



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 24 AUGUST 2011

AT 5.30 PM

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

DISCLAIMER

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

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

*Paul Martin
Chief Executive Officer*

OUR COMMITMENT

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

ITEM 1	OPENING OF MEETING	5
1.1	OPENING	5
ITEM 2	RECORDING OF ATTENDANCE AND APOLOGIES.....	5
2.1	ATTENDANCE.....	5
2.2	APOLOGIES	5
2.3	APPROVED LEAVE OF ABSENCE.....	5
ITEM 3	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	5
3.1	QUESTIONS FROM PUBLIC AT ORDINARY COUNCIL MEETING HELD ON WEDNESDAY 10 AUGUST 2011	5
3.1.1	<i>Mr Camilo Blanco</i>	6
3.2	QUESTIONS FROM ELECTED MEMBERS AT ORDINARY COUNCIL MEETING HELD ON WEDNESDAY 10 AUGUST 2011	7
ITEM 4	PUBLIC TIME	7
4.1	PUBLIC QUESTION TIME	7
4.1.1	<i>Peter Dawson</i>	7
4.1.2	<i>Chris Whalley</i>	8
4.1.3	<i>Michael Lavell</i>	9
4.2	PUBLIC STATEMENT TIME	10
4.2.1	<i>Mr Camilo Blanco</i>	10
ITEM 5	QUESTIONS FROM MEMBERS WITHOUT NOTICE.....	10
5.1	<i>Councillor A A Carter</i>	10
5.2	<i>Councillor J M Gillingham</i>	11
5.3	<i>Councillor G J Daccache</i>	11
5.4	<i>Councillor M B Dziombak</i>	11
ITEM 6	DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING	11
ITEM 7	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	12
7.1	CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 10 AUGUST 2011	12
ITEM 8	ANNOUNCEMENTS BY CHAIRPERSON WITHOUT DISCUSSION	12
ITEM 9	REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION.....	15
9.1	<i>Councillor A A Carter</i>	15
9.2	<i>Councillor J M Gillingham</i>	15
9.3	<i>Councillor G J Daccache</i>	15
ITEM 10	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	16
ITEM 11	REPORTS OF OFFICERS	17
11.1	PLANNING AND DEVELOPMENT SERVICES	17
11.1.1	PLANNING SERVICES.....	17
11.1.1.1	<i>Proposed "Industry – Noxious" – Transportable Asphalt Plant on Lot 988 Peawah Street Wedgefield (File No.: 126630G)</i>	17
11.1.1.2	<i>Proposed "Industry – Noxious" – Transportable Asphalt Plant on Lot 370 Draper Street Wedgefield (File No.: 122360G & 803354G)</i>	30
11.1.1.3	<i>Delegated Planning, Building & Environmental Health Approvals and Orders for July 2011 (File No.: 18/07/0002 & 07/02/0003)</i>	58
11.1.1.4	<i>Proposed Permanent Closure of Various Pedestrian Access Ways, Pretty Pool (File No.:</i>	

18/07/0010).....	71
11.1.1.5 Proposed Flood Levee at Miscellaneous License 45/220 being part Lot 500 Plan 65734 and Part Unallocated Crown Land (File No.: 804553G).....	79
11.1.1.6 Use Not Listed – Temporary Industrial Activity at Spoilbank, Port Hedland (File No.: 18/12/0014).....	91
11.1.1.7 Proposed Single House – Shed (Outbuilding and Carport) Addition at Lot 508 (7) Monks Place Port Hedland 6721 (File No.: 803792G).....	99
11.1.1.8 Proposed “Residential” - Twelve Grouped Dwellings on Lot 821 Teal Place, South Hedland (File No.: 113001G).....	111
11.1.1.9 Proposed Community Centre / Church at proposed Lot 9 Smith Street (being part lot 6162 on Plan 27471) (File No.: 803125G).....	147
11.1.1.10 Reconsideration of Condition for the Proposed Motel on Lot 2116 and 2117 North Circular Road, South Hedland (File No.: 130330G).....	154
11.2 ENGINEERING SERVICES	159
11.2.1 Mobil Oil Lease and Deed of Surrender (File No.: 05/05/0037)	159
11.2.2 Youth Involvement Council Incorporated Lease (File No: 05/05/0030).....	164
11.2.3 Signage Upgrades Concept Designs (File No.: 28/10/0005).....	167
11.2.4 Mineral Resources Limited – Lease Negotiations (File No.: 05/05/0068)	173
11.2.5 Tender 11/21 Supply & Delivery of Asphaltic Concrete Surfacing (File No.: 23/08/0062)	203
11.3 COMMUNITY DEVELOPMENT.....	210
11.3.1 Donations Working Group: Endorsements of Funding Requests (File No.: 02/05/0003)	210
11.3.2 South Hedland Library and Community Centre – Feasibility to Collocate with Key Community Facilities (File No.: 26/04/0018).....	214
11.4 GOVERNANCE AND ADMINISTRATION	219
11.4.1 FINANCE AND CORPORATE SERVICES.....	219
11.4.1.1 Interim Financial Reports to Council for Period Ended 31 July 2011 (File Nos: FIN-008, FIN-014 and RAT-009).....	219
11.4.1.2 Town of Port Hedland Integrated Planning and Reporting Framework- Stage Two (File No.:).....	226
11.4.1.3 Waiver of Fees and Interest for Le Mer Marketing - Assessment A804266 (File No.: .../...)..	231
ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL	239
ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN	239
ITEM 14 CONFIDENTIAL ITEMS	239
ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE.....	239
ITEM 16 CLOSURE.....	239
16.1 DATE OF NEXT MEETING.....	239
16.2 CLOSURE.....	239

ITEM 1 OPENING OF MEETING**1.1 Opening**

The Mayor declared the meeting open at 5:33pm 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 Michael (Bill) Dziombak

Mr Paul Martin	Chief Executive Officer
Mr Russell Dyer	Director Engineering Services
Ms Natalie Octoman	Director Corporate Services
Mr Eber Butron	Director Planning Development
Mr Gordon MacMile	Director Community Development
Ms Josephine Bianchi	Coordinator Governance
Mr Ayden Férdeline	Administration Officer Governance

Members of the Public	9
Members of the Media	1
Members of Staff	3

2.2 Apologies

Nil

2.3 Approved Leave of Absence

Councillor David W Hooper

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 10 August 2011**

3.1.1 Mr Camilo Blanco

Can Manager Finance advise on costs associated with the Pool Installation on account number 901286? Can Manager Finance explain where these costs are located in monthly statements? Can Manager Finance explain why these costs are not seen in account number 901286?

Director Corporate Services advises that the costs associated with the pool installation for 85 Sutherland Street are outlined in Table 1 below.

Table 1:

Description	Costs
Pool purchase	\$28,370.45
Paving stone around the pool	\$995.00
Pavers around the edge of the pool	\$1,954.00
Pool fencing	\$4,877.00
Concrete around the pool	\$4,957.00
TOTAL	\$41,153.45

The budget for the installation of the pool was \$50,000 which was approved by the Audit and Finance Committee and then by Council as part of a budget review process.

The costs for the installation are included in the monthly reports in account number 901415 – “Staff Housing Refurbishments” over several periods, specifically October, November and December 2011, amongst other costs associated with staff housing refurbishments.

The reason the costs don’t appear against account number 901286 - “85 Sutherland Street” is due to this being an operating account that generally caters for maintenance of the property. Any upgrades to staff housing, such as the installation of the pool, appear in 901415 Staff Housing Refurbishments as this is the capital expenditure account.

Can the Town of Port Hedland also supply a detailed report on account numbers:

1109234	401220	1004274
1111275	401275	1004277
1111283	401280	1004287
1111289	402244	1004441
1111439	404287	1005278
1117285	406262	812285
1117412	406272	1102290
1118280	503496	1105426
1201402	503498	1105497
1201475	901234	1111435

1207476	901286	1403275
1201417	901324	1403286
1204294	1004225	1403282

including final balances to date for the last 24 months.

Chief Executive Officer advised that he has spoken with Mr Blanco and committed to providing reports for the accounts requested.

Given that there is more than one way to represent the information being requested, the CEO has arranged a meeting with Mr Blanco to discuss the preferred format and details required. Depending upon the information requested, this may involve a significant amount of Officer time to compile. The Finance department is currently finalizing end of year accounts and so the CEO advised Mr Blanco that it may take up to two or three weeks to provide the requested information.

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 10 August 2011

Nil

ITEM 4 PUBLIC TIME

5:34pm Mayor opened Public Question Time

4.1 Public Question Time

4.1.1 *Peter Dawson*

Contrary to statements made by the Mayor, please be advised I am not in legal dispute with my landlord regarding the provision of car parking bays.

In her email dated Friday 12 August 2011 circulated to all Councillors, the Mayor writes: 'the Wightman Building is where a dentist is soon to be based, (...) a number of dental suites, operating 7 days a week (...)ready to operate in January 2012.'

Two days later the Mayor sent me a SMS text message advising me she has no knowledge of the identity of the incoming dentists. Can the Mayor please explain the disparity of events?

Mayor advised that she would like to put Mr Dawson's question into context first. Mayor advised that following a number of missed calls from Mr Dawson asking her whether she was aware of the identity of the new dentist she tried to call him back with regard to this matter. As she did not get through to Mr Dawson the Mayor sent him an SMS advising that she was not aware of the identity of the new dentist.

Mayor also informed Mr Dawson that while recently touring the Wightman Building, which is currently under construction, a person at the site told her that a dentist was going to move in the new complex. Mayor said that she only knows that the dentist is from interstate.

Will the new dental surgery require a planning permit to operate?

Mayor advised Mr Dawson that this is a matter for the Town's Planning department to deal with when the time comes. Mayor also advised that nothing that could close the current dental surgery down is happening; she believes that a process has been put in place and Mr Dawson has been engaged in this process.

Mayor added that for the record she is not aware of the new dentists' identity.

4.1.2 Chris Whalley

Could Council ensure that the Pilbara Echo newspaper is properly rolled up and sealed in my neighbourhood?

Mayor advised that this matter will be looked into.

Could Council submit more information to the next South Hedland CBD Stakeholders Committee on 12 September 2011 regarding the rebuilding of the South Hedland Town Centre?

Chief Executive Officer advised that the Town has recently tried to engage with the South Hedland CBD Stakeholders Committee with regard to this matter, but due to a lack of quorum it could not be considered. Chief Executive Officer said that the Town will engage further with the Committee about this issue if this is the will of Council.

Is it possible for Council to organise for the Parks and Gardens department to get rid of all the dead branches on trees and remove all of the dead trees within the public domain of the Town of Port Hedland?

Mr Whalley submitted a list of dead trees and trees with dead branches:

- *Captain Bert Madigan Park, stump Palm trees*
- *Replace trees in Wedge Street outside Jan De Nul offices*
- *Replace trees at corner of Athol and Corney Streets*
- *Replace trees between Corney and Hall Streets*
- *outside the All Seasons Hotel*
- *Moorgunyah Hostel (near Catholic Church on Sutherland Street)*
- *Tree stump adjacent to Port Plaza, Edgar Street*
- *Lions Park, Anderson Street*
- *Tree at corner of Morgan and Frewer Streets*

- *McGregor Street opposite Boy Scouts and Rugby Pitch*

Is it possible for Council to seriously consider planting new trees right around Port Hedland Cemetery and replace existing dead trees in the Cemetery with new trees? We also need new trees on the South Hedland College grounds, the Pundumurra College grounds, and at the creek at the end of Corella Road.

Director Engineering advised that quotes have been sought from contractors to assess the works that need to be carried out and action will be taken in accordance with the Town's procurement policy.

4.1.3 Michael Lavell

Can Council define the word 'temporary' in the context of temporary accommodation camps in the vicinity of the Town? I do not want to see Port Hedland become another Karratha, which has nine temporary camps. We have approximately five in Port Hedland at the moment. The camps that we do have, when their leases expire, will the community be involved before these leases are extended? I am not very happy about the Fly-In, Fly-Out environment and the damage it is doing to the Town. I understand this workforce brings money into the town, but I believe that if you want to work here, you need to live here.

Chief Executive Officer advised that each of the existing sites have different leases with varying term conditions. Port Haven had a 10 year term whilst the land at the recreation reserve has a 5 year term. Each of these leases are considered on their merit. As part of this process Council faces significant pressure from industry groups to provide accommodation for the construction workforce.

Mr Lavell stated that Fly-In, Fly-Out accommodation puts rental prices up for normal people to be able to afford reasonable accommodation in town.

Chief Executive Officer advised that the provision of some of the camps will take pressure off the local housing market. The Town of Port Hedland is working with industry to increase their residential population. Not all camps do have options to extend their lease, but for those who do, it is the responsibility of the mining company to convince Council that they are still under a construction phase and that their request for temporary accommodation is warranted.

Do these temporary accommodation camps directly or indirectly increase the rates that residents must pay, or increase the services that the Town must provide?

Chief Executive Officer advised that the opposite is the case. Operators of camps on Council land do pay rates, pay rent to the Town and make community contributions to projects. The financial contributions that these companies make offset the contributions that ratepayers would

otherwise be required to pay. For example rental income from Port Haven pays for the Council loan for the Recreation Centre.

NOTE: Mayor suggested the Chief Executive Officer could elaborate on the fact that Council is looking at alternate streams to diversify its financial base.

Chief Executive Officer advised that at the moment rates are the primary source of income for Council, however, to become a sustainable city Council needs to look at more diverse income streams to reduce the reliance on ratepayers to fund everything. The Town has a long-term goal of improving its financial stability and it is currently looking to diversify its income sources with the intention that rates do not necessarily need to increase at their current level.

5:44pm Mayor closed Public Question Time

5:44pm Mayor opened Public Statement Time

4.2 Public Statement Time

4.2.1 Mr Camilo Blanco

NOTE: The Mayor reminded Mr Blanco to direct his Statement to the Chair. Mr Blanco said that he was directing his Statement to the Chair. Councillor G J Daccache reiterated that respect must be shown to the Mayor at all times during Council Meetings.

Mr Blanco advised that his statement regards the noxious businesses that Council is considering tonight. The Environmental Protection Agency has advised that there is a health risk. There has been public opposition to these items and they need to be rejected.

Mayor advised that this Statement will be taken in due consideration when these items – the first two items under the Planning section - are considered.

5:45pm Mayor closed Public Statement Time

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

5.1 Councillor A A Carter

I have been informed that the recently-appointed surgeon at the South Hedland Health Campus is leaving Hedland to work in Broome. Can the Town contact the Department of Health to see if another surgeon will be taking up his position, so that we are not left with a vacancy?

5.2 Councillor J M Gillingham

A high number of medical staff have been seconded to Karratha. I believe they have not been replaced. Can the Town look into this? In addition, I noticed that Council staff were trimming the trees on Cooke Point Drive last week. These were newly planted trees. Can we make sure that trees are being trimmed by qualified staff in such a manner that they will grow back correctly?

5.3 Councillor G J Daccache

I would like to reiterate that when it comes to Public Question Time and Public Statement Time, it is important that the Mayor is addressed in an appropriate manner. If the Public do not wish to do so, could they please remain seated. Respect must be shown at all times.

NOTE: Councillor J M Gillingham asked the Mayor that Councillor G J Daccache be reminded to go through the Chair when posing a question.

5.4 Councillor M B Dziombak

Can the Mayor clarify if this section of the Agenda refers to Questions or Reports from Members?

Mayor advised that Item 5 of the Agenda is Questions from Members without Notice so it is questions only not reports from Elected Members.

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

Mayor K A Howlett	Cr J M Gillingham
Cr A A Carter	Cr S R Martin
Cr G J Daccache	Cr M (Bill) Dziombak
Cr S J Coates	

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 10 August 2011****201112/069 Officer's Recommendation/Council Decision****Moved:** Cr A A Carter**Seconded:** Cr S R Martin

That the Minutes of the Ordinary Meeting of Council held on Wednesday 10 August 2011 be confirmed as a true and correct record of proceedings.

CARRIED 7/0**ITEM 8 ANNOUNCEMENTS BY CHAIRPERSON WITHOUT DISCUSSION**

Mayor Howlett's Activity Report for the August 2011 period to date as follows:

Wednesday, 3rd August

- Weekly Mayor Chat Spirit Radio 1026am
- Interview With Department Regional Development & Lands Re: Royalties For Regions Program
- Meeting Hancock Prospecting (Cheryl Edwards)
- Census Deliveries South Hedland

Thursday, 4th August

- Presentation To Yr 5 & 6 South Hedland Primary School Re: 2011 National Census
- Attended St Cecílias Native Plant Garden Opening
- Weekly NWT Media Meeting
- Census Deliveries South Hedland

Friday, 5th August

- Attended Port Hedland Primary School (Jeans For Genes Day Fundraiser) & Presented Awards Winning Posters – Census Schools Poster Competition
- Participated In Tidy Towns/Sustainable Communities Judges Town Tour
- Attended Tidy Towns/Sustainable Communities Stakeholders Morning Tea
- Census Deliveries South Hedland
- Attended Variety Club WA Bash Welcome Event

Saturday, 6th August

- Attended Variety Club WA Bash Breakfast & Bash Departure Event
- Attended 2011 Inclusion Festival & Presented 2011 Hedland Carer Of Year Award

Sunday, 7th August

- Census Deliveries South Hedland

Monday, 8th August

- Meeting With Manager Aboriginal Education (Sue Beath) Re: Attendance & Truancy Issues
- ABC NW Radio Interview Re: Black Rock Tourist Park
- Minister Brendan Grylls Announcement – Mirvac Hotel Development + Deputy Mayor + CEO
- Attended Official Signing Kariyarra Native Title Agreement With State Govt + CEO
- Census Deliveries South Hedland

Tuesday, 9th August

- Weekly Mayor Chat Spirit Radio 1026am
- Weekly Mayor & Deputy Mayor Meeting
- Census Deliveries South Hedland
- Accompanied Town Tour & Visits With Her Excellency Governor General Commonwealth Australia Quentin Bryce + CEO
- Hosted Civic Sundowner Function In Honour Of Her Excellency Governor General Commonwealth Australia Quentin Bryce + Deputy Mayor + Cr Martin + Cr Daccache + Cr Coates + Cr Gillingham + Cr Hooper + CEO + DENG + DCD + DCORP

Wednesday, 10th August

- Fortnightly Pilbara Shire President/Mayor Teleconference
- Meeting CEO, Deputy Mayor & Mayor + Cr Dziombak
- Census Collections South Hedland
- Attended TOPH Community Donations Working Group Meeting + Deputy Mayor + Cr Dziombak + DCD + MCD + MRS
- Attended Informal Council Briefing + Deputy Mayor + Cr Dziombak + Cr Gillingham + Cr Daccache + Cr Hooper + A/CEO + DCD + DPD + DCORP
- Chair OCM

Thursday, 11th August

- Accompanied Australia Day Council & BHPBIO, Jessica Watson Hedland Visit – St Cecílias Catholic Primary School Assembly
- Accompanied Australia Day Council & BHPBIO, Jessica Watson Hedland Visit – Cassia Primary School
- Meeting Hedland Aboriginal Fellowship Church + A/CEO
- Weekly NWT Media Discussion Meeting

- Attended Australia Day Council & BHPBIO, Jessica Watson Informal Afternoon Tea Event + Deputy Mayor + Cr Gillingham + Cr Daccache
- Census Collections South Hedland

Friday, 12th August

- Census Collections South Hedland

Saturday, 13th August

- Census Collections South Hedland
- Attended Workpac South Hedland Comedy Evening, Finucane Island Club

Sunday, 14th August

- Census Collections South Hedland

Monday, 15th August

Census Collections South Hedland

Meeting With Forward In Faith Community Church

Meeting With VMRS (Jeff Stone & Gary Mackwell) + A/CEO

Tuesday, 16th August

- Meeting With St John of God Private Hospital (Mark Grime) + A/CEO
- ABC Drive Time Radio Interview Re: Indigenous Camping Issue South Hedland
- Census Collections South Hedland

Wednesday, 17th August

- Volunteered HSHS School Breakfast Program
- ABC NW Radio Interview Re: Indigenous Camping Issue South Hedland
- Attended Women In Hedland Luncheon @ Well Womens Centre
- Census Collections South Hedland
- Meeting BHPBIO Update On Growth Plans – Port Hedland Inner Harbour Project + Deputy Mayor + A/CEO
- Meeting With Committee Andrew McLaughlin Centre + Deputy Mayor + Cr Daccache

Thursday, 18th August

- Flight To Perth
- Meeting Department Indigenous Affairs (Duncan Ord)
- Weekly NWT Media Discussion Meeting
- Meeting Minister Brendan Grylls + Cr Hooper

Mayor advised that she had the honour of being a Judge for the Pilbara Girl Competition, a project which mentors young Aboriginal girls aged 15 to 26 years. There were 10 entrants from Hedland. The Judges were impressed by how ambitious our girls were, with some aspiring to own their own homes or cars, and others dreaming of working for the

Department of Sport and Recreation. The Finals for the competition will be held in Karratha on 3 September 2011 and the Mayor said Council should feel proud to have been associated with this event.

Mayor also advised that she sat on the board of Hedland Senior High School and that the School has a new website launching soon. This website will be yet another communication channel that exists between the School and the Community. The Mayor also reminded the Public that opportunities to volunteer at the school exist, such as helping run the uniform store, or helping students with their reading at the Library. The Mayor also commended the School for its 2011/13 Business Plan, which was adopted by the Board, as it exists to make sure the School has the very best people out in front of Hedland students. This public document will be on the School's website once it is launched, but in the interim, is available by calling School Principal John Burns.

The Mayor also congratulated all those involved in the performance of Seussical the Musical at Hedland Senior High School on Saturday 20 August 2011, noting that this was a wonderful, family-friendly event.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 *Councillor A A Carter*

Councillor Carter said that on Friday 19 August 2011 he attended the 10th Anniversary Celebration of Rio Tinto's operations in Hedland. There was about 190 staff in attendance. Councillor Carter was surprised by a remark made by the General Manager regarding living conditions in town, and has expressed an interest in meeting with her to discuss what it is really like to live in Hedland.

9.2 *Councillor J M Gillingham*

Councillor Gillingham praised the students of Hedland Senior High School for their exceptional performance of Seussical the Musical.

9.3 *Councillor G J Daccache*

Councillor Daccache attended a meeting at the Andrew McLaughlin Community Centre to discuss the building's future upgrades, and commended the Centre for its forward planning. Councillor Daccache asked Council if it could seek legal advice regarding whether or not this building can be classified as an Evacuation Centre.

Councillor Daccache attended the BHP Community Consultative meeting last Wednesday where BHP Billiton asked what the participants' expectations of these meetings are. Councillor Daccache suggested Council form a working party to discuss this.

Councillor Daccache also advised that the logos of all organisations represented at the meeting will be included in the Minutes.

Councillor Daccache also suggested that Council consider providing assistance to the upcoming Police Legacy Ball.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

Previous Approvals

On 21 September 2000, approval was granted under Delegated Authority for the proposed formalisation of freestanding office and lean-to workshop.

In October 2010 Council was informed by the Department of Environment and Conservation, that the applicant had been granted a works approval for "Asphalt Manufacturing".

Council in November 2010, notified the owner that a planning application is required to be considered by Council for a "Prescribed Premises", considered to be a "Noxious Industry" by TPS5.

Department of Environment and Conservation (DEC) Works Approval

Fulton Hogan have been operating the mobile asphalt plant in accordance with a mobile asphalt licence L7773/1993/5.

As a result of changes within the DEC, the DEC now requires the premises where the mobile asphalt plant is kept to be licensed, as opposed to licensing the equipment alone. Consequently, a works approval was required under section 52 of the Environmental Protection Act 1986, as asphalt work being carried out on the premises causes the premises to become a "Prescribed Premises".

The applicant obtained a works approval from the DEC on 27 January 2011, which expires on 30 January 2014.

The Proposal

The subject application is simply a "Change of Use" application to permit the lot to be used for the purposes of a "Industry – Noxious". The applicant has noted on the application form that the mobile asphalt plant will only be used approximately 6 times a year.

Consultation

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

A total of seven (7) objections were received during the advertising period. In addition to the advertising, an additional 14 letters were hand delivered to the affected landowners and signed off by personnel on site. Subsequently, one (1) additional objection was received.

Summary of Submissions Received (ATTACHMENT 3)

Not Proper and Orderly Planning

- Inconsistent with the objectives/provisions of TPS
- Approval of the proposal would set an unwanted precedent.

Health Risks

- The emissions of the Plant may pose a risk to public health and the amenity of Wedgefield residents and workers.
- Noise is a particular nuisance because the Plant operates for 24 hours a day when in operation.
- Fume emissions from this noxious plant would make living and working within close proximity very unpleasant and may also have a bearing on the health of our employees.
- The strength of the fumes are particularly pungent and of sufficient strength to induce nausea, dizziness and headaches.

EPA Guidance Statement 3 – Separation/Distances between Industrial and Sensitive Land Uses

- The location of the Plant does not meet the recommendations of EPA Guidance statement No. 3 – Separation/Distances between Industrial and Sensitive Land Uses.

Strategic Direction

- The proposal is not consistent with the future strategic planning objectives for the Wedgefield area, as per the Land Use Master Plan (LUMP).
- LUMP identifies that due to the density of caretakers dwellings in the Wedgefield area the addition of high impact industrial uses would only exacerbate existing land use conflicts and recommends avoiding conflicts between noxious and light industrial uses.
- LUMP recommends noxious and general industrial uses that have significant impacts on their surroundings be located in the Boodarie Industrial Estate.
- Council should identify an alternative Site.

Impact on Property Values

- Proposed development should be of a high quality.
- Noxious industries are considered to have a detrimental impact on surrounding property values.

Officer's Response

Summary of Objection Received	Planning Unit Response
<p data-bbox="236 309 767 342">Not Properly and Orderly Planning</p> <p data-bbox="188 353 791 432">Inconsistent with the objectives/provisions of TPS</p> <p data-bbox="188 454 730 533">Approval of the proposal would set an unwanted precedent.</p>	<p data-bbox="847 309 1385 342">Not Properly and Orderly Planning</p> <p data-bbox="847 342 1337 376">Not Properly and Orderly Planning</p> <p data-bbox="847 376 1396 667">In terms of clause 6.7.2 of TPS5, when considering planning applications within the Strategic Industry, Industry or Industrial Development zones, Public Purpose or other reservations, or the industry buffers identified in the Policy Manual, Council shall have regard for the:</p> <p data-bbox="847 667 1150 701">Compatibility of uses;</p> <p data-bbox="847 701 1396 958">Whilst the compatibility of the use is questionable, Council's records indicate that the use has been conducted from the site since October 2010, no complaints regarding the use have been recorded on file.</p> <p data-bbox="847 958 1396 1216">From a planning perspective noxious uses are better located within an area designated for such uses. However, currently there is no land available for noxious uses, resulting in the existing Wedgefield Industrial area being the most compatible area for such uses.</p> <p data-bbox="847 1216 1396 1361">Potential impact of the proposal on the efficient and effective operations of the existing and planned industry, infrastructure or public purposes;</p> <p data-bbox="847 1361 1396 1731">Through the Land Use Master Plan (LUMP) it is recommended that the Wedgefield Industrial area be rezoned to "Light Industry", making noxious uses "non-conforming", and converting existing general industrial uses to "additional uses" for a period of ten years from the date that new land suitable for general industrial use is released for development.</p> <p data-bbox="847 1731 1396 1933">Currently new land has not yet been released for general industry, which includes noxious uses. As a result there is no other location for the proposed use to be located.</p>

<p style="text-align: center;">Health Risks</p> <p>The emissions of the Plant may pose a risk to public health and the amenity of Wedgefield residents and workers.</p> <p>Noise is a particular nuisance because the Plant operates for 24 hours a day when in operation.</p> <p>Fume emissions from this noxious plant would make living and working within close proximity very unpleasant and may also have a bearing on the health of our employees.</p> <p>The strength of the fumes are particularly pungent and of sufficient strength to induce nausea, dizziness and headaches.</p>	<p style="text-align: center;">Health Risks</p> <p><i>Risks, hazards, health and amenity associated with the proposed use being located in proximity to existing and planned industry, infrastructure or public purpose or any other use.</i></p> <p>An Environmental Assessment Report undertaken by the DEC states the following:</p> <p><i>“As shown in Table 2 (ATTACHMENT 8), emissions and discharges associated with this works approval are a low risk to the environment which is managed as per Fulton Hogan commitments and should not result in significant impacts to the environment.</i></p> <p><i>The facility is also subject to the general provisions of the environmental Protection Act 1986 relating to the causing and reporting of pollution and will be subject to inspections by DEC officers.”</i></p>
<p style="text-align: center;">EPA Guidance Statement 3 – Separation/Distances between Industrial and Sensitive Land Use</p> <p>The location of the Plant does not meet the recommendations of EPA Guidance statement No. 3 – Separation/Distances between Industrial and Sensitive Land Uses.</p>	<p style="text-align: center;">EPA Guidance Statement 3 – Separation/Distances between Industrial and Sensitive Land Use</p> <p>In terms of the Environmental Protection Agencies Guidance Statement 3, “Sensitive Land Use” is defined as follows:</p> <p>“Sensitive Land Use – land use sensitive to emissions from industry and infrastructure.”</p> <p>Sensitive land uses include residential development, hospitals, hotels, motels, hostels, caravan parks, schools, nursing homes, child care facilities, shopping centres, playgrounds and some public buildings. Some commercial,</p>

	institutional and industrial land uses which require high levels of amenity or are sensitive to particular emissions may also be considered “sensitive land uses”. Examples include some retail outlets, offices and training centres, and some types of storage and manufacturing.
<p style="text-align: center;">Strategic Direction</p> <p>The proposal is not consistent with the future strategic planning objectives for the Wedgefield area, as per the Land Use Master Plan (LUMP).</p> <p>LUMP identifies that due to the density of caretakers dwellings in the Wedgefield area the addition of high impact industrial uses would only exacerbate existing land use conflicts and recommends avoiding conflicts between noxious and light industrial uses.</p> <p>LUMP recommends noxious and general industrial uses that have significant impacts on their surroundings be located in the Boodarie Industrial Estate.</p> <p>Council should identify an alternative Site.</p>	<p style="text-align: center;">Strategic Direction</p> <p>The Town is currently in the process of developing the Port Hedland City Growth Plan. This document will effectively supersede the LUMP. It is anticipated that the Boodarie area will still be the focus of future general industry includes noxious uses.</p> <p>It must be noted that at this point in time there are no industrial areas with the exception of Wedgefield designated for noxious industrial uses.</p>
<p style="text-align: center;">Impact on Property Values</p> <p>Proposed development should be of a high quality.</p> <p>Noxious industries are considered to have a detrimental impact on surrounding property values.</p>	<p style="text-align: center;">Impact on Property Values</p> <p>This objection is not supported and is not considered to have any planning merit.</p>

Statutory Implications

In accordance with the Planning and Development Act 2005, the proposed development of the land must be done in accordance with TPS5.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

An application fee of \$930.00 was paid on lodgement.

Officer's Comment

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

"an industry which is subject to licensing as "Prescribed Premises under the environmental Protection Regulations 1987 (as amended)"

Need & Desirability

As the population is expected to surge in both Port and South Hedland, the demand for building related materials such as cement has increased. The asphalt plant will continue to manufacture asphalt to support road construction and industry in and around the Port Hedland Area. The continued operation of the asphalt plant is necessary in order to provide cement resources for the diverse range of projects surrounding the future growth of Port Hedland.

There are limited locations capable of facilitating noxious land uses. Given that the land use already exists and no additional emissions are to occur, the location of the subject site is considered acceptable within the Industry zone.

Landscaping

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

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

Options

Council has the following options for dealing with the matter:

1. Approve the proposal.

The approval of the application will allow for the continued operational use of the subject site in harmony with other industrial related land

uses.

2. Refuse the proposal.

The refusal of the application would reinforce Council's Strategic objectives for the area ensuring community benefit / integration as endorsed by the Land Use Master Plan

It is recommended that the application be approved subject to conditions.

Attachments

1. Locality Plan
2. Site Plan
3. Submissions
4. DEC emissions table

201112/070 Council Decision

Moved: Cr S R Martin

Seconded: Cr J M Gillingham

That Council suspends standing orders.

CARRIED 7/0

5:54pm Mayor advised that Standing Orders are suspended.

201112/071 Council Decision

Moved: Cr S R Martin

Seconded: Cr S J Coates

That Council resumes standing orders.

CARRIED 7/0

6:05pm Mayor advised that Standing Orders are resumed.

201112/072 Officer's Recommendation/Council Decision**Moved:** Cr A A Carter**Seconded:** Cr G J Daccache**That Council:**

Approves the planning application submitted by Bill Salsbury on behalf of Fulton Hogan, for an Industry – Noxious – Transportable Asphalt Plant at Lot 988, Peawah Street, Wedgefield subject to the following conditions:

- 1. This approval relates only to the proposed “Industry Noxious” – Transportable Asphalt Plant and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.**
- 2. The Town of Port Hedland Town Planning Scheme No. 5, defines “Industry - Noxious” as:**

“an industry which is subject to licensing as “Prescribed Premises” under the environmental Protection Regulations 1987 (as amended).”
- 3. This approval is to remain valid until 30 January 2014.**
- 4. Within 60 days of this approval, or such further period as may be agreed by Councils Manager Planning, a detailed Environmental Management Plan – Transportable Asphalt Plant Operations must be submitted to Council for approval by Council’s Manager Planning.**
- 5. No on site accommodation or human habitation is permitted.**
- 6. All dust and sand to be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Planning.**
- 7. Within 30 days of this approval, a detailed landscaping and reticulation plan including the Peawah Street verge, must be submitted to Council’s Manager Planning. The plan to include species and planting details with reference to Council’s list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.**
- 8. Within 60 days, or such further period as may be agreed by Council’s Manager Planning, landscaping and reticulation to be established with the use of mature shrubs and trees in accordance with the approved detailed plans to the satisfaction of Council’s Manager Planning.**

9. The driveways and crossover shall be designed and constructed to specifications of the Manager Infrastructure Development and to the satisfaction of Council's Manager Planning, prior to the occupation of the Buildings.
10. A minimum of 21 car parking bays (which may include oversize vehicle bays) are to be provided in conjunction with the proposed development to the satisfaction of Councils Manager Planning.
11. Car parking bays are to be constructed in accordance with Appendix 8 of Council's Town Planning Scheme No.5 to the specification of Engineering Services and the satisfaction of Councils Manager Planning.
12. All stormwater to be retained on site. Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of the 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. The applicant 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 Annual Recurrence Interval cycle of flooding could affect any property below the ten (10) metre level AHD. Developers shall obtain their own competent advice to ensure 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.
3. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED 4/3

Record of Vote:

FOR	AGAINST
Mayor K A Howlett	Cr S J Coates
Cr A A Carter	Cr J M Gillingham
Cr G J Daccache	Cr S R Martin
Cr M B Dzombiak	

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.1



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.1



Government of Western Australia
Department of Environment and Conservation

ENVIRONMENTAL
ASSESSMENT
REPORT

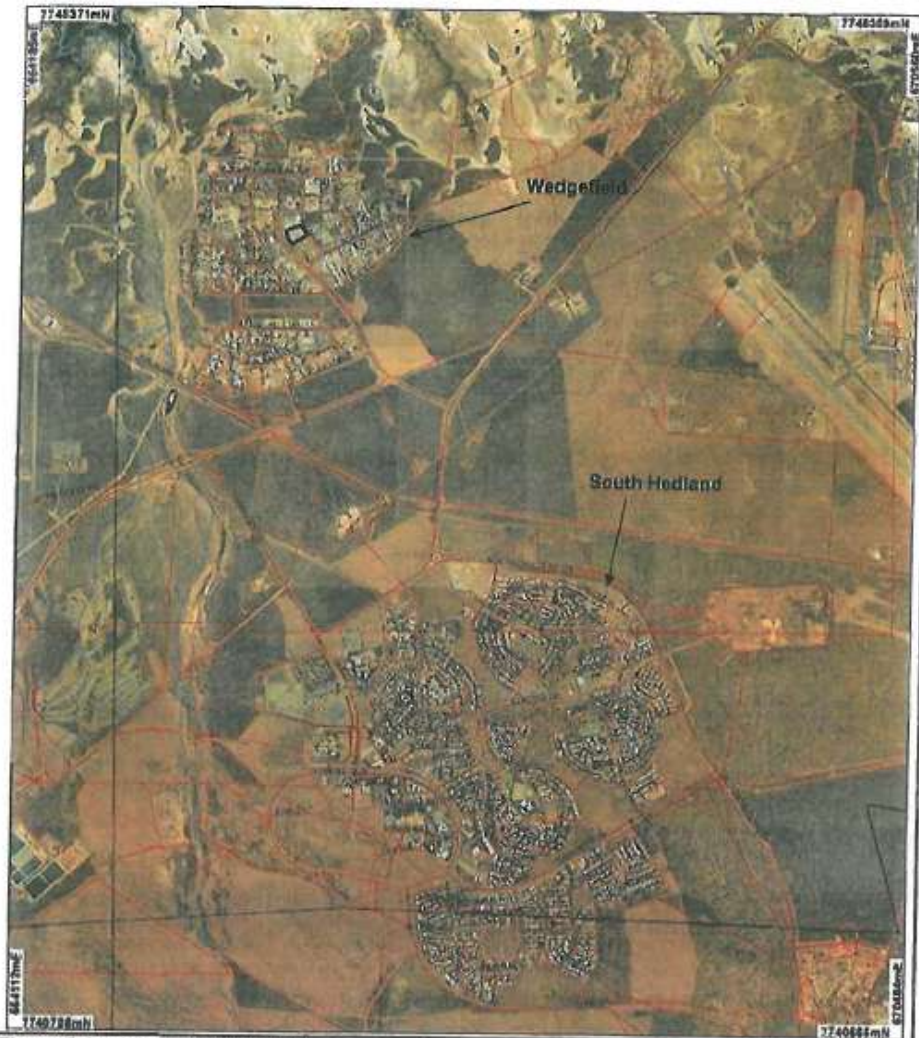


Figure 2: Location of Wedgefield

1.3 PROPOSAL DESCRIPTION

The asphalt plant is a diesel fired mobile drum mixer with a production capacity of 40 tonnes per hour. The process uses a mixture of graded, high quality aggregate and liquid bitumen, which is heated and mixed in measured quantities to produce hot mix asphalt materials. Aggregate constitutes over 92 percent by weight of the total hot mix asphalt material and aside from the relative amounts and types of aggregate used, mix characteristics are determined by the amount and grade of bitumen used.

ATTACHMENT 3 TO AGENDA ITEM 11.1.1.1



Government of Western Australia
Department of Environment and Conservation

ENVIRONMENTAL
ASSESSMENT
REPORT

APPENDIX A: EMISSIONS AND DISCHARGES RISK ASSESSMENT MATRIX

Table 3: Measures of Significance of Emissions

Emissions as a percentage of the relevant emission or ambient standard		Worst Case Operating Conditions (95 th Percentile)			
		>100%	50 – 100%	20 – 50%	<20%*
Normal Operating Conditions (50 th Percentile)	>100%	5	N/A	N/A	N/A
	50 – 100%	4	3	N/A	N/A
	20 – 50%	4	3	2	N/A
	<20%*	3	3	2	1

*For reliable technology, this figure could increase to 30%

Table 4: Socio-Political Context of Each Regulated Emission

		Relative proximity of the interested party with regards to the emission				
		Immediately Adjacent	Adjacent	Nearby	Distant	Isolated
Level of Community Interest or Concern*	5	High	High	Medium High	Medium	Low
	4	High	High	Medium High	Medium	Low
	3	Medium High	Medium High	Medium	Low	No
	2	Low	Low	Low	Low	No
	1	No	No	No	No	No

Note: These examples are not exclusive and professional judgement is needed to evaluate each specific case

*This is determined by DEC using the DEC "Officer's Guide to Emissions and Discharges Risk Assessment" May 2006.

Table 5: Emissions Risk Reduction Matrix

		Significance of Emissions				
		5	4	3	2	1
Socio-Political Context	High	A	A	B	C	D
	Medium High	A	A	B	C	D
	Medium	A	B	B	D	E
	Low	A	B	C	D	E
	No	B	C	D	E	E

PRIORITY MATRIX ACTION DESCRIPTORS

- A = Do not allow (fx)
- B = licence condition (setting limits + EMPs - short timeframes)(setting targets optional)
- C = licence condition (setting targets + EMPs - longer timeframes)
- D= EIPs, other management mechanisms/licence conditions (monitoring/reporting)/other regulatory tools
- E = No regulation, other management mechanisms

Note: The above matrix is taken from the DEC Officer's Guide to Emissions and Discharges Risk Assessment May 2006.

11.1.1.2 Proposed “Industry – Noxious” – Transportable Asphalt Plant on Lot 370 Draper Street Wedgefield (File No.: 122360G & 803354G)

Officer	Leonard Long Manager Planning
Date of Report	29 July 2011
Application No.	2011/137
Disclosure of Interest by Officer	Nil

Summary

Council has received an application from Holmes Environmental Pty Ltd on behalf of BGC Australia Pty Ltd (BGC) for an Industry – Noxious Use – Proposed Transportable Asphalt Plant at Part Lot 370 on Plan 35619 (Harbour Reserve) Wedgefield (subject site).

Council is requested to approve the application subject to conditions. The proposal is supported from a planning perspective.

Background

Location and Site Details

The subject site is located along Draper Street and comprises of an area of 2.554ha (ATTACHMENT 1).

BGC occupies Lot 1807 and 2450 Moorambine Street, Wedgefield which contains offices and workshops. Both these sites are zoned “Industry” under the Town of Port Hedland Planning Scheme No. 5 (TPS5).

The existing mobile asphalt plant is located on the subject site, which is reserved for ‘Other Public Purposes – Port Facilities’ under TPS5. The subject site is vested to the Port Hedland Port Authority.

Current Land Use

Since August 2009, BGC have operated a mobile asphalt plant on the subject site.

TPS5 defines any industry specified under Schedule 1 of the *Environmental Protection Regulations 1987*, as an “Industry – Noxious”. Asphalt Plants are specified as Category 35 under Schedule 1. Consequently, TPS5 defines an Asphalt Plant as “Industry – Noxious”.

Department of Environment and Conservation (DEC)

BGC had previously been operating the mobile asphalt plant in accordance with a mobile asphalt licence L8281/2008/1.

As a result of changes within the DEC, the DEC now requires the premises where the mobile asphalt plant is kept to be licensed, as opposed to licensing the equipment alone. Subsequently, a works approval was required under section 52 of the Environmental Protection Act 1986, as asphalt work being carried out on the premises causes the premises to become a “Prescribed Premises”.

Previous Approvals

Council at the Ordinary Meeting of 23 June 2008 resolved to approve an application for an INDUSTRY – LIGHT – Enclosed Abrasive Blasting and Coating Operations.

In November 2008 a DEC Licence L8281/2008/1 (ATTACHMENT 2) was issued for a mobile asphalt plant. This licence was specific to the equipment itself not the premises and if the plant moved, a relocation form would be required to be sent to DEC. DEC no longer issue mobile licences and all licences are now for the premises in which the plant is located.

On 28 July 2009, an approval was granted under Delegated Authority for an INDUSTRY – NOXIOUS Mobile Asphalt Plant.

In November 2010 Council was informed by the Department of Environment and Conservation, that the applicant had been granted a works approval for “Asphalt Manufacturing” (W4770/2010/1) (ATTACHMENT 3), which will expire on the 7 November 2013.

A DEC licence (L8505/2010/1) (ATTACHMENT 4) was issued in March 2011 for a “prescribed premises” on the subject site. This will expire on 13 March 2016.

Council notified the owner in November 2010, that a planning application is required to be considered by Council for a "Prescribed Premises", considered to be a "Noxious Industry" by TPS5. Subsequently, an application for planning approval was lodged on the 3 March 2011 for an INDUSTRY NOXIOUS – Transportable Asphalt Plant.

Lease Agreement

Lot 370 together with adjacent Lots 1807 and 2450 on Moorambine Street, Wedgefield, are owned by Port Hedland Port Authority and BGC (Noted as W1 on the lease agreement). The lease agreement entitles BGC to use a portion of Lot 370 for the operation of an asphalt plant as per this application.

The applicant has stated that a long-term lease agreement is currently being negotiated before the expiry of the existing lease on 31 October 2011. It is therefore recommended that a condition be imposed requiring the applicant to provide written confirmation and a copy of the renewed lease to Council prior to the building licence being issued.

The Proposal

The proposal is to replace the existing mobile asphalt plant with a transportable asphalt plant which is more advanced in its operation and environmental capability (ATTACHMENT 5)

The new transportable asphalt plant will include industry best-practice emission-discharge control that which will feature both a cyclone and bag-house for removing particulates from the atmospheric discharge.

The mobile asphalt plant is located on wheeled trailers whereas the transportable asphalt plant is skid-mounted for deployment as may be required. The transportable plant requires the installation of concrete footings for stable operation and tie down in the event of cyclonic weather.

The proposed transportable asphalt plant will have the same production capacity as the existing mobile asphalt plant.

In accordance with the existing operation of the mobile asphalt plant, the new transportable asphalt plant will only be operated on an intermittent basis during the dry season according to local demand.

Consultation

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

A total of seven (7) objections were received, in addition 14 day letters were hand delivered to the affected landowners and signed off by personnel on site. Subsequently, one (1) more objection was received during this extended advertising period.

<p>Summary of Objection Received</p>	<p>Planning Unit Response</p>
<p>Not Properly and Orderly Planning</p> <p>Inconsistent with the objectives/provisions of TPS</p> <p>Approval of the proposal would set an unwanted precedent.</p>	<p>Not Properly and Orderly Planning</p> <p>Clause 2.3 (Matters to be considered by Council) of TPS5, is stated as follows:</p> <p>Where an application for planning approval is made with respect to land within a reservation, the Council shall:</p> <p>Have regard to the ultimate purpose intended for the reservation;</p> <p>Although a copy of the vesting order has been provided, it is considered that the Port Authority, whom have been vested the land are aware of the purpose and responsibilities associated with the vesting. As the Port Authority have signed as the landowner and given consent in a letter addressed to the ToPH (ATTACHMENT 7).</p> <p>Have regard for the intentions of agencies with responsibility for managing and developing the reservation; and</p> <p>The Port Authority have given consent to the lodgement of the application.</p> <p>Confer with the organizations it considered relevant to the reservation and the proposed use or development.</p> <p>Not considered necessary as the Port Authority have given consent to the lodgement of the application and have</p>

	<p>entered into a lease agreement with the applicant.</p> <p>Lot 307 forms a part of Lots 1807 and 2450 on Moorambine Street, which are zoned "Industry" under TPS5. Subsequently, the proposed development has been assessed in accordance with clause 6.7.2 of TPS5:</p> <p>In considering planning applications within the Strategic Industry, Industry or Industrial Development zones, Public Purpose or other reservations, or the industry buffers identified in the Policy Manual, Council shall have regard for the:</p> <p><i>(a) Compatibility of uses;</i></p> <p>Whilst the compatibility of the use is questionable, the Towns records indicate that the use has been conducted from the site since August 2009.</p> <p>From a planning perspective noxious uses are better located within an area designated for such uses. However, currently there is no land available for noxious uses, resulting in the existing Wedgefield Industrial area being the most compatible area for such uses.</p> <p><i>Potential impact of the proposal on the efficient and effective operations of the existing and planned industry, infrastructure or public purposes;</i></p> <p>Through the Land Use Master Plan (LUMP) it is recommended that the Wedgefield Industrial area be rezoned to "Light Industry", making noxious uses "non-conforming", and converting existing general industrial uses to "additional uses" for a period of ten years from the date that new land suitable for general industrial use is released for development.</p> <p>Currently new land has not yet been released for general industry, which includes noxious uses. As a result there</p>
--	---

	<p>is no other location for the proposed use to be located.</p>
<p style="text-align: center;">Health Risks</p> <p>The emissions of the Plant may pose a risk to public health and the amenity of Wedgefield residents and workers.</p> <p>Noise is a particular nuisance because the Plant operates for 24 hours a day when in operation.</p> <p>Fume emissions from this noxious plant would make living and working within close proximity very unpleasant and may also have a bearing on the health of our employees.</p> <p>The strength of the fumes are particularly pungent and of sufficient strength to induce nausea, dizziness and headaches.</p>	<p style="text-align: center;">Health Risks</p> <p><i>) Risks, hazards, health and amenity associated with the proposed use being located in proximity to existing and planned industry, infrastructure or public purpose or any other use.</i></p> <p>An Environmental Assessment Report undertaken by the DEC states the following:</p> <p><i>“As shown in Table 2 (ATTACHMENT 8), emissions and discharges associated with this works approval are a low risk to the environment which is managed as per Fulton Hogan commitments and should not result in significant impacts to the environment.</i></p> <p><i>The facility is also subject to the general provisions of the environmental Protection Act 1986 relating to the causing and reporting of pollution and will be subject to inspections by DEC officers.”</i></p>
<p style="text-align: center;">EPA Guidance Statement 3 – Separation/Distances between Industrial and Sensitive Land Use</p> <p>The location of the Plant does not meet the recommendations of EPA Guidance statement No. 3 – Separation/Distances between Industrial and Sensitive Land Uses.</p>	<p style="text-align: center;">EPA Guidance Statement 3 – Separation/Distances between Industrial and Sensitive Land Use</p> <p>In terms of the Environmental Protection Agencies Guidance Statement 3, “Sensitive Land Use” is defined as follows:</p> <p>“Sensitive Land Use – land use sensitive to emissions from industry and infrastructure.”</p> <p>Sensitive land uses include residential development, hospitals, hotels, motels, hostels, caravan parks, schools, nursing homes, child care facilities, shopping centres, playgrounds and some public buildings. Some commercial, institutional and industrial land uses</p>

	<p>which require high levels of amenity or are sensitive to particular emissions may also be considered “sensitive land uses”. Examples include some retail outlets, offices and training centres, and some types of storage and manufacturing.</p>
<p style="text-align: center;">Strategic Direction</p> <p>The proposal is not consistent with the future strategic planning objectives for the Wedgefield area, as per the Land Use Master Plan (LUMP).</p> <p>LUMP identifies that due to the density of caretakers dwellings in the Wedgefield area the addition of high impact industrial uses would only exacerbate existing land use conflicts and recommends avoiding conflicts between noxious and light industrial uses.</p> <p>LUMP recommends noxious and general industrial uses that have significant impacts on their surroundings be located in the Boodarie Industrial Estate.</p> <p>Council should identify an alternative Site.</p>	<p style="text-align: center;">Strategic Direction</p> <p>The Town is currently in the process of developing the Port Hedland City Growth Plan. This document will effectively supersede the LUMP. It is anticipated that the Boodarie area will still be the focus of future general industry includes noxious uses.</p> <p>It must be noted that at this point in time there are no industrial areas with the exception of Wedgefield designated for noxious industrial uses.</p>
<p style="text-align: center;">Impact on Property Values</p> <p>Proposed development should be of a high quality.</p> <p>Noxious industries are considered to have a detrimental impact on surrounding property values.</p>	<p style="text-align: center;">Impact on Property Values</p> <p>This objection is not supported and is not considered to have any planning merit.</p>

Statutory Implications

In accordance with the Planning and Development Act 2005, the proposed development of the land must be done in accordance with TPS5.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

An application fee of \$930.00 was paid on lodgement.

Officer's Comment

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

"an industry which is subject to licensing as "Prescribed Premises under the environmental Protection Regulations 1987 (as amended)"

Need & Desirability

As the population is expected to surge in both Port and South Hedland, the demand for building related materials such as cement has increased. The asphalt plant will continue to manufacture asphalt to support road construction and industry in and around the Port Hedland Area. The continued operation of the asphalt plant is necessary in order to for a diverse range of products required for various projects surrounding the future growth of Port Hedland.

There are limited locations capable of facilitating noxious land uses. Given that the land use already exists and no additional emissions are to occur, the location of the subject site is considered acceptable as it is located within close proximity to the Industry Zone.

The proposed development is essentially an upgrade to the existing mobile asphalt plant. The applicant has identified that the new transportable plant will be technologically advanced in its operation and environmental capability. As such, there is a need for the proposed development in order to improve the environmental sustainability of the equipment.

Landscaping

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

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

Car Parking Requirement

In accordance with TPS5 the parking requirements for the proposed development would equate to a total of approximately 187 bays. Given the majority of the site will be used as a hard stand to accommodate cement trucks, the TPS5 car parking calculation is not considered to be an adequate requirement if site characteristics and land use were to be taken into consideration.

The applicant has identified that the plant will require only two operators on site. Given that the applicant has designated twelve car parking bays on the site plan, this is considered to be a suitable requirement for car parking on the subject site.

Front Setback Variation

The applicant has proposed a nil setback from the Draper Street boundary as opposed to the 6m required under TPS5. It is considered that streetscape amenity is the primary focus of imposing building and development setbacks. As such, it is considered inappropriate to allow for a 6m variation given the following:

- The subject site comprises of an area of approximately 2.554ha. It is evident on the site plan that there is sufficient space to accommodate a 6m setback for the transportable asphalt plant; and

- The applicant has proposed to locate a Diesel and LPG Storage Tank along the Draper Street lot boundary. The Planning Unit has considered this to be unsafe given the vehicle traffic along Draper Street.

Options

Council has the following options when considering this matter:

1. Approve the proposal.

The approval of the application will allow for necessary upgrade of the existing asphalt plant in order to increase environmental sustainability of the subject site.

2. Refuse the proposal.

The refusal of the application would reinforce Council's Strategic objectives for the area ensuring community benefit / integration as endorsed by the Land Use Master Plan, but would have a negative impact on the Town's vision of having a diversified economy.

It is recommended that the application be approved subject to conditions.

Attachments

1. Locality Plan
2. DEC Licence L8281/2008//1
3. DEC Works Approval W4770/2010/1
4. DEC Licence L8505/2010/1
5. Lease Agreement
6. Site Plan, Floor Plan and Elevations
7. Port Authority Letter
8. Emissions Table

Officer's Recommendation

That Council:

- A. Approves the planning application submitted by Holmes Environmental Pty Ltd on behalf of BGC, for an Industry – Noxious – Transportable Asphalt Plant at Part Lot 370 on Plan 35619 (Harbour Reserve) Wedgefield, subject to the following conditions:

1. This approval relates only to the proposed “Industry Noxious” – Transportable Asphalt Plant and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.
2. The Town of Port Hedland Town Planning Scheme No. 5, defines “Industry - Noxious” as:

“an industry which is subject to licensing as “Prescribed Premises” under the environmental Protection Regulations 1987 (as amended).”
3. This approval is to remain valid until 30 January 2014.
4. Prior to the submission of a Building Licence, amended plans being submitted to and approved by Council’s Manager Planning incorporating the following:
 - a. Detailed plans indicating a 6m setback from Draper Street, to the specifications of Council’s Manager Infrastructure Development and to the satisfaction of Council’s Manager Planning.
5. No on site accommodation or human habitation is permitted.
6. Prior to the commencement of any works whatsoever a Dust Management Plan shall be submitted to and approved by the Town.
7. Detailed landscaping and reticulation plan to be submitted and approved by Council’s Manager Planning. The plan is to include location, species and planting details with reference to Council’s list of recommended low-maintenance tree and shrub species included in Council Policy 10/001.
8. A minimum of 12 car parking bays (which may include oversize vehicle bays) are to be provided in conjunction with the proposed development to the satisfaction of Council’s Manager Planning.

9. Access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface by the developer to an approved design in accordance with TPS5 and Australian Standards, to the satisfaction of Council's Manager Planning.
 10. Driveway(s) and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005. A separate application is to be made for Crossover's.
 11. The applicant / proponent is to enter into an agreement with the Town of Port Hedland to contribute towards upgrading/maintaining Draper Street prior to use.
 12. All stormwater must be retained onsite. Disposal to be designed in accordance with Council's Engineering Department Guidelines, and to the satisfaction of Council's Manager Planning. For applications regarding site stormwater overflow into Council's existing drainage network, please contact Engineering Technical Officer on 9158 9608
- B. CEO is to write to the Premier and the Minister of Regional Development to identify the issues and request fast tracking the release of Boodarie land to accommodate these types of land uses.

FOOTNOTES:

1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. Waste receptacles 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 Council's Manager Planning Services.
3. Proposed W.C to be connected to the existing septic system by a licensed plumber.
4. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.

5. Operation of the premises is to be in compliance with DEC Licencing Conditions.
6. The applicant 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 Annual Recurrence Interval cycle of flooding could affect any property below the ten (10) metre level AHD. Developers shall obtain their own competent advice to ensure 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.
7. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

201112/073 Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- A. Approves the planning application submitted by Holmes Environmental Pty Ltd on behalf of BGC, for an Industry – Noxious – Transportable Asphalt Plant at Part Lot 370 on Plan 35619 (Harbour Reserve) Wedgefield, subject to the following conditions:**
1. This approval relates only to the proposed “Industry Noxious” – Transportable Asphalt Plant and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.
 2. The Town of Port Hedland Town Planning Scheme No. 5, defines “Industry - Noxious” as:

“an industry which is subject to licensing as “Prescribed Premises” under the environmental Protection Regulations 1987 (as amended).”
 3. This approval is to remain valid until 30 January 2014.

- 4. Prior to the submission of a Building Licence, amended plans being submitted to and approved by Council's Manager Planning incorporating the following:
 - a. Detailed plans indicating a 6m setback from Draper Street, to the specifications of Council's Manager Infrastructure Development and to the satisfaction of Council's Manager Planning.****
- 5. No on site accommodation or human habitation is permitted.**
- 6. Prior to the commencement of any works whatsoever a Dust Management Plan shall be submitted to and approved by the Town.**
- 7. Detailed landscaping and reticulation plan to be submitted and approved by Council's Manager Planning. The plan is to include location, species and planting details with reference to Council's list of recommended low-maintenance tree and shrub species included in Council Policy 10/001.**
- 8. A minimum of 12 car parking bays (which may include oversize vehicle bays) are to be provided in conjunction with the proposed development to the satisfaction of Council's Manager Planning.**
- 9. Access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface by the developer to an approved design in accordance with TPS5 and Australian Standards, to the satisfaction of Council's Manager Planning.**
- 10. Driveway(s) and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005. A separate application is to be made for Crossover's.**
- 11. The applicant / proponent is to enter into an agreement with the Town of Port Hedland to contribute towards upgrading/maintaining Draper Street prior to use.**

- 12. All stormwater must be retained onsite. Disposal to be designed in accordance with Council's Engineering Department Guidelines, and to the satisfaction of Council's Manager Planning. For applications regarding site stormwater overflow into Council's existing drainage network, please contact Engineering Technical Officer on 9158 9608**
- 13. The applicant to provide written confirmation and a copy of the renewed lease to Council prior to the building licence being issued.**

FOOTNOTES:

- 1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.**
- 2. Waste receptacles 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 Council's Manager Planning Services.**
- 3. Proposed W.C to be connected to the existing septic system by a licensed plumber.**
- 4. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.**
- 5. Operation of the premises is to be in compliance with DEC Licencing Conditions.**

6. The applicant 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 Annual Recurrence Interval cycle of flooding could affect any property below the ten (10) metre level AHD. Developers shall obtain their own competent advice to ensure 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.
7. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
- B. Chief Executive Officer is to write to the Premier and the Minister of Regional Development to identify the issues and request fast tracking the release of Boodarie land to accommodate these types of land uses.

CARRIED 4/3

REASON: Council believes it had to add a condition to clarify that the applicant should provide written confirmation and a copy of the renewed lease to Council prior to the building licence being issued.

Record of Vote:

FOR	AGAINST
Mayor K A Howlett	Cr S J Coates
Cr A A Carter	Cr J M Gillingham
Cr G J Daccache	Cr S R Martin
Cr M B Dzombiak	

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.2



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.2



Department of
Environment and Conservation

Your ref: L8281/2008/1
Our ref: DEC9242
Enquiries: Taygen Dray
Phone: 9333 7524
Fax: 9333 7550
Email: taygen.dray@dec.wa.gov.au

Mr Craig Hollingsworth
General Manager
BGC (Australia) Pty Ltd
PO Box 7223
CLOISTERS SQUARE WA 6850

Dear Mr Hollingsworth

Environmental Protection Act 1986

Licence L8281/2008/1 issued on Thursday 20 November 2008

Occupier: BGC (Australia) Pty Ltd

Premises: BGC Asphalt


You are hereby advised that a licence under the *Environmental Protection Act 1986* (the Act) has been granted for the above premises. The Department of Environment and Conservation will advertise the issuing of this licence in the public notices section of *The West Australian* newspaper and invite comments from interested parties.

The licence is subject to the attached conditions. Under section 58 of the Act, it is an offence to contravene a licence condition. This offence carries a penalty of up to \$125,000, with a daily penalty of up to \$25,000.

In accordance with section 102(1)(c) of the Act, you are afforded 21 days to appeal the conditions of the licence. Under section 102(3)(a) of the Act, any other person may also appeal the conditions of the licence.

To make an appeal or check if any appeals have been made, contact the Office of the Appeals Convenor. Please direct all other inquiries to Taygen Dray on 9333 7524.

Yours faithfully


Paul Byrnes
A/ Principal Environmental Officer

21 November 2008

enc: Environmental Protection Act 1986 – Licence L8281/2008/1
copy to: Local Government Authority: Can operate anywhere in Western Australia.

DIRECTOR GENERAL AND ENVIRONMENTAL SERVICES DIVISIONS: The Atrium, 140 St Georges Terrace, Perth, Western Australia 6000
Phone: (08) 467 5000 Fax: (08) 547 3337 TTY: 1800 555 400

FISHERY AND CONSERVATION SERVICES DIVISIONS: Executive Centre of Australia 11/110, and Vasey's Drive, Crawley, Western Australia 6009
Phone: (08) 9442 0000 Fax: (08) 9380 1577 Operations: 17 Dick Perry Avenue, Scarborough, Western Australia 6151
Phone: (08) 7344 5333 Fax: (08) 9441 0495 TTY: 9274 6200

POSTAL ADDRESS: FOR ALL DIVISIONS: Locked Bag 104, Bentley Delivery Centre, Western Australia 6102
www.dec.wa.gov.au



Department of
Environment and Conservation

LICENCE FOR PRESCRIBED PREMISES

Environmental Protection Act 1986

LICENCE NUMBER L8281/2008/1

FILE NUMBER DEC9242

LICENSEE AND OCCUPIER OF PREMISES

BGC (Australia) Pty Ltd
Lot 4 Stirling Crescent
Hazelmere WA 6055
PO Box 1257
Midland WA 6936
ACN: 005 736 005

NAME AND LOCATION OF PREMISES

Mobile plant, Serial numbers and Vehicle Identification Numbers (VIN); BGC 1 MA (6T9T25WA180AAK136), BGC 2 MA (6T9T25WA180AAK137), BGC 3 MA (6T9T25WA180AAK138) and BGC 4 MA (6T9T25WA180AAK139)
BGC Yard, Lot 4 on Diagram 55932 Stirling Crescent
Hazlemere WA 6065.

PRESCRIBED PREMISES CATEGORY

Schedule 1 of the *Environmental Protection Regulations 1987*

CATEGORY	DESCRIPTION	CAPACITY
35	Asphalt manufacturing: premises on which hot or cold mix asphalt is produced using crushed or ground rock aggregates mixed with bituminous or asphaltic materials for use at places or premises other than those premises	More than 2,000 but not more than 10,000 tonnes per year

CONDITIONS OF LICENCE

Subject to the conditions of licence set out in attached page.

Officer delegated under Section 20
of the *Environmental Protection Act 1986*

ISSUE DATE Friday, 21 November 2008

COMMENCEMENT DATE Friday, 21 November 2008

EXPIRY DATE Wednesday, 20 November 2013

Page 1 of 3

ATTACHMENT 3 TO AGENDA ITEM 11.1.1.2



Government of **Western Australia**
Department of **Environment and Conservation**

Your ref: W4770/2010/1
Our ref: 2010005661
Enquiries: Sonya Poor
Phone: 9182 2035
Fax: 9144 1115
Email: sonya.poor@doe.wa.gov.au

Mr Craig Hollingsworth
General Manager
BGC (Australia) Pty Ltd
PO Box 1257
HAZELMERE WA 6936

Dear Mr Hollingsworth

WORKS APPROVAL W4770/2010/1

Premises name: BGC Asphalt Plant

Premises location: Part Lot 370 on Plan 35619, Wedgefield WA 6721

I refer to your application received 20 September, 2010 for approval to carry out works at the above premises. The works approval **W4770/2010/1** (attached) has been granted subject to the conditions specified therein. The granting of this works approval does not remove the need to obtain any approvals required by other authorities before work commences.

I draw your attention to the General Conditions section of this works approval which requires you to submit a Compliance Document to verify compliance with the conditions of works approval upon completion of construction. This will enable an application for a licence or the amendment of an existing licence to be assessed.

If you are concerned about, or object to any aspect of the works approval you may lodge an appeal with the Minister for the Environment within 21 days from the date on which you receive this works approval. The Office of the Appeals Convenor can be contacted on 6467 5190 to find out the procedure and fee.

Members of the public may also appeal the conditions of the works approval. The Appeals Registrar at the Office of the Appeals Convenor can be contacted after the closing date of appeals to check whether any appeals were received.

If you have any questions relating to the conditions of the works approval, please contact Sonya Poor at Karratha office on 9182 2035.

Yours sincerely

Peter Vasei
Manager, Works Approvals and Emissions Licensing Section

Thursday, 4 November 2011

enc: *Environmental Protection Act 1986*, Works Approval W4770/2010/1, EAR
DIRECTOR GENERAL AND ENVIRONMENTAL SERVICES DIVISIONS, The Atrium, 168 St Georges Terrace, Perth, Western Australia 6000
Copy to Local Government Authority: Town of Port Hedland

Phone: (08) 6467 5000 Fax: (08) 6467 5562
PARKS AND CONSERVATION SERVICES DIVISIONS: Executive: Corner of Australia II Drive and Hackett Drive, Crawley, Western Australia 6009
Phone: (08) 9442 0300 Fax: (08) 9386 1578 Operations: 17 Dick Perry Avenue, Technology Park, Kensington, Western Australia 6151
Phone: (08) 9219 8000 Fax: (08) 9334 0498

POSTAL ADDRESS FOR ALL DIVISIONS: Locked Bag 104, Bentley Delivery Centre, Western Australia 6983
www.dec.wa.gov.au
wa.gov.au

11/11/11

ATTACHMENT 4 TO AGENDA ITEM 11.1.1.2



Government of Western Australia
Department of Environment and Conservation

Your ref: L8505/2010/1
Our ref: 2010/010354
Enquiries: Sonya Poor
Phone: 9182 2036
Fax: 9144 1118
Email: sonya.poor@dec.wa.gov.au

Mr Craig Hollingsworth
General Manager – BGC Quarries and Asphalt
BGC (Australia) Pty Ltd
PO Box 7223
Cloisters Square
PERTH WA 6850

Dear Mr Hollingsworth

Environmental Protection Act 1986

Licence L8505/2010/1

Occupier: BGC (Australia) Pty Ltd

Premises: BGC Asphalt Plant, Part Lot 370 on Plan 35619, Wedgefield WA 6721

You are hereby advised that a licence under the *Environmental Protection Act 1986* (the Act) has been granted for the above premises. The Department of Environment and Conservation will advertise the issuing of this licence in the public notices section of *The West Australian* newspaper.

The licence is subject to the attached conditions. Under section 58 of the Act, it is an offence to contravene a licence condition. This offence carries a penalty of up to \$125,000, with a daily penalty of up to \$25,000.

In accordance with section 102(1)(c) of the Act, you are afforded 21 days to appeal the conditions of the licence. Under section 102(3)(a) of the Act, any other person may also appeal the conditions of the licence.

To make an appeal or check if any appeals have been made, contact the Office of the Appeals Convener on 6467 5190. Please direct all other inquiries to the Licensing Officer above.

Yours faithfully,

Peter Vasel
Manager, Works Approval & Emissions Licensing Section

Thursday, 10 March 2011

enc: Environmental Protection Act 1986 Licence L8505/2010/1
copy to: Local Government Authority: Town of Port Hedland

DIRECTOR GENERAL AND ENVIRONMENTAL SERVICES DIVISIONS: The Atrium, 168 St Georges Terrace, Perth, Western Australia 6000
Phone: (08) 6467 5000 Fax: (08) 6467 5562 TTY: 1800 555 630
PARKS AND CONSERVATION SERVICES DIVISIONS: Executive: Corner of Australia II Drive and Heckell Drive, Crawley, Western Australia 6009
Phone: (08) 9442 0300 Fax: (08) 9386 1578 Operations: 17 Dick Perry Avenue, Technology Park, Kensington, Western Australia 6151
Phone: (08) 9219 6000 Fax: (08) 9334 0498 TTY: 9334 0546
POSTAL ADDRESS FOR ALL DIVISIONS: Locked Bag 104, Bentley Delivery Centre, Western Australia 6983
www.dec.wa.gov.au
wa.gov.au

REC-101



Government of Western Australia
Department of Environment and Conservation

LICENCE FOR PRESCRIBED PREMISES *Environmental Protection Act 1986*

LICENCE NUMBER: L8505/2010/1

FILE NUMBER: 2010/010354

LICENSEE AND OCCUPIER OF PREMISES

BGC (Australia) Pty Ltd
Lot 4 Stirling Court
HAZELMERE WA 6055
ACN: 005 736 005

NAME AND LOCATION OF PREMISES

BGC Asphalt Plant
Part Lot 370 on Plan 35619
WEDGEFIELD WA 6721
(as depicted in Attachment 2)

PRESCRIBED PREMISES CATEGORY

Schedule 1 of the Environmental Protection Regulations 1987

CATEGORY	DESCRIPTION	CAPACITY
35	Asphalt manufacturing	More than 2 000 but not more than 10 000 tonnes per year

CONDITIONS OF LICENCE

Subject to the conditions of licence set out in the 7 attached pages.

Officer delegated under Section 20
of the *Environmental Protection Act 1986*

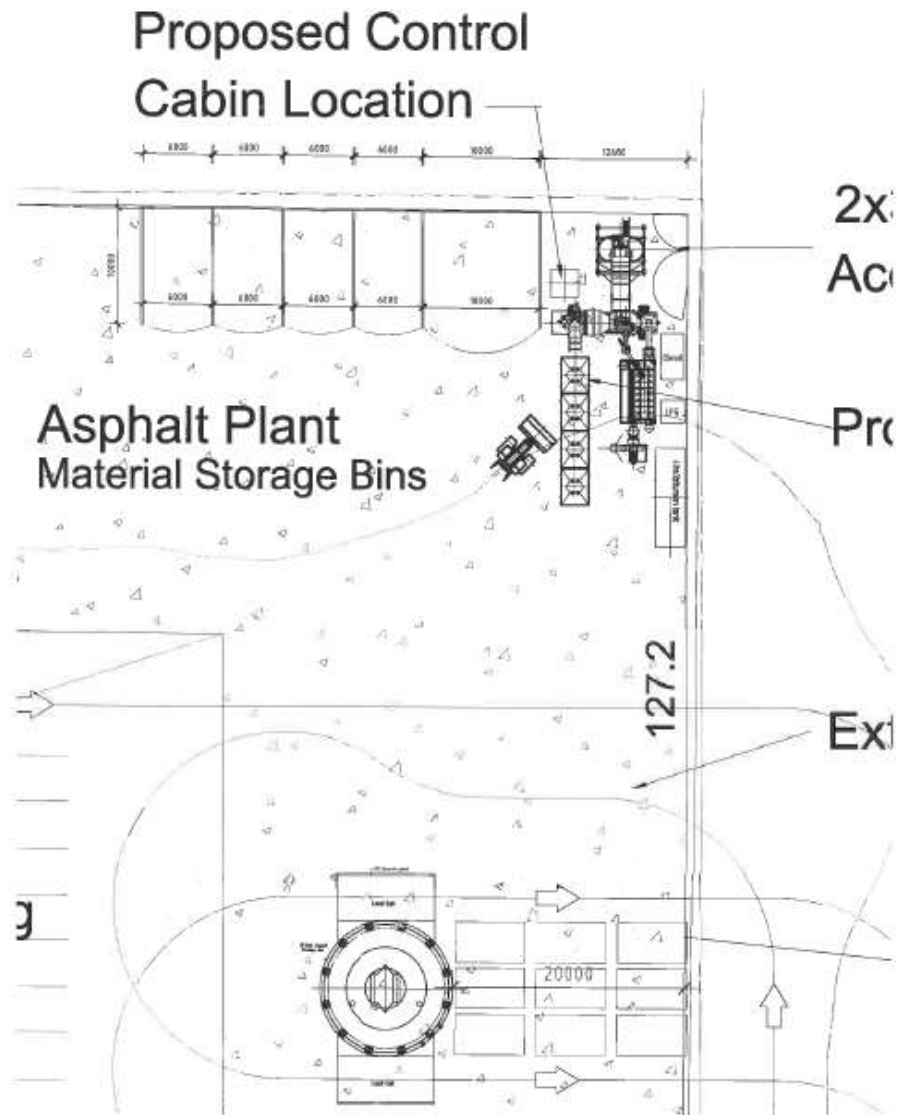
ISSUE DATE Thursday, 10 March 2011

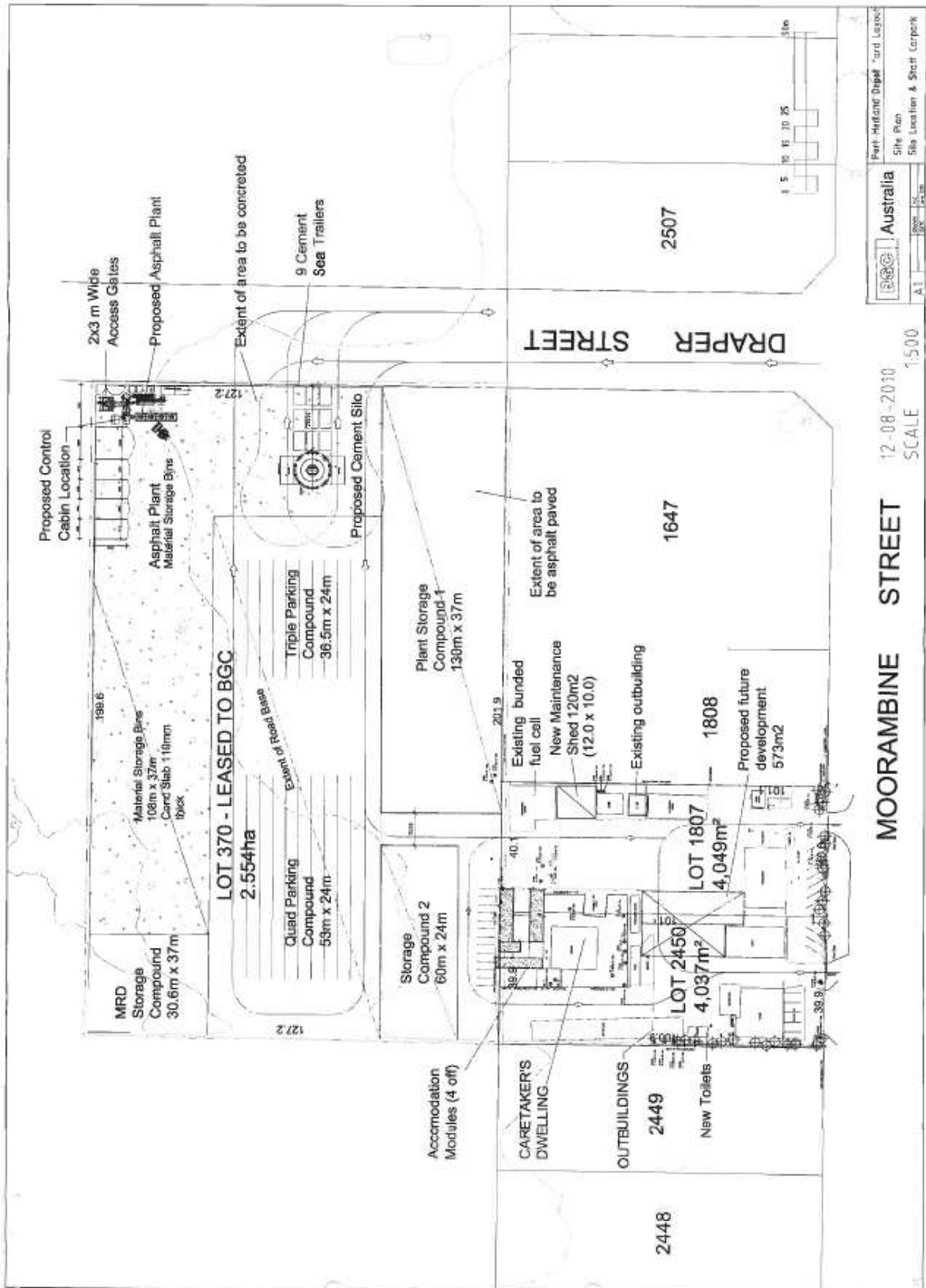
COMMENCEMENT DATE: Monday, 14 March 2011

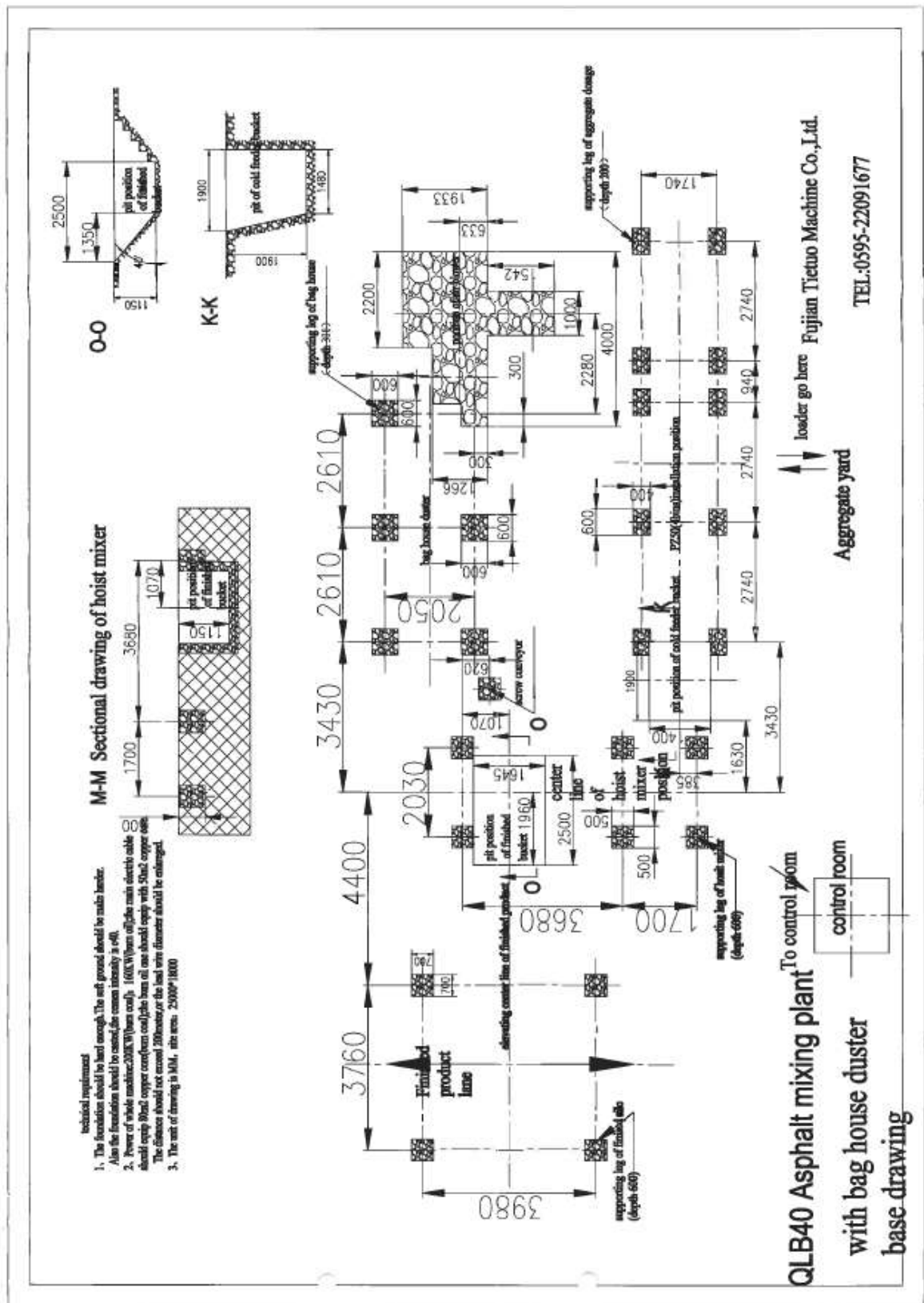
EXPIRY DATE: Sunday, 13 March 2016

Page 1 of 8

ATTACHMENT 5 TO AGENDA ITEM 11.1.1.2







ATTACHMENT 6 TO AGENDA ITEM 11.1.1.2

IPA14154 linked to 2011/13

PORT HEDLAND PORT AUTHORITY
 PO BOX 2, PORT HEDLAND, WESTERN AUSTRALIA 6721
<http://www.phpa.com.au> Email phpa@phpa.com.au
 CW:DK:

ENTERED
 DATE 30/03/11 Michelle
 TELEPHONE (08) 9173 0000
 FACSIMILE (08) 9173 0060
 ABN 94 987 448 870

25 March 2011

Planning Manager
 Town of Port Hedland
 PO Box 41
 Port Hedland WA 6721

Dear Sir/Madam

Development Application – Transportable Asphalt Plant to replace approved Mobile Asphalt Plant Lot 370, Draper Street, Wedgefield

Having reviewed the document Planning Application to the Town of Port Hedland – Transportable Asphalt Plant to be Located at Lot 37, Wedgefield, Town of Port Hedland, WA. I am satisfied that the application meets the environmental requirements of the Port Hedland Port Authority and have therefore signed Town of Port Hedland Application for Planning Consent Form that was forwarded to me on behalf of BGC – that is now in your possession.

Therefore the Port Hedland Port Authority has no objection to the BGC proposal for Lot 370, Draper Street, Wedgefield.

Yours sincerely

Craig Wilson
 Environment & Heritage Manager
 Port Hedland Port Authority

Document #: IPA14154
 Date: 29.03.2011
 Officer: LEONARD LONG
 File: 1223800

ATTACHMENT 7 TO AGENDA ITEM 11.1.1.2



Government of Western Australia
Department of Environment and Conservation

**ENVIRONMENTAL
ASSESSMENT
REPORT**

APPENDIX A: EMISSIONS AND DISCHARGES RISK ASSESSMENT MATRIX

Table 3: Measures of Significance of Emissions

Emissions as a percentage of the relevant emission or ambient standard		Worst Case Operating Conditions (95 th Percentile)			
		>100%	50 – 100%	20 – 50%	<20%*
Normal Operating Conditions (50 th Percentile)	>100%	5	N/A	N/A	N/A
	50 – 100%	4	3	N/A	N/A
	20 – 50%	4	3	2	N/A
	<20%*	3	3	2	1

*For reliable technology, this figure could increase to 30%

Table 4: Socio-Political Context of Each Regulated Emission

		Relative proximity of the interested party with regards to the emission				
		Immediately Adjacent	Adjacent	Nearby	Distant	Isolated
Level of Community Interest or Concern*	5	High	High	Medium High	Medium	Low
	4	High	High	Medium High	Medium	Low
	3	Medium High	Medium High	Medium	Low	No
	2	Low	Low	Low	Low	No
	1	No	No	No	No	No

Note: These examples are not exclusive and professional judgement is needed to evaluate each specific case

*This is determined by DEC using the DEC "Officer's Guide to Emissions and Discharges Risk Assessment" May 2006.

Table 5: Emissions Risk Reduction Matrix

		Significance of Emissions				
		5	4	3	2	1
Socio-Political Context	High	A	A	B	C	D
	Medium High	A	A	B	C	D
	Medium	A	B	B	D	E
	Low	A	B	C	D	E
	No	B	C	D	E	E

PRIORITY MATRIX ACTION DESCRIPTORS

- A = Do not allow (fix)
- B = licence condition (setting limits + EMPs - short timeframes)(setting targets optional)
- C = licence condition (setting targets + EMPs - longer timeframes)
- D= EIPs, other management mechanisms/licence conditions (monitoring/reporting)/other regulatory tools
- E = No regulation, other management mechanisms

Note: The above matrix is taken from the DEC Officer's Guide to Emissions and Discharges Risk Assessment May 2006.

11.1.1.3 *Delegated Planning, Building & Environmental Health Approvals and Orders for July 2011 (File No.: 18/07/0002 & 07/02/0003)*

Officer **Cassandra Woodruff
Executive Assistant
Planning &
Development**

Date of Report **16 August 2011**

Disclosure of Interest by Officer **Nil**

Summary

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the month of July 2011. A list of current legal actions is also incorporated.

Background

A listing of Planning, Building and Environmental Health approvals and Orders issued by Council's Planning, Building and Environmental Health Services under Delegated Authority for the month of July 2011 are attached to this report. Further to Council's request a listing of current legal actions is also attached to this report.

Consultation

Nil

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

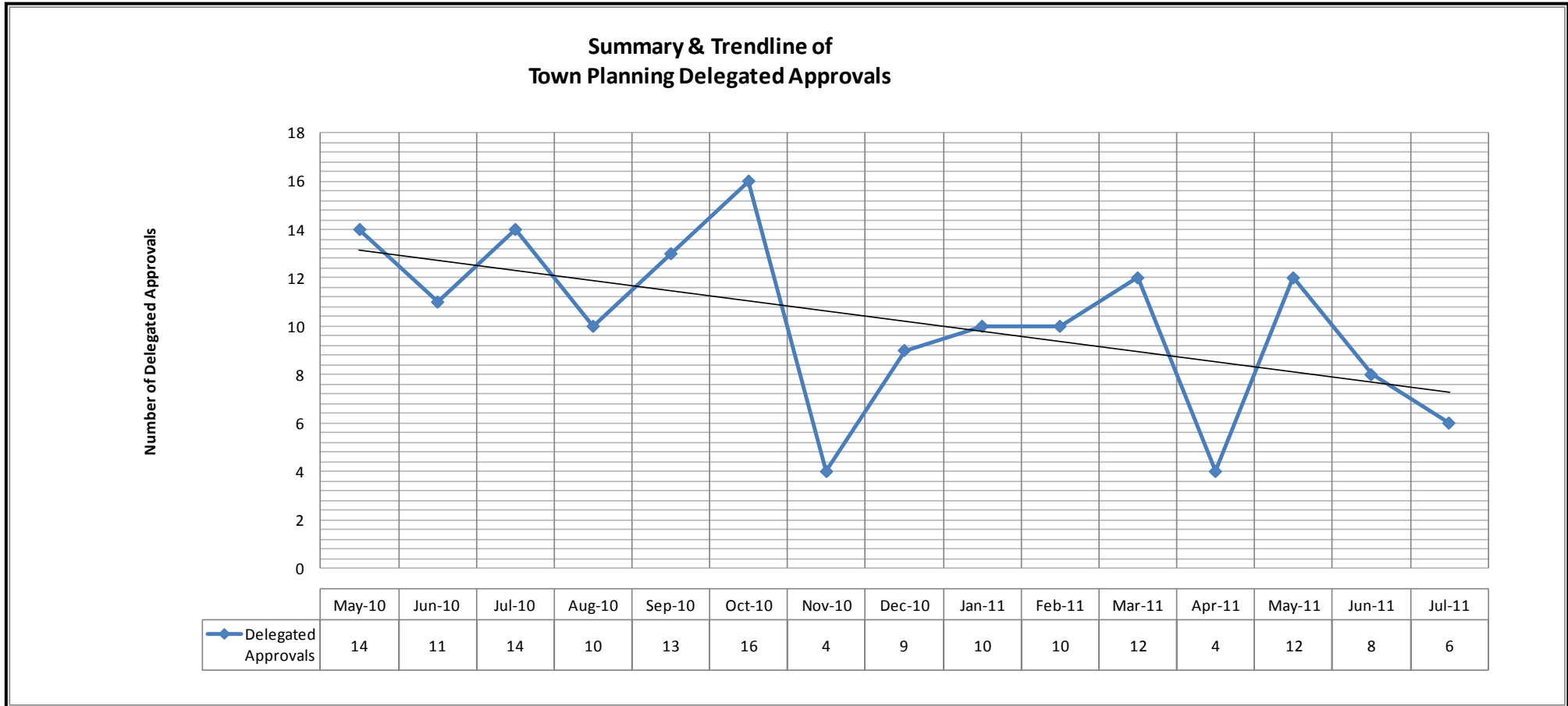
Nil

DELEGATED PLANNING APPROVALS FOR JULY 2011

PLANNING APPROVALS - DELEGATED AUTHORITY - JULY 2011

Applic No	Applic date	Date Determined	Description	Location	Owners Name	Applicants name	Development Value
2011/110	09/03/2011	19/07/2011	PROPOSED RESIDENTIAL BUILDING	PORT HEDLAND	ANDREW ROGER GRAHAM	Owen Hightower	\$ 1,600,000
2011/224	18/05/2011	21/07/2011	PROPOSED COMMUNITY USE - SOLAR PANELED SHADE STRUCTURE	PORT HEDLAND	BHP BILLITON MINERALS PTY LTD	JOE HURNUNG	\$ 50,000
2011/225	18/05/2011	11/07/2011	INFRASTRUCTURE - Air Quality Monitoring Station	PORT HEDLAND	Department Of Housing	ECOTECH PTY LTD	\$ 80,000
2011/237	25/05/2011	21/07/2011	4 WAREHOUSES" AND 4 "INDUSTRIAL - LIGHT" UNITS"	WEDGEFIELD	CROWN	PULITANO BUILDING CO PTY LTD	\$ 1,800,000
2011/265	14/06/2011	25/07/2011	TWO GROUPE D DWELLING" (ONE EXISTING)"	SOUTH HEDLAND	JOZEF PETER RINKENS	Benson Design	\$ 500,000
2011/275	20/06/2011	28/07/2011	STORAGE FACILITY/DEPOT/LAYDOWN AREA -	PORT HEDLAND	PORT HEDLAND PORT AUTHORITY	CALTEX AUSTRALIA PTY LTD	\$ 800

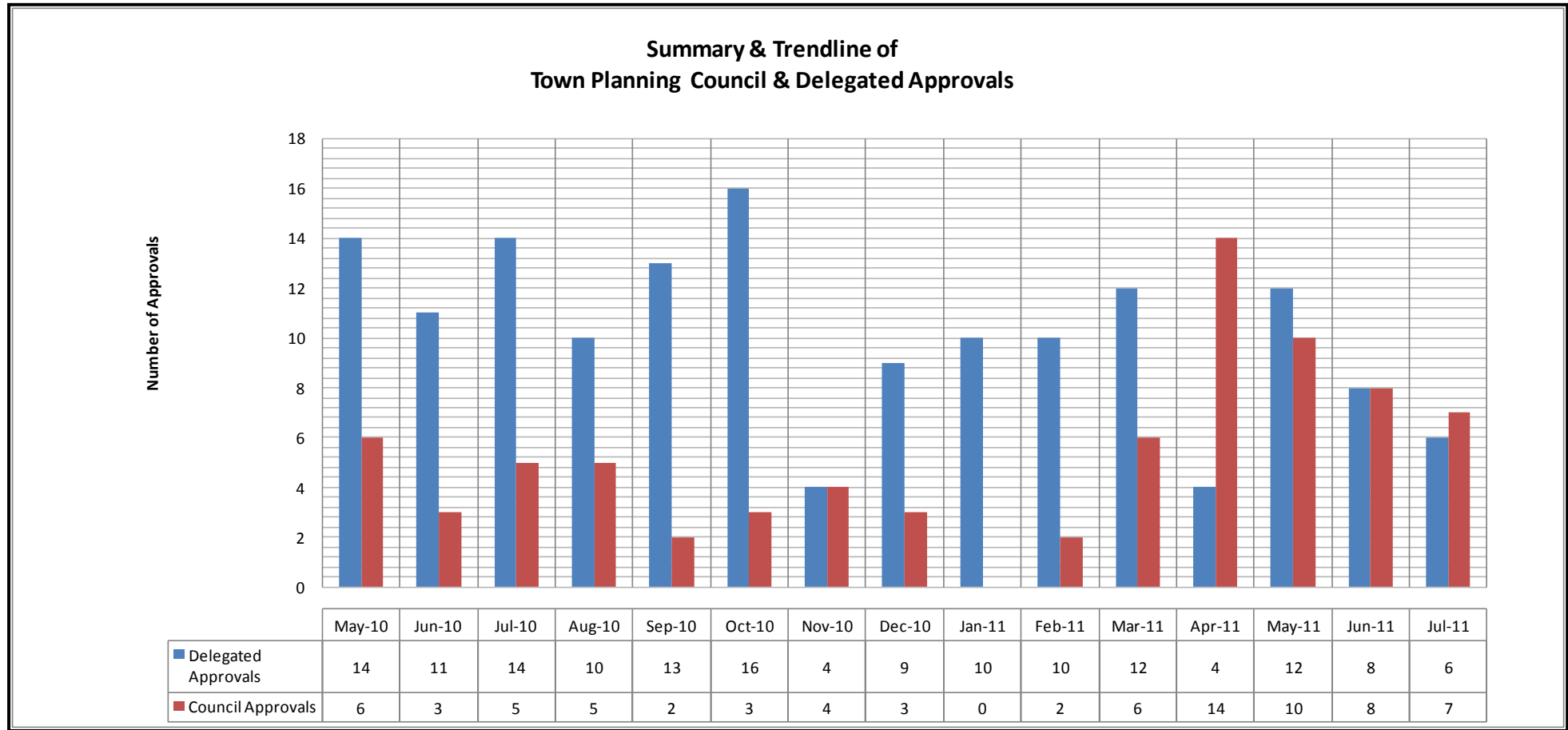
DELEGATED PLANNING APPROVALS FOR JULY 2011 Cont'd....



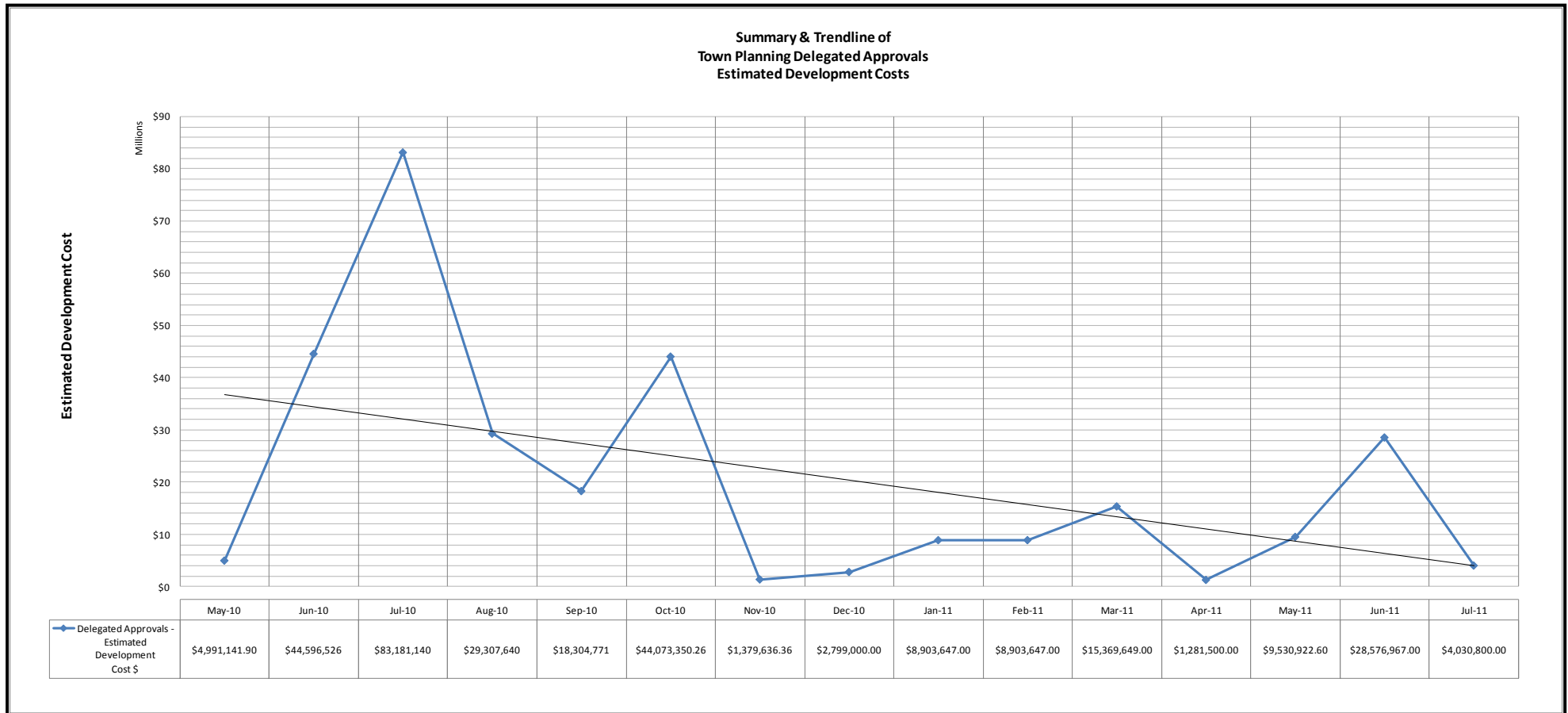
* PLEASE NOTE THE ABOVE STATISTICS FOR 2010 HAVE BEEN UPDATED DUE TO A PLANNING ADMINISTRATION ERROR

* STATISTICS FOR APRIL 2011 ARE LOW DUE TO 14 APPROVALS BEING GRANTED BY COUNCIL

DELEGATED PLANNING APPROVALS FOR JULY 2011 Cont'd...



DELEGATED PLANNING APPROVALS FOR JULY 2011 Cont'd...



* PLEASE NOTE THE ABOVE STATISTICS FOR 2010 HAVE BEEN UPDATED DUE TO A PLANNING ADMINISTRATION ERROR

* STATISTICS FOR APRIL 2011 ARE LOW DUE TO 14 APPROVALS BEING GRANTED BY COUNCIL

DELEGATED BUILDING APPROVALS FOR JULY 2011

BUILDING LICENCES						
Licence Number	Decision Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification
100309	12.07.2011	SOUTH HEDLAND	Outbuilding	\$ 12,000	19	Class 10a
100311	26.07.2011	SOUTH HEDLAND	4 x Shade Structures	\$ 27,800	0	Class 10b
100313	27.07.2011	SOUTH HEDLAND	1 x Patio	\$ 20,000	20	Class 10a
105048	06.07.2011	SOUTH HEDLAND	Below Ground Swimming Pool	\$ 31,000	0	Class 10b
105049	07.07.2011	SOUTH HEDLAND	1 x Below Ground Swimming Pool	\$ 34,000	0	Class 10b
100312	27.07.2011	SOUTH HEDLAND	1 x Fence	\$ 35,000	0	Class 10b
105050	27.07.2011	SOUTH HEDLAND	1 x Below Ground Swimming Pool	\$ 37,000	0	Class 10b
104005	27.07.2011	PORT HEDLAND	1 x Sign	\$ 1,485	0	Class 10b
100315	27.07.2011	PORT HEDLAND	1 x Retaining Wall	\$ 16,828	0	Class 10b
100319	29.07.2011	SOUTH HEDLAND	18 x Shade Structures	\$ 650,000	0	Class 10b
100318	28.07.2011	PORT HEDLAND	3 x Grouped Dwelling	\$ 704,589	167	Class 1a
100310	26.07.2011	SOUTH HEDLAND	Grouped Dwellings (36 Units)Below Groun	\$ 4,796,000	2333	Class 1a 10a and 10b
102029	12.07.2011	SOUTH HEDLAND	Existing Laundry Bathroom Storeroom an	\$ 19,000	30	Class 1a and 10a
100316	28.07.2011	VIA PORT HEDLAND	Transient Workforce Accommodation - Rail	\$ 15,000,000	200	Class 3
100308	11.07.2011	SOUTH HEDLAND	Refurbishment and Addition of Early Lear	\$ 715,000	332	Class 9b
	12.07.2011	SOUTH HEDLAND	Strata Application		0	Class 1a
100314	27.07.2011	PORT HEDLAND	Civil works and Retaining Wall	\$ 30,000	0	Class 10b
Licences		17		\$ 4,163,226		

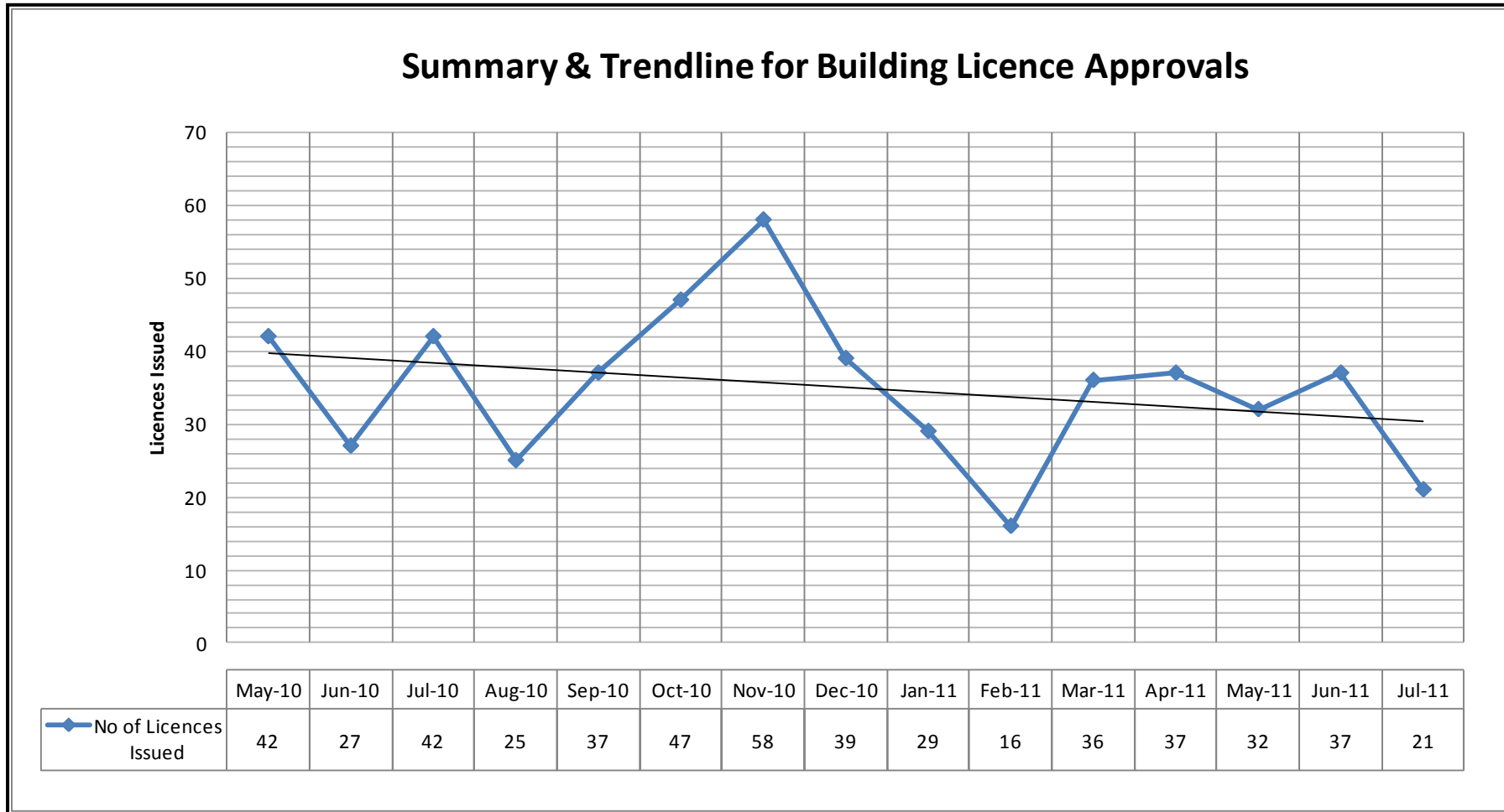
\$ 22,129,702

Corrected at the Ordinary Meeting of the Town of Port Hedland Council on 21 September 2011 per Council Resolution 201112/103.

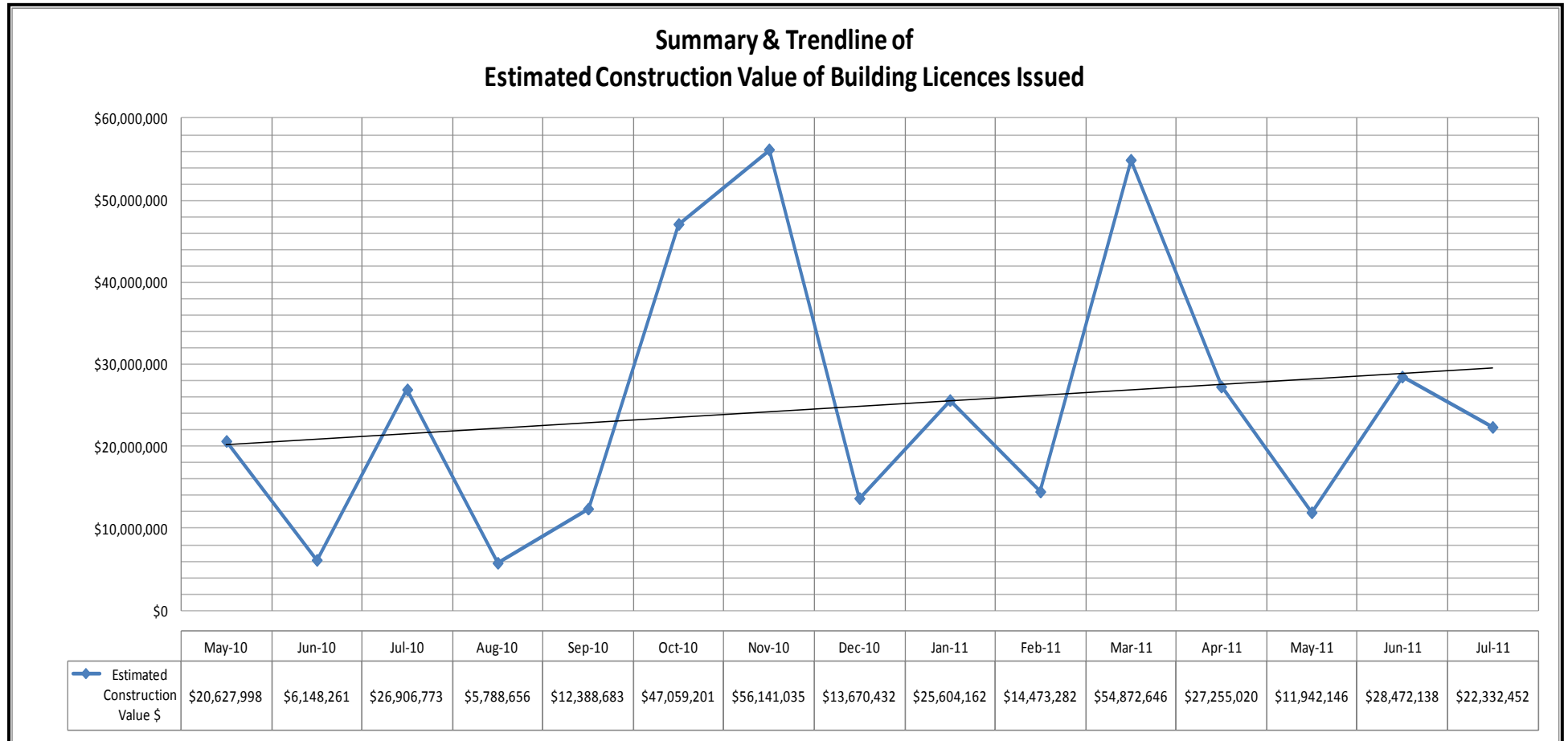
DELEGATED BUILDING APPROVALS FOR JULY 2011 Cont'd...

SUMMARY				
No of Licences	Licence Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
4	Demolitions	\$202,750		
4	Dwellings	\$5,519,589	2,530	\$2,182
2	Class 10a	\$32,000	39	\$821
9	Class 10b	\$863,113	0	
2	Commercial	\$15,715,000	532	\$29,539
	Other			
21		\$22,332,452	3,101	

DELEGATED BUILDING APPROVALS FOR JULY 2011 Cont'd...



DELEGATED BUILDING APPROVALS FOR JULY 2011 Cont'd...



CURRENT LEGAL ACTIONS BEING UNDERTAKEN AS OF JULY 2011

CURRENT LEGAL MATTERS					
File No.	Address	Issue	First Return Date	Current Status	Officer
WEDGEFIELD					
121670G	Lot 3 Trig Street (J Yujnovich)	Non-compliance with planning conditions	~ First return date 21/1/09	~ Trial set down for 13 & 14 September 2010 in Perth. ToPH witnesses to attend. ~ Magistrate has found J Yujnovich guilty sentencing will be in +/- 3 weeks ~ Fine imposed of approx \$20,000 ~ Fine paid in full ~ Appointment of Compliance Office has been completed, Matter is being investigated ~ No improvement made to property ~ Letter requesting committment to remove materials prepared by McLeods Barristers & Solicitors ~ If committment not received within 14 days of issue further proceeding to commence ~ A meeting is being organised onsite with J Yujnovich ~ Meeting Friday 19/08/2011 2 pm ~ If a satisfactory timeline of site clean up not drawn up, further proceedings to commence	MP
REDBANK					
116770G	Lot 134 Roche Road (Western Desert)	Illegal laydown area - Second Offence		~ Referred to Council Solicitors ~ Notices have been issued ~ Extension granted to February ~ Magistrate has moved matter to be heard in Perth 28th March ~ Matter has been heard and found quilty, fined \$20,000 plus \$2500 in legal costs ~ Memeorial has been placed against the property ~ Costs have not been paid McLeods Barristers & Solicitors to initiate another memorial, this means costs will be recovered if Western Desert sell property.	MP
SOUTH HEDLAND RURAL ESTATE					
SOUTH HEDLAND					
PORT HEDLAND					

CURRENT HEALTH ORDERS AS OF JULY 2011

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

Attachments

Nil

Officer's Recommendation

That the Schedule of Planning and Building approvals, Environmental Health Orders issued by Delegated Authority and the listing of current legal actions for the month of July 2011 be received.

201112/074 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That the Schedule of Planning and Building approvals, Environmental Health Orders issued by Delegated Authority and the listing of current legal actions for the month of July 2011 be received.

CARRIED 7/0

11.1.1.4 Proposed Permanent Closure of Various Pedestrian Access Ways, Pretty Pool (File No.: 18/07/0010)

Officer Caris Vuckovic
Lands Officer

Date of Report 11 April 2011

Disclosure of Interest by Officer Nil

Summary

As a result of various requests from owners adjoining Pedestrian Access Ways (PAW's) in Pretty Pool, and following an advertising / comment period, Council is requested to support the closure of a number of PAW's.

Background

Pedestrian access ways were originally established as part of land subdivision in accordance with Section 20A of the, then, *Town Planning and Development Act 1928*. They were seen as a means of providing for the unimpeded movement of pedestrians and cyclists in and around residential neighbourhood's following the change from traditional grid pattern road layouts to designs based on cul-de-sac and loop roads.

The following Pedestrian Access Ways have been investigated for possible closure:

1. Reserve 40424 Lot 5604 Matheson Drive;
2. Reserve 40425 Lot 5631 Matheson Drive/Langley Gardens;
3. Reserve 40651 Lot 5653 Styles Road;
4. Reserve 40426 Lot 5673 Counihan Crescent/Langley Gardens;
5. Reserve 40423 Lot 5773 Pennings Court/Sharman Mews;
6. Reserve 40422 Lot 5735 Cunneen Cove;
7. Reserve 40422 Lot 8001 Counihan Crescent;
8. Reserve 40421 Lot 5720 Butler Way; and
9. Reserve 40421 Lot 8002 Panjya Parade.

Consultation

Comments were sought from the internal departments and public service providers and no objections were raised.

All property owners within the Pretty Pool area were given notification in writing of the proposal with opportunity to comment.

Three submissions were received of which one objected to the proposed closing of Reserve 40424, Lot 5604 Matheson Drive, due to flooding concerns.

Grounds of Objection

The objection was received by a resident who has stated they have witnessed that during recent heavy rains, storm water flows from vacant land north through the P.A.W to Matheson Drive.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

The benefits of many of the PAW's are questionable, as they do not link any high usage facilities or destinations such as the local parks or swimming areas. It is considered the PAW's would be used only sparingly and would not generally be of benefit to the community as a whole. The road verges and pathways provide alternative routes that would only add a couple of hundred metres to any journey.

It is evident from the attachments that many of the PAW's cannot be maintained on a regular basis and are subject to overgrown vegetation, accumulation of rubbish and antisocial behaviour. However, it would appear that certain of the PAW's are maintained and utilised by the community.

As a result it is recommended that the following PAW's are not closed at this time:

- Reserve 40424, Lot 5604 Matheson Drive,
- Reserve 40426, Lot 5673 Counihan Crescent, and
- Reserve 40425, Lot 5631 Langley Gardens.

Options

Council has the following options for responding to the request:

1. Support the request for closure of recommended Pedestrian Access Way Reserves identified within this report.

The closure of these Pedestrian Access Ways will improve the streetscape by allowing the unused PAW's to be incorporated with surrounding properties, while at the same time enhancing security.

2. Reject the request for closure of Pedestrian Access Way Reserves identified within this report.

Should Council choose not to support the closures, the pedestrian access ways will remain unused and unsightly.

Option 1 is recommended for approval.

Attachments

1. Locality Plans; and
2. Location Photos.

201112/075 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

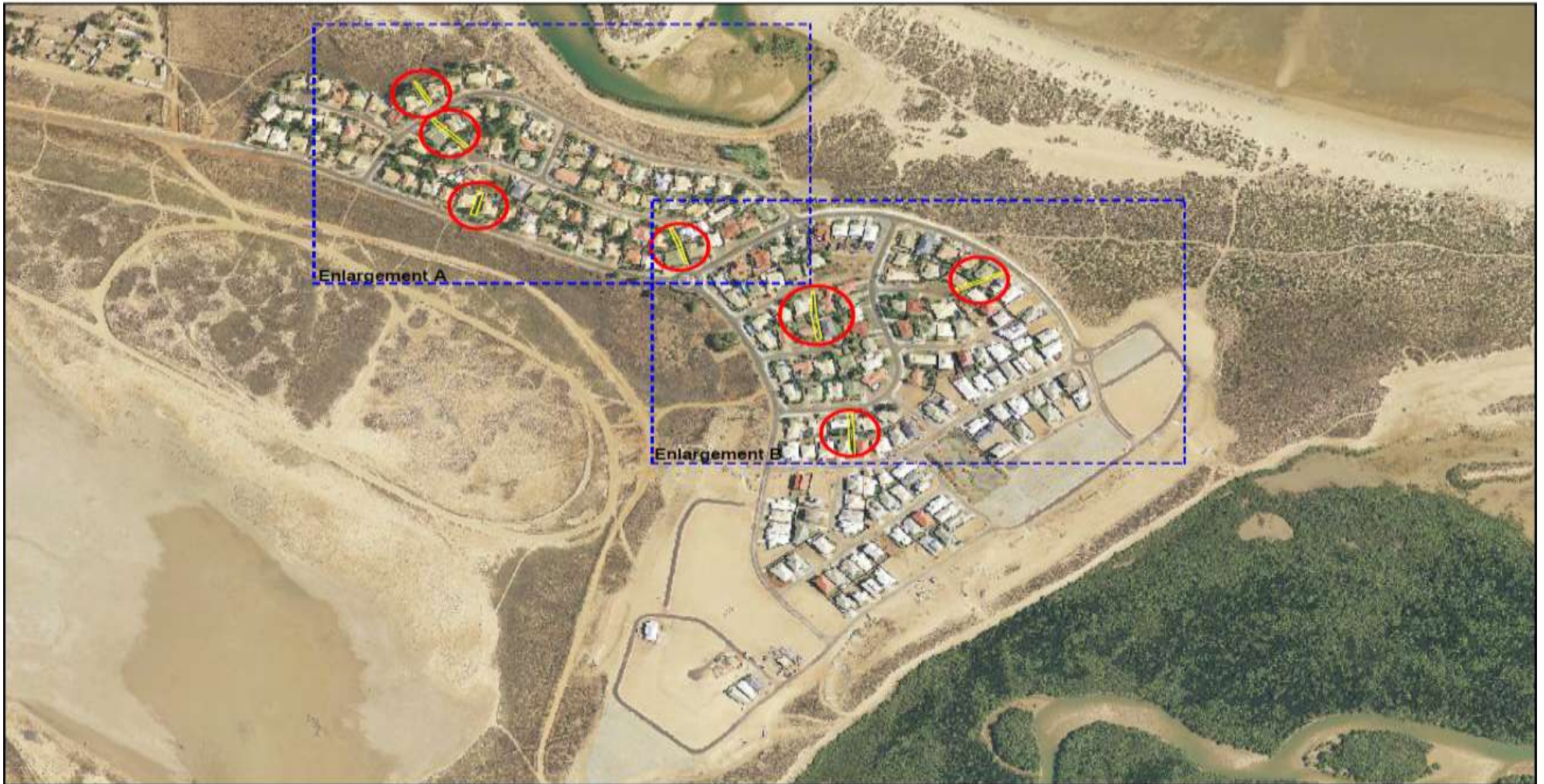
Seconded: Cr J M Gillingham

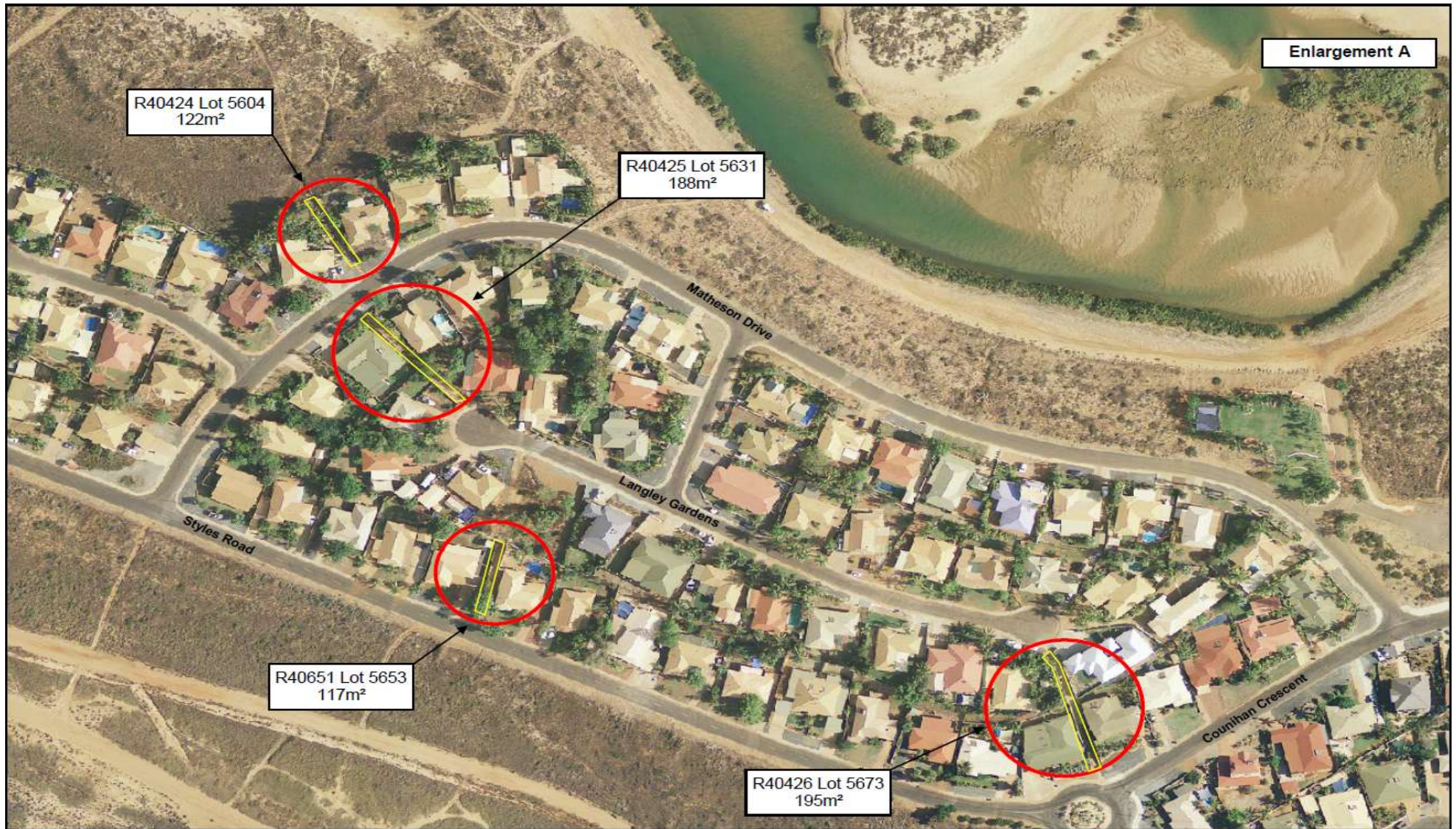
That Council:

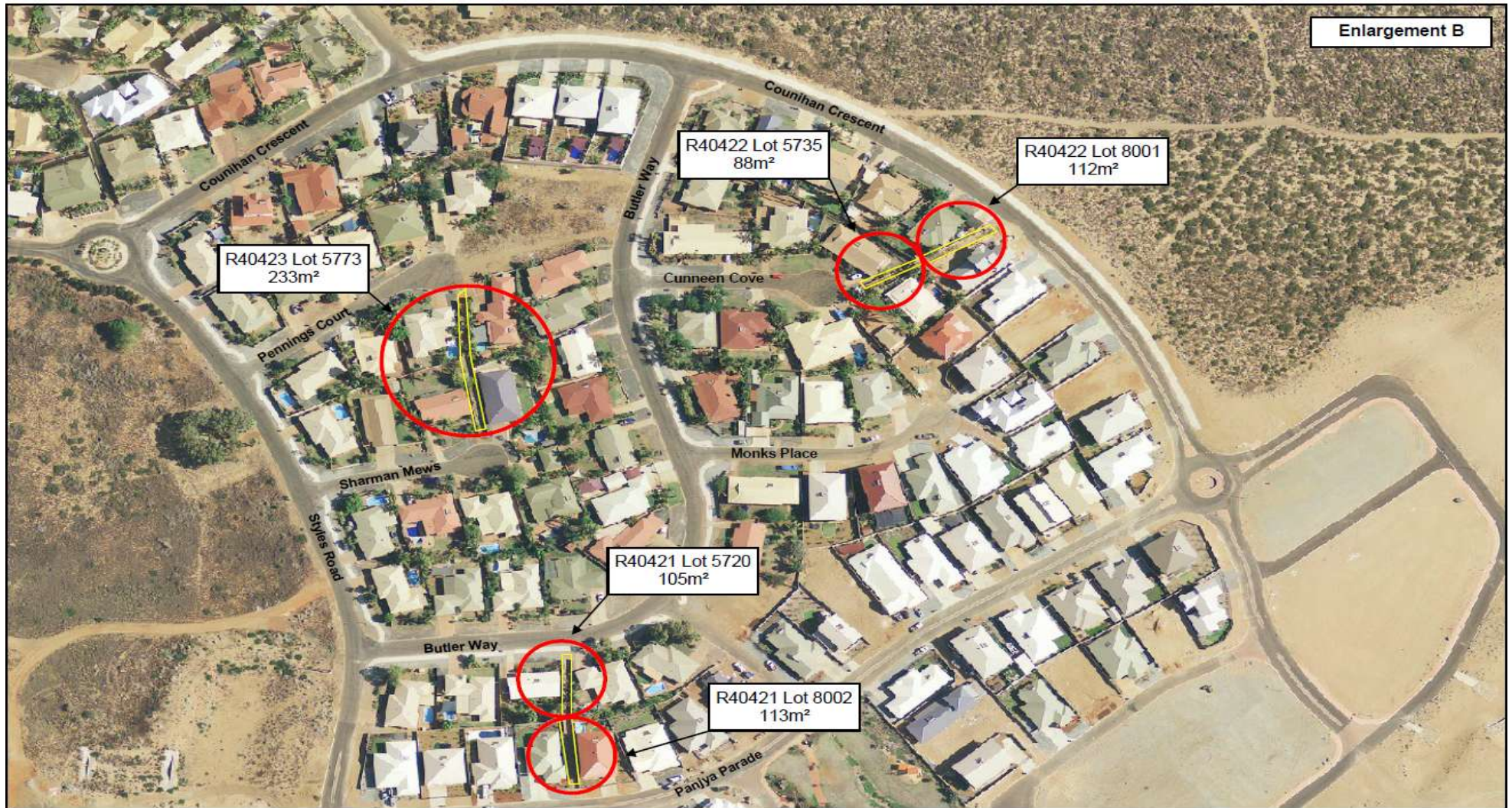
1. **Supports the permanent closure of the following Reserves:**
 - a. Reserve 40651 Lot 5653 Styles Road
 - b. Reserve 40423 Lot 5773 Pennings Court/Sharman Mews
 - c. Reserve 40422 Lot 5735 Cunneen Cove
 - d. Reserve 40422 Lot 8001 Counihan Crescent
 - e. Reserve 40421 Lot 5720 Butler Way
 - f. Reserve 40421 Lot 8002 Panjya Parade
2. **Advertises the proposed Pedestrian Accessway Closures for a period of 35 days pursuant to section 58(3) of the *Land Administration Act 1997*,**
3. **Subject to no objections being received during the advertising period delegates the Director Planning & Development Services under Delegation 40(12) to submit the Pedestrian Access Way closure request to the Department of Regional Development and Lands (State land Services), subject to no adverse submissions being received during the statutory advertising period.**
4. **Requests the Department of Regional Development and Lands to begin negotiations with adjoining land owners to amalgamate the closed PAW's into their properties.**

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.4







ATTACHMENT 2 TO AGENDA ITEM 11.1.1.4



Reserve 40426 Lot 5673 Counihan Crescent/Langley Gdns



Reserve 40425 Lot 5631 Langley Gdns/Matheson Drive



Reserve 40651 Lot 5653 Styles Road



11.1.1.5 Proposed Flood Levee at Miscellaneous License 45/220 being part Lot 500 Plan 65734 and Part Unallocated Crown Land (File No.: 804553G)

Officer Luke Cervi
Senior Planning Officer

Date of Report 10 August 2011

Disclosure of Interest by Officer Nil

Summary

Council has received a request from Dampier Salt Limited for Infrastructure - flood levee on proposed Miscellaneous License M45/220 (being part Lot 500 on Plan 65734 and part Unallocated Crown Land).

The proposed flood levee would be located on 'reserved' land. Council Officers do not have delegation to consider development of 'reserved' land, subsequently a decision is required by Council.

Background

Dampier Salt's operations have been severely impacted by Cyclones and related flooding in recent years. A study was commissioned to identify risks and possible mitigation measures that could be applied which has led to the application for a flood levee.

Consultation

Extensive consultation has been undertaken with the Department of Water (DoW) who are the responsible floodplain managers. DoW have advised that the proposal:

Is not considered to have a detrimental impact on major flooding

In addition, consultation has occurred with Council's Engineering Department and Department of Mines and Petroleum who manage adjoining lands on behalf of the Crown.

Statutory Implications

In accordance with Section 2.3 of TPS5, the following matters must be considered by Council:

- a) The ultimate purpose intended for the reservation
- b) Intentions of agencies with responsibility for managing and developing the reservation
- c) Confer with organizations it considers relevant to the reservation and the proposed use or development.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

The application fee of \$4,510.49 was paid in accordance with Council's adopted Town Planning Fees and Charges, and deposited into account 1009482.

Officer's Comment

The proposed flood levee will provide valuable protection to the Dampier Salt Operations Production Crystallizers. The proposed flood levee will be located partially on land reserved for "Other Purposes – Explosives Safety Area" and part land zoned "Rural". The land is currently Crown land controlled by Department of Mines and Petroleum however, Dampier Salt have lodged an application for a Miscellaneous Licence to enable the flood levee to be constructed.

The primary issue relating to the proposal is the possible detrimental impacts that it could have on flooding in the area, particularly land south and east of the levee. After extensive consultation with DoW which included the need to obtain additional information from the applicant, it has been concluded by DoW that the flood levee will not detrimentally impact on flooding of surrounding lands.

Options

Council has the following options of dealing with the matter:

1. Approve the proposed flood levee

This option will provide valuable protection to Dampier Salt Operations Production Crystallizers without detrimentally impacting adjoining properties by way of flood.

2. Refuse the proposed flood levee

This option would be chosen if Council is of the opinion that the levee is inconsistent with the Explosive Safety Area reservation.

Given that the levee will not impact on surrounding lands and that the proposal will provide valuable protection of one of the Town's key economies, it is recommended that the proposal be approved.

Attachments

1. Site Plan
2. Flood levee design details

201112/076 Officer's Recommendation/Council Decision**Moved:** Cr A A Carter**Seconded:** Cr S J Coates

That Council approves Planning Application 2010/186, for "Infrastructure" – Flood Levee at proposed Miscellaneous Licence 45/220 being part Lot 500 on Plan 65734 and part Unallocated Crown Land, subject to the following conditions:

1. This approval relates only to the proposed flood levee and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.
2. The subject area must only be used for purposes, which are related to the operation of "Infrastructure". Under the Town of Port Hedland's Town Planning Scheme No. 5 "Infrastructure" is 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."

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. Design levels of all proposed development are to be included on the Building License and be to the satisfaction of the Manager Planning.
5. An Erosion Management Plan that identifies batter stabilisation of the levee banks must be submitted to and approved by the Manager Planning prior to any works commencing.

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 and health requirements.**
- 2. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.**

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.5

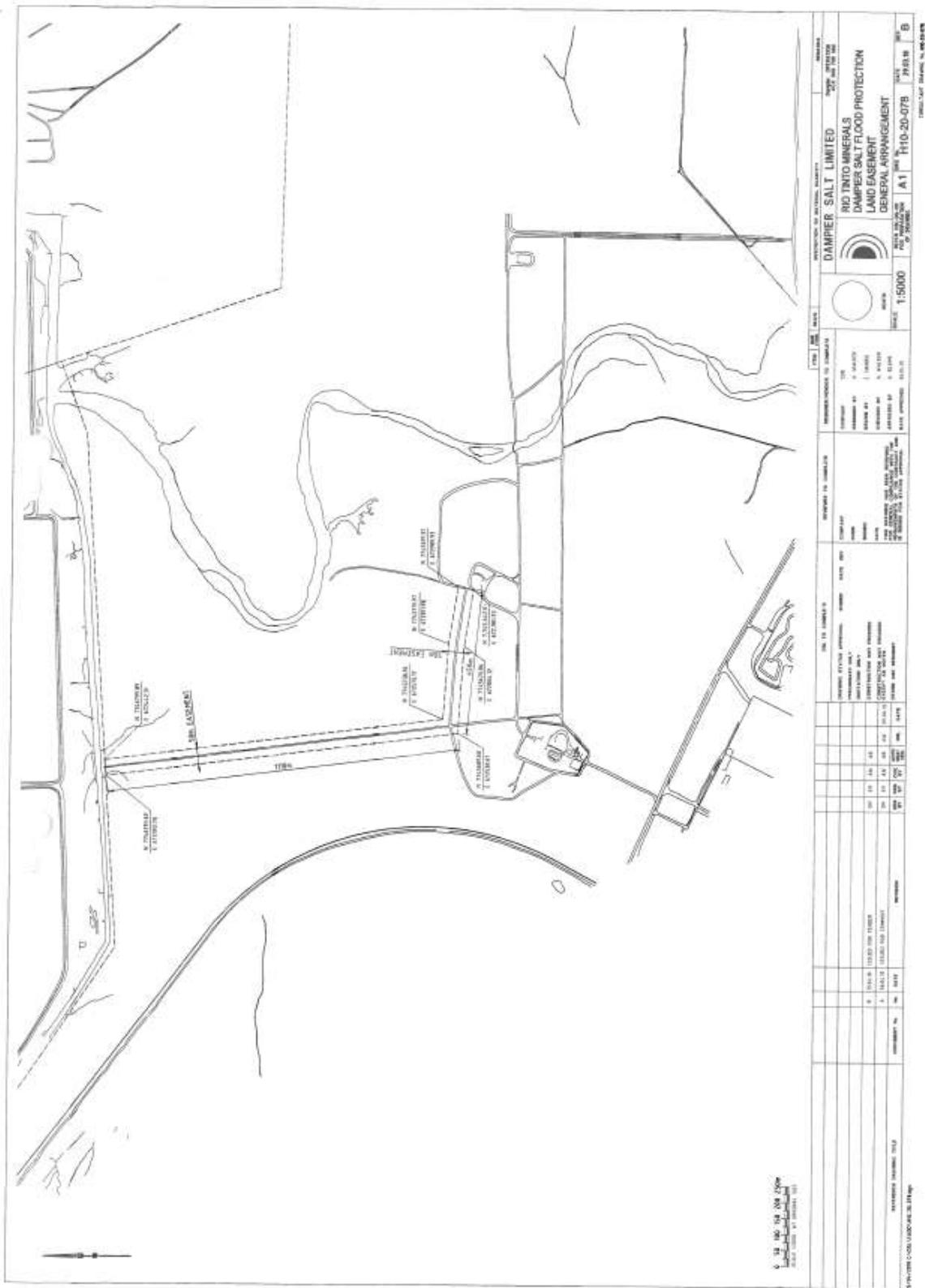


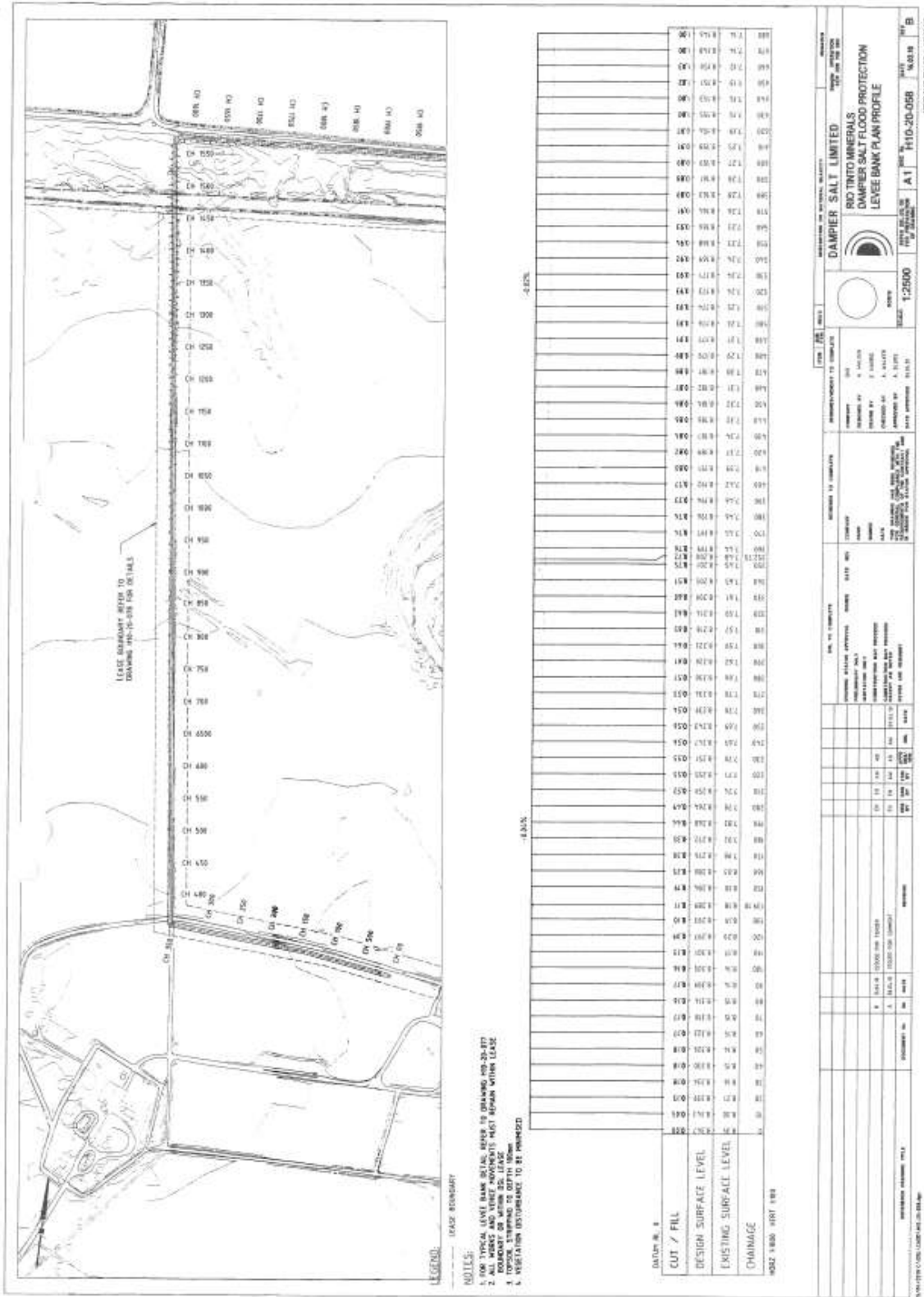
Figure 1 – Port Hedland Operations – Site Location Plan

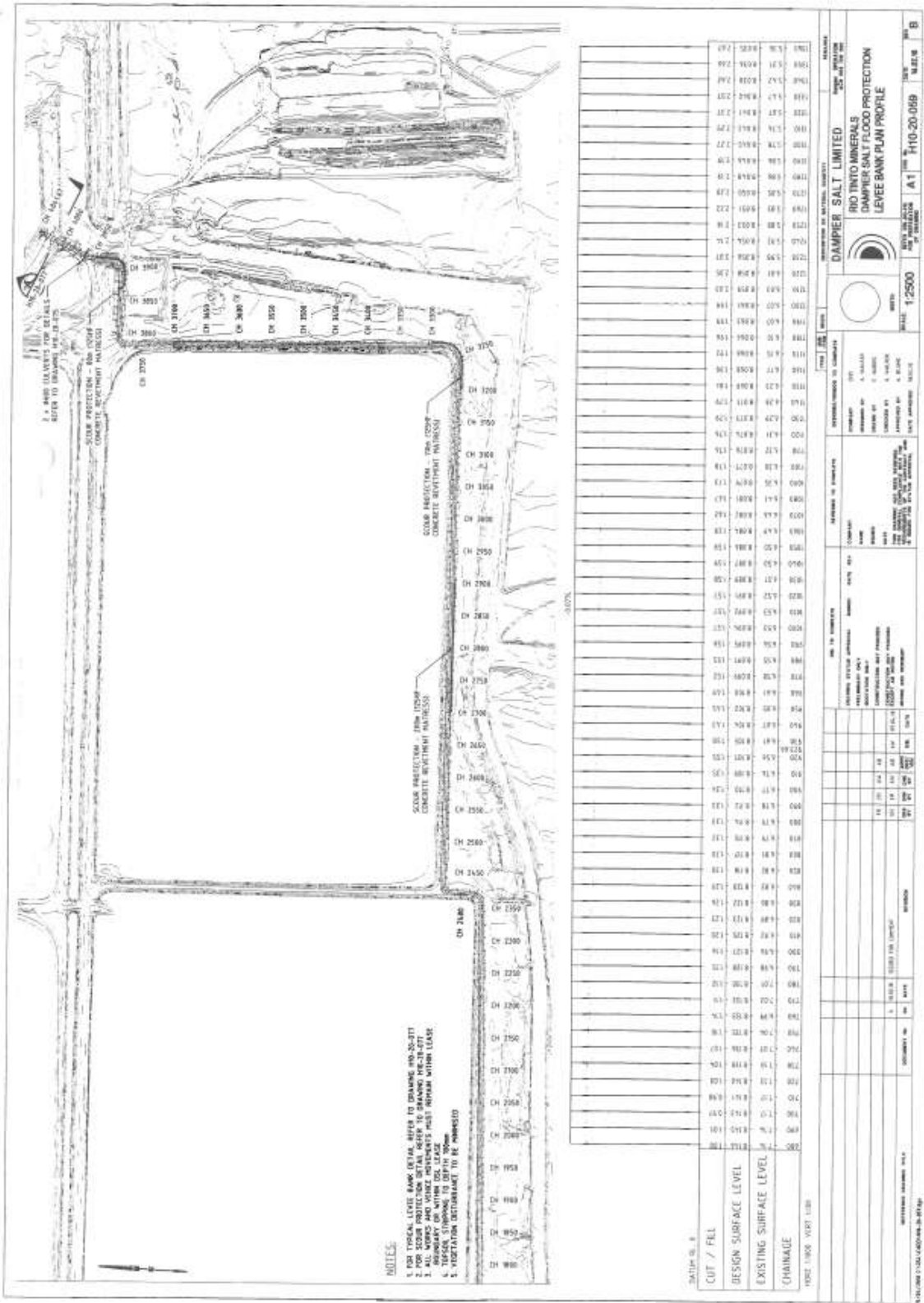


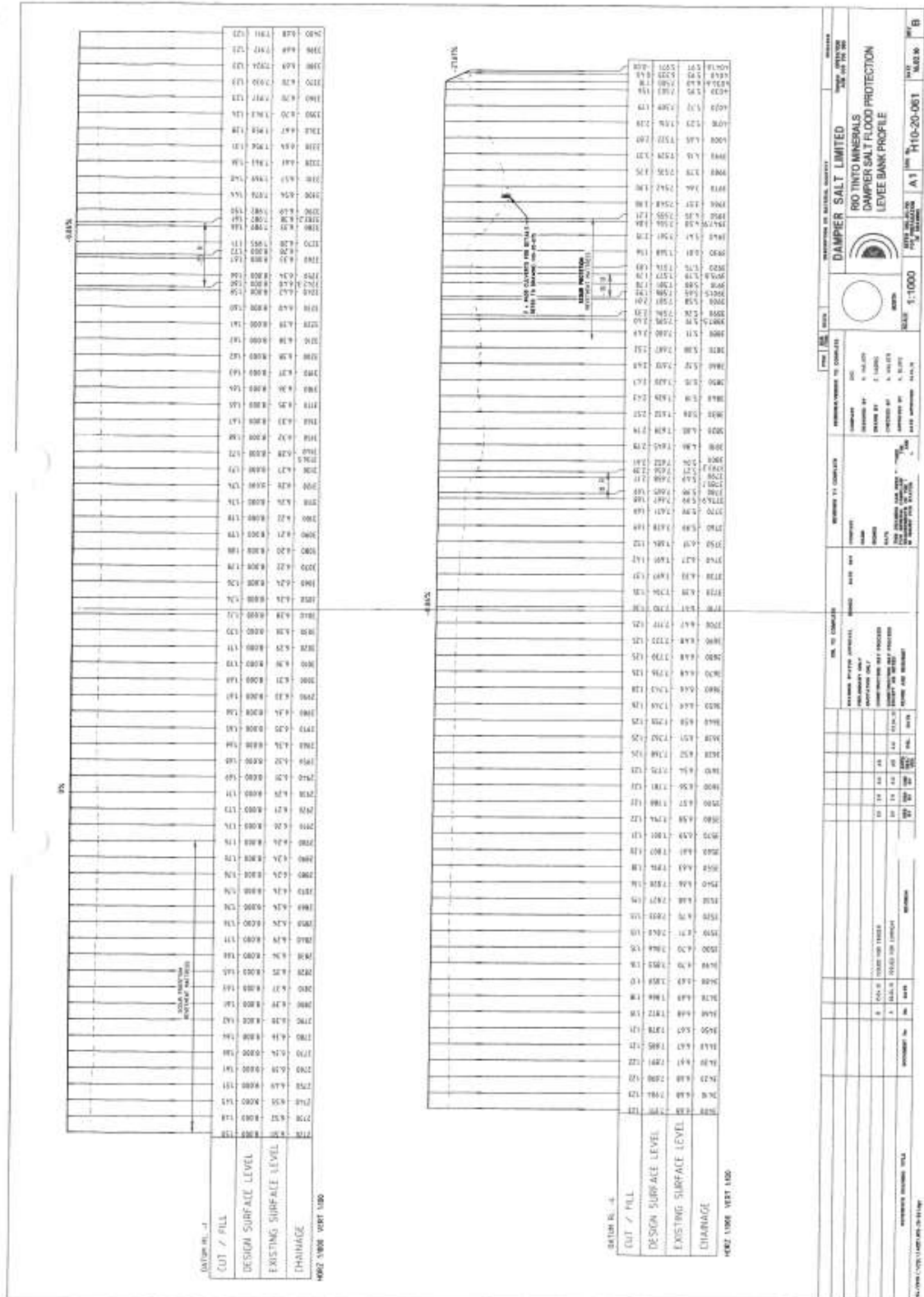
p05L09_003.PDF

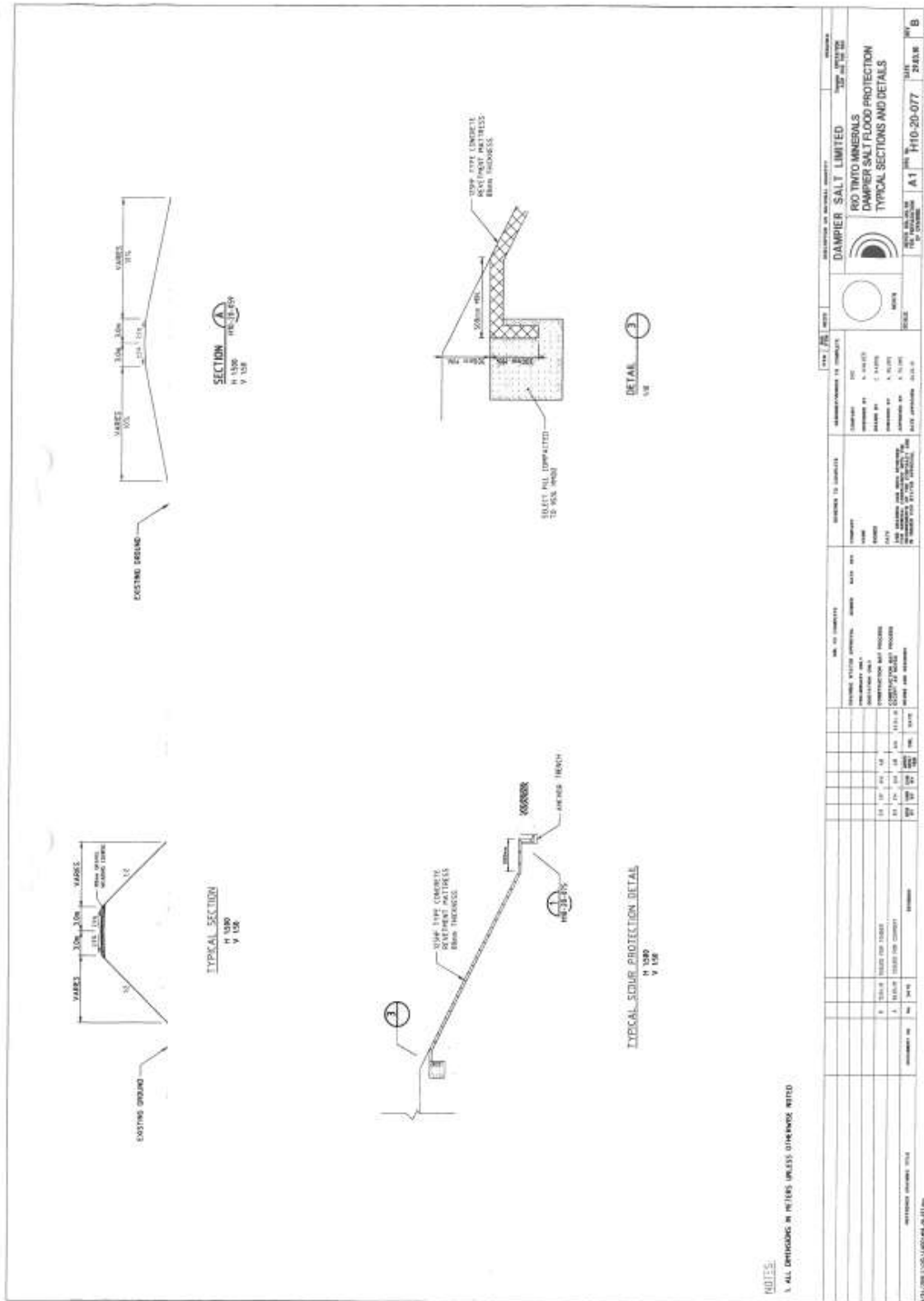
ATTACHMENT 2 TO AGENDA ITEM 11.1.1.5











11.1.1.6 Use Not Listed – Temporary Industrial Activity at Spoilbank, Port Hedland (File No.: 18/12/0014)

Officer Caris Vuckovic
Lands Officer

Date of Report 8 August 2011

Disclosure of Interest by Officer Nil

Summary

Council has received an application for permission to carry out temporary industrial works on the Spoilbank.

In terms of Clause 2.2 of the Port Hedland Town Planning Scheme No. 5, prior to the use of a reserve written approval must be obtained from Council.

Background*Locality*

The proposal is located at the “Spoilbank” at Lot 5178 Sutherland Street, Port Hedland. The land comprises of approximately 37ha and is zoned “Parks and Recreation.”

Reserve

The area proposed for the site works lies within Reserve 30768, being a “Parks and Recreation” reserve.

Although the current purpose of the reserve is inappropriate for this use, the proposal submitted is currently a short term and temporary activity.

Ownership

Reserve 30768 is currently a reserve under care, control and management of the Town of Port Hedland for the purpose of “Recreation”.

Proposal

The applicant is currently engaged in a dredging works project in South West Creek. For the purposes of these works, they are required to fabricate a continuous steel pipeline to transport the dredge material onto the shore and into a reclamation area.

Typically these pipes are fabricated on beach land and consist of various lengths of steel that are welded together. The assembled pipe is floated into the water and anchored as the welding progresses. Once completed, the pipe will be towed to the work area in South West Creek for operations.

The process involves transport of the pipes onto the spoil bank, use of a crane for offloading and earthmoving equipment to prepare and maintain the work site, as well as light vehicles for personnel transport.

The applicant has requested a 150m by 30m area within the Spoilbank to complete the works, which will require approximately 14 days to complete commencing on Monday 29 August 2011.

Consultation

The proposal has been circulated to Councils Engineering Services and Environmental Health Services, with their conditions captured within this report.

Statutory Implications

The Spoil Bank is reserved for Parks and Recreation under Town Planning Scheme No. 5 (TPS5). Any development within a reserve is to be dealt with by Council in accordance with clauses 2.2 and 2.3 of TPS5.

Policy Implications

Nil

Strategic Planning Implications

Nil.

Budget Implications

The application fee of \$139.00 has been charged in accordance with Council's adopted Town Planning Fees and Charges.

Officer's Comment

The works proposed are intended to facilitate the repair and maintenance of the McDonnell Dowell construction barges and perform mandatory class surveys.

The inner harbour at Port Hedland is fast expanding and with mining companies looking to expand production more so than ever, further pressures will be placed on the port. It is essential that construction projects in the harbour are not delayed.

Options

1. Support the request for temporary industrial works at the Spoilbank, Port Hedland.

The approval of this proposal will result in the minimal disruption to port functions.

2. Refuse the request for temporary industrial works at the Spoilbank, Port Hedland.

The refusal of this proposal will result in potential delays and setbacks to port functions.

It is recommended that Council support the request for temporary industrial works at the Spoilbank, Port Hedland.

Attachments

1. Locality Plan
2. Site Plan

Officer's Recommendation

That Council:

1. Approves the request from Workboats Northern Australia to commence sandbar refit and slippage at the Spoilbank, Port Hedland, subject to the following conditions;-
 - a) This approval relates only to the proposed TEMPORARY INDUSTRIAL WORKS and other incidental development as indicated on the approved plans. It does not relate to any other development on this lot;
 - b) This approval is to remain valid for a period of fourteen (14) days from 29th August 2011 to 12th September 2011;
 - c) The works shall operate only between the hours 7am and 6pm on weekdays and shall not operate on weekends and public holidays;
 - d) The subject land is to be rehabilitated / restored to its original condition to the satisfaction of Councils Manager Planning;
 - e) Prior to the commencement of any works, an Environmental Management Plan shall be submitted to and approved by the Town of Port Hedland;

- f) Upon completion of use and or / or date referred to in Condition (2) above. Any contamination issue being addressed as a result of this short term use;
- g) Waste receptacles are to be sorted in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1000 and to the satisfaction of Council's Manager Planning Services;
- h) Prior to commencement of any works whatsoever a Dust Management Plan shall be submitted to and approved by the Town of Port Hedland;
- i) Prior to the commencement of any works, dust prevention methods must be implemented for access road if heavy truck movement is anticipated;
- j) No spray painting or sandblasting is to commence without approval from the Department of Environment and Conservations;
- k) Prior to the commencement of any works, the installation of security/safety fencing is to be completed to the specifications of Councils Manager Infrastructure Development and the satisfaction of Councils Manager Planning;
- l) Prior to the commencement of any works, a traffic management plan is to be provided to the satisfaction of Engineering Services;
- m) Enters into a contract agreement with the applicant that incorporates in-kind or monetary contributions to the Town of Port Hedland in response to use of the area in question to the satisfaction of Manager of Business and Investment.

201112/077 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr M B Dziombak**That Council:**

1. **Approves the request from Workboats Northern Australia to commence sandbar refit and slippage at the Spoilbank, Port Hedland, subject to the following conditions;-**
 - a) **This approval relates only to the proposed TEMPORARY INDUSTRIAL WORKS and other incidental development as indicated on the approved plans. It does not relate to any other development on this lot;**

- b) This approval is to remain valid for a period of fourteen (14) days from 29th August 2011 to 12th September 2011;
- c) The works shall operate only between the hours 7am and 6pm on weekdays and shall not operate on weekends and public holidays;
- d) The subject land is to be rehabilitated / restored to its original condition to the satisfaction of Councils Manager Planning;
- e) Prior to the commencement of any works, an Environmental Management Plan shall be submitted to and approved by the Town of Port Hedland;
- f) Upon completion of use and or / or date referred to in Condition (2) above. Any contamination issue being addressed as a result of this short term use;
- g) Waste receptacles are to be sorted in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1000 and to the satisfaction of Council's Manager Planning Services;
- h) Prior to commencement of any works whatsoever a Dust Management Plan shall be submitted to and approved by the Town of Port Hedland;
- i) Prior to the commencement of any works, dust prevention methods must be implemented for access road if heavy truck movement is anticipated;
- j) No spray painting or sandblasting is to commence without approval from the Department of Environment and Conservations;
- k) Prior to the commencement of any works, the installation of security/safety fencing is to be completed to the specifications of Councils Manager Infrastructure Development and the satisfaction of Councils Manager Planning;
- l) Prior to the commencement of any works, a traffic management plan is to be provided to the satisfaction of Engineering Services;
- m) Chief Executive Officer to negotiate a financial contribution for the Town of Port Hedland and advise Council of the amount.

CARRIED 7/0

REASON: Council believes that an additional condition requesting the Chief Executive Officer to negotiate a financial contribution for the Town of Port Hedland is required.

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.6



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.6



11.1.1.7 Proposed Single House – Shed (Outbuilding and Carport) Addition at Lot 508 (7) Monks Place Port Hedland 6721 (File No.: 803792G)

Officer Michael Pound
Planning Officer

Date of Report 17 August 2011

Disclosure of Interest by Officer Nil

Summary

Council has received an application from the landowner, Tony Vujevich for the proposed development of a Single House – Shed and Carport Addition at Lot 508 (7) Monks Place, Port Hedland (**subject site**).

The application is referred to Council as the Notice of Delegations requires outbuildings (sheds) that exceed 100m² to be referred to Council for determination.

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

Background

Locality and Site Details

The subject site is located within the Pretty Pool locality and is zoned 'Residential R20' under the Town of Port Hedland Town Planning Scheme No. 5 (TPS5). The subject site currently contains a residential dwelling and has an area of approximately 813m².

Proposal

The proposed shed will have an area of approximately 104.5m² (9.5m x 11m), wall height of 4m and a ridge height of 6.5m. The shed is to be associated with a Single House and will be constructed out of the same brick materials as the existing Single House. The shed will be used for the storage of a boat, trailer, three (3) cars and a caravan.

Consultation

The application has been circulated internally and advertised externally in accordance with section 4.3.1 of TPS5.

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 TPS5.

Policy Implications

- Local Planning Policy No. 11 – Regional R Code Variations (LPP11).

The standard R Code criteria for outbuildings states in part:

“6.10.1 – Outbuildings

A1 Outbuilding that:...

- collectively do not exceed 60 sq m in area or 10% in aggregate of the site area, whichever is the lesser;
- do not exceed a wall height of 2.4 m;
- do not exceed a ridge height of 4.2 m”

The Standard R Code criteria is considered excessively onerous and therefore LPP 11 provides for variations that better reflect Port Hedland’s climate, lifestyle, built form, needs and expectations of its residents and to ensure that proper and orderly planning is maintained.

The LPP 11 criteria for outbuilding states in part

“Notwithstanding Acceptable Development Standard A1 iii – v, outbuildings in the following zones that comply with the following shall be permitted:

Residential and Urban Development zones

Collectively do not exceed 60 sq m in area or 10 per cent in aggregate of the site area, whichever is the greater;
do not exceed a wall height of 3.0 m;
do not exceed a ridge height of 4.8 m”

The current proposal does not comply with two of the Acceptable Development Standards.

- The proposed size of the shed (outbuilding) equates to 12.8% (104.5m²) of the lot area, and
- The wall height of the proposed shed (outbuilding) is 4m, 1m higher than what Council has endorsed in LLP 11

Strategic Planning Implications

Nil

Budget Implications

An application fee of \$135.00 was paid on lodgement.

Officer's Comment

The proposal is inconsistent with the Residential Design Codes of Western Australia (R Codes) requirements for sheds (outbuildings). The R Codes specify acceptable development standards for a shed are met when the floor area is no greater than 60m², wall height is no greater than 2.4m and the ridge height is no greater than 4.2m.

However, Council has recognized the fact that not all the R Code requirements "should" be applied to the Pilbara for a number of reasons. Therefore, the Council has adopted LPP 11, which identifies the Acceptable Development provisions which do not reflect the needs and expectations of the community and seeks to increase the size of sheds that are permitted, whilst still retaining the integrity of orderly and proper planning.

LPP 11 will allow for sheds that are up to 3 metres wall height and 10% in aggregate of the site area if adopted.

The proposed shed seeks approval for 4m wall height and 104.5m², as the proposed shed exceeds both the current R – Codes and LLP 11 Acceptable Development criteria, Council needs to be satisfied that the performance criteria have been met if approval is to be given.

The performance criterion for a shed is:

Outbuildings (Sheds) that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.

Use:

For the proposed shed to be assessed as a shed it needs to be demonstrated that the shed will be ancillary to the main use which in this instance would be a single house. There is an existing single house on the subject site. Furthermore, the applicant has demonstrated that the shed will be used for the storage of personal items which would deem the use of the shed to be subservient to the main use.

However, should Council resolve to approved the shed, a condition will be included to ensure that the lot is developed to its intended use "Single House", whereby the applicant is given twelve (12) months to complete the construction of a single house on the lot.

Height:

The shed is proposed with a wall a height of 4m and a ridge height of 6.4m. However, the proposed shed is located on a lower ground level than the existing house and does not dominate the streetscape.

Location:

The proposed shed will be constructed in such a location that it will front directly onto Monks Place, with the existing dwelling being located behind the proposed shed to provide the owners with an unobstructed view of the ocean and pretty pool.

Colours and Materials

The proposed shed will be constructed with the same materials and finishes as the existing single house. This will provide for a more attractive streetscape and amenity along the Monks Place street frontage.

In this instance, it has been assessed that the performance criteria has been achieved.

Attachments

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

201112/078 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council approves the application submitted by Tony Vujevich for development of a "SINGLE HOUSE" Shed and Carport Addition at Lot 508 (7) Monks Place, Port Hedland, subject to the following conditions:

- a) **This approval relates only to the proposed "SINGLE HOUSE" – Shed and Patio addition and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.**
- b) **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. This approval to remain valid for a period of twelve (12) months.**
- c) **The shed shall only be used for domestic storage and/or activities and not be used for commercial or industrial purposes or human habitation.**
- d) **Driveway(s) and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005. A separate application is to be made for Crossover's.**

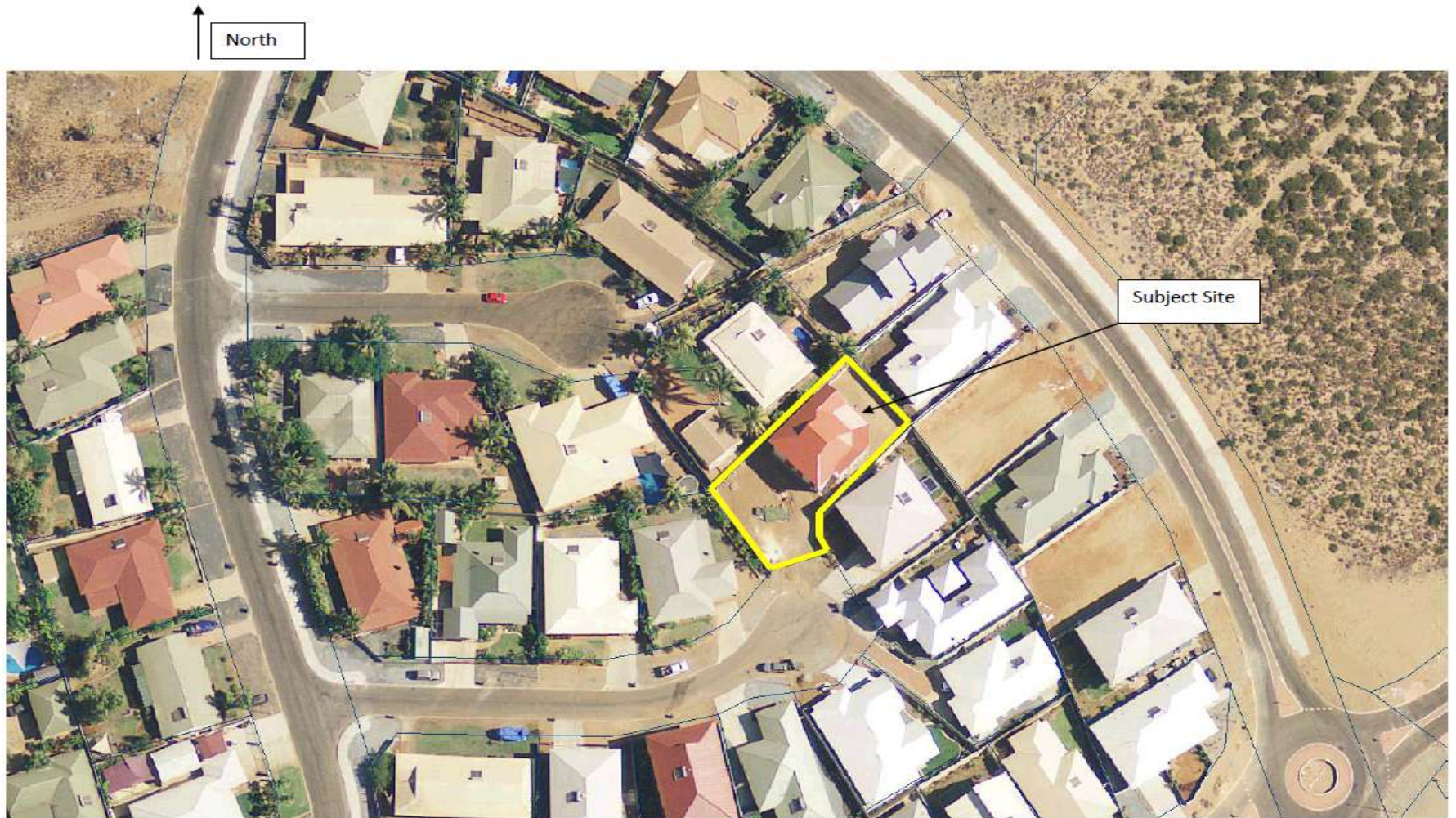
- e) All stormwater must be retained onsite. Disposal to be designed in accordance with Council's Engineering Department Guidelines, and to the satisfaction of the Manager Planning. For applications regarding site stormwater overflow into Council's existing drainage network, please contact Engineering Technical Officer on 9158 9608

FOOTNOTES:

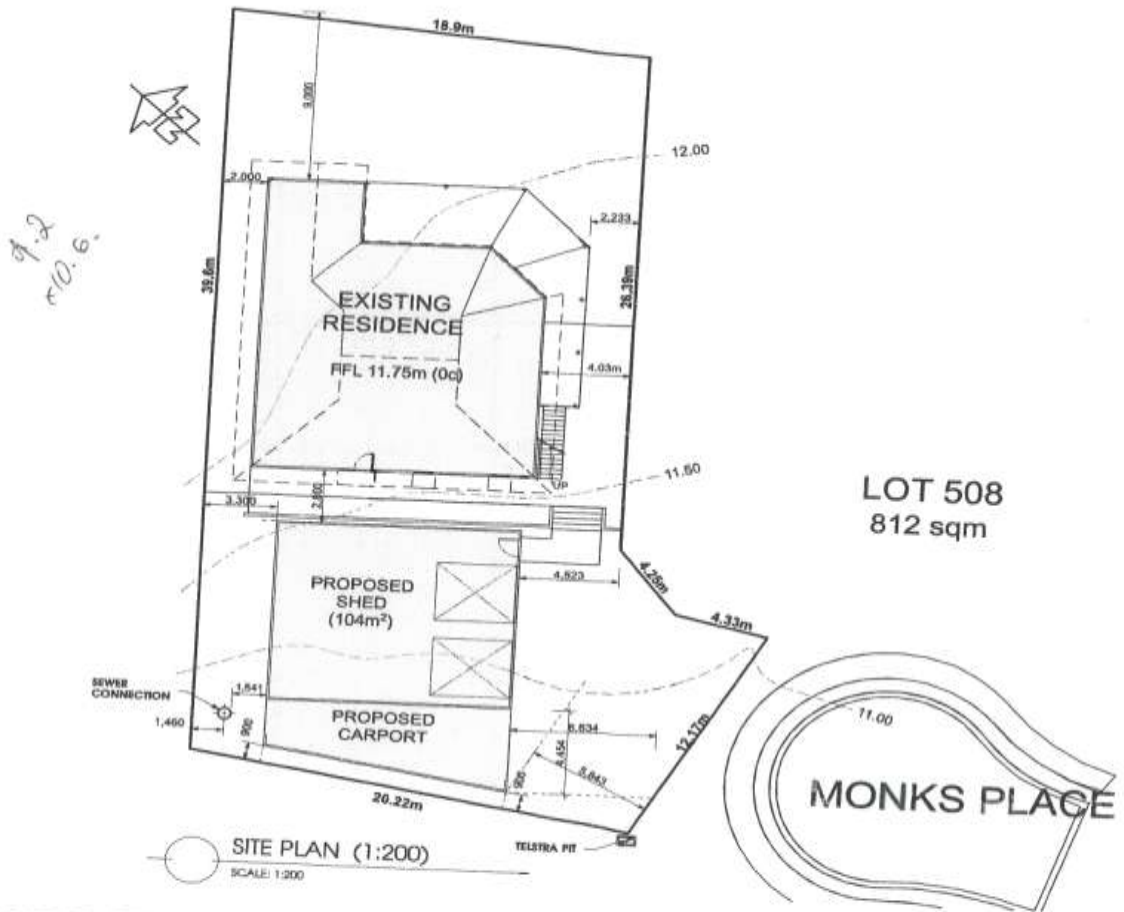
- a) You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
- b) The applicant/owner is required to lodge an application for a Building License under the provisions of the Building Regulations and approval from the Town before commencing any works whatsoever.
- c) Be advised that the air handling system is to comply with the Health (Air-handling and Water Systems) Regulations 1994
- d) 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 cycle of flooding could affect any property below the ten (10) metre 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 License 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.
- e) Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.7



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.7

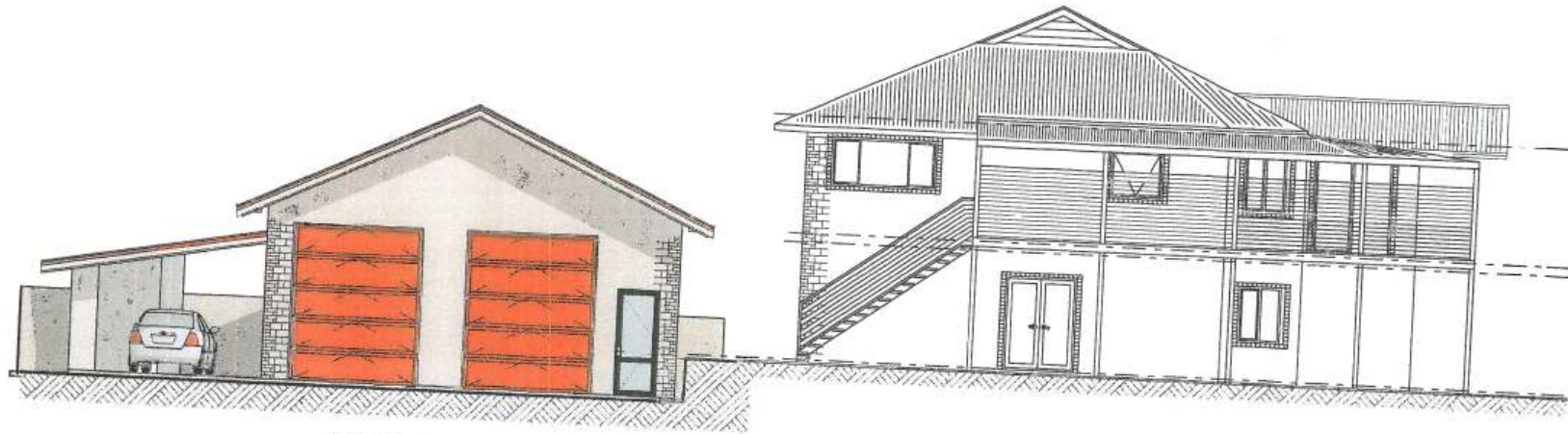


PROPOSED SHED
TONY & TINA VUJEVICH
LOT 508 MONKS PLACE, PORT HEADLAND WA

○ SITE PLAN (1:200)
SCALE: 1:200

NOT FOR CONSTRUCTION

SITE / LOCATION
P-01



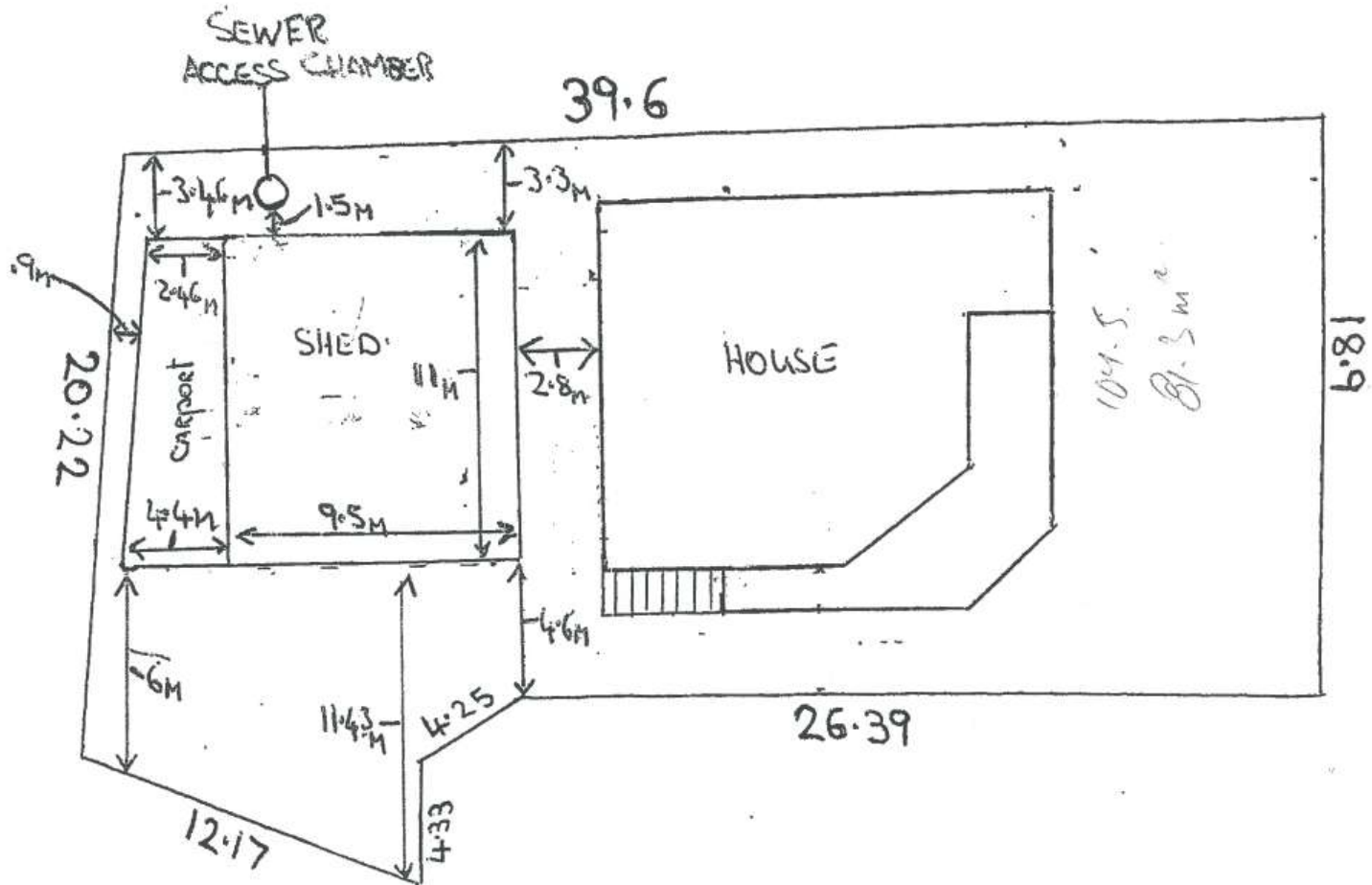
PROPOSED SHED

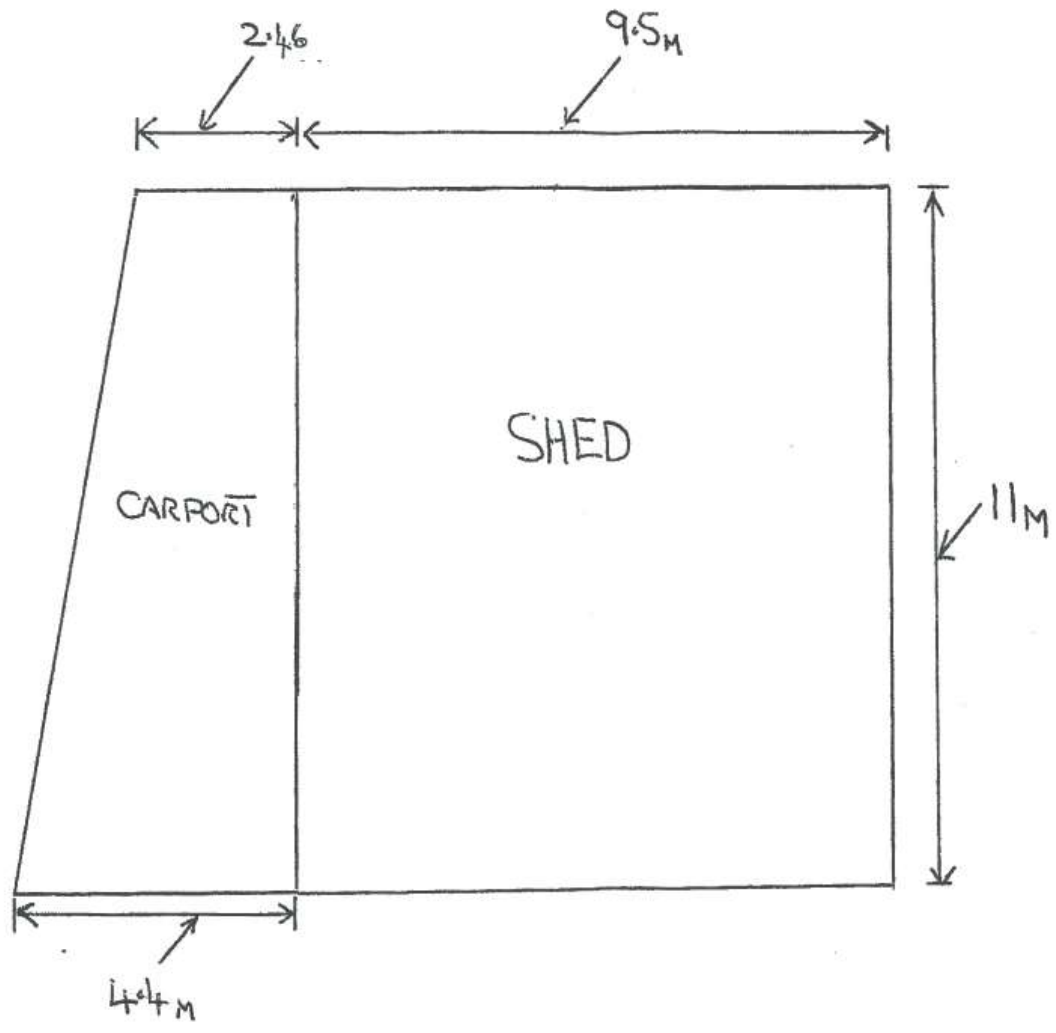
STREET ELEVATION
SCALE: 1:100

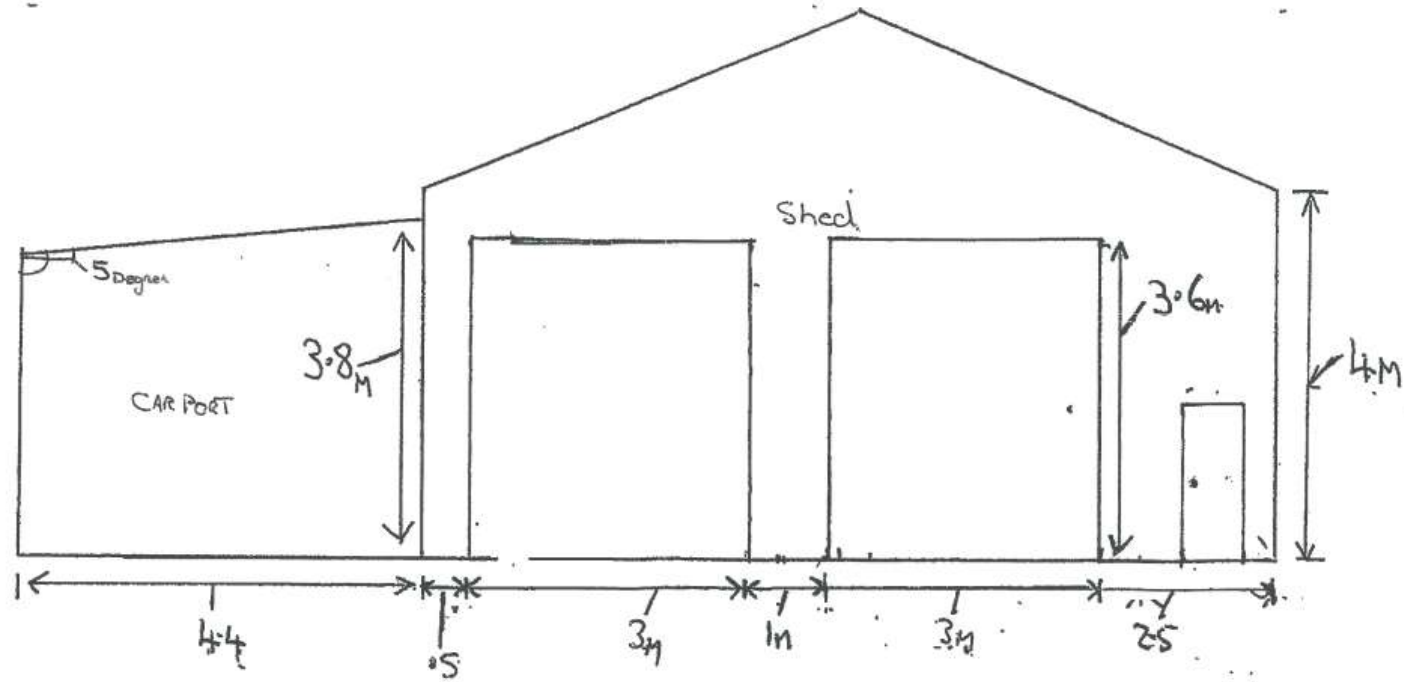
PROPOSED SHED
TONY & TINA VUJEVICH
LOT 508 MONKS PLACE, PORT HEADLAND WA

NOT FOR CONSTRUCTION

ELEVATION 04 - EAST
P-02







(JPEG Image, 2000x1238 pixels) - Scaled (42%)

<https://mail.google.com/mail/?ui=2&ik=4870c19b32&view=att&th=130bc9b6157f4a91&attid=0.5>



6:15pm Councillors A A Carter, G J Daccache and M B Dziombak declared a Financial interest in Agenda Item 11.1.1.8 'Proposed "Residential" – Twelve Grouped Dwellings on Lot 821 Teal Place, South Hedland (File No.: 113001G)' as they are BHP Billiton shareholders with shares over the statutory limit.

Councillors A A Carter, G J Daccache and M B Dziombak left the room.

6:15pm Councillor S J Coates declared a Financial interest in Agenda Item 11.1.1.8 'Proposed "Residential" – Twelve Grouped Dwellings on Lot 821 Teal Place, South Hedland (File No.: 113001G)' as he is a BHP Billiton employee and shareholder with shares over the statutory limit.

Councillors S J Coates left the room.

11.1.1.8 Proposed "Residential" - Twelve Grouped Dwellings on Lot 821 Teal Place, South Hedland (File No.: 113001G)

Officer Ryan Djanegara
Planning Officer

Date of Report 11 August 2011

Disclosure of Interest by Officer Nil

Summary

Council has received an application from TR Homes on behalf of BHP Billiton to construct 12 grouped dwellings on Lot 821 Teal Place, South Hedland. (subject site)

Council is requested to approve the application subject to conditions. The proposal is supported from a planning perspective.

Background

Site Description

The subject site is 6,063m² with vehicular access from Teal Place. In terms of the Port Hedland Town Planning Scheme No 5, the subject site is zoned 'Residential – R30'.

Proposal

The applicant proposes to construct 12 grouped dwellings on the lot and requires variations to Clauses within the R-Codes.

Consultation

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

Statutory Implications

Any proposed development shall be in accordance with the *Planning and Development Act 2005*, and subject to the provisions of the *Port Hedland Town Planning Scheme No. 5*.

Policy Implications

Local Planning Policy No. 11 – Regional R-Codes Variation

Strategic Planning Implications

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

Key Result Area 4:	Economic Development
Goal 4:	Land Development Projects
	Fast-track the release and development of commercial, industrial and residential land.

Budget Implications

An application fee of \$1 472.50 has been received as per the prescribed fees.

Officer's Comment*Need and Desirability*

The need for additional housing within the town is substantial and the construction of any additional dwellings will assist in addressing the current shortfall.

The location of the subject site being within a well established residential area with good access to community facilities / amenities as well as retail facilities renders the location desirable from a planning perspective.

Planning Controls

As per any development within the town it is important to ensure that any proposed development does not detract or impact on its surrounds. This is achieved by ensuring that planning controls are adhered to and any variations to these controls can be suitably justified.

The Residential Design Codes of Western Australia (R-codes) are an important tool to assist in achieving a good outcome for residential developments. In this regard *Clause 6.2.3 of the R-codes refer to Setbacks of Carports*.

In accordance with the acceptable standards of the R-codes, the width of carports should not exceed 50% of the total lot frontage at the building line.

The layout of the existing road, Teal Place, has resulted in a unique street frontage for Unit 10, making it near impossible to be able to design a dwelling that will comply with clause 6.2.3. of the R-codes.

To enable the development a variation of clause 6.2.3 of the R-codes will be required. The R-codes provide the ability to vary any clause subject to such variation being able to comply with the performance criteria of the subject clause, which states:

“The setting back of carport and garages so as not to detract from the streetscape or appearance of dwellings, or obstruct views of dwellings from the street and vice versa.”

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

- The current location of the proposed dwelling and carport is required in order to support the vehicle manoeuvrability on site.
- The position of the dwelling was designed to take into consideration the landscaping and the location of the outdoor living and drying areas. If the dwelling was to be relocated, the drying area would be relocated to the outdoor living area unacceptably compromising the aesthetics of this area as well as the practicality of the drying area with regard to its distance from the laundry.

The proposed development is not bound by a formal subdivision layout as the development is located on a single lot. It therefore may be possible to realign the boundaries to accommodate a better orientation and presentation to the street.

The proposal further requires a variation to clause 6.3.1 Side Setbacks with regard to Units 1 and 12. The performance criteria applicable to clause 6.2.3 which states:

“Building setback from the boundaries other than street boundaries so as to:

- *Provide adequate direct sun and ventilation to the building*
- *Ensure adequate direct sun and ventilation being available to adjoining properties;*
- *Provide adequate direct sun to the building and appurtenant open spaces;*
- *Assist with protection of access to direct sun for adjoining properties;*
- *Assist in ameliorating the impacts of building bulk on adjoining properties; and*

- *Assist in protecting privacy between adjoining properties.*

The location of the proposed sheds of Unit 1 and 12 are not ideal. The applicant has advised their willingness to setback the shed 1m from the side boundary. The location of the shed for Unit 12 is not ideal but can possibly be screened with mature landscaping to provide a better aspect to the road. Alternatively Council may request the shed to be relocated to the rear of the lot.

Council through *Local Planning Policy No. 11 - Clause 6.2.5 Front Fences*, requires fencing adjoining a public space be no higher than 1.8m with only the first 1.2m permitted to be solid. Units 7, 8, 9 and 10 have dual frontages to Teal Place and Cottier Drive, Unit 11 has dual frontages to Huxtable Crescent and Cottier Drive.

This has been discussed with the applicant who has agreed to address this aspect. To ensure compliance it is recommended that a condition is imposed requiring that the applicant provide amended plans addressing "Local Planning Policy No. 11 - Clause 6.2.5 Front Fences". This may require the applicant to provide a portion of the fencing fronting Cottier Drive to be partially permeable.

Options

Council has the following options when considering the application:

1. Approve the application as submitted subject to conditions.

Should Council approve the application, the development will provide a much needed housing resource and enhance the current streetscape.

2. Approve the application subject to modifications of the plan

Should Council approve the application subject to further modification, the modifications would require a better orientation of the dwelling on "Lot 10" to the better address the street and relocation of the sheds on "Lot 1" and "Lot 12" to the satisfaction of Council's Manager Planning Services.

3. Refuse the application.

Should Council refuse the application, the subject site would likely remain vacant.

Option 2 is recommended addressing the minor relocation of the shed on Unit 1.

Attachments

1. Overall Site Plan
2. Floor plans and elevations
3. Artist impression of each unit

Officer's Recommendation

That Council:

Approves the application submitted by TR Homes on behalf of BHP Billiton to construct 12 grouped dwellings on Lot 821 Teal Place, South Hedland, subject to the following conditions:

1. This approval relates only to 12 grouped dwellings and other incidental development, as shown on plan number 2011/276/drg.01 to 2011/276/drg.049. It does not relate to any other development on this lot.
2. This approval to remain valid for a period of twenty four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
3. A fencing plan is to be submitted and approved by Council's Manager Planning prior to any impermeable fencing being erected on the Teal Place, Huxtable Crescent and Cottier Street frontages that is greater than 1.2 metres in height.
4. Amended plans being submitted to and approved by the Town incorporating the following amendments:
 - a. The proposed shed of Unit 1 be relocated adjacent to the northern boundary maintaining the minimum setback of 1m, to the satisfaction of Council's Manager Planning,
 - b. All letterboxes are to be located within the property boundaries and not any road reserve to the satisfaction of Council's Manager Planning.
5. All fencing other than that referred to in condition 3 shall be installed in accordance with the Residential Design Codes and/or the Dividing Fences Act and prior to the occupation of the dwelling(s) all to the satisfaction of Council's Manager Planning.
6. Fences must be reduced to no higher than .75m when within 1.5m of where the Vehicle Access Point (driveway) meets a street and where two streets intersect.

7. Access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, linemarked and finished with a sealed or paved surface by the developer to an approved design in accordance with TPS5 and Australian Standards, to the satisfaction of Council's Manager Planning.
8. Within 30 days of this approval, or such further period as may be agreed by Council's Manager Planning, a detailed landscaping and reticulation plan must be submitted to Council for approval by Council's Manager Planning. The plan to include species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.
9. Within 60 days of the approval of the landscaping plan, or such further period as may be agreed by Council's Manager Planning, landscaping and reticulation to be established with the use of mature shrubs and trees in accordance with the approved detailed plans to the satisfaction of Council's Manager Planning.
10. All stormwater must be retained onsite. Disposal to be designed in accordance with Council's Engineering Department Guidelines, and to the satisfaction of the Manager Planning. For applications regarding site stormwater overflow into Council's existing drainage network, please contact Engineering Technical Officer on 9158 9608.
11. Driveway(s) and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005. A separate application is to be made for Crossover's.
12. Any alterations or relocation of existing infrastructure within the road reserve shall be carried out and reinstated to the specification and satisfaction of Council's Manager Planning at the developer's expense.
13. Any roof mounted or freestanding plant or equipment such as air conditioning units to be located and/or screened so as not to be visible from beyond the boundaries of the development site.
14. An Erosion Prevention and Sediment Control plan is to be submitted to prior to the commencement of any works to 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. Waste receptacles are to be stored in a suitable enclosure to be

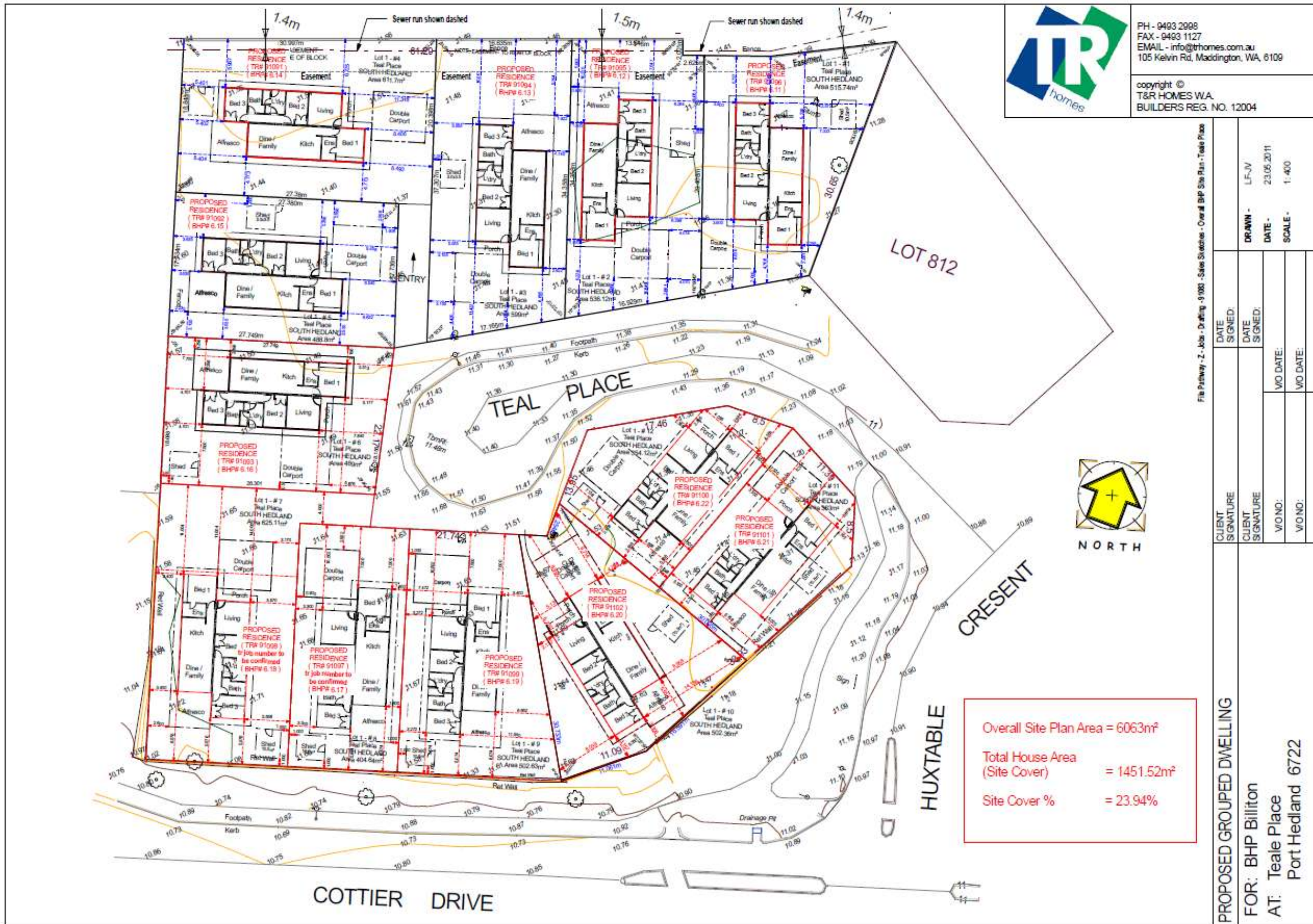
provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Council's Manager Planning.

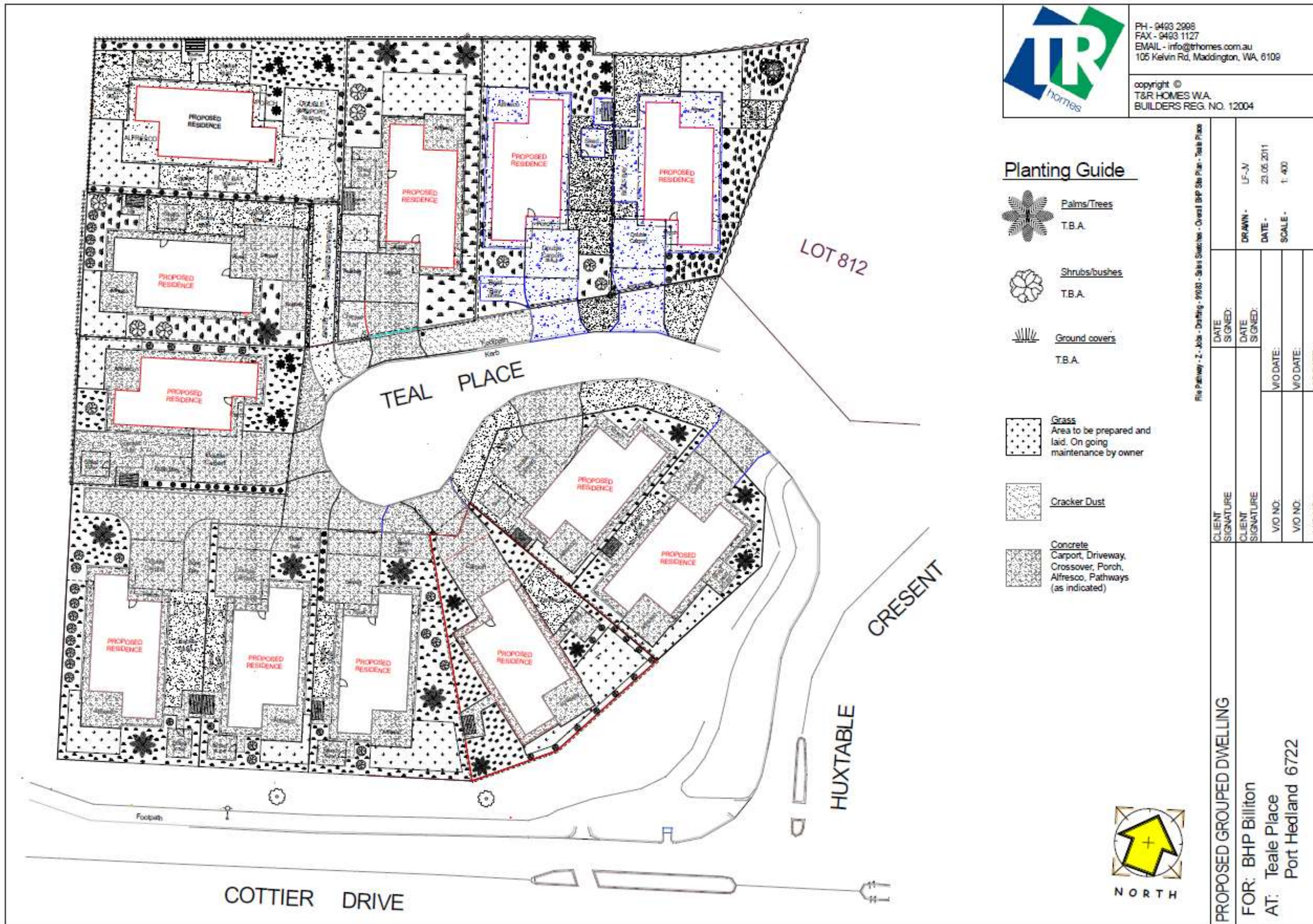
3. The applicant is advised that Council may consider closing portion of Teal Place. Should this process be initiated, public notification will be undertaken prior to any final determination.
4. With regards to Condition 3, solid fencing greater than 1.2m in height will only be supported where it is still demonstrated that passive surveillance exists (i.e high solid fencing along a whole street frontage for any dwelling will not be supported).
5. 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.
6. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

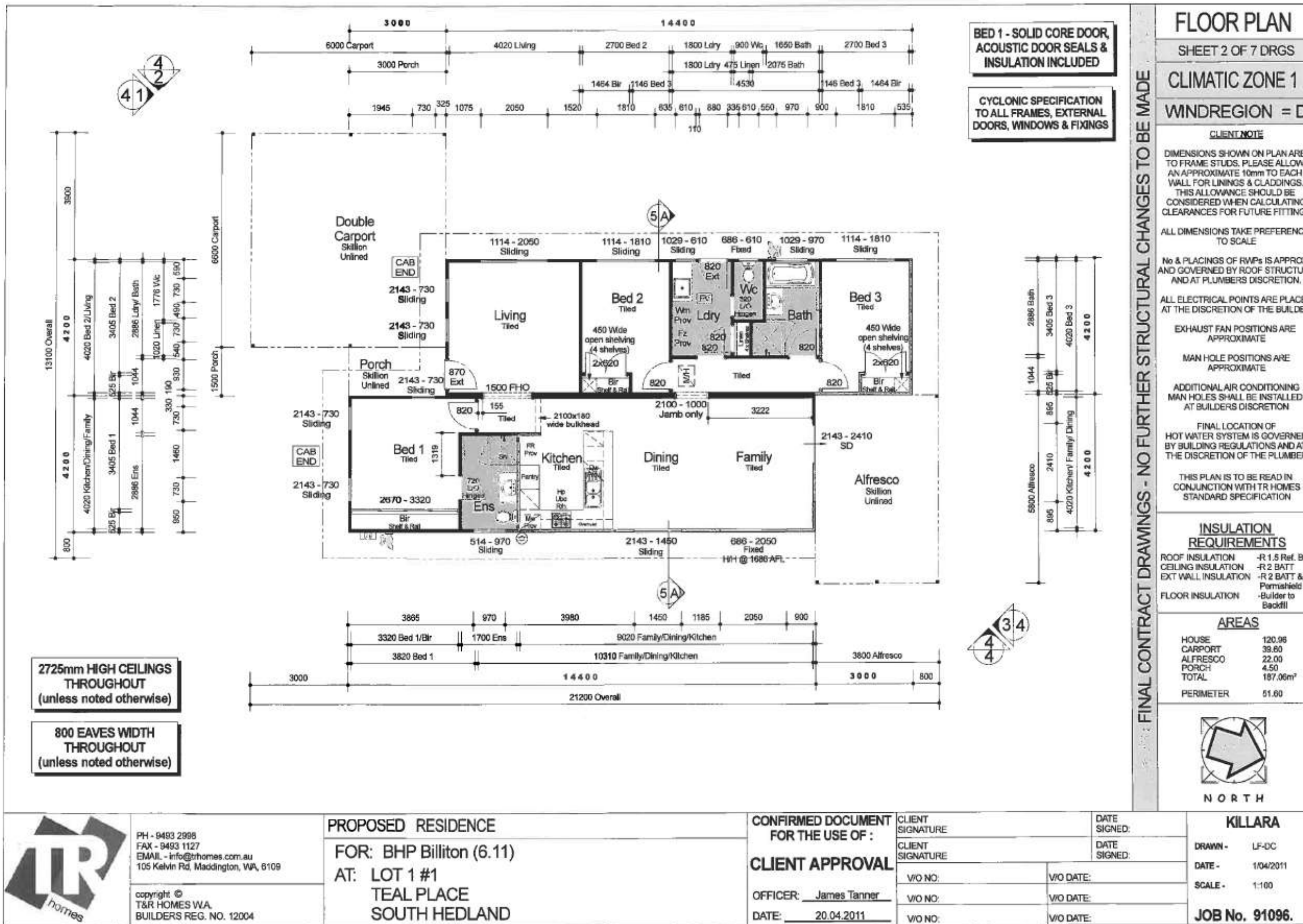
6:16pm Mayor advised that a reduction of quorum was not granted by the Minister of Local Government, thus this item will be laid on the table for lack of a quorum.

6:16pm Councillors A A Carter, S J Coates, G J Daccache and M B Dziombak re-entered the room and resumed their chairs.

Mayor advised Councillors Councillors A A Carter, S J Coates, G J Daccache and M B Dziombak that due to a lack of quorum this Item was not considered.







ELEVATIONS	
SHEET 4 OF 7 DRGS	
CLIMATIC ZONE 1	
WINDREGION = D	
HIGHEST POINT 3973mm	
2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)	
800 EAVES WIDTH THROUGHOUT (unless noted otherwise)	
2143mm WINDOW HEAD HEIGHT (unless noted otherwise)	
FOOTING PLACEMENTS INDICATIVE ONLY (REFER TO ENGINEERING)	
CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS	
CONDOR KINETIC ROOF VENTILATOR TO BE LOCATED BY ROOF SHEETER	

PH - 9493 2998
 FAX - 9493 1127
 EMAIL - info@trhomes.com.au
 105 Kelvin Rd, Maddington, WA, 6109

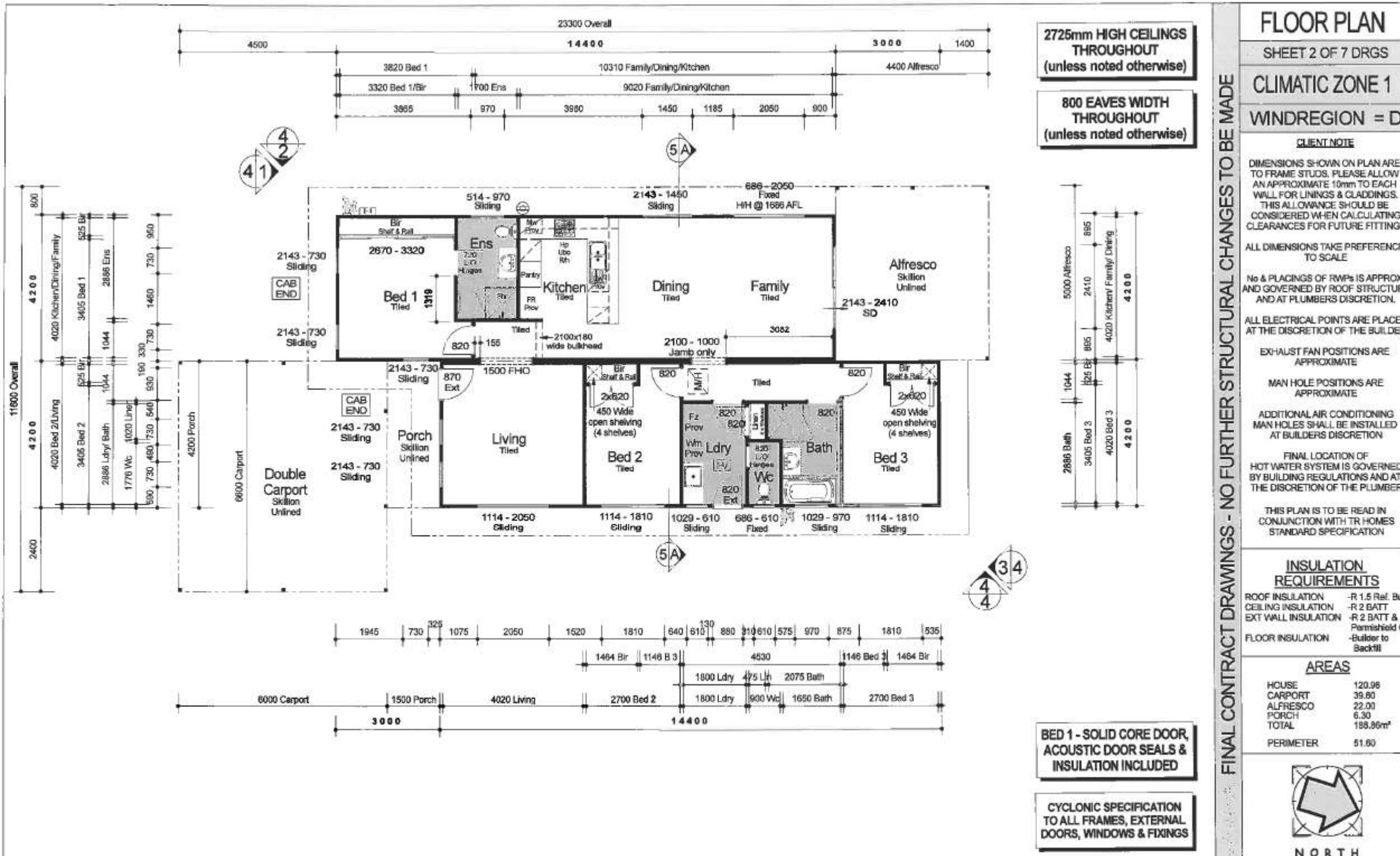
copyright ©
 T&R HOMES WA
 BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
 FOR: BHP Billiton (6.11)
 AT: LOT 1 #1
 TEAL PLACE
 SOUTH HEDLAND

CONFIRMED DOCUMENT FOR THE USE OF :		CLIENT SIGNATURE	DATE SIGNED:
CLIENT APPROVAL		CLIENT SIGNATURE	DATE SIGNED:
OFFICER: James Tanner	DATE: 20.04.2011	V/O NO:	V/O DATE:
		V/O NO:	V/O DATE:
		V/O NO:	V/O DATE:

KILLARA

DRAWN - LF-DC
 DATE - 1/04/2011
 SCALE - 1:100
JOB No. 91096.



FLOOR PLAN
 SHEET 2 OF 7 DRGS
 CLIMATIC ZONE 1
 WINDREGION = D

CLIENT NOTE
 DIMENSIONS SHOWN ON PLAN ARE TO FRAME STUDS. PLEASE ALLOW AN APPROXIMATE 10mm TO EACH WALL FOR LININGS & CLADDINGS. THIS ALLOWANCE SHOULD BE CONSIDERED WHEN CALCULATING CLEARANCES FOR FUTURE FITTINGS
 ALL DIMENSIONS TAKE PREFERENCE TO SCALE
 No & PLACINGS OF RMPs IS APPROX. AND GOVERNED BY ROOF STRUCTURE AND AT PLUMBERS DISCRETION.
 ALL ELECTRICAL POINTS ARE PLACED AT THE DISCRETION OF THE BUILDER
 EXHAUST FAN POSITIONS ARE APPROXIMATE
 MAN HOLE POSITIONS ARE APPROXIMATE
 ADDITIONAL AIR CONDITIONING MAN HOLES SHALL BE INSTALLED AT BUILDERS DISCRETION
 FINAL LOCATION OF HOT WATER SYSTEM IS GOVERNED BY BUILDING REGULATIONS AND AT THE DISCRETION OF THE PLUMBER
 THIS PLAN IS TO BE READ IN CONJUNCTION WITH TR HOMES STANDARD SPECIFICATION

INSULATION REQUIREMENTS
 ROOF INSULATION - R 1.5 Ref. Bulk
 CEILING INSULATION - R 2 BATT
 EXT WALL INSULATION - R 2 BATT & Permishield 65
 FLOOR INSULATION - Builder to Backfill

AREAS

HOUSE	120.96
CARPORT	39.80
ALFRESCO	22.00
PORCH	6.30
TOTAL	188.96m ²
PERIMETER	51.60

FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE

NORTH

2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)

800 EAVES WIDTH THROUGHOUT (unless noted otherwise)

BED 1 - SOLID CORE DOOR, ACOUSTIC DOOR SEALS & INSULATION INCLUDED

CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS

PH - 9493 2998
 FAX - 9493 1127
 EMAIL - info@trhomes.com.au
 105 Kelvin Rd, Maddington, WA, 6109

copyright ©
 T&R HOMES WA
 BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
 FOR: BHP Billiton (6.12)
 AT: LOT 1 #2
 TEAL PLACE
 SOUTH HEDLAND 6722

CONFIRMED DOCUMENT FOR THE USE OF :
CLIENT APPROVAL

CLIENT SIGNATURE	DATE SIGNED:
CLIENT SIGNATURE	DATE SIGNED:
W/O NO:	W/O DATE:
W/O NO:	W/O DATE:
W/O NO:	W/O DATE:

OFFICER: James Tanner
 DATE: 19.04.2011

Killara

DRAWN -	LF/LD
DATE -	10/12/2010
SCALE -	1:100

JOB No. 91095.

ELEVATIONS

SHEET 4 OF 7 DRGS

CLIMATIC ZONE 1

WINDREGION = D

HIGHEST POINT
3973mm

2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)

800 EAVES WIDTH THROUGHOUT (unless noted otherwise)

2143mm WINDOW HEAD HEIGHT (unless noted otherwise)

FOOTING PLACEMENTS INDICATIVE ONLY (REFER TO ENGINEERING)

CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS

CONDOR KINETIC ROOF VENTILATOR TO BE LOCATED BY ROOF SHEETER

FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE

PH - 9493 2998
FAX - 9493 1127
EMAIL - info@trhomes.com.au
105 Kelvin Rd, Maddington, WA, 6109

copyright ©
T&R HOMES WA.
BUILDERS REG. NO. 12004

PROPOSED RESIDENCE

FOR: BHP Billiton (G.12)

AT: LOT 1 #2
TEAL PLACE
SOUTH HEDLAND 6722

CONFIRMED DOCUMENT FOR THE USE OF :		CLIENT SIGNATURE	DATE SIGNED:
CLIENT APPROVAL		CLIENT SIGNATURE	DATE SIGNED:
OFFICER: James Tanner	V/O NO:	V/O DATE:	
DATE: 19.04.2011	V/O NO:	V/O DATE:	
	V/O NO:	V/O DATE:	

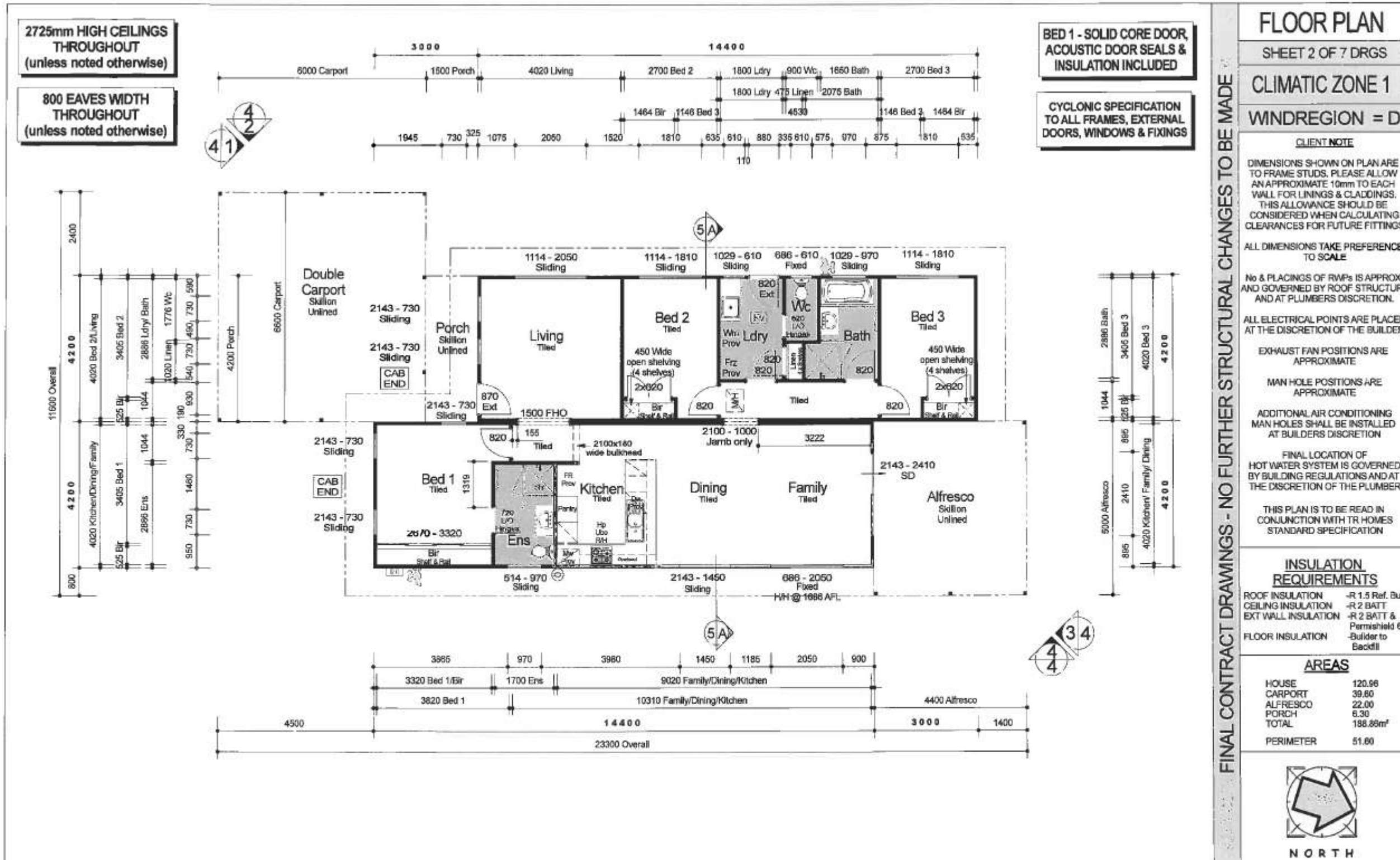
Killara

DRAWN - LFJ/LD

DATE - 10/12/2010

SCALE - 1:100

JOB No. 91095.



FLOOR PLAN

SHEET 2 OF 7 DRGS

CLIMATIC ZONE 1

WINDREGION = D

CLIENT NOTE

DIMENSIONS SHOWN ON PLAN ARE TO FRAME STUDS. PLEASE ALLOW AN APPROXIMATE 10mm TO EACH WALL FOR LININGS & CLADDINGS. THIS ALLOWANCE SHOULD BE CONSIDERED WHEN CALCULATING CLEARANCES FOR FUTURE FITTINGS

ALL DIMENSIONS TAKE PREFERENCE TO SCALE

No & PLACINGS OF RMPs IS APPROX. AND GOVERNED BY ROOF STRUCTURE AND AT PLUMBERS DISCRETION.

ALL ELECTRICAL POINTS ARE PLACED AT THE DISCRETION OF THE BUILDER

EXHAUST FAN POSITIONS ARE APPROXIMATE

MAN HOLE POSITIONS ARE APPROXIMATE

ADDITIONAL AIR CONDITIONING MAN HOLES SHALL BE INSTALLED AT BUILDERS DISCRETION

FINAL LOCATION OF HOT WATER SYSTEM IS GOVERNED BY BUILDING REGULATIONS AND AT THE DISCRETION OF THE PLUMBER

THIS PLAN IS TO BE READ IN CONJUNCTION WITH TR HOMES STANDARD SPECIFICATION

INSULATION REQUIREMENTS

ROOF INSULATION	-R 1.5 Ref. Bulk
CEILING INSULATION	-R 2 BATT
EXT WALL INSULATION	-R 2 BATT & Permashield 65
FLOOR INSULATION	-Builder to Backfill

AREAS

HOUSE	120.96
CARPORT	39.60
ALFRESCO	22.00
PORCH	6.30
TOTAL	188.86m ²
PERIMETER	51.60



FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE



PH - 9493 2996
 FAX - 9493 1127
 EMAIL - info@trhomes.com.au
 105 Kelvin Rd, Maddington, WA, 6109

copyright ©
 T&R HOMES WA.
 BUILDERS REG. NO. 12004

PROPOSED RESIDENCE

FOR: BHP Billiton (6.13)
 AT: LOT 1 #3
 TEAL PLACE
 SOUTH HEDLAND 6722

CONFIRMED DOCUMENT FOR THE USE OF :

CLIENT APPROVAL

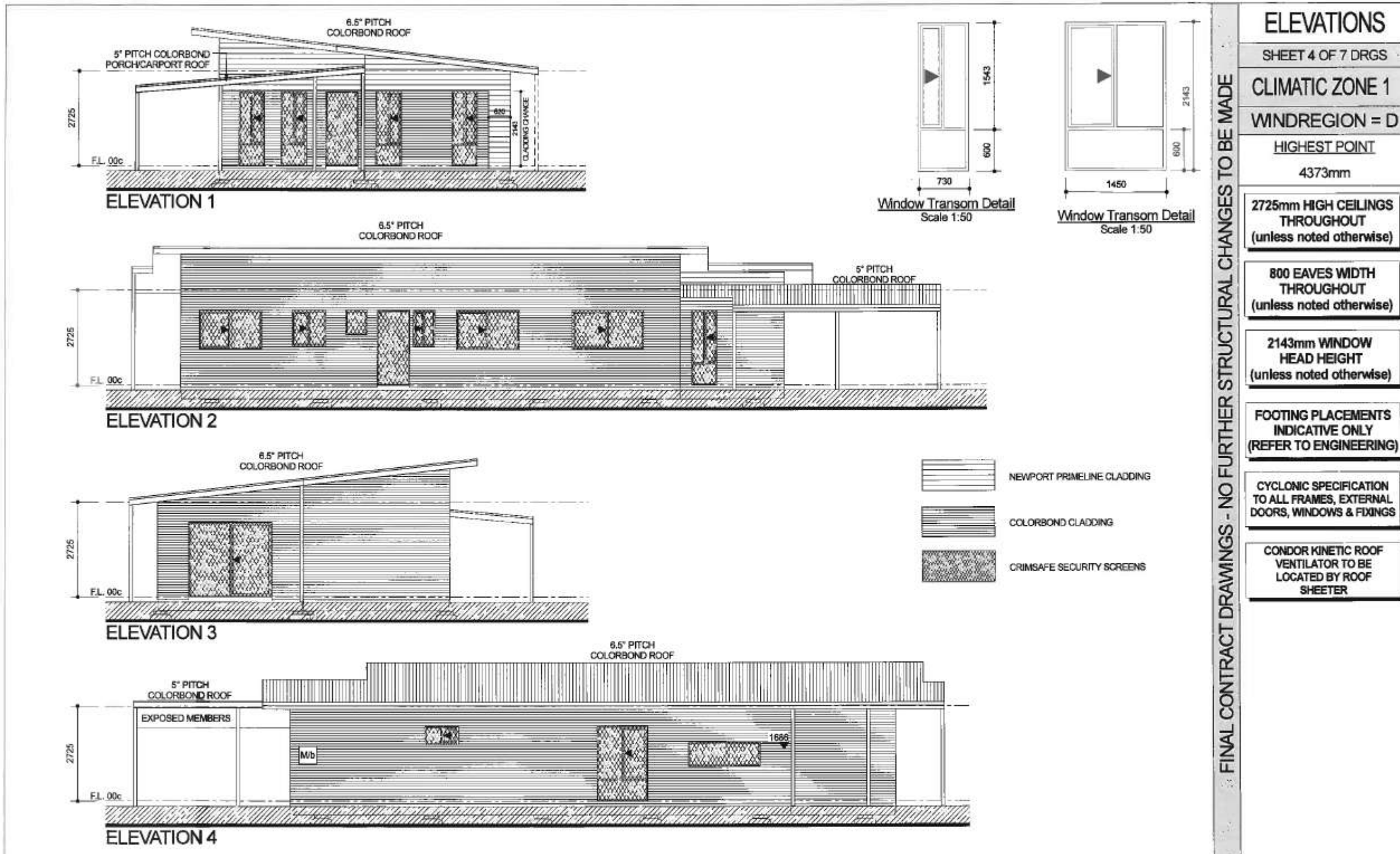
OFFICER: James Tanner
 DATE: 19.04.2011

CLIENT SIGNATURE	DATE SIGNED:
CLIENT SIGNATURE	DATE SIGNED:
W/O NO:	W/O DATE:
W/O NO:	W/O DATE:
W/O NO:	W/O DATE:

Killara Mirrored

DRAWN - LFLD
 DATE - 10/12/2010
 SCALE - 1:100

JOB No. 91094.



FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE

ELEVATIONS	
SHEET 4 OF 7 DRGS	
CLIMATIC ZONE 1	
WINDREGION = D	
HIGHEST POINT 4373mm	
2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)	
800 EAVES WIDTH THROUGHOUT (unless noted otherwise)	
2143mm WINDOW HEAD HEIGHT (unless noted otherwise)	
FOOTING PLACEMENTS INDICATIVE ONLY (REFER TO ENGINEERING)	
CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS	
CONDOR KINETIC ROOF VENTILATOR TO BE LOCATED BY ROOF SHEETER	



PH - 9493 2998
FAX - 9493 1127
EMAIL - info@trhomes.com.au
105 Kelvin Rd, Maddington, WA, 6109

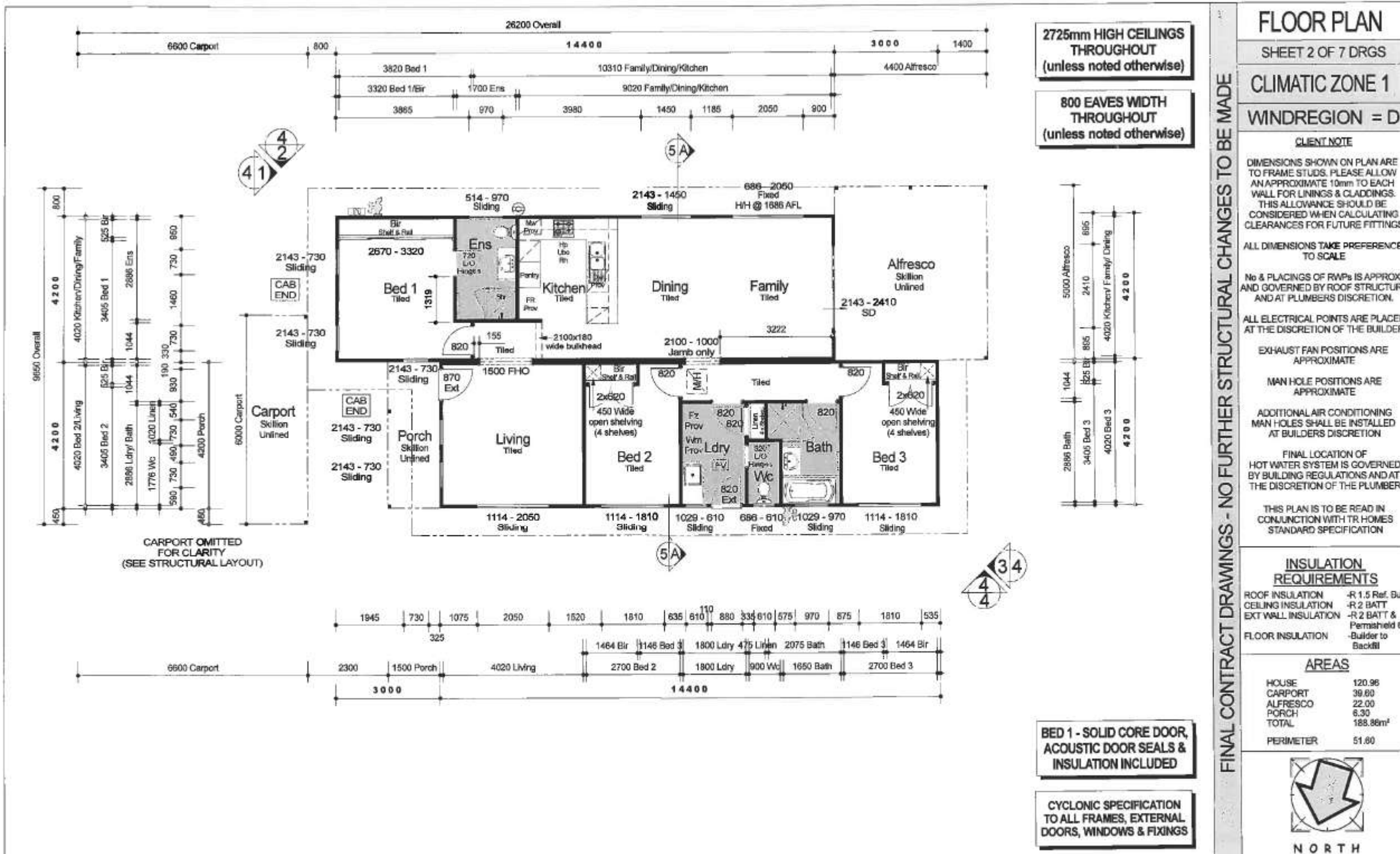
copyright ©
TSR HOMES WA.
BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
FOR: BHP Billiton (6.13)
AT: LOT 1 #3
TEAL PLACE
SOUTH HEDLAND 6722

CONFIRMED DOCUMENT FOR THE USE OF :		CLIENT SIGNATURE	DATE SIGNED:
CLIENT APPROVAL		CLIENT SIGNATURE	DATE SIGNED:
OFFICER: James Tanner	DATE: 19.04.2011	W/O NO:	W/O DATE:
		W/O NO:	W/O DATE:
		W/O NO:	W/O DATE:

Killara Mirrored

DRAWN - LFL/D
DATE - 10/12/2010
SCALE - 1:100
JOB No. 91094.



FLOOR PLAN

SHEET 2 OF 7 DRGS

CLIMATIC ZONE 1

WINDREGION = D

CLIENT NOTE

DIMENSIONS SHOWN ON PLAN ARE TO FRAME STUDS. PLEASE ALLOW AN APPROXIMATE 10mm TO EACH WALL FOR LININGS & CLADDINGS. THIS ALLOWANCE SHOULD BE CONSIDERED WHEN CALCULATING CLEARANCES FOR FUTURE FITTINGS

ALL DIMENSIONS TAKE PREFERENCE TO SCALE

No & PLACINGS OF R/WP IS APPROX. AND GOVERNED BY ROOF STRUCTURE AND AT PLUMBERS DISCRETION.

ALL ELECTRICAL POINTS ARE PLACED AT THE DISCRETION OF THE BUILDER

EXHAUST FAN POSITIONS ARE APPROXIMATE

MAN HOLE POSITIONS ARE APPROXIMATE

ADDITIONAL AIR CONDITIONING MAN HOLES SHALL BE INSTALLED AT BUILDERS DISCRETION

FINAL LOCATION OF HOT WATER SYSTEM IS GOVERNED BY BUILDING REGULATIONS AND AT THE DISCRETION OF THE PLUMBER

THIS PLAN IS TO BE READ IN CONJUNCTION WITH TR HOMES STANDARD SPECIFICATION

INSULATION REQUIREMENTS

ROOF INSULATION	-R 1.5 Ref. Bulk
CEILING INSULATION	-R 2 BATT
EXT WALL INSULATION	-R 2 BATT & Permashield 65
FLOOR INSULATION	-Builder to Backfill

AREAS

HOUSE	120.96
CARPORIT	39.80
ALFRESCO	22.00
PORCH	6.30
TOTAL	188.86m ²
PERIMETER	51.60



FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE

PH - 9493 2998
 FAX - 9493 1127
 EMAIL - info@trhomes.com.au
 105 Kelvin Rd. Maddington, WA, 6109

copyright ©
 T&R HOMES WA.
 BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
 FOR: BHP Billiton (6.14)
 AT: LOT 1 #4
 TEAL PLACE
 SOUTH HEDLAND 6722

CONFIRMED DOCUMENT FOR THE USE OF :

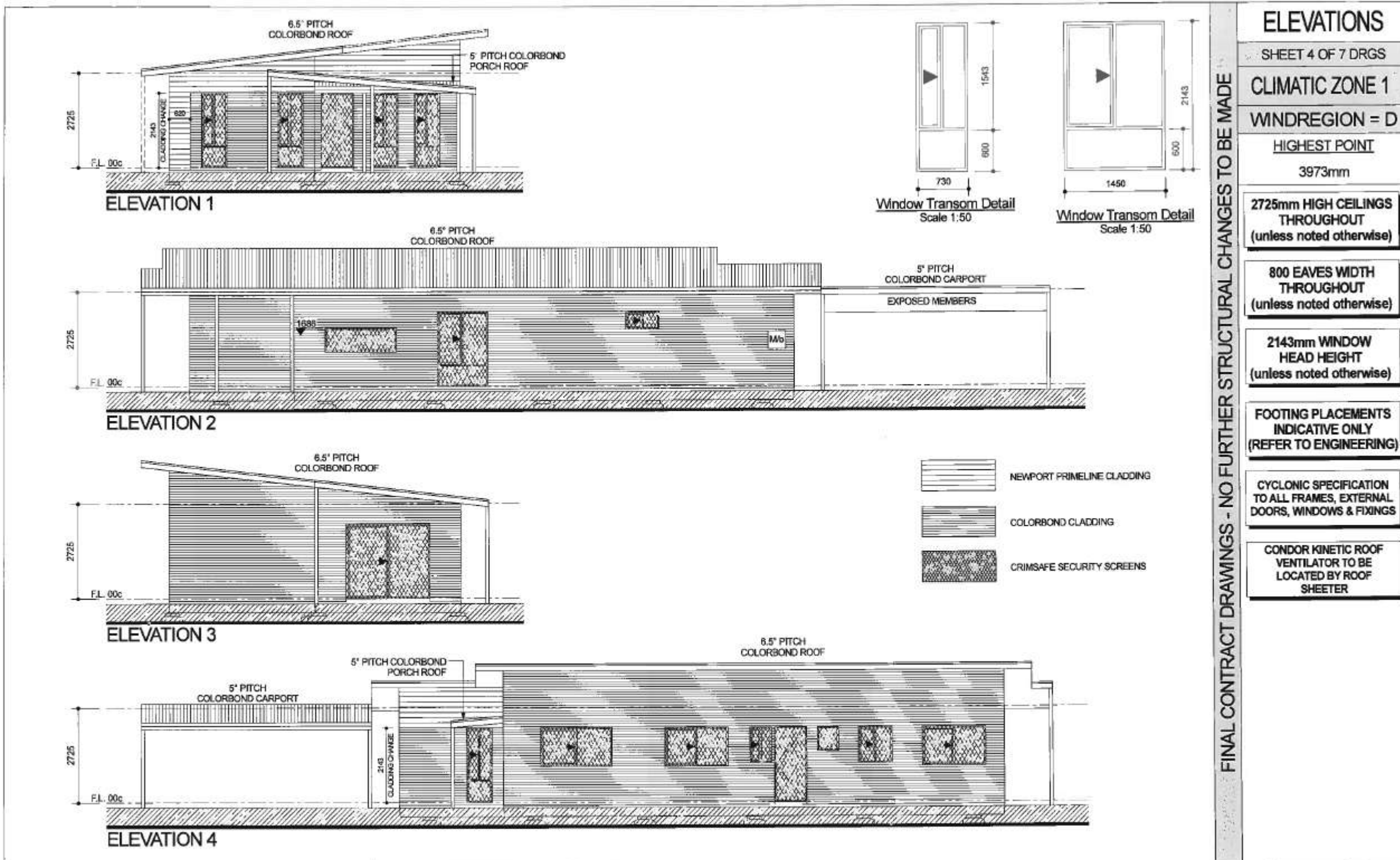
CLIENT APPROVAL

OFFICER: James Tanner
 DATE: 15.04.2011

CLIENT SIGNATURE	DATE SIGNED:
CLIENT SIGNATURE	DATE SIGNED:
W/O NO:	W/O DATE:
W/O NO:	W/O DATE:
W/O NO:	W/O DATE:

Killara

DRAWN - LF-DC
 DATE - 10/12/2010
 SCALE - 1:100
JOB No. 91091.



ELEVATIONS
SHEET 4 OF 7 DRGS
CLIMATIC ZONE 1
WINDREGION = D
HIGHEST POINT 3973mm
2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)
800 EAVES WIDTH THROUGHOUT (unless noted otherwise)
2143mm WINDOW HEAD HEIGHT (unless noted otherwise)
FOOTING PLACEMENTS INDICATIVE ONLY (REFER TO ENGINEERING)
CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS
CONDOR KINETIC ROOF VENTILATOR TO BE LOCATED BY ROOF SHEETER



PH - 9493 2998
FAX - 9493 1127
EMAIL - info@trhomes.com.au
105 Kelvin Rd, Maddington, WA, 6109

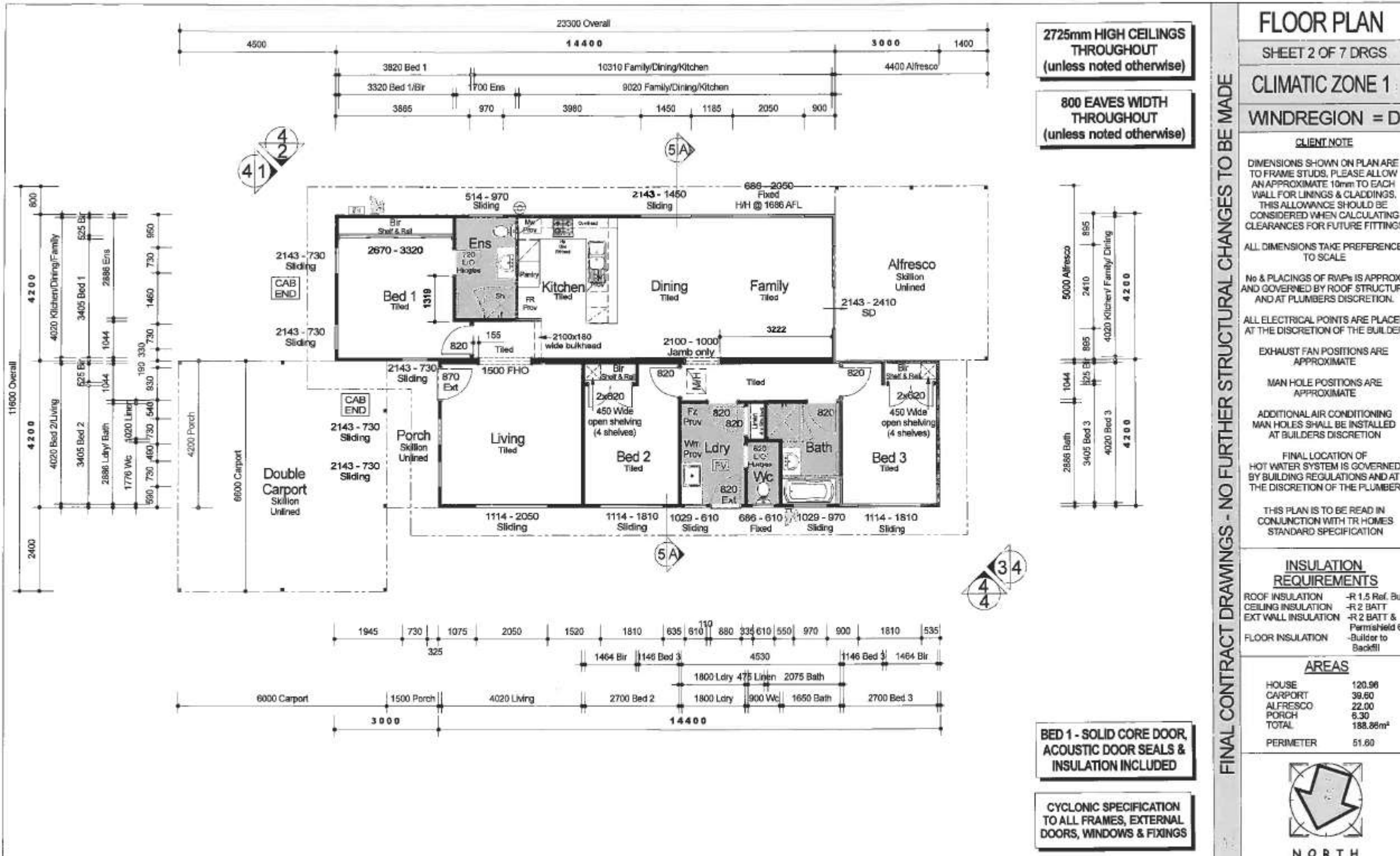
copyright ©
T&R HOMES WA
BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
FOR: BHP Billiton (6.14)
AT: LOT 1 #4
TEAL PLACE
SOUTH HEDLAND 6722

CONFIRMED DOCUMENT FOR THE USE OF :	CLIENT SIGNATURE	DATE SIGNED:
	CLIENT SIGNATURE	DATE SIGNED:
CLIENT APPROVAL	V/O NO:	V/O DATE:
	V/O NO:	V/O DATE:
	V/O NO:	V/O DATE:
OFFICER: James Tanner		
DATE: 15.04.2011		

Killara

DRAWN - LF-DC
DATE - 10/12/2010
SCALE - 1:100
JOB No. 91091.



TR homes
PH - 9493 2998
FAX - 9493 1127
EMAIL - info@trhomes.com.au
105 Kelvin Rd, Maddington, WA, 6109
copyright ©
T&R HOMES W.A.
BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
FOR: BHP Billiton (6.15)
AT: LOT 1 #5
TEAL PLACE
SOUTH HEDLAND 6722

CONFIRMED DOCUMENT FOR THE USE OF :
CLIENT APPROVAL
OFFICER: James Tanner
DATE: 12.04.2011

CLIENT SIGNATURE	DATE SIGNED:
CLIENT SIGNATURE	DATE SIGNED:
V/O NO:	V/O DATE:
V/O NO:	V/O DATE:
V/O NO:	V/O DATE:

Killara
DRAWN - LFL/D
DATE - 10/12/2010
SCALE - 1:100
JOB No. 91092.

ELEVATIONS

SHEET 4 OF 7 DRGS

CLIMATIC ZONE 1

WINDREGION = D

HIGHEST POINT
3973mm

2725mm HIGH CEILINGS
THROUGHOUT
(unless noted otherwise)

800 EAVES WIDTH
THROUGHOUT
(unless noted otherwise)

2143mm WINDOW
HEAD HEIGHT
(unless noted otherwise)

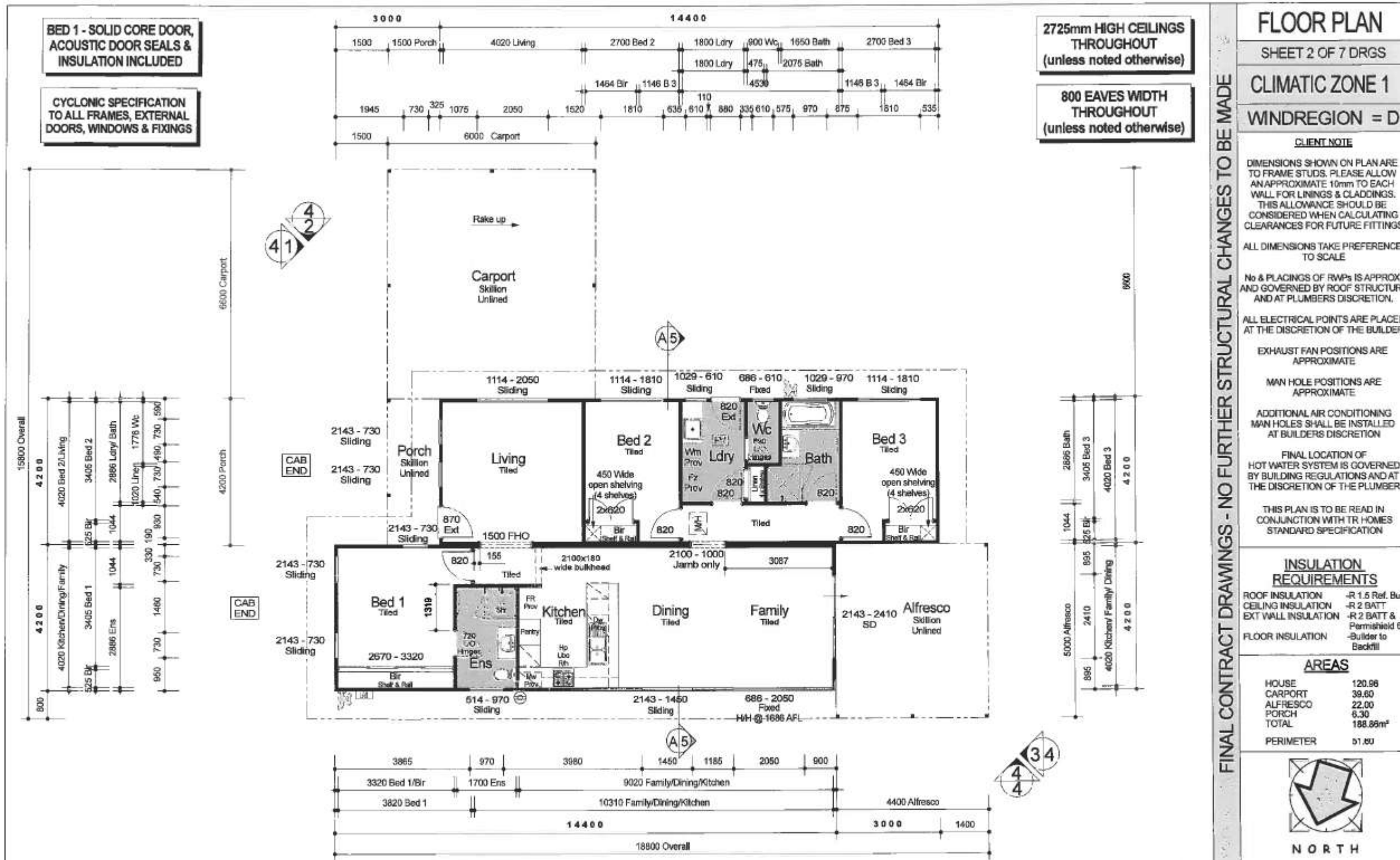
FOOTING PLACEMENTS
INDICATIVE ONLY
(REFER TO ENGINEERING)

CYCLONIC SPECIFICATION
TO ALL FRAMES, EXTERNAL
DOORS, WINDOWS & FIXINGS

CONDOR KINETIC ROOF
VENTILATOR TO BE
LOCATED BY ROOF
SHEETER

FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE

<p>PH - 9493 2996 FAX - 9493 1127 EMAIL - info@trhomes.com.au 105 Kelvin Rd, Maddington, WA, 6109</p> <p>copyright © T&R HOMES WA BUILDERS REG. NO. 12004</p>	<p>PROPOSED RESIDENCE</p> <p>FOR: BHP Billiton (6.15)</p> <p>AT: LOT 1 #5 TEAL PLACE SOUTH HEDLAND 6722</p>	<p>CONFIRMED DOCUMENT FOR THE USE OF :</p>	<p>CLIENT SIGNATURE</p>	<p>DATE SIGNED:</p>	<p>Killara</p> <p>DRAWN - LF/D</p> <p>DATE - 10/12/2010</p> <p>SCALE - 1:100</p> <p>JOB No. 91092.</p>
		<p>CLIENT APPROVAL</p> <p>OFFICER: James Tanner</p> <p>DATE: 12.04.2011</p>	<p>CLIENT SIGNATURE</p>	<p>DATE SIGNED:</p>	
		<p>V/O NO:</p>	<p>V/O DATE:</p>		
		<p>V/O NO:</p>	<p>V/O DATE:</p>		
		<p>V/O NO:</p>	<p>V/O DATE:</p>		



BED 1 - SOLID CORE DOOR, ACOUSTIC DOOR SEALS & INSULATION INCLUDED

CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS

2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)

800 EAVES WIDTH THROUGHOUT (unless noted otherwise)

FLOOR PLAN

SHEET 2 OF 7 DRGS

CLIMATIC ZONE 1

WINDREGION = D

CLIENT NOTE

DIMENSIONS SHOWN ON PLAN ARE TO FRAME STUDS. PLEASE ALLOW AN APPROXIMATE 10mm TO EACH WALL FOR LININGS & CLADDINGS. THIS ALLOWANCE SHOULD BE CONSIDERED WHEN CALCULATING CLEARANCES FOR FUTURE FITTINGS

ALL DIMENSIONS TAKE PREFERENCE TO SCALE

No & PLACINGS OF RMPs IS APPROX. AND GOVERNED BY ROOF STRUCTURE AND AT PLUMBERS DISCRETION.

ALL ELECTRICAL POINTS ARE PLACED AT THE DISCRETION OF THE BUILDER

EXHAUST FAN POSITIONS ARE APPROXIMATE

MAN HOLE POSITIONS ARE APPROXIMATE

ADDITIONAL AIR CONDITIONING MAN HOLES SHALL BE INSTALLED AT BUILDERS DISCRETION

FINAL LOCATION OF HOT WATER SYSTEM IS GOVERNED BY BUILDING REGULATIONS AND AT THE DISCRETION OF THE PLUMBER

THIS PLAN IS TO BE READ IN CONJUNCTION WITH TR HOMES STANDARD SPECIFICATION

INSULATION REQUIREMENTS

ROOF INSULATION -R 1.5 Ref. Bulk
 CEILING INSULATION -R 2 BATT
 EXT WALL INSULATION -R 2 BATT & PermaShield 85
 FLOOR INSULATION -Builder to Backfill

AREAS

HOUSE	120.98
CARPORT	39.60
ALFRESCO	22.00
PORCH	6.30
TOTAL	188.88m ²
PERIMETER	51.80



FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE



PH - 9493 2998
 FAX - 9493 1127
 EMAIL - info@trhomes.com.au
 106 Kelvin Rd, Meddington, WA, 6109

copyright ©
 T&R HOMES W.A.
 BUILDERS REG. NO. 12004

PROPOSED RESIDENCE

FOR: BHP Billiton (6.16)

AT: LOT 1 #6

TEAL PLACE

SOUTH HEDLAND 6722

CONFIRMED DOCUMENT FOR THE USE OF :

CLIENT APPROVAL

OFFICER: James Tanner

DATE: 18.04.2011

CLIENT SIGNATURE	DATE SIGNED:
CLIENT SIGNATURE	DATE SIGNED:
W/O NO:	W/O DATE:
W/O NO:	W/O DATE:
W/O NO:	W/O DATE:

KILLARA (Mirr)

DRAWN - JV-LF

DATE - 31/03/2011

SCALE - 1:100

JOB No. 91093.

ELEVATIONS

SHEET 4 OF 7 DRGS

CLIMATIC ZONE 1

WINDREGION = D

HIGHEST POINT
3973mm

2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)

800 EAVES WIDTH THROUGHOUT (unless noted otherwise)

2143mm WINDOW HEAD HEIGHT (unless noted otherwise)

FOOTING PLACEMENTS INDICATIVE ONLY (REFER TO ENGINEERING)

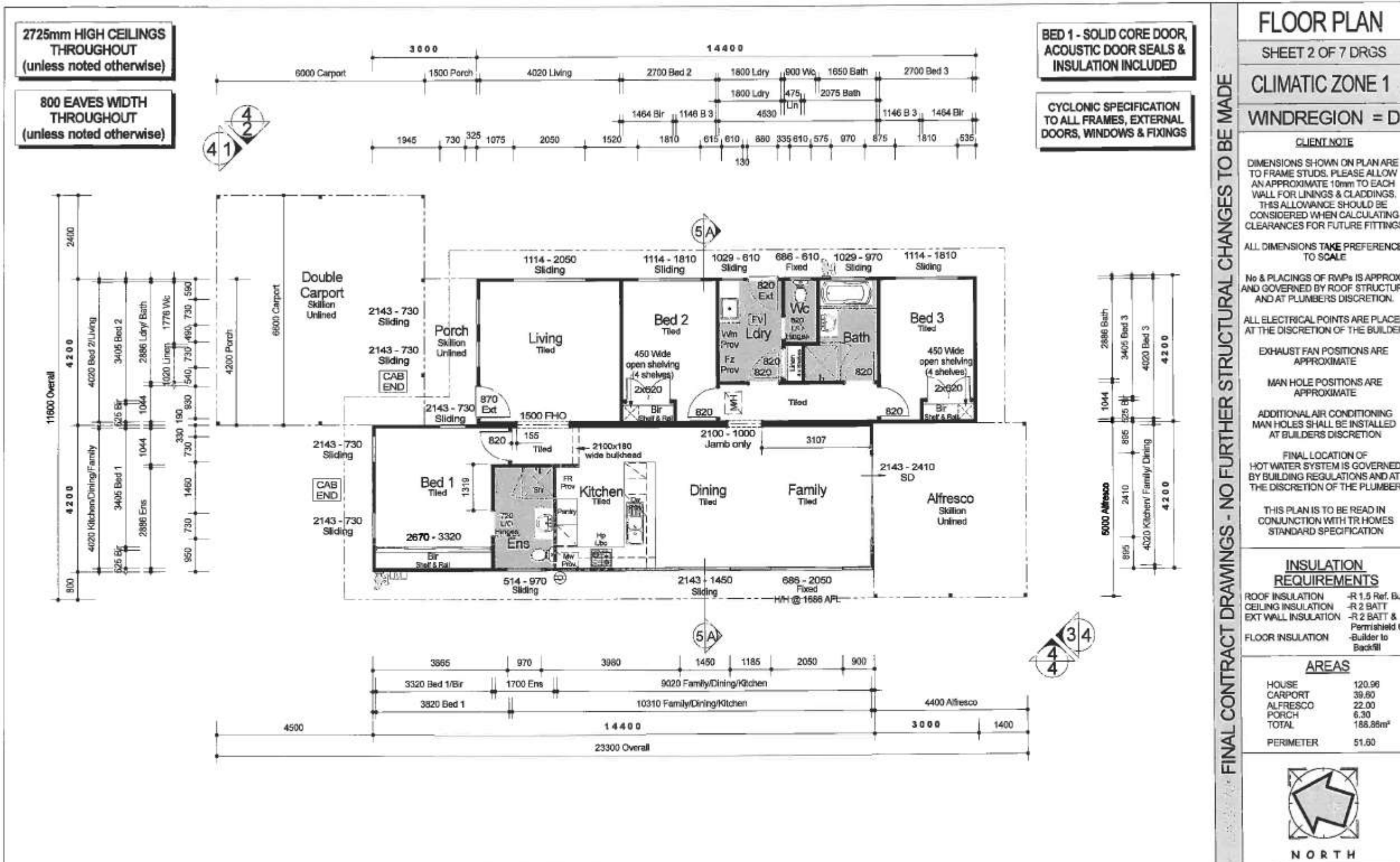
CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS

CONDOR KINETIC ROOF VENTILATOR TO BE LOCATED BY ROOF SHEETER

FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE

LEGEND:
 Newport Primeline Cladding
 Colorbond Cladding
 Crimsafe Security Screens

	PH - 9493 2968 FAX - 9493 1127 EMAIL - info@trhomes.com.au 105 Kelvin Rd, Maddington, WA, 6109	PROPOSED RESIDENCE FOR: BHP Billiton (6.16) AT: LOT 1 #6 TEAL PLACE SOUTH HEDLAND 6722	CONFIRMED DOCUMENT FOR THE USE OF : CLIENT APPROVAL OFFICER: James Tanner DATE: 18.04.2011	CLIENT SIGNATURE CLIENT SIGNATURE W/O NO: W/O NO: W/O NO:	DATE SIGNED: DATE SIGNED: W/O DATE: W/O DATE: W/O DATE:	KILLARA (Mirr) DRAWN - JVALF DATE - 31/03/2011 SCALE - 1:100 JOB No. 91093.
	copyright © T&R HOMES WA. BUILDERS REG. NO. 12004					



FLOOR PLAN
 SHEET 2 OF 7 DRGS
 CLIMATIC ZONE 1
 WINDREGION = D

CLIENT NOTE
 DIMENSIONS SHOWN ON PLAN ARE TO FRAME STUDS. PLEASE ALLOW AN APPROXIMATE 10mm TO EACH WALL FOR LININGS & CLADDINGS. THIS ALLOWANCE SHOULD BE CONSIDERED WHEN CALCULATING CLEARANCES FOR FUTURE FITTINGS
 ALL DIMENSIONS TAKE PREFERENCE TO SCALE
 No & PLACINGS OF RMPs IS APPROX. AND GOVERNED BY ROOF STRUCTURE AND AT PLUMBERS DISCRETION.
 ALL ELECTRICAL POINTS ARE PLACED AT THE DISCRETION OF THE BUILDER.
 EXHAUST FAN POSITIONS ARE APPROXIMATE
 MAN HOLE POSITIONS ARE APPROXIMATE
 ADDITIONAL AIR CONDITIONING MAN HOLES SHALL BE INSTALLED AT BUILDERS DISCRETION
 FINAL LOCATION OF HOT WATER SYSTEM IS GOVERNED BY BUILDING REGULATIONS AND AT THE DISCRETION OF THE PLUMBER
 THIS PLAN IS TO BE READ IN CONJUNCTION WITH TR HOMES STANDARD SPECIFICATION

INSULATION REQUIREMENTS
 ROOF INSULATION - R 1.5 Ref. Bulk
 CEILING INSULATION - R 2 BATT
 EXT WALL INSULATION - R 2 BATT & Permethield 65
 FLOOR INSULATION - Builder to Backfill

AREAS

HOUSE	120.96
CARPOR	39.80
ALFRESCO	22.00
PORCH	6.30
TOTAL	188.86m ²
PERIMETER	51.60

FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE

NORTH

TR homes
 PH - 9493 2998
 FAX - 9493 1127
 EMAIL - info@trhomes.com.au
 105 Kelvin Rd, Maddington, WA, 6109
 copyright ©
 T&R HOMES WA.
 BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
 FOR: BHP Billiton (6.18)
 AT: LOT 1 #7
 TEAL PLACE
 SOUTH HEDLAND 6722

CONFIRMED DOCUMENT FOR THE USE OF :
CLIENT APPROVAL
 OFFICER: James Tanner
 DATE: 21.04.2011

CLIENT SIGNATURE	DATE SIGNED:
CLIENT SIGNATURE	DATE SIGNED:
V/O NO:	V/O DATE:
V/O NO:	V/O DATE:
V/O NO:	V/O DATE:

KILLARA
 DRAWN - JVL
 DATE - 1/04/2011
 SCALE - 1:100
JOB No. 91098.

ELEVATIONS

SHEET 4 OF 7 DRGS

CLIMATIC ZONE 1

WINDREGION = D

HIGHEST POINT
3973mm

2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)

800 EAVES WIDTH THROUGHOUT (unless noted otherwise)

2143mm WINDOW HEAD HEIGHT (unless noted otherwise)

FOOTING PLACEMENTS INDICATIVE ONLY (REFER TO ENGINEERING)

CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS

CONDOR KINETIC ROOF VENTILATOR TO BE LOCATED BY ROOF SHEETER

FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE

PH - 9493 2998
FAX - 9493 1127
EMAIL - info@trhomes.com.au
105 Kelvin Rd, Maddington, WA, 6109

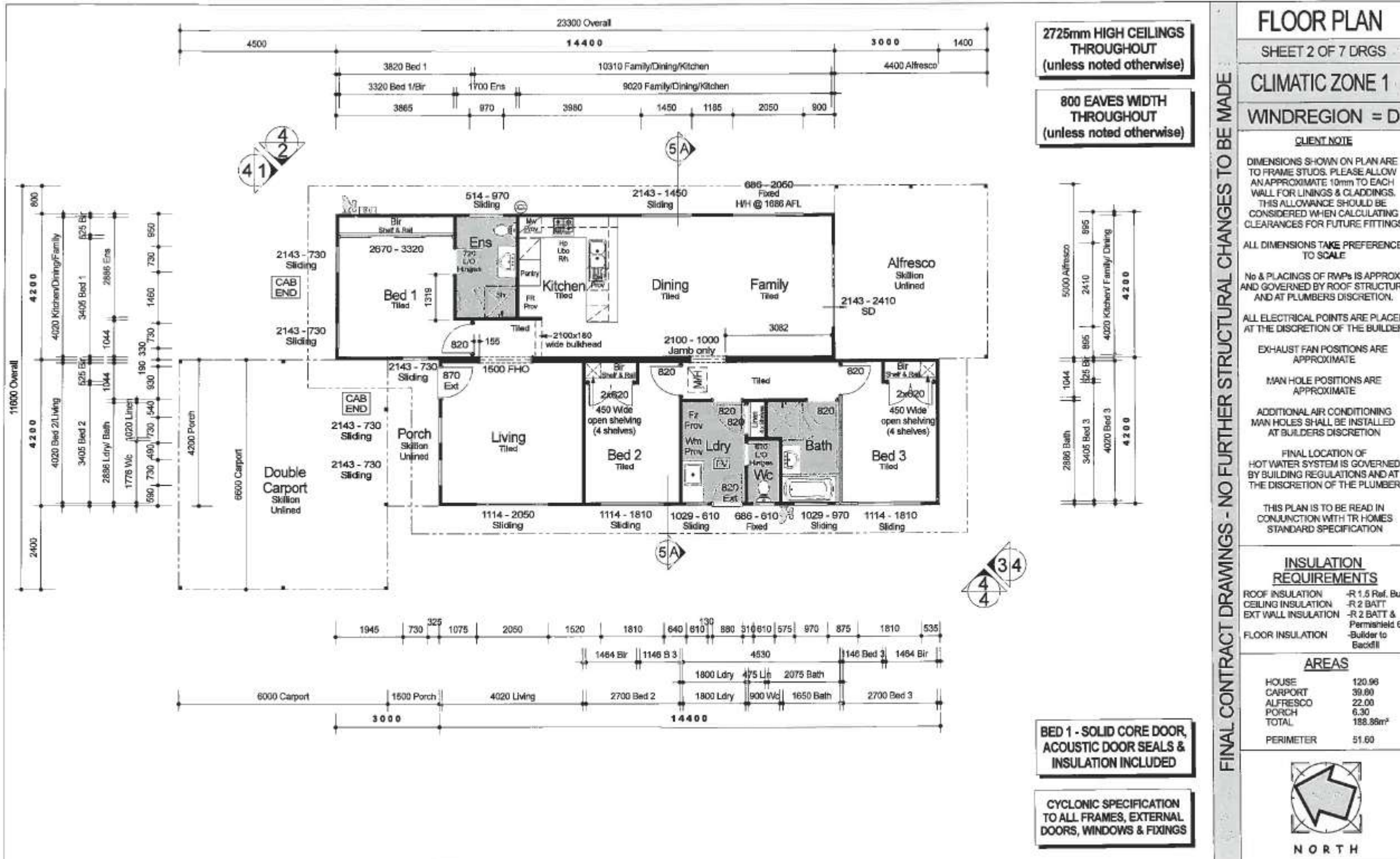
copyright ©
T&R HOMES WA
BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
FOR: BHP Billiton (6.18)
AT: LOT 1 #7
TEAL PLACE
SOUTH HEDLAND 6722

CONFIRMED DOCUMENT FOR THE USE OF :		CLIENT SIGNATURE	DATE SIGNED:
CLIENT APPROVAL		CLIENT SIGNATURE	DATE SIGNED:
OFFICER: James Tanner	W/O NO:	W/O DATE:	
DATE: 21.04.2011	W/O NO:	W/O DATE:	
	W/O NO:	W/O DATE:	

KILLARA

DRAWN - JV-LF
DATE - 1/04/2011
SCALE - 1:100
JOB No. 91098.



FLOOR PLAN

SHEET 2 OF 7 DRGS

CLIMATIC ZONE 1

WINDREGION = D

CLIENT NOTE

DIMENSIONS SHOWN ON PLAN ARE TO FRAME STUDS. PLEASE ALLOW AN APPROXIMATE 10mm TO EACH WALL FOR LININGS & CLADDINGS. THIS ALLOWANCE SHOULD BE CONSIDERED WHEN CALCULATING CLEARANCES FOR FUTURE FITTINGS

ALL DIMENSIONS TAKE PREFERENCE TO SCALE

No & PLACINGS OF RMPs IS APPROX. AND GOVERNED BY ROOF STRUCTURE AND AT PLUMBERS DISCRETION.

ALL ELECTRICAL POINTS ARE PLACED AT THE DISCRETION OF THE BUILDER

EXHAUST FAN POSITIONS ARE APPROXIMATE

MAN HOLE POSITIONS ARE APPROXIMATE

ADDITIONAL AIR CONDITIONING MAN HOLES SHALL BE INSTALLED AT BUILDERS DISCRETION

FINAL LOCATION OF HOT WATER SYSTEM IS GOVERNED BY BUILDING REGULATIONS AND AT THE DISCRETION OF THE PLUMBER

THIS PLAN IS TO BE READ IN CONJUNCTION WITH TR HOMES STANDARD SPECIFICATION

INSULATION REQUIREMENTS

ROOF INSULATION	-R 1.5 Ref. Bulk
CEILING INSULATION	-R 2 BATT
EXT WALL INSULATION	-R 2 BATT & Permashield 65
FLOOR INSULATION	-Builder to Backfill

AREAS

HOUSE	120.98
CARPORT	39.89
ALFRESCO	22.00
PORCH	6.30
TOTAL	188.88m ²
PERIMETER	51.60



FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE

2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)

800 EAVES WIDTH THROUGHOUT (unless noted otherwise)

BED 1 - SOLID CORE DOOR, ACOUSTIC DOOR SEALS & INSULATION INCLUDED

CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS

PH - 9493 2998
 FAX - 9493 1127
 EMAIL - info@trhomes.com.au
 105 Kelvin Rd, Meddington, WA, 6109

copyright ©
 T&R HOMES W.A.
 BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
 FOR: BHP Billiton (6.17)
 AT: LOT 1 #8
 TEAL PLACE
 SOUTH HEDLAND 6722

CONFIRMED DOCUMENT FOR THE USE OF :

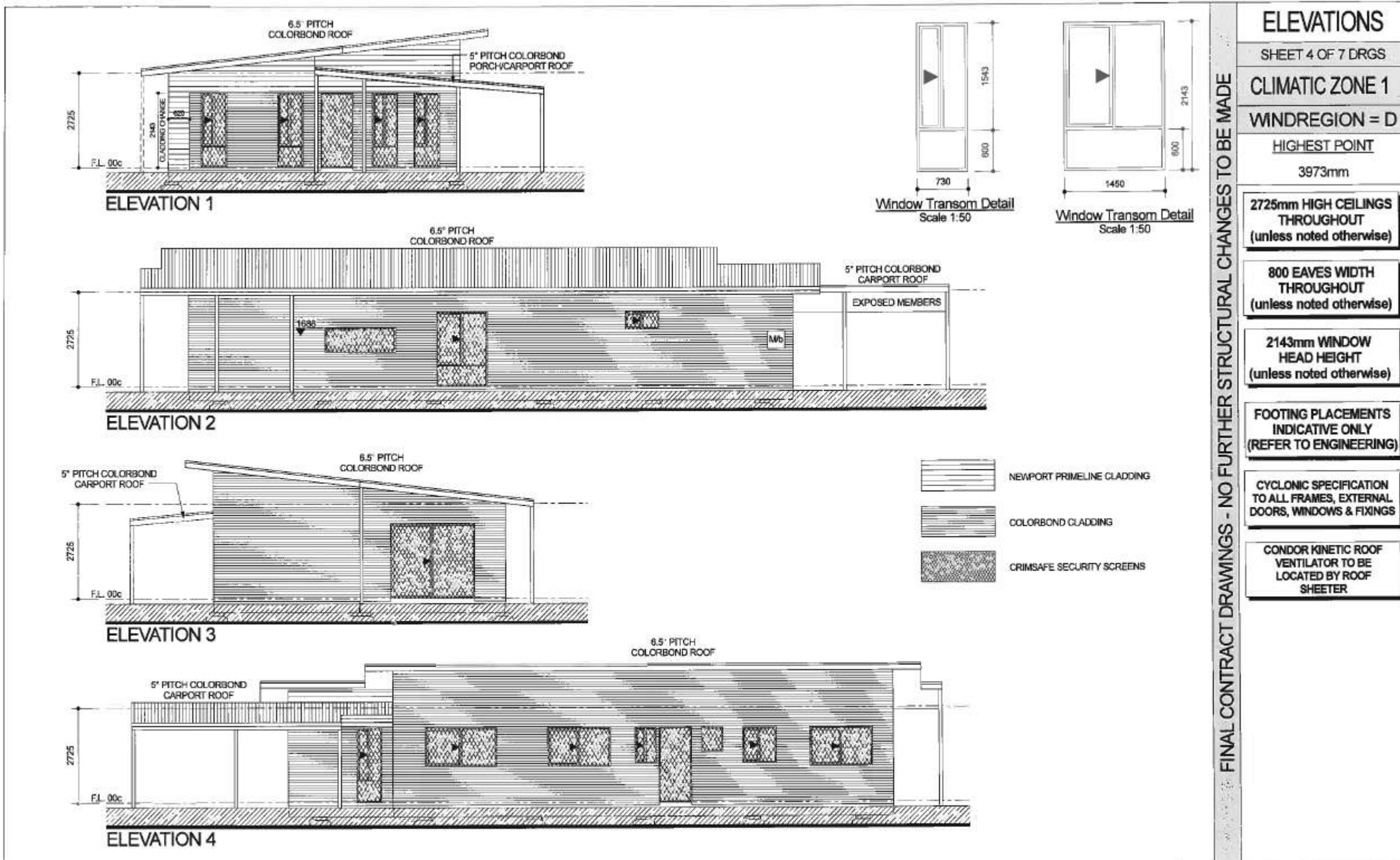
CLIENT APPROVAL

CLIENT SIGNATURE	DATE SIGNED:
CLIENT SIGNATURE	DATE SIGNED:
W/O NO:	W/O DATE:
W/O NO:	W/O DATE:
W/O NO:	W/O DATE:

OFFICER: James Tanner
 DATE: 19.04.2011

Killara

DRAWN - LFLD
 DATE - 28/07/2011
 SCALE - 1:100
JOB No. 91097.



ELEVATIONS
SHEET 4 OF 7 DRGS
CLIMATIC ZONE 1
WINDREGION = D
HIGHEST POINT 3973mm
2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)
800 EAVES WIDTH THROUGHOUT (unless noted otherwise)
2143mm WINDOW HEAD HEIGHT (unless noted otherwise)
FOOTING PLACEMENTS INDICATIVE ONLY (REFER TO ENGINEERING)
CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS
CONDOR KINETIC ROOF VENTILATOR TO BE LOCATED BY ROOF SHEETER

PH - 9493 2998
FAX - 9493 1127
EMAIL - info@trhomes.com.au
105 Kelvin Rd, Maddington, WA, 6109

copyright ©
T&R HOMES WA.
BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
FOR: BHP Billiton (6.17)
AT: LOT 1 #8
TEAL PLACE
SOUTH HEDLAND 6722

CONFIRMED DOCUMENT FOR THE USE OF :	CLIENT SIGNATURE	DATE SIGNED:
	CLIENT SIGNATURE	DATE SIGNED:
CLIENT APPROVAL	OFFICER: James Tanner	DATE: 19.04.2011
	W/O NO:	W/O DATE:
	W/O NO:	W/O DATE:

Killara

DRAWN - LF/LD
DATE - 28/07/2011
SCALE - 1:100
JOB No. 91097.

ELEVATIONS

SHEET 4 OF 7 DRGS

CLIMATIC ZONE 1

WINDREGION = D

HIGHEST POINT
3973mm

2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)

800 EAVES WIDTH THROUGHOUT (unless noted otherwise)

2143mm WINDOW HEAD HEIGHT (unless noted otherwise)

FOOTING PLACEMENTS INDICATIVE ONLY (REFER TO ENGINEERING)

CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS

CONDOR KINETIC ROOF VENTILATOR TO BE LOCATED BY ROOF SHEETER

FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE

PH - 9493 2996
FAX - 9493 1127
EMAIL - info@trhomes.com.au
105 Kelvin Rd, Maddington, WA, 6109

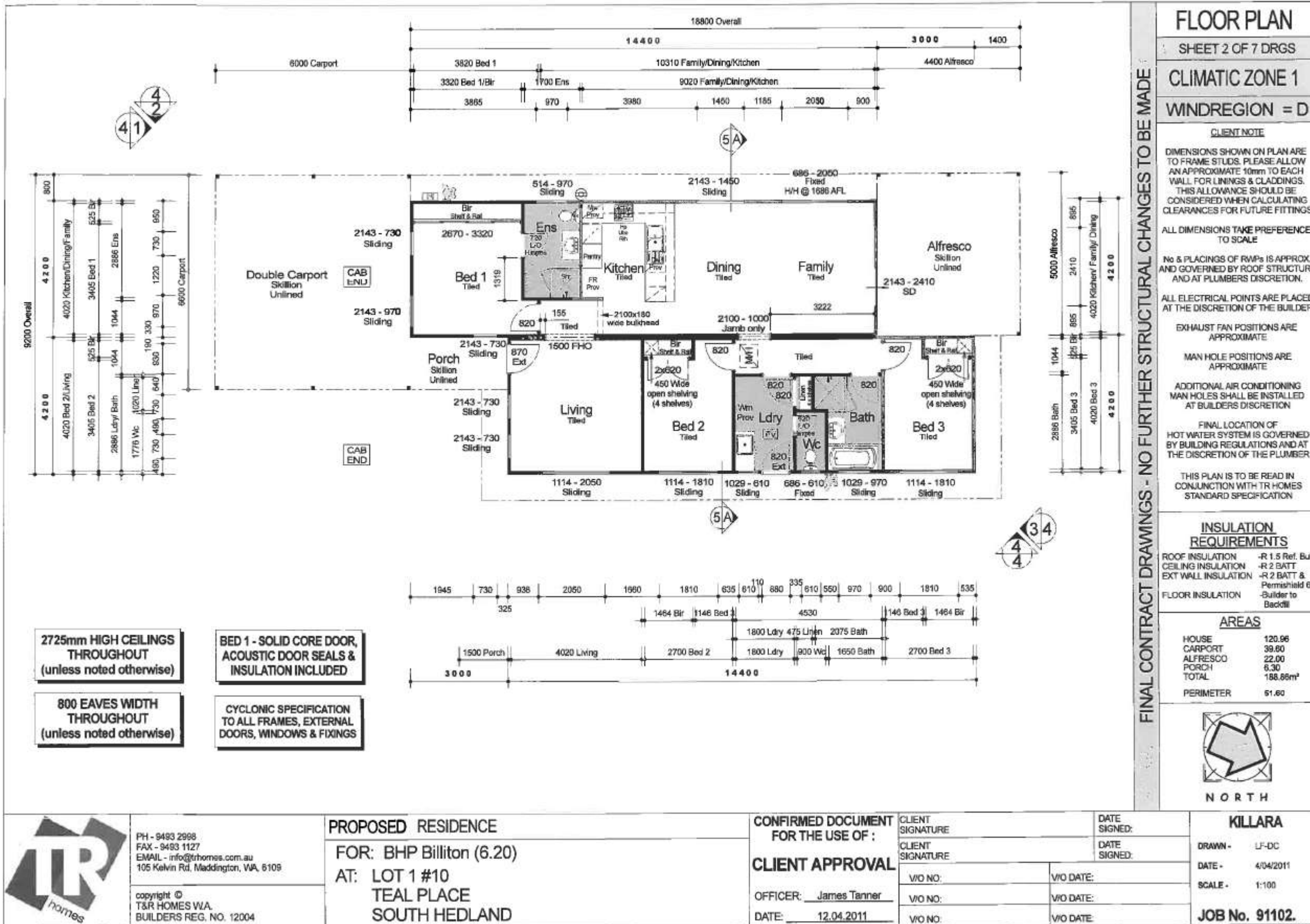
copyright ©
T&R HOMES WA
BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
FOR: BHP Billiton (6.19)
AT: LOT 1 #9
TEAL PLACE
SOUTH HEDLAND

CONFIRMED DOCUMENT FOR THE USE OF :		CLIENT SIGNATURE	DATE SIGNED:
CLIENT APPROVAL		CLIENT SIGNATURE	DATE SIGNED:
OFFICER: James Tanner	W/O NO:	W/O DATE:	
DATE: 19.04.2011	W/O NO:	W/O DATE:	
	W/O NO:	W/O DATE:	

Killara

DRAWN - TF-DC
DATE - 21/04/2011
SCALE - 1:100
JOB No. 91099.



ELEVATION 1
6.5° PITCH COLORBOND ROOF
2725
F.L. 00c
2143
CLADDING CHANGE
800

ELEVATION 2
6.5° PITCH COLORBOND ROOF
2725
F.L. 00c
1600
Mb

ELEVATION 3
6.5° PITCH COLORBOND ROOF
2725
F.L. 00c

ELEVATION 4
6.5° PITCH COLORBOND ROOF
2725
F.L. 00c

Window Transom Detail Scale 1:50
730
1543
600

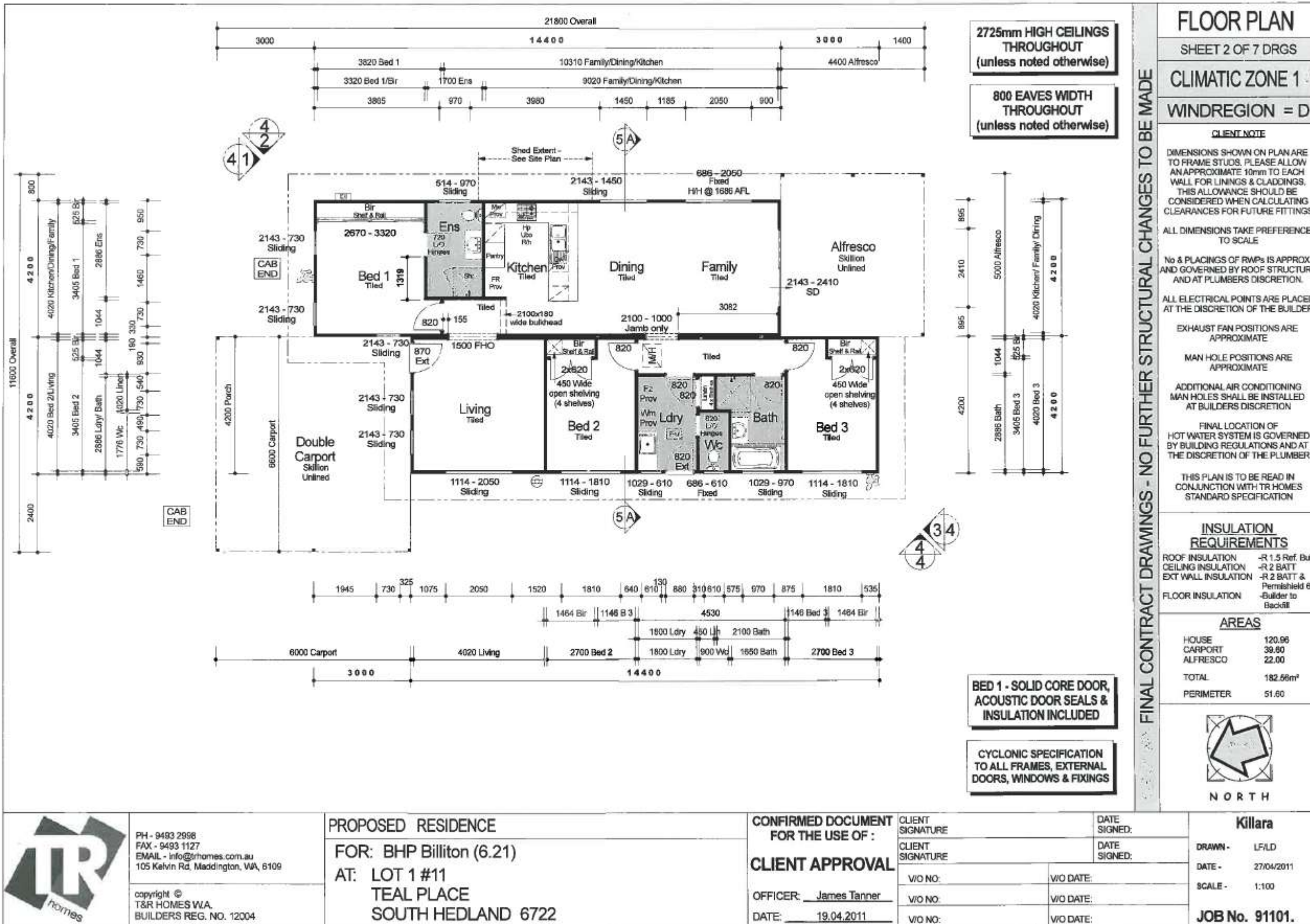
Window Transom Detail Scale 1:50
1450
2143
600

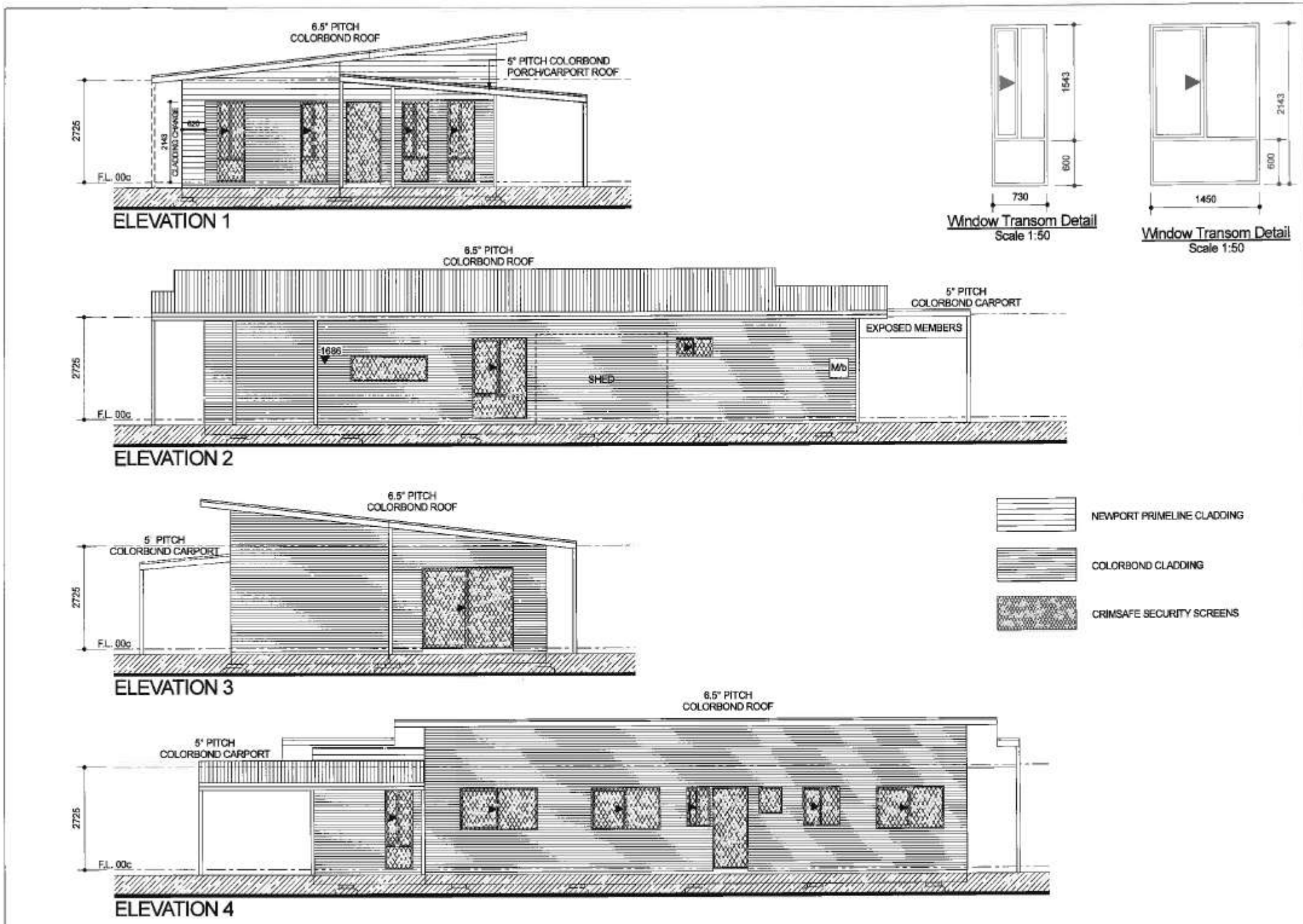
NEWPORT PRIMELINE CLADDING
COLORBOND CLADDING
CRIMSAFE SECURITY SCREENS

ELEVATIONS
SHEET 4 OF 7 DRGS
CLIMATIC ZONE 1
WINDREGION = D
HIGHEST POINT
4373mm
2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)
800 EAVES WIDTH THROUGHOUT (unless noted otherwise)
2143mm WINDOW HEAD HEIGHT (unless noted otherwise)
FOOTING PLACEMENTS INDICATIVE ONLY (REFER TO ENGINEERING)
CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS
CONDOR KINETIC ROOF VENTILATOR TO BE LOCATED BY ROOF SHEETER

FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE

<p>PH - 9493 2998 FAX - 9493 1127 EMAIL - info@trhomes.com.au 105 Kelvin Rd, Maddington, WA, 6109</p> <p>copyright © T&R HOMES W.A. BUILDERS REG. NO. 12004</p>	<p>PROPOSED RESIDENCE FOR: BHP Billiton (6.20) AT: LOT 1 #10 TEAL PLACE SOUTH HEDLAND</p>	<p>CONFIRMED DOCUMENT FOR THE USE OF :</p> <p>CLIENT SIGNATURE _____ DATE SIGNED: _____</p> <p>CLIENT SIGNATURE _____ DATE SIGNED: _____</p>	<p>KILLARA</p> <p>DRAWN - LF-DC DATE - 4/04/2011 SCALE - 1:100</p>
		<p>CLIENT APPROVAL</p> <p>OFFICER: James Tanner DATE: 12.04.2011</p>	<p>W/O NO: _____ W/O DATE: _____ W/O NO: _____ W/O DATE: _____ W/O NO: _____ W/O DATE: _____</p>





FINAL CONTRACT DRAWINGS - NO FURTHER STRUCTURAL CHANGES TO BE MADE

ELEVATIONS
SHEET 4 OF 7 DRGS
CLIMATIC ZONE 1
WINDREGION = D
HIGHEST POINT 3973mm
2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)
800 EAVES WIDTH THROUGHOUT (unless noted otherwise)
2143mm WINDOW HEAD HEIGHT (unless noted otherwise)
FOOTING PLACEMENTS INDICATIVE ONLY (REFER TO ENGINEERING)
CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS
CONDOR KINETIC ROOF VENTILATOR TO BE LOCATED BY ROOF SHEETER



PH - 9493 2998
FAX - 9493 1127
EMAIL - info@trhomes.com.au
105 Kelvin Rd, Maddington, WA, 6109

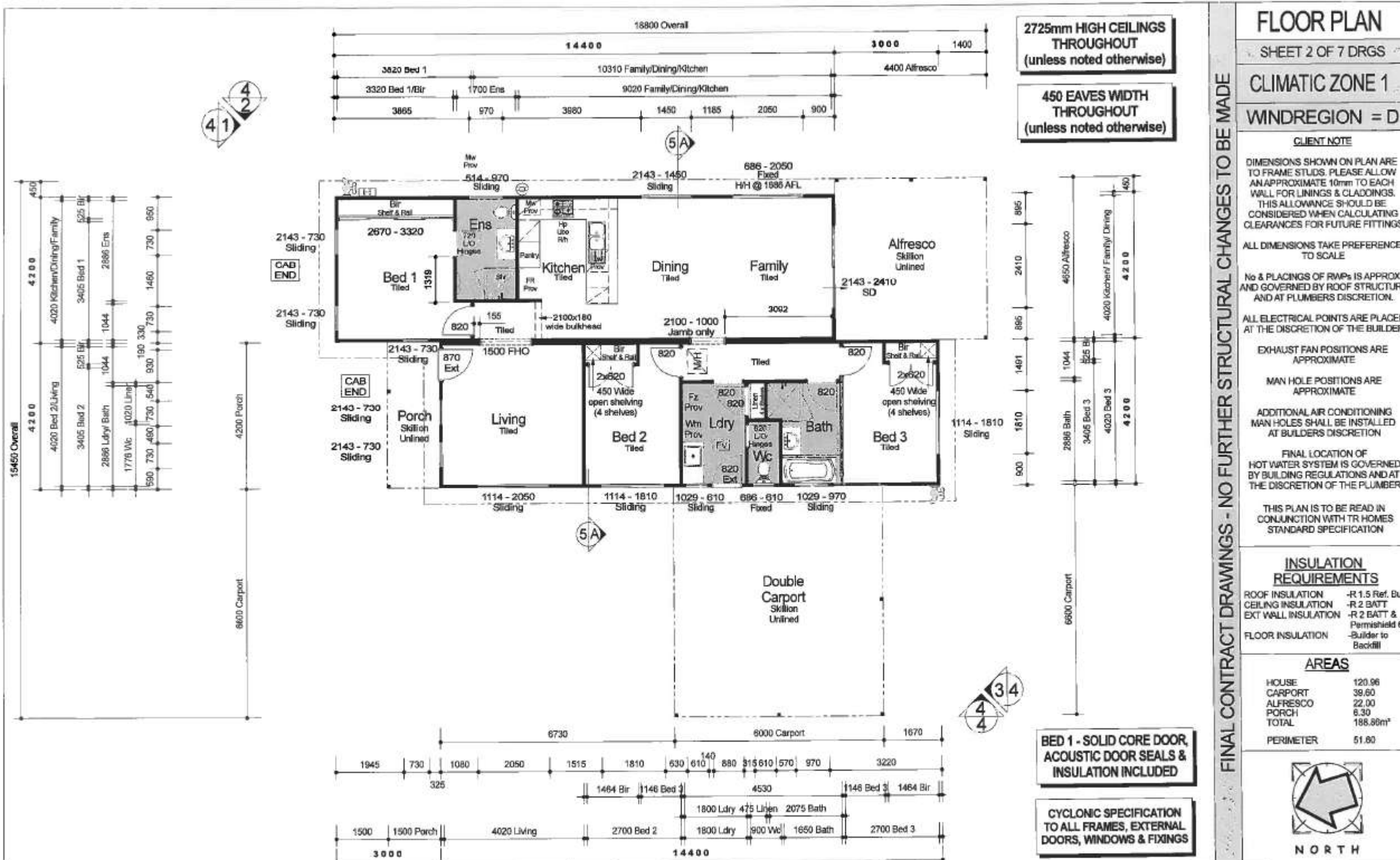
copyright ©
T&R HOMES WA
BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
FOR: BHP Billiton (6.21)
AT: LOT 1 #11
TEAL PLACE
SOUTH HEDLAND 6722

CONFIRMED DOCUMENT FOR THE USE OF :	CLIENT SIGNATURE	DATE SIGNED:
CLIENT APPROVAL	CLIENT SIGNATURE	DATE SIGNED:
OFFICER: James Tanner	W/O NO:	W/O DATE:
DATE: 19.04.2011	W/O NO:	W/O DATE:
	W/O NO:	W/O DATE:

Killara

DRAWN - LF/LD
DATE - 27/04/2011
SCALE - 1:100
JOB No. 91101.



TR homes
PH - 9493 2998
FAX - 9493 1127
EMAIL - info@trhomes.com.au
105 Kelvin Rd, Maddington, WA, 6109
copyright ©
T&R HOMES W.A.
BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
FOR: BHP Billiton (6.22)
AT: Lot 1 #12
Teal Place
South Hedland

CONFIRMED DOCUMENT FOR THE USE OF :
CLIENT APPROVAL
OFFICER: James Tanner
DATE: 29.04.2011

CLIENT SIGNATURE	DATE SIGNED:
CLIENT SIGNATURE	DATE SIGNED:
W/O NO:	W/O DATE:
W/O NO:	W/O DATE:
W/O NO:	W/O DATE:

Killara
DRAWN - JVLF
DATE - 4/04/2011
SCALE - 1:100
JOB No. 91100.

ELEVATIONS
SHEET 4 OF 7 DRGS
CLIMATIC ZONE 1
WINDREGION = D
HIGHEST POINT 3973mm
2725mm HIGH CEILINGS THROUGHOUT (unless noted otherwise)
450 EAVES WIDTH THROUGHOUT (unless noted otherwise)
2143mm WINDOW HEAD HEIGHT (unless noted otherwise)
FOOTING PLACEMENTS INDICATIVE ONLY (REFER TO ENGINEERING)
CYCLONIC SPECIFICATION TO ALL FRAMES, EXTERNAL DOORS, WINDOWS & FIXINGS
CONDOR KINETIC ROOF VENTILATOR TO BE LOCATED BY ROOF SHEETER



PH - 9493 2998
 FAX - 9493 1127
 EMAIL - info@trhomes.com.au
 105 Kelvin Rd, Maddington, WA, 6109

copyright ©
 T&R HOMES WA
 BUILDERS REG. NO. 12004

PROPOSED RESIDENCE
 FOR: BHP Billiton (6.22)
 AT: Lot 1 #12
 Teal Place
 South Hedland

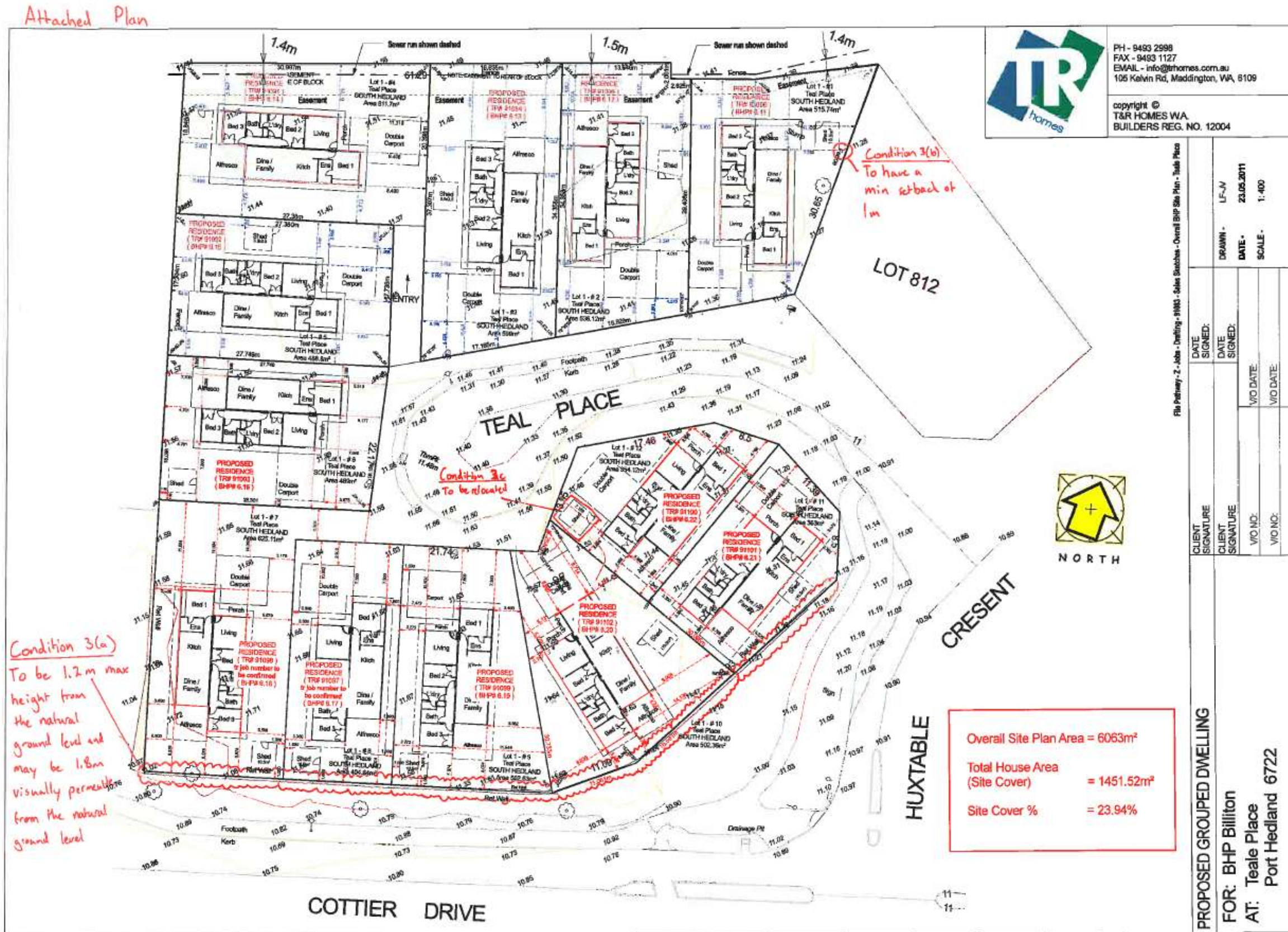
CONFIRMED DOCUMENT FOR THE USE OF :
CLIENT APPROVAL
 OFFICER: James Tanner
 DATE: 29.04.2011

CLIENT SIGNATURE	DATE SIGNED:
CLIENT SIGNATURE	DATE SIGNED:
V/O NO:	V/O DATE:
V/O NO:	V/O DATE:
V/O NO:	V/O DATE:

Killara
 DRAWN - JV-LF
 DATE - 4/04/2011
 SCALE - 1:100
JOB No. 91100.

ATTACHMENT 3 TO AGENDA ITEM 11.1.1.8





11.1.1.9 Proposed Community Centre / Church at proposed Lot 9 Smith Street (being part lot 6162 on Plan 27471) (File No.: 803125G)

Officer Luke Cervi
Senior Planning Officer

Date of Report 19 August 2011

Disclosure of Interest by Officer Nil

Summary

Council has received a request from C3 Church to request the Department of Housing support the proposal to vest Lot 9 Smith Street (being part lot 6162 on Plan 27471) to the Church for community use.

Background

C3 Church has been negotiating with the Department of Housing to have proposed Lot 9 Smith Street vested to the Church for community use. At this point negotiations have been unsuccessful and subsequently C3 Church is seeking the support of Council to strengthen their case.

Lot 6162 Smith and 2451 Pedlar Street (C3 Church) has approval to be subdivided into 10 lots. Proposed lot 9 is 4027m² in size and adjoins proposed lot 10 (C3 Church) the land is zoned Residential "R30" and has been identified on the proposed plan of subdivision as a "Group Site". Based on the size of the lot it is possible to develop 13 Grouped Dwellings on the land subject to planning approval. C3 Church wish to develop the site for a community centre that would comprise a 750 seat auditorium, board rooms, art gallery and café.

Consultation

- C3 Church
- Department of Regional Development and Lands

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

C3 Church is a multi-denomination Church that is heavily involved in community events and activities. Over recent years the membership of the church has grown significantly as has the amount of community traffic (eg kids club, youth group, community breakfasts, etc). Subsequently the current premises are struggling to meet the needs of the Church and the community events/activities it provides.

Proposed lot 9 provides a sensible expansion opportunity that:

1. Adjoins the current site
2. Provides greater visual prominence (Cottier Drive frontage)
3. Is of sufficient size to cater for continued growth.

The site is currently proposed to be developed as a "Group Site" that could result in as many as 13 dwellings. Housing is considered to be the most pressing need for the town in the short term. However, community use is also an important need for place making that assists in creating a community/town that is desirable to live in and meets the needs of residents.

Given the resolution of native title and land coming onto the market, this site is considered appropriate for use as a community centre.

Options

Council has the following options of dealing with the matter:

1. Support the request

If Department of Housing also support, this option would result in C3 Church maintaining a presence in the area for the foreseeable future.

2. Refuse to support the request

This option is likely to see the land developed with Grouped Dwellings. It is also likely that C3 Church would need to seek alternative premises as their current site is struggling to meet demand and lack of other alternative expansion options at the current site.

Given the important community function provided by C3 Church, it is recommended that Council support the Church in its expansion endeavours.

Attachments

1. Site Plan showing proposed lots 9 and 10
2. Community Centre concept plans

201112/079 Officer's Recommendation/Council Decision

Moved: Cr S J Coates

Seconded: Cr A A Carter

That Council:

- i. **supports C3 Church's request to have proposed Lot 9 (being part Lot 6162 on Plan 27471) Smith Street vested to the Church for "Community Use".**
- ii. **writes to the Department of Housing to support the request for Lot 9 (being part Lot 6162 on Plan 27471) Smith Street be vested to C3 Church for "Community Use" purposes.**

CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.9

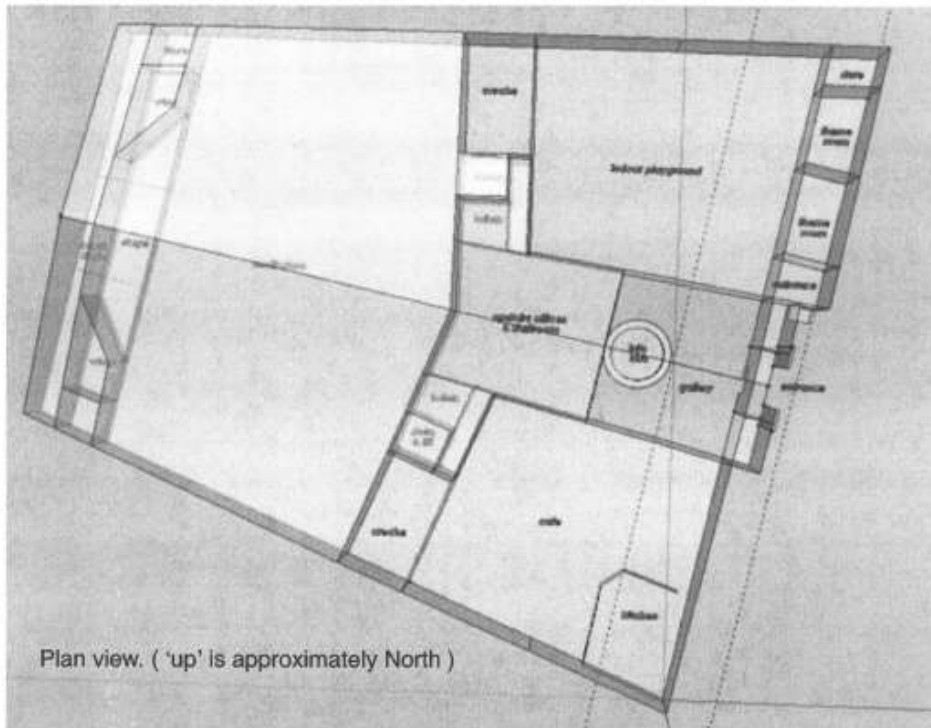
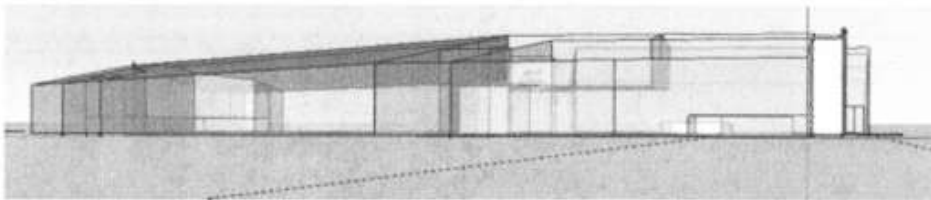
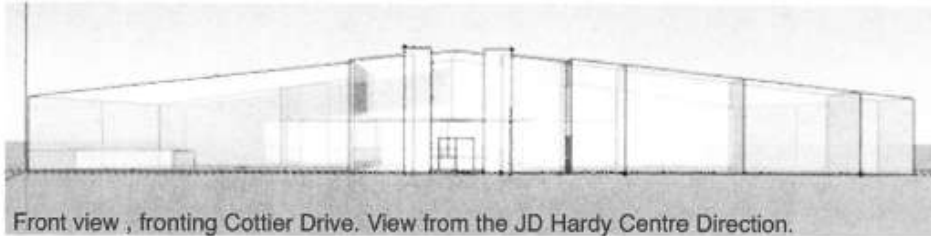


POSTAL: PO Box 2250, South Hedland, WA 6722.

LOCATION: 1A Pedlar Street, South Hedland.

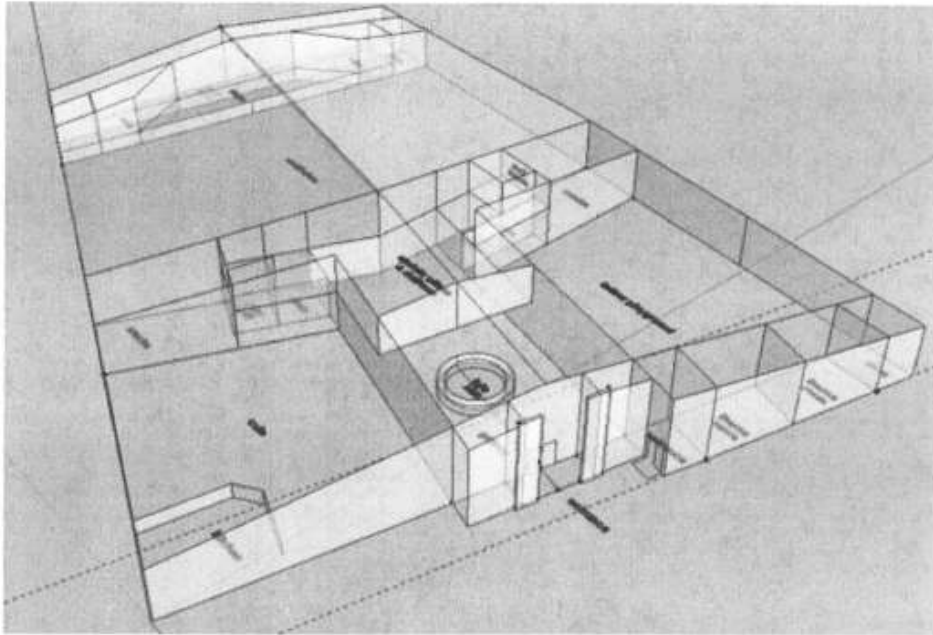
ATTACHMENT 2 TO AGENDA ITEM 11.1.1.9

South Hedland Community Centre

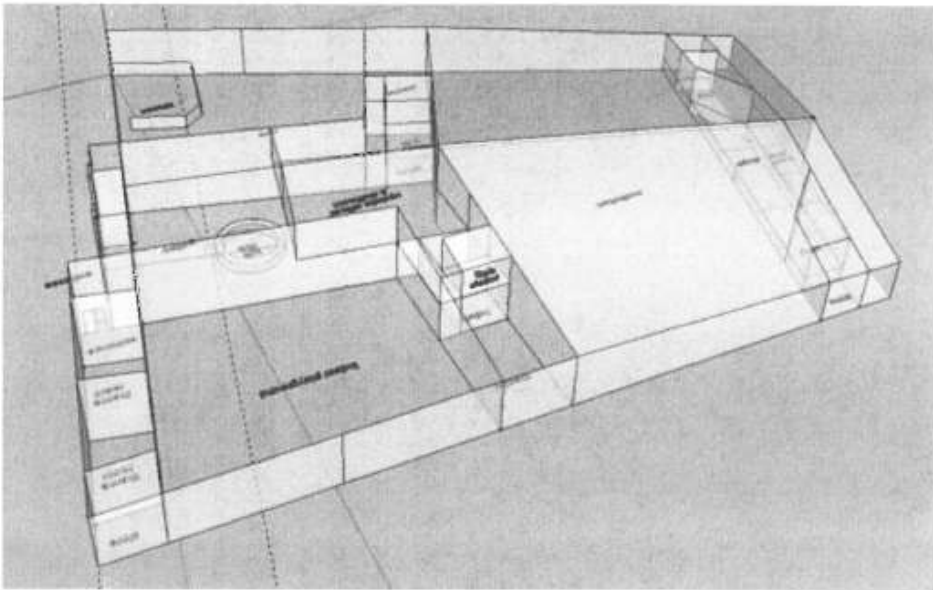


POSTAL: PO Box 2250, South Hedland, WA 6722.

LOCATION: 1A Pedlar Street, South Hedland.



Looking approximately west.



Looking approximately south.

POSTAL: PO Box 2250, South Hedland, WA 6722.

LOCATION: 1A Pedlar Street, South Hedland.

11.1.1.10 *Reconsideration of Condition for the Proposed Motel on Lot 2116 and 2117 North Circular Road, South Hedland (File No.: 130330G)*

Officer	Ryan Djanegara Planning Officer
Date of Report	24 June 2011
Application No.	2010/229
Disclosure of Interest by Officer	Nil

Summary

The proposal is before Council to reconsider a condition imposed on an application submitted by Property Development Solutions on behalf of Runyon Pty Ltd for a proposed "Motel" development on Lot 2116 and Lot 2117 North Circular Road, South Hedland.

The application was determined at the Ordinary Council Meeting of 14 April 2011.

Council is requested to support the applicants request to reconsider certain conditions originally imposed. The request is supported by the Planning Unit.

Background

Council resolved at the Ordinary Meeting of 14 April 2011, to approve the application for a "Motel" development on Lot 2116 and Lot 2117 North Circular Road, South Hedland subject to conditions. The applicant requests Council reconsider the following condition of approval:

- "3. The development shall make available a minimum of 20% of the rooms to Tourists / General Public, to the satisfaction of Council's Manager Planning; with these rooms to be allocated and managed by the Port Hedland Visitors Centre and/or the Chamber of Commerce."*

Consultation

Nil

Statutory Implications

Should Council wish to re-consider its decision such must be made in accordance with the Local Government (Administration) Regulations 1996.

“10. Revoking or changing decisions made at Council or Committee meetings – s5.25(e)

- 1. If a decision has been made at a council or committee meeting then any motion to revoke or change the decision must be supported –*
 - (a) Notice of a motion to revoke or change a decision referred to in sub-regulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover; or*
 - (b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover*
- 2. If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made –*
 - (a) In the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority;*
 - (b) In any other case, by an absolute majority.*
- 3. This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.*

Voting Requirements

1. To revoke – absolute majority
2. To consider – 1/3 of members (3).

Policy Implications

Nil

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: Tourism

Strategy 4:

Develop additional tourist information at Town entry points and other focal points within the Town.

Goal Number 3: Business Development

Strategy 2 (other actions):

Provide support and incentives for entrepreneurs who are interested in establishing tourism related businesses within the Town.

Budget Implications

Nil

Officer's Comment

The applicant has requested Council reconsider the rewording of the following conditions:

Condition 3 be reworded from:

"3. The development shall make available a minimum of 20% of the rooms to Tourists / General Public, to the satisfaction of Council's Manager Planning; with these rooms to be allocated and managed by the Port Hedland Visitors Centre and/or the Chamber of Commerce."

to:

3. The development shall make available a minimum of 20% of the rooms to Tourists / General Public, to the satisfaction of Council's Manager Planning.

The applicant's has indicated that the condition requiring 20% of the rooms to be managed by the Port Hedland Visitors Centre and / or the Pilbara Chamber of Commerce is unreasonable from a commercial point of view. The applicant further quotes the definition of a "Motel", as defined by the Town Planning Scheme, which reads:

“any land or building providing accommodation in a manner similar to a hotel but in which special provision is made for patrons with motor vehicles and may include an entertainment venue, restaurant or sell liquor.”

Given the above, the definition implies that short term accommodation is provided for the general public. Whilst understanding the intention of the condition, the applicant indicates that the wording of Condition 3 does not provide any benefit to the general public. Rather it creates a commercial interest of a third party by giving rights to that party to manage the 20% of the rooms.

In light of the above, it is considered that the applicant's request is reasonable and therefore the rewording of the condition is supported.

Attachments

Nil

NOTE: Mayor called for a show of hands by one third of members to consider revoking a past resolution. Cr S J Coates, Cr G J Daccache and Cr J M Gillingham raised their hands to revoke Council Decision 201011/313 of 13 April 2011 and recorded on page 84 of those Minutes:

*Cr S J Coates
Cr G J Daccache
Cr J M Gillingham*

201112/080 Officer's Recommendation 1/Council Decision

Moved: Cr S J Coates

Seconded: Cr J M Gillingham

That Council revoke condition 3 from decision 201011/313 of Agenda Item 11.1.1.6 “Proposed Motel for Lot 2116 and 2117 North Circular Road, South Hedland. (File No. 130330G)” held on 13th April 2011 and recorded on page 84 of those minutes, that state:

“That Council:

Approves the planning application submitted Property Development Solutions on behalf of Wedge Street Investments Pty Ltd for a “MOTEL” development of 58 single bedroom units at Lot 2116 and 2117 North Circular Road, South Hedland subject to the following conditions:

....

3. ***The development shall make available a minimum of 20% of the rooms to Tourists / General Public, to the satisfaction of Council Manager Planning; with these rooms to be allocated and managed by the Port Hedland Visitors Centre and/or the Chamber of Commerce....”***

CARRIED BY ABSOLUTE MAJORITY 7/0

201112/081 Officer’s Recommendation 2/Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council approve a new Condition 3 with regard to Council Decision 201011/313 of Agenda Item 11.1.1.6 “Proposed Motel for Lot 2116 and 2117 North Circular Road, South Hedland. (File No. 130330G)” held on 13th April 2011 as follows:

“The development shall make available a minimum of 20% of the rooms to Tourists / General Public, to the satisfaction of Council’s Manager Planning”

CARRIED 7/0

201112/082 Officer’s Recommendation 3/Council Decision

Moved: Cr G J Daccache

Seconded: Cr A A Carter

That Council requests the Chief Executive Officer to bring forward a report to the next Council meeting presenting a strategy to coordinate the future management of rooms for other projects/developments that require to provide a community contribution of rooms.

CARRIED 7/0

11.2 Engineering Services**11.2.1 Mobil Oil Lease and Deed of Surrender (File No.: 05/05/0037)**

Officer	Jasmine Person Manager Investment and Business Development
Date of Report	12 August 2011
Disclosure of Interest by Officer	Nil

Summary

In 2003, the Town of Port Hedland entered into a lease agreement with Mobil Oil Australia Ltd for land at the Port Hedland International Airport, as a storage of fuel depot. That fuel depot has not been operational for a number of years and the Town now seeks a resolution to authorise the Chief Executive Officer to execute the 'Deed of Surrender' returning the subject land to the Town of Port Hedland as the lease is being mutually terminated prior to the expiration of the lease.

Background

On 1 January 2003, the Town of Port Hedland and Mobil Oil Australia entered into a lease agreement for land at the Port Hedland International Airport. That lease agreement is due to expire on 31 December 2016.

The fuel storage depot has not been operational for a number of years and in 2010, Mobil advised of their intentions to de-commission the site.

Over the past 5 months, the Town has been in negotiations with Mobil lawyers on the terms to be contained within a Deed of Surrender, to ensure that the Town's interests were protected.

After lengthy negotiation, an agreement on the terms has been reached and the Deed will need to be executed by both the Mayor and the Chief Executive Officer.

Consultation*Internal*

- Director Engineering Services
- Airport Operations Manager

External

- Environmental Engineer – Rowcon Pty Ltd
- McLeods Barristers & Solicitors

Statutory Implications

Contaminated Sites Act 2003 (WA)

“Section 4. Meaning of “contaminated”

(1) In this Act —

***contaminated**, in relation to land, water or a site, means having a substance present in or on that land, water or site at above background concentrations that presents, or has the potential to present, a risk of harm to human health, the environment or any environmental value.”*

“Section 8. Object and principles of Act

The object of this Act is to protect human health, the environment and environmental values by providing for the identification, recording, management and remediation of contaminated sites in the State, having regard to the principles in the Table to this section —

Table

- 1. The polluter pays principle
Those who generate pollution and waste should bear the cost of containment, avoidance or abatement.*
- 2. The principle of full life cycle costs
The users of goods and services should pay prices based on the full life cycle costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any wastes*
- 3. The principle of waste minimisation
All reasonable and practicable measures should be taken to minimise the generation of waste and its discharge into the environment.”*

“Section 24. Who is responsible for remediation — hierarchy of responsibility

- (1) A person is responsible for remediation of a site —
 - (a) in accordance with section 25, if the person has caused, or contributed to, the contamination of the site;*
 - (b) in accordance with section 26, if the person is an owner or occupier of the site who has changed, or proposes to change, the use to which land that comprises all, or part, of the site is put; and*
 - (c) in accordance with section 27, if the person is an owner of the site, or of a source site.**

- (2) *Subsection (1) has effect subject to —*
- (a) *section 28;*
 - (b) *responsibility of the State for remediation under section 29 (except where provision is made to the contrary in section 26(2)(b) and 27(1)(d));*
 - (c) *responsibility for remediation being transferred under section 30(1)(a); and*
 - (d) *a decision made under section 54.”*

Policy Implications

15/001 Environment – Council Recognition

The term ‘environment’ means living things, their physical, biological and social surroundings, and interaction between all of these.

The good management of the environment is a primary task of the Council and should be considered in all of its’ decisions.

The Council decisions affecting the environment shall be based on the development of sound policies developed through consultation with the community.

A co-ordinated approach to all environmental matters is required. Activities of the Council should be co-ordinated with each other as well as with those of outside bodies wherever necessary to ensure that maximum benefit is obtained.

The Council shall initiate measures to identify environmental issues important to the residents of the Town and shall take action as necessary to address those issues.

The Council shall inform the public of issues concerning the environment through press releases, and other methods as appropriate.

Strategic Planning Implications

Key Result Area 1:	Infrastructure
Goal 2:	Airport
Priority 1:	Complete the development of the Airport Land Development Plan and commence implementation of the key initiatives that are identified
Other Actions 1:	Undertake upgrades to the terminal and surrounds to improve the functionality of the facility including: c. Review parking options and implement an agreed Airport Parking Plan

Other Actions 2:	Develop a Capital Improvement Plan for airport infrastructure that ensures Airport infrastructure can cater for projected growth
Key Result Area 4:	Economic Development
Goal 1:	Business Development
Priority 4:	Investigate new business/revenue streams for the Town

Budget Implications

It has been negotiated that Mobil pay our legal fees for the preparation of this Deed of Surrender in the amount of \$1500 + GST. This should cover most if not all of our legal fees in this matter as the invoice recently received from McLeods, totaled \$965.80 (inc GST) and most of the negotiating with Mobil was included within this invoice.

Officer's Comment

The de-commissioning of the Mobil fuel facility is essential for the long term car parking re-development and implementation of stage two of the paid parking system.

Negotiation on the Terms of the Deed of Surrender

As indicated, the Deed of Surrender has been negotiated over a period of months, to a standard which is acceptable to the Town. Liaison was had with both McLeods and our Environmental Consultant during this period to ensure the protection of the Town's interests.

In summary the Deed will ensure that the unexpired term of the lease is surrendered in accordance with the terms and conditions as contained in the Deed.

In summary, the principle clauses are as follows:

- The parties agree that Mobil will at its own cost, arrange for all of its assets and trade fixtures located on the premises to be removed from the premises and make good any damage caused to the premises and the Land in removing such items;
- Upon completion of the Works, Mobil will provide to the Town an Environmental Report, that report being prepared by an independent firm of consulting engineers confirming the level of contamination, if any; and
- Mobil must satisfy any requirement of the Department of Environment and Conservation in relation to remediation (remediation meaning removal, disposal, destruction, reduction, mitigation or containment of any contamination).

Whilst Mobil are released from their liabilities arising from the lease from the surrender date, their liabilities and obligations continue indefinitely, pursuant to the *Contaminated Sites Act 2003 (WA)*.

In essence, the *Contaminated Sites Act 2003 (WA)* contains very strict procedure and obligations in relation to remediation of contaminated sites. Whilst there is no reason to suspect that the site is contaminated, to minimise risk and ensure that the Town's interests are protected a comprehensive Deed of Surrender has been prepared for execution.

It is recommended that the Deed is now executed by Mayor and the Chief Executive Officer, to allow Mobile to commence their de-commissioning and remediation works.

Attachments

Nil

201112/083 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council authorise the Mayor and Chief Executive to use execute the 'Deed of Surrender' with Mobil Oil Australia Pty Ltd, for surrender of the lease situated at the Port Hedland International Airport, on the terms and conditions as stated in the Deed as agreed by both parties.

CARRIED 7/0

11.2.2 Youth Involvement Council Incorporated Lease (File No: 05/05/0030)

Officer Jasmine Person
Manager Investment and Business Development

Date of Report 12 August 2011

Disclosure of Interest by Officer Nil

Summary

The Youth Involvement Council Incorporated (YIC) occupy the premises situated at 34 Lawson Street, South Hedland. The lease for this asset expired on 30 June 2008. The Town has been in discussions with the YIC over the past few months both in relation to these premises and occupation of space at the JD Hardie Centre. YIC have recently written to the Town of Port Hedland expressing a desired to retain the premises in Lawson Street and this agenda item seeks to update Council pending preparation of a Leasing Policy.

Background

The Town of Port Hedland and YIC entered into a 10 year lease agreement on 1 July 1998 for occupation of the premises situated in Lawson Street for the permitted purpose of 'Youth Recreation'.

The lease contained an option, for an additional 10 years. The Town did not receive any notification that YIC wished to exercise the option within the time periods as stipulated in the lease agreement.

Consequently since 1 July 2008, they have been 'holding over' the lease, on a week to week basis, on the same terms and conditions as the expired lease pursuant to clause 4.6 of the lease.

Consultation*Internal*

- Director Engineering Services
- Manager Youth and Recreation Services
- Manager Community Development
- Youth Co-ordinator

External

- Manager Youth Involvement Council Incorporated

Statutory Implications

Nil

Policy Implications

8/001 Community Service Provision

Community Services may be defined as a system for providing support to sustain and nurture the functioning of individuals, families and groups to maximise their potential for development and to enhance community well being.

The Town of Port Hedland has a role in service provision, as do other spheres of government and the non-government sector. The Town of Port Hedland recognises that it is important that services are provided by the most appropriate organisation.

Strategic Planning Implications

Key Result Area 3:	Community Development
Goal 1:	Youth and Children
Immediate Priorities:	<ol style="list-style-type: none">1. Convert the JD Hardie Centre into an integrated Youth Centre.2. Support and operate Youth Leadership and Development Programs.3. Attract and retain young people in our Town through operating a series of events, information and activities.

Budget Implications

Whilst no decision is being requested of Council at this stage, it is prudent to note the current costs to the Town associated with the asset. Expenditure on maintenance costs last financial year was an amount of \$3,615.81. The insurance expenditure for this asset this financial year will be \$4,919.91.

The base rental for the premises is \$500 per annum. YIC was recently invoiced the sum of \$6055.38 being outstanding rental since 2006.

One payment of \$317.30 was received in 2004 for 'water' and no further invoices or payments have been receipted since 1998.

Officer's Comment

On 28 March 2011, YIC contacted the Town seeking clarification on the status of the lease agreement and in light of that, whether they would continue to occupy Lawson Street in addition to occupying space at the JD Hardie Centre.

On 7 April 2010, Officers met the Manager of YIC to discuss these matters. The status of the lease was discussed and they were advised of their current 'holding over' status. They were reassured that there was no intent on the part of the Town to request them to move and any future decisions regarding this asset, would be made in consultation with them.

During discussions with the Manager from YIC in April, a number of suggestions were put forth encouraging YIC to broaden their level of services with revenue generating programs, which would also provide a greater range of service to the Youth in Hedland. The Town further offered assistance to seek further funding opportunities.

In terms of the lease agreement, any decision by Council to renew their lease at Lawson Street at this point in time is premature. Officers are currently preparing a 'Leasing Policy' for all assets leased by the Town, whether community, recreation or commercial in nature. The financial model to be adopted within this policy has not yet been decided, as it will involve an assessment of the options in consultation with the stakeholders.

Although the lease has expired, there is no urgency attached to a renewal of this lease as YIC are holding over on the same terms and conditions as that contained in the expired lease. Further, there is no intention to remove YIC from the premises, putting their security of tenure at risk.

Attachments

Nil

201112/084 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council:

- 1. Acknowledge the status of the expired lease between the Town of Port Hedland and Youth Involvement Council Incorporated; and**
- 2. Request the Chief Executive Officer or his authorised delegate to prepare a report to Council regarding the property described as 34 Lawson Street, South Hedland, subsequent to the adoption of a 'Leasing Policy' for the Town of Port Hedland.**

CARRIED 7/0

11.2.3 Signage Upgrades Concept Designs (File No.: 28/10/0005)

Officer Helen Taylor
Project Officer

Date of Report 18 July 2011

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to present Council with a selection of concept designs for our parks and suburb signage with the intent of approving a preferred option for fabrication.

Background

It has been identified that throughout Port and South Hedland suburb and park signage is out dated and needs to be improved. The aim of this project is to upgrade the signage to keep some consistency in design, incorporate branding throughout the town and to better identify Council facilities.

The new signs will be located in Council parks and consideration will be made regarding the replacement and installation of suburb entrance signage (such as Koombana, Walnut Grove, etc.) in time.

Consultation*Internal*

- Engineering Staff
- Community Development Staff
- Publicity Officer

External

- RPS Australia
- South Hedland New Living
- Bulldog Graphics

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 2:	Community Pride
Goal 3:	Townscape
Immediate priority 1:	Undertake projects that upgrade the appearance of verges and streetscapes along major thoroughfares within the District
Key Result Area 6:	Governance
Goal 2:	Marketing and Communication
Immediate priority 2:	Town of Port Hedland corporate style guidelines that ensure a consistent clear image of the Town is being delivered

Budget Implications

A budget of \$200,000 has been allocated towards this project in 2010/11 (held in accounts 1201461 and 1201427). A total of \$25,663 has been spent or committed to date. The balance of \$174,337 will be utilized for fabrication and installation of the signs and will be carried forward to 2011/12.

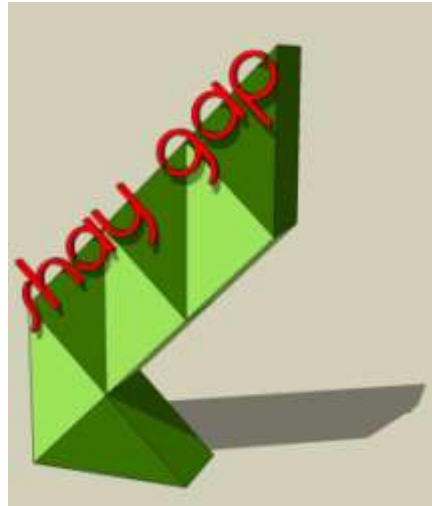
This project has been funded by South Hedland New Living and the Country Local Government Fund.

Officer's Comment

RPS Australia was engaged to prepare concept designs of various options for park and suburb signage. To ensure that all design opportunities were explored Bulldog Graphics were engaged to undertake a design review of which they also presented alternate concept designs. Officers have reviewed and modified one of these designs to include Councils branding theme. The following comments are provided as outcomes of an internal design review:

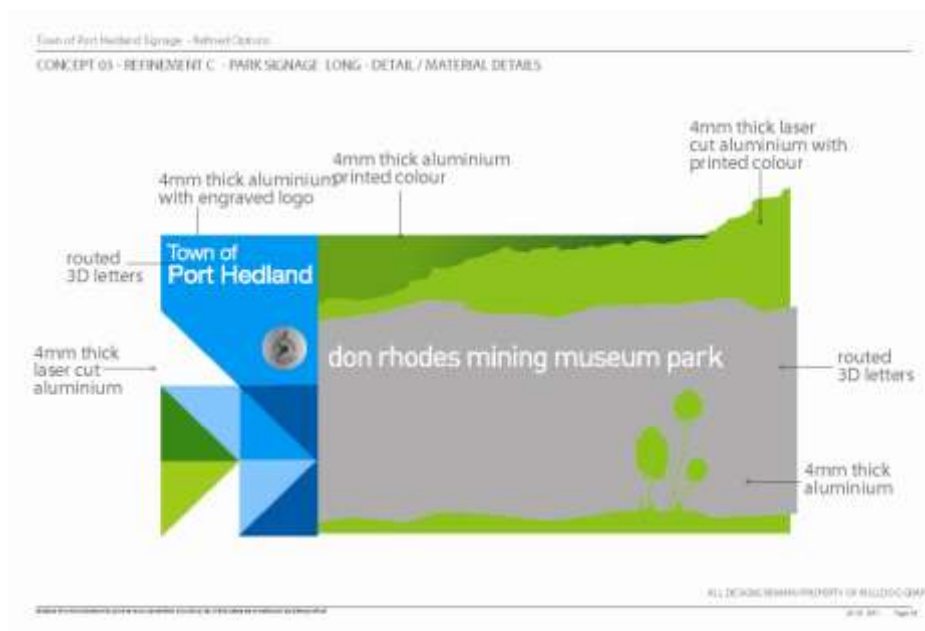
Park Signage

Park Concept 1



This sign has been designed to incorporate the Town’s new style guide and features. The sign is constructed of steel plate with painted finish or alucobond sheeting on steel frame. The lettering will be made of laser cut steel/aluminum with painted finish, however the shape and angle of this sign leaves little opportunity to include information about the park or stakeholders logos. This concept was also looked at from a safety perspective and could cause injury if climbed on, although this risk could be reduced in the detailed design.

Park Concept 2



This concept design will be made to have sign faces layered in a 3D effect. This 3D effect will make it easier and more cost effective to replace if damaged or deteriorated over time, as a single layer can be replaced. Special features of this sign include the silhouette of Pilbara’s coast line and the optional cut out shapes which can be designed for

park specific elements. This sign can also be designed to either sit at ground level or be erected onto posts. The design is modern, and incorporates Council's logo and branding in the colours and fonts. This sign also allows room for additional text and logos. As per concept 1, sharp edges and shapes can be minimized in the detailed design.

Park Concept 3

This modern, robust design stands at 2m tall and is made of precast concrete with letters embossed into face. The theme of this sign is to symbolize the sun setting over the Pilbara. Additional text for park information may be limited however stakeholder's logos can be easily accommodated. There is concern that the colouring will fade over time and lettering may become too hard to read, however detailed design may provide better options.

Summary – Park Concepts

The concept designs prepared provide a range of options to clearly identify our parks. Park signage should have a distinctive difference from other signage and should specifically identify a Council facility with the appropriate logos and branding.

During review of the signage concepts the following key points were considered:

- Robustness of the sign – materials, vandal resistance, ease of replacement
- Opportunities to provide additional information on the sign (for parks)
- How the sign will be incorporated into the surrounding landscape
- Safety of the design within the proposed landscape
- Modern design – longevity of appeal
- Incorporating Council's style guide where appropriate

Based on the above principles, it is recommended to proceed with the fabrication and installation of Park Concept 2.

Attachments

Nil

201112/085 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

1. Approves the concept design for Park Concept 2; and
2. Authorises the fabrication and installation of park signage within Council's budget allocation

CARRIED 7/0

6:17pm Councillor G J Daccache declared a Financial interest in Agenda Item 11.2.4 'Mineral Resources Limited – Lease Negotiations (File No.: 05/05/0068)' as he is a Mineral Resources Limited shareholder with shares over the statutory limit.

Councillor G J Daccache left the room.

11.2.4 *Mineral Resources Limited – Lease Negotiations (File No.: 05/05/0068)*

Officer **Jasmine Person**
Manager Investment and
Business Development

Date of Report **15 August 2011**

Disclosure of Interest by Officer **Nil**

Summary

At the Ordinary Council Meeting held on 25 May 2011 Council acknowledged negotiations with Mineral Resources Limited for lease of a parcel of land on the Great Northern Highway, Port Hedland and resolved to authorize the Chief Executive Officer to prepare a business plan for a 'major land transaction' and subsequently advertise in accordance with section 3.59 of the *Local Government Act 1995*.

During the 6 week advertising period, three submissions were received. A précis of those submissions are contained within this report and a decision, by way of absolute majority, is sought from Council on whether to proceed with the major land transaction.

Background

On 25 May 2011, Council considered an item in relation to a proposal put forth by Mineral Resources Limited for lease of a parcel of land at the Airport, being lots 2443 and 2444 Great Northern Highway. Council reached the following decision:

"201011/402 Council Decision

Moved: Cr A A Carter Seconded: Cr M Dziombak

That Council:

- 1. Acknowledges negotiations with Mineral Resources to date;*
- 2. Authorizes the Chief Executive Officer to prepare a business plan for a 'major land transaction' and give state wide public notice of that plan in accordance with section 3.59 of the Local Government Act 1995; and*

3. Consider the results of any submissions received during the public consultation period in accordance with section 3.59(5) of the Local Government Act 1995 and decide, by way of absolute majority, on whether to proceed with the major land transaction.
4. Requests the Chief Executive Officer to investigate how the rental process is retained in the airport's future development.

Carried 5/0"

Consultation

Internal

- Chief Executive Officer
- Director of Engineering

External

- WALGA
- Executive Director – Mineral Resources Limited
- General Manager Infrastructure and Development – Mineral Resources Limited

Statutory Implications

Local Government Act 1995

Section 3.58. Disposing of property

(1) In this section —

“dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;

“property” includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and

- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
- (a) *the names of all other parties concerned; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
- (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
 - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
 - (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
 - (d) *any other disposition that is excluded by regulations from the application of this section.*
- [Section 3.58 amended by No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]*

Section 3.59. Commercial enterprises by local governments

- (1) *In this section —*
- acquire has a meaning that accords with the meaning of dispose; dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;*
- land transaction means an agreement, or several agreements for a common purpose, under which a local government is to —*
- (a) *acquire or dispose of an interest in land; or*
 - (b) *develop land;*
- major land transaction means a land transaction other than an exempt land transaction if the total value of —*
- (a) *the consideration under the transaction; and*
 - (b) *anything done by the local government for achieving the purpose of the transaction, is more, or is worth more, than the amount prescribed for the purposes of this definition;*
- major trading undertaking means a trading undertaking that —*
- (a) *in the last completed financial year, involved; or*

- (b) *in the current financial year or the financial year after the current financial year, is likely to involve, expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking; trading undertaking means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of land transaction .*
- (2) *Before it —*
- (a) *commences a major trading undertaking;*
- (b) *enters into a major land transaction; or*
- (c) *enters into a land transaction that is preparatory to entry into a major land transaction,*
- (d) *a local government is to prepare a business plan.*
- (3) *The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —*
- (a) *its expected effect on the provision of facilities and services by the local government;*
- (b) *its expected effect on other persons providing facilities and services in the district;*
- (c) *its expected financial effect on the local government;*
- (d) *its expected effect on matters referred to in the local government's current plan prepared under section 5.56;*
- (e) *the ability of the local government to manage the undertaking or the performance of the transaction; and*
- (f) *any other matter prescribed for the purposes of this subsection.*
- (4) *The local government is to —*
- (a) *give Statewide public notice stating that —*
- (i) *the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction;*
- (ii) *a copy of the business plan may be inspected or obtained at any place specified in the notice; and*
- (iii) *submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and*
- (b) *make a copy of the business plan available for public inspection in accordance with the notice.*
- (5) ***After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not***

significantly different from what was proposed.

** Absolute majority required.*

- (5a) *A notice under subsection (4) is also to be published and exhibited as if it were a local public notice.*
- (6) *If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.*
- (7) *The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.*
- (8) *A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.*
- (9) *A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.*
- (10) *For the purposes of this section, regulations may —*
- (a) prescribe any land transaction to be an exempt land transaction;*
 - (b) prescribe any trading undertaking to be an exempt trading undertaking.*
- [Section 3.59 amended by No. 1 of 1998 s. 12; No. 64 of 1998 s. 18(1) and (2).]*

Section 5.23. Meetings generally open to public

- (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;*
 - (b) the personal affairs of any person;*
 - (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;*
- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
- (e) *a matter that if disclosed, would reveal —*
- (i) *a trade secret;*
- (ii) *information that has a commercial value to a person;*
or
- (iii) *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;*
- (f) *a matter that if disclosed, could be reasonably expected to —*
- (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
- (ii) *endanger the security of the local government's property; or*
- (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
- (g) *information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971 ; and*
- (h) *such other matters as may be prescribed.*
- (3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

Policy Implications

Whilst not specifically Policy, the Town of Port Hedland's "Guidance Note for Potential Developers of Transient Workforce Accommodation (TWA), published in August 2008, is relevant.

Strategic Planning Implications

Key Result Area 1: Infrastructure
 Goal 2: Airport
 Immediate Priority 1: Complete the development of the Airport Land Development Plan and commence implementation of the key initiatives that are identified.

Key result Area 2: Community Pride
 Goal 2: Events
 Immediate Priority 1: Play an integral part in the co-ordination, operation and communication of community events b (c) supporting community groups who are operating community events

through training, support, advice and where appropriate, financial support.

Key Result Area 3: Community Development
Whilst not identified as a Goal, a community contribution will globally assist in the implementation and support of Community Development for the Town.

Key Result Area 4: Economic Development
Goal 2: Mining/Roads
Immediate Priority 2: Actively pursue integration of FIFO workers into the local community.
Other actions: Ensure that integrated accommodation options are available for resource related projects that do not artificially inflate the local real estate market.

Key Result Area 4: Economic Development
Goal 3: Business Development
Immediate Priority: Investigate new business/revenue streams for the Town.

Key Result Area 4: Economic Development
Goal 4: Land Development Projects
Immediate Priority 1: Fast track the release and development of commercial, industrial and residential land.

Budget Implications

The base rental proposed at \$7.50/sqm for 75,000sqm equates to \$562,500.00 in the first year. This will increase annually by CPI and market reviews will be performed every three years.

The community contribution component of the lease is proposed at \$75,000 per annum, increasing annually by CPI.

The table in attachment four assists in looking at the revenue return over the life of the lease. A CPI rate of 3% has been assumed to arrive at a figure however increases from market reviews have not been included.

The revenue to Council will at the very least equate to \$7,308,223.19 for the 10 year period. With market reviews every three years, it is anticipated that this overall amount will actually increase, however to remain conservative, estimates have not been included.

As with all leases, the lessee will be required to pay all legal expenses associated with the drafting, negotiating and settling of the lease.

Officer's Comment

In accordance with Council's decision, a business plan was prepared in accordance with section 3.59 of the *Local Government Act 1995* and advertised for public consultation for 6 weeks. That submission period closed on 1 August 2011 and the Town received three submissions.

Submissions

Land Size and Density of Development

All three submissions contained a similar comment, namely that the land size sought by Mineral Resources Limited was too large for a 224 person camp in light of the current land shortage and desperate need for accommodation in the Town. Two submissions suggested that an area of approximately 24,400 square metres would be sufficient for the development, effectively increasing the density of the development.

To achieve some clarification on the density of the development, a comparative table is illustrated below utilising neighbouring camps:

TWA Camp	Current TWA room number	Land Size (Sqm)	Density (Room:Sqm)
Auzcorp – Mia Mia	192	27,465	1:143
Compass Group – Port Haven	1202	120,000	1:99
Mineral Resources Limited	224	75,000	1:334

The Town recently approved a development application submitted by Auzcorp for an additional 63 rooms at their Mia Mia camp, which will increase the density to 1:107, closer to that of the Port Haven camp.

To achieve a similar density outcome with the Mineral Resources Limited proposal, a land size similar to the Mia Mia camp is more practical. At a density of 1:100, the land size would be 22,400 square metres.

Location of the Land

Two of the submissions also suggested that the location of the proposed development was not the most practical in light of the Airport Land Use Plan. This proposal would see the merger of 6 proposed small lots, when the land parcels to the rear (southern side) were naturally larger in size, as illustrated in Attachment Two. It was also submitted that the release of smaller lots would encourage non-

resource sector interest as they would be more feasible to develop for a smaller number of workforce/employees.

Disposal Process

Two of the submissions advocated that the best way to solve accommodation problems in this Town was to enter into private treaty arrangements with those parties who have an interest and capacity to do the developments.

The remaining submission requested that the Town release the parcel of land back into the public arena by way of a 'Request for Proposal', given that market conditions have changed since the initiation of the original discussions with Mineral Resources Limited in July 2010.

Consultation with Mineral Resources on 16 August 2011

Historically, it was communicated that the need for the increase in the land size from 25,000m² to 75,000m² was to fit the development design within the lease boundaries. At no time during these communications was there any mention of an increase in the density of the camp.

In light of the unanimous position of the submissions with reference to the land size and density of development, Mineral Resources Limited were contacted on 16 August 2011, to clarify their position on this issue.

During this discussion, it was communicated that Mineral Resources Limited were exploring an expansion beyond a 224 person camp to potentially a 1000 person camp. This expansion would be achieved in two stages of 500 rooms. It was explained that 300 – 350 rooms were required immediately by Mineral Resources Limited and as Hancock Prospecting were now the major shareholder in Mineral Resources Limited, their needs were being considered in the development. It was also stated that discussions were on foot with another mining company regarding accommodation on this site.

It is acknowledged that this may be the result of a change to the market conditions.

Ordinarily, any organisation could ask for as much land as they were prepared to pay for, by way of lease payments. However, the Town is now experiencing a unique and critical shortage of available land for accommodation. Whilst Mineral Resources Limited provided a valid reason for seeking the size of land they wish to occupy in the first instance, without disclosing the size of the potential development to go on the land, an unintentional consequence has arisen which will affect the community on two fronts:

- a constraint on the release of land immediately for the constructions workforce; and

- a difference in the community contribution that would have been expected with an increase in the density of the development.

Process in accordance with section 3.59 of the Local Government Act

Council must continue with the process pursuant to section 3.59(5) of the Local Government Act 1995, and consider the submissions made and decide, by way of absolute majority, whether it wishes to proceed with the major land transaction as contained in the business plan or so that it is not 'significantly different' to what was proposed.

Whilst a change to the density is something that would be addressed during a development application process and may arguably not be a significant change to the proposal. However, when looking at the contents of the business plan and specifically section 3.59(3)(b), namely "*the expected effect on other persons providing facilities and services in the district*", a change to the size of the development also changes the expected effects as outlined in the business plan and is therefore a significant change. This is exemplified by the current shortage and urgent need for accommodation and the unavailability of land for the construction workforce. Some of this land may remain undeveloped for a period of time awaiting stage two of the development, whereas the land could be released to the open market and developed immediately.

It is recommended that Council does not proceed with the major land transaction on the basis that the size of the land is too large for the size of the proposed development. The rationale originally provided by Mineral Resources Limited for the amount of land sought was justified by design constraints. Since the receipt of submissions and consideration of the density in neighbouring camps, it is clearly too large an area for a 224 person camp. This has now been confirmed by Mineral Resources Limited with communication of their intent to increase the size of the camp to potentially 1000 rooms, in a two stage development, potentially catering for other mining companies. Attachment two details their intent in this regard.

To enable Council to continue their support of a smaller mining company with land for a 224 person camp, especially in light of the level of negotiations that that have brought this proposal thus far, it is recommended that the Town indicate a willingness to enter into discussions with Mineral Resources Limited again, with a strict criteria for any development proposal. The criteria will take into account the current market conditions with the increased demand for available land, and the submissions received in relation the proposed major land transaction.

The criteria for a fresh proposal should be as follows:

- the development should be restricted to housing for Mineral Resources Limited and Hancock Prospecting staff;

- A development density of approximately 1 person per 100 square metres, comparable to other neighbouring TWA developments;
- A lease area of 22,400 square metres;
- A lease term of 10 years;
- An increase to the base rental for the leased area, closer to the market value of \$15 per square metre, with an annual CPI increase (in light of the submissions)
- A 'whole of life' timeline for the development;
- A rent review every three years with a market valuation;
- Mineral Resources Limited to pay for the re-survey to modify design or shape;
- A community contribution amount equivalent to that paid by Auzcorp for their Mia Mia camp, on a per room basis; and
- A one of donation to the Town toward the JD Hardie Centre or Marquee Park in the amount of \$25,000, payable upon execution of the lease.

Should Mineral Resources Limited choose to submit a proposal that satisfies the above criteria, it is recommended that a business plan be prepared for a 'major land transaction' and advertised state wide for a period of six weeks in accordance with section 3.59 of the *Local Government Act 1995*.

Should Mineral Resources Limited choose **not** to submit a proposal that satisfies the above criteria, it is recommended that a disposal of land process is initiated for the land by way of a 'Request for Proposal', and advertised to the open market pursuant to section 3.58 of the *Local Government Act 1995*.

Attachments

1. Airport Land Use Plan – image of land parcel the subject of this report.
2. Letter received from Mineral Resources Limited dated 17 August 2011 (Confidential Attachment)
3. Concept Plans of 1000 person camp (Confidential Attachment)
4. Business Plan for a proposed major land transaction, part of lot 2444 Great Northern Highway, Port Hedland

Options

Decision – Proceed or not proceed

Council must decide by way of absolute majority whether to proceed with the major land transaction or not. Should Council decide to proceed with the proposal, then that finalises the disposal process and the Town can commence the major land transaction with Mineral Resources Limited.

Should Council decide not to proceed with the proposal, it effectively

brings the disposal process to an end and any future action in relation to this parcel of land is regarded as a fresh disposal.

Three options for a fresh disposal have been identified and particularised below.

'Request for a Proposal'

The land can become the subject of a 'Request for Proposal' disposal process, which includes public advertising of a weighted selection criteria.

The criteria may comprise of that similarly resolved recently by Council for the adjoining land.

Continue discussions with Mineral Resources Limited

Council can authorise the Chief Executive Officer to communicate with Mineral Resources Limited indicating the Towns support of a 1000 person camp, should Council decide that this is the desirable outcome. In this instance it is recommended that the development be limited to housing for Mineral Resources Limited and Hancock Prospecting staff with any additional rooms to be made available to non-resource sector, essential small business and city growth construction workforce.

Alternatively, Council could continue the support that was originally offered, to a smaller mining company, and authorise the Chief Executive Officer to communicate with Mineral Resources Limited for a 224 person camp as was contained in the original proposal, with a land allotment suitable for a 224 person camp.

Should Mineral Resources elect to provide a proposal on terms satisfactory to the Town, another business plan would need to be prepared and advertised for 6 weeks period, effectively re-commencing the disposal process again in accordance with section 3.59 of the *Local Government Act 1995*.

Should Mineral Resources elect not to provide a proposal at all or propose a development on terms unsatisfactory to the Town, Council may then decide to dispose of the land by way of a 'Request for Proposal' process as discussed above.

Concluding Remarks

It is recommended that the Council not proceed with the proposed major land transaction on the grounds that the size of the land sought is too large for the size of the development as contained in the proposal, given the current demand and shortage of available land in Hedland.

Secondly, it is recommended that the Town continue discussions with Mineral Resources Limited as a show of good faith with the continuation of support that was originally intended on the Towns behalf. This however, is to be balanced by the current demand and shortage of available land for the non-mining construction workforce. Consequently, it recommended that the Chief Executive Officer enter into discussions again with Mineral Resources Limited for the development of a 224 person camp on 22,400 square metres, achieving a density that is consistent with other neighbouring camps whilst freeing up 52,600 square metres of land that would have otherwise been the subject of this proposal.

Following that, should Mineral Resources Limited propose terms inconsistent with Council's resolution and unsatisfactory the Chief Executive Officer, then it is recommended that this land becomes the subject of a 'Request for Proposal' disposal process, consistent with the weighted criteria as recently resolved by Council on the adjoining land.

201112/086 Council Decision

Moved: Mayor K A Howlett

Seconded: Cr A A Carter

That Council suspends standing orders.

CARRIED 7/0

6:19pm Mayor advised that Standing Orders were suspended.

201112/087 Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council resumes standing orders.

CARRIED 7/0

6:24pm Mayor advised that Standing Orders were resumed.

201112/088 Officer's Recommendation 1/Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council:

- 1. receives the written submissions, in relation to the Business Plan proposed for a Major Land Transaction, Part of Lot 2444 Great Northern Highway, Port Hedland; and**

2. not proceed with the 'major land transaction' proposed in the business plan.

CARRIED BY ABSOLUTE MAJORITY 6/0

201112/089 Officer's Recommendation 2/Council Decision**Moved:** Cr A A Carter**Seconded:** Cr M B Dziombak**That Council:**

1. **authorises the Chief Executive Officer to write to Mineral Resources Limited indicating Council's position to maintain their support for the creation of a 224 person camp on the following terms:**
 - **the development should be restricted to housing for Mineral Resources Limited and Hancock Prospecting staff;**
 - **A development density of approximately 1 person per 100 square metres, comparable to other neighbouring TWA developments;**
 - **A lease area of 22,400 square metres;**
 - **A lease term of 10 years;**
 - **An increase to the base rental for the leased area, closer to the market value of \$15 per square metre, with an annual CPI increase (in light of the submissions);**
 - **A 'whole of life' timeline for the development;**
 - **A rent review every three years with a market valuation;**
 - **Mineral Resources Limited to pay for the re-survey to modify design or shape;**
 - **A community contribution amount equivalent to that paid by Auzcorp for their Mia Mia camp, on a per room basis; and**
 - **A one of donation to the Town toward the JD Hardie Centre or Marquee Park developments in the amount of \$25,000, payable upon execution of the lease**
2. **authorise the Chief Executive Officer on receipt of a subsequent proposal containing terms which are reflective of Officer's Recommendation 2.1, to prepare a business plan for a 'major land transaction' proposal and advertise state wide for a period of six weeks in accordance with section 3.59 of the *Local Government Act 1995*; and**
3. **authorise the Chief Executive Officer to reject any subsequent proposal the terms of which are not reflective of Officer's Recommendation 2.1 and further authorise the Chief Executive Officer to then advertise a 'Request for Proposal' for a period of not less than six weeks, for the disposal of the land by way of a lease or leases, the parcel of land situated on Lots 2443 and 2444, Great Northern Highway as illustrated in attachment one, in accordance with section 3.58 of the *Local Government Act 1995*, utilising the following criteria against which the proposals will be assessed:**

Criteria	Weighting
<p>Demonstrated Understanding of the Desired outcomes, including but not limited to:</p> <ul style="list-style-type: none"> a) a lease of no more than 10 years; b) rental equivalent to or greater than market value; c) annual CPI increases with a market review every three years; d) annual community contributions; e) other community benefits, such as public use of facilities, support for local business, monetary donation to community projects, reduced room rates for particular identified community groups; f) a donation of at least 20% of the rooms to the Town of Port Hedland for exclusive use; g) the permitted purpose of the development to house non-resource sector, essential small business and city growth construction workforce; h) no interference or impact to airport operations; and i) rehabilitation of site at expiration of lease period, including benefits or gifts to the Town of Port Hedland. 	50%
<p>Relevant Experience</p> <ul style="list-style-type: none"> a) details of similar work; b) scope of the involvement including details of outcomes; c) details of issues that arose during a project and how these were managed; d) demonstrated sound judgment and discretion; and e) demonstrated competency and proven track record of achieving outcomes. 	20%
<p>Key Personnel Skills and Experience</p> <ul style="list-style-type: none"> a) their role in the performance of the Contract; b) curriculum vitae/s; c) membership to any professional or business association; d) qualifications, with particular emphasis on experience of personnel in projects of a similar requirement; and 	15%

e) additional relevant information.	
Respondent's Resources a) respondent's should demonstrate their ability to design, construct, finance and operate the development and further deconstruct the development at the expiration of the lease.	15%

CARRIED 6/0

6:25pm Councillor G J Daccache re-entered the room and resumed his chair.
Mayor advised Councilor G J Daccache of Council's decision.

ATTACHMENT 1 TO AGENDA ITEM 11.2.4

Extract from Draft Airport Land Use Plan illustrating the available lots 1, 2, 3, 6, 7, 8, 9, 10 & 11 as shade in light blue. Lots 4 and 5 are unusable at this time due to location of the sewer ponds.



ATTACHMENT 4 TO AGENDA ITEM 11.2.4



Business Plan for a proposed 'Major Land Transaction'



Business Plan for a proposed
Major Land Transaction
Part of Lot 2444, Great Northern Highway, Port Hedland
June 2011



Business Plan for a proposed 'Major Land Transaction'

Introduction

The following business plan is prepared with respect to a portion of vacant land on Lot 2444, Great Northern Highway, Port Hedland.

The land is zoned 'airport' and comprises of an area of 75,000m².

The Town of Port Hedland intends to dispose of this vacant land by way of a long term lease, namely 10 years, the total consideration expected to be in excess of \$1,000,000.00, which will enliven section 3.59 of the *Local Government Act 1995*.

I encourage community members to consider the contents of this business plan and forward any submissions on the proposal by 3.00pm AEST on 1 August 2011.

Should you require any further information in relation to this matter, please do not hesitate to contact Jasmine Person, Manager of Investment and Business Development on 9158 9394 or email mibd@porthedland.wa.gov.au

Paul Martin
Chief Executive Officer





Business Plan for a proposed 'Major Land Transaction'

Business Plan

Purpose of the Plan

This business plan has been prepared to comply with section 3.59 of the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996*, the governing provisions for a "major land transaction".

A major land transaction is defined as an "acquisition, disposal or development of land" to a value exceeding \$1,000,000. If the likely consideration will exceed this amount then a business plan must be prepared for the transaction and notice thereof made state wide for a period of six weeks in which to receive public submissions.

The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —

- a) its expected effect on the provision of facilities and services by the local government;
- b) its expected effect on other persons providing facilities and services in the district;
- c) its expected financial effect on the local government;
- d) its expected effect on matters referred to in the local government's current plan prepared under section 5.56;
- e) the ability of the local government to manage the undertaking or the performance of the transaction; and
- f) any other matter prescribed for the purposes of this subsection.

After the closing date, Council will consider all submissions received prior to deciding whether to proceed with the transaction or not. In the event that the Council considers an alternative substantially modified proposal, a new business plan will be prepared and again advertised state wide, for a period of 6 weeks.





Business Plan for a proposed 'Major Land Transaction'

Land Description

The subject land is a portion of Lot 2444, Great Northern Highway, Port Hedland, situated between the existing transient workers accommodation camp of "Port Haven" and the "State Emergency Services". A large parcel of vacant land, namely 288,700 square metres is obscure in shape and is illustrated in light blue. The land the subject of this business plan is contained within this larger area. It comprises of 75,000 square metres, as defined by lots 1, 2, 3, 9, 10 & 11 as defined in the illustration below.



**Please note that the lot delineations have not been surveyed and are for illustrative purposes only.*

Following a survey of the land and a valuation, the matter went before back Council in October 2010 at which time Council resolved to authorise the CEO and Chairman of the Airport Committee to negotiate with Mineral Resources Limited on the terms of a lease.





Business Plan for a proposed 'Major Land Transaction'

Details of the Proposed Transaction

After lengthy negotiations, it is proposed to offer a leasehold interest in the subject land to Mineral Resources Limited for a period of ten years for the purposes of a 224 person transient workers accommodation camp.

It is proposed that Mineral Resources Limited pay \$7.50 per square metre for the 75,000 square metre area equating to \$562,500 (plus GST) in lease fees in the first year. It is expected that the base rental will increase annually by the Consumer Price Index, in addition to a market review being performed every three years.

Mineral Resources Limited are also proposing a one off donation to the Town of Port Hedland in the amount of \$25,000 to be used to support the development of either the JD Hardie Centre or Marquee Park developments.

In addition to these amounts, Mineral Resources Limited are also proposing to pay the amount of \$75,000 per annum as a 'community contribution' to be distributed to an agreed list of locally based organisations who require funding assistance. This amount will also increase annually by the Consumer Price Index for the life of the lease.

Requirements pursuant to section 3.59 Local Government Act 1995

An assessment has been undertaken in accordance with section 3.59 of the *Local Government Act 1995* and the results are particularized below under appropriate headings.

Section 3.59 (3)(a) - The expected effect on the provision of facilities and services by the local government

The development is located approximately 10km (via road) from both Port and South Hedland. Mineral Resources Limited proposed to build the facility as a largely self-contained camp, in that it will contain the vast amount of services and facilities necessary for occupants, including:

- Essential infrastructure services (water recycling, back-up power, sewer and telecommunications)
- Social Facilities (pool, recreation facilities, meals internet access)
- Parking/transport (adequate parking plus a shuttle bus service)

Mineral Resources Limited also expressed a desire to integrate the facility operations and the village residents in to the normal operations of the Town where ever possible. This will be achieved through Mineral Resources Limited company policies and commitments that include





Business Plan for a proposed 'Major Land Transaction'

buying local goods and services, engaging locally based employees and service companies and encouraging the village residents to be involved with Town relating sporting, community and cultural activities.

The \$7,308,223.19 rental and community contribution payable over the life of the lease (assuming a 3% CPI increase) will enable the Town to provide services and facilities and community organization the ability to expand their services and facilities, for what may not have otherwise been possible.

Section 3.59 (3)(b) - The expected effect on other persons providing facilities and services in the district

Given the severe shortage of accommodation facilities in Hedland, it is not anticipated that a camp for 224 persons will have any significant negative effect of impact on existing accommodation providers.

Recent information reflects that the 'construction' workforce is experiencing a major challenge of being able to source any accommodation. Any effects from this proposal are likely to be positive, in that it will remove workers from existing accommodation facilities, freeing up rooms for the construction workforce.

With the encouragement to utilize locally based goods and services, it is expected that this will result additional revenue for locally based business.

Section 3.59 (3)(c) - The expected financial effect on the local government

The major land transaction requires no expenditure by the Town apart from staff input and time in the negotiation and preparatory stages of the proposal. The legal costs associated with the preparation, drafting and finalisation of the lease, will be a cost borne by the Town at the outset and recovered pursuant to the lease agreement.

Mineral Resources Limited proposed to pay for all costs associated with a re-survey to modify the design of the lease area.

The financial return to the Town directly is expected to reach approximately \$6,448,432.13. This figure is derived from an estimated 3% CPI increase annually and does not include additional revenue achieved through market reviews every three years.

The financial return to the Town for support of community based organizations equates to \$859,791.06 assuming a 3% CPI increase annually.





Business Plan for a proposed 'Major Land Transaction'

Section 3.59 (3)(d) - The expected effect on matters referred to in the local government's current plan prepared under section 5.56

This development supports the Town's Strategic Plan 2010 – 2015 (adopted by Council on 28 July 2010) in keeping with the following broader visions:

- *There will be a diversity of housing styles with moderate high rise located in strategic nodes in both Port and South Hedland. Housing will be affordable;*
- *The Town's pro-development stance will have facilitated industry and town growth whilst preserving and celebrating the unique environmental assets that we have.*

More specifically, the development supports the following:

Key Result Area 1: Infrastructure

Goal 2 – Airport

Immediate Priority 1 – Complete the development of the Airport Land Development Plan and commence implementation of the key initiatives that are identified.

Key result Area 2: Community Pride

Goal 2 – Events

Immediate Priority 1 – Play an integral part in the co-ordination, operation and communication of community events by....(c) supporting community groups who are operating community events through training, support, advice and where appropriate, financial support.

Key Result Area 4 – Economic Development

Goal 2 – Mining/Roads

Immediate Priority 2 – Actively pursue integration of FIFO workers into the local community.

Other actions – Ensure that integrated accommodation options are available for resource related projects that do not artificially inflate the local real estate market.

Key Result Area 4 – Economic Development

Goal 3 – Business Development

Immediate Priority – Investigate new business/revenue streams for the Town.

Key Result Area 4 – Economic Development

Goal 4 – Land Development Projects

Immediate Priority 1 – Fast track the release and development of commercial, industrial and residential land.



Business Plan for a proposed 'Major Land Transaction'

Section 3.59 (3)(e) - Ability of the local government to manage the undertaking or the performance of the transaction

The agreement with Mineral Resources Limited will be reduced to a Lease agreement for the vacant land. With the recent creation of a 'Leasing Officer' position, it is expected that the lease will be managed effectively. This will be supervised by the Manager of Investment and Business Development. The Town's solicitors are available for advice on legal matters. The Town is sufficiently resourced to undertake and perform the proposed transaction.

Section 3.59 (3)(f) - Other matter prescribed for the purposes of this subsection

There are no other relevant matters.

Conclusion

Submissions relating to this business plan may be lodged with Council prior to 3.00pm AEST, Monday 1 August 2011.

Submissions should be addressed to:

Paul Martin
Chief Executive Officer
Town of Port Hedland
PO Box 41
Port Hedland WA 6721





Business Plan for a proposed 'Major Land Transaction'

Annexure A

Proposed revenue return for the Town

Mineral Resources Limited Proposed Revenue for the 10 year lease term

Year	CPI Increase %	CPI Increase	Lease Payment	CPI Increase	Community Contribution	Total	
1	3%		\$ 562,500.00		\$ 75,000.00	\$ 637,500.00	
2	3%	\$ 16,875.00	\$ 579,375.00	\$ 2,250.00	\$ 77,250.00	\$ 656,625.00	
3	3%	\$ 17,381.25	\$ 596,756.25	\$ 2,317.50	\$ 79,567.50	\$ 676,323.75	Market Review
4	3%	\$ 17,902.69	\$ 614,658.94	\$ 2,387.03	\$ 81,954.53	\$ 696,613.47	
5	3%	\$ 18,439.77	\$ 633,098.71	\$ 2,458.64	\$ 84,413.17	\$ 717,511.88	
6	3%	\$ 18,992.96	\$ 652,091.67	\$ 2,532.40	\$ 86,945.57	\$ 739,037.24	Market Review
7	3%	\$ 19,562.75	\$ 671,654.42	\$ 2,608.37	\$ 89,553.94	\$ 761,208.36	
8	3%	\$ 20,149.63	\$ 691,804.05	\$ 2,686.62	\$ 92,240.56	\$ 784,044.61	
9	3%	\$ 20,754.12	\$ 712,558.17	\$ 2,767.22	\$ 95,007.78	\$ 807,565.95	Market Review
10	3%	\$ 21,376.75	\$ 733,934.92	\$ 2,850.23	\$ 97,858.01	\$ 831,792.93	
						\$ 7,308,223.19	

* Assuming a 3% CPI increase.



Business Plan for a proposed 'Major Land Transaction'

Annexure B

Public Notice of Major Land Transaction

In accordance with Section 3.59 of the *Local Government Act 1995*, the Town of Port Hedland advises that it intends to consider the disposal of part of Lot 2444, Great Northern Highway, Port Hedland. A business plan has been prepared and is available for inspection by members of the public.

Copies of the business plan can be obtained from the Town of Port Hedland, PO Box 41, Port Hedland, WA, 6721 or by contacting Jasmine Person at mibd@porthedland.wa.gov.au

Persons wishing to make a submission in regards to this business plan are required to address their submission to the Chief Executive Officer, Town of Port Hedland, PO Box 41, Port Hedland, WA 6721 before 3:00pm AEST Monday 1 August 2011.

Paul Martin

CHIEF EXECUTIVE OFFICER



11.2.5 Tender 11/21 Supply & Delivery of Asphaltic Concrete Surfacing (File No.: 23/08/0062)

Officer	Jenella Voitkevich Manager Infrastructure Development
Date of Report	12 August 2011
Disclosure of Interest by Officer	Nil

Summary

The purpose of this report is to provide a summary and assessment of submissions received for Tender 11/21 Supply & Delivery of Asphaltic Concrete Surfacing to enable Council to award the Tender.

Background

Council's previous contract with Downer EDI Works for supply and delivery of asphaltic concrete surfacing expired on 1st March 2011. As all budgeted asphalt works were complete, a new contract wasn't required until Council's adoption of the 2011/12 budget. The supply of asphalt surfacing is required for various road construction and maintenance projects. The tender is for a contract period of 3 years, commencing from the tender award date.

Consultation

Council's Engineering staff has reviewed all the tender documentation and submissions prior to recommending Council's resolution.

Statutory Implications

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

3.57. Tenders for providing goods or services

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

Policy Implications

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

Strategic Planning Implications

The supply and delivery of asphaltic concrete surfacing contract is a key element to many initiatives of Council's Strategic Plan. The predominant strategies are:

Key Result Area 1: Infrastructure
Goal 1: Roads, Footpaths and Drainage
Immediate Priority 2: Implement Council's 5 year infrastructure maintenance and development plans across each infrastructure asset

Key Result Area 1: Infrastructure
Goal 2: Airport
Immediate Priority 2: Upgrade runways, taxiways and aprons to facilitate efficient aircraft movement

Budget Implications

The cost of asphaltic concrete surfacing is included in each project budget, whether it is for road construction or reseals. The 2011/12 reseals budget is \$500,000 and will be a combination of spray bitumen surfacing and asphalt resealing.

The tendered rates of the recommended contractor are approximately 9% lower than previous contract prices, based on the calculations in table 2 below.

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

Officer's Comment

Tender 11/21 closed at 2.30pm on Wednesday 3rd August 2011. Tenders were opened and recorded by the Deputy Mayor and Council staff members.

Tender submissions were received from 2 companies; Fulton Hogan Industries Pty Ltd and BGC Asphalt. Both submissions are deemed conforming. Table 1 below shows a comparison of the submissions based on the schedule of rates submitted.

Table 1:

Specification	Fulton Hogan	BGC Asphalt
Class 170 Bitumen, 50 Blow (25mm). Rates per Tonne		
25-100	\$ 415.00	\$ 320.00
101-200	\$ 310.00	\$ 265.00
201-300	\$ 300.00	\$ 250.00
301-500	\$ 300.00	\$ 235.00
501-1000	\$ 300.00	\$ 228.00
1000 Plus	\$ 300.00	\$ 225.00
Class 320 Bitumen, 75 Blow (25mm). Rates per Tonne		
25-100	\$ 415.00	\$ 319.00
101-200	\$ 310.00	\$ 264.00
201-300	\$ 300.00	\$ 249.00
301-500	\$ 300.00	\$ 234.00
501-1000	\$ 300.00	\$ 227.00
1000 Plus	\$ 300.00	\$ 224.00
Depth (m²/T)		
15mm	27.8	21.4
20mm	20.8	20.0
25mm	16.7	16.0
30mm	13.9	14.3
35mm	11.9	11.4
40mm	10.4	10.0
Batching plant location	Wedgefield	Wedgefield
Mobilisation	Included	\$ 6,000.00
Demobilisation	Included	\$ 6,000.00
Early Payment Discount	NA	NA
Minimum quantity	200 Tonne	350 Tonne
Availability	4 weeks notice	2 weeks notice
Max & Min activity duration in days	2 min, 24 max	2 min, pending accommodation
Frequency of visits to Port Hedland	4-6 per year	4-6 weeks between visits
Traffic Control	Included	\$3,657.50/day based on 200T/day
Management Systems	ISO certified	Not provided

Table 2 below was produced as a means of comparison and is only a proportional reflection of the quantities that may be required.

Table 2:

Product	Mass (T)	Fulton Hogan	BGC Asphalt
Class 170 Bitumen (50 blow) Asphaltic Concrete (nom 25mm depth)	1000	\$300,000.00	\$228,000.00
Class 320 Bitumen (75 blow) Asphaltic Concrete (nom 25mm depth)	250	\$ 75,000.00	\$ 62,250.00
Mobilisation		\$ -	\$ 6,000.00
Demobilisation		\$ -	\$ 6,000.00
Traffic management		\$ -	\$ 25,602.50
TOTAL		\$375,000.00	\$327,852.50
Area covered (m2)		20,875	20,000

Table 3 below indicates the evaluation criteria as described in the tender documentation:

Table 3:

Assessment Criteria	Max Score
Price	45
Experience	20
Resources (supervisory, plant and equipment)	15
Demonstrated understanding of WUC	10
Local Industry Development	10
Max Score	100

The lowest price Tender (T_{lp}) shall be awarded a score of 45 for the Price criterion. To ensure that all conforming Tenders were ranked fairly and consistently, the remaining priced Tenders (T_{sp}) were awarded a score determined in the following manner:

$$(T_{lp} \div T_{sp}) \times 45$$

The comparison of each of the assessment criteria for the tender submissions received is summarized in Table 4 below:

Table 4:

Contractor/ Assessment Criteria	Price (45%)	Experience (20%)	Resources (15%)	Understand WUC (10%)	Local Industry Dev. (10%)	Total Score (100%)
	Score	Score	Score	Score	Score	
Fulton Hogan	39	15.5	12	7.5	2.7	76.7
BGC Asphalt	45	15	12	6	2.7	80.7

Experience

Both Fulton Hogan and BGC Asphalt demonstrated an excellent level of experience in projects of a similar nature and budget and provided good references.

Resources

Both companies demonstrated an excellent resource base, both personnel and equipment, to undertake the requirements of the contract. Supervisors and nominated personnel had a high level of experience in the tasks required. Availability throughout the contract and notice periods were acceptable.

Understanding of Works under Contract

The capability statements and demonstrated experience of both submissions indicated a high level of understanding of the works required. Fulton Hogan provided details of ISO certified management systems, indicating a good management approach.

Local Industry Development

Although both companies have a premises in Wedgefield, their crews and equipment for this contract are based in Perth. Neither company demonstrated any specific benefits for the local community.

Summary

At the conclusion of the assessment of each submission for Tender 11/21 Supply & Delivery of Asphaltic Concrete Surfacing, BGC Asphalt score the highest in accordance with the selection criteria. They have demonstrated that they are capable of undertaking the contract and are highly experienced. It is recommended to award the contract to BGC Asphalt.

Attachments

Nil

201112/090 Officer's Recommendation/Council Decision**Moved:** Cr A A Carter**Seconded:** Cr G J Daccache

That Council awards Tender 11/21 Supply & Delivery of Asphaltic Bitumen Surfacing to BGC Asphalt for a 3 year period commencing 25th August 2011 according to the following schedule of rates, fixed for the first 12 months and subject to annual CPI increases thereafter:

Class 170 Bitumen, 50 Blow (25mm). Rates per Tonne	
25-100	\$ 320.00
101-200	\$ 265.00
201-300	\$ 250.00
301-500	\$ 235.00
501-1000	\$ 228.00
1000 Plus	\$ 225.00
Class 320 Bitumen, 75 Blow (25mm). Rates per Tonne	
25-100	\$ 319.00
101-200	\$ 264.00
201-300	\$ 249.00
301-500	\$ 234.00
501-1000	\$ 227.00
1000 Plus	\$ 224.00
Depth (m²/T)	
15mm	21.4
20mm	20.0
25mm	16.0
30mm	14.3
35mm	11.4
40mm	10.0
Mobilisation	\$ 6,000.00
Demobilisation	\$ 6,000.00
Traffic Control	\$3,657.50/day based on 200T/day

CARRIED 7/0

11.3 Community Development

6:25pm Mayor K A Howlett declared a Financial interest in Agenda Item 11.3.1 'Donations Working Group: Endorsements of Funding Requests (File No.: 02/05/0003)' as she has made a donation to one of the applicants.

Mayor K A Howlett left the room.

6:25pm Deputy Mayor Arnold Carter assumed the Chair.

11.3.1 Donations Working Group: Endorsements of Funding Requests (File No.: 02/05/0003)

Officer Gordon MacMile
Director
Community Development

Date of Report 24 August 2011

Disclosure of Interest by Officer Nil

Summary

This report presents to and requests Council endorse the recommendations from the Town of Port Hedland Donations Working Group meeting of the 10 August 2011.

Background

The Donations Working Group met on the 10 August 2011 to consider applications received. The following applications were considered:

- South Hedland Lotteries House: \$2,000 cash towards surveillance equipment to increase safety and security at Lotteries House.
- C3 Church: Support towards the MYGEN Youth Event in the form of \$1,000 cash as well as in-kind support through the loan of the Bali flags and the waiving of venue hire fees for use of the South Hedland Aquatic Centre (value of \$791).
- Rose Nowers Early Learning Centre: \$2,000 cash donation towards constructing a vegetable garden as part of a programme to teach children about environmental sustainability.
- Broome Aboriginal Media Association (trading as Goolarri Media Enterprises): Waiving of venue hire and staffing fees for the JD Hardie Centre (value of approximately \$2,775) for the Pilbara Girl 2011 competition.

- Hedland Playgroup: Waiving of JD Hardie Centre venue hire fees (value of approximately \$100) for the Monster Trash 'n' Treasure event in October 2011.
- SAFE Hedland Inc.: \$2,000 cash support for a pet adoption event to take place in October 2011.

Consultation

- Donations Working Group
- Director Community Development
- Manager Community Development
- Manager Recreation Services and Facilities

Statutory Implications

Nil

Policy Implications

Community Funding and Donations Policy applies to this report.

Strategic Planning Implications

Key result area 2: Community Pride
Goal 2 – Events

- c. Supporting Community groups who are operating community events, through training, support, advice and, where appropriate, financial support.

Budget Implications

Should the Officer's Recommendation be adopted \$3,391 will be allocated from GL Account 813274, with an estimated remaining balance of \$40,809.

Officer's Comment

The Donations Working Group meeting of 10 August 2011 considered submissions and recommended for approval applications as detailed in the Officer Recommendation.

The Donations Working Group made the following comments regarding the applications:

- South Hedland Lotteries House - This application should be deferred, pending the provision of more complete detail regarding the use of the proposed donation and investigation into Landcorp's possible responsibility for increasing security.

- Pilbara Girl 2011 Competition - Before proceeding with any recommendation, clarification was required regarding the organisation type of the applicant: it was deemed unclear whether any parties benefit financially from the event. The applicant was to be asked to provide clarification regarding the handling of any proceeds from holding this event.
The Donations Working Group agreed on a recommendation to be given if the organization proved to be not-for-profit, and that the assessment of the evidence was to be at the discretion of the Director Community Development.
- SAFE Hedland Inc - Further information was required regarding the usage of the funds that were requested in their application, and that the Donations Working Group would be happy to consider a revised application at the next meeting (October 2011).

Attachments

Nil

201112/091 Officer's Recommendation/Council Decision

Moved: Cr G J Daccache

Seconded: Cr J M Gillingham

That Council:

1. **Endorses the recommendations from the Donations Working Group meeting of 10 August 2011, being;**
 - a. **C3 Church: Support for the MYGEN Youth Event 2011 in the form of \$1,000 cash and the waiving of hire fees for the South Hedland Aquatic Centre to a value of \$791**
 - b. **Hedland Playgroup: In-kind support to a value of up to \$100 towards the waiving of hire fees for the JD Hardie Centre for the Monster Trash 'n' Treasure event.**
2. **Endorses the conditional recommendation agreed by the Donations Working Group meeting of 10 August 2011, following the assessment of the requested evidence by the Director Community Development, being;**
 - a. **Broome Aboriginal Media Association (trading as Goolarri Media Enterprises): In-kind support to a value of \$1,500 towards the waiving of hire and staffing fees for the JD Hardie Centre for the Pilbara Girl 2011 competition.**

CARRIED 6/0

6:26pm Mayor K A Howlett re-entered the room and resumed her chair.

Deputy Mayor A A Carter advised Mayor K A Howlett of Council's decision.

11.3.2 *South Hedland Library and Community Centre – Feasibility to Collocate with Key Community Facilities (File No.: 26/04/0018)*

Officer Gordon MacMile
Director Community
Development

Date of Report 24 August 2011

Disclosure of Interest by Officer Nil

Summary

The need for a new and enhanced library and community centre has been identified in various Council strategy and planning documents including the ToPH Library Services Plan 2010-2015, is identified as an immediate priority within the ToPH Strategic Plan 2010-2015 and included in the Hedland's Future Today as a top 10 priority.

Decisions in a number of areas has resulted in Council preferring the location of the skate facility on the SHAC site, with the potential to explore the future co-location of the Library, Community Centre, Well Women's Centre and Lotteries House on the existing Lotteries House site.

Stakeholders from the Well Women's Centre and Lotteries House have expressed an interest in exploring the potential for co-location through a feasibility study.

Council is requested to support the exploration of the feasibility of co-locating on the existing Lotteries House site, the Town of Port Hedland's future Library and Community Centre, the Well Women's Centre and Lotteries House. The outcome of the feasibility study will be presented for Council consideration in December 2011, detailing the stakeholder consultation outcomes, concepts designs, cost estimates, funding strategy, management / sharing strategies and potential construction program for the proposed facility.

The options for the short term relocation of the Library and Well Women's Centre will be presented for Council consideration in September 2011.

Background

Previous decisions (September 2010) around the development of the Library and Community Centre explored potential synergies with the proposed upgrade to the South Hedland Aquatic Centre (SHAC), providing a state of the art community destination within the context of the wider South Hedland CBD revitalisation project.

A subsequent report to Council in November 2010 further explored the potential synergies between the 2 facilities and how the proposed Library and Community Centre might address the site.

Parallel to this process, Council was considering the impact of the realignment of Colebatch Way on the South Hedland Skate Park as part of the CBD development and options related to the future redevelopment of this facility

Subsequent investigation into the location of the SH skate facility have taken place throughout June and early July 2011, with the potential collocation and integration with the SHAC redevelopment, adjacent to Town Park being identified.

Consultation

Internal

- Chief Executive Officer
- Director Community Development
- Manager Community Development
- Library and Information Services Coordinator.

External

- Landcorp
- Well Women's Centre Board
- Lotteries House Board.

The co-location feasibility was informally discussed (lack of a quorum) and supported as the recent meeting of the South Hedland CBD Stakeholder Committee.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 3 – Community Development
Goal 1 - Youth and Children: Immediate Priority 5: plan for the development of new library and community centre in South Hedland.
Goal 2 – Sports and Leisure: That the community has and leisure facilities at or above the quality that

they would be able to access in the metropolitan area.

Budget Implications

Total funds of \$1,030,000 are available to undertake the feasibility, as well as detailed design / documentation and costing in preparation for construction. Funds are comprised of \$300,000 carried forwarded from 2010/2011 and allocated within the 2011 / 2012 budget (BHPB Partnership), \$665,000 from Royalties for Regions and \$65,000 from the Town of Port Hedland.

Officer's Comment

The existing South Hedland Library and adjacent Well Women's Centre is located on a site that is earmarked for future hotel and retail development. Council has recently received correspondence from Landcorp, requesting progress on both the short and long term relocation of the Library and Well Women's Centre, as well as surety in relation to timeframes and funding. Landcorp's desire is to take vacant possession of the existing site early in 2012.

Long Term Future Provision

Any future Library, Community Centre and Well Women's Centre facilities will need to be either integrated within the existing site and the hotel / retail development (unlikely to be an effective or desirable community / service outcome) or constructed on another site.

Separately, the space within the existing Lotteries House is currently fully allocated with no additional space available for the growth of non-government agencies (NGO's) within the existing building or for the future growth of the Town's community service organisations.

Given these circumstances there is an opportunity to explore the feasibility of collocating the future Library, Community Centre, Well Women's Centre and expanded Lotteries House facilities on the current Lotteries House site. The feasibility would consider whether these agencies, services and functions can collocate into a community hub, accommodating their individual requirements while achieving a mutually beneficial synergy.

Key considerations in exploring the feasibility of any potential collocation will need to address the following:

- Synergies between organisation's visions and objectives
- Compatibilities between physical facility requirements and how exclusive use and shared / common areas can be functionally integrated
- Compatibilities between service and programming requirements

- Compatibilities of human and intangible characteristics (maintenance of individual service 'identity', creation of the required 'feel' to successfully service customers)
- Potential management strategies
- Exploration of key potential benefits
 - Efficiencies of co-location
 - Maximisation of land use
 - Activation of critical Town Centre areas.

The process for establishing whether the potential co-location is feasible would be to:

1. Establishing a strategy to ensure consultation and engagement from key stakeholders
2. Develop (with input from key stakeholders) an agreed consultant's brief for the feasibility
3. Engage a consultant to consider the physical (design), service (program and client servicing) and human elements
4. Key Stakeholders to work with the consultant to explore the feasibility of co-location
5. Have the results of the feasibility considered collectively by the key stakeholder groups and individually by the parties peak bodies (boards and Council).

It is anticipated that the results of the feasibility will be completed and available for consideration by individual peak bodies, including Council by December 2011.

Officers have received information from both the Well Women's Centre and Lotteries House confirming a willingness to participate in the feasibility and to assess the opportunities for co-location.

Short Term Relocation Options

Landcorp have requested surety over relocation timeframes and possession of the existing site in early 2012. To provide meaningful feedback, urgent consideration of the short term (2 to 3 years to allow for the construction of new, long term facilities) options to relocate the Library and Well Women's Centre is required.

Options for the short term relocation will consider the use of existing vacant buildings in the South Hedland area, co-location and temporary / transportable buildings.

If Council agrees to the request, the short term relocation of the Library Service will need to be carefully planned, coordinated and communicated effectively to the community. These options will be presented to Council in September 2011.

Attachments

Nil

Officer's Recommendation

That Council:

1. Supports the exploration of the feasibility of co-locating on the existing Lotteries House site, the following agencies, facilities and services:
 - Town of Port Hedland Library and Community Centre
 - Well Women's Centre
 - Lotteries House.
2. Notes that the results of the feasibility will be presented for Council consideration in December 2011, detailing the stakeholder consultation outcomes, concepts designs, cost estimates, funding strategy, management / sharing strategies and potential construction program for the proposed facility
3. Notes that short term options for the potential relocation of Library Services and Well Women's Centre will be presented for Council consideration in September 2011.

201112/092 Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Agenda Item 11.3.2 'South Hedland Library and Community Centre – Feasibility to Collocate with Key Community Facilities (File No.: 26/04/0018)' be laid on the table for further clarification by way of a workshop.

CARRIED 7/0

REASON: Council believes that before considering this item a workshop needs to be carried out regarding temporary and permanent accommodation for all the agencies involved.

11.4 Governance and Administration**11.4.1 Finance and Corporate Services*****11.4.1.1 Interim Financial Reports to Council for Period Ended 31 July 2011 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Lee Crombie
Coordinator
Financial Services

Date of Report 31 July 2011

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the interim financial activities of the Town to 31 July 2011, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2010/11. The reports are considered to be interim as the Finance Department is still in the process of finalising the 2010-11 financial year that will affect the actual results for June 2011 onwards, until the auditors sign off the final accounts.

Background***1. Interim Financial Statements***

Presented (see attachments) in this report for the financial period ended 31 July 2011, are the:

- Statements of Interim Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Statements of Interim Financial Activity for the period ending 31 July 2011;
- Review of Transaction Activity.

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

2. Utility and Fuel Costs

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

3. *Schedule of Accounts Paid*

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 24th August 2011 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costs.

Voucher No's		Value \$	Pages		Fund No.	Fund Name	Description
From	To		From	To			
NMF010611	NMF010611	\$569.14	1	1	1	Municipal Fund	Photocopier lease
NMF010611	NMF010611	\$1,244.32	1	1	1	Municipal Fund	Photocopier lease
CHQ20660	CHQ20690		1	4	1	Municipal Fund	
CHQ20691	CHQ20691		4	4	1	Municipal Fund	Cheque cancelled
CHQ20692	CHQ20699	\$140,173.79	4	7	1	Municipal Fund	
EFT35485	EFT35635		7	32	1	Municipal Fund	
EFT35636	EFT35636		32	32	1	Municipal Fund	
EFT35637	EFT35878	\$4,971,848.97	33	71	1	Municipal Fund	
NMF0607111	NMF060711	\$284.57	71	71	1	Municipal Fund	Photocopier lease
CMS220711	CMS220711	\$192.39	71	71	1	Municipal Fund	Photocopier lease
PAY120711	PAY120711	\$328,522.09	71	71	1	Municipal Fund	
WOW290711	WOW290711	\$2,579.68	71	71	1	Municipal Fund	Woolworths
PAY260711	PAY260711	\$344,940.01	72	72	1	Municipal Fund	
BOQ270711	BOQ270711	\$891.10	72	72	1	Municipal Fund	Equipment
	Municipal Total	\$5,791,246.06					
3002092	3002111	\$69,500.42	72	74	3	Trust Fund	
	Trust Total	\$69,500.42					
	Sub-Total	\$5,860,743.48					
LESS: one-off pays		-					
	Total	\$5,860,746.48					

Consultation

Nil

Statutory Implications

Financial Statements

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

“34. Financial activity statement report - s. 6.4

(1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of

funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) budget estimates to the end of the month to which the statement relates;*
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) the net current assets at the end of the month to which the statement relates.*
- (2) Each statement of financial activity is to be accompanied by documents containing:*
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) such other supporting information as is considered relevant by the local government.*
- (3) The information in a statement of financial activity may be shown:*
- (a) according to nature and type classification;*
 - (b) by program; or*
 - (c) by business unit.*
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be:*
- (a) presented to the council:*
 - (i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or*
 - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;**and*
 - (b) recorded in the minutes of the meeting at which it is presented.*
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.*

In this regulation:

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

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

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

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

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

Policy Implications

2/003 Financial Statements – Copies for Councillors

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

1. Monthly
 - Bank Reconciliation of the Municipal, Reserve and Trust Fund
 - +90 day outstanding Sundry Debtors Report
 - List of Accounts paid under Delegated Authority
 - Register of Investments
 - Rate Summary Trial Balance
 - Reserve Account Balances
2. Quarterly
 - Quarterly Budget Review
 - Report on all Budgeted Grants of \$50,000 or more
 - Irregular Financial reports will be presented to Council on request.
 - Strategic Planning Implications
 - Key Results Area 5 Environment
 - Goal 2 Natural Resources
 - Strategy 1. Continue to monitor and report on the level of Council's energy, fuel and water use.

Strategic Planning Implications

Nil

Budget Implications

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

“Recommendation 13

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

1. 10% of the Function amended budget; or

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

Officer’s Comment

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

Period Variation

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

Primary Reason

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

Budget Impact

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

Attachments

1. Monthly Statement of Business Activity – under separate cover
 - 1.1 Page 2–4. Schedule 2 being a Statement of Interim Financial Activity
 - 1.2 Pages 5 to 16. Notes 3 to 11 which form part of the Statements of Interim Financial Activity. Also Note 10–June 2011 Bank Reconciliations.
 - 1.3 Pages 17 to 70. Detailed Interim Financial Activity by Program.
 - 1.4 Pages 71 to 73. Comparison Between 2011/12:2010/11 Utility & Fuel Costs
2. July 2011 Accounts for Payment – under separate cover

201112/093 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr M B Dziombak

That Council note the:

- i)**
 - a) Statements of Interim Financial Activity (represented by Schedules 3 to 14);**
 - b) Notes (1 to 11) to and forming part of the Statements of Interim Financial Activity for the period ending 31 July 2011; and**
 - c) Review of Transaction Activity, as attached and/or presented be received;**
- ii) Graphic representation of the Town's energy, water and fuel use as attached be received; and**
- iii) List of Accounts paid during July 2011 under Delegated Authority, as presented and/or attached be received.**
- iv) Financial statements presented are interim until the auditors undertake their audit in October and the accounts can be officially closed.**

CARRIED 7/0

11.4.1.2 *Town of Port Hedland Integrated Planning and Reporting Framework- Stage Two (File No.:)*

Officer	Debra Summers Manager Organisational Development
Date of Report	18 August 2011
Disclosure of Interest by Officer	Nil

Summary

The purpose of this report is to inform Council of the remaining key informing strategies required by the organisation to ensure compliance with the Integrated Planning and Reporting Framework required by the Department of Local Government by June 2012.

Secondly, this report seeks permission from Council to call for a Request for Proposal from consultancies to work with key officers to develop these strategies and their associated implementation plans.

Background

The Department of Local Government in Western Australia has introduced guidelines for implementation of a new integrated planning and reporting framework for local governments in Western Australia which is required to be in place by June 2012.

The new framework includes the development of the following key strategic documents:

- 10 year Strategic Community Plan
- 4 year Corporate Plan
- Annual Operational Business Plan
- 4 year Workforce Plan
- 10 year Financial Plan
- 10 year Asset Management Plan

Council has previously considered a process to ensure compliance with these requirements. It is Council's intention (Council Decision 2011/306) to utilise the work currently being undertaken with community and stakeholders to develop the City Growth Plan to inform the required Integrated 10 Year Strategic Community Plan.

In part because of this decision, it was decided to introduce the required framework in a two staged approach. Prior to commencing this staged process, the Department of Local Government endorsed the Town's proposed staged implementation plan and its associated

timelines.

In May 2011 the Town of Port Hedland commenced the first stage which included the development of a range of plans: Annual Corporate Plan, Directorate Plans and Business Unit Plans as per the organizational structure.

This first stage was completed in June 2011 and has resulted in the adoption by Council of the Annual Corporate Plan compliant with the Departments' requirements.

The next stage of the implementation process is the mandatory development, integration and implementation of a 10 Year Strategic Community Plan, 4 year Workforce Plan, 10 year Financial Plan and 10 year Asset Management Plan. Whilst a 5 year Information Communication Technology (ICT) Strategy is not mandatory it is included in a category of required plans and strategies considered necessary to support the activities and actions required to deliver on the mandatory strategies. Officers consider these key documents are required to be completed by December 2011 to ensure compliance with the Department of Local Governments deadline.

As a final step in the implementation process, the 2012 Corporate Plan will be extrapolated out, based on the above strategy documents to become a 4 Year Plan as per the requirements of the Department by June 2012.

Consultation

- Councillors
- Executive Team
- Relevant Town of Port Hedland Officers
- Department of Local Government
- Western Australian Local Government Association
- CAM Management Solutions

Statutory Implication

Local Government Act 1995 s3.57- Tenders for Providing Goods and Services.

Local Government (Functions and General) Regulations Part 4- Tenders for Providing Goods and Services

Policy Implications

2/011 Tender Policy

2/007 Procurement Policy

Strategic Planning Implications

This report seeks to progress the implementation of Council's Strategic Plan and the associated Integrated Planning and Reporting

Framework.

Budget Implications

The budgetary allocation of \$530,000 required to undertake this activity has been factored into 2011/2012 Town of Port Hedland budget.

Attachments

Nil

Officer's Comment

To implement the second stage of the Town of Port Hedland Integrated Planning and Reporting Framework compliant with requirements of the Department of Local Government by June 2012 officers recommend a consultancy to work with key officers to develop the required key strategic documents. These documents will need associated implementation plans and possibly software solutions that integrate with Council's existing software platform.

Further the consultancy must ensure all of these documents are integrated with the implementation plan of the Town of Port Hedland's Growth Plan.

Key Strategic Documents required of the consultancy to complete the required reporting and planning framework are:

- 10 Year Community Strategic Plan which will drive the short, medium and long term strategies of the local government as determined by the community, and the services required by the local government to deliver on these strategies.
- i. 4 Year Workforce Plan, inclusive of a Housing and Accommodation Strategy which will outline the additional or alternative resources and skills required by the organisation to ensure delivery of the actions and tasks needed to provide services and programs to our community into the future. This plan will also include a strategy to secure these resources plus a fully costed plan to provide adequate office accommodation and affordable housing.
- 10 Year Financial Plan which will be a rolling plan that informs the Corporate Business Plan to activate Strategic Community Plan priorities. This plan will provide an understanding of the local government's operations in relation to financial sustainability, and allow early indication of financial issues and their longer term impacts. The financial plan is to integrate with the asset management plan, workforce plan, and any other service plans and strategies to ensure accurate costing,

planning and financial sustainability and show clear linkages with the Strategic Community Plan and Corporate Business Plan in order to enhance transparency and accountability of the Town to the community.

- 10 Year Asset Management Plan which will enable Council to show how their asset portfolio will meet the service delivery needs of the community into the future. This plan will include an audit of the current situation of Council's assets and their management plus identification of current and future needs versus adequacy of funding. This plan needs to ensure alignment with the overall goals and objectives of the Strategic Community Plan
- 5 Year Information Communication Technology (ICT) Strategy which will create a developed and practiced information and communications system that supports a distinct IT strategy and communication plans for both internal and external parties, along with an efficient and effective Records Management Framework and associated strategies and plans in accordance with compliance requirements of State Records.

The officer's recommendation to the Council is that it requests the CEO to call for a Request for Proposal from consultancies addressing appropriate selection criteria to demonstrate their ability to work with key officers to develop these strategies and their associated implementation plans.

The required scope of work required of the preferred consultancy is as follows:

- Project manage the multi-disciplinary process of preparing the various key strategic documents inclusive of implementation plans, required of this consultancy.
- Ensure integration of any software solutions with all existing Town of Port Hedland software.
- Ensure outcomes achieve compliance with Department of Local Government requirements plus deliver state of the art solutions to ensure organisational capability to assist the Town achieve its vision of being the Pilbara's Port City.
- Ensure relevant Town of Port Hedland staff and Elected Representatives are fully engaged, where appropriate in the development of the required key strategic documents.

201112/094 Officer's Recommendation/Council Decision**Moved:** Cr A A Carter**Seconded:** Cr G J Daccache

That Council request the Chief Executive Officer to call for a Request for Proposal, utilising appropriate selection criteria, for a consultant/or consultants to undertake the following scope of work:

- **Project manage the multi-disciplinary process of preparing the 10 Year Community Strategic Plan, 4 Year Workforce Plan, inclusive of a Housing and Accommodation Strategy, 10 Year Financial Plan, 10 Year Asset Management Plan and 5 Year Information Communication Technology (ICT) Strategy.**
- **Ensure integration of any software solutions with all existing Town of Port Hedland software.**
- **Ensure outcomes achieve compliance with Department of Local Government requirements plus deliver state of the art solutions to ensure organisational capability to assist the Town achieve its vision of being the Pilbara's Port City.**
- **Ensure relevant Town of Port Hedland staff and Elected Representatives are fully engaged, where appropriate in the development of the required key strategic documents.**

CARRIED 7/0

11.4.1.3 Waiver of Fees and Interest for Le Mer Marketing - Assessment A804266 (File No.: .../...)

Officer Jodie McMahon
Coordinator
Financial Services

Date of Report 17 August 2011

Disclosure of Interest by Officer Nil

Summary

To inform the Council of the actions taken in regards to assessment A804266, Lot Portion Reserve, Downes Island, Wedgefield which came before the South Hedland Magistrates Court on 8th August 2011.

Background

Lot Portion Reserve, Downes Island, Wedgefield is land owned by the Port Hedland Port Authority (PHPA). This land is leased to Le Mer Marketing who is responsible for paying rates on the portion of land leased.

This portion of land was first rated on 8th January 2010 with rates being back dated as per advice from Landgate to the 1st July 2009. An Interim Notice was issued with 35 days to pay.

As of the 8th July 2010 the account was still outstanding and the Rates Department engaged the Council's debt collection agency, Dun & Bradstreet, to issue a Legal Action Letter to the rate payer.

On 3rd December 2010 the Rates Department advised Dun & Bradstreet that rates were still outstanding and to issue a General Procedure Claim. The General Procedure Claim was issued on the 8th December 2010 at the South Hedland Magistrates Court.

On 17th May 2011 Ellery Legal acting on behalf of Le Mer Marketing contacted the Rates Department in regards to the rates outstanding and mentioned that Le Mer Marketing had not seen any of the Rates Notices. Ellery Legal were emailed a copy of the rates notice showing amounts outstanding. Ellery Legal was also advised that a change of address form would be required to be completed to advise Council of the change of address and to ensure that further notices would be received as per Council's Policy.

On 18th July 2011 Mr Andrew Kay Director of Le Mer Marketing contacted the Rates Department advising that the outstanding rates had affected their credit rating which was affecting his business.

Mr Kay was advised by the Rates Department that the claim was still outstanding and that Council could not issue a Notice of Discontinuance until the rates were paid in full.

Also on 18th July 2011 Le Mer Marketing issued a Civil Jurisdiction notice to the Town of Port Hedland. On receipt of this it was evident that Le Mer Marketing had cross referenced a personal property that was in no way related to the property held in the name of Le Mer Marketing.

McLeods Barristers & Solicitors services were engaged by the Town of Port Hedland to assist with these proceedings.

Consultation

- McLeods Barristers & Solicitors
- Department of Local Government
- UHY Haines Norton
- Chief Executive Officer
- Director Corporate Services

Statutory Implications

The Local Government Act 1995

Section 6.12

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

- (1) Subject to subsection (2) and any other written law, a local government may —*
- a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - b) waive or grant concessions in relation to any amount of money; or*
 - c) write off any amount of money, which is owed to the local government.*

** Absolute majority required.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.*

[Section 6.12 amended by No. 64 of 1998 s. 39.]

Section 6.49

6.49. Agreement as to payment of rates and service charges

A local government may accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.

Section 5.42

5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
- (a) *this Act other than those referred to in section 5.43; or*
 - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

[Section 5.42 amended by No. 1 of 1998 s. 13; No. 28 of 2010 s. 70.]

Section 5.44

5.44. CEO may delegate powers and duties to other employees

- (1) *A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) *This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —*
- (a) *the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and*
 - (b) *the exercise of that power or the discharge of that duty by the CEO's delegate,*
- are subject to any conditions imposed by the local government on its delegation to the CEO.*
- (4) *Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
- (5) *In subsections (3) and (4) —*
conditions *includes qualifications, limitations or exceptions.*

[Section 5.44 amended by No. 1 of 1998 s. 14(1).]

Policy Implications

Delegation Register

DELEGATION NUMBER 18(Rate Book)

LEGISLATIVE POWER Local Government Act 1995 (Section 5.42)

DELEGATION SUBJECT Rate Book

DELEGATE Chief Executive Officer

The Chief Executive Officer is hereby delegated the performance of the following functions of the Council.

1. The discharge of the obligations specified in Section 6.39(1) of the Local Government Act 1995.
2. The service of Notices of Valuation and Rates referred to in Section 6.41(1) of the Local Government Act 1995 (as amended).
3. The time allowed for the payment of the rate before it becomes in arrear, Section 6.50(2) of the Local Government Act 1995.
4. The powers conferred in Section 6.40 of the Local Government Act 1995.
5. The exercise of discretion in regard to granting of any extension of time for service of objections to the Rate Book, Section 6.76(4) of the Local Government Act 1995.
6. The recovery of rates by complaint or action pursuant to the provisions of Section 6.56(1) of the Local Government Act 1995.
7. Entering into an agreement in accordance with Section 6.49 of the Local Government Act 1995.
8. Requiring a lessee to pay rent to the Council in satisfaction of rates or service charges due and payable in accordance with Section 6.60(2) of the Local Government Act 1995.

SUBDELEGATION

Effective from 22 June 2011 the Chief Executive Officer in exercising authority granted under Section 5.44 of the Local Government Act 1995 has on-delegated the power/duty to enter into an agreement in accordance with Section 6.49 of the Local Government Act 1995 to the Director Corporate Services and Manager Financial Services.

Strategic Planning Implications

Nil

Budget Implications

All legal charges are paid directly to Dun & Bradstreet by the Town of Port Hedland and then on charged to the respective properties to recover costs in accordance with Council Policy. The legal fees incurred to date of \$363.68 as well as expenses that have been incurred through the engagement of McLeods Barristers & Solicitors which are unknown at the time of producing this report, were not incorporated in the settlement sum agreed. As the issue has been through the Court system and a settlement sum agreed, these additional costs cannot be passed onto Le Mer Marketing. Any additional costs will need to be borne by the Town of Port Hedland.

Also, interest from the 8th December 2010 will also need to be written off totaling \$66.10.

The total legal fees incurred to date (\$363.68) combined with the interest incurred since the date the proceedings commenced (\$66.10), total \$429.78 that requires a combination of write off (for the interest), and acceptance of costs by the Town (legal fees to date), being the subject of this report.

Officer's Comment

On 8th August 2011 the matter went before the South Hedland Magistrates Court. The magistrate considered the papers and ordered that the parties seek to agree.

During this process Le Mer Marketing advised that they had requested on several occasions to be provided with copies of Rates Notices and they had not received them. McLeods Barristers & Solicitors advised that the Rates Notices had been issued and that copies had been sent as requested. Le Mer Marketing were unable to provide evidence that the Town of Port Hedland had not responded to the request. Following an ASIC search conducted by McLeods Barristers & Solicitors it was identified that they had changed their registered business address in October 2010 and had not notified The Town of Port Hedland. The Rates Department also confirmed that at no time was any mail address to Le Mer Marketing returned to the Town as unclaimed mail

Once being informed that they had not advised the Town of Port Hedland of the change of address Le Mer Marketing agreed to consent to judgment in the sum of \$1920.70 over four instalments. The amount of \$1920.70 includes rates outstanding, court filing fee, service fee and travel as at the 8th December 2010, the date in which the General Procedure Claim was issued. This amount does not cover interest incurred since 8th December 2010 or legal charges that have occurred since that date.

Under the direction of the Magistrates Court the Town of Port Hedland was advised that a decision need to be made by close of business 9th August 2011, being the day of the hearing.

Within the Delegation Register 2011/12 endorsed by Council on 22nd June 2011, the Chief Executive Officer has been delegated to enter into payment arrangements under Delegation 18 (Rate Book):

“Entering into an agreement in accordance with Section 6.49 of the Local Government Act 1995”

The Chief Executive Officer has through the Delegations Registers 2011/12 and under Section 5.44 of the *Local Government Act 1995* sub delegated this function to the Director of Corporate Services and the Manager Financial Services.

While these sub-delegations authorise the entering into of an agreement, they do not provide the authority to waive fees or interest. This decision still remains with Council.

As the Magistrates Court required an immediate decision (on the day of the hearing), advice was sought from McLeods Barristers & Solicitors, the Department of Local Government and UHY Haines Norton (the Town’s auditors) as to the options available to the Town, and the implications of making the decision prior to Council consideration. The Department advised that while it was outside the normal process, given the circumstances and minor amount of the waiver, and to avoid the matter going any further through the court system, that the decision is made and a report to Council be produced to ensure transparency of what occurred.

Further advice from the Department of Local Government included that the sub-delegations be reviewed to incorporate a delegation to the CEO in relation to the waiver of fees and interest where an outstanding debt goes through the court system, in order to avoid this situation in the future.

Accordingly, McLeods Barristers & Solicitors were advised to accept the negotiated amount, and enter into a payment arrangement. Given the relatively small amount involved and a settlement plan proposed by the Court and agreed by Le Mer, the CEO agreed to settle the case.

Attachments

1. McLeods Barristers & Solicitors (Distributed separately as a confidential item)

201112/095 Officer's Recommendation/Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- 1. Supports the decision the CEO made to approve the waiver of interest and legal fees to date totaling \$429.78 in line with the proposed settlement determined by the Court.**
- 2. Note that a further report will be provided recommending Council considers delegation to the CEO for the waiver of fees and charges in particular cases such as court settlement processes.**

CARRIED 7/0

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

Nil

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil

ITEM 14 CONFIDENTIAL ITEMS

Nil

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE**201112/096 Council Decision**

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That the following leave of absence;

- **Councillor S J Coates on 21 September 2011**
- **Councillor G J Daccache from 20 September to 6 October 2011**
- **Councillor M B Dziombak from 18 October to 21 November 2011**
- **Councillor J M Gillingham from 10 to 19 September 2011**
- **Councillor S R Martin from 10 to 18 September 2011**

be approved.

CARRIED 7/0

ITEM 16 CLOSURE**16.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 21 September 2011, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Mayor declared the meeting closed at 6:34 pm.

Declaration of Confirmation of Minutes

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

CONFIRMATION:

MAYOR

DATE