



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING
OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 9 MARCH 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.

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ITEM 1 OPENING OF MEETING

1.1 Opening

The Mayor declared the meeting open at 5:33 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 Stan R Martin
Councillor George J Daccache
Councillor Jan M Gillingham
Councillor Steve J Coates
Councillor David W Hooper
Councillor Michael (Bill) Dziombak

2.2 Apologies

Nil.

2.3 Approved Leave of Absence

Nil.

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 23 February 2011

Nil.

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 23 February 2011

Nil.

ITEM 4 PUBLIC TIME

5:34pm Mayor opened Public Question time.

4.1 Public Question Time

4.1.1 *Mr Chris Whalley*

Has Council made a decision as to when the new South Hedland Sports Centre will be officially named?

Chief Executive Officer advised that a competition regarding the naming of the South Hedland Sports Centre has been running during the course of the construction program; it will be wrapped up soon and will be presented to Council in about a month.

Mayor advised that Mr Whalley will keep updated on this matter.

5:36pm Mayor closed Public Question time.

5:36pm Mayor opened Public Statement time.

4.2 Public Statement Time

Nil.

5:37pm Mayor closed Public Statement time.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

5.1 *Councillor G J Daccache*

Councillor Daccache enquired whether there were any updates on the issue of cattle on highway raised at previous Council meetings.

Mayor advised that this matter is currently being looked into.

5.2 *Councillor J M Gillingham*

Councillor Gillingham asked if there were any updates on the footpath to be installed at the South Hedland Shopping Centre.

Mayor advised that although there have been delays due to the recent downpours, this issue has been raised with Landcorp and the Town is currently waiting on their feedback.

Following up on a different matter the Mayor also advised that the disabled parking spaces in the South Hedland Shopping Centre car park entrance on the Coles side have been reinstated with signs to be put back in place in the next 48 hours.

Councillor Gillingham also asked whether there were any news regarding the upgrade of the South Hedland Shopping Centre?

Chief Executive Officer advised Councillor Gillingham that whilst in Sydney last week he met with Charter Hall's management and discussed their expansion plans. With this regard Charter Hall are currently looking at two level of expansion: a minor one and a major one (which requires funding from the State Government). Charter Hall are finalising their financial feasibility studies on both expansion options; they will be coming to present their plans to Council in the next 6 weeks.

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

The following Members verbally declared 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 S J Coates
Cr S R Martin	Cr D W Hooper
Cr G J Daccache	Cr M (Bill) Dziombak

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 23 February 2011

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held on Wednesday 23 February 2011 be confirmed as a true and correct record of proceedings.

201011/267 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That the confirmation of the Minutes of the Ordinary Meeting of Council held on Wednesday 23 February 2011 be deferred to next meeting.

CARRIED 8/0

REASON: Council believes it needs to defer the confirmation of the Minutes of Ordinary Meeting held on 23 February 2011 to the next Ordinary Meeting to be held on 30 March 2011.

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

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

February 2011

Sunday, 20th February

- Flight To Perth
- Tour Of National Lifestyle Villages (NLV) With CEO Mike Hollett (Perth)
- Catchup Meeting Pilbara Shire Presidents/Mayor (Perth)

Monday, 21st February

- PRC Strategic Planning Workshop + Cr Daccache (Perth)
- Flight To Port Hedland

Tuesday, 22nd February

- Weekly Mayor Chat Spirit Radio

Wednesday, 23rd February

- Chair OCM February

Thursday, 24th February

- Presentation of Student Councillor Badges – Cassia Primary School
- Weekly NWT Media Meeting

Saturday, 26th February

- Participated In Walk It Hedland Run/Walk Event + MRS
- Monday, 28th February
- Hedland City Growth Plan Workshop With RPS + Panel Consultants + Deputy Mayor + CEO + A/DCD + DCORP + DPD + MPS + MELD
- Opening Hedland City Growth Plan Launch Event + Cr Daccche + Cr Gillingham + CEO + A/DCD + DCORP + DPD + MPS + MELD

March 2011

Tuesday, 1st March

- Weekly Mayor Chat Spirit Radio
- Hedland City Growth Plan Workshop With RPS + Panel Consultants + Deputy Mayor + Cr Hooper + CEO + A/DCD + DCORP + DPD + MPS + MELD
- Attended Port Hedland Industry Council (PHIC) Morning Tea
- Hedland City Growth Plan Presentation To PHIC
- Meeting With CEO PDC (Stephen Webster)
- Meeting With PB Consultants (Matt Walsh) Re: Sustainability

- Attended Airport Committee Meeting Workshop + Deputy Mayor + Cr Martin + Cr Dziombak + Cr Gillingham + CEO + DCORP + DENG
- Attended Airport Committee Meeting + Deputy Mayor + Cr Martin + Cr Dziombak + Cr Gillingham + CEO + DCORP + DENG
- Attended Port Hedland Medical Centre Sundowner Event + Cr Daccache

Wednesday, 2nd March

- Attended Launch Hedland Senior High School Breakfast Program
- Media Interview Hedland Community Radio Re: Hedland Senior High School Breakfast Program
- Attended Hedland Well Womens Centre March Morning Tea Event
- Attended Port Hedland Implementation Projects Steering Group Meeting + CEO
- Attended Soroptimist International – Port Hedland March Dinner Meeting

Thursday, 3rd March

- Meeting With Variety Club Pilbara Members (Peter Broad & Bruce Straun) Re: Upcoming Events
- Meeting Hedland Playgroup + A/DCD
- Attended Aboriginal Arts Centre Working Group Meeting + Cr Hooper + A/DCD +MCD
- Weekly NWT Media Meeting
- Committee Meeting ALGWA (WA)

Friday, 4th March

- Attended Baler Primary School Clean Up Australia Day Event +CDO
- Attended Cassia Primary School Clean Up Australia Day Event +CDO
- Tour C3 Venue With Members Hedland Playgroup

Mayor also advised that on 15 February she met with Minister for Education Elizabeth Constable. It was pleasing to discuss issues such as schooling and the betterment of education within the town. The Minister said she is keen to see about 1000 to 1200 students at Hedland Senior High School in the near future. With regard to primary schools the Minister would like to see them grow to 600 or 650 children as this would allow for more diversity of subjects and learning experiences. Mayor advised the Minister that our primary schools currently do not have this capacity for growth and the Minister took this comment on notice. Mayor has now invited the new District Education Director, Sue Cuneo to town on 11 April to showcase her schools, top gear her into our city growth plan and introduce her to key industry (BHP Billiton, Fortescue Metals Group, Hancock Prospecting and the Port Hedland Port Authority). The Minister for Education assured our Mayor that if the town needs more classrooms and schools, this can be achieved, but we need to liaise with the District Education Director first.

Last night Mayor attended the Hedland Senior High School P&C AGM as an observer. The Mayor was pleased to see the new elected committee headed by President Mark Postans. It was very good to see that the P&C last year contributed \$45,000 dollars through the canteen ad school uniform program. Mayor also advised that the high school is now fully staffed with the temporary member of staff in the physical education area that has now decided to stay on. The new principal John Burke is doing a great job and leading the way with the stage 1 and 2 redevelopments which will see a new administration building by the Matt Dann area, therefore showcasing the entrance on Hamilton Road. There will also be additional classroom areas plus a new frontage completed by mid next year. The school will also become a trade training centre which should be ready for operations early next year.

Stage 3 of the redevelopment will include a new gym and cafeteria, the current space will be opened up and there will be more shade areas, and also access to wireless internet; these are amazing changes taking place.

Mayor passed on to Council and the public the “www.myschool.edu.au” website which offers reports on school performances. For this purpose the Mayor showed graphs regarding literacy and numeracy at Hedland Senior High School in comparison to similar schools in Western Australia. The graphs show that although the school has scope to improve in some areas, overall it is doing very well.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

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

11.1.1 Planning Services

11.1.1.1 Proposed Section 70A Notification for Lot 122 Kingsmill Street, Port Hedland (File No.:126090G)

Officer	Caris Vuckovic Lands Officer
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Date of Report	8 February 2011
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Application No.	2011/55
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Disclosure of Interest by Officer	Nil
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Summary

The Town has received a request from MAKJap Pty Ltd Consulting Engineering and Surveyors on behalf of Clark Butson the owner of Lot 122 Kingsmill Street, Port Hedland, to affix the Town's common seal to a section 70A notification form, which will enable lodgement with the Registrar of Titles.

Background

A Subdivision Approval (2010/18) was granted by Planning Services under delegated authority on 5th October 2010, on Lot 122 (12) Kingsmill Street, Port Hedland.

As part of the approval by the Western Australian Planning Commission, the following condition were imposed:

"2. Prior to commencing works, the landowner is to prepare a notification under section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:

- a) *The Western Australian Department of Health has advised in a preliminary investigation that it does not support medium density residential development in this area due to a potential causal link between the dust generated by nearby ore mining processes and port facilities, and increased likelihood of respiratory health impacts.*

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

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

In order to finalise the section 70A form and obtain the Town's common seal, a Council resolution is required.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

The required section 70A notification is an important mechanism to ensure that any prospective owner / buyers of the lot / unit are aware of the restrictions / conditions pertaining to the lot / unit.

The use of the Town's common seal will only enable the lodgement of the application with the Registrar of Titles and will not complete the land owner / developers obligations under the condition. To complete their obligation, a copy of the documentation confirming the registration of the notification must be supplied to the Town and the Western Australian Planning Commission.

In light of the above Council is requested to grant approval for the use of the Town's common seal.

Attachments Nil

201011/268 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr S R Martin

That Council:

1. APPROVES the request by MAKJap Pty Ltd Consulting Engineering and Surveyors on behalf of Clark Butson the owner of Lot 122 Kingsmill Street, Port Hedland for the use of the Town's common seal for the purpose associated with the registering of a section 70A notification to fulfil the conditions associated with the subdivision approval of Lot 122 Kingsmill Street;
2. ADVISES the applicant that once the notification is registered and a copy of the documentation confirming the registration is provided to the Town and the Western Australian Planning Commission, it will be deemed that condition 2 of the subdivision approval by the Western Australian Planning Commission has been satisfactorily complied with.

CARRIED 8/0

11.1.1.2 *Proposed Scheme Amendment No.41 to the Town of Port Hedland Town Planning Scheme No. 5 to Recode Lots 2008, 2009 and 2011 Hedditch Street and Lots 2013 & 2019 Somerset Crescent and Part Lot 8 Hedditch Street and Part Lots 1- 6 & 9 Somerset Crescent from "Residential R20" to "Residential R30" (File No.: 401780G)*

Officer	Michael Pound Planning Officer
Date of Report	25 February 2011
Application Number	IPA11802
Disclosure of Interest by Officer	Nil

Summary

Council have received a request from RPS on behalf of the landowners M J C Trust to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5* to amend the coding of Lots 2008, 2009 and 2011 Hedditch Street and Lots 2013 & 2019 Somerset Crescent and Part Lot 8 Hedditch Street and Part Lots 1- 6 & 9 Somerset Crescent from "Residential R20" to "Residential R30". Officers are recommending supporting the application.

Background

The land proposed to be recoded consists of all the land that was previously identified as Lot 3268 Hedditch Street, South Hedland. This land was Crown land that has since been subdivided and amalgamated with adjoining properties. The proposal will result in the land having a consistent coding with the landholdings they are being amalgamated with.

Consultation

Should Council resolve to initiate this amendment to TPS 5 as recommended, the documentation is to be submitted to the Environmental Protection Authority (EPA) for consideration pursuant to section 81 of the Planning and Development Act 2005 (PDA).

At the completion of this consultation, Council is to consider all submissions and determine whether to adopt the amendment, adopt the amendment with modifications, or not adopt the amendment.

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 Nil

Budget Implications

The applicant has paid the prescribed application fee of \$1,769.20 for the initiation as prescribed.

Officer's Comment

In order to facilitate proper and orderly planning it is important to ensure that intensification is achieved in an orderly manner. In this regard the Planning unit has identified criteria that should be met before supporting increased density. This 'criteria' is based on the accessibility to infrastructure and facilities (eg Transportation infrastructure, Park and Recreation facilities, education and health facilities and commercial facilities such as supermarkets). Spot rezonings (individual sites) are generally discouraged as they often result in conflict with adjoining property zonings and associated planning controls and development opportunities.

In this instance the proposed recoding will result in a consistent density coding of R30 for all land generally bound by Hedditch, Somerset & Lawson Streets and the drainage reserve linking Lawson Street and Somerset Crescent. The land is located within 200m of the Town Centre which provides numerous facilities to support the increased density.

Options

Council has the following options when considering the matter:

1. Initiate the Scheme Amendment
The rezoning of the subject site will allow for the consolidation of residential development in an established and well serviced area.

2. Refuse to Initiate the Scheme Amendment
Refusal of the proposed Scheme Amendment will reduce housing options within the region to respond to the ongoing demand for housing requirements and population pressures.

It is recommended that the Scheme Amendment be initiated.

Attachments

1. Locality Plan
2. Recoding Plan
3. Scheme Amendment Report

201011/269 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council:

1. Approve the request from RPS on behalf of the landowners M J C Trust to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5* to amend the coding of Lots 2008, 2009 and 2011 Hedditch Street and Lots 2013 & 2019 Somerset Crescent and Part Lot 8 Hedditch Street and Part Lots 1- 6 & 9 Somerset Crescent from "Residential R20" to "Residential R30"
2. Advise the applicant accordingly and request that the applicant prepare the formal amendment documentation to enable referral to the Environmental Protection Authority.
3. Following approval from the EPA to advertise the amendment, Council is required pursuant to section 83 of the PDA to consult persons likely to be affected by the amendment, and also advertise the amendment for a minimum of 42 days pursuant to section 84 of the PDA.

CARRIED 8/0

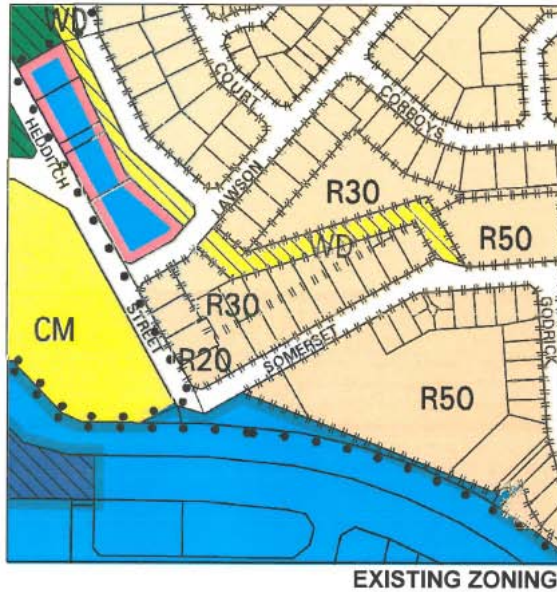
ATTACHMENT 1 TO AGENDA ITEM 11.1.1.2



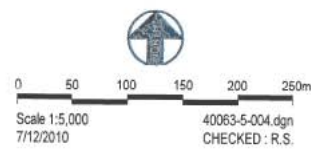
ATTACHMENT 2 TO AGENDA ITEM 11.1.1.2

SCHEME AMENDMENT MAP

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



- LEGEND**
- LOCAL SCHEME RESERVES**
- DISTRICT ROAD
 - LOCAL ROAD
 - OTHER PUBLIC PURPOSES DENOTED AS FOLLOWS:
 - WATER AND DRAINAGE
 - PARKS AND RECREATION
- ZONES**
- RESIDENTIAL
 - COMMUNITY DENOTED AS FOLLOWS:
 - COMMUNITY
 - MIXED BUSINESS
 - TOWN CENTRE
- OTHER**
- R CODES
 - DEVELOPMENT PLAN AREAS



ATTACHMENT 3 TO AGENDA ITEM 11.1.1.2



**TOWN PLANNING SCHEME AMENDMENT
REPORT**

**Various Lots, Somerset Crescent and
Hedditch Street, South Hedland**

Prepared by:

RPS

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Version/Date: DraftB, December 2010

Prepared for:

THE CRAWFORD TRUST

RPS Environment and Planning Pty Ltd (ABN 45 108 680 977)

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<i>Draft A</i>	<i>Draft for Internal Review</i>	<i>SV</i>	<i>KK</i>	<i>13.12.10</i>			
<i>Draft B</i>	<i>Draft for Client Review</i>	<i>SV</i>	<i>KK</i>	<i>14.12.10</i>			

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FIGURES**(compiled at rear of report)**

Figure 1:	Location Plan
Figure 2:	Site Plan
Figure 3:	Town Planning Scheme No.5 Zoning

APPENDICES

APPENDIX 1:	Certificates of Title
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1.0 INTRODUCTION AND BACKGROUND

This report is prepared in support of an application seeking to amend the Town of Port Hedland Town Planning Scheme No.5 (TPS5) by increasing the residential density coding of various lots at Somerset Crescent and Hedditch Street, Port Hedland to 'R30', and amending the scheme map accordingly.

The proposed amendment is partly in response to an anomaly created by the recent amalgamation of properties within the subject land area, where lots of differing density codings were amalgamated but still retain their original 'R20' and 'R30' codings. This dual coding of single lots is undesirable from a planning perspective, and further contributes to the fragmented nature of residential density codings in the area.

This report provides information on the following:

- i. Background to formulation of the scheme amendment request;
- ii. Site details and locational information;
- iii. Consideration of the statutory planning and policy context; and
- iv. An explanation of, and justification for, the proposed increase in residential density.

We consider the enclosed information adequately demonstrates the appropriateness of the proposed scheme amendment and seek the Town of Port Hedland's support at the earliest opportunity.

2.0 PROPOSED SCHEME AMENDMENT

The proposed amendment to the Town of Port Hedland Town Planning Scheme No.5 seeks to increase the residential density coding of lots 2008, 2009, 2011, 2013 and 2019 from 'R20' to 'R30', as well as wholly identify Lots 1 – 6, 8 and 9 (which currently have a dual R20 and R30 zoning) as 'R30'.

The amendment is considered appropriate for the following key reasons:

- i. It offers the opportunity to resolve a dual coding anomaly currently affecting Lots 1 – 6, 8 and 9;
- ii. It facilitates the potential utilisation of undeveloped land for residential purposes, consistent with the strategic planning framework and objectives for the area; and
- iii. It will allow for more varied residential development types within close proximity to the South Hedland Town Centre, contributing to commercial

vibrancy and the improvement of housing choice and affordability in South Hedland.

3.0 SITE DETAILS

3.1 Location and site characteristics

The proposed amendment area comprises Lots 1- 6, 9, 2013 and 2019 Somerset Crescent and Lots 8, 2008, 2009 and 2011 Hedditch Street, South Hedland (the 'subject land'). The land located to the immediate north of the South Hedland Town Centre, and is generally bound by Somerset Crescent to the south east, Hedditch Street to the south west, Lawson Street to the north west and a 'Water and Drainage' reserve to the north east (refer **Figure 1 - Location Plan** and **Figure 2 - Site Plan**).

The subject land is characterised by single residential dwellings fronting Somerset Crescent and Hedditch Street, with vacant undeveloped land to the rear of those properties fronting Somerset Crescent.

The land enjoys close proximity to the South Hedland Town Centre, with vehicle access provided via Hedditch Street and Hamilton Road, and pedestrian access via a direct footpath connection linking Somerset Crescent and Forrest Circle.

3.2 Land ownership

Formal land ownership details for the subject land are provided in **Table 1** below. Certificates of Title for all affected properties are also provided at **Appendix I**.

Table 1: Land Ownership Details

Lot	Street	Plan/Diagram	Volume / Folio	Lot Area(m ²)	Ownership
*1	Somerset Cr	DP 55266	2696 / 421	886	The State Housing Commission of Perth
*2	Somerset Cr	DP 55266	2696 / 422	1,109	I.C. Hubble
*3	Somerset Cr	DP 55266	2696 / 423	1,120	C.P. and S.J. Dunphy
*4	Somerset Cr	DP 55266	2696 / 424	1,331	R.B and C.B Nichols
*5	Somerset Cr	DP 55266	2696 / 425	1,554	T.A. and S.L. Kay
*6	Somerset Cr	DP 55266	2696 / 426	1,894	R.F. Morton
*8	Somerset Cr	DP 55266	2696 / 428	1,097	A.A. James
*9	Somerset Cr	DP 63532	2726 / 363	1,443	R.A. Macduff
2008	Hedditch St	DP 211426	480 / 45A	964	M.A. and M.C Kerr

2009	Hedditch St	DP 211426	1567 / 899	983	G.W. and W.J. Gilbert
*2011	Hedditch St	DP 211426	1734 / 499	965	F.P Galluzzo
2013	Somerset Cr	DP 211426	480 / 50A	830	Government Employees Housing Authority of care of the State Housing Commission of Perth
2019	Somerset Cr	DP 211426	480 / 56A	830	J.B. Wiltshire
				15,006	Total

Note: Properties marked with * are affected by an easement of benefit to the Water Corporation.

3.3 Surrounding land use and development

Land use and development to the east and north of the subject site are predominantly residential, of varying density (R20 to R50) and type (single, grouped and multiple dwellings).

To the immediate south is the South Hedland Town Centre, comprising numerous commercial, residential, services and other related land uses, and providing the main activity centre for the South Hedland townsite. An area of mixed business zoned land is located to the immediate north west of the proposed amendment area, whilst community recreational facilities are located to the west of the site.

It is clear that the proposed amendment area is within close proximity to a range of town centre and community land uses, along with a mix of residential densities and dwelling types. It is considered that increasing the residential density coding of the subject land from 'R20' to 'R30' would not only address the apparent scheme anomaly, but would also be consistent with surrounding land uses and potentially improve the vibrancy of the town centre area given the opportunity for further infill residential development.

4.0 PLANNING CONTEXT

4.1 Town of Port Hedland Town Planning Scheme No. 5

The subject land is currently zoned 'Residential R20' and 'Residential R30' under the Town of Port Hedland Town Planning Scheme No. 5 (TPS5), with Lots 1 – 6, 8 and 9 being affected by both 'R20' and 'R30' density codings (refer **Figure 3 – TPS5 Zoning**).

Section 6.3 of TPS5 contains a number of provisions pertaining to the development of land in the 'Residential' zone, including restrictions on the parking and repair of vehicles and additional requirements for storage areas. It is not proposed to vary any of these provisions, nor any other part of the Scheme Text as part of the proposed scheme amendment.

The subject land is not affected by any Development Plan Areas or any Special Control Areas as identified by TPS5, however, the South Hedland Town Centre Development Plan Area does affect land nearby (to the south of Forrest Circle).

4.2 Port Hedland Land Use Master Plan (2008)

The Port Hedland Land Use Master Plan (LUMP) identifies housing supply as a key issue for the area, and supports further renovation, redevelopment and release of land in South Hedland to improve housing choice and affordability. The Master Plan goes on to set the following overall housing policies:

- *2.5(a) Secure appropriate residential zoning for all suitable new housing sites within or adjacent to existing developed areas, promoting a balance of growth in all parts of the town.*
- *2.5(b) Expedite the release of currently encumbered sites for additional housing development, including clearance of Native Title on all land zoned for development in South Hedland.*
- *2.5(c) Support the relocation of existing uses that do not represent the highest and best use of a potential residential site, or otherwise inhibit the development of new housing.*
- *2.5(d) Increase the density of residential development in areas with appropriate access, services and amenity, and support the improvement or provision of infrastructure where necessary to promote increased residential densities.*
- *2.5(e) Encourage a wider range of housing types by identifying suitable areas for specific types of units, including single bedroom units, and home office or other combinations of live/work arrangements.*

The proposed scheme amendment to increase the residential density coding of the subject land, which has immediate access to the South Hedland Town Centre and a range of surrounding community facilities, is consistent with policy 2.5(d) above and will help facilitate the potential redevelopment of the site (including currently undeveloped land) for a range of housing types in line with policies 2.5(a) and 2.5(e).

4.3 Liveable Neighbourhoods

Liveable Neighbourhoods is an operational policy for the design and assessment of structure plans and subdivisions to facilitate the development of sustainable communities. Whilst this application isn't for a structure plan or subdivision, it does provide an opportunity to improve the function of the subject land with regard to the principles and objectives Liveable Neighbourhoods.

Of particular relevance to this site is Liveable Neighbourhoods Element 3, Requirement 12, which states that "in areas close to town centres, railway stations and major bus stops, lot sizes should be provided which enable sufficient amount of housing to support the facilities and/or public transport service. This may be achieved by... ensuring



residential densities of at least 20-30 dwellings per site hectare in 400m of town centre". The subject land area is situated only 100m north of the South Hedland Town Centre, and presents an opportunity for increased development potential via an R30 residential density coding over the whole site. This will help to support town centre facilities and businesses and encourage commercial vibrancy in the area.

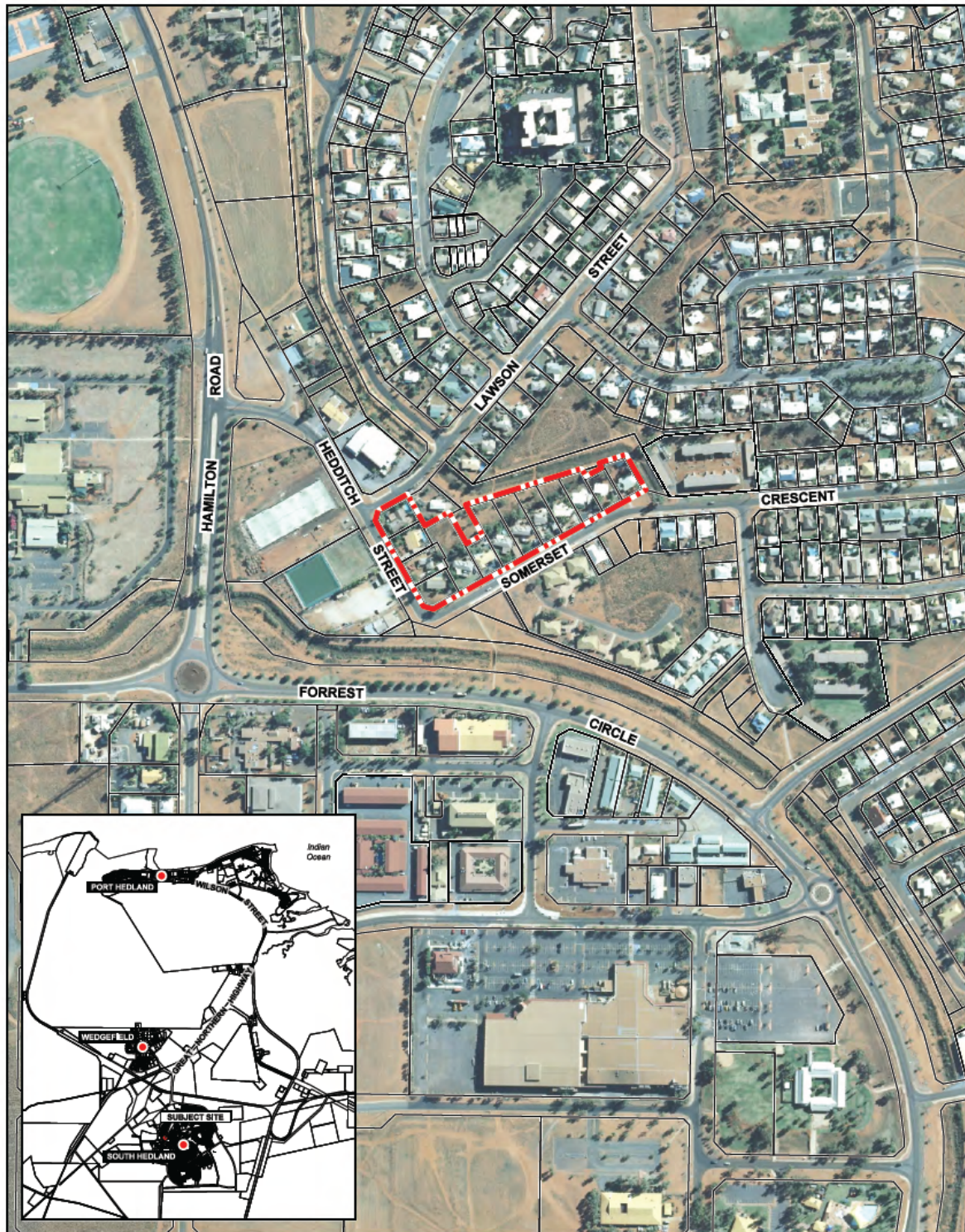
5.0 CONCLUSION

This report provides full details of the subject land area, considers the statutory planning and policy context, and presents significant justification for the proposal to increase the residential density coding of the subject land to 'R30'. The proposed amendment can resolve the current dual-coding anomaly created by a previous amalgamation of lots, and will help to facilitate the infill development of vacant residential land in a highly accessible and central location consistent with the objectives of the Port Hedland Land Use Master Plan.

In light of the preceding report and justification provided, the Town of Port Hedland's support for the proposed scheme amendment is respectfully sought at the earliest opportunity.

RPS

FIGURES



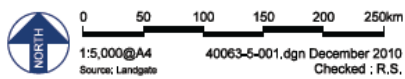
LEGEND

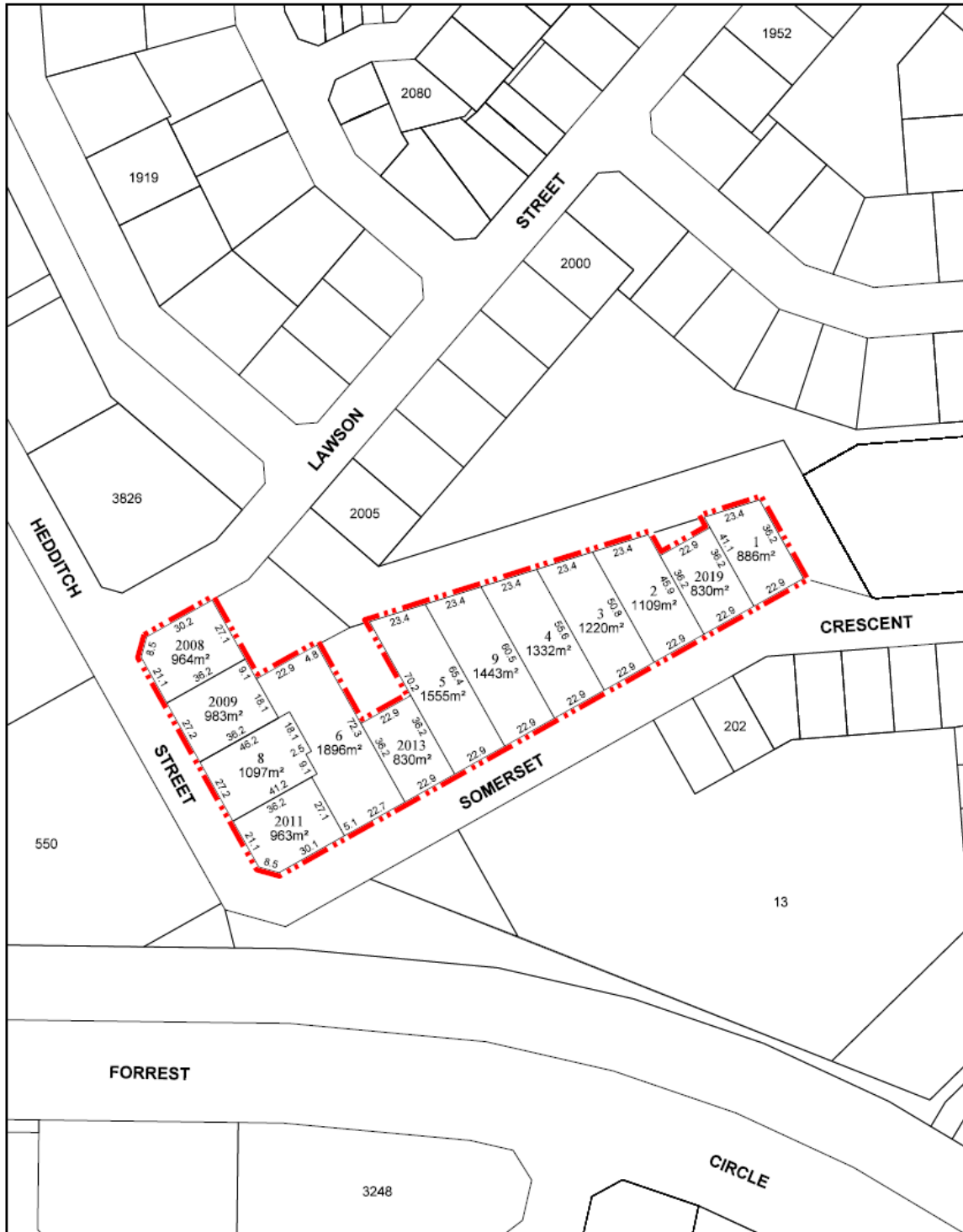
--- Subject Site

FIGURE 1

LOCATION PLAN

Various Lots Somerset Cr & Hedditch St, SOUTH HEDLAND





LEGEND

--- Subject Site

FIGURE 2

SITE PLAN

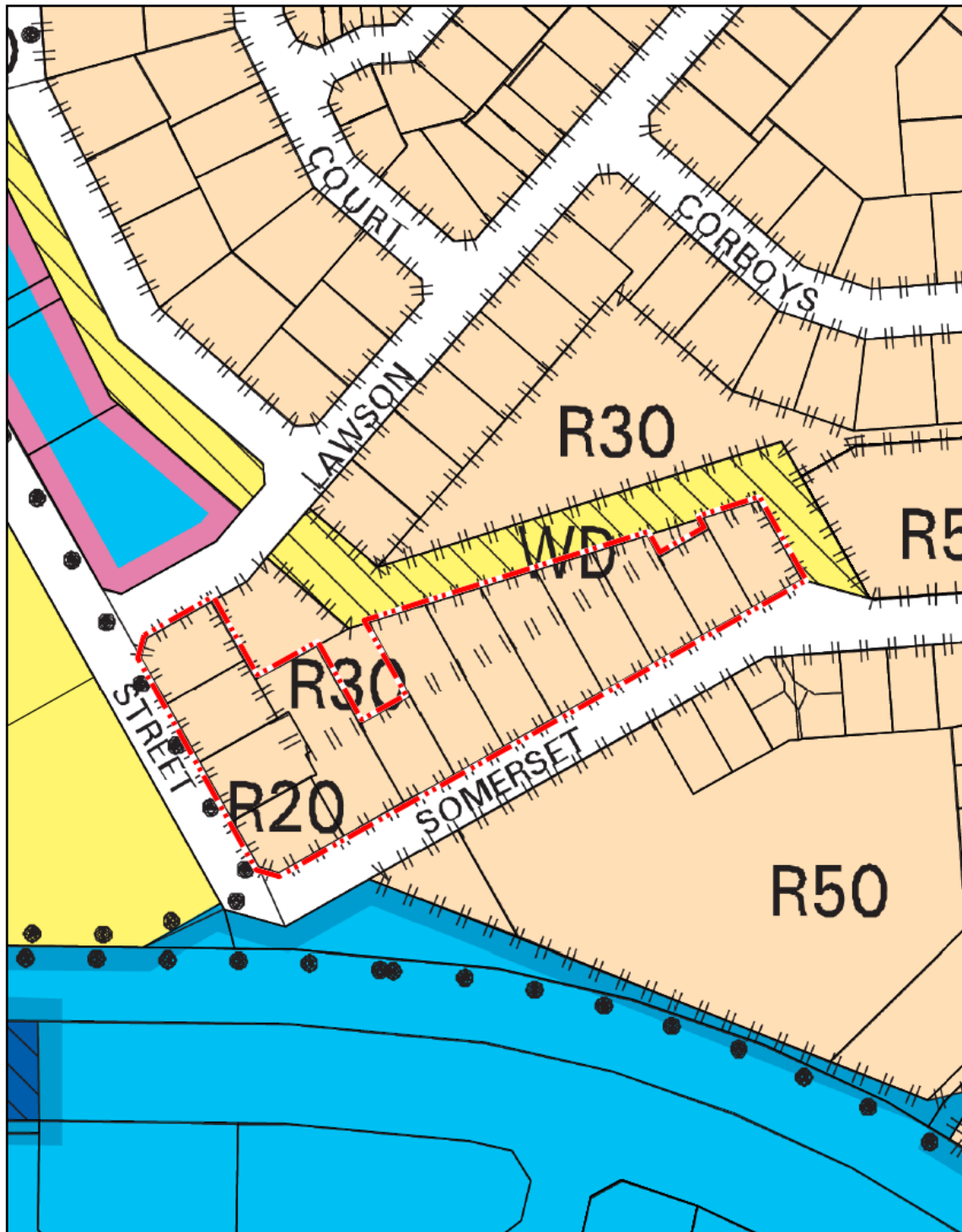
Various Lots Somerset Cr & Hedditch St, SOUTH HEDLAND



0 20 40 60 80 100m

1:2,000@A4
Source: Landgate
40063-5-002.dgn December 2010
Checked: R.S.





LEGEND

--- Subject Site



0 20 40 60 80 100m
1:2,000@A4
Source: Landgate
40063-6-003.dgn December 2010
Checked : R.S.

FIGURE 3

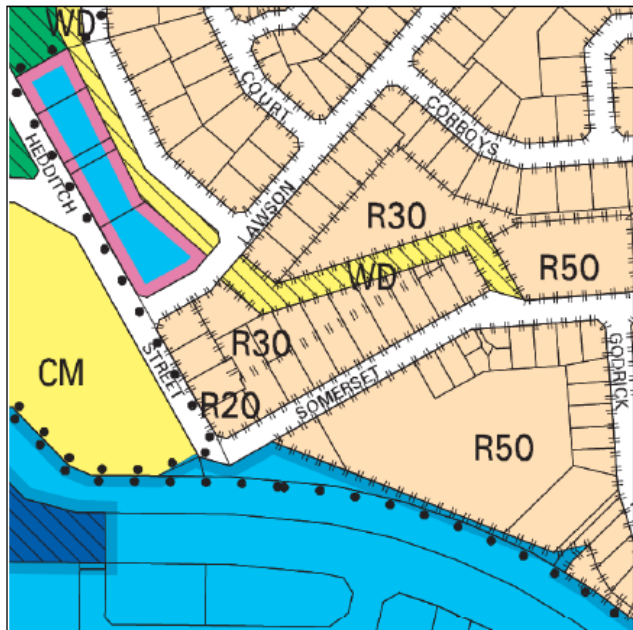
TOWN PLANNING SCHEME No.5

Various Lots Somerset Cr & Hedditch St, SOUTH HEDLAND

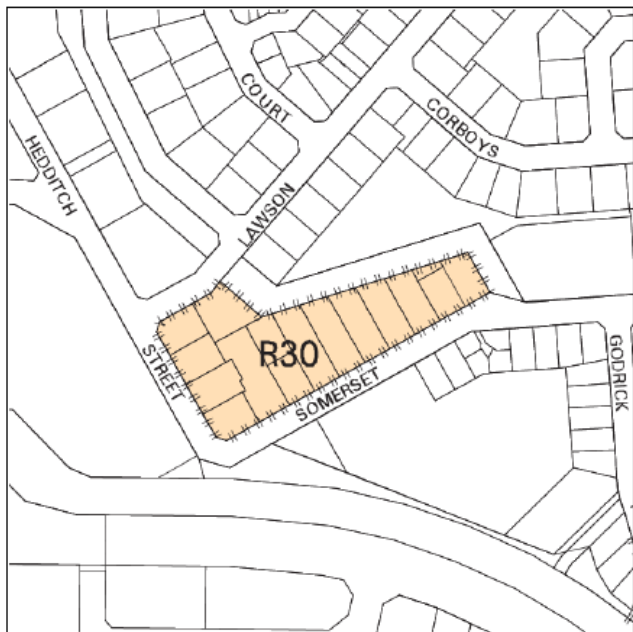


SCHEME AMENDMENT MAP

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







EXISTING ZONING







PROPOSED ZONING

LEGEND

LOCAL SCHEME RESERVES

-  DISTRICT ROAD
-  LOCAL ROAD
-  OTHER PUBLIC PURPOSES
DENOTED AS FOLLOWS:
WD WATER AND DRAINAGE
-  PARKS AND RECREATION

ZONES

-  RESIDENTIAL
-  COMMUNITY
DENOTED AS FOLLOWS:
CM COMMUNITY
-  MIXED BUSINESS
-  TOWN CENTRE

OTHER

-  R20 R CODES
-  DEVELOPMENT PLAN AREAS



Scale 1:5,000
7/12/2010

40063-5-004.dgn
CHECKED: R.S.

11.1.1.3 *Proposed Scheme Amendment No.40 to the Town of Port Hedland Town Planning Scheme No. 5 to Recode Lots 100-105, 3173-3177, 3185 & 6159 Barrow Place, South Hedland from "Residential R20" to "Residential R30" (File No.:18/09/0054)*

Officer	Michael Pound Planning Officer
Date of Report	25 February 2011
Application Number	IPA12907
Disclosure of Interest by Officer	Nil

Summary

Council have received a request from RPS on behalf of Pindan Constructions Pty Ltd (Lot 6159) to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5* to amend the coding of Lots 100-105, 3173-3177, 3185 & 6159 Barrow Place, South Hedland (subject site) from "Residential R20" to "Residential R30"

Background

The proponent for the Scheme Amendment acquired lots 6159 Barrow Place (included in amendment) and 6160 Cottier Drive through the Town of Port Hedland / Department of Regional Development & Lands EOI land release. As part of the EOI the candidate was required to submit a proposal for development of the land.

To enable the proponent to develop the land in accordance with the EOI proposal, a density coding of R30 is required.

Consultation

Should Council resolve to initiate this amendment to TPS 5 as recommended, the documentation is to be submitted to the Environmental Protection Authority (EPA) for consideration pursuant to section 81 of the Planning and Development Act 2005 (PDA).

At the completion of this consultation, Council is to consider all submissions and determine whether to adopt the amendment, adopt the amendment with modifications, or not adopt the amendment.

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 Nil

Budget Implications

The applicant has paid the prescribed application fee of \$1,769.20 for the initiation as prescribed.

Officer's Comment

In order to facilitate proper and orderly planning it is important to ensure that densification is undertaken in an orderly manner. In this regard the Planning unit has identified criteria that should be met before supporting increased density. This 'criteria' is based on the accessibility to infrastructure and facilities (eg Transportation infrastructure, Park and Recreation facilities, education and health facilities and commercial facilities such as supermarkets). Spot rezoning are (individual sites) generally discouraged as they often result in conflict with adjoining property zonings and their associated planning controls and development opportunities.

In this instance the proposed recoding will include all lots on the southern side of Barrow Place. The land is located within 200m of the Town Centre which provides numerous facilities to support the increased density.

Options

Council has the following options when considering the request:

3. Initiate the Scheme Amendment

The rezoning of the subject site will allow for the consolidation of residential development in an established and well serviced area.

2. Refuse to Initiate the Scheme Amendment

Refusal of the proposed Scheme Amendment will reduce housing options within the region to respond to the ongoing demand for housing requirements and population pressures.

It is recommended that the Scheme Amendment be initiated.

Attachments

4. Locality Plan
5. Recoding Plan
6. Town Planning Scheme Amendment Report

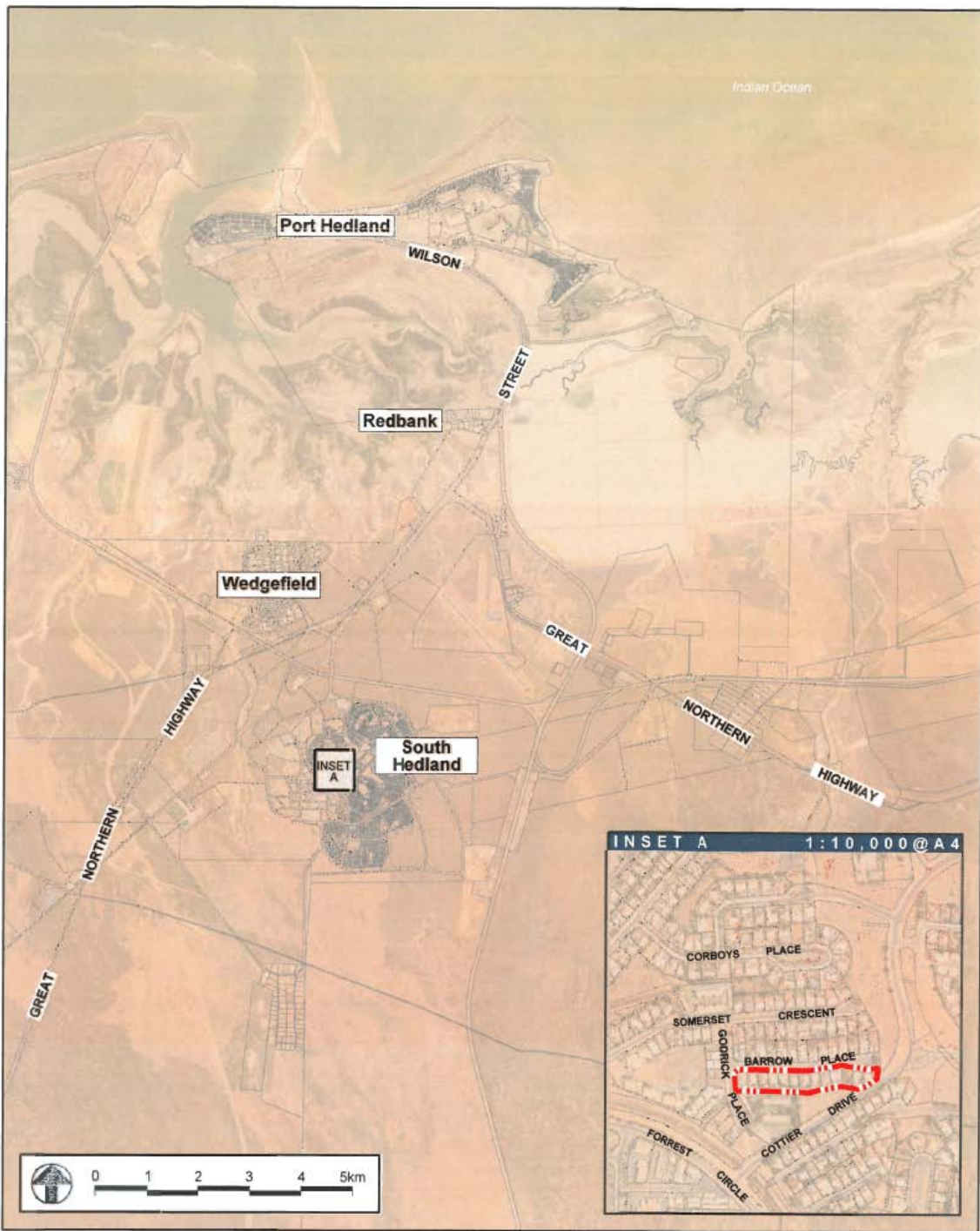
201011/270 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr S R Martin

That Council:

1. Approve the request from RPS on behalf of the landowners M J C Trust to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5* to amend the coding of Lots 100-105, 3173-3177, 3185 & 6159 Barrow Place, South Hedland from "Residential R20" to "Residential R30"
2. Advise the applicant accordingly and request that the applicant prepare the formal amendment documentation to enable referral to the Environmental Protection Authority.
3. Following approval from the EPA to advertise the amendment, Council is required pursuant to section 83 of the PDA to consult persons likely to be affected by the amendment, and also advertise the amendment for a minimum of 42 days pursuant to section 84 of the PDA.

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.3



--- Subject Site

LOCATION PLAN

Property Description
**Lots 3173-3177, 100-105, 6159 &
 3185 Barrow Place,
 SOUTH HEDLAND**

Base data supplied by Landgate. Aerial Photography dated Nov 2009.
 Accuracy +/- 4m. Projection MGA Zone 50.
 Areas and dimensions shown are subject to final survey calculations.
 All carriageways are shown for illustrative purposes
 only and are subject to detailed engineering design.

Pindan Construction : CLIENT
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 1 February 2011 : DATE
 40054-5-001.dgn : PLAN No
 - : REVISION
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 L.W. : DRAWN
 N.T. : CHECKED

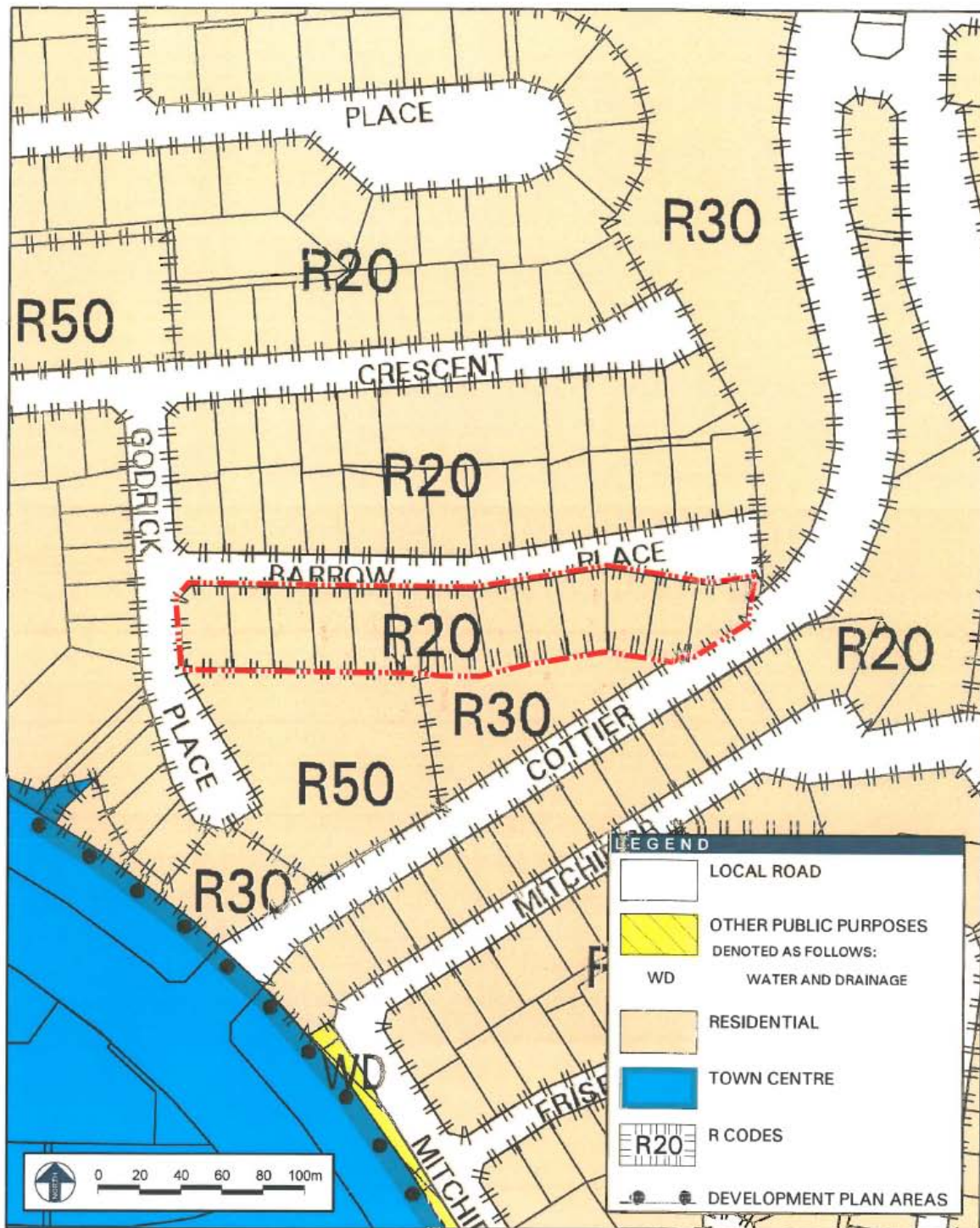


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FIGURE 1

ATTACHMENT 2 TO AGENDA ITEM 11.1.1.3



--- Subject Site

T.P.S. No. 5 ZONING PLAN

Property Description
Lots 3173-3177, 100-105, 6159 & 3185 Barrow Place, SOUTH HEDLAND

Base data supplied by Landgate. Aerial Photography dated Nov 2009. Accuracy +/- 4m. Projection MGA Zone 50. Areas and dimensions shown are subject to final survey calculations. All carriageways are shown for illustrative purposes only and are subject to detailed engineering design.

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FIGURE 3

ATTACHMENT 3 TO AGENDA ITEM 11.1.1.3



**TOWN PLANNING SCHEME AMENDMENT
REPORT**

**Various Lots, Southern Side of Barrow Place,
South Hedland**

Prepared by:

RPS

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Report No: 40054
Version/Date: Final, February 2011

Prepared for:

PINDAN CONSTRUCTION

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RPS Environment and Planning Pty Ltd (ABN 45 108 680 977)



Document Status

Version	Purpose of Document	Orig	Review	Review Date	Format Review	RPS Release Approval	Issue Date
Draft A	Draft for Internal Review	TK	RS	28.01.11	28.01.11	Rob Sklarski	28.01.11
Final	Final for Issue	TK	RS	10.02.11	10.02.11	Rob Sklarski	10.02.11

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**TABLES**

(contained within report text)

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FIGURES

(compiled at rear of report)

Figure 1:	Location Plan
Figure 2:	Site Plan
Figure 3:	Town Planning Scheme No.5 Zoning
Figure 4:	Pindan Construction Land Holding

1.0 INTRODUCTION AND BACKGROUND

This report is prepared in support of an application seeking to amend the Town of Port Hedland Town Planning Scheme No.5 (TPS5) by increasing the residential density coding of thirteen (13) lots located on the southern side of Barrow Place, South Hedland to 'R30', and amending the scheme map accordingly.

The proposed amendment is in response to Pindan Construction's recent success in securing Lot 6159 Barrow Place and Lot 6160 Cottier Drive to develop as a single development parcel (refer **Figure 4 – Pindan Construction Land Holding**). In seeking to develop Lots 6159 and 6160, Council has previously confirmed the need to increase the density of all lots located on the southern side of Barrow Place to ensure the final development parcel has a consistent density coding.

This report provides information on the following:

- i. Background to formulation of the scheme amendment request;
- ii. Site details and locational information;
- iii. Consideration of the statutory planning and policy context; and
- iv. An explanation of, and justification for, the proposed increase in residential density.

We consider the enclosed information adequately demonstrates the appropriateness of the proposed scheme amendment and seek the Town of Port Hedland's support at the earliest opportunity.

2.0 PROPOSED SCHEME AMENDMENT

The proposed amendment to the Town of Port Hedland Town Planning Scheme No.5 seeks to increase the residential density coding of Lots 3173, 3174, 3175, 3176, 3177, 100, 101, 102, 103, 104, 6159, 105 and 3185 from 'R20' to 'R30'.

The amendment is considered appropriate for the following key reasons:

- i. It provides consistency in the coding of residential land located along the southern side of Barrow Place;
- ii. It facilitates the maximum potential utilisation of undeveloped land for residential purposes, consistent with the strategic planning framework and objectives for the area; and
- iii. It will allow for the immediate development, and future redevelopment, of more varied residential development types within close proximity to the South

Hedland Town Centre, contributing to commercial vibrancy and the improvement of housing choice and affordability in South Hedland.

3.0 SITE DETAILS

3.1 Location and site characteristics

The proposed amendment area comprises Lots 3173-3177, 100-105, 6159 and 3185 Barrow Place, South Hedland (the 'subject land'). The land is located to the immediate north-east of the South Hedland Town Centre, and is generally bound by Somerset Crescent to the north, Godrick Place to the west, and Cottier Drive to the south and east (refer **Figure 1 - Location Plan** and **Figure 2 - Site Plan**).

The subject land is characterised by single residential dwellings fronting Barrow Place with a large area of vacant undeveloped land, currently zoned R30, located to the rear of Lots 100-105 and 6159 which fronts onto Cottier Drive.

Lot 6159 is also currently vacant and undeveloped.

The land enjoys close proximity to the South Hedland Town Centre, which is approximately a 1.5km drive or 10 min walk. Pedestrian access can be achieved via a direct footpath connection linking Godrick Place and Cottier Drive.

3.2 Land ownership

Formal land ownership details for the subject land are provided in **Table 1** below.

Table 1: Land Ownership Details

Lot	Street	Plan/Diagram	Volume / Folio	Lot Area(m ²)	Ownership
3173	Barrow Pl	Plan 213742	1606-367	940	- Fitzgibbon, Stephen Anthony - Fitzgibbon, Susan Helen
3174	Barrow Pl	Plan 213742	1571-861	800	- BHP Billiton Minerals Pty Ltd - Mitsui-Itochu Iron Pty Ltd - CI Minerals Australia Pty Ltd
3175	Barrow Pl	Plan 213742	1643-563	800	- BHP Billiton Minerals Pty Ltd - Mitsui-Itochu Iron Pty Ltd

					- CI Minerals Australia Pty Ltd
3176	Barrow PI	Plan 213742	2119-850	800	Puertollano, Desmond John
3177	Barrow PI	Plan 213742	2119-849	800	Moeller, Kimberley James
100	Barrow PI	Plan 28927	2540-870	806	- BHP Billiton Minerals Pty Ltd - Mitsui-Itochu Iron Pty Ltd CI Minerals Australia Pty Ltd
101	Barrow PI	Plan 28927	2540-871	896	- BHP Billiton Minerals Pty Ltd - Mitsui-Itochu Iron Pty Ltd CI Minerals Australia Pty Ltd
102	Barrow PI	Plan 28927	2540-872	797	Richards, Robert William
103	Barrow PI	Plan 28927	2540-873	780	Tierney, Roy
104	Barrow PI	Plan 28927	2540-874	854	Sirius Group Pty Ltd
6159	Barrow PI	Plan 28927	LR3124-940	855	State of WA
105	Barrow PI	Plan 28927	2540-875	758	BHP Transport Pty Ltd
3185	Barrow PI	Plan 218387	LR3034-847	735	State of WA
				10,624	Total

3.2.1 Surrounding land use and development

Land use and development in the surrounding vicinity of the subject site are all residential and of varying density (R20 to R50) and type (single, grouped and multiple dwellings).

Located to the south-east of the subject site is the South Hedland Town Centre, comprising numerous commercial, residential, services and other related land uses, and providing the main activity centre for the South Hedland Townsite.

The proposed amendment area is within close proximity to a range of town centre and community related land uses (approximately 250-400m walking distance), along with a mix of residential densities and dwelling types. It is considered that increasing the

residential density coding of the subject land from 'R20' to 'R30' would be consistent with surrounding land uses and potentially improve the vibrancy of the town centre.

4.0 PLANNING CONTEXT

4.1 Town of Port Hedland Town Planning Scheme No. 5

The subject land is currently zoned 'Residential R20' under the Town of Port Hedland Town Planning Scheme No. 5 (TPS5) [refer **Figure 3 – TPS5 Zoning**].

Section 6.3 of TPS5 contains a number of provisions pertaining to the development of land in the 'Residential' zone, including restrictions on the parking and repair of vehicles and additional requirements for storage areas. It is not proposed to vary any of these provisions, nor any other part of the Scheme Text as part of the proposed scheme amendment.

The subject land is not affected by any Development Plan Areas or any Special Control Areas as identified by TPS5.

4.2 Port Hedland Land Use Master Plan (2008)

The Port Hedland Land Use Master Plan (LUMP) identifies housing supply as a key issue for the area, and supports further renovation, redevelopment and release of land in South Hedland to improve housing choice and affordability. The Master Plan goes on to set the following overall housing policies:

- 2.5(a) *Secure appropriate residential zoning for all suitable new housing sites within or adjacent to existing developed areas, promoting a balance of growth in all parts of the town.*
- 2.5(b) *Expedite the release of currently encumbered sites for additional housing development, including clearance of Native Title on all land zoned for development in South Hedland.*
- 2.5(c) *Support the relocation of existing uses that do not represent the highest and best use of a potential residential site, or otherwise inhibit the development of new housing.*
- 2.5(d) *Increase the density of residential development in areas with appropriate access, services and amenity, and support the improvement or provision of infrastructure where necessary to promote increased residential densities.*
- 2.5(e) *Encourage a wider range of housing types by identifying suitable areas for specific types of units, including single bedroom units, and home office or other combinations of live/work arrangements.*

The subject land is situated in close proximity to the South Hedland Town Centre and a range of surrounding community facilities. Hence, the proposed scheme amendment, which seeks to increase the residential density coding of the subject land, is consistent

with policy 2.5(d) above and will assist in optimising the development potential of the vacant land on Lots 6159 and 6160. Furthermore, the recoding of the additional lots the subject of this scheme amendment will provide the potential for future redevelopment of the sites furthering the range of housing types throughout South Hedland.

4.3 Liveable Neighbourhoods

Liveable Neighbourhoods is an operational policy for the design and assessment of structure plans and subdivisions to facilitate the development of sustainable communities. Whilst this application does not contemplate a structure plan or subdivision, it does provide an opportunity to improve the function of the subject land with regard to the principles and objectives Liveable Neighbourhoods.

Of particular relevance to this site is Liveable Neighbourhoods Element 3, Requirement 12, which states that “in areas close to town centres, railway stations and major bus stops, lot sizes should be provided which enable sufficient amount of housing to support the facilities and/or public transport service. This may be achieved by “...ensuring residential densities of at least 20-30 dwellings per site hectare in 400m of town centre”. The subject land area is situated within 250-400m of the South Hedland Town Centre to the north-east, and presents an opportunity for increased development potential via an increased residential density coding to R30 over the whole site. This will provide the opportunity for future redevelopment, help to support town centre facilities and businesses, and encourage commercial vibrancy in the area.

5.0 CONCLUSION

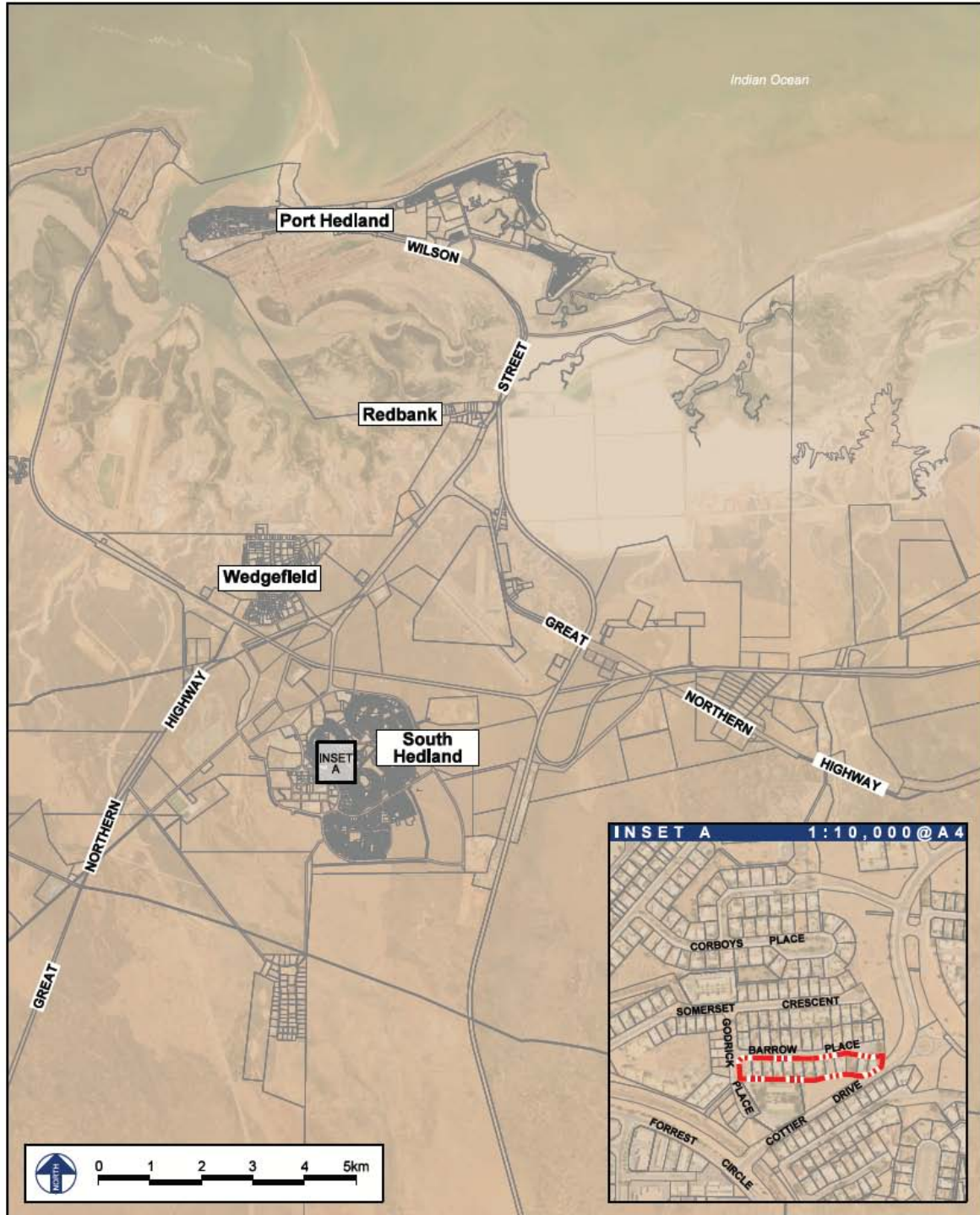
This report provides full details of the subject land area, considers the statutory planning and policy context, and presents ample justification for the proposal herewith to increase the residential density coding of the subject land to ‘R30’.

Given the recent success of Pindan Construction to develop Lot 6159 Barrow Place (R-20) and Lot 6160 Cottier Drive (R-30) as a single development parcel, the proposed amendment will facilitate the immediate development of higher density housing in a highly accessible and central location consistent with the objectives of the Port Hedland Land Use Master Plan. The amendment will also provide consistency in the coding of residential land located along the southern side of Barrow Place and allow for their future redevelopment to further support Town Centre facilities.

In light of the preceding report and justification provided, the Town of Port Hedland’s support for the proposed scheme amendment is respectfully sought at the earliest opportunity.

RPS

FIGURES



--- Subject Site

LOCATION PLAN

Property Description
Lots 3173-3177, 100-105, 6159 & 3185 Barrow Place, SOUTH HEDLAND

Base data supplied by Landgate. Aerial Photography dated Nov 2009.
 Accuracy +/- 4m. Projection MGA Zone 50.
 Areas and dimensions shown are subject to final survey calculations.
 All cartageways are shown for illustrative purposes only and are subject to detailed engineering design.

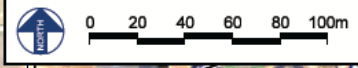
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FIGURE 1



--- Subject Site

SITE PLAN

Property Description
Lots 3173-3177, 100-105, 6159 & 3185 Barrow Place, SOUTH HEDLAND

Base data supplied by Landgate. Aerial Photography dated Nov 2009. Accuracy +/- 4m. Projection MGA Zone 50. Areas and dimensions shown are subject to final survey calculations. All carriageways are shown for illustrative purposes only and are subject to detailed engineering design.

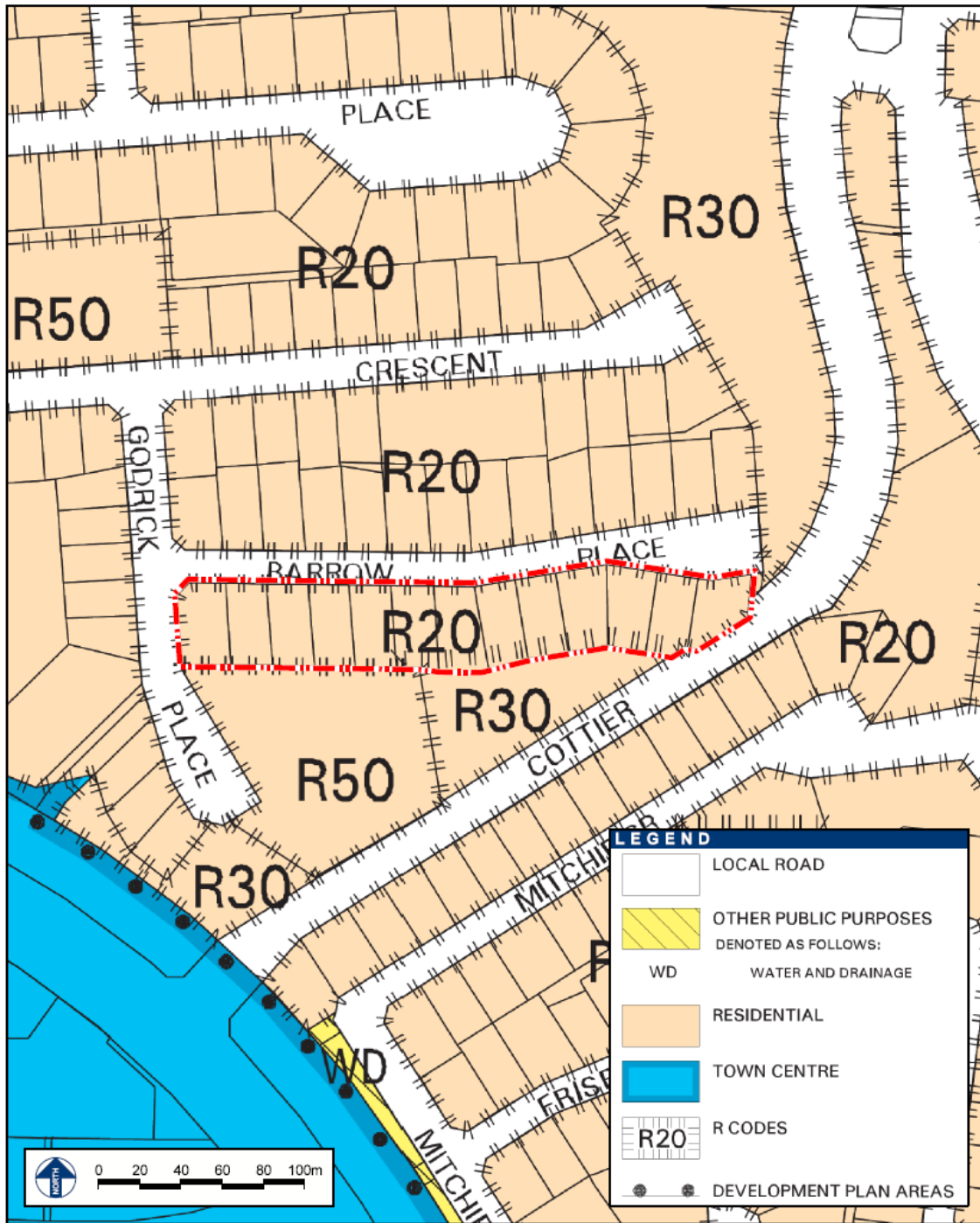
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FIGURE 2



--- Subject Site

T.P.S. No. 5 ZONING PLAN

Property Description
Lots 3173-3177, 100-105, 6159 & 3185 Barrow Place, SOUTH HEDLAND

Base data supplied by Landgate, Aerial Photography dated Nov 2009, Accuracy +/-4m, Projection MGA Zone 50.
 Areas and dimensions shown are subject to final survey calculations.
 All cartageways are shown for illustrative purposes only and are subject to detailed engineering design.

Plindan Construction : CLIENT
 1:2,500@A4 : SCALE
 1 February 2011 : DATE
 40054-5-003.dgn : PLAN No
 - : REVISION
 T.K. : PLANNER
 L.W. : DRAWN
 N.T. : CHECKED



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FIGURE 3



--- Plindan Construction Land Holding

PINDAN CONSTRUCTION LAND HOLDING

Property Description
**Lot 6159 Barrow Place &
 Lot 6160 Cottier Drive,
 SOUTH HEDLAND**

Base data supplied by Landgate. Aerial Photography dated Nov 2009.
 Accuracy +/- 4m. Projection MGA Zone 50.
 Areas and dimensions shown are subject to final survey calculations.
 All carriageways are shown for illustrative purposes
 only and are subject to detailed engineering design.

Plindan Construction : CLIENT
 1:2,500@A4 : SCALE
 10 February 2011 : DATE
 40054-5-004.dgn : PLAN No
 - : REVISION
 T.K. : PLANNER
 L.W. : DRAWN
 N.T. : CHECKED



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FIGURE 4

5:50pm Councillor G J Daccache declared an Impartiality Interest in Agenda Item 11.1.1.4 "Proposed Mixed Use Development on Lots 90 (17), 91 (19) and 92 (21) Kingsmill Street, Port Hedland" as he knows the applicant.

Councillor G J Daccache did not leave the room.

5:50pm Mayor Kelly Howlett declared an Impartiality Interest in Agenda Item 11.1.1.4 "Proposed Mixed Use Development on Lots 90 (17), 91 (19) and 92 (21) Kingsmill Street, Port Hedland" as she knows the applicant.

Mayor Kelly Howlett did not leave the room.

11.1.1.4 Proposed Mixed Use Development on Lots 90 (17), 91 (19) and 92 (21) Kingsmill Street, Port Hedland (File No: 120800G)

Officer	Ryan Djanegara Planning Officer
Date of Report	12 February 2011
Application No.	2011/1
Disclosure of Interest by Officer	Nil

Summary

Council has received an application from T&Z Architects on behalf of Janette Elizabeth Ford, for a “use not listed” being a “Mixed Use Development” on Lots 90 (17), 91 (19) and 92 (21) Kingsmill Street Port Hedland. The proposal includes 5 offices and 36 multiple dwellings, comprises of 2 three bedrooms units (85m²), 16 two bedrooms units (71m²) and 12 one bedrooms units (38m²).

The proposal lacks sufficient parking to support the development and proposes to construct 10 additional car parking bays within the Kingsmill Street Road Reserve.

The proposal is being referred to Council for determination as the development is deemed a “Use not listed” and 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 three lots along Kingsmill Street, with an area of approximately 3641m². Currently Lot 90 is vacant, with an office located on Lot 91 and 92 Kingsmill Street.

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 5 serviced offices and 36 multiple dwellings incorporating communal open space facilities in the form of a central landscaped garden and swimming pool.

The application proposes to have 42 car parking bays provided on site (4 of which are proposed in tandem) and 10 car parking bays within the Kingsmill 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.

The recent gazettal of Scheme Amendment 13, resulted in an "Office" use being a prohibited use in a residential zone. Currently the site is zoned residential, and the proposed use cannot be considered. Notwithstanding this in terms of Clause 4.5(b) of the Town Planning Scheme, Council in considering an application for planning approval shall have due regard to:

"any relevant proposed new town planning scheme of the Council or any amendment to an existing scheme operating within the district".

Scheme Amendment No. 22

Scheme Amendment No. 22, (West End Residential) has been initiated and the 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:

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

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

The subject site is located within the proposed boundaries of Scheme Amendment No. 22, in which “Office” uses are identified as an SA use within the “West End Residential Zone”.

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: Business Development

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 and office space throughout the Town. The proposed mixed-use development will begin to address this need by providing 36 residential units and 5 Offices.

The proposed location for the Mixed-use development along Kingsmill Street is considered to be desirable given that:

- it is approximately 500 metres from the Port Hedland Town Centre;
- it is Council’s strategic direction to have higher density residential development in the area. (Scheme Amendment No. 22), and
- the architecture style of the development will set a high level of building standard for the West End.

Residential Component

The residential component of the proposal includes 36 multiple dwellings contained within 5 buildings linked by a series of walkways. The buildings are designed around a central landscaped garden with a swimming pool facility to encourage interaction.

Each building contains variety of dwelling units with outdoor terraces varying between 6m² to 12m² for each.

Variations to the R-codes: Minimum Unit Size

The minimum unit size provided in the proposal is 38m². In accordance with the R-Codes (2010), a minimum size of a unit is to be no less than 40m² in plot ratio area. Clause 7.4.3 of the R-Codes states that:

“Each dwelling within the development is of a sufficient size to cater for the needs of the residents. The development must provide diversity in dwellings to ensure that a range of types and sizes is provided.”

The layout plan for the bedsit unit depicted on the submitted plans clearly indicated that 38m² is sufficient to cater for the needs of the prospective resident.

In light of the above, the proposed variation to the acceptable development standard is considered reasonable and is supported.

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 62 parking bays on-site.

The applicant has provided 42 bays on-site (8 bays provided in tandem).

Council's Draft Local Planning Policy 12 – Reciprocal Car Parking & Cash in Lieu of Car Parking, initiated by Council at its Ordinary Meeting on 9th 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.

The applicant has requested a variation to the parking requirements by utilizing reciprocal uses between the visitors for the residential component, providing 10 car parking bays within the Kingsmill Road reserve and paying cash-in-lieu for the required 4 bays which cannot be provided.

Reciprocal Car parking uses

In accordance with the draft parking policy, 100% reciprocal car parking uses can be supported between the visitors bays and the office component in a mixed use development. In light of the policy the applicant is therefore required to provide 53 car parking bays on-site.

Utilising the Kingsmill Street Road Reserve

The applicant has requested to use the Kingsmill Street Road reserve to provide additional parking to support the proposed development. 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 formalized between the applicant and Council.

Cash-in-lieu and Council's draft parking policy

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

Notwithstanding the provisions of the Scheme, Council's draft parking policy provides further clarity and additional requirements for developers wishing to make cash-in-lieu contributions to compensate any parking shortfalls. In accordance with that policy, cash-in-lieu contributions can only be made 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. In light of the above the proposal is supported.

Options

Council has the following options when considering the application:

1. Approve the application as submitted permitting the use of the Kingsmill 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 Kingsmill street verge through a proposed lease agreement.

2. Refuse the application.

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 approve the development as submitted allow the applicant to enter into a lease arrangement with Council for the use of the Kingsmill Street Road Reserve for parking purposes.

Attachments

1. Locality Plan
2. Site and floor plans
3. Elevations
4. Scheme Amendment No. 22 Map

201011/271 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council approves the application submitted by T&Z Architects on behalf of Janette Elizabeth Ford, for a "Use Not Listed" being a "Mixed Use Development", on Lots 90, 91 and 92 Kingsmill Street Port Hedland, subject to the following conditions:

1. This approval relates only to a MIXED USE DEVELOPMENT - 36 multiple dwellings and 5 offices and other incidental development, as shown on the approved plans. It does not relate to any other development on this lot.
2. Under the Town of Port Hedland Town Planning Scheme No. 5, the above approved uses are defined as follows:

“Office:

A building or part of building used for the conduct of administration, the practice of a profession, the carrying on of agencies, a post office, bank, building society, insurance office, estate agency, typist and secretarial service, or services of a similar nature, and where not conducted on the site thereof, the administration of or the accounting in connection with a commercial or industrial undertaking.”

“Multiple dwelling:

A dwelling in a group of more than one where any part of a dwelling is vertically above part of another.”

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. Any change to the approved office uses will be subject to further planning approval.
5. 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.
5. Within 60 days of the date of this approval the applicant / landowner is required to amalgamate Lots 90, 91 and 92 Kingsmill Street, Port Hedland.

7. A minimum of 42 car parking bays are to be provided on-site to the satisfaction of the Manager Planning.
8. The 8 tandem car parking bays shown on the attached plans are to be dedicated for the exclusive use of the 3 bedroom units and for two 2 bedroom units to the satisfaction of the Manager Planning.
9. Prior to the submission of a Building Licence the applicant is to have a formalised a lease agreement with the Town of Port Hedland for the exclusive use of 10 car parking bays including the access ways, landscaping and footpaths on the Kingsmill Street Road Reserve the specifications of which to be endorsed by Council.
10. Prior to the submission of a Building Licence the applicant is to formalise a cash in lieu contribution for the construction of the 4 car parking spaces that cannot be provided on-site to the satisfaction of Councils Manager Planning.
11. The driveways and crossovers shall be designed and constructed to specifications of the Manager Infrastructure Development, and to the satisfaction of the 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.
12. 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).
13. 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.
14. Ensure that signs/painted arrows on driveway access is provided for one way only maneuvering to the specifications of the Manager Infrastructure Development and to the satisfaction of the Manager Planning.
15. The parking areas and / or associated accessways shall not be used for storage (temporary or permanent) without the prior approval of the Town of Port Hedland.
16. Provision must be made for 12 residents and 4 visitor bicycle parking bays and designed in accordance with Clause 7.3.3 of the Residential Design Codes (2010), to the satisfaction of Councils Manager Planning.

17. Within 30 days of this approval, a detailed landscaping and reticulation plan including the Kingsmill street verges, must be submitted to Council for approval by the 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.
18. Within 60 days, or such further period as may be agreed by Councils Manager Planning, landscaping and reticulation to be established in accordance with the approved detailed plans to the satisfaction of Councils Manager Planning.
19. 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.
20. A storeroom with a minimum area of 4m² and minimum dimension of 1.5m² is to be provided for each of dwelling in accordance with the Residential Design Codes (2010) to the satisfaction of Councils Manager Planning.
21. Provision must be made for clothes drying within the dwellings or in a secure, visually screened area, to the satisfaction of Councils Manager Planning.
22. 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.
23. 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.
24. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.
25. 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 the Manager Planning.
26. 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 Serves Department at the developer's expense.

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 Condition 10, negotiations in regard to the cash in lieu contribution and/or in kind works are at the discretion of the Director Planning and Development having regard to Section 6.13 Vehicle and vehicle areas, of Town Planning Scheme No.5. The cash in lieu payment is based on the cost of construction and the acquisition of land required for the construction of each bay (at \$/m²). In order to satisfy this condition, the value of land required will need to be assessed by a qualified Land valuer.
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 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.4

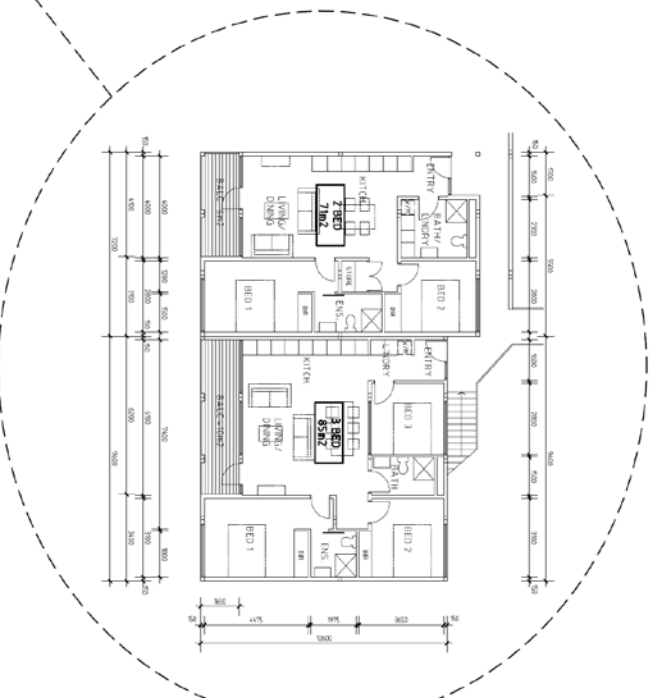




GROUND FLOOR PLAN (OCEAN FRONT LEVEL)

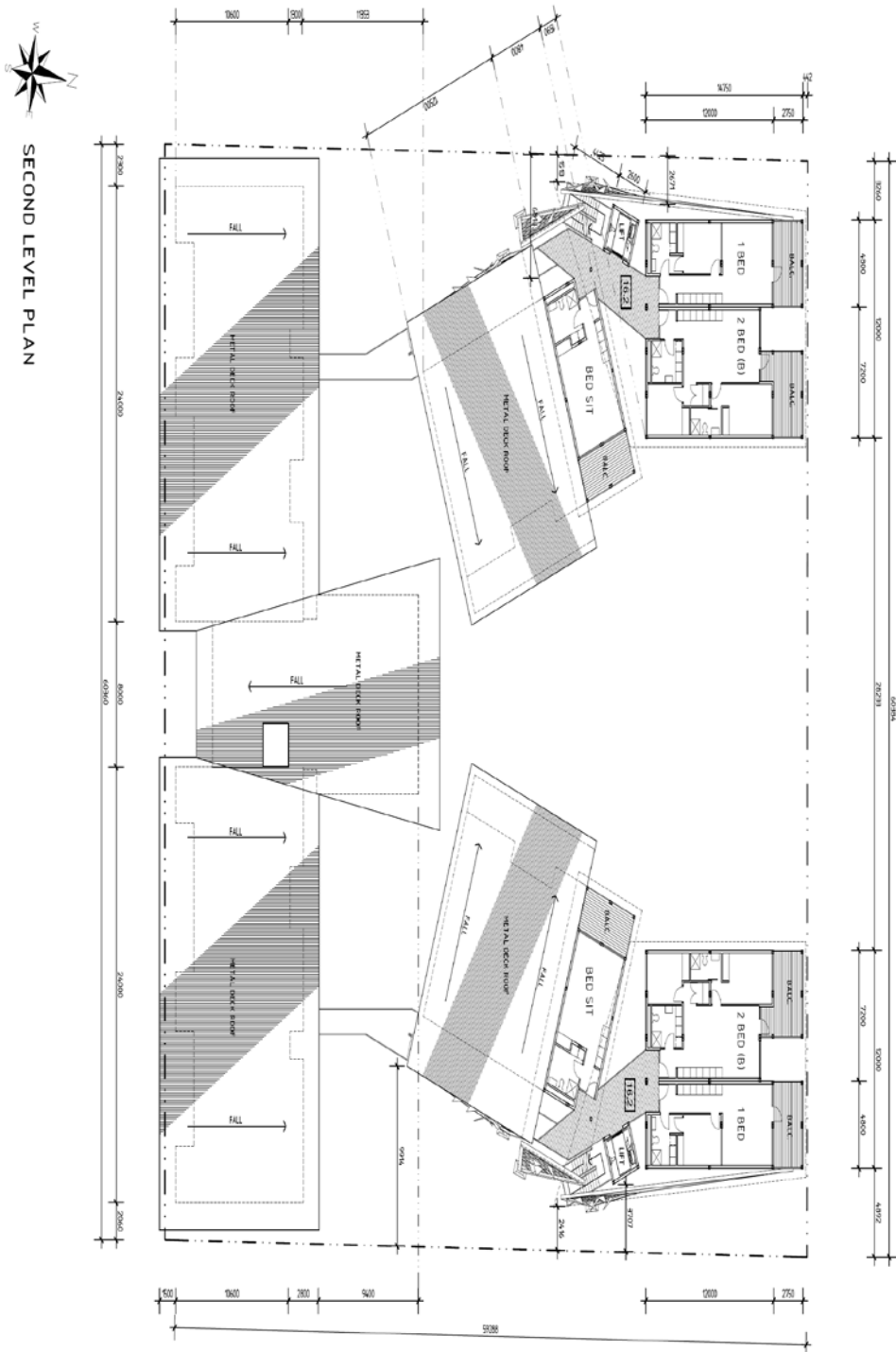


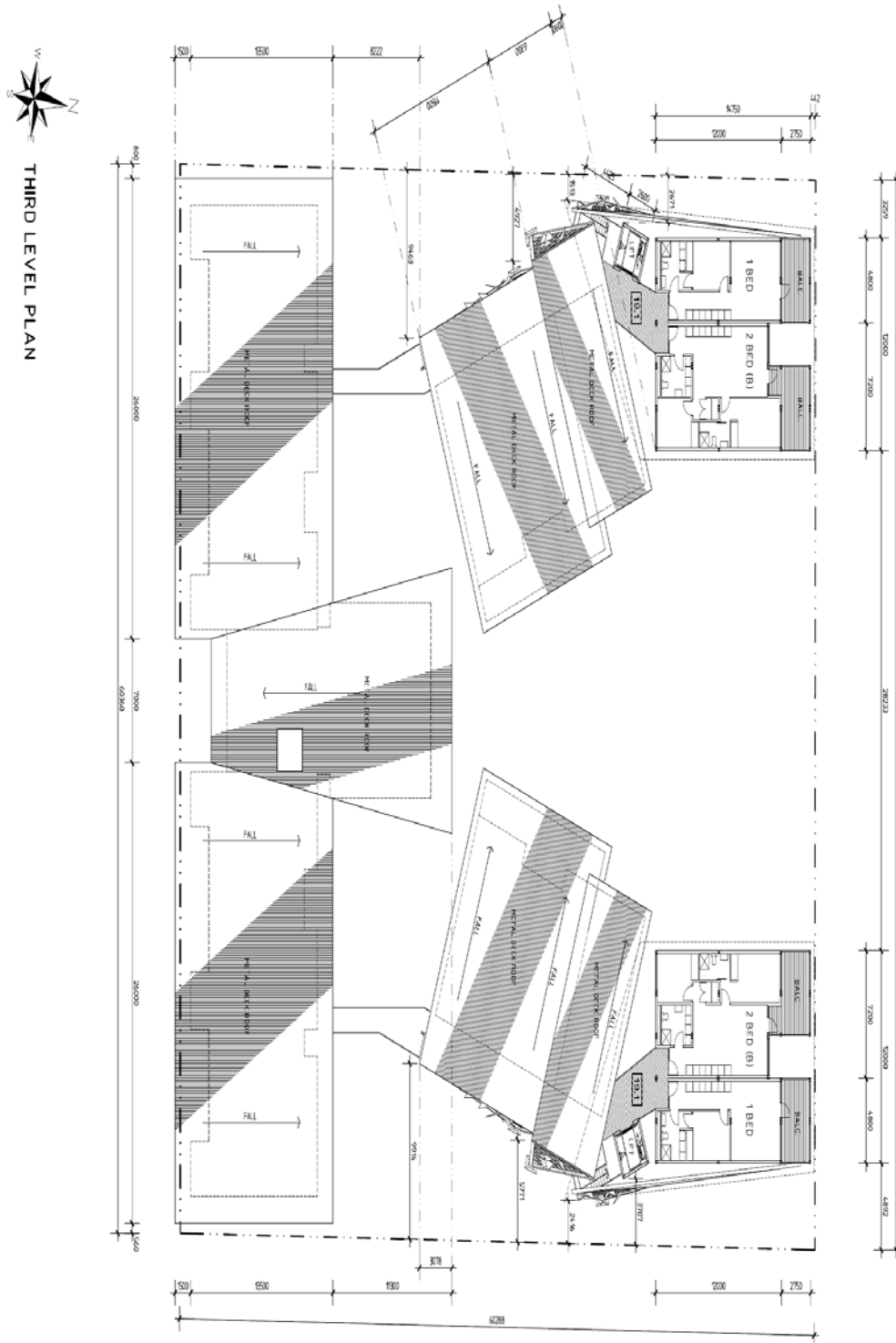
TYPICAL APARTMENT PLANS (2 BED & 3 BED)



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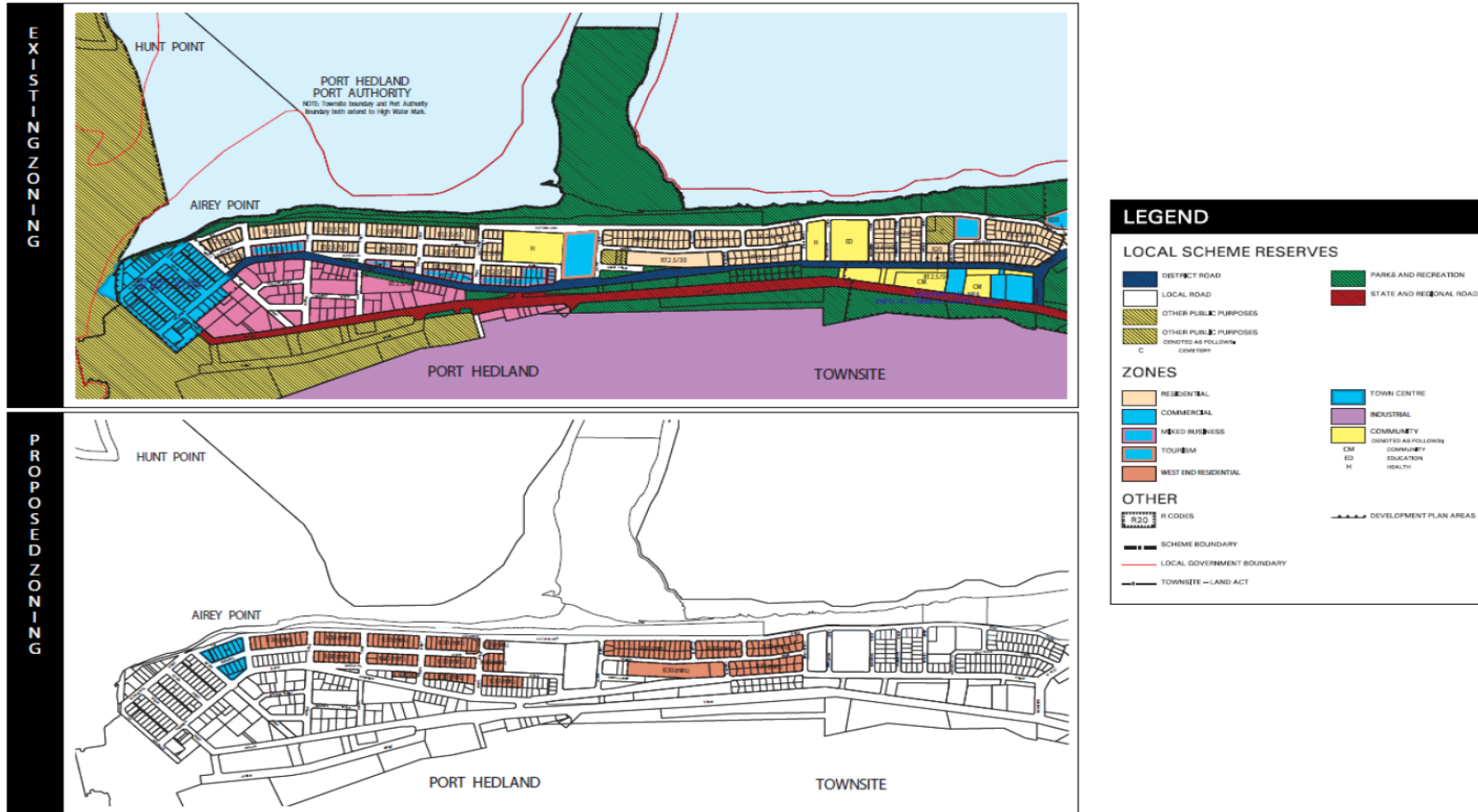
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ATTACHMENT 4 TO AGENDA ITEM 11.1.1.4

TOWN OF PORT HEDLAND
TOWN PLANNING SCHEME No. 5
AMENDMENT No. 22



11.1.1.5 Proposed Permanent Closure of Various Parkland Reserves, South Hedland. (File No.:28/01/0017)

Officer	Caris Vuckovic Lands Officer
Date of Report	24 February 2010
Disclosure of Interest by Officer	Nil

Summary

Through the Land Rationalisation Plan a number of reserves that need to be closed have been identified, allowing the reserves to either be amalgamated with adjoining properties or developed.

The report before Council is to implement what has been envisaged by the approved Land Rationalisation Plan.

Background

The purpose of the proposed reserve closures is to excise unused portions of the existing reserves and amalgamate the closed reserve into adjacent proposed residential lots.

None of the proposed parkland reserve closures will adversely affect the Towns Parks Improvement Program. The closure of the reserves would necessitate a rezoning ensuring that any proposed development will be compatible with the surrounding developments.

The reserves identified for closure are as follows:

Parkland Reserve 35312, Lot 3435 Dorrigo Loop, South Hedland
Parkland Reserve 35321, Lot 3509 Kabbarli Loop, South Hedland
Parkland Reserve 37548, Lot 3625 Captains Way, South Hedland

Consultation

As part of the Land Rationalisation Plan, comments were sort from the internal departments. Any requirements or concerns raised have been addressed prior to the release of the land.

Statutory Implications	Nil
Policy Implications	Nil
Strategic Planning Implications	Nil
Budget Implications	Nil

Officer's Comment

The reserves have been identified through the Land Rationalisation Plan, as land better suited for development other than for "Parklands" purposes. The development of the closed reserves for residential purposes will begin to address although in a small manner the housing shortage while at the same time adding to the improvement of the streetscape in their locations.

From a planning perspective the closure of the reserves will result in infill development within the existing urban footprint, creating a more compact town and controlling the possibility of urban sprawl.

Options

Council has the following options for responding to the request:

- 1) Support the request for closure of parkland reserves located at Lot 3435 Dorrigo Loop, Lot 3625 Captains Way and Lot 3509 Kabbarli Loop, South Hedland.

The closure of these vacant reserves will result in additional residential properties becoming available to the market and at the same time will enhance the streetscape of the area with new modern residential developments.

- 2) Reject the request for closure of parkland reserves located at Lot 3435 Dorrigo Loop, Lot 3625 Captains Way and Lot 3509 Kabbarli Loop, South Hedland.

Should Council choose not to support the closures, the reserves will remain vacant and undeveloped.

In light of the Land Rationalisation Plan which has been approved by Council, it is recommended that Council support the closure of the parkland reserves located at Lot 3435 Dorrigo Loop, Lot 3625 Captains Way and Lot 3509 Kabbarli Loop, South Hedland.

Attachments

Locality Plans

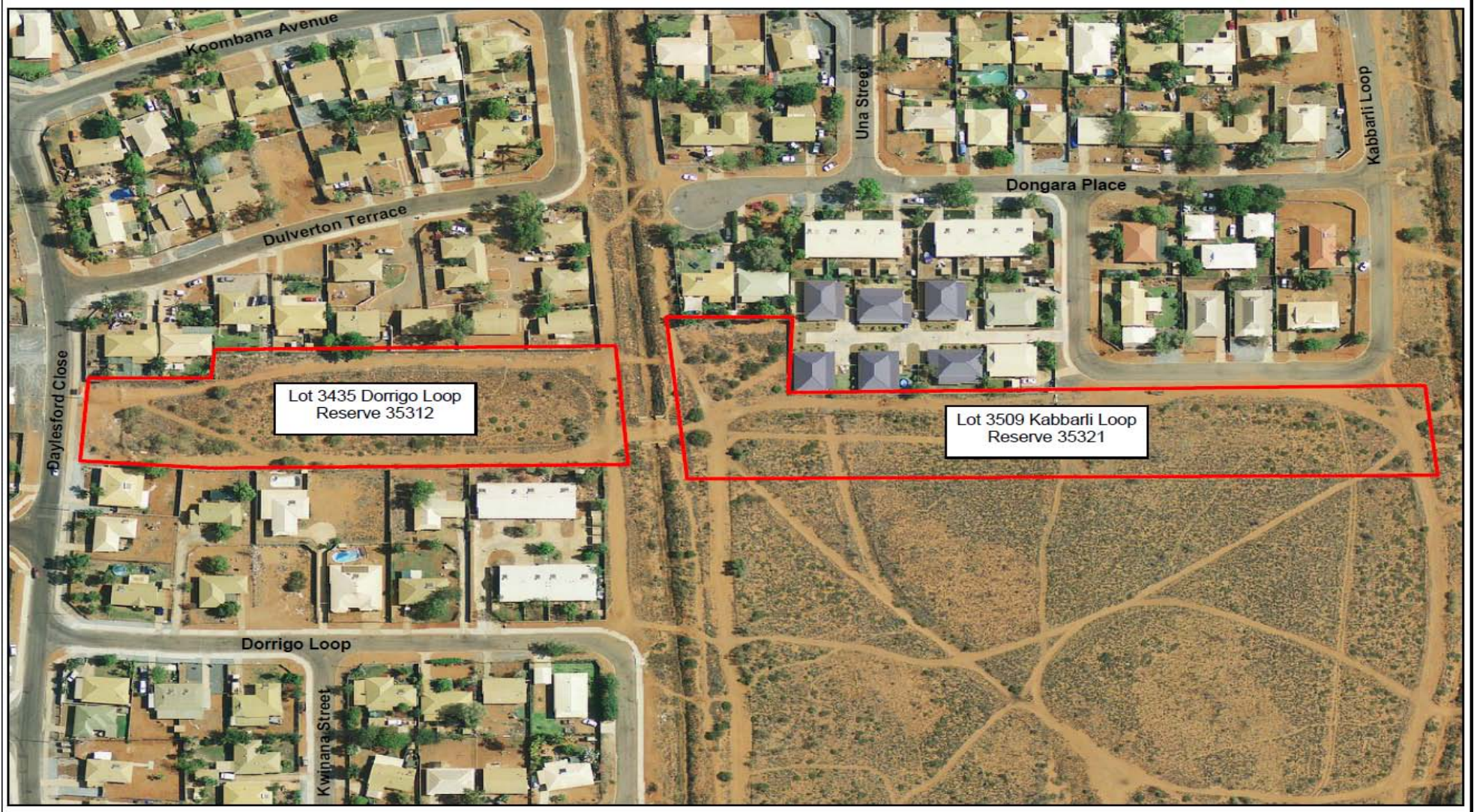
201011/272 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr S R Martin

That Council:

1. notifies the Department of Regional Development & Lands that Council has no objection to the cancellation of Reserves 35312, 35321 and 37548 "Parklands"; and
2. approves that the closed reserves are to be rezoned to the satisfaction of Council.

CARRIED 8/0

ATTACHMENT TO AGENDA ITEM 11.1.1.5



11.1.1.6 Proposed Use Not Listed - Mixed Use Development at Lot 101 and 176 McKay Street, Port Hedland (File No.: 118520G)

Officer Michael Pound
Planning Officer

Date of Report 3 March 2011

Disclosure of Interest by Officer Nil

Summary

Council have received an application from Willcox and Associates Architects on behalf of the current land owner Kirk and Rosemary Coffin, to construct a Mixed Use Development at Lot 101 & 176 McKay Street Port Hedland (subject site),

The proposal is to develop a mixed use development consisting of Multiple Dwellings, Holiday Accommodation Units and Offices.

This item is referred to Council for determination as it is a 'Use not listed' within the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

The application is supported by the Planning unit.

Background

Property Location (ATTACHMENT 1)

The subject site is a corner lot and has a total area of approximately 1,290m². It is wholly contained within the 'Town Centre' zone under the provisions of TPS5. Lot 101 McKay Street is currently vacant and Lot 176 McKay Street contains an existing building, namely 'Charlie Bayman's House'.

The Proposal

The proposal is to develop sixteen (16) Multiple Dwellings, five (5) Holiday Accommodation Units and two (2) Office's (Charlie Bayman's House). The Multiple Dwellings are proposed to range from 44.6m² to 48.6m². The subject site has frontage onto both McKay and Richardson Street. Access to the proposed development is via Richardson Street.

The zoning permits the proposed land uses in the following manner:

Office	: “P” (the development is permitted by the scheme)
Holiday Accommodation	: “AA” (the development is not permitted unless the Council has granted planning approval.)
Multiple Dwellings	: “SA” (the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3)

The Residential Design Codes allow for mixed use developments where dwellings can be combined with non-residential uses, provided that such development is compatible with “Multiple Dwelling” standards. Therefore, the proposed development complies with the definition of a “Mixed Use Development” as defined by the Residential Design Codes of Western Australia.

TPS5 does not make provision for “Mixed Use Developments”, so the development needs to be considered as a “Use Not Listed”.

The application has been assessed in accordance with both the Residential Design Codes and TPS5, and the assessment is further discussed under the officer’s comments.

Consultation

The application has been circulated to the internal departments and advertised externally in accordance with section 4.3.1 of TPS5.

An objection was received after the advertising period had closed, (ATTACHEMENT 3); please note Council has no statutory obligation to consider the objections as it was submitted after the advertisement period. The main points have been summarised below:

Parking and Access

- Shortfall in carparking bays and the application relies on offsite carparking;
- Suitability and functionality of motorbike parking bays;
- Facilities for parking and maintaining boats;
- Access to the subject site appears problematic;
- Vehicle sight lines;
- Request for traffic and transport study; and
- The application does not address disabled access.

Landscaping and Open Space

- Insufficient landscaping detail provided;
- Request for landscaping plan;
- Little open space provided; and
- Development located in road reserve.

Setback and Site Coverage

- Application does not comply with setback requirements; and
- Development may exceed Plot Ratio

Heritage

- The proposed development pays scant regard to the heritage cottage involved;
- Request for a scale model of the proposal to better determine the effect on Charlie Bayman's House

Multi-Unit Code

- Little variation in dwelling type, resulting in an obvious breach of the Multi-Unit Code;
- It is clear that the proposed development is aimed at providing short term accommodation;
- Developer assumption regarding shortage on one bedroom rental facilities in Port Hedland;
- Variety of room type is required and development should reflect a balance that is demanded by real market demand

Planning Unit Response*Parking and Access*

- All residential parking is provided on-site. The proposal is consistent with the cash-in-lieu provisions and Council's draft parking policy.
- Motorbike parking bays have not been included in the car parking calculation and have been provided as a courtesy for the occupants of the building.
- The nature of the proposed land uses does not warrant the requirement for the parking and maintenance of boats.
- The application has been circulated to Council's internal departments. Engineering Services have not raised concern with vehicle sight lines or traffic management on the subject site.
- Disabled access is not a planning related matter and was therefore not considered in the application for planning approval.

Landscaping and Open Space

- Engineering Services have requested a Landscaping plan including location, species and planting to the satisfaction of the Town.
- Justification provided by the applicant in regards to the open space satisfies the performance criteria of the R- Codes. There is limited open space due to the nature of the development and its location within the Town Centre. Given one bedroom apartment are proposed, limited landscaping and its associated maintenance, is desirable and preferred. Public open space is nearby, with a park opposite the proposed development in addition to the coastline over the road.
- The applicant has proposed a cantilevered awning which extends along the commercial space on the corner of McKay and Richardson Street frontages. Whilst the concept is supported the applicant will have to, prior to the construction of the awnings, provide Council with detailed drawings, which would then be further assessed and conditioned.

Setback and Site Coverage

- Commercial land uses are proposed on the ground floor of the development. There is a no setback requirement for commercial land uses.
- The maximum plot ratio for the residential component of the development is 0.6. Maximum residential plot ratio for the subject site is 774m^2 . The proposed development has a total residential area of $765.6\text{m}^2/1290\text{m}^2 = 0.59$.
- The proposed development does not exceed the Plot Ratio and therefore warrants approval.

Heritage

- The existing “Charlie Bayman’s House” is to be retained and conserved. The application was forwarded to the Heritage Council of Western Australia and suggestions offered were considered within a planning context.
- The applicant has provided scale drawings detailing a site plan, floor plan and elevations of the proposed development. A scale model was not required to determine the effect on Charlie Bayman’s House.

Multi-Unit Code

- Holiday and single bedroom accommodation within the Town Centre is seen as preferable in the Port Hedland Land Use Master Plan. Where family type accommodation is discouraged, smaller apartment and higher density developments will add to the vibrancy of the Town Centre.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

KEY RESULT AREA 4: ECONOMIC DEVELOPMENT

Goal 1: Tourism

Strategy 4:

Identify sites for the development of new caravan park/eco tourism facilities (both permanent and temporary). Implement key propriety projects.

Budget Implications

An application fee of \$13,350.00 has been received as per the prescribed fees approved by Council.

Officer's Comment

The application is considered a catalyst for further development within the Town Centre which would assist in the realisation of the Town Centre as envisaged in the Land Use Master Plan.

Whilst the proposed development would have a distinct benefit to the Town Centre, due consideration must be given to the following:

- Building Height
- Streetscape
- Walls on the Boundary
- Carparking
- Reciprocal Carparking Arrangement
- Awning on the Road Reserve

Building Height

State Planning Policy 2.6 Coastal Planning Policy (SPP) limits building heights to a maximum of five (5) storey's or not exceeding twenty one (21) metres. The proposed development is thirteen (13) metres at its tallest and thus complies with this policy.

Streetscape

The applicant has, through the design of the building, achieved an acceptable streetscape to both McKay Street and Richardson Street. The design allows for a commercial interface on the ground floor which is conducive to a town centre environment. Whilst the residential and holiday accommodation units also provide passive surveillance of McKay and Richardson Street.

Walls on boundaries

Through the design the applicant has limited the overlooking onto the adjacent lot to the walkways. The walkways are not considered habitable spaces and therefore from a planning perspective would not have detrimental effect on the adjoining lot or any possible future development thereof.

Car parking requirements

In accordance with Appendix 7 of TPS5 the landowner is required to provide a minimum of 33 car parking bays. The applicant has provided 26 carparking bays within the development and requested an additional 3 bays within the road reserve on McKay Street.

Reciprocal Car Parking Arrangement

In accordance with the draft parking policy, 100% reciprocal car parking uses can be supported for the five (5) visitor bays and one (1) bay for the staff member of the Holiday Accommodation. This would require the applicant to provide a minimum of 29 parking bays.

Utilising McKay Street Road Reserve

The applicant has indicated the need to use the existing parking bays within McKay Street to provide the shortfall of parking (3 parking bays) required for the development. Council's Engineering staff have indicated no objection to the proposed use of the bays within the McKay Street road reserve.

In light of the above it is recommended Council support the use of the road reserve for parking subject to a cash in lieu payment being received.

Cash-in-lieu and Council's draft parking policy

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

Notwithstanding the provisions of the Scheme, Council's draft parking policy provides further clarity and additional requirements for developers wishing to make cash-in-lieu contributions to compensate any parking shortfalls. In accordance with that policy, cash-in-lieu contributions can only be made 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 three (3) visitors car parking bays, all residential parking is provided on site.

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

Public parking bays are available within McKay Street, directly adjacent to the subject site.

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 3 bays shortfall provided.

Awning in the Road Reserve

The applicant has proposed a cantilevered awning which extends along the commercial space on the corner of McKay and Richardson Street frontages. Whilst the concept is supported the applicant will have to, prior to the construction of the awnings, provide Council with detailed drawings, which would then be further assessed and conditioned.

Options

The Council has the following options in response to the application:

1. Support the application as submitted with reciprocal car parking and the payment of Cash-in-lieu for the shortfall of 3 parking bays.

The approval of the application would result in revitalisation of the Port Hedland Town Centre by increasing the proposed mixed uses. It will also allow the existing Municipal Heritage listed building to be refurbished thereby creating an improved streetscape.

2. Refuse the proposal

The refusal would likely lead to a substandard development on the subject site resulting in a detrimental impact on the streetscape.

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

Attachments

1. Locality Map
2. Site Plan, Floor Plan and Elevations

201011/273 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council approves the application submitted by Willcox and Associates Architects on behalf of the current land owner Kirk and Rosemary Coffin, to construct a Mixed Use Development at 176 (2) McKay Street Port Hedland, subject to the following conditions:

1. This approval relates to a MIXED USE DEVELOPMENT incorporating sixteen (16) Multiple Dwellings, five (5) Holiday Accommodation Units and two (2) Offices as shown on the approved plans. It does not relate to any other development on this lot.
2. The development must only be used for purposes which are related to the operation of an "Office", "Holiday Accommodation" and "Multiple Dwellings" as indicated on the approved plans. Under TPS5, the above approved uses are defined as follows:

"Office:

A building or part of a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, a post office, bank, building society, insurance office, estate agency, typist and secretarial services, or services of a similar nature, and where not conducted on the site thereof, the administration of or the accounting in connection with a commercial or industrial undertaking"

“Holiday Accommodation:

Any land and/or buildings used predominantly by travellers and holiday-makers and designed to take advantage of a tourist attraction or other locational consideration for tourism reasons including camping areas, areas for movable dwellings, chalet parks and serviced apartments or any combination thereof but excluding hotel and motel and Bed/Breakfast facilities”

“Multiple Dwelling:

A dwelling in a group of more than one where any part of a dwelling is vertically above part of any other”

3. This approval 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. 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:

In terms of the Town of Port Hedland Municipal Inventory of Heritage Places, the existing building known as “Charlie Bayman’s House” is significant for associations with Thomas Traine, a Port Hedland pioneer, various aviation identities and WA Airlines. It is a singular example of a mud brick dwelling in Port Hedland, and contributes to the character and streetscape of the Town.

The existing building “Charlie Bayman’s House” is to be retained and conserved.

5. 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
6. Amended plans being submitted to the Planning Department.
7. Prior to the submission of a building licence application the applicant is required to submit a renovation plan for the existing "Charlie Bayman's House" to the satisfaction of Councils Manager Planning.
8. Prior to the submission of a Building Licence, amended plans being submitted to and approved by the Town incorporating the following amendments:
 - a. **Detailed plans indicating design of the proposed verge parking in Mckay Street, to the specifications of Councils Manager Infrastructure Development and to the satisfaction of Councils Manager Planning.**
 - b. **Indicating awnings along the entire length of the building adjoining Richardson Street and McKay Street to the satisfaction of Councils Manager of Planning**
9. Prior to the submission of a Building Licence applicant is to have formalized a cash in lieu contribution for the 3 car parking spaces that cannot be provided on-site to the satisfaction of Councils Manager Planning.
10. A minimum of twenty six (26) car parking spaces are to be provided on-site.
11. The parking areas and / or associated access ways shall not be used for storage (temporary or permanent) without the prior approval of the Town.
12. The parking applicable to the permanent residential units and the holiday accommodation units shall be reserved as such.

13. The driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005, prior to the occupation of the dwelling(s)
14. Within 30 days of this approval, a detailed landscaping and reticulation plan including the Richardson and McKay Street verges, must be submitted for consideration by Councils Manager Planning. The plan is to take into consideration the existing landscaping along Richardson and McKay Street
15. Within 60 days, or such further period as may be agreed by the Manager Planning, landscaping and reticulation to be established in accordance with the approved detailed plans to the satisfaction of Councils Manager Planning
16. Within 60 days of the date of this approval the applicant/landowner is required to amalgamate Lot 101 and 176 McKay Street, Port Hedland.
17. Clothes drying facilities shall be provided within each individual unit. No clothes drying facilities shall be permitted elsewhere on the lot.
18. 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.
19. Prior to the commencement of works appropriate arrangements with the appropriate authorities being made for the awnings which protrude into the road reserve all to the satisfaction of Councils Manager Planning.
20. 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.
21. Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of Councils Manager Planning..
22. The proposed development shall be connected to reticulated mains sewer.
23. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Councils Manager Planning.

24. Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 1999.
25. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.
26. All dust and sand to be contained on site with the use of suitable dust suppression techniques to specification of Councils Manager Environmental Health Services and to the satisfaction of Councils Manager Planning.
27. 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. With regards to Condition 8, negotiations in regard to the cash in lieu contribution and/or in kind works are at the discretion of the Director Planning and Development having regard to Section 6.13 Vehicle and vehicle areas, of Town Planning Scheme No.5. The cash in lieu payment is based on the cost of construction and the acquisition of land required for the construction of each bay (at \$/m²). In order to satisfy this condition, the value of land required will need to be assessed by a qualified Land valuer

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 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.6

LOCALITY PLAN

ATTACHMENT 1



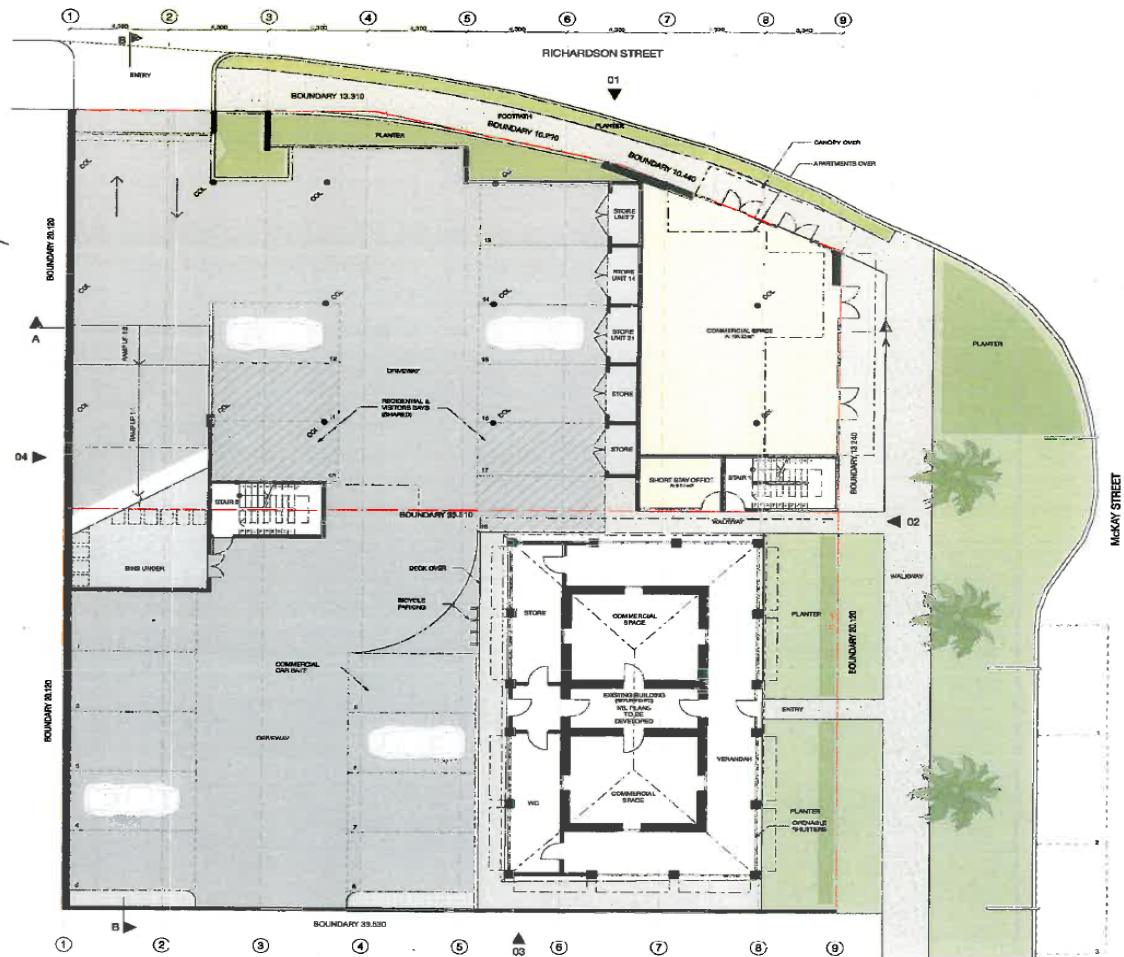
ATTACHMENT 2 TO AGENDA ITEM 11.1.1.6



CAR PARKING:

TOTAL WALKWAY BAYS 18 BAYS

TOTAL MOTORWAY BAYS 14 BAYS



FLOOR PLAN LEGEND

- INNER SPACE
- WET AREA
- COURTYARD & BALCONY
- WALKWAY
- COMMERCIAL GARAGE
- RESIDENTIAL + VISITOR'S BAYS (SHARED)
- GARAGES & DRIVEWAY
- HARD TYPING
- LANDSCAPE
- BOUNDARY
- SETBACK

0 1 2 4 5 10 15m

willcox. SK1.02
SITEPLAN + GROUND FLOOR PLAN

PROPOSED MULTI RESIDENTIAL
McKAY STREET, LOTS 101 & 176, PORT HEDLAND

WILCOX & ASSOCIATES PTY LTD. ADDRESS 04 4280 07744 075 MANAGERY DRIVE UNIT 7 119 DOUGALL WAY MANAGERY RIVER WA T 61 8 9372 3111 F 61 8 937 8113
 BUILT - G. BROWN C/O BARNETT LEGAL SERVICES/COASTAL BAY T 81 95 32861 F 61 8 11 19001 4700 1004 C/O BARNETT LEGAL SERVICES/COASTAL BAY

Project No: 2000-P1035
Date: 28/10/2010

11.1.1.7 Proposed Development of a Telecommunication Tower and Base Station at Lot 5787 McKay Street (Drainage Reserve), Port Hedland (File No.: 700030G)

Officer Caris Vuckovic
Lands Officer

Date of Report 27 January 2011

Disclosure of Interest by Officer Nil

Summary

Through negotiations between Town and Aurecon on behalf of Optus, Lot 5787 McKay Street has been identified as a possible location for a telecommunication tower.

Lot 5787 McKay Street is reserved for "Drainage" purposes and is governed pursuant to clause 2.2 of the Port Hedland Town Planning Scheme No. 5,

"A person shall not carry out any development on, other than the erection of a boundary fence defined or accepted by Council, or change the use of a reserve without first applying for and obtaining the written approval of the Council."

The proposed additional use "Infrastructure", will allow an application to be submitted to Council for the construction of a telecommunication tower and base station.

Background

The proposed tower was originally intended to be located at Lot 59 McKay Street, Port Hedland. The proposed telecommunication tower was refused at Councils Ordinary Meeting held Wednesday 8 December 2010.

Following the refusal, alternative locations for the proposed tower were sought. Through negotiation with the service provider an alternative location being Lot 5787 McKay Street, Port Hedland, has been found.

Location and Area (ATTACHMENT A)

The subject site is located in the West End on the corner of McKay and Hardie Street, Lot 5787 McKay Street, Port Hedland, and measures approximately 3250m².

Current Zoning and Use

In terms of the Port Hedland Town Planning Scheme No. 5 the subject site is reserved as "Local Road".

An investigation on Landgate indicates that whilst the Port Hedland Town Planning Scheme No. 5, indicates the lot to be a reserve for "Local Road" it is reserved for "Drainage" purposes.

Existing Development

The lot is currently utilised for drainage purposes and contains no form of infrastructure.

Consultation

The request to amend the management order does not require any form of consultation.

Should the service provider submit an application for the construction of a telecommunication tower within the reserve. The application will be advertised appropriately providing the community an opportunity to comment on the application.

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.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

In accordance with the Port Hedland Town Planning Scheme No. 5, the proposed development is classified as "Infrastructure" and defined as:

"Physical equipment or systems, such as cables, pipelines, roads, railways, conveyors and pumps constructed, operated and maintained by a public authority or private sector body for the purposes of conveying, transmitting, receiving or processing water, sewerage, electricity, gas, drainage, communications, raw materials or other goods and services, but does not include industry."

Options

Council has the following options when considering the application:

1. Request the Department of Regional Development and Lands to amend the management order.

Endorsing the request would enable the service provider to submit an application for the telecommunication tower.

2. Refuse the request to amend the management order

The refusal of the request would result in the service provider not being able to submit an application, as a result may impact on the service provided to the community within the Port Hedland Area.

Attachments

Attachment A – Locality Plan

201011/274 Council Decision/Officer's Recommendation

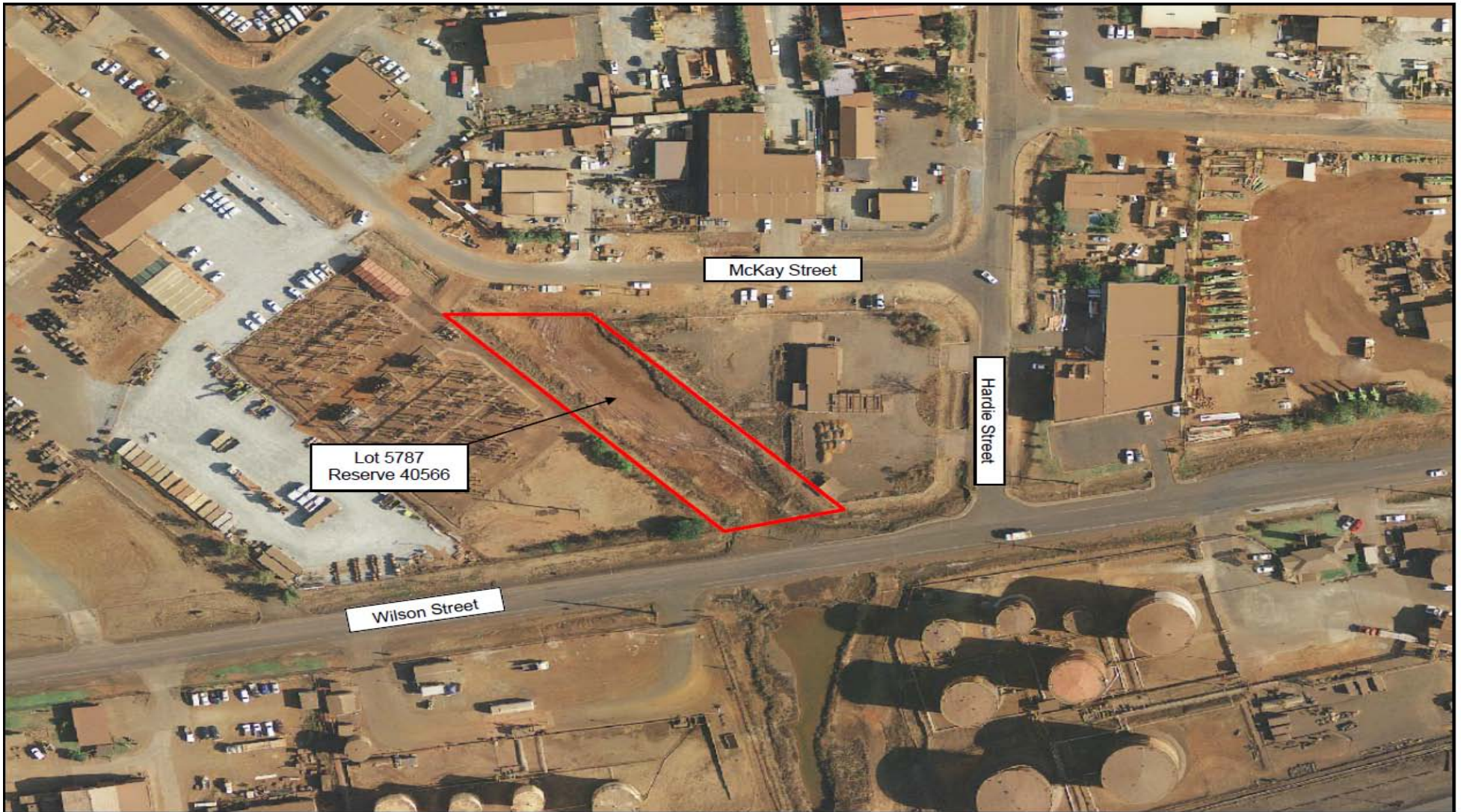
Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council requests the Department of Regional Development and Lands to amend the current management order of Reserve 40566 (Lot 5787 McKay Street), for drainage purposes to include infrastructure and provide the Town with the powers to sub lease.

CARRIED 8/0

ATTACHMENT TO AGENDA ITEM 11.1.1.7



11.1.2 Environmental Health Services

11.1.2.1 Designation of Taxi Rank Area in Anderson Street Port Hedland (File No: 30/14/0001)

Officer	Darryal Eastwell Manager Environmental Health Services
Date of Report	3 March 2011
Disclosure of Interest by Officer	Nil

Summary

To consider the designation of a taxi rank area in Anderson Street Port Hedland adjacent to the Port Hedland Police Station between the hours of 10.00pm and 2.00am.

Background

A series of meetings were recently held between a representative of the Hedland Taxi drivers, Police and Town of Port Hedland representatives to discuss local issues.

The taxi drivers and police would like an area of Anderson Street designated as a taxi rank between the hours of 10.00pm & 2.00am to accommodate patrons leaving local liquor outlets. This site was recommended as it is relatively close to local liquor outlets, well lit at night, convenient for taxi's and is covered by existing CCTV infrastructure.

Both the Police and the Taxi drivers consider that moving patrons away from liquor hotels to a designated Taxi Rank in Anderson St will improve anti social behavior outside liquor outlets.

The proposed location of the Taxi rank is shown below:-



Consultation

Meeting on the 7th December and 16th February were held to discuss local issues with taxi drivers and the police.

The initiative was tabled at the Community Safety Crime Prevention Working Group meeting on the 14 December 2010 and received general support.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

There will be a relatively small cost to sign post the new taxi rank, mark the bays and the Police have asked if an extra litter bin can be placed at the proposed location.

Funds to establish the taxi rank could be found from within existing budgets.

Officer's Comment

There is minimal works required to designate this area as a taxi rank. Marking the bays and signposting will be quite easily completed. The proposed rank is well lit and can be monitored by a recently installed CCTV camera.

Encouraging patrons away from hotels will limit anti social behavior in those specific spots and the officer supports the initiative.

Attachments

Nil

201011/275 Council Decision/Officer's Recommendation**Moved:** Cr S R Martin**Seconded:** Cr G J Daccache

That Council authorise works to establish a 2 bay taxi rank in Anderson Street Port Hedland adjacent to the Port Hedland Police Station to be utilised by Taxi's between the hours of 10.00pm & 2.00am 7 days a week.

CARRIED 8/0

11.1.2.2 Determination of Trading in Public Place Application to Sell Palms and Shrubs (File No: 19/04/0001)

Officer **Darryal Eastwell**
Manager Environmental Health Services

Date of Report 3 March 2011

Disclosure of Interest by Officer Nil

Summary

To consider an application to trade in a public place to sell Palms and Shrubs on the 26 & 27 March 2011.

Background

The Town has received an application from Pearl Coastal Palms, Broome to sell palms and shrubs from the back of a truck on the 26th and 27th March 2011 in South Hedland.

The company has asked if they could operate in the road reserve outside our new Recreation Centre site in South Hedland next to existing approved traders.

Consultation

A survey was undertaken seeking comment on the proposal from seven businesses that can sell plants in Hedland with two objections being registered against the application.

The business's that raised the objections believed that their trade could be directly affected by this trader if Council resolved to approve the application.

Statutory Implications

Section 8 of Councils Trading in Public Places Local Law states:-

The Local Government may grant the license or renewal, or may refuse to grant the licence or renewal and it may so be refused on any of the following grounds:

- a. The applicant is not a desirable or suitable person to hold the licence;
- b. The applicant has committed a breach of this local law;
- c. The needs of the district or a portion thereof for which the licence is sought is adequately catered for by established shops or by persons to whom licences have been issued ;or

- d. There is inadequate means of access to or from, or inadequate parking space for a person(s) trading in a public place; or
- e. Such other grounds as may be relevant in the circumstances.

Policy Implications

Policy 13/013 Trading in Public Places states if objections are raised to a proposed or current permit or complaints received and the matter cannot be resolved it will be referred to Council for determination.

Strategic Planning Implications Nil

Budget Implications

A trading in public place permit and application fee will cost the applicant \$145.80

Officer's Comment

When considering at the provisions of the local law it is considered Council only need to determine if the needs of the district are adequately catered for by established businesses.

Hedland is catered quite well by retailers of palms and shrubs and two objections have been raised by existing established businesses during a survey seeking comment on the application.

The Town has received an objection against this type of application in the past which resulted in Council adopting a Trading in Public Places Policy in November 2011 to hear any objections to applications.

Mr Bamkin from Pearl Coast Palms as also provided an email outlining the benefits of being able trade in the Hedland area

The officer considers the needs of the district are adequately covered by established businesses and will recommend the application be refused largely due to the two objections that have been raised when seeking comment on the application and the amount of businesses that currently sell palms and shrubs in Hedland.

Attachments

Email from Pearl Coast Palms

201011/276 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J M Gillingham

That Council refuse the application to "Trade in a Public Place" by Pearl Coast Palms in accordance with 8(c) of the Town of Port Hedland Local Law –Trading In Public Places:- "The needs of the district or a portion thereof for which the licence is sought is adequately catered for by established shops or by persons to whom licences have been issued".

CARRIED 8/0

*ATTACHMENT TO AGENDA ITEM 11.1.3.2***Eastwell Darryal**

From: Pearl Coast Palms [pearlcoastpalms@live.com.au]
Sent: Thursday, 3 March 2011 7:56 PM
To: Eastwell Darryal
Subject: FW: trading permit

From: pearlcoastpalms@live.com.au
To: managerehs@wa.gov.au
Subject: trading permit
Date: Thu, 3 Mar 2011 19:48:51 +0800

Hi Darryl,

For your consideration at the next council meeting.

I bought Pearl Coast Palms 4 years ago as an established palm production nursery .The nursery had previously been in operation for 20 years , growing everything from seed and selling to the Pilbara and Kimberley regions from the beginning of that time.

I outlaid a lot of money initially and am continuing to spend everything on expanding stock levels and stock variety to continue to supply the Pilbara and Kimberley region with palms, shrubs and natives. With no other large scale production nursery in the North west I feel everyone can benefit from cheaper plants grown locally.

I have diplomas in Horticulture and Irrigation and I have 15 years professional experience in the landscape industry. The last 8 years have been spent running my own business throughout the North west. I am also accredited with the department of agriculture (CAA # W0215-01-CA-05) to ship my product free of disease and pests. I currently have a stallholders licence from the Shire of Roebourne to sell my stock also in Karratha every weekend 7am-6pm.

Every nursery that has been in Hedland in the past 6 years has bought stock from us, and all still do except for Down to Earth garden supplies. Other nurseries actually enjoy us delivering their product at a much cheaper price than shipping palms from Perth, Darwin or Kunnanura. They continue to support and encourage our business and often seek advice.

Driving to Hedland to sell our product is not our ideal method to sell stock and we do not intend to have these fire sales that often. We become overstocked with some stock that we just cant sell through nurseries as it is to big for the pot and needs to be planted. The public feel they pay too much for plants on a weekly basis and love it when we come to sell our products. With dozens of repeat customers and clients, they all appreciate our professional knowledge and advice.

We are very keen to keep everyone happy in our attempt to run a successful business but aware that at times it can be difficult. I really do believe Louise at Down to Earth has taken the wrong line thinking she can enter an unknown industry and control and manipulate her suppliers and other retail nurseries. I am a firm believer in friendly business relationships and think it is important to get along with the people in your industry and not make enemies.

This being said we still are extremely overstocked and would love to continue to sell our product in Hedland and without a doubt believe the majority of Hedland would love us too as well.

Look forward to your feedback.

Kind regards,
Matt Bamkin
Pearl Coast Palms

11.2 Engineering Services

Nil.

11.3 Community Development**11.3.1 *Spinifex Spree Stallholder Fees and Charges***

Officer Erin Stewart
Event Coordinator

Date of Report 9 February 2011

Disclosure of Interest by Officer Nil

Summary

This report seeks Council adoption of stallholder fees for the Spinifex Spree Carnival in 2011.

The Spinifex Spree Carnival is Hedland's most anticipated free annual community event. To help cover the operational cost of this two day carnival, it is proposed that stallholders are charged a trading, camping and application fee of \$200 (food stalls will have an additional \$50 fee from Environmental Health for a Temporary food permit). This cost will be waived for not-for-profit community groups hosting fundraising stalls.

Background

In 2010, the Spinifex Spree Carnival was managed under the auspices of Celebrate Hedland! Inc; however, this arrangement is no longer in place and the Town of Port Hedland is the sole organizer of the event. This change in management means that Council has not set and adopted stallholder fees.

Sixty four stallholders registered for Spinifex Spree Carnival in 2010, these included small businesses, Government departments and local not-for-profits organisations.

Providing all required equipment and services for these stallholders such as camping facilities and supplies, power, diesel, permits and adequate lighting, comes at a substantial cost to the Town of Port Hedland. In 2010, the operational cost of these items was approximately \$11,000. Regular stallholders were charged \$100 site fee and a \$47 application fee. Food stallholders were charged \$100 site fee and the \$47 application fee and \$47 temporary food stall permit were charged by Environmental Health. The total income received from stallholders was \$5316.

This report proposes an increase in fees, which is estimated to attract an increase in revenue to assist in covering the costs incurred by the Town of Port Hedland to manage the stallholders.

Consultation

The recommendation is based on costing of operational equipment hire and required supplies from previous years. As well as other regional carnival organisers, and internal departments;

- Coates Hire, Event Supplier
- Tru Blu Hire, Event Supplier
- Goodline, Event Supplier
- Boom Logistics, Event Supplier
- ToPH Environmental Health Officer
- FeNacing Festival Karratha Event Coordinator

Statutory Implications

Section 6.16 of the Local Government Act 1995 states:

*“6.16. Imposition of fee’s and charges
A fee or charge may be imposed for the following –*

- (a) providing the use of, or allowing administration to, any property or facility wholly or partially owned, controlled, managed or maintained by the local government;*
- (b) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorization or certificate.*

6.19. Local Government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of –

- (a) its intention to do so; and*
- (b) the date from which the fees or charges will be imposed.”*

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 2 – Community Pride

Goal 2 – Events

That the town hosts a series of well attended community events.

Budget Implications

With the adoption of the stallholder fee for the Spinifex Spree Carnival, it is anticipated that it will significantly help to cover the operational costs of the event. It is estimated that there will be fifty (or greater) stallholders that will be required to pay fees, totaling an overall revenue of \$10 000.

It is recommended that a new GL account is created under Community and Event Services – Operating Revenue entitled Stallholder Registrations.

Officer's Comment

The Spinifex Spree Carnival is a free Community Event that has attracted over 6000 people in recent years. Recognised as the largest free community event on the Hedland Calendar, Spinifex Spree is one day and two evenings of fun for families and the community.

This Carnival is a great opportunity for stall holders to promote their products, and services to the community on a large scale. Stallholders are both local and travellers from all over WA, which allows local small businesses an opportunity to trade as well as providing external products that locals don't regularly have the opportunity to purchase.

There are currently no fees and charges for Spinifex Spree Carnival stallholders in the Town of Port Hedland budget. Fees have previously been set by advisory committees such as Celebrate Hedland! Inc. In 2011 the management of this carnival will be with the Town of Port Hedland.

Discussions have taken place with other regional carnival organisers, such as the FeNacing Festival, who currently charge considerably more than us; \$390 per site. However, the attendance numbers at the FeNacing Festival are higher than the Spinifex Spree and it is possible that stallholders may decline returning to Port Hedland for the Carnival if fees are significantly increased.

Attachments

Nil

201011/277 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J M Gillingham

That Council:

1. approves the 2010/2011 Schedule of fees and charges to be altered to include Spinifex Spree Stallholder fees and charges as stated below, GST inclusive;

Fee	Food Stallholder	Regular Stallholder
Site Fee	\$165	\$165
Application fee	\$55 (processed by Environmental Health)	\$55 (processed by Event Coordinator)
Temporary food permit	\$55	N/A
Total	\$275	\$220

2. approves a new GL account to be created in the budget under Community and Event Services – Operating revenue, entitled Stallholder Registrations.
3. approves the new fees and charges to be advertised as part of the newspaper promotions announcing the opening of the registrations (at least one month before the registration closing date)
4. approves community, not-for-profit, organisations to be entitled to a 100% fee waiver.

CARRIED 8/0

11.3.2 *Review of Town of Port Hedland Role in Pilbara Family Day Care Scheme (File No.: 03/01/0003)*

Officer Debra Summers
Acting Director Community
Development

Date of Report 2 March 2011

Disclosure of Interest by Officer Nil

Summary

This report suggests that the Town of Port Hedland relinquish its role in hosting the Pilbara Family Day Scheme to the Children's Support services Unit (CSSU) to ensure the viability of the service.

Background

In an earlier Council meeting it was resolved Council Decision 200910/242):

"That Council:

i) Retain the management of the Pilbara Family Day Care Scheme (PFDCS) within Council for a twelve month period with further review at that time;

ii) Make an application to the Royalties for Regions Scheme for a Port Hedland – specific project to identify:

a) existing and projected future child care demand;

b) existing supply of child care places, both centre-based and in-home;

c) strategies to upgrade existing Council-owned centre-based childcare facilities (including housing);

d) strategies to increase the provision of child care places through the PFDCS; and

e) Cost Benefit analysis of provision of housing for a FDCS provider to care for Council employee children;

and

iii) Make an application to Royalties for Regions to the Pilbara Regional Council for a project to encompass a similar analysis of child care needs and availability across the Pilbara region."

An application was made to Royalties for Regions but was unsuccessful requiring the Council to allocate \$27,000 in the 2010-2011 budget to undertake the review.

The review was subsequently undertaken in-house and funds reallocated in the last quarterly budget review.

The review will be undertaken in two stages, with the first stage focusing on the future role the Town of Port Hedland should play in the provision of family day care and in home care throughout the Pilbara. The second stage of the review will focus on the role the Town should play in centre based child care within the Town boundaries including strategies to upgrade existing Council owned facilities.

The decision to split the review into two stages was due to the continuing low take up of family day care in the Town of Port Hedland despite the hosting of the Family Day Care Coordination role in Port Hedland coupled with the urgency for a decision on the scheme's future arising from imminent changes in the licensing framework.

Consultation

In the preparation of this report consultation has occurred with:

- Pilbara Family Day Coordinator- ToPH (now resigned)
- Pilbara Development Commission
- Pilbara Regional Council
- Children's Support services Unit (CSSU)
- Australian Government Department of Education Employment and Workplace Relations

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 3 – Community Development
Goal 1 – Youth and Children

Immediate Priority 4. Develop and implement a Town of Port Hedland Child Care Plan.

Budget Implications

Should the Officers recommendation be adopted, the funding associated with the Pilbara Family Day Care Scheme will be removed from the budget. Funding for the Pilbara Family Day Care Scheme is intended to cover the cost of the provision of the Scheme.

Officer's Comment

There is no question that the provision of family day care is an important service to be available to families within the Town of Port Hedland and indeed the wider Pilbara region. However, despite the continuing efforts of the Coordinator to source, support and maintain a viable numbers of carers within the Pilbara and more noticeably within the Town of Port Hedland, take up of provision of family day care continues to dwindle. This is due to a variety of reasons outside the control of the Town of Port Hedland and as such it is the Officers recommendation that the Scheme needs to be relinquished to an organisation whose core business is child care, including family day care. This will ensure the best possible opportunity for the services to continue and indeed grow.

The handing over of the Scheme to a child care organisation will also mitigate the risk associated with changes in the licensing of the scheme. These changes would mean that if the Town of Port Hedland continued to host the scheme, it would officially hold the license for the scheme and hence be liable for the insurances required. Under the current framework this responsibility rests with DEEWA. In the formulation of this recommendation considerable consultation has occurred with all current carers, government agencies associated with family day care and various commercial child care providers.

It is the Officers recommendation that the Town of Port Hedland's Pilbara Family Day Care Scheme is handed over to Children's Services Support Unit WA [CSSU] who have been given the opportunity to review the scheme and have received permission from their Board of Directors to take over the scheme in its current format. All family day care providers currently a member of the Pilbara Family Day Care Scheme will be given the option of becoming members of CSSU Family Day Care Scheme or seeking an alternative provider which will ensure a smooth transition and continuation of the service, hence no disruption to families currently involved with the scheme.

CCSU is a not for profit, incorporated organisation overseen by a professional Board of Management based in Perth. The Board acts as the Licensee of the childcare services and appoints a Chief Executive Officer to manage the day to day operations and strategic direction of the organisation. Each of CSSU's childcare services is managed by a Coordinator and/or a Director and is staffed according to licensing requirements.

CSSU currently manages 16 services situated in the Pilbara, Gascoyne, Wheatbelt, Perth, Kimberley and the Northern Territory, with offices in Perth and Karratha.

CSSU have been managing Len Taplin Long Day Care and Out of School Care services in Port Hedland for more than five years. A Regional Manager, based in Karratha travels to Port Hedland monthly to provide direct support and training to staff and is available on an ongoing basis.

CSSU has the capacity to ensure services are up-to-date with the latest approaches in childcare. Currently service delivery is based on a child centred approach focusing on learning environments that stimulate, promote and enhance children's interest and learning experiences. Staff are required to work with parents to ensure the best outcomes for their children.

Should the Officers recommendation be adopted, notice would be given to the regulating department, and the Town of Port Hedland's responsibility for the scheme would cease 42 days later.

The second stage of the Childcare review will be undertaken in the next financial quarter and a report to the Council will be presented later this year.

201011/278 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

1. Receive the update on the first stage of the Child Care review into Family Day Care;
2. Request the CEO to inform the Department of Education Employment and Workplace Relations (DEEWA) of its intention to relinquish the Pilbara Family Day Care Scheme to the Children's Support Services Unit (CSSU)
3. Request the CEO to inform all current Family Day Care Providers associated with the Pilbara Family Day Care scheme of the change.

CARRIED 8/0

11.4 Governance and Administration

11.4.1 Finance and Corporate Services

5:57pm Councillors S J Coates, A A Carter and S R Martin declared an impartiality interest in Agenda Item 11.4.1.1 "Port Hedland Yacht Club – Increase in Self Supporting Loan" as they are all members of the Yacht Club.

Councillors S J Coates, A A Carter and S R Martin did not leave the room.

11.4.1.1 Port Hedland Yacht Club – Increase in Self Supporting Loan (File No.: 05/05/0012)

Officer Natalie Octoman
Director Corporate Services

Date of Report 28 February 2011

Disclosure of Interest by Officer Nil

Summary

For Council to consider providing an additional self supporting loan for the Port Hedland Yacht Club of \$250,000 therefore increasing their current loan amount from \$500,000 to \$750,000.

Background

The Port Hedland Yacht Club is currently constructing a two-storey club building within their current lease area.

Council considered the request by PHYC for a \$350,000 self supporting loan originally at its 23 May 2007 Ordinary Meeting of Council. At this meeting the item was laid on the table pending a presentation by the Commodore of the PHYC at Council's July informal briefing session wherein he outlined the planned upgrade of the club facilities and the proposed lease was discussed.

The item was then reconsidered at the Ordinary meeting of Council on 25 July 2007, and subsequently a \$350,000 self supporting loan was approved within the 2007/08 budget deliberations.

This amount was carried forward to the 2008/09 budget as construction delays meant the loan was not drawn upon in the 2007/08 financial year.

The amount was again carried forward in July 2009 as the \$350,000 loan had still not been drawn on.

The Port Hedland Yacht Club then requested an increase of the approved loan from \$350,000 to \$500,000 to meet their escalating costs since starting the project.

This was endorsed at the Ordinary meeting of Council on 28 October 2009 and provided to the Yacht Club upon request on 23 April 2010.

The Port Hedland Yacht Club has since requested an increase to the current loan from \$500,000 to \$750,000 due to the continued rising costs of construction.

Consultation

Port Hedland Yacht Club Commodore (current) - Darryl Brown
Port Hedland Yacht Club (previous) Commodore – John Bartlem
Port Hedland Yacht Club Treasurer - Ilse Gosper

Statutory Implications

Clause (2) of Section 6.20 (Subdivision 3 — Borrowings) of the Local Government Act 1995 states (in part):

“6.20.Power to borrow

*...(2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (**power to borrow**) and details of that proposal have not been included in the annual budget for that financial year —*

- (a) unless the proposal is of a prescribed kind, the local government must give one month’s local public notice of the proposal; and*
- (b) the resolution to exercise that power is to be by absolute majority.”*

Policy Implications Nil.

Strategic Planning Implications Nil.

Budget Implications

Because this is a self supporting loan there is no significant direct budgetary implication, providing the PHYC pays their invoices within a reasonable time period. If the PHYC does not pay their invoices being for the loan repayments, then the loan and building would effectively default to the Town.

Officer’s Comment

The Yacht Club redevelopment is progressing and it’s now in its final stages with the project design being advanced to produce a very high quality facility.

Although an amount of work undertaken utilised volunteer resources, and a very beneficial arrangement was in place with the builder, costs have escalated since the commencement of the project.

The Yacht Club has insufficient funds to complete the building stage and finance the start of the final stage of construction, being the removal of the old building, installing a new fence, fixing the car-park and erection of shade sales, along with finalising outstanding accounts for kitchen modifications, painting and equipment.

The Town has been advised that the revenue generated from the Galley will service the loan repayments, gas and electricity and this has been demonstrated in their estimates for 2011/12, with the recognition of increased revenue and a proportionate increase in expenditure.

Financial records have been received which include:-

- 2009/10 Income and Expenditure, Actual
- 2010/11 Income and Expenditure, Budget & Actual YTD 31/12/10
- 2011/12 Income & Expenditure, Budget
- Building Summary of income and expenses to 31/12/10

With the exception of the construction costs for the new building, the club has a positive financial balance and will have even better prospects once the building is completed. The audited financial statements are presented for information (refer Attachment 2), and while the club does not have a history of adverse audit reports there is a qualification included that is consistent with its type of organisation in relation to revenue and stock.

While the 2011/12 Budget indicates a net profit that would cover the additional loan amount requested, the officer had concerns in relation to the construction of the building and the likelihood that further funds may be sought. The financials relating to the building construction itself also indicated that there appeared to be a shortfall in excess of \$660,000 which was clearly more than the Yacht Club was requesting via the additional loan, and was another concern identified.

Officers met with the Treasurer on 2nd March 2011 in order to seek clarification around the building and the remaining funding requirements. It was clarified at that meeting that the income showed in the financials for the building did not incorporate the loan funds of \$500,000 previously paid by the Town, nor that the Yacht Club Operating Account had been used to fund the apparent shortfall since 2007. This effectively resulted in there being no shortfall for the building construction as is shown in the financials, although there are currently unpaid invoices and still work to be completed that is intended to be funded through the additional loan amount.

Evidence of unpaid invoices was provided by the Treasurer to the officer that demonstrated \$118,136.95 for items such as painting and other construction costs that would not be paid until the additional loan funds were approved and received. In addition to the outstanding items, an estimate of additional funds is required for items including:

Outstanding Items:	\$118,136.95
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Demolition of old building:	\$50,000.00
Installation of a new fence:	\$40,000.00
Erection of shade sails:	\$30,000.00
Fixing of the car park facilities:	\$11,863.05
Total	\$250,000.00

It was clearly demonstrated that the loan funds would be utilised fully, and could be supported with the budgeted income and expenditure anticipated upon opening. It should be noted that the opening may only be a few weeks away providing the liquor licence is approved and other minor works are completed, although the idea of opening prior to the receipt of a liquor licence may be floated to the Yacht Club Committee if construction is complete (with BYO provisions).

It is worth noting that should the Yacht Club default on the self supporting loan the facility would become a Council asset that Council could lease out commercially, deriving income well in excess of the loan costs.

The request from the PHYC for additional self supporting loan funds of \$250,000 does not represent any significant financial risk to Council but will maximize the potential amenity and utilization of this iconic site.

Attachments

1. Letter of application from Port Hedland Yacht Club (Inc).
2. 2009/10 Audited financials statements
3. Further financial statements reflecting budgetted and actual expenditure

201011/278 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council:

1. Approve an increase in the Self Supporting Loan to the Port Hedland Yacht Club (Inc), from \$500,000 to \$750,000, recognising that this will be taken out as a separate loan.
2. Advertise the increase in loan amount in accordance with Clause 6.20 of the Local Government Act 1995.
3. Amend the 2010/11 Budget as required to reflect the increase in loan.
4. Approve the Chief Executive Officer to affix the common seal on the new loan application for \$250,000 once approved by the Port Hedland Yacht Club, subject to no adverse submissions being received.

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.4.1.1

PORT HEDLAND YACHT CLUB (INC.)

PO Box 389 Port Hedland WA 6721 phone (08) 91731198



Paul Martin
Chief Executive Officer
Port Hedland Town Council

20th December 2010

Document #: ICR11462
Date: 20.12.2010
Officer: NATALIE RUTH OCTOMAN + DS + CEO
File: 26/02/0046

PORT HEDLAND YACHT CLUB DEVELOPMENT

Paul,

The Port Hedland Yacht Club Re-development is nearing the end of phase one (the construction of the new club house). However due to continued rising cost the club will have insufficient funds to complete the building stage and finance the start of the next stage. (removal of old building and erecting of shade sails)

The club is very close to opening but needs funds to finalise the clubs out standing accounts for kitchen modifications and equipment.

The funds previously organized and approved by the Town of Port Hedland Council (Self Supporting Government loan for \$500,000) has gone a long way to making the club a reality. The club would like to request an extension of the approved loan from \$500,000 to \$750,000 to further meet our needs.

The club has a positive financial balance and even better prospects when the building is completed. Our financial statements are on file with the council from our previous application and show the club is in a sound financial state.

Therefore on behalf of the Port Hedland Yacht Club Inc I wish to officially apply for a further Two Hundred and Fifty Thousand dollar (\$250,000) Self Supporting low interest WA Government loan using the council as the facilitator.

If you have any queries you are welcome to call the undersigned on (08) 91722337, Mobile 0407381805 or the Club on (08) 91731198.

Thank you for your consideration.

Adrian John Bartlem
Vice Commodore PHYC



For and behalf of the committee and members of the Port Hedland Yacht Club.

ATTACHMENT 2 TO AGENDA ITEM 11.4.1.1

LETIZIA  PALMER

Chartered Accountants

AUDIT REPORT

PORT HEDLAND YACHT CLUB
INC

For the Financial Year ended
30th June 2010

PO Box 707
WEST PERTH WA 6872
Tel: 9481 3939
Fax: 9481 3938

PORT HEDLAND YACHT CLUB (INC)**AUDIT REPORT TO THE MEMBERS
AS AT 30 JUNE 2010****SCOPE**

We have audited the financial statements of the Port Hedland Yacht Club (Inc), as set out on pages 4 to 6 of this report, for the year ended 30 June 2010.

The financial statements were prepared for the distribution to members for the purpose of fulfilling the Management Committee's financial reporting requirements under the incorporated body's constitution. I disclaim any assumption of responsibility for any reliance on this report or on the financial statements that it relates to any person other than the members, or for any purpose other than that which it was prepared.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the financial report is free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amount and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material aspects, the financial report is presented fairly in accordance with Australian Accounting Standards (and relevant statutory and other requirements) so as to present a view which is consistent with my understanding of the entity's financial position and the result of its operations.

The audit opinion expressed in this report has been formed on the above basis.

QUALIFICATION

As is consistent with this type of organisation, there is limited internal control over receipts of bar income, subscriptions, sponsorship income and fundraising income. These amounts are recorded only when banked, so accordingly this audit is limited to amounts recorded.

During the course of the audit, we were unable to verify the physical value of the stock on hand as we were not present when the stocktake was performed. We are therefore unable to express an opinion on the carrying value of the stock as at 30 June 2010.

PORT HEDLAND YACHT CLUB (INC)

STATEMENT BY MEMBERS OF THE COMMITTEE

In the opinion of the committee, the accompanying accounts as set out on pages 4 to 6:

1. Present fairly the financial position of Port Hedland Yacht Club (Inc) as at 30 June 2010 and the results of the association for the year ended on that date.
2. Have been prepared and presented in accordance with applicable Australian Accounting Standards.

This statement is made in accordance with a resolution of the Committee and is signed for and on behalf of the Committee by:

President _____

Treasurer *[Signature]*

Dated this 5th day of December 2010

Letizia Palmer Chartered Accountants

PORT HEDLAND YACHT CLUB (INC)
PROFIT AND LOSS STATEMENT
FOR THE YEAR ENDED JUNE 2010

	2010	2009
	\$	\$
Sales	234,285	253,929
Less Cost of Sales		
Opening Stock	8,956	7,646
Purchases	109,407	113,242
Less: Closing Stock	<u>(8,978)</u>	<u>(8,956)</u>
	109,385	111,932
GROSS PROFIT	<u>124,900</u>	<u>141,997</u>
<u>Other Income</u>		
Donations	1,138	1,504
GISBS Course	1,200	218
Hardstand Fees	2,795	6,297
Insurance Claim	-	923
Interest Received	13,244	55,734
Memberships	42,996	39,116
Profit/Loss on Sale of Non-Current Assets	-	3,260
Regatta & Sailing Nominations	818	1,003
Social Club & Fundraising	4,620	7,359
Sponsorship	29,091	487,297
Gallery Use, Electricity, Telephone	17,124	-
Private Functions	600	-
Market Days	13,482	-
Eftpos Charges	<u>1,342</u>	<u>-</u>
	128,450	602,711
TOTAL INCOME	<u>253,350</u>	<u>744,708</u>
<u>Expenditure</u>		
Advertising	3,826	2,043
Audit Fees	2,120	2,120
Bank Fees	1,547	1,781
Bar Supplies	668	1,236
Cleaning and Rubbish Removal	5,393	4,021
Coffee & Market Expenses	365	20
Commodore's Account	629	574
Computer Requirements	-	91
Depreciation	5,739	6,645
Dues and Subscriptions	361	727
Electricity and Gas	12,342	8,454

Letizia Palmer Chartered Accountants

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PORT HEDLAND YACHT CLUB (INC)**PROFIT AND LOSS STATEMENT
FOR THE YEAR ENDED JUNE 2010**

	2010	2009
	\$	\$
<u>Expenditure (continued)</u>		
Consultants	2,545	-
Entertainment	1,464	-
Fees & Charges	574	44
Insurance	4,136	4,653
Function	277	-
License Fees	417	437
Maintenance and Landscaping	7,982	11,396
Membership Expenses	10,578	8,914
Postage, Printing and Stationery	1,665	655
Presentations / Trophies	-	2,000
Rates and Taxes	4,721	3,672
Regatta Expenses	471	789
Loan Interest	8,146	-
Superannuation	5,009	3,474
Telephone	1,883	1,519
Uniforms	-	2,724
Wages and Salaries	61,420	41,533
Water Rates	19,547	8,789
Workers Compensation	1,518	-
Total Expenditure	<u>165,343</u>	<u>118,311</u>
NET PROFIT	<u>88,005</u>	<u>626,397</u>

Letizia Palmer Chartered Accountants

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PORT HEDLAND YACHT CLUB (INC)

**BALANCE SHEET
FOR THE YEAR ENDED JUNE 2010**

	2010	2009
	\$	\$
CURRENT ASSETS		
Cash at Bank	88,515	145,805
Cash Drawer	3,500	3,500
Market Float	200	-
Term Deposit – PHYC Inc	-	584
Term Deposit – PHYC Building Fund	-	54,230
Term Deposit – PHYC Building Fund Fixed	-	-
Term Deposit – PHYC Building Fund 2 nd Fixed	-	12,659
Term Deposit – PHYC Building Fund 3 rd Fixed	-	123,334
Term Deposit – PHYC Combined Fixed 4 th	-	96,132
Term Deposit – PDC Building Fund Fixed	24,702	303,033
Trade Debtors	1,215	1,170
Stock on Hand	8,978	8,956
	<u>127,110</u>	<u>749,403</u>
FIXED ASSETS		
Property, Plant and Equipment	2,122,076	930,816
TOTAL ASSETS	<u>2,249,186</u>	<u>1,680,219</u>
CURRENT LIABILITIES		
Trade Creditors	3,318	727
GST Clearing Account	(41,617)	(28,343)
PAYG Withholding	1,489	5,090
Superannuation Liability	1,267	1,044
	<u>(35,543)</u>	<u>(21,482)</u>
NON-CURRENT LIABILITIES		
Town of Port Hedland	495,023	-
TOTAL LIABILITIES	<u>459,480</u>	<u>(21,482)</u>
NET ASSETS	<u>1,789,706</u>	<u>1,707,701</u>
EQUITY		
Retained Earnings	1,701,701	1,075,304
Current Year Profit	88,005	626,397
TOTAL EQUITY	<u>1,789,706</u>	<u>1,701,701</u>

Letizia Palmer Chartered Accountants

ATTACHMENT 3 TO AGENDA ITEM 11.4.1.1

**Port Hedland Yacht Club Inc**

PO Box 389 PORT HEDLAND WA 6721 Tel: 08 9173 1198

ABN 90 855 678 964

7th February 2011

Town of Port Hedland
Att: Natalie Octoman
Director Corporate Services
PO Box 41
Port Hedland WA 6721

Re: Loan Application

I have enclosed the figures you require.

When we move into the new club, with the figures we have and projected figures, we believe the Galley will pay our Loan repayments, gas and electricity. The bar takings will increase by around 15-25% and we will have a new earning capacity in function/meetings and conferences. We expect a base return of \$1500.00 per week from this.

Regarding the old club house, when it's demolished it will leave a large concrete slab that is very hard to remove. We believe this will be good for sail training juniors and associated infrastructure. This area we believe will have multiple uses especially when shaded with sails.

Regards

A handwritten signature in blue ink, appearing to read 'Darryl Brown', with a small registered trademark symbol (®) to the right.

Darryl Brown
Commodore
Port Hedland Yacht Club

PORT HEDLAND YACHT CLUB INC OPERATING ACCOUNT	BUDGET 2009/10	BUDGET 2010/11	ACTUAL 2010/11	BUDGET 2011/12
INCOME			<i>YTD 31/12/10</i>	
Hardstand Fees	\$ 4,000	\$ 4,000	\$ 227	\$ 4,000
Membership	\$ 40,000	\$ 45,000	\$ 21,758	\$ 50,000
Sponsorship Receipts	\$ 25,000	\$ 25,000	\$ 65,039	\$ 25,000
Social Club Fundraising (raffles/functions etc)	\$ 20,000	\$ 20,000	\$ 3,076	\$ 20,000
Regatta & Sailing Nomination Fees	\$ 1,000	\$ 1,000	\$ 473	\$ 1,000
Market Days	\$ 7,000	\$ 10,000	\$ 5,883	\$ 10,000
Donations	\$ 5,000	\$ 5,000	\$ 1,479	\$ 5,000
Interest Received	\$ 5,000	\$ 5,000	\$ 1,477	\$ 1,000
Total Income	\$ 107,000	\$ 115,000	\$ 99,411	\$ 116,000

BAR INCOME				
SALES	\$ 200,000	\$ 230,000	\$ 121,900	\$ 400,000
Eftpos surcharge	\$ 1,000	\$ 1,000	\$ 806	\$ 3,000
Expenditure				\$ -
COST OF SALES	\$ 80,000	\$ 90,000	\$ 57,651	\$ 175,000
Bank Fees (Merchant Charges)	\$ 1,000	\$ 1,000	\$ 918	\$ 1,000
Bar Supplies (consumables)	\$ 1,000	\$ 1,000	\$ 1,131	\$ 1,500
License Fees (Liquor & Sound)	\$ 1,000	\$ 1,000	\$ 1,111	\$ 1,500
Superannuation	\$ 5,500	\$ 6,400	\$ 5,413	\$ 16,000
Workers Compensation Insurance	\$ 1,000	\$ 1,000	\$ 900	\$ 1,000
Bar Uniforms	\$ 500	\$ 600	\$ -	\$ 1,000
Wages	\$ 50,000	\$ 70,000	\$ 36,285	\$ 180,000
Total Expenditure	\$ 140,000	\$ 171,000	\$ 103,409	\$ 377,000
NET PROFIT YTD (BAR)	\$ 60,000	\$ 60,000	\$ 19,297	\$ 26,000

GALLEY INCOME		Dec-10		
SALES	\$ 240,000	\$ 32,114	\$ 450,000	
FUNCTIONS	\$ 20,000	\$ 4,000	\$ 60,000	
Expenditure				
COST OF SALES	\$ 70,000	\$ 13,923	\$ 150,000	
Loan Repayments	\$ 70,000	\$ -	\$ 90,000	
Kitchen Supplies (consumables)	\$ 10,000	\$ -	\$ 10,000	
License Fees	\$ 1,000	\$ 100	\$ 1,500	
Superannuation	\$ 8,000	\$ 1,157	\$ 14,500	
Insurance	\$ 3,000	\$ -	\$ 3,000	
Uniforms	\$ 2,000	\$ -	\$ 1,000	
Wages	\$ 90,000	\$ 12,850	\$ 180,000	
Total Expenditure	\$ 254,000	\$ 28,029	\$ 450,000	
NET PROFIT YTD (GALLEY)	\$ 6,000	\$ 8,085	\$ 60,000	

TOTAL TRADING PROFIT	\$ 167,000	\$ 181,000	\$ 126,794	\$ 202,000
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NEW BUILDING	PORT HEDLAND YACHT CLUB INC BUILDING INCOME AND EXPENSES			2010-2011	TOTAL
	To 30/6/09	2009-2010			
Income					
Pilbara Fund Sponsorship BHPB 15/5/07	\$ 100,000	\$ -	\$ -		
Pilbara Development Commission Sponsorship 20/6/07	\$ 100,000	\$ -	\$ -		
Social Club Fundraising Raffles (since 2007)	\$ 23,401	\$ 4,620	\$ 1,475		
BHP Matched Giving (since 2008)	\$ 38,348	\$ 13,184	\$ 6,083		
Rio Tinto Dollars for Doers (2010)	\$ -	\$ -	\$ 500		
Donations (Blue Cardboard Model since 2007, others since)	\$ 7,283	\$ 1,137	\$ 1,263		
Interest Received from fixed term deposits	\$ 58,760	\$ 13,165	\$ 1,301		
Black Rock Stakes Donation towards Lift (paid to Elevatech)	\$ 5,000	\$ -	\$ -		
Donation towards Lift (Bullbuck Pty Ltd)	\$ -	\$ 5,000	\$ -		
Donation towards Lift (Atlas)	\$ -	\$ 7,000	\$ -		
Donation towards Lift (Dampier Salt)	\$ -	\$ 5,000	\$ -		
Donation towards Lift (Jandem - Doug Gould)	\$ -	\$ 5,000	\$ -		
Donation towards Lift (Hedland First National)	\$ -	\$ 5,000	\$ -		
Donation towards Lift (Pilbara Construction)	\$ -	\$ 5,000	\$ -		
Donation towards Lift (RSL Port Hedland Sub Branch)	\$ -	\$ -	\$ 1,000		
Donation towards Lift (Yacht Club Markets)	\$ -	\$ -	\$ 5,000		
Donation towards Lift (Auzcorp)	\$ -	\$ -	\$ 1,000		
Sponsorship Furniture FMG	\$ -	\$ -	\$ 52,217		
Sponsorship TV Rick Shorter	\$ -	\$ -	\$ 2,950		
Sponsorship Li's Retravision	\$ -	\$ -	\$ 5,000		
Aeroplane Flight Raffle Proceeds for Building (2007)	\$ 2,500	\$ -	\$ -		
Helicopter Raffle Proceeds for Building (2008)	\$ 2,920	\$ -	\$ -		
Sponsorship BHP Billiton 2008	\$ 450,000	\$ -	\$ -		
Sponsorship PDC 2009	\$ 300,000	\$ -	\$ -		
Sponsorship PDC 2010 (TOPH)	\$ -	\$ -	\$ 500,000		
	\$ 1,086,211	\$ 64,106	\$ 577,789		\$ 1,728,106
Expenditure					
Architect Fees Paterson Group (since 2007)	\$ 70,730	\$ -	\$ -		
Plans for Yacht Club Building to TOPH	\$ 1,260	\$ -	\$ -		
TOPH Fees	\$ 201	\$ -	\$ -		
Kitchen Equipment	\$ -	\$ -	\$ 125,587		
Furniture & TVs	\$ -	\$ -	\$ 40,292		
Consultants - Kitchen, Liquor Licence	\$ -	\$ -	\$ 7,342		
New Building Construction FY 2010-2011	\$ -	\$ -	\$ 469,266		
New Building Construction FY 2009-2010	\$ -	\$ 1,196,999	\$ -		
New Building Construction to 30/6/09	\$ 485,317	\$ -	\$ -		
	\$ 557,508	\$ 1,196,999	\$ 642,487		\$ 2,396,994

In 2010: Loan from TOPH \$500,000

11.4.2 Governance

11.4.2.1 Airport Committee – Change of Meeting Date for March 2011 (File No.: ...)

Officer Josephine Bianchi
Administration Officer
Governance

Date of Report 3 March 2011

Disclosure of Interest by Officer Nil

Summary

Report seeks Council's consideration to change the meeting date for the Town's Airport Committee Meeting from 24 March 2011 to 31 March 2011.

Background

The Local Government (Administration) Regulations require that at least once each year "...a local government is to give local public notice of the dates on which and the time and place at which the ordinary meetings and committee meetings are to be held in the next 12 months".

At its Ordinary Meeting held on 10 November 2010, Council determined the Airport Committee meeting dates up to December 2011.

However, it has been noted that the Airport Committee meeting scheduled for the 24 March 2011 conflicts with the Pilbara/ Kimberley joint forum date. It is therefore proposed to change the date of the Airport Committee meeting from 24 March 2011 to 31 March 2011.

Consultation Nil

Statutory Implications

Division 2 of Section 5 of the Local Government Act (1995) specifically relates to the establishment and operations of committees of Council.

The requirements of Committee Meetings are largely the same as those that apply to formal Council meetings. Council is required to determine at least once each year the Airport Committee meeting program, and this is to be set and advertised in the local newspaper.

Local Government (Administration) Regulations 1996

"12. Public notice of council or committee meetings (s. 5.25(g))

- (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which —*
- (a) the ordinary council meetings; and*
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,*
- are to be held in the next 12 months.*
- (2) *A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1)."*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Budget allocation for advertising Council Meetings is included in Administration General Expenses, General Ledger Account Number 404287 'Advertising and Promotions'.

Officer's Comment

It is proposed to change the date of the Airport Committee meeting from 24 March 2011 to 31 March 2011 so there is no conflict with the Pilbara/ Kimberley joint forum meeting date.

Attachments Nil

201011/279 Council Decision/Officer's Recommendation

Moved: Cr J M Gillingham

Seconded: Cr S R Martin

That the Airport Committee Meeting to be held at 5:30 pm in Council Chambers on Thursday 24 March 2011 be rescheduled to:

- Thursday 31 March 2011.

and be advertised accordingly.

CARRIED 8/0

11.4.2.2 Appointment of Organisation Representatives and Additional Community Members to Town of Port Hedland South Hedland CBD Stakeholder Committee and Setting of Meeting Dates (File No.: 18/12/0010)

Officer	Josephine Bianchi Administration Officer Governance
Date of Report	4 March 2011
Disclosure of Interest by Officer	Nil

Summary

Report seeks Council's appointment of organisation representatives to the South Hedland CBD Stakeholder Committee; the appointment of additional Business Owners/Operators in South Hedland to formalise the establishment of its South Hedland CBD Stakeholder Committee; to recognize that BHP Billiton Iron Ore has expressed interest in having a representative on the Committee and to set the meeting dates and times.

Background

At its Ordinary Council Meeting held on 8 December 2010, Council resolved the establishment of its South Hedland CBD Stakeholder Committee in accordance with Section 5 of the Local Government Act 1995, as follows:

"That Council:

...v) establishes the South Hedland CBD Stakeholder Committee in accordance with Section 5.8 of the Local Government Act (1995):

.....

Membership:

The membership of the committee be as follows:

- Mayor Kelly Howlett
- Councillor S J Coates
- Councillor D W Hooper

A representative from the following organisations:

- LandCorp
- Lotteries House Board
- Shopping Centre owners (Charter Hall)
- FORM
- South Hedland Police
- PANGO

- HYSAG

In Addition:

- 2 x Business Owners/Operators in CBD
- 2 x Community Members

.....”

At its Ordinary Council Meeting held on 23 February 2011, Council resolved the following:

“That Council:

1. *appoints the following community representatives to the newly established Town of Port Hedland South Hedland CBD Stakeholder Committee in accordance with Section 5.8 of the Local Government Act:*
 - a) *Gloria Jacobs*
 - b) *Chris Whalley*
 - c) *Lisa Bowen; and*
2. *appoints the following Business Owners/Operators to the newly established Town of Port Hedland South Hedland CBD Stakeholder Committee in accordance with Section 5.8 of the Local Government Act:*
 - a) *Brent Rudler*
3. *increases the number of business owners/operators and community representatives to 3 for each group; and*
4. *expands the community promotion process seeking further nominations for the Committee, recognising that the South Hedland CBD Redevelopment is quite significant in order to achieve the Town’s Vision of becoming a City;*
5. *recognises that an additional Councillor has expressed their interest in being a member and appoints Councillor Michael (Bill) Dziombak to the Town of Port Hedland South Hedland CBD Stakeholder Committee.”*

Consultation

Invites where sent out by email to the the various organizations (LandCorp, Lotteries House, Charter Hall, FORM, South Hedland Police, PANGO, HYSAG) in order to seek a representative.

Mayor Kelly Howlett promoted the process for further nominations of business owners/operators in South Hedland as follows:

- Posted two (2) notices on Mayor's Facebook page on 25th February and 2nd March
- Spirit Radio Chat on 1st March
- Mayor's Chair Piece (North West Telegraph) on 2nd March

Applicants were requested to include a brief CV and a letter stating why the applicant wants to be on the Committee.

Statutory Implications

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

- Requires committees to have at least three members if they are established.
- Outlines the prescribed method of appointment of committee members
- Details the tenure of committee representatives.
- Details quorum requirements of committees.

Policy Implications

Nil

Strategic Planning Implications

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

Goal 1 – Roads, footpaths and drainage

To have developed network of road, footpaths and verges that are well maintained

Immediate Priorities

1. Undertake road works in South Hedland to improve road permeability (particularly in the CBD).

Budget Implications

Nil

Officer's Comment

Four (4) applications were received for the two (2) vacant positions from the following members of the public:

- Sara Andrews
- Phil Davidson
- Evan Ralph
- Michael Hales

A summary the applicant's reason for interest in being a member is provided below:

Applicant:	Summary of Reason to be a Community Representative on Council's South Hedland CBD Stakeholder Committee:
Sara Andrews.	I think that I would make a valuable member of this team; I have lived in South Hedland since 2001 and was in Port Hedland for 2 years before moving here. I have a 6yr old daughter and am married. I am a business owner in town, though not in South. We are based in Wedgefield and have been operating since August 2007. I am also the leader of Weight Watchers in Hedland, we run from the Baptist Church on Kennedy St (in South) on Tuesday nights. I am 29yrs old and know that I am a few years younger than the other committee members but because of this age difference I feel that I would make a great addition to the group.
Phil Davidson	I have lived and worked in South Hedland for 8 years and bought my business 4 years ago. I have expanded and bought a new shop down in Bunbury and have to split my time between stores but I still consider this my main store and would love to see a positive future for the Hedland region come out of all of this.
Evan Ralph Store Manager Coles South Hedland	Recently new to town and managing the Coles supermarket in South Hedland I am passionate about remote centre's/towns having experienced many in my career. My passion is for local communities and servicing them in the best possible way. I feel my involvement on the committee would be twofold : to assist South Hedland become the vibrant town it demands to be and to further service the town as the number one supermarket retailer.
Michael Hales Sales Representative Ray White Port	I would like to put forward my name to be on the Town of South Hedland CBD Stakeholder Committee.

Hedland	<p>My willingness to do so is derived from a number of different motivations. I live and work in South Hedland and as such have ideas about what can and needs to be improved to make the town more attractive to not only residents (particularly families) but also short term visitors and tourists.</p> <p>I have worked in the Commercial and Industrial property sector for a number of years and have a good understanding of what business's and individual's requirements and tastes are. The development of the town centre not only needs to be coordinated so that there is a good mix of residential, commercial and retail space but importantly that each of the 6 precincts complement each other and their surroundings.</p> <p>It's an important project and one that is going to greatly enhance South Hedland as a place to work live and play. As such I would like to play some part in the sculpturing of it!</p>
---------	--

With regard to organisation's representative, the following nominations were put forward:

- LandCorp – Aaron Grant
- Lotteries House Board – Roz Brabazon
- Shopping Centre owners (Charter Hall) – Samantha Robinson
- FORM – Kate Antonas
- South Hedland Police – Peter D. Pope
- PANGO – Robert Neville
- BHP Billiton Iron Ore – Andre Veder

HYSAG thanked the Town of Port Hedland for the opportunity to be part of the South Hedland CBD Stakeholder Committee however as the group does not have a nominated spokesperson it cannot nominate a single representative to be part of the committee and therefore declines the offer to them presented. HYSAG as a group remains interested in being made aware of the topics discussed by the South Hedland CBD Stakeholder Committee and of the decisions being made.

Attachments

Nil

Officer's Recommendation

That Council:

1. appoints the following Business Owners/Operators to the newly established Town of Port Hedland South Hedland CBD Stakeholder Committee in accordance with Section 5.8 of the Local Government Act:
 - a) _____; and
 - b) _____;
2. appoints the following representatives to be included in the newly established Town of Port Hedland South Hedland CBD Stakeholder Committee in accordance with Section 5.8 of the Local Government Act:
 - LandCorp – Aaron Grant
 - Lotteries House Board – Roz Brabazon
 - Shopping Centre owners (Charter Hall) – Samantha Robinson
 - FORM – Kate Antonas
 - South Hedland Police – Peter D. Pope
 - PANGO – Robert Neville
 - BHP Billiton Iron Ore – Andre Veder
3. approves and advertises the following dates, for the Town of Port Hedland South Hedland CBD Stakeholder Committee meetings to start at 5:30pm in Council Chambers:
 - 12 April 2011
 - 10 May 2011
 - 14 June 2011
 - 12 July 2011
 - 9 August 2011
 - 13 September 2011
 - 11 October 2011
 - 8 November 2011
 - 13 December 2011
 - 10 January 2012
 - 14 February 2012
 - 13 March 2012
 - 10 April 2012

201011/279	Council	Decision/Officer's	Alternative
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Recommendation

Moved: Cr S J Coates

Seconded: Cr S R Martin

That Council:

1. appoints the following Business Owners/Operators to the newly established Town of Port Hedland South Hedland CBD Stakeholder Committee in accordance with Section 5.8 of the Local Government Act:
 - a) Evan Ralph; and
 - b) Michael Hales
2. appoints the following representatives to be included in the newly established Town of Port Hedland South Hedland CBD Stakeholder Committee in accordance with Section 5.8 of the Local Government Act:
 - LandCorp – Aaron Grant and Jacinta Harvey
 - Lotteries House Board – Roz Brabazon
 - Shopping Centre owners (Charter Hall) – Samantha Robinson
 - FORM – Kate Antonas
 - South Hedland Police – Peter D. Pope
 - PANGO – Robert Neville
 - BHP Billiton Iron Ore – Andre Veder
3. approves and advertises the following dates, for the Town of Port Hedland South Hedland CBD Stakeholder Committee meetings to start at 5:30pm in Council Chambers:
 - 12 April 2011
 - 10 May 2011
 - 14 June 2011
 - 12 July 2011
 - 9 August 2011
 - 13 September 2011
 - 11 October 2011
 - 8 November 2011
 - 13 December 2011
 - 10 January 2012
 - 14 February 2012
 - 13 March 2012
 - 10 April 2012

CARRIED 5/3

Record of Vote:

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

11.4.2.3 *Appointment of Organisation Representatives to Town of Port Hedland Spoilbank Marina Stakeholder Committee (File No.: 18/17/0001)*

Officer Josephine Bianchi
Administration Officer
Governance

Date of Report 4 March 2011

Disclosure of Interest by Officer Nil

Summary

Report seeks Council's appointment of representatives from Port Hedland Port Authority, Port Hedland Yacht Club and Port Hedland Returned Services League to formalise the establishment of its Spoilbank Marina Stakeholder Committee.

Background

At its Ordinary Council Meeting held on 8 December 2010, Council resolved the establishment of its Spoilbank Marina Stakeholder Committee in accordance with Section 5 of the Local Government Act 1995:

"That Council:

... iv) establishes the Spoilbank Marina Stakeholder Committee in accordance with Section 5.8 of the Local Government Act (1995):

.....

Membership:

The membership of the committee be as follows:

*Mayor Kelly A Howlett;
Councillor Stan R Martin;
Councillor Arnold A Carter;
Councillor Jan M Gillingham
Councillor Michael A (Bill) Dziombak*

A representative to be nominated from the following organisations:

*Port Hedland Port Authority
Port Hedland Yacht Club
Port Hedland Returned Services League
2 x Community Members*

Quorum:

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

Delegation:

Nil but can be reviewed.

Tenure: Ongoing.

Responsible Officer: Chief Executive Officer"

Consultation

Invites where sent out by email to the Port Hedland Port Authority, Port Hedland Yacht Club and Port Hedland Returned Services League seeking a representative from each organization.

Statutory Implications

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

- Requires committees to have at least three members if they are established.
- Outlines the prescribed method of appointment of committee members
- Details the tenure of committee representatives.
- Details quorum requirements of committees.

Policy Implications

Nil

Strategic Planning Implications

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

Goal 1 – Tourism

That Tourism is a significant industry within the Town.

Immediate Priorities

2. Progress the development of the Spoilbank Marina Precinct.

Budget Implications

Nil.

Officer's Comment

The following representatives were nominated by each organization:

- Port Hedland Port Authority – Lindsay Copeman, Acting Chief Executive Officer
- Port Hedland Yacht Club – Darryl Brown, Commodore
- Port Hedland Returned Services League – Mark Postans, President

Attachments

Nil

Officer's Recommendation

That Council appoints the following representatives to the newly established Town of Port Hedland Spoilbank Marina Stakeholder Committee in accordance with Section 5.8 of the Local Government Act:

- a. Port Hedland Port Authority – Lindsay Copeman, Acting Chief Executive Officer
- b. Port Hedland Yacht Club – Darryl Brown, Commodore
- c. Port Hedland Returned Services League – Mark Postans, President

201011/280 Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That Council:

1. appoints the following representatives to the newly established Town of Port Hedland Spoilbank Marina Stakeholder Committee in accordance with Section 5.8 of the Local Government Act:
 - a. **Port Hedland Port Authority – Lindsay Copeman, Acting Chief Executive Officer**
 - b. **Port Hedland Yacht Club – Darryl Brown, Commodore**
 - c. **Port Hedland Returned Services League – Mark Postans, President**
2. approves that TS Pilbara, the Game Fishing Club, Sea Rescue, Cervan Marine, Mr Roger Richardson and a BHP Billiton Port representative be invited as and when required.

CARRIED 8/0

REASON: Council believes representatives from TS Pilbara, the Game Fishing Club, Sea Rescue, Cervan Marine, Mr Roger Richardson and a BHP Billiton Port representative have to be invited to Town of Port Hedland Spoilbank Marina Stakeholder Committee as and when required.

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL**ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN**

Nil.

ITEM 14 CONFIDENTIAL ITEMS

6:05pm Mayor advised members of the public that the meeting is now closed.

NOTE: Section 5.23 of the Local Government Act 1995 states:

- “(1) Subject to subsection (2), the following are to be open to members of the public —*
- (a) all council meetings; and*
 - (b) all meetings of any committee to which a local government power or duty has been delegated.*
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*
- (a) a matter affecting an employee or employees;....*
 - ...(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;.....*
 - ...(h) such other matters as may be prescribed.”*

201011/281 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That the Meeting be closed to members of the public as prescribed in Section 5.23 (2) (d) of the Local Government Act 1995, to enable Council to consider the following Agenda Items:

1. 14.1.1 'Status of Qantas Airways Limited Leasing Arrangements'

CARRIED 8/0

14.1 *Confidential Item: Status of Qantas Airways Limited Leasing Arrangements (File No.: ...)*

201011/282 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

1. Consent to a disposal of property by way of a lease to Qantas Airways Limited, of 176.2sqm, being for check-in and baggage handling facilities and a 'Qantas Club' Lounge, as per section 3.58 of the *Local Government Act 1995* (private treaty), on the following terms:
 - **an initial term of ten (10) years commencing 1 July 2007;**
 - **with two five (5) year options;**
 - **at a rental of \$810.44 per square metre; and**
 - **for an area of 176.2 square metres**
 - **a Consumer Price Index (CPI) review to take place annually**
 - **a market review to be conducted annually during the terminal redevelopment**
 - **the next market review to take place on 1st July 2011**
2. Authorises the Chief Executive Officer (or his delegate) to:
 - a) **place an advertisement giving local public notice of the deposition in accordance with section 3.58(3)(a) of the Local Government Act; and**
 - b) **sign and execute the amendments to the existing leasing agreement, should no adverse public submissions be received by Council.**

CARRIED 8/0

REASON: Council believes a market review needs to be carried out annually during the terminal redevelopment.

201011/283 Council Decision

Moved: Cr A A Carter

Seconded: Cr D W Hooper

That the Meeting be opened to members of the public.

CARRIED 8/0

6:07pm Members of the public re-entered the room and resumed their seats in the gallery.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

201011/284 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That the following Application for Leave of Absence:

- Councillor S R Martin from 12 March to 20 March 2011
- G J Daccache from 24 March to 30 March
- J M Gillingham from 11 March to 29 March

CARRIED 8/0

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 30 March 2011, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 6:08 pm.

Declaration of Confirmation of Minutes

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

CONFIRMATION:

MAYOR

DATE