice and a change of address form to the alternative address on 31/8/2009. The rates were paid in full, but we did not receive a change of address form. In this financial year we had the same issue, the rates remained unpaid and we asked the debt collection agency D&B to find your correct postal address.

The charges are made up from search, service and kilometer fees.

**Error! Filename not specified.** **Carmen Hanisch**  
Senior Rates Officer | Town of Port Hedland | PO Box 41 Port Hedland WA 6721  
Ph: (08) 9158 9334 Fax: (08) 9158 9399  
Email: [snratesofficer@porthedland.wa.gov.au](mailto:snratesofficer@porthedland.wa.gov.au)  
Web: [www.porthedland.wa.gov.au](http://www.porthedland.wa.gov.au)

---

**From:** Accounts [<mailto:accounts@hedlandmobilewindcreens.com.au>]  
**Sent:** Monday, 14 February 2011 10:48 AM  
**To:** Jessica Thompson  
**Subject:** 51 Brodie Crescent South Hedland

To whom it may concern,

**TOWN OF  
PORT HEDLAND**

RATEPAYER

Our Ref:  
Your Ref:  
Enquiries: Rates Section  
Direct Line: (08) 9158 9300

Dear Ratepayer,

Re: **Outstanding balance for Rates 2010/11.**

Attached is a final notice with your outstanding balance for your Rates 2010/11.

We understand that you have made payments to clear your account. This balance is the result of an underpayment of your account, penalty interest accrued and/or legal fees applied.

Should you have any further queries, please do not hesitate to contact the rates section to discuss on (08) 9158 9300.

Yours sincerely

**Lee Cramble**  
*Acting Finance Manager*  
Town of Port Hedland

CIVIC CENTRE, MCGREGOR STREET, PORT HEDLAND  
TELEPHONE: (08) 9158 9300 FACSIMILE: (08) 9158 9399

PO BOX 41, PORT HEDLAND 6721  
EMAIL: council@porthedland.wa.gov.au



**TOWN OF  
PORT HEDLAND**  
McGregor Street, PORT HEDLAND, WA 6721  
Ph: (08) 9158 9300  
Fax: (08) 9158 9399  
Email: council@porthedland.wa.gov.au

OFFICE HOURS: 8.00am—5.00pm Monday to Friday  
A/N 192 200 952 26

**CASHIER**  
Civic Centre 9.00am—4.00pm  
South Hedland Library 9.00am—4.00pm

1 JULY 2010 TO 30 JUNE 2011

## FINAL NOTICE

|  |  |   |
|--|--|---|
| <p><b>IF THE NAME OR ADDRESS SHOWN IS INCORRECT, PLEASE ADVISE COUNCIL IN WRITING.</b></p> | <p><b>CHRISTOPHER PAUL MAY<br/>MAXINE HARTSHORN<br/>51 BRODIE CRESCENT<br/>SOUTH HEDLAND WA 6722<br/>AUSTRALIA</b></p> | <p>Should you have any queries regarding this matter, please contact the Town's Rates Section by telephoning (08) 9158 9300</p> <p style="text-align: right;"><b>C.E.O. PAUL MARTIN</b></p> |
|--|--|---|

| ASSESSMENT No. | PROPERTY ADDRESS                |           |
|----------------|---------------------------------|-----------|
| A11240         | 51 BRODIE CRESCENT WALNUT GROVE |           |
| DUE DATE       | ISSUE DATE                      | VALUATION |
| 30/06/2011     | 08/02/2011                      |           |

INTEREST WILL BE CHARGED ON AMOUNTS THAT REMAIN OVERDUE PRIOR TO AND FROM **08/02/2011** AT **11.0000**

Council records indicate that payment of rates and charges for the above property has not been received and you are therefore given FINAL NOTICE that unless the amount due is received within 14 days or satisfactory arrangements are made within that time, (LEGAL PROCEEDINGS WILL BE TAKEN TO RECOVER THE ACCOUNT).

Any expenses incurred by the Council for the recovery will be added to your account in addition to applicable interest charges.

Please make full payment of the amount shown below by the due date. If you wish to pay via instalments or for any alternative arrangements please contact the Rates Section.

Please disregard this notice if payment was made after: **08/02/2011**

Original Account Issued: **23/07/2010**

Enquiries: Rates Section (08) 9158 9300

| PAYMENTS OPTIONS |                    |                   |
|------------------|--------------------|-------------------|
| OPTION No.       | DUE DATES          | AMOUNTS           |
| <b>1</b>         | <b>ONE PAYMENT</b> | <b>30/06/2011</b> |
|                  |                    | <b>\$ 391.52</b>  |

| PAYMENT METHODS    |                      | DEPOSIT SLIP/OFFICE COPY |
|--------------------|----------------------|--------------------------|
| ASSESSMENT No.     | NAME                 |                          |
| A11240             | CHRISTOPHER PAUL MAY |                          |
| PROPERTY ADDRESS   |                      |                          |
| 51 BRODIE CRESCENT |                      |                          |

|  |  |   |
|--|--|---|
|  <p>BILLER CODE: 42010<br/>REF: 100112404</p>       |  <p>BILLER CODE: 42010<br/>REF: 100112404</p> <p>INTERNET: Visit <a href="http://www.porthedland.wa.gov.au">www.porthedland.wa.gov.au</a><br/>PHONE: (08) 276-408</p> | <p><b>MAKE ALL CHEQUES PAYABLE TO: Town of Port Hedland PO Box 41, PORT HEDLAND WA 6721</b></p> |
|  <p>Detach this slip and mail to Council Office</p> |  <p>Present this account info when making payments at Council Office</p>  |   |



Document #: ICR11421  
Date: 16.12.2010  
Officer: CARMEN HANISCH  
File: 111240G



Decide with Confidence

Dun & Bradstreet (Australia) Pty Ltd  
DLNS 75 940 7370 ACN 000 399 077  
customerservice@dnb.com.au  
www.dnb.com.au

10 December, 2010

ATTENTION: TARA RITCHIE  
TOWN OF PORT HEDLAND  
PO BOX 41  
PORT HEDLAND WA 6721



Dear Tara

Re: **CHRISTOPHER MAY**  
Claim No: **1826670**  
Reference: **A111240**  
Amount: **\$2159.56**

Enclosed please find a report from our process server advising that they have been unable to serve the complaint on CHRISTOPHER MAY

Please advise us if you have a further address at which we can attempt service, or any other relevant information such as listed below, which may assist us in locating the debtor.

- \*Date of Birth                      \*Trading Address/s                      \*Director/Owners Name/Address/s
- \* Spouse's Name                      \*Delivery address/s.                      \*Copy Credit Application
- \*Copy of any correspondence

Alternatively you may authorise us to conduct a Skip Trace.

TOWN OF PORT HEDLAND authorise DUN & BRADSTREET to conduct a Skip Trace on our behalf.

REF: 1826670                      Name Printed \_\_\_\_\_

Signed \_\_\_\_\_

Date: \_\_\_\_\_

*MS*  
Sincerely

**MICHELLE STEVENS**  
**ACCOUNT MANAGER**  
**08 9426 1853**

VCOMUNSV

**VIC & TAS**  
lvl 7, 479 St Kilda Rd  
Melbourne VIC 3004  
Ph 03 9828 3333  
Fax 03 9828 3300

**NSW & ACT**  
Level 24, 201 Elizabeth St  
Sydney NSW 2000  
Ph 02 8270 2800  
Fax 02 8270 2866

**SA & NT**  
lvl 30, 91 King William St  
Adelaide SA 5000  
Ph 08 8233 5988  
Fax 08 8233 5993

**QLD**  
lvl 2, 143 Coronation Dr  
Milton QLD 4064  
Ph 07 3360 0600  
Fax 07 3360 0699

**WA**  
lvl 7, St Martins Tower  
44 St Georges Terrace  
Perth WA 6000  
Ph 08 9426 1818  
Fax 08 9221 8419

4290988-01713

**Investigative Solutions WA Pty Ltd**

PO Box 206 Hillarys Western Australia 6923  
Ph 08 9307 7705 admin@iswa.com.au

**Dun & Bradstreet**

**You are hereby informed that the Defendant has not been served with the GENERAL PROCEDURE CLAIM issued in this action.**

In the MAGISTRATES COURT OF WESTERN AUSTRALIA held at SOUTH HEDLAND

Between  
TOWN OF PORT HEDLAND  
  
and  
MAXINE HARTSHORN  
CHRISTOPHER MAY  
  
No. 143/10  
Claimant(s),  
  
Defendants.

*Please note our report on enquiries on your behalf:*

*I attended 149 Zietas Rd Pinjar to find the premises are vacant and for sale through Realsell Wanneroo. We believe the defendants have vacated the Pinjar address and are now at the rateable address at 51 Brodie Crescent South Hedland on 9140 2339. Claim returned herewith for service in South Hedland.*

Philip Gerard O'Donnell  
Process Server

Dated the 9th day of December, 2010

### 11.4.1.2 *Appointment of Auditor. (File No.:...)*

Officer Natalie Octoman  
Director Corporate Services

**Date of Report** 5 May 2011

**Disclosure of Interest by Officer** Nil

#### **Summary**

For Council to approve the appointment of UHY auditors for a one (1) year term to conduct 2010/2011 audits as recommended by the Audit and Finance Committee.

#### **Background**

In accordance with the section 7.2 Local Government Act 1995, the accounts and annual financial report of a local government for each financial year are required to be audited by an auditor appointed by the local government.

Invitations were sent to three (3) financial institutions, UHY Haines Norton, KPMG and Deloitte, requesting a quotation for audit services over a one (1) and three (3) year term. This was to be in accordance with Australian Auditing Standards, Auditing Guidance Statements, the Local Government Act 1995 and accompanying regulations.

Of these three companies, UHY Haines Norton was the only company to respond within the timeframe with an appropriate written quotation.

In previous years, Council appointed Mr David Tomasi and Greg Godwin from UHY Haines Norton, as the Town of Port Hedland's Auditors. UHY has successfully conducted Council's financial audits in the past.

At the 11 May 2011 Audit and Finance Committee meeting, the Audit and Finance Committee approved the officer's recommendation as follows:

#### **Officer's Recommendation**

That the Audit and Finance Committee:

1. Receives and notes the quotation from UHY for Audit Services; and
2. Recommend to Council that it appoints UHY Haines Norton as the Auditors for the 2010/11 financial year.

This report is now being presented to Council for consideration given the requirements under the Local Government Act.

Consultation

Western Australian Local Government Association  
UHY Haines Norton (Auditors)

### **Statutory Implications**

Local Government Act 1995

*Division 2 — Appointment of auditors*

*7.2. Audit*

*The accounts and annual financial report of a local government for each financial year are required to be audited by an auditor appointed by the local government.*

*7.3. Appointment of auditors*

*(1) A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint\* a person, on the recommendation of the audit committee, to be its auditor.*

\*

*Absolute majority required.*

*(2) The local government may appoint one or more persons as its auditor.*

*(3) The local government's auditor is to be a person who is —*

*(a) a registered company auditor; or*

*(b) an approved auditor.*

*[Section 7.3 amended by No. 49 of 2004 s. 6.]*

*7.6. Term of office of auditor*

*(1) The appointment of a local government's auditor is to have effect in respect of the audit of the accounts and annual financial report of the local government for a term of not more than 5 financial years, but an auditor is eligible for re-appointment.*

**Strategic Planning Implications** Nil

### **Budget Implications**

Council will budget for audit services in the 2010/11 budget that will cover audit service fees for one (1) year in reflection of UHY Haines Norton. The quotation attached discloses a fee of \$24,000 + GST for the 2010 / 2011 year.

#### Officer's Comment

In appointing UHY Haines Norton for a term of one (1) year, Council will benefit from the knowledge that UHY has gained from conducting annual and interim audits at the Town in previous years, whilst remaining flexible enough to enter into a audit tender process in future years.

The appointment, while later than anticipated, will ensure that the interim audit can be conducted without delay, with the year end audit to follow.

The Western Australian Local Government Association (WALGA) have recently advertised a tender for the provision of audit services for Local Governments across the State. Upon the tender for preferred suppliers being awarded, the Town will undertake a review in order to ensure the early appointment of auditors for a three (3) year period. This will be the subject of a separate report after this time.

#### Attachment

1. Quote from UHY Haines Norton

#### Officer's Recommendation

That Council:

1. Notes the recommendations from the Audit and Finance Committee at its meeting held on 11 May 2011; and
2. Approves the appointment of UHY Haines Norton as the Town of Port Hedland's Auditors for the 2010/11 financial year.

#### **201011/377 Audit and Finance Committee Recommendation/ Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That Council:

1. Notes the recommendations from the Audit and Finance Committee at its meeting held on 11 May 2011; and
2. Approves the appointment of UHY Haines Norton as the Town of Port Hedland's Auditors for the 2010/11 financial year; and
3. Request the Chief Executive Officer to undertake a tender process to appoint an Auditor for a 3 year period from 2011/12 to 2013/14.

*CARRIED BY ABSOLUTE MAJORITY 7/0*



*REASON: Council believes the Chief Executive Officer should undertake a tender process to appoint an Auditor for a 3 year period from 2011/12 to 2013/14.*

## 11.4.2 Governance

*11.4.2.1 Western Australian Local Government Convention and Exhibition 2011 (File No: 13/01/0009)*

Officer Josephine Bianchi  
Governance Coordinator

**Date of Report** 3 May 2011

**Disclosure of Interest by Officer** Nil

**Summary**

To determine attendees to Local Government Convention and Exhibition 2011.

**Background**

The Local Government Convention and Exhibition is held annually in Perth and comprises formal presentations, seminars and workshops relevant to the business of local governments, and social events providing an opportunity to network with other Councillors and local government professional officers.

The event is promoted by the Western Australian Local Government Association (WALGA), as the premier local government event held each year. WALGA also offers the opportunity for Elected Members to attend Professional Development usually in the days before and/or after the Convention.

**Officer's Comment**

This year's event is being held at the Perth Convention and Exhibition Centre from Thursday 4 to Saturday 6 August.

Events at the Convention will include Annual General Meetings, including that of the Western Australian Local Government Association (WALGA) on Saturday 6 August, at 1:00 pm, of which the Mayor plus one other attendee is a voting delegate.

There will also be a meeting of the Pilbara Regional Council, of which Mayor Kelly A Howlett and Councillor Stan R Martin are delegates; and Councillors G J Daccache and Arnold A Carter are proxies.

It is recommended that Town of Port Hedland delegates stay at the Somerset St Georges (formally Chifleys on the Terrace), which is in walking distance from the Convention and Exhibition Centre and offered to delegates at a reasonable charge of \$175 per night.

**Statutory Implications**

Nil

**Policy Implications**

Council adopted Policy 4/005 'Members Professional Development and Associated Travel and Accommodation at its Ordinary Meeting held on 28 May 2008, as follows:

*"4/005 MEMBERS PROFESSIONAL DEVELOPMENT AND ASSOCIATED TRAVEL AND ACCOMMODATION*

*Objective*

*To ensure members receive appropriate opportunities for professional development, and are provided with adequate travel and accommodation expenses, as part of their obligation and duty to fulfill their role as a Councillor.*

*Entitlement*

*Professional Development*

*At the beginning of each financial year, members will be advised on an equal amount available to be used individually for professional development (Conferences, Study Tours, seminars, conventions, etc.), as allocated in the Annual Budget. This amount will be referred to as the member's professional development allocation.*

*Excluded from this allocation will be the costs associated to attend the Annual Local Government Week, Joint Pilbara and Kimberley Zone Regional Council Meeting or travel required for specific Council business (statutory committee meetings, etc.).*

*Members have the ability to use their member's professional development allocation, on any form of professional development they deem appropriate in their role as a Councillor, without having to make a formal request of Council.*

*Members are to submit a six monthly report to Council (April and October), listing how their members professional development allocation has been utilised and benefits they and the town have derived from it utilisation.*

*At the end of each financial year any unused portion of the Members professional development allocation will be forfeited.*

*Members Professional Development Allocation costs include:*

- 1. Conference, study tour, seminars, conventions, etc. registration fees;*

2. *Travel to and from conference, study, seminars, conventions, etc;*
3. *Accommodation;*
4. *Meals and incidentals as per policy;*
5. *All Travel and Accommodation daily allowances;*
6. *Any other costs approved by Council.*
7. *Laundry after three (3) days away from the Town of Port Hedland district.*

*Once a member's annual allocation has been expended, any additional professional development requires the prior approval of Council.*

#### *Travel and Accommodation*

*All travel and accommodation on Council business and or members' professional development is to be arranged by an Officer nominated by the Chief Executive Officer, who will endeavour to seek any discount possible to minimise the cost to Council, whilst ensuring that an appropriate standard is obtained.*

*All travel will be booked at economy rates, and any upgrade will be made at the member's expense.*

*All travel while away from Port Hedland will be by Taxi, through the use of "cab charges" provided prior to departure from Port Hedland.*

*Accommodation is to be arranged at an appropriate standard in reasonable proximity to the where the majority of purpose for the visit is to occur (i.e. hotel where conference is being presented). Should a member choose not to stay at the relevant hotel, an allowance of \$100 per day will be paid in lieu of accommodation. Depending on meal arrangements provided at the member's accommodation, an allowance of up to \$108.65 (\$93.70 meals and \$14.95 incidentals) or as allowed by the tax office will be paid in advance, without the need to provide receipts. This allowance will also apply to staff while on Council associated business travel.*

*Amounts specified in this policy will be revised annually as part of the Budget process.*

*Any claims under this policy must be approved by Council resolution."*

**Strategic Planning Implications**

Nil

### **Budget Implications**

On the assumption that members will attend all days of the Local Government Convention (from Thursday 4 August to Saturday 6 August inclusive), the estimated cost per person to attend the convention is \$3,351.60 per person, which includes:

|  |          |
|--|----------|
| Local Government Convention Registration         | \$1,125* |
| Breakfast with Justin Langer                     | \$77     |
| ALGWA Breakfast/AGM                              | \$55     |
| Convention Gala Dinner                           | \$180"   |
| Accommodation at Somerset St Georges (4 nights)  | \$680    |
| Daily Meals and Incidental Allowances (4 nights) | \$434.60 |
| Economy Flight (estimated)                       | \$800    |
| (*advance discount for Registrations by 13 June) |          |

This estimate does not include associated costs of Councillors who wish to attend the WALGA Professional Development Modules. Council has a Professional Development budget allocation for individual Councillors to attend those.

### **Attachments**

Nil

### **201011/378 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That:

- i) Mayor Kelly A Howlett  
Councillor Arnold A Carter  
Councillor Stan R Martin  
Councillor George J Daccache  
Councillor Jan M Gillingham  
Councillor Steve J Coates  
Councillor David W Hooper  
Councillor Michael (Bill) Dziombak  
  
attend the WALGA Local Government Convention and Exhibition 2011;
- ii) Cr S R Martin and Cr D W Hooper represent Council as voting delegates at the Western Australian Local Government Association's Annual General Meeting, being held on Saturday 6 August 2011 during the Convention; and
- iii) Mayor Kelly A Howlett and Councillor S Martin attend the Pilbara Regional Council Meeting being held during the Convention.

*CARRIED 7/0*

*11.4.2.2 Invitation to Join Regional Cities Alliance (File No.: .../...)*

Officer Paul Martin  
Chief Executive Officer

**Date of Report** 4 May 2011

**Disclosure of Interest by Officer** Nil

Summary

In 2010 the Cities of Geraldton, Bunbury, Kalgoorlie/Boulder and Albany formed the WA Regional Cities Alliance. The Alliance has now extended the invitation to Port Hedland, Broome and Karratha to join the Alliance.

This item seeks Council's position on being a part of the Alliance group and recommends an associate member status be accepted with no financial obligations.

Background

Attached to this report is the invitation from the City of Geraldton to join the WA Regional Cities Alliance which outlines the background, composition and objectives of the group.

Consultation

- Shire of Roebourne
- Shire of Broome
- Pilbara Cities Office

**Statutory Implications** Nil

**Policy Implications** Nil

Strategic Planning Implications

From a strategic point of view involvement in the WA Regional Cities Alliance could have some strategic benefits particularly in advocacy and lobbying at a Federal level.

Council is already a committed member of the Pilbara Regional Council (PRC) and has been for some years.

Budget Implications

Local Governments who are members of the Alliance allocate \$50,000 in their budgets annually towards jointly agreed upon projects

undertaken by the Alliance.

Executive support to the Alliance is provided by one of the Local Governments on a rotational basis.

There are 4 meetings per annum which will be in regional locations and would therefore involve travel costs.

#### Officer's Comment

The Mayor and CEO attended the last meeting of the WA Regional Cities Alliance (Alliance) in Geraldton along with the Shire President from Broome to determine the merits of being involved.

In summary the main points to consider about being involved are as follows:

- The Premier suggested that the Alliance invite the Shires of Roebourne and Broome and the Town of Port Hedland.
- The support that members of the Alliance are seeking from being involved relate to representation to government to lobby to address issues. Some of these outcomes are already available to the Town of Port Hedland through other associations and programs, namely political representation at a State level.
- There are a couple of other local governments who are of similar size to Port Hedland which have sought to be involved but been denied membership.
- Although no associate membership exists currently the Alliance has made the offer of associate membership which would mean attending a fewer number of meetings annually and not contributing towards projects annually.
- The Town already makes significant investment of time and resources into the PRC.
- The Shire of Roebourne have declined to be involved in the Alliance at this stage.
- Although the Town is not a City currently if growth levels continue we will be a City in the next few years.

Officers believe that there is benefit of the time and resources for continuing involvement with the PRC. The representation we can achieve at a State Government level and similarity of issues between the local governments justifies remaining involved in the PRC.

However involvement in the WA Regional Cities Alliance as an Associate member could provide assistance in engaging with Federal Government. Associate membership would not require contributing \$50,000 towards projects nor attending every meeting annually however the Mayor and CEO could attend particular meetings if the topics are relevant.

Accepting an Associate membership would also achieve engagement with the Alliance and the opportunity to become a full member in the future.

### **Attachments**

1. Letter of Invitation to be part of the Regional Cities Alliance
2. WA Regional Cities Alliance Meeting Agenda 14 April 2011
3. Memorandum of Understanding Regional Cities Alliance

### **Officer's Recommendation**

That Council accepts an Associate level membership to the WA Regional Cities Alliance on the provision that:

1. Council is not required to contribute \$50,000 annually towards projects; and
2. The Mayor and CEO can attend a reduced number of meetings annually when topics on the agenda are relevant to Port Hedland; and
3. Requests the CEO to write to the Premier to thank him for suggesting the Town of Port Hedland become involved in the WA Regional Cities Alliance."

### **201011/379 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr G J Daccache

That Council accepts an Associate level membership to the WA Regional Cities Alliance on the provision that:

1. Council is not required to contribute \$50,000 annually towards projects;
2. The Mayor, CEO and Deputy Mayor can attend a reduced number of meetings annually when topics on the agenda are relevant to Port Hedland; and
3. Requests the CEO to write to the Premier to thank him for suggesting the Town of Port Hedland become involved in the WA Regional Cities Alliance."

*CARRIED 7/0*



## ATTACHMENT 1 TO AGENDA ITEM 11.4.2.2



Our Ref: ic:lf 115/11  
 Your Ref: n/a  
 File Ref: GR/0062  
 Enquiries: Tony Brun

22 February 2011

Mr C Adams  
 Chief Executive Officer  
 Town of Port Hedland  
 PO Box 41  
 PORT HEDLAND WA 6721

Dear Mr Adams

#### WESTERN AUSTRALIAN REGIONAL CITIES ALLIANCE

As you may be aware, last year the Cities of Albany, Bunbury, Geraldton-Greenough and Kalgoorlie –Boulder formed the WA Regional Cities Alliance.

The purpose of the Alliance is working towards a strategic approach to regional development within Western Australia and nationally. While making the case for decentralisation of future population growth away from the major metropolitan areas, their priority is strategic investment in the infrastructure of regional cities.

The success of this group rests on their capacity to develop a truly cooperative and functional relationship with both the State and Commonwealth governments. The Alliance has not been established as a lobby group, rather its sole focus is to develop common policy, develop partnerships, collaboratively deliver projects and create a sustainable framework for the economic and population growth of the regional cities in the context of a new model for the development of Australia.

Some initiatives of the Alliance include proposing to develop a Memorandum of Understanding with each the State and Commonwealth Governments as a means of defining each other's respective goals, roles and desired outcomes and progress a pathway to achieve these.

Another unique project is the formation of an Alliance with a major research institution, currently in the final stages of negotiations with UWA, is to provide the following objectives:-

- analysis and modelling of demographic, social and economic indicators;
- the definition of current and future service and infrastructure needs and standard;
- collaboration on the analysis of strategic planning needs, and in the development of responses;
- engagement in research and strategy related to the distribution of population and economic activity within the broader context of Western Australia; and
- development education and research capacity in areas relevant to the needs of regional cities.



The original members of the group were based on focusing solely on the major regional centre cities that presented a real opportunity for significant economic and population growth. The original 4 members of the Alliance represented the largest of this group; however at formation and as recognised in the MOU it was seen that ultimately additional members from the Pilbara and Kimberly would be appropriate. The original members did not see it as their role to identify or 'select' these and believe it was appropriate for these to be identified through the Government. Following a meeting with the Premier and the Minister for Local Government held on the 2<sup>nd</sup> February 2011, the Premier clearly stated his preference and request that the communities of Port Hedland, Karratha and Broome be invited to join the Alliance. As such the Alliance now seeks your consideration to become members of the Alliance.

In terms of costs, there is no formal membership contribution or fee applied to be part of the Alliance. Our groups deliberately avoiding creating a secretariat and administrative costs. It was agreed that the secretariat role would be under by the local government providing the Chair, which is done on a rotational basis. In terms of providing funds to progress projects all members have agreed to allocate \$50,000 towards the Alliance. This allocation is spent at the discretion of the local government on related projects, contributions towards projects (such as the anticipated \$25,000 per annum for the research alliance with UWA) and any other mutually agreed projects. It has also been agreed that all local governments will pool their unspent funds for the purpose of creating a fund more future projects.

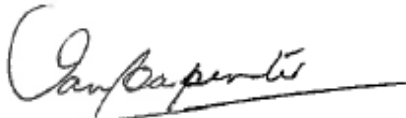
A copy of the following documents has been attached and provided for your reference:-

1. original Barrington Consulting Group "*Western Australian Regional Cities Report*" commissioned by the Alliance;
2. the current Memorandum of Understanding; and
3. the WA Regional Cities Alliance and UWA research Proposal

Can you please have your Council consider this worthy initiative and alliance. The group is next meeting in Geraldton on the 14<sup>th</sup> April 2011.

If you have any queries, please contact me on 9956 6601.

Yours sincerely



Cr Ian Carpenter  
**MAYOR, CITY OF GERALDTON-GREENOUGH**  
**CHAIRMAN, WA REGIONAL CITIES ALLIANCE**

## ATTACHMENT 2 TO AGENDA ITEM 11.4.2.2

## WA REGIONAL CITIES ALLIANCE DRAFT

### Meeting Agenda

|                  |   |               |  |
|------------------|---|---------------|--|
| Meeting Name     | WA Regional Cities Alliance (WARCA)   | Meeting No.   | 6  |
| Meeting Date     | 14 April 2011   |               |  |
| Meeting Time     | 4pm   |               |  |
| Meeting Location | City of Geraldton-Greenough, Cathedral Avenue, Geraldton  |               |  |
| Attendees        | <p><i>City of Geraldton-Greenough (CGG)</i><br/>Mayor I Carpenter<br/>Tony Brun</p> <p><i>City of Albany</i><br/>Mayor Milton Evans<br/>Faileen James</p> <p><i>City of Bunbury</i><br/>Mayor David Smith<br/>Andrew Brien</p> <p><i>City of Kalgoorlie-Boulder</i><br/>Mayor Ron Yuryevich<br/>Don Burnett</p> | By Invitation | <p>Hon C Barnett, Premier of WA</p> <p>Hon A Albanese, Minister for Infrastructure and Transport</p> <p>Hon S Crean; Minister for Regional Australia; Regional development and Local Government;</p> <p>Hon B Grylls, Minister for Regional Development</p> <p>Hon J Castrilli, Minister for Local Government</p> <p>Ms G Beauchamp, Secretary Department of Regional Australia, Regional Development and Local Government</p> <p>Ms J Matthews, Director General, Department of Local Government</p> <p>Mr P Rosair, Director General, Department of Regional Development and Lands</p> <p>Mayor T Pickard, President WALGA</p> <p>Mr Ricky Burgess, CEO WALGA</p> <p><i>City of Port Hedland</i><br/>Mayor Kelly Howlett<br/>Paul Martin (CEO)</p> <p><b>Shire of Roebourne</b><br/>President Nicole Lockwood<br/>Collene Longmore (CEO)</p> <p><b>Shire of Broome</b><br/>President Graeme Campbell<br/>Kenn Donohoe (CEO)</p> <p><b>Regional Cities Victoria</b><br/>EvoCities</p> <p><b>University of WA</b><br/>Professor M Tonts</p> <p><b>Department of Regional Development Lands</b><br/>Mr C Adams (via phone link)</p> |



|  |  |              |          |
|--|--|--------------|----------|
|  |  | Apologies    |          |
|  |  | Distribution | as above |

### 1. Minutes of Previous Meeting

Recommend that the Minutes of the Meeting held on the 2 February 2011, as previously circulated, be adopted as a true and correct record of proceedings.

### 2. Review Status of Actions from Previous Minutes

Action List – see Attachment 1 – will be provided at the meeting

### 3. Follow up on Recent meetings with:

- Premier/Minister for Local Government
- Minister for Regional Development

### 4. Option to Expand Membership of Alliance

- Shire of Broome
- City of Port Hedland
- Shire of Roebourne

### 5. Presentations:

- UWA Research Partnership
- Regional Cities Victoria
- EvoCities (to be confirmed)

### 6. Local Government Banding

Request that WARCA members give consideration to adopting a joint position to adopt a common level 8 banding for Regional Cities

#### Key Grounds

- High level of regional responsibility.
- Higher level of media interface/public profile (a reflect each regional city host major regional papers, radio (ABC) and tv (ABC, GWN, WIN) reporting and news studios.
- High political and bureaucratic interface both at State and Commonwealth Government level.
- More complex operations e.g. airports, regional waste.
- More complex planning contexts – whole of city, linkages to air and port.

### 7. Urgent Business

### 8. Date of Next Meeting

Date of next meeting to be held in conjunction with ACLG, in Canberra in June 2011.

## ATTACHMENT 3 TO AGENDA ITEM 11.4.2.2



**MEMORANDUM OF UNDERSTANDING**  
Regional Cities Alliance

**Parties to the Memorandum**

1. City of Albany;
2. City of Bunbury;
3. The City of Geraldton-Greenough;
4. City of Kalgoorlie-Boulder; and

**Objectives**

The objectives of the Western Australian Regional Cities Alliance is to ensure that:

1. The Alliance Cities will work to develop a collaborative framework to engage with and partner with both the Western Australian and Australian Governments;
2. The Alliance parties will work collaboratively to achieve the future sustainable development of the State of Western Australia;
3. The Alliance will work towards being accepted as a legitimate and respected grouping within the arrangements resulting from the current Local Government Structural Reform process;
4. The Alliance Cities will ensure that the emergence of the Alliance occurs in a balanced fashion, recognising the infrastructure needs and associated funding requirements of sub-regional centres within their hinterlands;
5. The Alliance Cities will work towards a framework to evolve into fully-fledged alternatives to the Perth Metropolitan Area as locations for the growing population of the State;
6. The Alliance Cities will work to actively participate in State Population Policy development to ensure the State's future population growth and its associated demands for social, economic and environmental amenity are distributed in a sustainable fashion. The Alliance believes that a realistic target is for 60% of the projected population growth to occur in regional areas, with 25% to be located in regional cities; and
7. The Alliance Cities are positioned and resourced to represent the interests of its members and to enable synergies at operational and strategic levels.


**Not a Legal Document or Contract**


The Memorandum of Understanding can not be implied as, or applied as a legal document or formal instrument of contract. All Parties acknowledge and agree that no legal recourse can be sought from the application or otherwise of this document.


The intent is to provide a transparent and mutually agreed framework to assist with the ongoing relationship and communication between both Parties.

**Execution of the Memorandum of Understanding**

On this 29 March 2010 the duly responsible signatories representing the Parties hereby Endorse and Give Effect to this Memorandum of Understanding.

  
Cr M J Evans  
Mayor  
City of Albany

  
Cr D L Smith  
Mayor  
City of Bunbury

  
Cr T W Carpenter  
Mayor  
City of Geraldton-Greenough

  
Cr R S Yuryevich  
Mayor  
City of Kalgoorlie-Boulder



**ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL**

Nil.

**ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN**

Nil.

**ITEM 14 CONFIDENTIAL ITEMS**

Nil.

**ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE****201011/380 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr D W Hooper

That the following application for leave of absence:

- Cr J M Gillingham from 24 to 25 May 2011

be approved

*CARRIED 7/0*

**ITEM 16 CLOSURE**

## 16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 25 May 2011, commencing at 5.30 pm.

## 16.2 Closure

There being no further business, the Chairman declared the meeting closed at 6:28 pm.

**Declaration of Confirmation of Minutes**

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of \_\_\_\_\_

CONFIRMATION:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE