



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING  
OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 27 JULY 2011

AT 5.30 PM

IN COUNCIL CHAMBERS  
McGREGOR STREET, PORT HEDLAND

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*Paul Martin  
Chief Executive Officer*



## OUR COMMITMENT

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

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**ITEM 1          OPENING OF MEETING**

## 1.1            Opening

The Mayor declared the meeting open at 5:32 pm and acknowledged the traditional owners, the Kariyarra people.

**ITEM 2          RECORDING OF ATTENDANCE AND APOLOGIES**

## 2.1            Attendance

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

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

## 2.2            Apologies

Councillor Stan R Martin

## 2.3            Approved Leave of Absence

Councillor Steve J Coates

**ITEM 3          RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1            Questions from Public at Ordinary Council Meeting held on  
Wednesday 13 July 2011**3.1.1          *Mr Chris Whalley***

*I wonder if it is now time for Council to seriously consider naming the Port Hedland Courthouse Art Gallery in memory of Kathy Donnelly? A memorial such as this would be a lasting tribute to the legacy Kathy has given to this town.*

The Chief Executive Officer advised that a report will be presented to Council in the near future to consider this proposal after consultation has been undertaken with those potentially impacted upon.

- 3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 13 July 2011

Nil.

#### **ITEM 4 PUBLIC TIME**

5:34pm Mayor opened Public Question Time

- 4.1 Public Question Time

Nil

5:34pm Mayor closed Public Question Time

5:34pm Mayor opened Public Statement Time

- 4.2 Public Statement Time

##### **4.2.1 *Azzura Remote Pty Ltd***

*Azzura Remote Pty Ltd wishes to formally express to the Town of Port Hedland its full support of and commitment to working in a positive and proactive way with the Town of Port Hedland and its community towards achieving the Town's goal to become the preeminent city of the North West.*

*Azzura's goal is to establish a permanent base in Port Hedland for large-scale residential and commercial construction in Port Hedland.*

*We would like to take this opportunity to formally advise all councillor's of our progress to date:*

*15/06/2011: Azzura had its first meeting with Aaron Grant (LandCorp Project Manager for South Hedland), in which Aaron identified various sites around South Hedland suitable for future large-scale residential/commercial development and invited Azzura to develop a project for construction on the South Hedland Town Centre (opposite the new hospital).*

*15/06/2011: Azzura had its second meeting with Aaron Grant, during which Azzura identified the need to economically accommodate its work force for any construction projects Azzura undertook in the Town. Aaron was unable to identify any LandCorp sites that were available in the short-term and suggested Azzura approach the Town to see if they could make any suggestions.*

*Aaron also invited the Azzura to the presentation on the proposed outer harbour development to be held on the night of the 16/06/2011.*

*16/06/2011: Azzura had its first meeting with Eber Butron to discuss residential and commercial development and construction opportunities and the needs of the Town. During this meeting, he shared the airport master plan among other sites and presented the Town and its future in a positive light.*

*Azzura attended the presentation on the proposed outer harbour development.*

*17/06/2011 – 19/06/2011: Azzura developed and is currently finalizing for lodgement with the Town a proposal to fully develop (including all services) precinct 3 of the airport at no capital cost to the Town and making that land available to the public with a view to achieving the following outcomes:*

- 1. Maximising the financial return to the Town.*
- 2. Creating an allotment on which Azzura could establish a facility to accommodate its workforce and operational base for its planned construction activities (up to 1,500 persons).*
- 3. Creating allotments and, if required, facilities for other contractors/firms to be housed during the coming years to facilitate the construction of the necessary infrastructure and permanent accommodations required to achieve the Pilbara cities vision.*
- 4. Creating a space for other key stakeholders in the inner/outer harbour redevelopment for them to create a facility to enable them to house their workforce.*
- 5. Creating affordable and readily available big box and other commercial allotments to enable a range of small, medium-size, and national business to make a new entry into the community and participate in and facilitate the growth of the town into a city.*

*20/06/2011: Azzura contacted the Chair of the Airport Committee (Councillor Arnold Carter) and requested permission to introduce our firm and give a presentation to the Airport Committee.*

*21/06/2011: Azzura met with Matt Read (LandCorp Project Manager for Port Hedland) and gained an overview of his projects (including the old hospital and marina precinct). Matt invited Azzura to the Marina Committee meeting that night which Azzura attended.*

*23/06/2011: Azzura conducted a presentation to the Airport Committee introducing Azzura Remote which included the sharing of the Azzura South Hedland Town Centre development proposal, and a request to the Airport Committee that the whole of precinct 3 be released via an appropriate public process to enable us to progress the above-stated goals set out in items 1 through 5.*

*The Airport Committee endorsed our proposal and subsequent meetings were held with Jasmine Person, Paul Martin, and an external consultant, Ian Taylor, with a view to formalizing our proposal to enable it to be formatted in a manner to allow presentation to the full council for consideration.*

*25/06/2011: Azzura met with Paul Martin to discuss how to expedite the Azzura proposal to enable its full consideration by full council.*

*28/06/2011: Azzura met with Minister Brendan Grills and Chris Adams to discuss proposed Azzura South Hedland Town Centre project.*

*29/06/2011: Azzura conducted a presentation in Perth to LandCorp CEO Ross Holt, Mike Moloney, Peter McNally, and Aaron Grant.*

*30/06/2011: Azzura met with Ian Taylor and Paul Martin to help expedite the Azzura Airport Precinct 3 proposal.*

*11/07/2011: Azzura conducted a presentation to the South Hedland Town Centre Committee for the proposed construction of the Azzura Remote project on lots 14 and 15 opposite the new hospital.*

*14/07/2011: Azzura met with Lindsay Copeman, Port Hedland Port Authority, to introduce Azzura's international construction capacity to the Port Authority.*

*We have had representatives from various parties, both public and government, expressing the need and desire to have large construction companies come and settle in to the Town. We would like to ensure that the Town is aware that we are one of these companies. We have, to date, made a substantial financial commitment in the way of detailed architectural design work for the heart of the new Town Centre in conjunction with LandCorp and would like to increase our range of interests and activities here.*

*Azzura seeks the formal endorsement of the full council that it welcomes Azzura's interest in the community and is prepared to work proactively with Azzura to the mutual benefit of both Azzura and the Town of Port Hedland.*

*Azzura thanks Council for the opportunity to present this statement and the time given by councillors to consider it.*

*Kind regards,*

*Neal Guilmartin  
Director*

5:40pm

Mayor closed Public Statement Time



**ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE****5.1 Councillor M Dziombak**

*Following Azzura's statement and also the recent Growth Plan workshops two main factors have been established. One is that key worker accommodation in town is very urgent and the other is that the land surrounding our Airport has been identified as the best area where developments can readily take place. In view of this, together with the enormous interest expressed by a number of interstate and international developers, can the Chief Executive Officer advise whether procedures have been put into place to accommodate and assist these developers?*

Chief Executive Officer advised that there are parcels of land around the Airport that are immediately available to develop. One such parcel of land surrounds Port Haven, and Council has previously resolved a call for an Expression of Interest for this land. A review of this process has indicated that to expedite the current situation a 'Request for Proposal' is more appropriate than an 'Expression of Interest'; this will hopefully be considered by Council at the next Ordinary meeting.

Main Roads and other government organisations have also expressed interest in improving accommodation options for their employees.

While the area around Port Haven is the most readily available for developers, Chief Executive Officer advised that the Town's staff are working on other longer-term solutions.

**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 A A Carter
Cr G J Daccache	Cr M (Bill) Dziombak
Cr D W Hooper	Cr J M Gillingham

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

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 13 July 2011

**201112/018 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr G J Daccache

That the Minutes of the Ordinary Meeting of Council held on Wednesday 13 July 2011 be confirmed as a true and correct record of proceedings.

*CARRIED 6/0*

**ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION**

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

Wednesday, 6<sup>th</sup> July

- Fortnightly Teleconference Pilbara Shire Presidents/Mayor
- Weekly Mayor Chat Spirit Radio
- Attended Port Hedland City Growth Plan Forum + Deputy Mayor + Cr Dziombak + CEO + DPD
- Attended Public After Hours Component Port Hedland City Growth Plan Forum (Gratwick Hall) + DPD

Thursday, 7<sup>th</sup> July

- Attended Port Hedland City Growth Plan Forum + Deputy Mayor + Cr Dziombak + Cr Coates + Cr Hooper + Cr Daccache + CEO + DPD
- 2011 National Census Catchup (ABS Chelsea Miles) + DCORP
- Meeting With Hon Helen Bullock + Deputy Mayor + CEO
- Weekly Media Discussion Meeting With North West Telegraph
- Attended Public After Hours Component Port Hedland City Growth Plan Forum (Gratwick Hall) + Cr Daccache + DPD
- Attended Public After Hours Component Port Hedland City Growth Plan Forum (JD Hardie Centre) + Cr Hooper + DPD

Friday, 8<sup>th</sup> July

- HSHS Breakfast Program Launch Event
- Meeting BHPBIO Ian Ashby & Chris Cottier + Deputy Mayor + Cr Dziombak + CEO
- Saturday, 9<sup>th</sup> July Attended 2011 Hedland NAIDOC Week Concert (Marapikurrinya Park)
- Sunday, 10<sup>th</sup> July Attended Port Hedland Seafarer Centre Sea Sunday Open Day/Afternoon Tea
- Attended 2011 Boodarie Bowls Carnival Presentation Event

Monday, 11<sup>th</sup> July

- 2011 National Census Catchup (ABS Chelsea Miles)
- Meeting BHPBIO Peta Greening Re: 2011 National Census
- Attended TOPH South Hedland CBD Working Group Meeting

Tuesday, 12<sup>th</sup> July

- Weekly Deputy Mayor & Mayor Catchup
- Weekly CEO, Deputy Mayor & Mayor Catchup
- Meeting Well Womens Centre Re: Future Options + DCD
- Visited Bi-Annual WA Army Cadet Camp Near Turner River

Wednesday, 13<sup>th</sup> July

- Weekly Mayor Chat Spirit Radio
- Meeting Ironstone Contracting Pty Ltd + CEO
- Teleconference Radiance of the Seas (Cruise Ship) Martin Bidpond
- Photo With Artist For 2011 WALGA Banner In Terrace Entry

- Attended Workshop Long Term Financial Sustainability + Cr Dziombak + Cr Coates + CEO + DCORP + DCD + DPD + DENG
- Attended Workshop Port Hedland City Growth Plan + Deputy Mayor + Cr Daccache + Cr Hooper + Cr Dziombak + Cr Coates + CEO + DCORP + DCD + DPD + DENG
- Attended Informal Council Briefing + Deputy Mayor + Cr Daccache + Cr Hooper + Cr Dziombak + Cr Coates + CEO + DCORP + DCD + DPD + DENG
- Chair OCM

Thursday, 14<sup>th</sup> July

- Meeting DrugARM WA Re: Youth Bail Options Program (YBOP)
- Meeting Red Cross Services (Carolyn)
- Weekly Media Discussions With North West Telegraph

Friday, 15<sup>th</sup> July

- Attended Training Session For Elected Members On Development Assessment Panels + Deputy Mayor + Cr Daccache
- Attended Briefing Constitutional Recognition Of Indigenous Australians
- Teleconference BHPBIO (Ian Fletcher) Re Defence Opportunities & Moving Forward + CEO
- Attended Port Hedland Rotary Club 2011 President Changeover Dinner

Saturday, 16<sup>th</sup> July

- Mayor Coffee Session – Port Hedland
- Mayor Coffee Session – South Hedland
- Attended South Hedland Swans vs Dampier Sharks

Sunday, 17<sup>th</sup> July

- Attended 2011 National Census Collector Training

Monday, 18<sup>th</sup> July

- Attended 5<sup>th</sup> Annual Mining The Pilbara Conference (Matt Dann Cultural Centre, South Hedland)
- Attended Dinner Event 5<sup>th</sup> Annual Mining The Pilbara Conference (Matt Dann Cultural Centre, South Hedland)

Tuesday, 19<sup>th</sup> July

- Presented Speech 5<sup>th</sup> Annual Mining The Pilbara Conference (Matt Dann Cultural Centre, South Hedland)
- Meeting Atlas Iron (John McMath & Megan Anwyl)
- Flight To Perth

Wednesday, 20<sup>th</sup> July

- Attended 5<sup>th</sup> Australian Women's Leadership Symposium (Perth)
- Attended ALGWA (WA) Committee Meeting (City of Nedlands)

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

- Attended Informal Briefing On 2012 Leadership WA Program
- Attended 5<sup>th</sup> Australian Women's Leadership Symposium (Perth)

- Meeting Clarity Communications Re: Pilbara's Port City Branding + PO

Mayor advised that the Australian Bureau of Statistics will be conducting a national census on Tuesday 9 August 2011, and that the results of this census will have a real impact on Port Hedland. Improved access to accommodation, shops, day care, health services, and educational institutions can only occur if our town's head count is accurate and reflects the fly-in fly-out workforce.

Mayor suggested that residents complete the census over the Internet as this is simpler than completing a paper-based form, and asked that we encourage friends, neighbours and Facebook connections to complete forms in an accurate and timely manner. The statistics collected, particularly if the town reaches the 20-25,000 person mark, will help entice major business enterprises like Qantas, Singapore Airlines, Bunnings, and Ikea to set up shop here or to expand flight routes.

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

### *9.1               Councillor J M Gillingham*

Councillor Gillingham passed on her appreciation to the organisers of the Spinifex Spree for bringing such an enjoyable event to the residents of Port Hedland.

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

### 10.1             Greg Rowe & Associates

Paul Cunningham, Manager Pilbara, clarified the importance of ammonium nitrate to the resource sector in a presentation which made reference to Agenda Item 11.1.1.9 'Development Application for ANEP & Storage Facility at Lot 63 Pippingarra Road, Pippingarra (6767)' to be considered at this Council meeting. Mr Cunningham said there was no equivalent plant in the Pilbara region and that his company would like to create local jobs.

Mr Liam Thomas, Manager Business Production, Orica Mining Services, said he has had the opportunity to liaise with Council members throughout the assessment process and explained Orica's global operations. The company is the former owner of Dulux Paint but has recently refocused its business on serving the mining and industrial metals industry. Orica employs 13,000 people in 50 countries, including 1,600 in Australasia and 300 in Western Australia. The company has had a presence in the Pilbara for "many years" and would like to build a \$30 million asset in Port Hedland with a life in excess of 20 years.

5:51pm         A Member of the Public, Judith Enright, asked whether she could put forward a question to Council.

*NOTE: Mayor advised that Public Question Time has already concluded, but on this occasion, the member of the public may still ask her question.*

Judith Enright

*Council planted many trees and flowers along the edges of Cottier Drive, South Hedland. The next day when I walked past, many were pulled out and left on the footpath and road. Council went to great expense to beautify Cottier Drive and yahoos in South Hedland spoiled it. Could Council take steps to stop vandalism in Cottier Drive, South Hedland.*

Mayor advised that Council is working with contractors and outdoor staff to address vandalism throughout the area, and hopes that the community will continue to discourage this behaviour.

5:52pm Council resumed its normal order of business.

10.2 Chris Smith, Manager Accommodation Development, BHP Billiton Iron Ore

Mayor advised that Chris Smith's flight has been delayed and so his presentation regarding the BHP Billiton Iron Ore Airport Land Proposal will occur later in the evening.

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

## 11.1.1          Planning Services

*11.1.1.1      Power of Entry to Perform Function Related to Compliance with the Port Hedland Town Planning Scheme No. 5 (File No: 18/02/0002)*

Officer	Leonard Long Manager Planning
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Date of Report	12 July 2011
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Disclosure of Interest by Officer	Nil
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## Summary

The purpose of this report is to allow officers to enter premises in accordance with the provisions of the Town Planning Scheme.

## Background

As per Council Resolution dated 26 September 2007, certain Council officers are authorised to access land and / or buildings to perform functions related to compliance with TPS 5, subject to the following:

- a) that entry be required for reasonable purpose and be carried out at a reasonable time;*
- b) notice of one (1) week be given to the property owner prior to entry;*
- c) this authorisation shall not be executed without prior approval of Council's Chief Executive Officer or Directors;  
and*
- d) the authorisation for the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 be reviewed annually by Council."*

## Consultation

Nil

## Statutory Implications

### Section 9.1 - Powers of The Scheme in accordance with TPS5

#### *“9.1 Power of the Scheme*

*(c) An officer of the Council, authorized by the Council for the purpose, may at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether or the provisions of the scheme are being observed”*

## Policy Implications

Nil

## Strategic Planning Implications

Nil

## Budget Implications

Nil

## Officer's Comment

As part of the assessment of any application submitted to the Planning Department, it is extremely important to conduct a site visit. The site visit is primarily required to ensure that the site does not contain any physical constraints that may pose a risk to the development going ahead or a liability to Council. Secondly it allows the Planning Officer to compare what has been indicated on the plans with what is actually on site. In this regard Council has a duty of care to ensure that all buildings and uses on site have been approved and are compliant with all planning and Building Code of Australia conditions. Compliance with conditions ensures that developments remain compliant with Council's objectives for the area and encourages proper and orderly planning.

Conditions (b) and (c) of the Council Resolution dated 26 September 2007, which reads as follows:

- b) notice of one (1) week be given to the property owner prior to entry;
- c) this authorisation shall not be executed without prior approval of Council's Chief Executive Officer or Directors.

The above condition (b) results in delaying the processing of applications and the investigation of compliance matters. It has been the Planning Units experience that property owners / tenants are more appreciative of a personal visit where, if applicable the compliance matter can be discussed and solutions / procedures explained, rather than receiving a notification in the post that the Town intends to conduct an inspection of their property. As a result, it is recommended that this condition be removed.

In regard to condition (c), it is the opinion of the unit that this condition only be amended to include the Manager Planning. This is an important condition it ensures officers do not unnecessarily enter properties. More importantly it serves as a safety feature for the officer, ensuring that it is known to either the Manager, Director or CEO, when and where the officer will be conducting a site visit.

Attachments

Council Resolution dated 26<sup>th</sup> September 2007.

### **Officer's Recommendation**

That Council:

1. Authorises the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 for the following officers:
  - a. Chief Executive Officer
  - b. Director Planning & Development
  - c. Manager Planning Services
  - d. Senior Planning Officer
  - e. Compliance Officer
  - f. Graduate Planning Officer
  - g. Lands Officer

Subject to the following conditions:

- i. that entry be required for reasonable purposes and be carried out at a reasonable times;
  - ii. further authorisation to enter a premises be granted by either the Chief Executive Officer, Director Planning & Development or Manager Planning Services.
2. Amends the Delegation Register accordingly.

### **201112/019 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That Council:

1. Authorises the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 for the following officers:
  - a. **Chief Executive Officer**
  - b. **Compliance Officer**



Subject to the following conditions:

- i. **that entry be required for reasonable purposes and be carried out at a reasonable times; and**
  - ii. **further authorisation to enter a premises be granted by either the Chief Executive Officer, Director Planning & Development or Manager Planning Services; and**
  - iii. **notice of one (1) week be given to the property owner prior to entry;**
  - iv. **this authorisation shall not be executed without prior approval of Council's Chief Executive Officer or Directors; and**
  - v. **the authorisation for the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 be reviewed annually by Council.**
2. Amends the Delegation Register accordingly.

*CARRIED 4/2*

Record of Vote:

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

*REASON: Council believes that in order to maintain and preserve residents' privacy only the Chief Executive Officer and the Compliance Officer should be the officers with right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5. Council also believes it needs to specify the terms surrounding the notice of entry into properties and the authorisation of right of entry.*

## ATTACHMENT 1 TO AGENDA ITEM 11.1.1.1

**MINUTES : ORDINARY COUNCIL MEETING** **26 SEPTEMBER 2007****11.2.2.5 Endorsement of Officer's Power of Entry Onto Land as per Section 9.1(c) of Town Planning Scheme No. 5 (File No.:...-...)**

<b>Officer</b>	Marion Carter Planning Assistant Regulatory Services
<b>Date of Report</b>	14 September 2007
<b>Disclosure of Interest by Officer</b>	Nil

**Summary**

Report requests Council for authorisation for Regulatory and Community Services Officers, as delegated, to enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

**Background**

Council officers employed to perform functions related to compliance with TPS 5, are not specifically authorised, at present, to enter buildings or land to ascertain compliance with the scheme requirements. The scheme allows for this authorisation, which is typical for local government in W.A and was presumably Council's intent at the time TPS 5 was adopted.

Under normal circumstances this is not an issue as Council officers don't have the need, the training or capacity to use force to enter properties, however if a person verbally accepts a Council officer onto his or her property and then subsequently denies doing so, future legal action can be complicated as officers may be required to establish an authority to be on the land gathering evidence. They may also be required to defend against accusations of trespassing.

This authorisation is a commonly used mechanism to improve the effectiveness of Council staff in gathering evidence in planning matters and does not afford a right to act unreasonably or infringe the rights of property owners. Neither does it exceed the powers of entry afforded to other Council officers under a range of building control and environmental health statutes.

<b>Consultation</b>	Nil
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**Statutory Implications**

Section 9.1(c) of Town Planning Scheme No. 5 states:

*"9.1 POWERS OF THE SCHEME*

**MINUTES : ORDINARY COUNCIL MEETING 26 SEPTEMBER 2007**

(c) *An officer of the Council, authorised by Council for the purpose, may at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed."*

**Policy Implications** Nil

**Strategic Planning Implications** Nil

**Budget Implications** Nil

**Officer's Comment**

This report is to complete the statutory requirement under TPS5 for specific authorization before authorised officers are able to exercise a right to enter properties for planning purposes and it is recommended that Council resolve to support the recommendation.

**Officer's Recommendation**

That Council authorise the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 for the following officers:

- . Chief Executive Officer – Mr Chris Adams
- . Director Regulatory & Community Services – Mr Terry Sargent
- . Manager Planning Services - Mr Richard Bairstow
- . Planning Officer – Mr Andrew Patterson
- . Planning Assistant - Ms Marion Carter
- . Administration Officer, Planning – Mrs Dylan Stainton-Owen
- . Manager Building Services – Mr Andy Taylor
- . Building Surveyor – Mr Paul Bennett
- . Building Maintenance Officer – Mr Gary Ward

**200708/... Council Decision**

**Moved:** Cr A A Carter      **Seconded:** ....

That Council do not authorise the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5

*MOTION LAPSED FOR WANT OF SECONDER*

**MINUTES : ORDINARY COUNCIL MEETING****26 SEPTEMBER 2007****200708/010 Council Decision****Moved:** Cr G J Daccache**Seconded:** Cr G D Bussell

That Council authorise the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 for the following officers:

- . Chief Executive Officer – Mr Chris Adams
- . Director Regulatory & Community Services – Mr Terry Sargent
- . Manager Planning Services - Mr Richard Bairstow
- . Planning Officer – Mr Andrew Patterson
- . Planning Assistant - Ms Marion Carter
- . Administration Officer, Planning – Mrs Dylan Stainton-Owen
- . Manager Building Services – Mr Andy Taylor
- . Building Surveyor – Mr Paul Bennett
- . Building Maintenance Officer – Mr Gary Ward

subject to the following conditions:

- a) that entry be required for reasonable purpose and be carried out at a reasonable time;
- b) notice of one (1) week be given to the property owner prior to entry;
- c) this authorisation shall not be executed without prior approval of Council's Chief Executive Officer or Directors; and
- d) the authorisation for the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 be reviewed annually by Council.

**CARRIED 5/2**

*NOTE : Cr A A Carter requested the votes be recorded.*

*Record of Vote:*

<b>FOR</b>	<b>AGAINST</b>
Cr S R Martin	C A A Carter
Cr G D Bussell	Cr D R Pike
Cr G J Daccache	
Cr J M Gillingham	
Cr S F Sear	

*REASON: Council authorise the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 for designated Council officers, subject to:*

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**MINUTES : ORDINARY COUNCIL MEETING****26 SEPTEMBER 2007**

- . *entry being required for a reasonable purpose and to be carried out at a reasonable time, with one (1) weeks notice of intent to enter being given to the property owner prior to entry;*
- . *prior approval of Council's Chief Executive Officer or Directors must be obtained prior to entry; and*
- . *Council will annually review its authorisation of right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No.5.*

5:58pm Councillor G J Daccache declared a Financial Interest in Agenda Item 11.1.1.2 'Proposed Scheme Amendment No. 45 to rezone part lot 5551 on plan 240246 from Parks and Recreation Reservation to Residential R50 (File No.: 18/09/0059)' as he lives in close proximity to the area which may be rezoned.

Councillor G J Daccache left the room.

*11.1.1.2 Proposed Scheme Amendment No.45 to the Town of Port Hedland Town Planning Scheme No. 5 to rezone part lot 5551 on plan 240246 from Parks and Recreation Reservation to Residential R50 (File No.: 18/09/0059)*

Officer Luke Cervi  
Senior Planning Officer

Date of Report 15 July 2011

Disclosure of Interest by Officer Nil

Summary

The proposed Scheme Amendment is required to facilitate Health Services Housing on the land. A Scheme Amendment requires a resolution of Council to initiate.

Background

Council at its Ordinary Meeting on 10 November 2010 resolved:

*“REQUESTS the Department of Regional Lands and Development amend the management order of Part Reserve 30768 from ‘recreation’ to ‘health services housing’ or other appropriate purpose with the intent of providing housing for health service employees.”*

Negotiations with the Department of Regional Lands and Development are progressing and the change of vesting is expected to be finalised in the near future. To ensure that the land is able to be developed for the intended purpose, a rezoning to Residential is necessary.

Consultation

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

### Statutory Implications

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

### Policy Implications

Nil

### Strategic Planning Implications

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

Key Result Area 3:	Community Development
Goal Number 4:	Healthy Community
Immediate Priority 1:	Implement plans for the development of subsidised housing for general practitioners within the Town.
Other Actions 1:	Ensure that future planning for health services covers both Port and South Hedland's growth plans, including attracting and retaining specialist health services.

### Budget Implications

Should Council decided to initiate the amendment; there will be some minor advertising costs involved.

### Officer's Comment

Council has been negotiating with a number of stakeholders to undertake a joint venture proposal that will provide for the construction of housing for Health Services employees. The subject land has previously been identified for the venture and actions to amend the vesting are well advanced. In addition to requiring the vesting of the land to be changed, the land will need to be rezoned to a zoning that permits dwellings.

It is proposed to rezone the land to Residential and apply a R50 density coding. The R50 density would enable up to 60 grouped dwellings to be constructed on the land or alternatively permits a plot ratio of .6 if multiple dwellings were to be constructed. The R50 density coding is consistent with other coding on the north side of Dempster Street and the land on the south western corner of Dempster and Tinder Streets.

*Options*

Council has the following options when considering the matter:

1. Initiate the Scheme Amendment as requested

The initiation of the scheme as requested will enable the land to be utilized for a number of residential uses including but not limited to grouped dwellings.

2. Initiate the Scheme Amendment subject to changes

Council could specify an alternate density if it considers R50 to be an inappropriate coding.

3. Refuse to initiate the Scheme Amendment

The land would remain "Parks and Recreation" and not be able to be developed with dwellings.

It is recommended that option 1 be supported.

**Attachments**

1. Site plan of land to be rezoned

**201112/020 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr D W Hooper

That Council:

1. **Approves** the initiation of Scheme Amendment 45 to the Town of Port Hedland Town Planning Scheme No. 5, to rezone part lot 5551 (as identified in attachment 1) on plan 240246 from Parks and Recreation Reservation to Residential R50.
2. Prepares the formal amendment documentation as per 1 above to enable referral to the Environmental Protection Authority.
3. Following consent to advertise being received from the Environmental Protection Authority, advertise the amendment in accordance with the requirements of the Town Planning Scheme and Planning and Development Act 2005.
4. Delegates the Director Planning and Development and the Manager Planning in accordance with Delegation 40(10) to forward Town Planning Scheme Amendments to the Planning Commission for final approval in the case of:



- a. **There being no submissions received during the statutory advertising period; and**
- b. **The proposal being of an uncontentious nature.**
- c. **The date of adoption of Council's final approval shall be the date of the next Council Ordinary Meeting following the closing date of the advertising period**

*CARRIED 5/0*

5:59pm Councillor G J Daccache re-entered the room and resumed his chair.  
Mayor advised Councillor G J Daccache of Council's decision.

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.2



**BASE PLAN**  
Pt Lot 5551 Dempster Street, PORT HEDLAND

**LEGEND**

--- Site Boundary

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

CLIENT :  
1:1,000@A3 : SCALE  
18 October 2010 : DATE  
3774-S-001.dwg : PLAN No  
: REVISION  
D.M. : PLANNER  
R.F. : DRAWN  
R.S. : CHECKED

**RPS**

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### 11.1.1.3 *Proposed Amendment to Local Planning Policy 11 – Regional R Code Variations (File No.: 18/01/0011)*

Officer	Luke Cervi Senior Planning Officer
Date of Report	27 June 2011
Disclosure of Interest by Officer	Nil

#### **Summary**

This report recommends the amendment of Local Planning Policy 11 – Regional R Code variations, to enable ancillary accommodation to be used by any person and not be exclusive to family members of the occupiers of the main dwelling.

#### **Background**

The Residential Design Codes (R-Codes) provide the basis for controlling the sitting and design of residential development throughout Western Australia. The R Codes came into effect on 4 October 2002 when they replaced the *1991 Residential Planning Codes of Western Australia (1991 Codes)*. The R Codes have since been amended on numerous occasions including a comprehensive review in April 2008.

The R Codes were automatically introduced by reference into all local government planning schemes that formerly included reference to the 1991 Codes (Section 6.2 of Port Hedland Town Planning Scheme No.5 (TPS 5)). They provide for 'Regional Exceptions' to some provisions subject to the adoption of a Local Planning Policy. In addition, any provision can be varied through a Local Planning Policy subject to Western Australian Planning Commission (WAPC) consent being obtained prior to adoption. Council subsequently prepared and adopted a Local Planning Policy (Local Planning Policy 11 – Regional R Code Variations) which came into effect on 23 June 2010.

#### **Consultation**

Should Council wish to proceed with the proposed amendment to the Local Planning Policy, WAPC consent will be required. In this regard, preliminary support of the proposal has been sought and obtained from WAPC.

With regard to community input, TPS 5, Section 5.1.4 prescribes the following consultation process:

Council:

- a. *Shall publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving the details of*
  - i. *Where the draft Policy may be inspected,*
  - ii. *The subject and nature of the draft policy, and*

- iii. *In what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made, an*
- b. *May publish a notice of the proposed policy in such other manner and carry out such other consultation as it considers appropriate.*

### **Statutory Implications**

Section 5.1.9 of TPS 5 enables the Council to amend a Local Planning Policy and Part 5 of the R Codes enables variation to provisions of the R Codes where a Local Planning Policy exists.

Part 5 also identifies which provisions can be varied by a Local Planning Policy with or without the need for WAPC consent. The proposed variation to the Local Planning Policy requires WAPC consent.

### **Policy Implications**

If approved, ancillary accommodation will be able to be occupied by any person, not just family members of the occupants of the main dwelling.

### **Strategic Planning Implications**

The following sections of Council's Strategic Plan 2010 – 2015 are considered relevant to this proposal:

Key Result Area 4:	Economic Development
Goal 5:	Town Planning and Building
	That Town Planning and Building control policy and practices within the Town are facilitating the rapid development of a sustainable community.

### **Budget Implications**

In the event Council wish to proceed with the amendment of the Local Planning Policy, advertising costs will be involved.

### **Officer's Comment**

The proposed amendment to the Local Planning Policy will vary the Acceptable Development Standards of the R Codes relating to Ancillary Accommodation. The following will be included in Section 4.0 of Local Planning Policy 11 – Regional R Code Variations:

*Section:*

6.11.1 – Ancillary Accommodation

*R Code provision:*

A1 (i) the sole occupant of occupants are members of the family of the occupiers of the main dwelling.

*Variation:*

Notwithstanding Acceptable Development Standard A1 i., any person may occupy approved Ancillary Accommodation.

Only one ancillary accommodation dwelling will be permitted on any lot.

*Reason for Variation:*

By removing this requirement for occupiers of Ancillary Accommodation, it will facilitate the development of additional Ancillary Accommodation dwellings which will help provide housing choice as well as helping to address housing shortages and affordability issues.

Information has been received that new Ancillary Accommodation dwellings may be eligible to receive incentives under the National Rental Affordability Scheme (NRAS), which requires dwellings to be rented at least 20% below market value and to eligible persons (low income persons). It appears that this form of housing is ideal for investors wishing to participate in NRAS with investors obtaining a financial gain by renting the property under NRAS. Participation in NRAS results in greater housing affordability.

The City of Vincent and City of Fremantle have adopted similar variations, the Planning Department has been advised that the Shire of Roebourne and East Pilbara are in the process of preparing a similar policy.

**Attachments**

1. Proposed Amended Local Planning Policy 11

**201112/021 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr D W Hooper

That Council:

- i. **Initiate** an amendment to Local Planning Policy 11 – Regional R Codes Variations;
- ii. **Give** notice of the proposed amendment to Local Planning Policy 11 – Regional R Code Variations, in accordance with Section 5.1.4 of Town of Port Hedland Town Planning Scheme No. 5. as follows:
  - a. **Publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving the details of:**
    1. **Where the draft Policy may be inspected,**
    2. **The subject and nature of the draft Policy, and**
    3. **In what form and during what period (being no less than 21 days from the day the notice is published) submissions may be made, and**

- b. Publish a notice of the proposed policy in such other manner and carry out such other consultation as it considered appropriate.**
- iii. Subject to no objection being received during the consultation period, forward the amended Local Planning Policy 11 to the WAPC for final approval.
- iv. After obtaining the WAPC final approval adopts Local Planning Policy 11, and publishes the adoption of the Local Planning Policy in accordance with Section 5.1.6 of TPS 5, as follows:
  - **Publish notice of the Policy once in a newspaper circulating in the Scheme area.**

*CARRIED 6/0*

## ATTACHMENT 1 TO AGENDA ITEM 11.1.1.3

*Town of Port Hedland Town Planning Scheme No.5  
Local Planning Policy No. 11 – Regional R Code Variations*

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**TOWN OF PORT HEDLAND  
TOWN PLANNING SCHEME NO.5  
LOCAL PLANNING POLICY NO. 11 –  
REGIONAL R CODE VARIATIONS**

**1. PRELIMINARY**

**1.1 Authority to prepare and adopt a Local Planning Policy**

Clause 5.1 of the *Town of Port Hedland Town Planning Scheme No.5 (The Scheme)* allows Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Town.

This policy will be made effective once Council has completed the process provided by Clauses 5.1.4 – 5.1.7 inclusive of *The Scheme*.

**1.2 Relationship of this Policy to *The Scheme***

Pursuant to section 5.1.2 of *The Scheme*, if a provision of this Policy is inconsistent with *The Scheme*, *The Scheme* prevails to the extent of the inconsistency.

This Policy is not part of *The Scheme* and does not bind Council in respect of any application for planning approval. However, Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

**2. APPLICATION OF THE POLICY**

This policy provides regional variances to the 'Acceptable Development Standards' of the *Residential Design Codes of Western Australia (R Codes)*.

In accordance with Section 6.2 of *The Scheme*, The R Codes apply to all residential development within the Town of Port Hedland.

**3.0 POLICY OBJECTIVES**

The objectives of this policy are to:

*Town of Port Hedland Town Planning Scheme No.5  
Local Planning Policy No. 11 – Regional R Code Variations*

1. Identify areas within the R Codes that do not appropriately address the climatic, environmental and/or lifestyle needs of the Port Hedland community.
2. Encourage variations that enhance the built form of buildings and the overall appearance of the Municipality.
3. Having regard to (1) above, vary the Acceptable Development Standards of the R Codes to address the climatic, environmental and/or lifestyle needs of the Port Hedland community.
4. Ensure any variations to the R Codes are in plain English and are easily understood.

#### 4.0 REGIONAL R CODE VARIATIONS

**Section:**

6.2.1 – Setback of buildings generally

**Original R Code provision:**

A1.1 Buildings setback from the primary street in accordance with table 1

**Variation:**

In relation to Acceptable Development Standard A1.1, where side and rear vehicle access is provided, setbacks of buildings from the primary street as specified in Table 1 of the Residential Design Codes may be halved.

**Reason for Variation:**

Due to the isolation of the Local Government Area, distance between residential areas and employment and lack of public transport, residents have a high reliance on motor vehicles. This combined with the large average household size (4.2 persons) compared to the state average (2.92 persons) results in an average of 2.7 vehicles per LGA household as opposed to 2.26 vehicles per WA household. In addition, climatic conditions make the provision of landscaping in street setback areas difficult to maintain. These factors contribute to the street setback area often being used for parking of vehicles and lacking landscaping.

By encouraging vehicle access to the rear of properties and allowing reduced street setbacks, it is envisaged that the streetscape amenity will be improved. Higher levels of landscaping are expected as a smaller area of street setback will enable easier care and maintenance. The reduced area will also limit the area available for parking in the front street setback and as access to the rear of the property is available it should be utilised as an alternative.

**Section:**

6.2.5 – Street walls and fences

**R Code provision:**



*Town of Port Hedland Town Planning Scheme No.5  
Local Planning Policy No. 11 – Regional R Code Variations*

---

A5 Front walls and fences within the primary street setback area that are visually permeable 1.2 m above natural ground level.

**Variation:**

Acceptable Development Standard A5 shall also apply to the fencing of secondary or other streets within the street setback area and boundaries with public reserves where passive surveillance is required.

**Reason for Variation:**

Secondary or other streets often incorporate 1.8 m solid fencing on boundaries which obstruct surveillance and detract from the streetscape. Restricting secondary and other streets fencing as well as public reserves to be consistent with the primary street fencing will encourage passive surveillance and interaction with the streetscape.

**Section:**

6.3.1 – Buildings setback from the boundary

**R Code provision:**

A1 iv Minor projections such as a chimney, other architectural feature or an eaves overhang not projecting more than 0.75 m into a set-back area and to be no closer than 0.75 m to a boundary.

**Variation:**

Notwithstanding Acceptable Development Standard A1 iv, eaves overhang may be closer than 0.75 m to a boundary subject to conformity with the *Building Code of Australia*.

**Reason for Variation:**

Environmentally sustainable development encourages eaves overhang in the municipality due to the extreme climatic conditions (eg 900 mm eaves overhang in Pretty Pool). As such, development where buildings meet with the Acceptable Development Standards for wall setback could need a permit solely due to encroachment of eaves overhang.

**Section:**

6.4.1 – Open Space Provision

**R Code provision:**

A1 Open space provided in accordance with table 1 and design elements 6.2 and 6.3. The site of the grouped dwelling, for the purpose of calculating the open space requirement, shall include the area allocated for the exclusive use of the dwelling and the proportionate share of any associated common property.

**Variation:**

Notwithstanding Acceptable Development Standard A1, open space includes (but is not limited to) areas beneath eaves overhangs, verandahs or patios not more than 0.5m above natural ground level, unenclosed on at least two sides

*Town of Port Hedland Town Planning Scheme No.5  
Local Planning Policy No. 11 – Regional R Code Variations*

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and covering no more than 25 per cent of the site area or 125 sq m whichever is the lesser.

**Reason for Variation:**

The extreme climatic conditions experienced in the Local Government Area has lead to a desire and need by residents to predominately cover outdoor living areas to make them useable.

**Section:**

6.4.2 – Outdoor living areas

**R Code provision:**

A2 An outdoor living area to be provided:

- to have at least two-thirds of the required area without permanent roof cover.

**Variation:**

Acceptable Development Standard A2 dot point 5 is removed. Permanent roof cover is permitted.

**Reason for Variation:**

The extreme climatic conditions experienced in the Local Government Area has lead to a desire and need by residents to predominately cover outdoor living areas to make them useable.

**Section:**

6.5.3 – Design of Parking Spaces

**R Code provision:**

A3.2 Spaces in accordance with AS2890.1.

**Variation:**

Parking spaces are to meet with the design standards identified within Section 6.13 and Appendix 8 of *The Scheme*.

**Reason for Variation:**

Due to the remoteness of the Local Government Area (LGA) and major employers within the LGA, the average vehicle for the LGA is larger than that identified within AS2890.1. As a result Council has consistently required parking spaces be designed to a level greater than that required by AS2890.1.

**Section:**

6.5.4 – Vehicular Access

**R Code provision:**

A4.5 Formed driveways for multiple and grouped dwellings:

*Town of Port Hedland Town Planning Scheme No.5  
Local Planning Policy No. 11 – Regional R Code Variations*

- With a minimum width of 4 m where the number of dwellings served is five or more, which may be reduced to 3 m where necessary to retain an existing dwelling; and
- Are designed to allow vehicles to pass in opposite directions at one or more points, where the number of dwellings served by the driveway is five or more.

**Variation:**

Notwithstanding Acceptable Development Standard A4.5, design of two way access shall be in accordance with Schedule 8 of *The Scheme*.

**Reason for Variation:**

To provide for greater traffic and pedestrian safety wider access has been required for two way access. The wider access enables access to and egress from the site simultaneously preventing traffic congestion on the street. Wider access also increases sightlines for both vehicular and pedestrian traffic.

**Section:**

6.10.1 – Outbuildings

**R Code provision:**

- A1 Outbuilding that:
- iii collectively do not exceed 60 sq m in area or 10 per cent in aggregate of the site area, whichever is the lesser;
  - iv do not exceed a wall height of 2.4 m;
  - v do not exceed a ridge height of 4.2 m

**Variation:**

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

Rural and Rural Residential zones

collectively do not exceed 200 sq m in area or 2 per cent in aggregate of the site area, whichever is the greater;  
do not exceed a wall height of 4.2 m;  
do not exceed a ridge height of 6.0 m

**Reason for Variation:**

To provide appropriate development standards for outbuildings that reflect Port Hedland's climate, lifestyle, built form and the needs and expectations of its residents.

*Town of Port Hedland Town Planning Scheme No.5  
Local Planning Policy No. 11 – Regional R Code Variations*

---

**Section:**

**6.10.3 – Essential Facilities**

**R Code provision:**

A3.1 An enclosed, lockable storage area, constructed in a design and material matching the dwelling where visible from outside the dwelling, with a minimum dimension of 1.5 m with an internal area of at least 4 sq m, for each grouped or multiple dwelling.

**Variation:**

A single house must have a store room provided in accordance with Acceptable Development Standard A3.1 and Clause 6.3.7 of *The Scheme*.

**Reason for Variation:**

Provides for storage of outdoor items in times of cyclone reducing potential for debris.

**Section:**

**6.11.1 – Ancillary Accommodation**

**R Code provision:**

A1 i the sole occupant of occupants are members of the family of the occupiers of the main dwelling.

**Variation:**

Notwithstanding Acceptable Development Standard A1 i, any person may occupy approved Ancillary Accommodation.

Only one ancillary accommodation dwelling will be permitted on any lot.

**Reason for Variation:**

Provides for housing choice and is expected to assist in addressing housing shortages and affordability issues being experienced within the municipality.

**5.0 REQUIREMENT FOR A PLANNING PERMIT**

Where residential development does not comply with the requirements of the R Codes as varied by this Local Planning Policy, a Planning Permit must be obtained.

#### **11.1.1.4 Proposed Development Plan for Lot 503 (Area A) Forrest Circle, South Hedland (File No.: 804803G)**

Officer	Luke Cervi Senior Planning Officer
Date of Report	19 July 2011
Disclosure of Interest by Officer	Nil

#### **Summary**

This report recommends that Council approve public advertising of the proposed Development Plan for "Area A".

#### **Background**

The Department of Regional Development and Lands put out an EOI for "Area A" with preferred developer being awarded to the West End Integration Project. To facilitate the development of the site, Council has rezoned the land to "Urban Development". Under this zoning Council can require the preparation of a development plan prior to considering any planning application.

Due to the strategic importance of the site having regard to its size and location, it is considered imperative that a Development Plan be prepared to guide the development of the site.

#### **Consultation**

Consultation with internal departments has been completed. Should Council support the Development Plan, public advertising will be undertaken in accordance with TPS5 requirements.

#### **Statutory Implications**

Once endorsed by Council, a Development Plan becomes a policy statement under TPS 5 which is statutorily enforceable.

#### **Policy Implications**

Nil

#### **Strategic Planning Implications**

The following sections of Council's Strategic Plan 2010/2015 are considered relevant to this proposal:

Key Result Area 1:	Infrastructure
Goal 1:	Roads, Footpaths and Drainage
Immediate Priority 1:	Undertake road works in South Hedland to improve road permeability (particularly in the CBD)

Key Result Area 4:	Economic Development
Goal 2:	Mining/Roads
Immediate Priority 2:	Actively pursue integration of FIFO workers into the local community
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.
Key Result Area 4:	Economic Development
Goal 5:	Town Planning and Building
Immediate Priority 2:	Develop Structure Plans for key precinct areas with a particular focus on the Spoilbank Precinct, Airport and Pretty Pool.

### **Budget Implications**

The applicant has paid an application fee of \$1,769.20 for the proposed Development Plan.

### **Officer's Comment**

"Area A" is a strategically important site due to its size and location. The development of the land needs to be carefully considered in context of forecast growth of the Town. The land was offered under an EOI by the Department of Regional Development and Lands with key aspects including the provision of Transient Workforce and Key Worker accommodation.

It is considered that long term due to its location to the South Hedland Town Centre and other significant services and infrastructure such as the Kevin Scott oval recreation precinct, TAFE and High School, that the land is ideally suited for higher density residential development.

Due to the differing short/medium term and long term needs of the community, the Development Plan incorporates a short/medium term plan and long term plan. The short/medium term plan contains two distinct precincts being a residential and TWA precinct. The long term plan shows residential blocks (not subdivision plan) with public open space with vehicle and pedestrian movement networks to support a residential suburb/community.

The Development Plan envisions that the land will be developed with a 1300 person TWA capacity and 101-114 dwellings in the short/medium term and 365-431 dwellings in the long term.

### *Options*

Council has the following options of dealing with the request:

1. Support the public advertising of the Development Plan as is.

This option should be resolved if Council is generally supportive of the proposed layout and densities identified in attachment 1 & 2.

2. Require changes prior to supporting public advertising.

This option should be resolved if Council has concerns regarding the proposed Development Plan such as layout, density or land uses.

Due to the strategic importance of the site, Option 1 is recommended.

#### **Attachments**

1. Short/Medium Term Plan
2. Long Term Plan
3. Development Plan – Part 1 Statutory Planning Provisions
4. Development Plan – Part 2 Explanatory Report

#### **201112/022 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

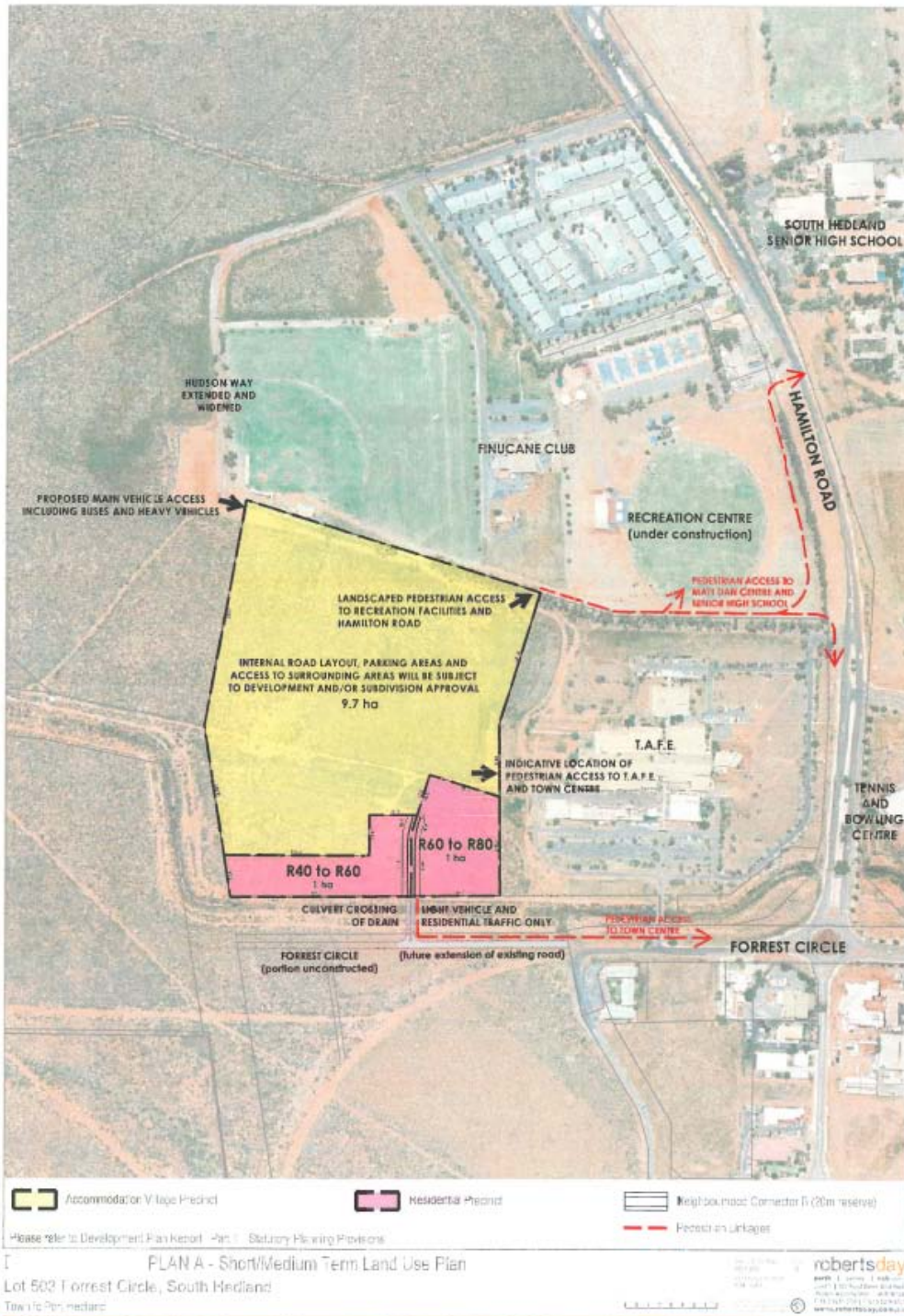
**Seconded:** Cr M Dziombak

That Council:

- i. Give notice of the proposed Development Plan in accordance with Section 5.2.8 of Town of Port Hedland Town Planning Scheme No. 5, as follows:
  - a. **Publish a notice of the proposed Development Plan once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving the details of:**
    1. **The land affected by the draft Development Plan,**
    2. **Where the draft Development Plan may be inspected,**
    3. **In what form and during what period (being no less than 14 days from the day the notice is published) submissions may be made, and**
  - b. **Erect a sign/s displaying the notice of the proposed Development Plan on the affected land.**
- ii. Adopts the Development Plan subject to no significant comments being received as a result of (i) above.

*CARRIED 6/0*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.4





ATTACHMENT 2 TO AGENDA ITEM 11.1.1.4



*ATTACHMENT 3 TO AGENDA ITEM 11.1.1.4*

**DEVELOPMENT PLAN  
FOR  
LOT 503 FORREST CIRCLE, SOUTH HEDLAND**

**PART 1 – STATUTORY PLANNING PROVISIONS**

**JULY 2011**

Prepared for West End Integration Project (WEIP) Consortium  
By Roberts Day Planning and Design

Title: DEVELOPMENT PLAN - LOT 503 FORREST CIRCLE, SOUTH HEDLAND –  
PART 1 – STATUTORY PLANNING PROVISIONS - JULY 2011  
Prepared for: West End Integration Project (WEIP) Consortium  
Prepared by: Roberts Day Planning and Design / Hatch Associates Pty Ltd  
Reference: RAP GAT  
Version: Rev B  
Status: Final Draft for Advertising  
Date: July 2011

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**RECORD OF AMENDMENTS MADE TO DEVELOPMENT PLAN  
FOR LOT 503 FORREST CIRCLE, SOUTH HEDLAND  
- PART 1 STATUTORY PLANNING PROVISIONS**

NO.	DESCRIPTION OF AMENDMENT	DATE OF FINAL APPROVAL BY COUNCIL	DATE OF ENDORSEMENT BY WAPC

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### **RECORD OF AMENDMENTS MADE TO DEVELOPMENT PLAN**

#### **CERTIFICATION**

**1.0 APPLICATION**

**2.0 PLAN OBJECTIVES**

**3.0 GENERAL PLANNING REQUIREMENTS**

**4.0 PRECINCT PLANNING REQUIREMENTS**

**APPENDIX 1** "Guidance Note For Potential Developers Of Transient Workforce Accommodation" (TWA) (Town of Port Hedland, August 2008)

**CERTIFICATION**

CERTIFIED THAT THE DEVELOPMENT PLAN – PART ONE – STATUTORY PLANNING PROVISIONS FOR LOT 503 FORREST CIRCLE, SOUTH HEDLAND

WAS ADOPTED BY

RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON .....

Signed for and on behalf of the Western Australian Planning Commission

.....

an officer of the Commission duly authorised by the Commission pursuant to section 24 of the Planning and Development Act 2005 for that purpose, in the presence of:

..... Witness  
..... Date

AND BY

RESOLUTION OF THE COUNCIL OF THE TOWN OF PORT HEDLAND (or as otherwise delegated under its Delegated Authority Register)

ON .....

AND THE SEAL OF THE MUNICIPALITY WAS PURSUANT TO THE COUNCIL'S RESOLUTION HEREUNTO AFFIXED IN THE

PRESENCE OF:

.....  
Mayor, Town of Port Hedland  
..... Date

.....  
Chief Executive Officer, Town of Port Hedland  
..... Date

**1.0 APPLICATION**

- 1.1 The provisions of this Development Plan relate to the land denoted in Plan A – Short/Medium Term Land Use and Plan B – Long Term Land Use for Lot 503 Forrest Circle, South Hedland.
- 1.2 The provisions of this Development Plan have been made pursuant to clauses 5.2 (Development Plans), 6.4 (Urban Development Zone), 6.5 (Transient Workforce Accommodation) and Appendix 6 of the Town of Port Hedland Town Planning Scheme No.5.
- 1.3 The Development Plan may vary the requirements of the Scheme, in particular compliance with clause 5.3.5 the South Hedland Entry Precinct Objectives. Where there are any inconsistencies between the Scheme and the Development Plan, the provisions of the Development Plan shall prevail.

*Explanatory Note – In accordance with clause 5.2.8 of the Scheme, the Council shall forward the Development Plan to the Western Australian Planning Commission for endorsement.*

**2.0 PLAN OBJECTIVES**

- 2.1 Land use, development and subdivision of land within the Development Plan area shall be generally guided by the Objectives of the Development Plan.
- 2.2 The objectives of the Development Plan are to:
  - (a) Provide for transient and key worker accommodation, with some initial residential development and transition to full residential development over the long-term.
  - (b) Facilitate high quality built form and landscaping reflective of the standard expected for the South Hedland Town Centre.
  - (c) Ensure integration with the South Hedland Town Centre through:
    - placement of residential land uses along Forrest Circle; and
    - legible entries and connecting streets and pathways that provide a variety of convenient pedestrian and vehicle accessways to shopping and recreational facilities in the Town Centre.
  - (d) Provides a clear sequence from public to semi-public to private spaces.

- (d) To ensure that the design of the Accommodation Village replicates the structure of a residential neighbourhood, where practical, to:
  - minimise the need to modify any residual infrastructure when converted to a residential neighbourhood such as streets, open space or drainage areas; and
  - ensure integration with adjoining residential areas and the Town Centre.
- (e) Where practical, provide physical infrastructure that can be easily converted to use within a residential neighbourhood if required.
- (f) Minimise and manage any negative impacts from the Accommodation Village on the proper and orderly functioning of the Town Centre and adjacent facilities.
- (g) Provide an indication of desired future residential densities and neighbourhood structure (refer to Plan B – Long-Term Land Use) that will be used to guide future amendments to the Development Plan and/or subdivision to achieve transition to full residential development.

*Explanatory Note – The Department of Regional Development and Lands has identified Lot 503 as suitable for Temporary Workers Accommodation (TWA) for the short to medium term and will grant a 10 year + 10 year option lease for such accommodation. Should the TWA land use operate for a significant period of time, then it is recommended that a thorough review of Plan B be undertaken prior to transition to full residential development to ensure that the plan best reflects the demand housing and market conditions in South Hedland at that time*

### **3.0 GENERAL PLANNING REQUIREMENTS**

- 3.1 Subdivision and development of land within the Development Plan area shall be guided by the objectives and provisions of the Development Plans A and B, the Town of Port Hedland Town Planning Scheme No.5 and other relevant policies, unless the Council, having regard to the matters listed under clause 4.5 of the Scheme, determines that the proposal or application is for one or more of the following:
  - (a) the creation of super-lots for the purpose of land release;
  - (b) the purpose of allowing access; or
  - (c) the provision of services or infrastructure that would not prejudice future development outcomes.
- 3.2 The Development Plan – Plan A - Short/Medium Land Uses designates the following precincts and provides particular planning requirements for each Precinct:
  - Residential Precinct
  - Accommodation Village Precinct



- 3.3 The Plan B – Long Term Land Use provides for transition of the site to full residential development and/or other land uses in the long-term as determined by the landowner and the Town of Port Hedland.
- 3.4 Where the development of land for a particular purpose is not specifically mentioned in clause 4.3, then the Council may determine whether the development or land use is consistent with the objectives of the Urban Development zone, the Development Plan and the relevant sub-precinct objectives.
- 3.5 Earthworks shall be provided at a minimum RL 11.0 m with a minimum 300 mm freeboard for habitable buildings, unless refined following further investigations and studies.
- 3.6 Prior to any subdivision or development being supported, the Town will require:
- (a) a report accompanying any application that outlines the manner in which the findings and recommendations of the plans and strategies listed in Table A below have been incorporated into or addressed by the proposed subdivision or development or will be implemented in subsequent stages of development.

**Table A – Reports, Surveys, Strategies and Plans**

Documentation	Approval Stage	Approving Authority
Flora and Fauna Assessment	Prior to clearance of conditions of development and/or subdivision approval.	Town of Port Hedland + Department of Environment
Urban Water Management Plan	Concurrently with approval of development and / or subdivision.	Town of Port Hedland + Department of Water
Traffic Impact Assessment and Management Plan (if required)	Concurrently with approval for development.	Town of Port Hedland
Infrastructure Servicing Plan	Prior to clearance of development and /or subdivision conditions.	Town of Port Hedland + relevant authorities.
Geotechnical Engineering Report	Concurrently with approval of development and / or subdivision.	Town of Port Hedland
Earthwork and Contour Plan	Prior to clearance of conditions of development approval.	Town of Port Hedland
Landscaping Plan	Prior to clearance of conditions of development approval.	Town of Port Hedland

*Note - Development of the Accommodation Village shall be subject to lodgement of a separate application for planning approval in accordance with the Town of Port Hedland Town Planning Scheme No.5.*

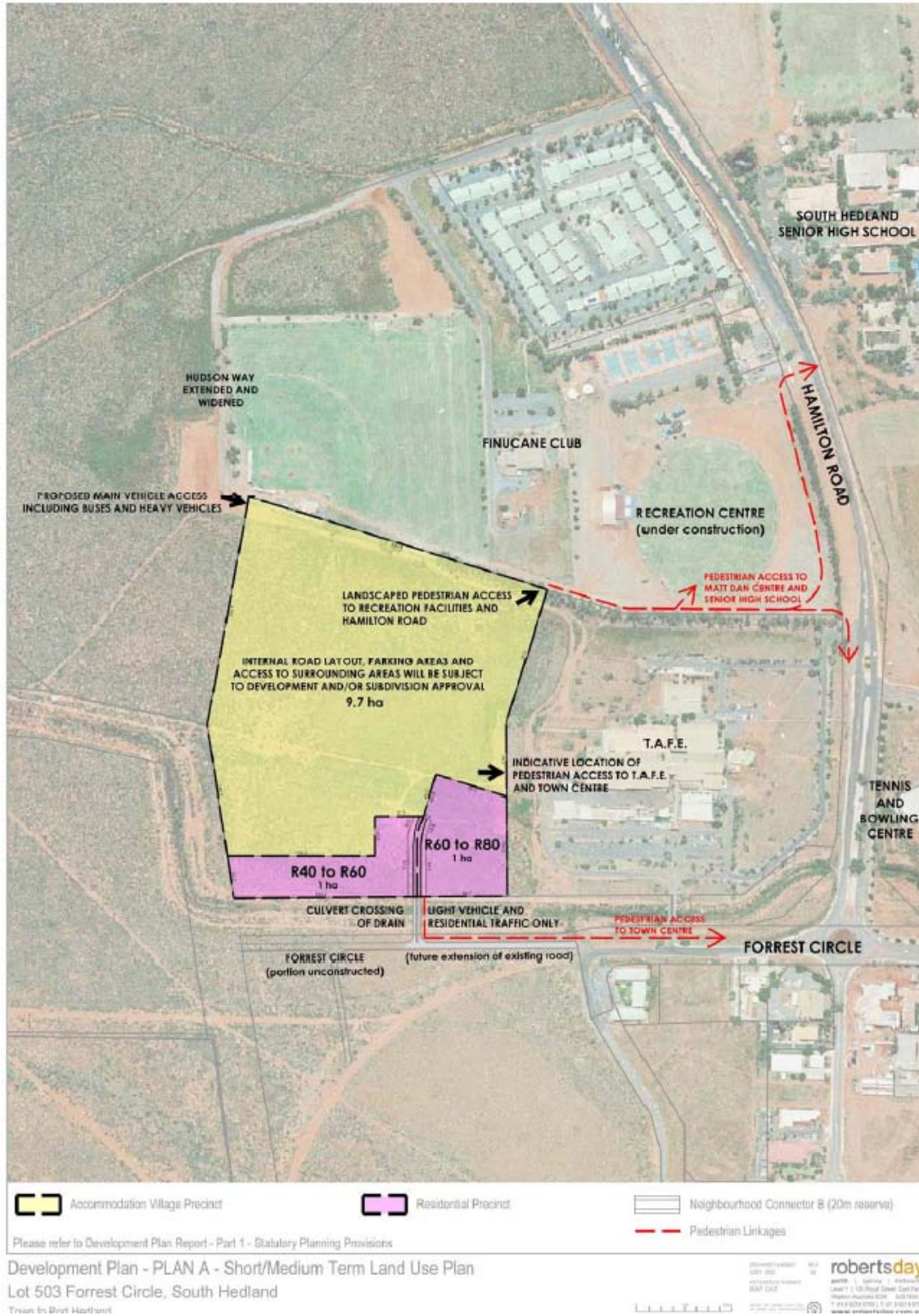
**4.0 PLAN A - PRECINCT PLANNING REQUIREMENTS*****Residential Precinct***

- 4.1 The objectives of the Residential Precinct are:
- (a) to provide a transition in land use and built form between the Accommodation Village and the South Hedland Town Centre;
  - (b) to contribute to a wider choice of housing in South Hedland by applying higher residential densities that facilitate the development of smaller lot housing, grouped dwellings and/or multiple dwellings; and
  - (c) to promote higher population densities in close proximity to facilities and services within the South Hedland Town Centre.
- 4.2 Subdivision and/or development of land shall achieve at least the lower Residential Density Code as depicted on the Development Plan.
- 4.3 Land uses permitted within this Precinct shall be in accordance with the Town of Port Hedland Town Planning Scheme No.5 "Residential Zone".
- 4.4 The layout of lots, buildings and open spaces should respond to regional climate and landscape, where practical through:
- (a) orientation buildings to take advantage of prevailing breezes;
  - (b) orientation buildings to take advantage of shade to east/west walls; and
  - (c) location, shading and landscaping of private open space.

- 4.5 Development shall:
- (a) provide primary building frontage to Forrest Circle and other external boundaries, where practical, to provide visual streetscape amenity and increase passive surveillance;
  - (b) locate parking areas at the rear of buildings away from primary streets and avoid large communal parking lots where possible;
  - (c) be constructed of materials and finishes that display a sense of quality and permanence;
  - (d) be a maximum height of three storeys; and
  - (e) be provided with high quality private landscaping.

***Accommodation Village Precinct***

- 4.6 The objectives of the Accommodation Village Precinct are:
- (a) to primarily provide accommodation for the transient and key-worker workforce;
  - (b) to allow for the incidental provision of other forms of short-stay accommodation; and
  - (c) to facilitate development in a manner that contributes to good quality urban design and amenity within the South Hedland Town Centre.
- 4.7 Subdivision and development within the Accommodation Village Precinct should comply with the key principles for Accommodation Village provided in the Town of Port Hedland's "Guidance Note For Potential Developers Of Transient Workforce Accommodation" (TWA) (August 2008) (refer to Appendix 1).
- 4.8 The internal street network will provide a basic super-block structure that supports future transition and subdivision to a residential neighbourhood over time and orientation of future residential lots to capture solar orientation and cooling breezes.
- 4.9 Service vehicle access will be restricted to an upgraded extension of the existing bitumen road terminating at the north-west corner of the site (accessed via Hudson Way). Other vehicle access will be determined through an application for planning approval and associated traffic studies.
- 4.10 As per Section 6.13.5 of the Scheme, variations to parking may be sought and considered by the Town through applications for planning approval.





*ATTACHMENT 4 TO AGENDA ITEM 11.1.1.4*

**DEVELOPMENT PLAN  
FOR  
LOT 503 FORREST CIRCLE, SOUTH HEDLAND**

**PART 2 – EXPLANATORY REPORT**

**JULY 2011**

Prepared for West End Integration Project (WEIP) Consortium  
By Roberts Day Planning and Design

Title: DEVELOPMENT PLAN - LOT 503 FORREST CIRCLE, SOUTH HEDLAND –  
PART 2 – EXPLANATORY REPORT - JULY 2011  
Prepared for: West End Integration Project (WEIP) Consortium  
Prepared by: Roberts Day Planning and Design / Hatch Associates Pty Ltd  
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#### APPENDICES

Lot 503 Deposited Plan

Hatch Associates (April 2010) WEIP Consortium South Hedland Site A Development Hydrology Assessment

Parsons Brinkerhoff (June 2011) Gateway Village Transport Assessment

Dept of Environment (May 2011) Permit to Clear Native Vegetation CPS4260/1

Hatch Associates (June 2011) Gateway Village - Bulk Earthworks and Drainage Drawings



**1.0 INTRODUCTION**

**1.1 Location, Legal Description and Tenure**

The Development Plan area is identified as Lot 503 Forrest Circle, South Hedland and is approximately 12 hectares (refer to appendix – Deposited Plan).

The site is located to the north-west of the South Hedland Town Centre (approximately 1 kilometre) and directly west of the South Hedland TAFE.

The site is bounded by the South Hedland TAFE (to the east), the South Hedland sporting complex (to the north), vacant land (to the west) and a town centre main drainage reserve along Forrest Circle (to the south). The land directly south across Forrest Circle has received approval for the construction of housing and transient worker accommodation.

The site was previously portion of Reserve 38751 including the South Hedland TAFE under the management of the Department of Education and Training (DET), however the Department of Regional Development and Lands (DRDL) has now subdivided the land creating Lot 503 and removed the Reservation.

The land is subject to a '10 year + 10 year' lease and it is expected that the land will transition to a permanent residential neighbourhood in the longer term, with retention of facilities, infrastructure or other assets as deemed appropriate by the DRDL and the Town of Port Hedland.



### **1.2 Zoning and Land use**

The lot is zoned "Urban Development" under the Town of Port Hedland Town Planning Scheme No.5 (the "Scheme") and identified as "Development Plan Area – South Hedland Entry" in Appendix 5 of the Scheme.

The purpose of the "Urban Development" zone is *"to identify land where detailed planning and the provision of infrastructure is required prior to further subdivision and development of land"*. The Scheme requires that future land use and development be set out in an approved Development Plan to guide further subdivision and development.

The Scheme contains a number of objectives for the South Hedland Entry Precinct which are (summarised):

- improve the legibility of locational and functional relationships between land uses in the broader district;
- enhance visual amenity of entry roads to South Hedland;
- give priority to recreational and community uses; and
- protect the Boodarie strategic industrial buffer and infrastructure corridors.

The land is currently vacant.

### **1.3 Purpose of the Development Plan**

The purpose of the Development Plan is to facilitate the development of accommodation for transient and key-workers and some medium density housing in the medium term, with transition to full residential development and/or other land uses as determined by the landowner and the Town, in the long-term.

As such, Part 1 – Statutory Provisions contains Plan A – Short/Medium Term Land Use and Plan B – Long-Term Land Use (assuming residential land in the long-term which will be confirmed during the Town's current growth planning exercise).

Part 1 Statutory Provisions set out land use objectives for the site, land use precincts and key planning and development requirements to guide future applications for development and subdivision of land.

Development of the Accommodation Village shall be subject to lodgement of a separate application for planning approval under the Town of Port Hedland Town Planning Scheme No.5.

## **2.0 PLANNING CONTEXT**

### **2.1 Strategic Need - Demand for Housing and Accommodation**

Port Hedland is currently experiencing a critical shortage of accommodation for both long-term residents including key workers (required for service industries and the retail sector) and transient, short-term workers due to the increased demand as a result of the expansion of the resource industries and the inability of housing supply to keep pace with demand.

This has led to widespread accommodation shortages across all sectors of the housing market and significantly higher housing costs, exacerbated by high construction costs. The latest figures released by the Pilbara Development Commission show the average price of a house in South Hedland is over \$640,000 and the average weekly rental for a 3 bedroom is over \$1200<sup>1</sup>. Caravan parks and other accommodation villages are also at or near capacity.

The Western Australian Planning Commission's (WAPC) Pilbara Regional Profile (August 2009) provides a forecast of both resident and FIFO populations to the year 2020. The FIFO population is expected to peak at 2015 with 4,310 people (note – these are medium-term estimates that are subject to the vagaries of the regional economy).

The Port Hedland Public Land Rationalisation Plan (Part B: Identified Site Schedules) (October 2009) identified the land as suitable for "Urban Development" and estimated a potential lot yield of 264 lots. However, direction has been given by the State Government that the site be set aside primarily for transient and key worker accommodation for the short to medium term.

### **2.2 Town Planning Scheme No.5**

The Scheme requires a Development Plan be prepared prior to consideration of applications for subdivision or development, addressing:

- location and density of housing and other land uses and any specific development requirements;
- demand for commercial and community facilities generated by the development and how it is addressed;
- consideration of site features such as topography, vegetation, heritage and surrounding land uses;

---

<sup>1</sup> PDC - Housing and Land Snapshot – Port and South Hedland – September Quarter Report 2010

- infrastructure servicing, including drainage; and
- road layout, vehicle access and impacts, pedestrian and cycle access.

The Scheme has the ability to apply conditions on approval of the Development Plan and may append them to Appendix 10 of the Scheme.

Clause 6.5 (Transient Workforce Accommodation) provides the Council with the ability to require TWA developments to:

- comply with the Residential Planning Codes (R-Codes) and the Residential zone (Clause 6.3);
- vary the requirements of the R-Codes for TWA's;
- demonstrate 'normalisation' of land uses over time; and
- make agreements relating to conversion and rehabilitation of sites.

### **2.3 Integrating Development with South Hedland Town Centre**

There is a strong desire from the both State Government and the Town of Port Hedland that accommodation villages for transient and key workers integrate both physically and socially with the South Hedland community and Town Centre, providing where possible, benefits to the broader community.

To this effect, the Town of Port Hedland and the Department of Regional Development and Lands have issued guidelines for the development of a Transient Workforce Accommodation (TWA) facility in respect of Lot 503.

The broad objective for the development of Lot 503 is to *"increase the density of people living close to services and amenity of the (South Hedland) Town Centre"* ensuring that development becomes an *"extension to the fabric of the Town, rather than a gated community"*.

More specific objectives are:

- to provide for a TWA to address short-term demand;
- to contribute to a strong town centre;
- to integrate with surrounding activities;
- to be a quality development;
- to contribute positively to the safety and wellbeing of the community;
- to develop or contribute to community facilities that will benefit the broader community during and after the development; and
- to improve road connectivity to the site to address the additional traffic.

The guidelines state that the layout of the development should address the following aspects:

- be highly connected and integrated to the Town Centre through connecting streets and pathways providing a variety of convenient pedestrian and vehicle access to shopping and recreational facilities;
- provide primary access from the future North Circular Road, with secondary access from an extension of Forrest Circle, Hudson Way and a link from Hamilton Road between the TAFE and Kevin Scott Oval;
- provide a grid of internal streets that reflects and extends the town Centre street pattern and connect with the development south of Forrest Circle;
- provides legible entries and a clear sequence from public to semi-public to private spaces;
- accommodation and housing should:
  - be sited to address the street, public spaces and external boundaries to maintain visual amenity and increase passive surveillance of spaces
  - maximise cooling from north-west breezes and solar orientation
  - be architecturally interesting and display a sense of quality and permanence
  - provide consistency of scale and proportion in each street block
- parking should be integrated and sleeved into the development, avoiding large communal parking lots where possible;
- end uses must reinforce the function and urban form of the town Centre as a whole.

The Town of Port Hedland has issued more general Guidance Notes for TWA developers that require proponents to:

- demonstrate how their proposed development(s) will assist in improving the Town Centre;
- demonstrate that service and infrastructure demands are sufficiently self contained so to not detract from the Town's existing provisions;
- integrate the facilities, infrastructure and services offered at temporary facilities into the Town environment; and
- encourage quality of urban design and visual amenity.

The Development Plan response to these requirements is addressed in section 4.0 Development Plan Explanation.

### 3.0 SITE CONTEXT

#### 3.1 Climate

The South Hedland Town Centre Development Plan provides an overview of the arid sub-tropical climate of South Hedland. The climate is characterised by:

- consistently high temperatures all year around, milder in winter months between May to September and hotter in summer months between October to April;
- high rainfall events during January, February and March; and
- predominantly north westerly winds, with hot summer easterly winds.

The Development Plan is able to respond to these conditions through management of stormwater run-off to avoid flooding, reducing impermeable surfaces as far as possible to increase rainfall infiltration on-site and avoid 'heat island' effects and orientation of lots/buildings to take advantage of breezes for cooling and facilitate shading of east/west walls.

#### 3.2 Topography and Drainage

The site is relatively flat with a gentle slope to the north east from RL 11.4 m to RL 10.6 m AHD (approximately 0.2% slope).

A large municipal drain traverses the southern boundary of the site, taking water from the South Hedland Town Centre to the west to the South Creek.

A flood and drainage study for the site has been undertaken by Jim Davies and Associates. Based on this study, a detailed bulk earthworks and drainage design has been completed for the development of Lot 503 for an Accommodation Village and residential uses to ensure that the site is above the 1 in 100 year ARI flood level. The drainage strategy incorporates drains on the north and west boundaries and an internal drain between portion of the Residential Precinct and the Accommodation Village Precinct.

The Town of Port Hedland has advised that the existing municipal drain on the southern boundary of the site has sufficient capacity to cater for drainage from the wider South Hedland Town Centre (pers. com. Janella Voitkevich – Port Hedland Engineering Dept).

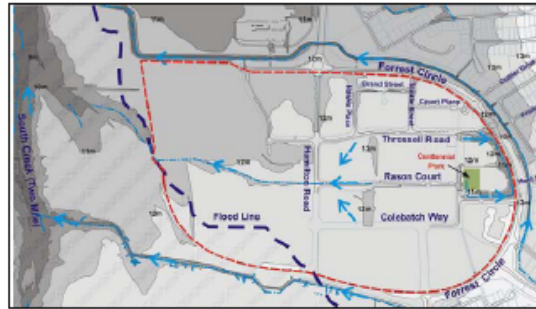
Preliminary advice regarding water management was received from the Department of Water (email from Bill Till 26 July 2010):

*"In this climatic zone the key issue is management of flow **velocity** to minimise erosion and sediment mobilisation and transport. The principle of assessing downstream flood risk to determine whether downstream flow rates need to be restricted/limited is an appropriate course of action. Thus management of flow rates, for events greater than 1 yr ARI, in this climatic zone and situation very close to the coast, is not the dominant design issue.*

***It is agreed that flood storage detention areas need only be provided where this is required to mitigate downstream flood risk, for events greater than 1yr 1hr ARI.***

*Assessments and designs should aim to limit velocities and sediment transport for all events, both small (less than 1yr ARI) and large (greater than 1 and up to 5 and 100 yr) rainfall events."*

These comments have been taken into consideration and are reflected in the drainage strategy for the site (refer to Section 4.3). As mentioned above, the existing drain on the southern boundary of the site has sufficient capacity to cater for drainage from the wider South Hedland Town Centre (pers. com. Janella Voitkevich – Port Hedland Engineering Dept).



***Illustration showing Flood Line to west of Lot 503 (Source: South Hedland Town Centre Development Plan -Landcorp and Town of Port Hedland, 2008)***

Preliminary studies conducted for the South Hedland Town Centre Development Plan estimated storm surge / flood levels around 8 to 9 metres AHD and at around 12 metres AHD inundation due to storm surge was unlikely to affect development of the Town Centre (Landcorp and Town of Port Hedland, 2008). The Plan recommended consideration of drainage at "detailed implementation".

### **3.3 Flora and Fauna**

The site is sparsely vegetated with small bushes and trees.

A flora and vegetation survey of Lot 503 was undertaken by Western Botanical and Native Vegetation Clearing Permit CPS4260/1 was granted on 12 May 2011 (see appended).

### **3.4 Heritage**

There are no registered Aboriginal or European heritage sites over the land. However a heritage survey is scheduled to be undertaken by the Karriyarra people and consultants Anthropos Australis in July 2011 to confirm.

### **3.5 Access and Movement**

The site does not currently have formal constructed road access.

### **3.6 Service Utilities**

The capacity of current service utilities to cater for an Accommodation Village and residential development are as follows:

- **Water and Sewerage** - The Water Corporation has advised that the development can be connected to the Corporation's South Hedland water supply system on conditions including that water-using fittings and appliances are specified to the maximum WELS rating available and 'low water use' landscaping is installed. Wastewater is required to be pumped direct to the South Hedland Wastewater Treatment Plant via a private sewage pumping main along Shoata Road. Formal application for water and sewerage servicing has been made.
- **Electricity** - Application has been made to Horizon Power for an extension from the existing South Hedland network to service the development.
- **Telephone** - The development is in close proximity to Telstra infrastructure including the South Hedland Telephone Exchange.

Site opportunities and constraints outlined above are addressed in Section 4.0 Development Plan Explanation.



**4.0 DEVELOPMENT PLAN EXPLANATION**

This section explains the rationale behind the Development Plan – Plan A and Plan B and statutory provisions contained in Part 1 in response to Scheme and policy requirements and site opportunities and constraints.

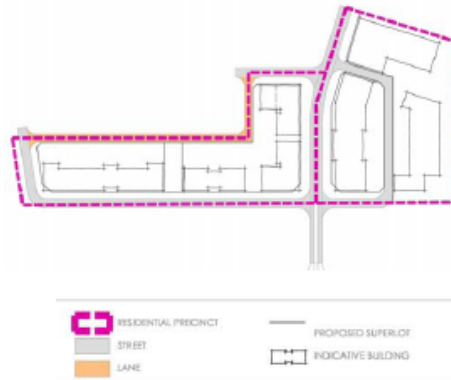
Detailed plans showing internal road and building layout and infrastructure servicing will be provided through applications for planning and/or subdivision approval.

**4.1 Plan A – Short/Medium Term Land Use**

**4.1.1 Residential Precinct**

Given its location adjacent to the South Hedland Town Centre and South Hedland TAFE, a Residential Precinct has been sleeved along the southern boundary adjacent the drainage reserve and Forrest Circle. This provides a transition between the town centre and the Accommodation Village and a clear sequence from public to semi-public to private realm as required by the TWA Guidelines.

The Residential Precinct is approximately 2.2 ha and subdivided and/or developed as indicated in the sketch below. This design will be refined and confirmed through formal applications to the Town of Port Hedland.



**Density Coding**

The Plan A depicts two sub-precincts with a Residential Density Code range of "R40 to R60" and "R60 to R80". A density code range has been provided to provide greater flexibility in the deliver a mix of housing types and densities in response to local housing demand and market conditions.

The theoretical dwelling yield that can be developed from the density range is:

R40 to R60 cell	minimum 45 single dwellings to maximum 7000m <sup>2</sup> multiple dwelling (plot ratio) floorspace or approximately 47 multiple dwellings assuming average dwelling floorspace of 150m <sup>2</sup> but will vary depending on individual applications.
R60 to R80 cell	minimum 56 single dwellings to maximum 10,000m <sup>2</sup> multiple dwelling (plot ratio) floorspace <sup>2</sup> or approximately 67 multiple dwellings assuming average dwelling floorspace of 150m <sup>2</sup> but will vary depending on individual applications.

The Development Plan requires that development must achieve at least the lower density code indicated on the Plan to encourage appropriate densities in keeping within the South Hedland Town Centre.

**Development Requirements**

The Development Plan contains a number of other planning requirements that relate to dwelling height, orientation, parking and landscaping to ensure development meets the Town's objectives for the South Hedland Town Centre.

**Access and Parking**

Access to the Residential Precinct will be via an extension of Forrest Circle and an internal Neighbourhood Connector B road at 20 metres in width (capacity 3000 vehicles per day). This road width allows on-street parking and a shared path on the verge and should be sufficient to cater for full residential development of the site. This primary entry provides clear and legible entry to the site.

The road can be extended in the future to meet with Hudson Way to the north, as envisaged under the site guidelines, thus creating a permeable road network.

<sup>2</sup> Multiple dwelling yield has been calculated in accordance with the recently revised Residential Design Codes (Nov 2010) which now use plot ratio floorspace rather than minimum site area for multiple dwellings and assumes an apartment size of 150m<sup>2</sup>.

An application for development of the Accommodation Village will confirm traffic access points and management requirements to avoid any potential conflicts between camp traffic and residential traffic.

Parking for the Residential Precinct will be as per the Residential Planning Codes.

Internal road layout will be determined at subdivision and/or development application stage in consultation with the Town of Port Hedland once detailed land uses are known and traffic requirements can be thoroughly assessed.

**Public Open Space**

Public Open Space, in the form of a neighbourhood park and possible community facility, will be provided for in Plan B – Long Term Land Use.

**4.1.2 Accommodation Village Precinct**

The remainder of the site is designated as Accommodation Village precinct (approximately 9.7 ha) to provide for transient and key worker accommodation in accordance with the conditions of the lease agreement with the Minister for Lands.

**Development Requirements**

The detailed layout of the Accommodation Village will be provided in an application for planning approval. However, the Development Plan stipulates some planning requirements to guide future accommodation development, primarily to minimise traffic impacts and ensure integration with the remainder of the Town Centre.

**Access and Parking**

The Development Plan requires that detailed plans for the Accommodation Village show an internal street layout in a basic super-block structure to enable transition to a residential neighbourhood over time.

A Traffic Assessment of the proposed Gateway Village TWA has been completed and is appended. The report proposes extension or widening of the following roads to facilitate access to the development:

- Hudson Way, to connect the north entrance of the development to Hamilton Road
- Forrest Circle, to connect the south entrance of the development to Hamilton Road

The report also proposes three pedestrian links to improve active transport connectivity in the area:

- the north-east corner of the site to connect to Hudson Way, the Matt Dan Centre and Hedland Senior High School
- the south-east corner of the site to connect to the TAFE and South Hedland Town Centre
- the south of the site to connect to Forrest Circle and South Hedland Town Centre.

The report concludes that the traffic generated by the proposed Gateway Village TWA will have minimal impact on South Hedland and the surrounding road network and will not negatively impact level of service, travel times or safety of the surrounding road network. This is due to:

- the proposed northern entrance will allow the majority of trips to bypass Forrest Circle and Hamilton Way (south of North Circular Drive)
- private vehicle usage will be minimised through the provision of high capacity buses for transporting residents
- provision of three pedestrian/cycle links to connect to South Hedland Town Centre and adjacent land uses will promote alternative modes of transport
- the design of Gateway Village facilitates a high level of self-containment, with on-site workers to service all site facilities (e.g. administration and kitchen).

#### ***Public Open Space***

Public Open Space, in the form of a neighbourhood park and possible community facility, will be provided for in Plan B – Long Term Land Use.

#### **4.2 Plan B – Long Term Land Use**

Plan B provides for transition from TWA to full residential development (and/or other land uses as determined by the landowner and the Town) in the long-term. Should the proposed short-term TWA land use be provided for its intended lifespan of 20 years, then it is recommended that a thorough review of Plan B be undertaken prior to transition to full residential development to ensure the plan best reflects the demand housing and market conditions at that time.

#### ***Access, Street Layout and Parking***

Plan B provides for access to the site from Forrest Circle and an extension of Hudson Way which are to be developed in the short-term to facilitate access to the residential development along Forrest Circle and the Accommodation Village. In the long-term a third access road can be provided to connect to the future North Circular Road (actual design and construction timeframe have not yet been determined by the Town of Port Hedland).

The internal road layout reflects a simple grid structure to provide ease of access and legibility, efficient subdivision of land, maximise dwelling orientation to local breeze direction and vistas to internal open space areas and adjacent sporting fields.

Parking would be provided in accordance with the requirements of the Residential Design Codes and determined through planning applications.

**Density Coding / Yields**

Plan B indicates a density range of R50 - R80 over the majority of the site, with R40-60 and R60-80 fronting Forrest Circle (as proposed in the short-medium term in Plan A). A density code range has been provided to provide greater flexibility in the deliver a mix of housing types and densities in response to local housing demand and market conditions.

**It is recommended that future detailed subdivision design provide a mix of housing and accommodation types and densities to suit local housing needs at the time of subdivision and comply with the longer-term objectives of the South Hedland Town Centre Development Plan (SHTCDP) which recognises the area's "peripheral residential role" (SHTCDP).** Opportunities for locating higher densities closer to the South Hedland Town Centre, TAFE and adjacent playing fields to the north should be examined.

The theoretical dwelling yields for full residential development of the site, as provided by the Plan B density ranges, are:

	Minimum Theoretical Dwelling Yield	Maximum Theoretical Dwelling Yield
R50-R80	264 single dwellings	317 multiple dwellings  (based 47,600m <sup>2</sup> multiple dwelling (plot ratio) floorspace as per R-codes and assuming av. dwelling floorspace of 150m <sup>2</sup> but will vary depending on individual applications)
R40 to R60	45 single dwellings	47 multiple dwellings  (based on 7000m <sup>2</sup> multiple dwelling (plot ratio) floorspace as per R-codes and assuming average dwelling floorspace of 150m <sup>2</sup> but will vary depending on individual applications)
R60 to R80	56 single dwellings	67 multiple dwellings  (based on 10,000m <sup>2</sup> multiple dwelling (plot ratio) floorspace as per R-codes and assuming average dwelling floorspace of 150m <sup>2</sup> but will vary depending on individual applications)
<b>Total</b>	<b>365</b>	<b>431</b>

Multiple dwelling yields have been calculated in accordance with the recently revised Residential Design Codes (Nov 2010) which now use plot ratio floorspace rather than minimum site area to determine theoretical yield. As such, the maximum yields assume an apartment size of 150m<sup>2</sup> to enable comparison between minimums and maximums.

Assuming an average of 2.6 people per household (current household size for Port Hedland), the potential population yield across the whole may range between approx 949 to 1120 people.

***Public Open Space / Community Facility Site***

Plan B shows public open space of 1.1 ha (approx. 10% of gross site area) centrally located within the site to provide convenient access to homes. Given the proximity of the site to adjacent sporting ovals and facilities, this open space would function as a local neighbourhood park for passive recreation.

The site could also accommodate a local community facility, if required.

The population yield resulting from the indicative densities is not sufficient to generate demand for a primary school.

**4.3 Drainage and Bulk Earthworks**

As noted in Section 3.2, a detailed bulk earthworks and drainage strategy has been completed for the development of the Plan A for the Accommodation Village and Residential Precinct and will adequately cater for future full residential development of the site (refer to Appendix).

**4.4 Service Utilities**

As noted in section 3.6, the capacity to service the development with power, water and sewerage is currently being assessed by the relevant State Government owned service providers, Horizon Power and Water Corporation. In this respect, the development of Lot 503 is no different from other residential and commercial developments within the Town.

As such, in the absence of a district level strategy for the provision of infrastructure to service the growth of the South Hedland Town Centre, the Development Plan requires that an Infrastructure Servicing Plan be submitted and approved as a condition of any approval for development and / or subdivision.

## 5.0 COMMUNITY FACILITIES AND INTEGRATION

As noted in Section 2.3, there is a strong desire to ensure, where practical and appropriate, that transient worker accommodation integrates both socially and physically with the existing community of South Hedland.

A preliminary assessment of the likely demand for community facilities generated by 1,200 and 1,600 people has been undertaken by Creating Communities. The assessment concluded that there would be limited demand for facilities and this can be accommodated within the existing facilities and services located in the South Hedland Town Centre.

Local Community Facility	Standard of Provision (*)	Requirements for Development Plan Area		Recommended Provision
		1,200 person	1,600 persons	
Halls/ Local Community Centres	1 per 4,000	0	0	No provision required.
Active Ovals	1 per 3,000 – 4,000	0	0.5	Shared use of existing Kevin Scott oval and adjacent playing fields.
Sports Pavilion/ Change rooms / gym	1 per 5,000	0	0	Shared use of existing facilities at Kevin Scott oval and adjacent playing fields.
Public Open Space	1.7ha per 1,000 or 10% site area	2ha	2.7ha	No provision given abundance in local area, however village design will provide small /incidental passive outdoor spaces.
Multi-marked Sports Courts (Tennis/ Netball/ Basketball)	1 per 1,000	1	1.5	Shared use of existing sports courts at Kevin Scott oval and adjacent playing fields.
Cricket Wickets	1 per 3,000	0	0.5	Shared use of existing facilities at Kevin Scott oval and adjacent playing fields.
Health and Medical Centre (for private health professionals)	1 per 3,000 – 5,000	0	0.5	Encourage residents to use existing health and medical services in South Hedland.
Library	1 per 17,500	0	0	Encourage residents to use the existing public library service in South Hedland.

\* Note – The table contains acceptable facility provision standards used by many local governments for standard residential populations.

**6.0 IMPLEMENTATION**

Applications for TWA accommodation and residential development within the Residential Precinct indicate on Plan A are expected to be lodged with the Council in 2011 given the demand for accommodation in the Town.

As the TWA accommodation is intended to be in operation for around 20 years, it is recommended that Plan B be reviewed at a time closer to the proposed transition to full residential development of the precinct, so that the plan is best able to respond to local housing need and market conditions at that time.



**11.1.1.5** *Proposed Scheme Amendment 46 to the Town of Port Hedland Town Planning Scheme No. 5 to Rezone Lot 330 Hamilton Road and Part North Circular Road Reserve, South Hedland from Part "Other Purposes – Infrastructure" and Part "District Road" to "Urban Development" (File No.: 18/09/0060)*

Officer	Luke Cervi Senior Planning Officer
Date of Report	20 July 2011
Disclosure of Interest by Officer	Nil

**Summary**

Council has received a request from TPG on behalf of NS Projects to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5* to amend the zoning of Lot 330 Hamilton Road and part of the North Circular Road reserve, South Hedland from Part "Other Purposes – Infrastructure" and Part "District Road" to "Urban Development".

The initiation of a Scheme Amendment requires a resolution of Council.

**Background**

Lot 330 is currently zoned "Other Purposes – Infrastructure" and is situated within a Development Plan area being the South Hedland Entry Precinct. The land is vacant parcel of 25.462ha and has previously been identified as a possible "Mixed Business" site under the Land Use Master Plan (LUMP). A review of the LUMP suggested "Urban Development" may be more appropriate as it would provide greater flexibility for development particularly accommodation.

It is proposed to rezone this land and part of the adjacent North Circular Road reserve to Urban Development.

The land is the subject of an agreement between Pilbara Cities and BHP Billiton to fast track residential development. As part of the development 100 houses will be made available to key workers.

**Consultation**

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

Following approval from the EPA to advertise the amendment, Council is required pursuant to section 83 of the PDA to consult persons likely to be affected by the amendment, and advertise the amendment for a minimum of 42 days pursuant to section 84 of the PDA.

At the completion of this consultation, Council is to consider all submissions and determine whether to adopt the amendment, with or without modifications.

### **Statutory Implications**

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

### **Policy Implications**

Nil

### **Strategic Planning Implications**

The following sections of Council's Strategic Plan 2010/2015 are considered relevant to this proposal:

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 applicant has been advised that the prescribed application fee is \$1,769.20 for the initiation request, and will be required to pay the fee prior to forwarding any documents to the EPA.

### **Officer's Comment**

It is proposed to apply an "Urban Development" zoning to the land. In terms of this zoning a Development Plan will be required to be approved by Council prior to any development application being considered

The land proposed to be rezoned will contain all of Lot 330 Hamilton Road consisting of 25.462ha and that part of North Circular Road reserve to the north of the current road alignment. There are ongoing discussions in regard to the most appropriate location of North Circular Road with realignment to the north being flagged on a number of occasions. The inclusion of part of the road reserve between the current road alignment and adjoining Lot 330 into the urban development zoning will provide flexibility for the land being developed for other purposes whilst still enabling the realignment of the road if necessary.

### *Development Plan Requirement*

The applicant has recognized the strategic importance of the site due to its size and location and has provided a conceptual Development Plan that proposes the land be developed for residential purposes.

It is considered that the site is generally suitable for residential development however any proposed Development Plan would require Council approval. Appendix 6 of TPS 5 identifies matters that must be addressed by a Development Plan. It is expected that an application for the Development Plan will be submitted in the near future.

### *Options*

Council has the following options for dealing with the request:

1. Initiate the Scheme Amendment

This would provide the developer with the confidence to proceed with the planning of the proposed development.

2. Refuse to initiate the Scheme Amendment

This may result in the developer opting to rather not progress any development plans due to the uncertainty of Councils intentions for developing the site.

Option 1 is recommended.

### **Attachments**

1. Current Zoning Plan
2. Proposed Zoning Plan

### **201112/023 Officer's Recommendation/ Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr D W Hooper

That Council:

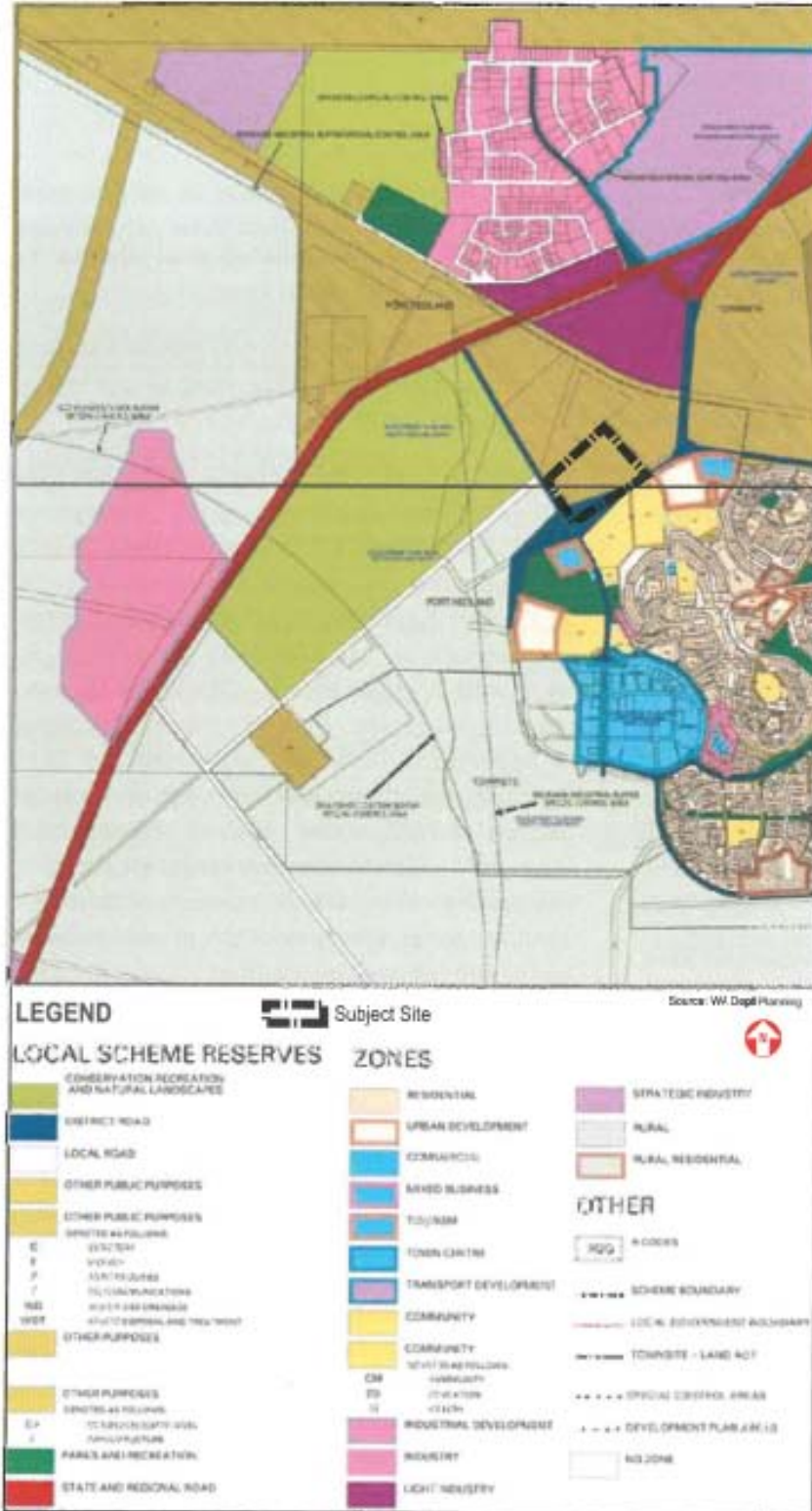
- i. Approves the request from TPG on behalf of NS Projects to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5* to amend the zoning of Lot 330 Hamilton Road and part of the North Circular Road reserve, South Hedland from Part "Other Purposes – Infrastructure" and Part "District Road" to "Urban Development".
- ii. Delegates the Director Planning and Development in accordance with Delegation 40(10) to forward Town Planning Scheme Amendments to the Planning Commission for final approval in the case of:
  - a. **There being no submissions received during the statutory advertising period; and**

- b. The proposal being of an uncontentious nature.**
  - c. The date of adoption of Council's final approval shall be the date of the next Council Ordinary Meeting following the closing date of the advertising period.**
- iii. Advises** the applicant that prior to consideration of any planning applications on the land, Council will require the preparation of a Development Plan.

*CARRIED 6/0*

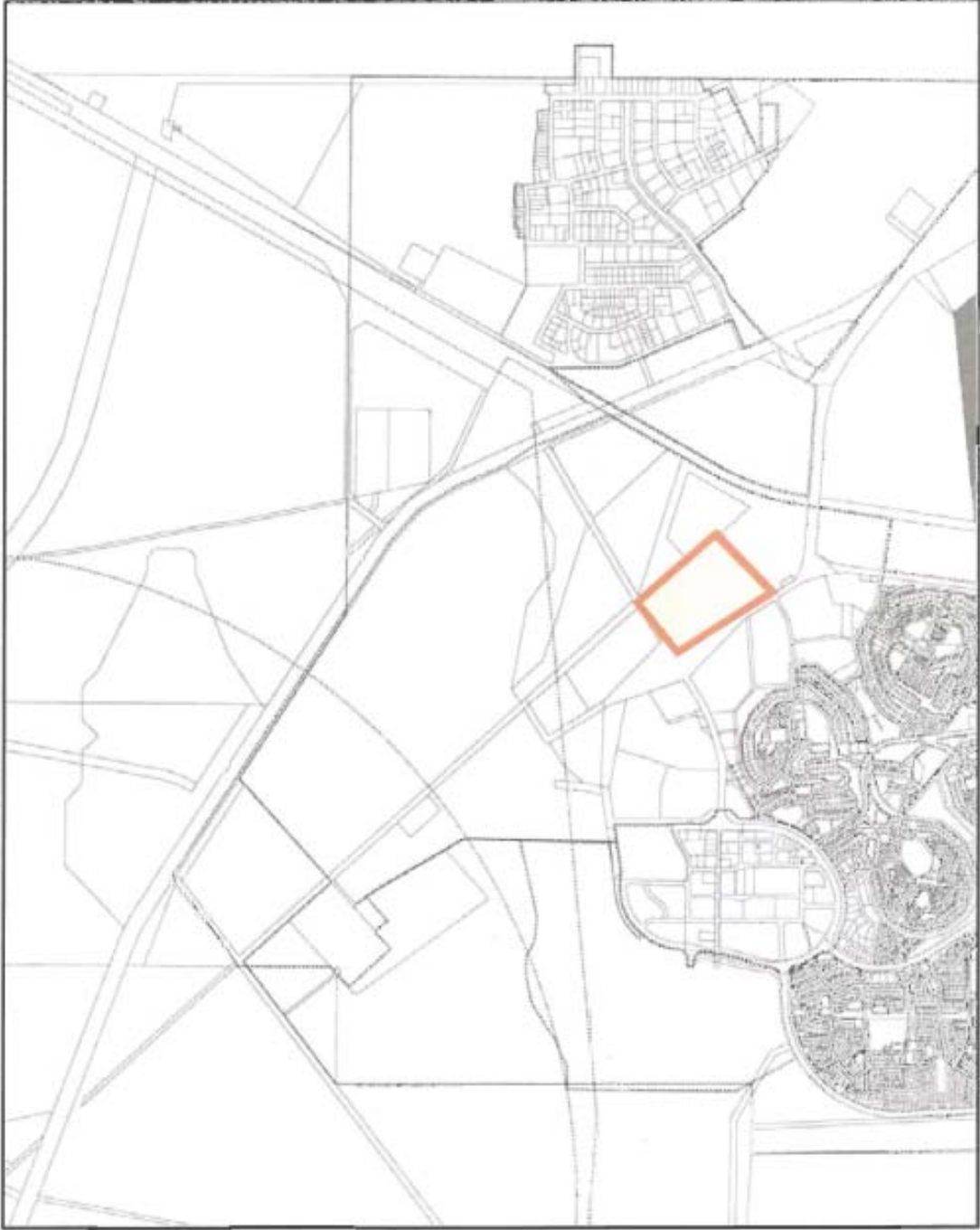
ATTACHMENT 1 TO AGENDA ITEM 11.1.1.5

FIGURE 6 – TOWN OF PORT HEDLAND TOWN PLANNING SCHEME



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.5

FIGURE 7 - PROPOSED ZONING



LEGEND

 Urban Development

Source: WA Dept Planning



**11.1.1.6 Proposed Park Name 'Koombana Park' at Lot 8008 (formerly 9003) Captains Way, South Hedland. (File No.: 804072G)**

Officer Caris Vuckovic  
Lands Officer

Date of Report 20 July 2011

Disclosure of Interest by Officer Nil

### **Summary**

This report seeks to name the public open space, now known as Lot 8008 Captains Way, 'Koombana Park'.

This report is before Council to consider as the Director Planning and Development Services has no delegation to consider such matters.

### **Background**

The subdivision of Lot 9003 Captains Way, South Hedland into eleven (11) lots consisting of ten (10) residential lots and one (1) public open space lot has been approved by Western Australian Planning Commission (WAPC). The public open space lot is being developed into a park for recreation purposes.

Support to name the public open space lot (4580m<sup>2</sup>) 'Koombana Park' is now being sort. The SS Koombana was a coastal passenger and cargo steamship which sank at an unknown location north of Port Hedland during a cyclone on 20 March 1912. The name has significant cultural heritage significance to the Town of Port Hedland.

### **Consultation**

Nil

### **Statutory Implications**

Geographic Names Committee Principles, Guidelines and Procedures May 2009 states the following:

*"Naming of Parks and Reserves;  
General Guidelines*

- 1. Priority will be given to the naming of parks and reserves after an adjacent street or feature to maximise the identification of that park or reserve with an area. The 'road type' is not to be included as part of the name.*
- 2. 'Reserve' is only to be used as part of the name if the whole of the area to be named is reserved under the Land Administration Act 1997 and therefore has a reserve number.*
- 3. Names that commemorate or may be construed to commemorate living persons will not be considered for parks or reserves over 1ha.*

4. *Proposals to name parks or reserves should include evidence of strong community support for the name. This support can be ascertained by some of the following:-*
- i. *Advertising proposals to name parks and reserves in local papers, inviting comments.*
  - ii. *Advertising proposals to name parks and reserves in local libraries.*
  - iii. *Erection of signs on the park or reserve, advising of the proposed name.*
  - iv. *Advising residents in the area surrounding the park or reserve of the proposed name in writing.*
  - v. *Advising local progress associations of proposed names and requesting their comments.*
5. *For personal names, the person being honoured by the naming should have either had a direct long-term association with the area, or have made a significant contribution to the area of the proposed park or reserve, or the State. Association or contribution can include:-*
- i. *Two or more terms of office on a local government council.*
  - ii. *Twenty or more years' association with a local community group or service club. Action by an individual to protect, restore, enhance or maintain an area that produces substantial long-term improvements for the community or area.*
6. *Service to the community or organisation must have been voluntary.*
7. *Given names may be included as part of the naming proposal, and given and surname combinations are acceptable.*
8. *Death and former ownership of land are not acceptable reasons for proposing a name, unless previous criteria apply.*

*Naming of Parks and Reserves under 1ha*

1. *The approval of the Minister for Land Information is not required, but LANDGATE must be advised of all names assigned.*
2. *The names of living persons are acceptable except for those persons holding any form of public office.*
3. *The general guidelines listed above shall apply for the naming of such parks and reserves.*

*Advice to LANDGATE*

*All naming proposals for parks and reserves shall include:-*

1. *Proof of community support, including evidence of consultation.*
2. *A map showing the location of the park or reserve.*
3. *The reason for the choice of name.*
4. *For personal names: biographical details, including dates of birth and death (if relevant), length and years of service or association.*

*Advice of names assigned to parks and reserves under 1ha should also include the above details so that these names can be included on maps and in the names database."*

**Policy Implications**

Nil

**Strategic Planning Implications**

Nil



### **Budget Implications**

Nil

### **Officer's Comment**

The park name recommended is in keeping with the Geographic Names Committee Principles, Guidelines and Procedures and is in keeping with the general theme of the area, being mainly nautical.

### *Options*

Council has the following options for responding to the request:

1. Support the request to name Lot 8008 (formerly Lot 9003) Captains Way, South Hedland, 'Koombana Park'.

• Supporting this request will result in the park being named as per the Geographic Names Committee Principles, Guidelines and Procedures.

2. Refuse the request to name Lot 8008 (formerly Lot 9003) Captains Way, South Hedland, 'Koombana Park'.

Refusing the request will result in alternate name being sought.

As this park name has not been utilised within the Town, the name 'Koombana Park' is recommended for approval.

### **Attachments**

1. Locality Plan
2. Approved subdivision plan

### **201112/024 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr J M Gillingham

That Council:

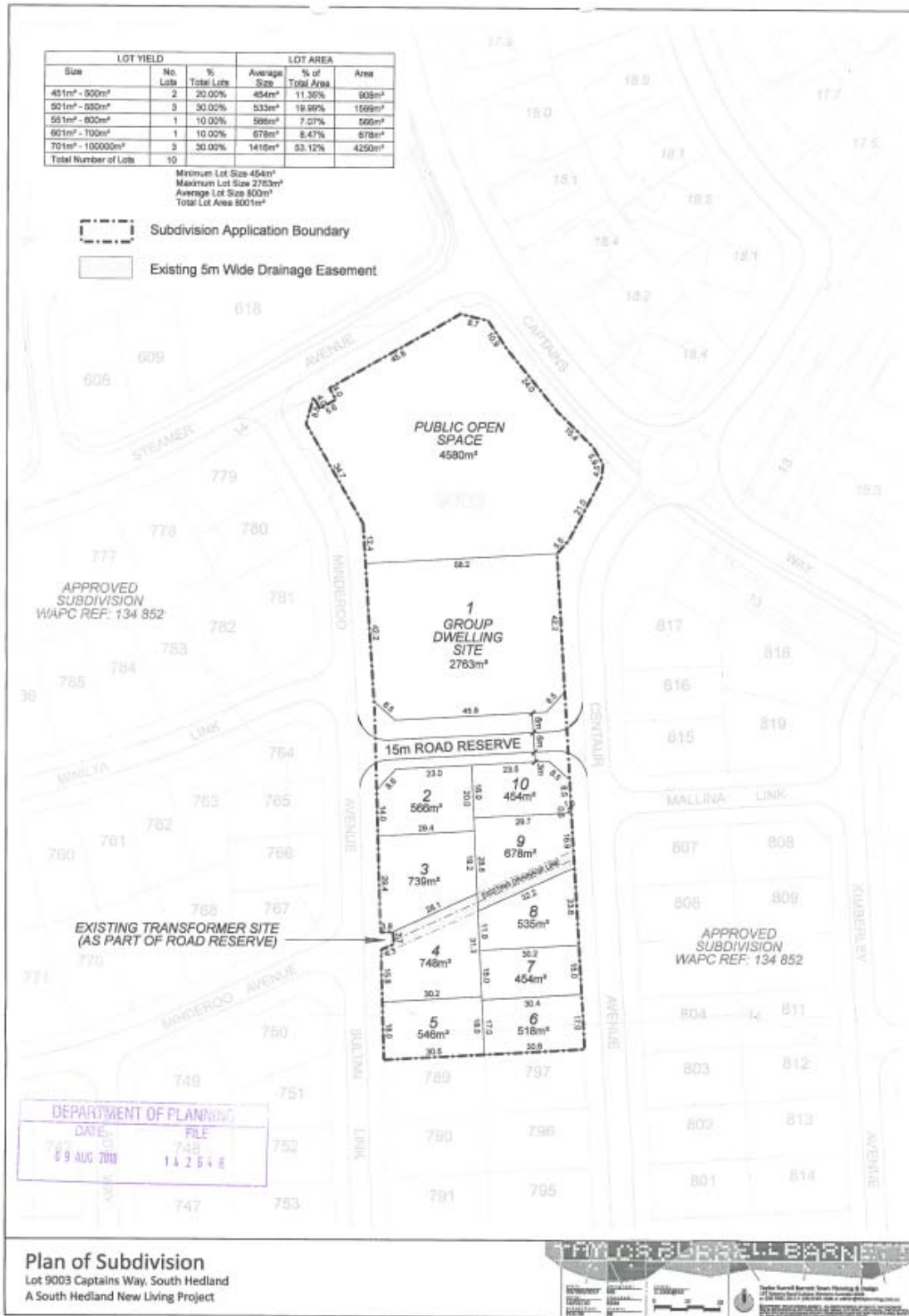
1. Supports the request to name Lot 8008 (formerly Lot 9003) Captains Way, South Hedland, 'Koombana Park' with the following conditions:
  - i. **The proposal being advertised for a period of 30 days pursuant to Geographic Names Committee Principles, Guidelines and Procedures May 2009;**
  - ii. **No adverse objections being received during the advertising period.**
2. Delegates the Director Planning and Development subject to no significant comments being received to forward the approved park name to the Geographic Names Committee for final approval.

*CARRIED 6/0*

ATTACHMENT 1 TO AGENDA ITEM 11.1.1.6



ATTACHMENT 2 TO AGENDA ITEM 11.1.1.6



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

Officer	Cassandra Woodruff Executive Assistant Planning & Development
Date of Report	19 July 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 June 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 June 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

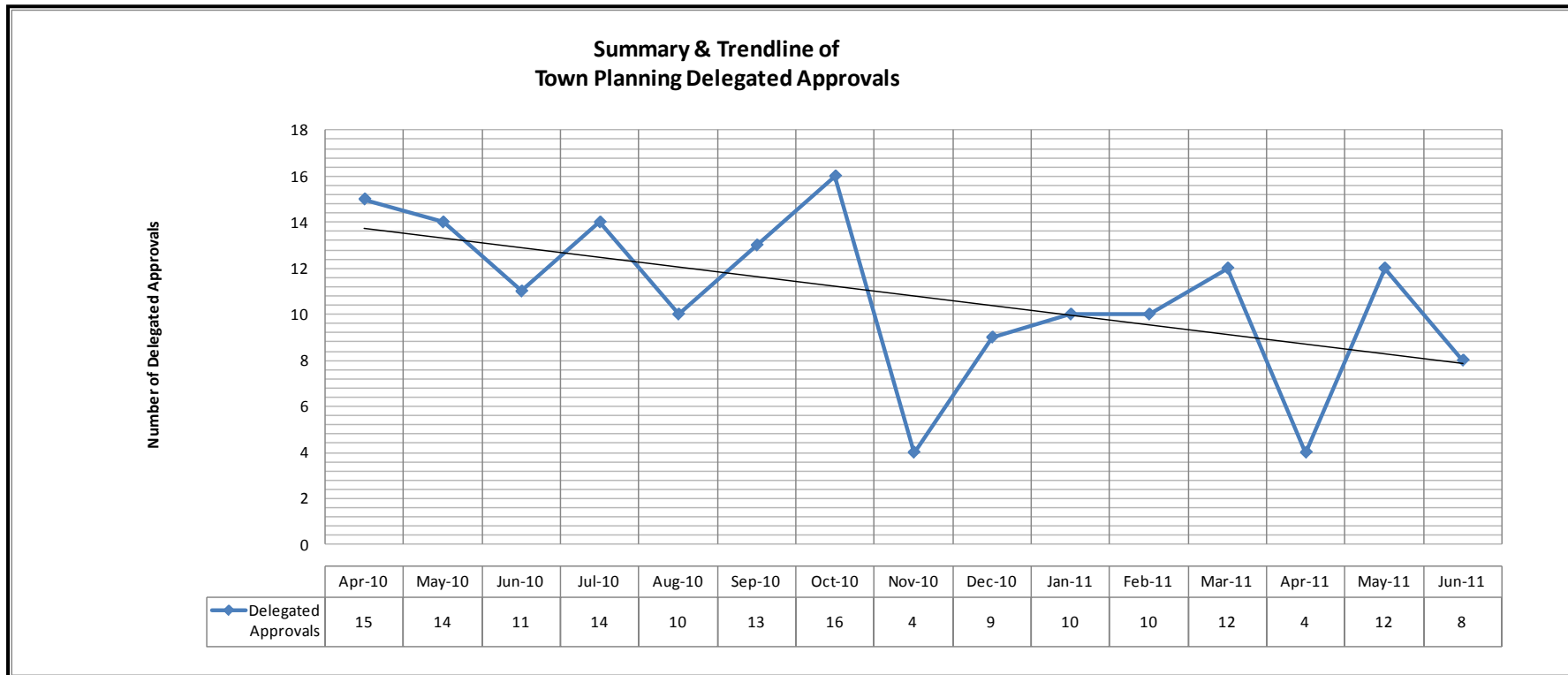
**Budget Implications** Nil

**Officer's Comment** Nil

## DELEGATED PLANNING APPROVALS FOR JUNE 2011

<b>PLANNING APPROVALS - DELEGATED AUTHORITY - JUNE 2011</b>							
<b>Applic No</b>	<b>Applic date</b>	<b>Date Determined</b>	<b>Description</b>	<b>Location</b>	<b>Owners Name</b>	<b>Applicants name</b>	<b>Development Value</b>
2010/164.01	04/05/2011	21/06/2011	120 Room MOTEL" and Cafe"	PORT HEDLAND	Wedge Street Investments	GEOFF LOXTON	\$ 22,316,967
2011/18	10/01/2011	15/06/2011	MULTIPLE DWELLING - 10 MULTIPLE DWELLINGS	PORT HEDLAND	FUNDO PTY LTD ATF DEVONIA FAMILY TRUST	DOPELL MARSH ARCHITECTS	\$ 1,800,000
2011/186	28/04/2011	21/06/2011	MOTOR VEHICLE AND/OR MARINE REPAIR - PROPOSED WORKSHOPS AND ANCILLARY	WEDGEFIELD	KIRKLAND PTY LTD	PERTHMETRO PTY LTD	\$ 2,400,000
2011/188	28/04/2011	21/06/2011	PROPOSED TWO (2) GROUPED DWELLINGS (ONE (1) EXISTING)	SOUTH HEDLAND	SIMON JAMES PHILLIPS	S & J PHILLIPS	\$ 460,000
2011/207	06/05/2011	21/06/2011	8 MULTIPLE DWELLINGS""	PORT HEDLAND	Hedland Quality Homes Pty Ltd	HODGE COLLARD PRESTON ARCHITECTS	\$ 1,600,000
2011/242	02/06/2011	07/06/2011	PROPOSED PATIO AND INTERNAL / EXTERNAL BOUNDARY FENCING	SOUTH HEDLAND	Department Of Housing	John Kannis & Associates Architects	\$ -
2011/273	16/06/2011	20/06/2011	PATIO	SOUTH HEDLAND	Department Of Housing	John Kannis & Associates Architects	\$ -
2011/281	23/06/2011	29/06/2011	HOME BUSINESS" - Beauty Therapy"	PORT HEDLAND	MICHAEL PETER JEFFS	UNIQUE THERAPY	\$ -

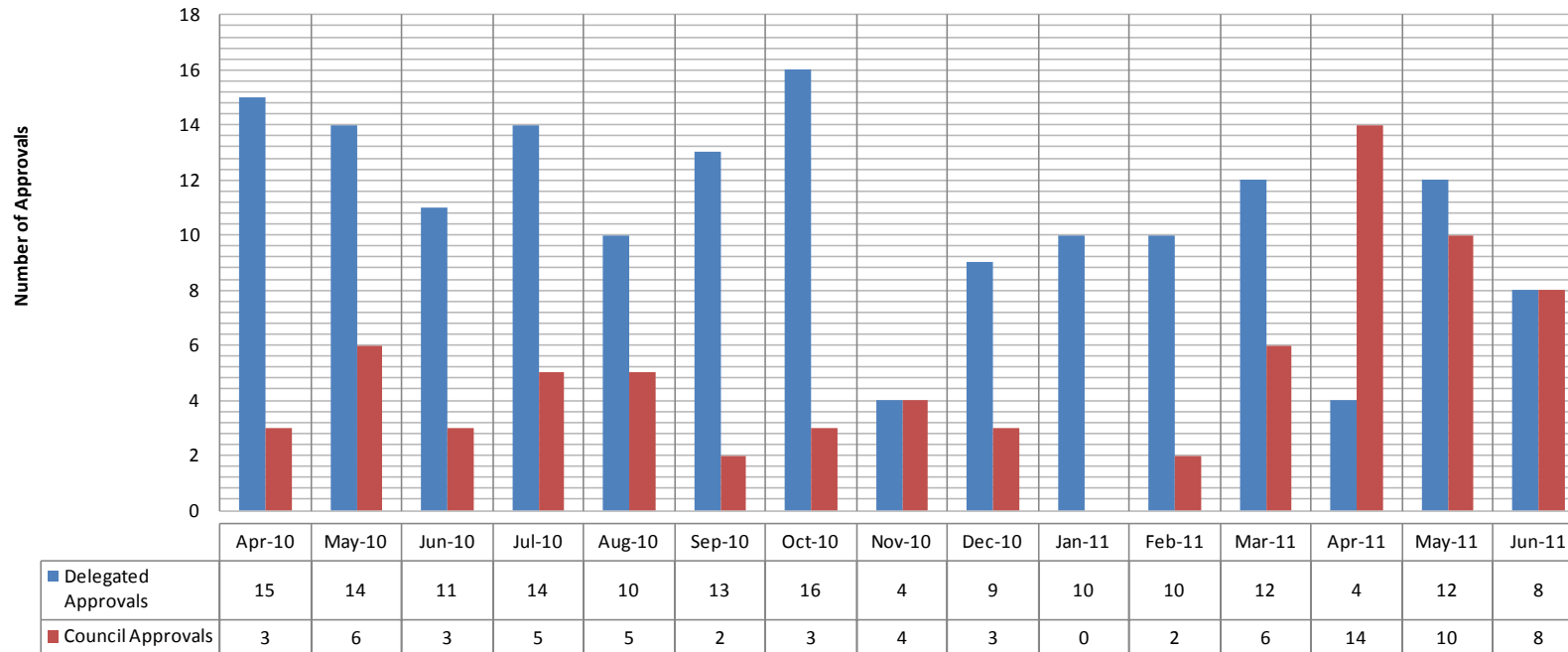
DELEGATED PLANNING APPROVALS FOR JUNE 2011



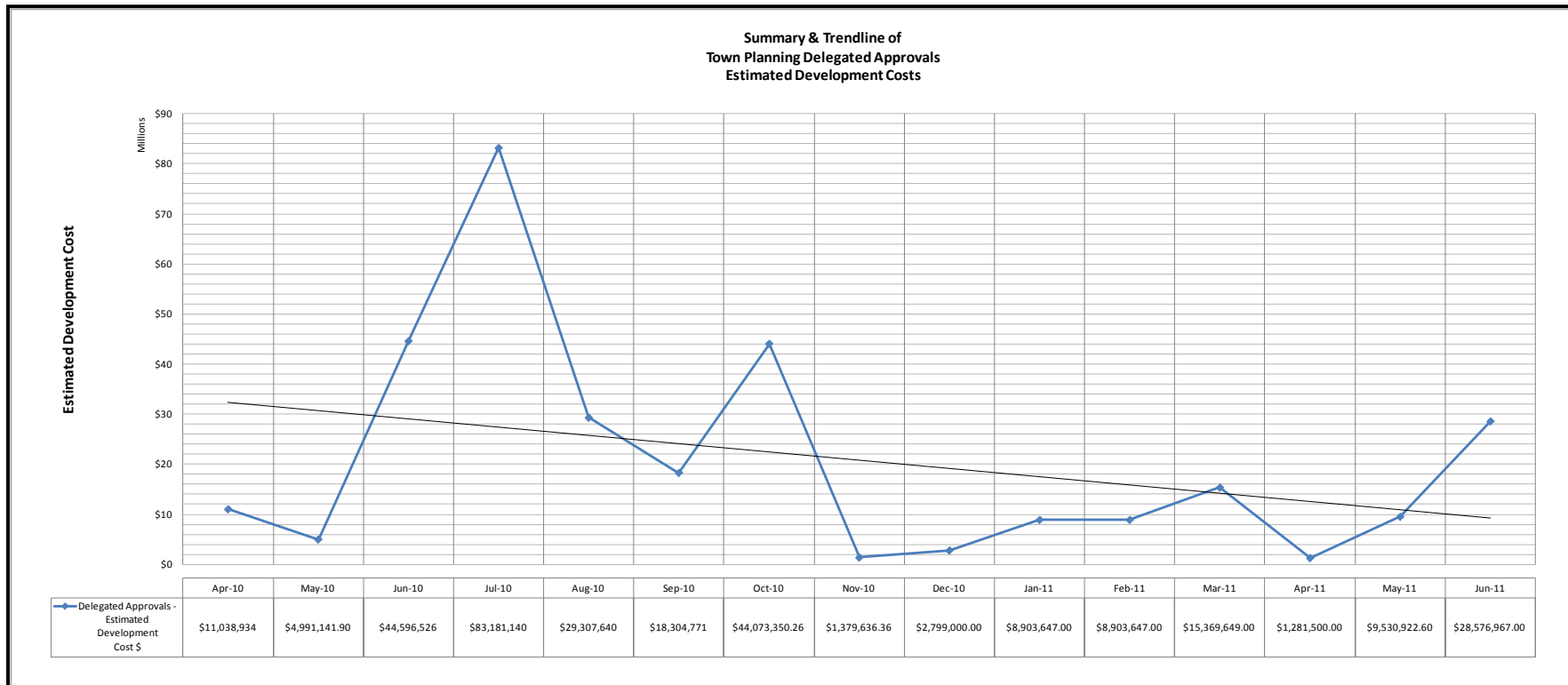
\* PLEASE NOTE THE ABOVE STATISTICS FOR 2010 HAVE BEEN UPDATED DUE TO A PLANNING ADMINISTRATION ERROR  
 \* STATISTICS FOR APRIL 2011 ARE LOW DUE TO 14 APPROVALS BEING GRANTED BY COUNCIL

DELEGATED PLANNING APPROVALS FOR JUNE 2011

**Summary & Trendline of  
Town Planning Council & Delegated Approvals**



DELEGATED PLANNING APPROVALS FOR JUNE 2011



\* 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 JUNE 2011

<b>BUILDING LICENCES JUNE 2011</b>						
<b>Licence Number</b>	<b>Decision Date</b>	<b>Locality</b>	<b>Description of Work</b>	<b>Estimated Construction Value (\$)</b>	<b>Floor area square metres</b>	<b>Building Classification</b>
100267	02.06.2011	SOUTH HEDLAND	1 x Patio	\$ 11,550	36	Class 10a
100272	08.06.2011	SOUTH HEDLAND	1 x Patio	\$ 26,000	60	Class 10a
100274	09.06.2011	SOUTH HEDLAND	Carport/Outbuilding	\$ 19,280	59	Class 10a
100287	16.06.2011	SOUTH HEDLAND	1 x Carport Re -Roof	\$ 12,950	38	Class 10a
100292	16.06.2011	SOUTH HEDLAND	18 x Street Shade Structures	\$ 1,870,000	75	Class 10a
100289	16.06.2011	SOUTH HEDLAND	1 x Patio 1 x Carport Re-Roof	\$ 19,840	70	Class 10a
100291	16.06.2011	SOUTH HEDLAND	1 x Patio 1 x Carport Re-Roof	\$ 18,950	61	Class 10a
100290	16.06.2011	SOUTH HEDLAND	1 x Patio & 1 x Carport Re-Roof	\$ 18,950	61	Class 10a
100286	16.06.2011	SOUTH HEDLAND	1 x Carport Roof	\$ 12,950	38	Class 10a
100288	16.06.2011	SOUTH HEDLAND	1 x Carport Re-Roof	\$ 12,950	38	Class 10a
100293	17.06.2011	PORT HEDLAND	1 x Out building	\$ 80,206	247	Class 10a
100297	23.06.2011	SOUTH HEDLAND	1 x Outbuilding	\$ 18,000	60	Class 10a
100271	07.06.2011	SOUTH HEDLAND	Fence	\$ 11,000		Class 10b
100273	09.06.2011	PORT HEDLAND	Retractable Shade Cloth	\$ 160,000	1045	Class 10b
105043	13.06.2011	SOUTH HEDLAND	1 x Below Ground Swimming Pool	\$ 40,000	43	Class 10b
105044	16.06.2011	SOUTH HEDLAND	1 x Below Ground Swimming Pool	\$ 34,000	34	Class 10b
100296	23.06.2011	SOUTH HEDLAND	1 x Retaining Wall	\$ 125,000		Class 10b
105045	27.06.2011	SOUTH HEDLAND RU	1 x Below Ground Swimming Pool	\$ 43,000	43	Class 10b
100269	07.06.2011	SOUTH HEDLAND RU	1 x Single Dwelling	\$ 200,000	194	Class 1a
100268	07.06.2011	PORT HEDLAND	1 x Managers Residence & 3 x Single Occu	\$ 240,000	96	Class 1a
100279	13.06.2011	SOUTH HEDLAND	Single Dwelling	\$ 265,000	148	Class 1a
100278	13.06.2011	SOUTH HEDLAND	Single Two Storey Dwelling	\$ 250,000	196	Class 1a
100284	15.06.2011	PORT HEDLAND	3 x Grouped Dwelling	\$ 888,843	120	Class 1a
100277	10.06.2011	SOUTH HEDLAND	1x Single Dwelling 1x Carport 1x Outbu	\$ 473,876	164	Class 1a 10a and 10b
100276	10.06.2011	SOUTH HEDLAND	1 x Single Dwelling 1 x Carport 1 x Ou	\$ 497,779	164	Class 1a 10a and 10b
100281	14.06.2011	SOUTH HEDLAND	1x Single Dwelling 1 x Carport	\$ 503,849	164	Class 1a 10a and 10b

## DELEGATED BUILDING APPROVALS FOR JUNE 2011 Cont'd...

**BUILDING LICENCES JUNE 2011**

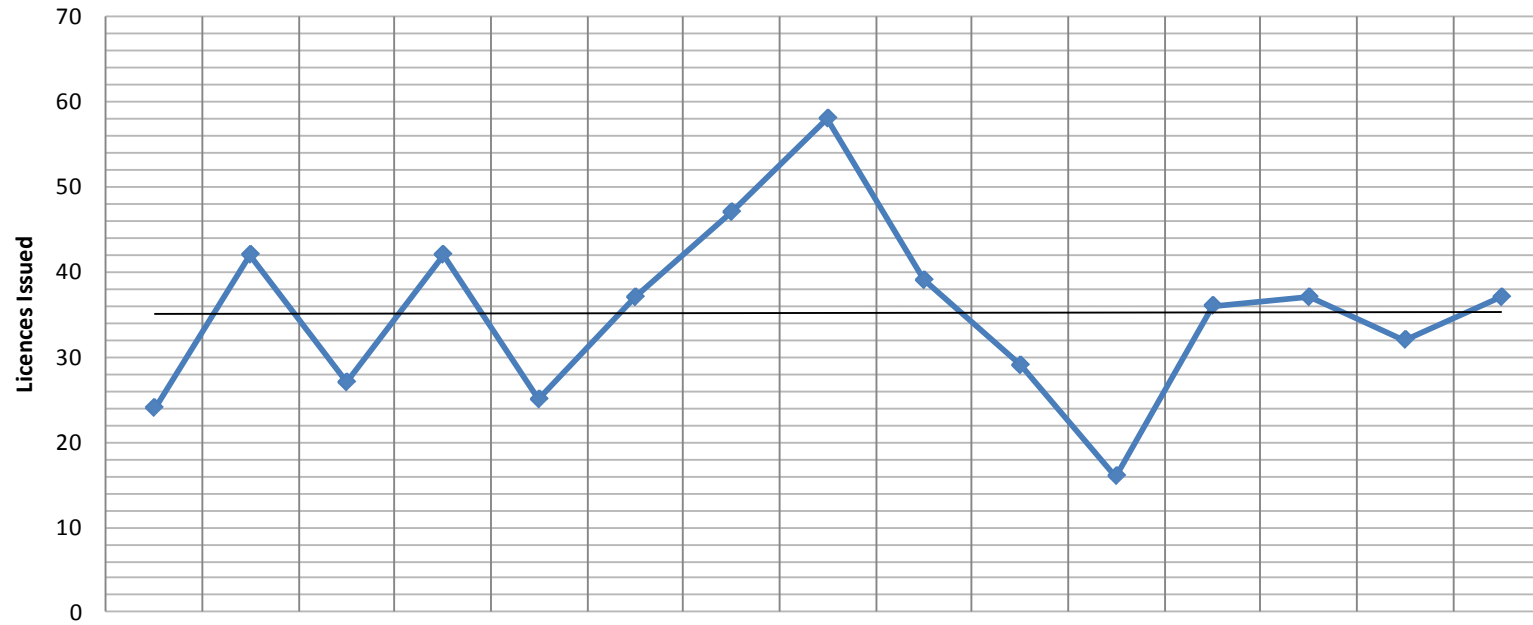
<b>Licence Number</b>	<b>Decision Date</b>	<b>Locality</b>	<b>Description of Work</b>	<b>Estimated Construction Value (\$)</b>	<b>Floor area square metres</b>	<b>Building Classification</b>
100282	14.06.2011	SOUTH HEDLAND	1x Single Dwelling 1 x Carport 1 x Pat	\$ 493,715	164	Class 1a 10a and 10b
100283	15.06.2011	SOUTH HEDLAND	1x Single Dwelling 1 x Carport 1 xPati	\$ 511,135	164	Class 1a 10a and 10b
100280	13.06.2011	SOUTH HEDLAND	1x Single Dwelling	\$ 503,691	615	Class 1a and 10a
100294	22.06.2011	SOUTH HEDLAND	1 x New Grouped Dwelling	\$ 397,000	150	Class 1a and 10a
100295	23.06.2011	PORT HEDLAND	Additions to Dwelling 1 x Carport	\$ 64,000	120	Class 1a and 10a
100298	23.06.2011	SOUTH HEDLAND	1x Single Dwelling 1 x Carport 1 x Pat	\$ 503,490	164	Class 1a and 10a
100270	07.06.2011	WODGINA MINE VIA	28 x Sole Occupancy Units	\$ 1,000,000	648	Class 1b
100285	16.06.2011	PORT HEDLAND	9 x Single Occupancy Units	\$ 1,010,000	230	Class 3
100299	28.06.2011	PORT HEDLAND	Extension to Hotel - Accommodation Offi	\$ 12,527,794	860	Class 3b
100266	02.06.2011	PORT HEDLAND	1 x Hangar 1 x Health Care Building 1	\$ 2,967,340	1193	Class 5
100307	30.06.2011	WEDGEFIELD	1 x Warehouse 3 x Offices 1 x Lunch Ro	\$ 2,640,000	1200	Class 7b
		<b>Total Licences</b>	<b>37</b>	<b>\$ 28,472,138</b>		

## DELEGATED BUILDING APPROVALS FOR JUNE 2011 Cont'd...

<b>SUMMARY</b>				
<b>No of Licences</b>	<b>Licence Type</b>	<b>Estimated Construction Value</b>	<b>Floor Area in square metres</b>	<b>Average cost per</b>
0	Demolitions	\$0		
15	Dwellings	\$6,792,378	3,151	\$2,156
12	Class 10a	\$2,121,626	784	\$2,706
6	Class 10b	\$413,000		
4	Commercial	\$19,145,134	3,483	\$5,497
	Other			
37		<b>\$28,472,138</b>	<b>7,418</b>	

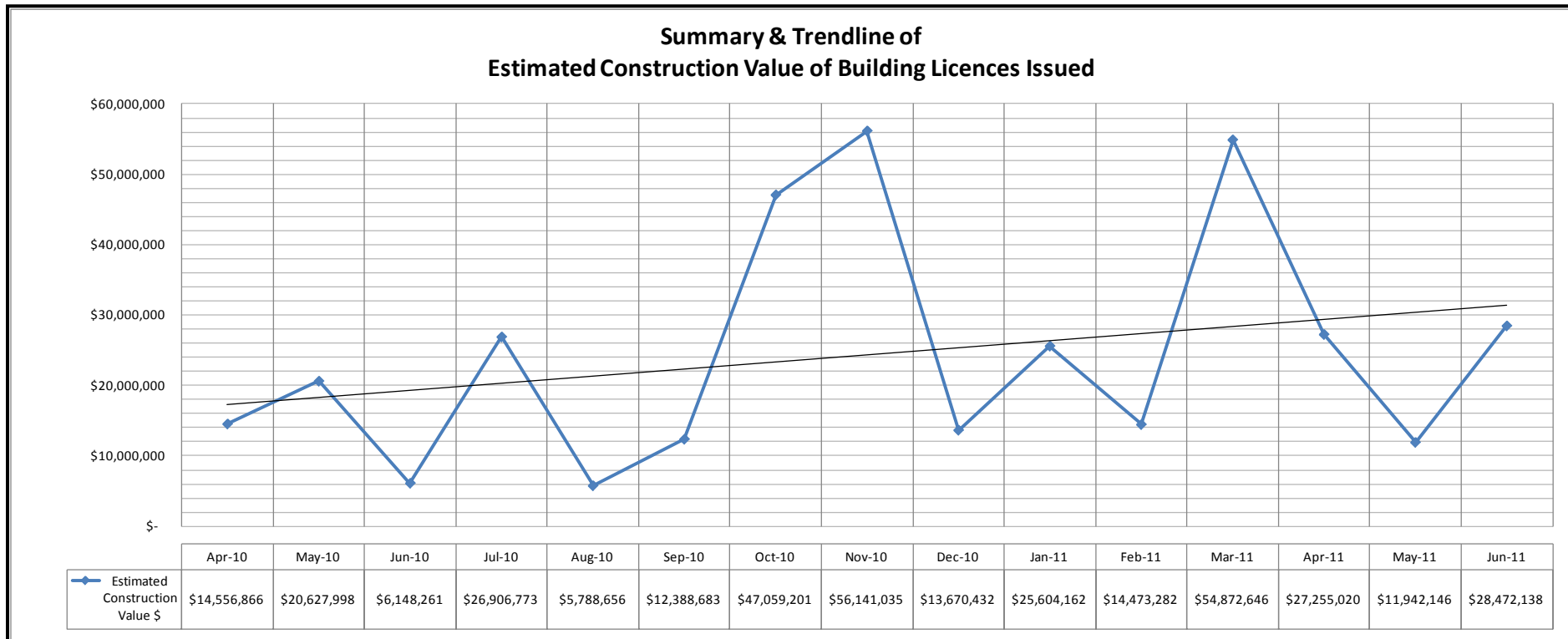
DELEGATED BUILDING APPROVALS FOR JUNE 2011 Cont'd...

### Summary & Trendline for Building Licence Approvals



	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11	Mar-11	Apr-11	May-11	Jun-11
◆ No of Licences Issued	24	42	27	42	25	37	47	58	39	29	16	36	37	32	37

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



## CURRENT LEGAL MATTERS BEING UNDERTAKEN AS AT JUNE 2011

CURRENT LEGAL MATTERS					
File No.	Address	Issue	First Return Date	Current Status	Officer
<b>WEDGEFIELD</b>					
121670G	Lot 3 Trig Street (J Yujnovich)	Non-compliance with planning conditions	~ First return date 21/1/09	<ul style="list-style-type: none"> <li>~ Trial set down for 13 &amp; 14 September 2010 in Perth. ToPH witnesses to attend.</li> <li>~ Magistrate has found J Yujnovich guilty sentencing will be in +/- 3 weeks</li> <li>~ Fine imposed of approx \$20,000</li> <li>~ Fine paid in full</li> <li>~ <b>Appointment of Compliance Office has been completed, Matter is being investigated</b></li> <li>~ <b>No improvement made to property</b></li> <li>~ <b>Letter requesting commitment to remove materials prepared by McLeods Barristers &amp; Solicitors</b></li> <li>~ <b>If commitment not received within 14 days of issue further proceeding to commence</b></li> <li>~ <b>A meeting is being organised onsite with J Yujnovich</b></li> <li>~ <b>If a satisfactory timeline of site clean up not drawn up, further proceedings to commence</b></li> </ul>	MP
<b>REDBANK</b>					
116770G	Lot 134 Roche Road (Western Desert)	Illegal laydown area - <b>Second Offence</b>		<ul style="list-style-type: none"> <li>~ Referred to Council Solicitors</li> <li>~ Notices have been issued</li> <li>~ Extension granted to February</li> <li>~ Magistrate has moved matter to be heard in Perth 28th March</li> <li>~ Matter has been heard and found guilty, fined \$20,000 plus \$2500 in legal costs</li> <li>~ Memeorial has been placed against the property</li> <li>~ <b>Costs have not been paid McLeods Barristers &amp; Solicitors to initiate another memorial, this means costs will be recovered if Western Desert sell property.</b></li> </ul>	MP
<b>SOUTH HEDLAND RURAL ESTATE</b>					
<b>SOUTH HEDLAND</b>					
<b>PORT HEDLAND</b>					
400330G	83 Athol Street (P Oldenhuis)	Health - Asbestos removal	~ First Return date 25/2/09	<ul style="list-style-type: none"> <li>~ No appearance by Mr Oldenhuis</li> <li>~ Court hearing date 28/4/09 adjourned until 29/5/09.</li> <li>~ Plea hearing date 13/7/09</li> <li>~ Trial 16/11/09 heard to 7pm.</li> <li>~ Decision handed down 23/11 - guilty and issued \$250 in fines and \$4250 in costs.</li> <li>~ Fine registered with FER by Solicitors as not paid by due date.</li> <li>~ Fine unpaid to date. Warrant of execution issued 19th June 2010, issued under S45 (2) &amp; Part 7 of the Fines, Penalties and Infringement Notices Act 1994</li> <li>~ Waiting on report from FER from the South Hedland Magistrates Court</li> </ul>	MEH

**Attachments**

**Nil**

**201112/025 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr J M Gillingham

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 June 2011 be received.

*CARRIED 6/0*

**11.1.1.8 Proposed Port Hedland International Airport Land Use Master Plan. (File No.: 30/21/0001G)**

Officer Leonard Long  
Manager Planning

Date of Report 4 August 2011

Disclosure of Interest by Officer Nil

**Summary**

Council appointed Whelans to prepare an Airport Master Plan, to identify future growth of the Port Hedland International Airport as well as identifying alternative uses for the surrounding land.

The Airport Master Plan has been renamed to better reflect the intention of the plan to the Port Hedland International Airport Land Use Master Plan (hereafter referred to as "The Plan"). The Plan is now before Council to consider its adoption.

**Background**

After a public advertising period "The Plan" was presented to the Airport Committee for endorsement. Subsequently "The Plan" was endorsed on by the Committee on 26<sup>th</sup> May 2011, subject to the following amendments:

Precinct 1: including an area at the entrance to the airport for "Hotel" purposes, and to relocated portion of the proposed area identified for vehicle hire companies to the south eastern side of the precinct.

Precinct 2: amend the precinct plan to indicate short stay and TWA in the entire precinct.

Precinct 3: amend the precinct plan to include TWA uses in the south east corner of the precinct and indicate retail uses (retail within a warehouse environment – big box retail) between the northern boundary of the precinct and the proposed round-about.

*Locality*

The Port Hedland International Airport is located centrally to Port Hedland and South Hedland, with its main access off the Great Northern Highway (Broome Road). The lot also fronts onto Great Northern Highway (Wilson Road & Wallwork Road), lending the site to excellent exposure.

*Current Zoning*

The Port Hedland International Airport land consist of a number of lots, of which all are in terms of the Port Hedland Town Planning Scheme No. 5, zoned "Airport".



However, "The Plan" includes a portion of land in the south west corner that is unallocated Crown land, reserved in terms of the Port Hedland Town Planning Scheme for "Infrastructure" purposes.

The Town is currently in the process of negotiating with the Department of Regional Development and Lands as well as Pilbara Cities office to obtain this portion of land.

#### *Proposal*

"The Plan" has been divided into 4 precincts. The precinct boundaries have been determined by the airport operational area, physical features such as flooding and the development exclusion zone.

#### *Precinct 1*

The precinct identifies uses that would be complimentary to the airport, and includes an area at the entrance to the airport for "Hotel" purposes. In this regard expressions of interests (EOI) have been called for and are currently being processed. From the EOI's received it has been noted that the area indicated on the precinct 1 plan would have to be increased. This can be achieved without any implication to the overall plan.

#### *Precinct 2*

Due to the significant growth being experienced, it has become necessary to provide land for the development of TWA accommodation which will be restricted to construction workers only. Operational staff will in most cases be integrated with the existing community with the development of additional housing in Port Hedland and South Hedland with the development of additional housing.

It is envisaged that these camps will have a life span of no more than 10 years, at which time the land can be developed for alternative purposes.

#### *Precinct 3*

This precinct located to the south of the runways has been identified primarily for industrial related uses, similar to uses generally found in the vicinity of airports. The precinct will largely remain as previously proposed with the amendment of the inclusion of TWA developments for construction workers in the south east corner of the precinct.

Land located adjacent to the Great Northern Highway, between the northern boundary of the precinct and the proposed round-about is amended to allow retail uses that operate from within a warehouse environment. (Big Box Retail)

#### *Precinct 4*

Due to the possible flooding of this area the uses that have been recommended are passive low key uses.

**Consultation**

Consultation has been completed in accordance with clause 4.3 of the Port Hedland Town Planning Scheme No. 5. The submissions received have been presented to the Airport Committee and have been addressed and in certain instances "The Plan" has been amended to reflect the comments received.

**Statutory Implications**

Nil

**Policy Implications**

Nil

**Strategic Planning Implications**

Key Result Area 1: Infrastructure  
Goal Number 3: Airport  
Strategy 1: Complete the development of the Airport Land development Plan and commence implementation of the key initiative that are identified.

Key Result Area 4: Economic Development  
Goal Number 4: Land Development Projects  
Strategy 1: Fast-track the release and development of commercial, industrial and residential land.  
Goal Number 5: Town Planning & Building  
Strategy 3: Develop Structure Plans for key precinct areas with particular focus on the Spoilbank Precinct, Airport and Pretty Pool.

**Budget Implications**

During the 2009 / 2010 Financial Year, Council made provisions for the preparation of "The Plan".

**Officer's Comment**

The preparation of "The Plan" is an important tool which will guide the use of the vast amount of vacant land currently surrounding the airport. "The Plan" will also contribute to the preparation of the Port Hedland City Growth Plan which is currently being prepared.

It must be noted that "The Plan" although showing lot boundaries are only indicative boundaries to indicate the possible yield the layout could produce. Should "The Plan" be adopted it does not limit Council's ability to subdivide any portion of the land in an alternative manner to suite specific purposes.

*Implementation*

As a second phase to the actual preparation of "The Plan" document it is necessary to begin the implementation of certain of the precincts. In certain instances this has already begun with the EOI's for the "Airport Hotel" in precinct 1 and the investigations into constructing "Transient Workforce Camps" within precinct 3.

**Attachments**

1. Port Hedland International Airport Land Use Plan – attached under separate cover

**201112/026 Officer's Recommendation/ Council Decision****Moved:** Cr A A Carter**Seconded:** Cr M Dziombak

That Council:

1. Request the following amendments to the Port Hedland International Airport Master Plan:
  - a. **Precinct 1 be amended to reflect an area of no less than 36,000m<sup>2</sup> required for the development of an Airport Hotel.**
  - b. **Precinct 2 be amended to reflect only Transient Workforce Accommodation uses and the latest proposed lease areas.**
  - c. **Precinct 3 be amended to include Transient Workforce Accommodation and "Big Box Retail" adjacent to the Great Northern Highway (Wallwork Road) as additional uses within the precinct.**
2. Subject to 1 above adopts the Port Hedland International Airport Land Use Plan;
3. Delegates the Chief Executive Officer to negotiate the acquisition of Lot 253 Great Northern Highway (Wallwork Road) and presents a report for Council's consideration.
4. Delegates the Director Planning and Development Services to begin the necessary processes to enable the development of the land contained within the Port Hedland International Airport Land Use Plan;
5. Forwards the Port Hedland International Land Use Master Plan to the Western Australian Planning Commission.

*CARRIED 6/0*

*11.1.1.9 Proposed Noxious Use - Ammonium Nitrate Emulsion Production and Storage Facility within Reserve 29323 at Lot 63 Pippingarra Road, Pippingarra. (File No.: 802295G)*

Officer Michael Pound  
Planning Officer

Date of Report 19 July 2011

Application Number 2011/220

Disclosure of Interest by Officer Nil

*Summary*

The Town has received an application from Greg Rowe and Associates on behalf of Orica Mining Services (OMS), the intended Lessees of Reserve 29323 Lot 63 Pippingarra Road, Pippingarra (subject site).

Reserve 29232, has a Management Order in favour of the Department of Consumer Protection and Employment Protection, for the purposes of "Explosives Magazine". The Management Body has power to lease the Reserve for its designated purposes for any term not exceeding 21 years.

The application is referred to Council for determination as it is a 'SA' land use within the "Rural" zone.

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

*Background*

*Location and Site Details*

The subject site is located along Pippingarra Road and comprises an area of approximately 37.95 hectares. It is situated in the locality of Pippingarra and bound by Pippingarra Road to the west and Lot 202 (Pippingarra Station) to the east. The subject sites northern boundary is approximately 364m south of Great Northern Highway.

In terms of the Town of Port Hedland Town Planning Scheme No. 5 (TPS 5), the subject site is zoned "Rural"

Access to the proposed development is off Pippingarra Road, 1.7km south of Great Northern Highway

*Proposal*

The proposal involves the establishment of an Ammonium Nitrate Emulsion (ANE) Plant and storage facility on the subject site.

The following inventories will be manufactured and / or stored on-site:

- 110 tonnes of Ammonium Nitrate Prill (ANP) (UN1942) to be stored in two 55 tonne overhead silos; and
- 320 tonnes of Ammonium Nitrate Emulsion (ANE) (UN 3375) to be stored in four 80 tonne tanks.

The facility will involve a plant area of approximately 1.91 hectares which will be roughly rectangular in shape with a length of 201m and a width of 95m.

The layout of the Plant area includes various units of process including a workshop and gasser manufacture area, a hydrocarbon area and two stream plants, in addition to the aforementioned storage tanks. The Plant areas will also contain a weighbridge and small amenities building.

#### Consultation

The application has been circulated internally and advertised externally in accordance with section 4.3.1 of TPS 5.

In addition to the above the application was circulated to the following organizations:

- Department of Regional Development and Lands,
- Department of Mines and Petroleum,
- Department of State Development,
- Department of Environment and Conservation,
- Department of Planning,
- Main Roads Western Australia, and
- RPS as the Towns Lead Consultants on the Growth Plan.

#### *Comments Received*

As a result of the above consultation Main Roads Western Australia (MRWA) has noted that there are issues that need to be addressed with regard to the Pippingarra Road and Great Northern Highway intersection.

This matter has been referred to the Towns Infrastructure and Development Unit and is currently being addressed. A condition will be imposed to ensure that prior to the use proceeding all access related matters have been complied with to the satisfaction of the Manager Infrastructure Development.

The Department of Planning (DoP) has indicated that the proposed use needs to take into consideration State Planning Policy 4.1, *State Industrial Buffer Policy (SPP 4.1)*. SPP 4.1 states that proposed new facilities which generate buffer areas beyond their site boundary, such as in this instance, should take economic measures to secure the buffer area. Where such measures are not taken there is an onus on the local government to reflect the buffer area in planning documents such as structure plans special control areas recognised under the scheme.

Section 6.3 of SPP 4.1 states the following:

*“Local Planning Schemes are the preferred basis for identifying and managing buffers, the use and development.”*

RPS, the Town’s lead consultants for the Growth Plan, have commented as follows:

*“... further discussions with Orica Mining Services have helped to clarify the proponent’s rationale for seeking development in this location. While we reiterate our previous advice that ideally an ANE facility of this nature would most appropriately be located within the Boodarie Strategic Industrial Area or its buffer, it is understood that the lead-in timeframe associated with developing in this alternative location are prohibitive to the project’s viability.”*

#### *Planning Unit Response*

In regard to the matters raised by MRWA, these matters are currently being dealt with by Infrastructure Development and can be dealt with by a condition of approval without prejudicing Council.

As noted by the DoP SPP 4.1 notes that “new facilities which generate buffer areas beyond their site boundary, such as in this instance, should take economic measures to secure the buffer area”. In this regard should Council resolve to approve the application, the Department of Regional Development and Lands be requested to include the required buffer area into the applicants lease area.

In addition to the request to extend the lease area the applicant submits a scheme amendment to entrench the proposed use and associated buffer into the town planning scheme.

The comments from RPS that the most appropriate location for the proposed use is Boodarie is agreed with by the Planning Unit. Further, the securing of such a use is critical for the future growth and expansion of the local economy. The Planning Unit concurs with this opinion.

Should the Council resolve to support the use at its proposed location all the land within a radius of approximately 1.5km around the plant will be sterilized from any future development. This buffer area may increase should similar development take place within the same or neighbouring lease area, which may affect the existing and proposed “Rural Residential” lots to the north.

Council is in a position where the approval of the use would assist economic diversification albeit still linked to the resource sector, but would sterilize future developable land.

#### Statutory Implications

In accordance with the Planning and Development Act 2005 the proposed development is subject to the provisions of the TPS 5.

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 4: Economic Development  
Goal 4: Land Development Projects  
Strategy 2: Promote and support initiatives that attract new developers, builders and / or trades people to the Town.

Budget Implications

An application fee of \$31,500.00 was paid on lodgement.

Officer's Comment

*Need*

Ammonium nitrate is essential to the operation of the resource sector. With unprecedented growth within the resource sector the demand for ammonium nitrate is increasing.

Currently ammonium nitrate is being brought in over land by truck and occasionally by sea on a regular basis as there is no ANE plants in the Pilbara region of Western Australia.

With the high demand for ammonium nitrate and the lengthy delivery times experienced due to the transportation methods. Demand for Ammonium Nitrate Emulsion in the region will soon exceed current capacity.

A Pilbara ANE manufacturing position will support and enable the significant expansion plans of key mining customers in the region. Furthermore, the proposed development will improve services to the resource sector, and at the same time bring another permanent industry to the Town, thereby further encouraging permanent residence within the town.

*Locality*

The plant will be located just outside Port Hedland on a 26,000m<sup>2</sup> site leased from the Department of Mines and Petroleum.

The location of the site being a short distance south of Great Northern Highway provides good access without the need for heavy vehicles to utilize the greater Port Hedland road network.

In addition the proposed development is located within a reserve for "Explosive Magazine", located well away from any sensitive uses or non-compatible uses.

As mentioned the proposed use is located within close proximity to the Great Northern Highway, to ensure that the proposed development does not negatively affect the amenity of the area it is recommended that a condition be imposed requiring the development of a landscaped bund to effectively screen the proposed development from public view.

#### Strategic Direction

The Town is currently in the process of developing the Port Hedland City Growth Plan. This document will effectively supersede the LUMP. The Boodarie area will be the focus of general industry including noxious uses, unfortunately the Boodarie area is still in its planning stages.

#### *Development Controls*

The proposed development is able to comply with all the development controls applicable to the type of use.

In light of the above the application is supported from a Town Planning point of view.

#### **Options**

##### **Council has the following options for dealing with the matter:**

Approve the proposal

The approval of the application will allow the ANE plant to support and enable the significant expansion plans of key mining customers in the region.

Refuse the proposal

The refusal of the application would reinforce the Towns Strategic objectives for the area ensuring future residential development is not jeopardised by potential buffers.

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

#### **Attachments**

1. Locality Plan
2. Site Plan
3. Elevations

#### **201112/027 Council Decision**

**Moved:** Cr D W Hooper

**Seconded:** Cr A A Carter

That Council suspends standing orders.

*CARRIED 6/0*

6:01pm Mayor advised that Standing Orders were suspended



**201112/028 Council Decision****Moved:** Cr A A Carter**Seconded:** Cr G J Daccache

That Council resumes standing orders.

*CARRIED 6/0*

6:03pm Mayor advised that Standing Orders were resumed

**Officer's Recommendation**

That Council approves the application submitted by Greg Rowe and Associates on behalf of Orica, for an Industry Noxious – Ammonium Nitrate Emulsion Plant at Lot 63 Pippingarra Road, Pippingarra subject to the following conditions:

1. This approval relates only to the proposed "ANE Plant" on Lot 63 Pippingarra and other incidental development, as indicated on the approved plans 2011/220/drg1, 2011/220/drg2 and 2011/220/drg3. 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 to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
4. Prior to the submission of a Building License Application, written advice is to be submitted to Council demonstrating that the developer has liaised with Main Roads Western Australia (MRWA) and Councils Manager Infrastructure Development with regard to the construction and location of the intersection and crossovers from Pippingarra Road.
5. Within 30 days of this approval or such further period as may be agreed by Councils Manager Planning Services, a detailed landscaping and reticulation plan must be submitted to Council's Manager Planning Services. The plan to include a suitably landscaped bund to screen the proposed development from Pippingarra Road and Great Northern Highway.  
  
The plan is 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.
6. Within 60 days, or such further period as may be agreed by Councils Manager Planning Services, landscaping and reticulation to be established with the use of mature trees and shrubs, in accordance with the approved detailed plans to the satisfaction of Council Manager Planning Services.
7. No on-site accommodation or human habitation is permitted.

8. An approved effluent disposal system is to be installed to the specification of Environmental Health Services and/or the Health Department of Western Australia to the satisfaction Councils Manager Planning Services.
9. Where petrol, benzene or other inflammable or explosive matter, grease, oil or greasy/oily matter is likely to be discharged, a sealed wash down area and a petrol and oil trap are to be installed and connected to an approved leach drain to the specification of the Health Department of Western Australia to the satisfaction Councils Manager Planning Services.
10. Developer shall be responsible for all road construction / upgrade (including the intersection of Pippingarra Road and the Great Northern Highway) required as a result of the proposed development.
11. The applicant / proponent is to enter into a maintenance agreement with the Town of Port Hedland and contribute toward upgrading/maintaining Pippingarra Road (including the Pippingarra and Great Northern Highway Intersection).
12. In regard to condition 4, any requirements regarding the crossover design or location requested by the Main Roads Western Australia shall be implemented to their specifications, prior to the use of the subject building and to the satisfaction of Councils Manager Infrastructure Development.

#### 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 is required to obtain a Works Approval and License from the Department of Environment (DEC) and is also required to finalise the change in reservation from the Department of Lands and Development.
3. In regard to condition 5, the bund is to be constructed in such a way that it screens the development from the Pippingarra Road and the Great Northern Highway, this may require the bund to be constructed along the side boundaries as well as the road frontage boundary.
4. 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 of Port Hedland before commencing any works whatsoever.
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 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 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.

6. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

### **201112/029 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr D W Hooper

That Council approves the application submitted by Greg Rowe and Associates on behalf of Orica, for an Industry Noxious – Ammonium Nitrate Emulsion Plant at Lot 63 Pippingarra Road, Pippingarra subject to the following conditions:

1. This approval relates only to the proposed “ANE Plant” on Lot 63 Pippingarra and other incidental development, as indicated on the approved plans 2011/220/drg1, 2011/220/drg2 and 2011/220/drg3. 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 to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
4. Prior to the submission of a Building License Application, written advice is to be submitted to Council demonstrating that the developer has liaised with Main Roads Western Australia (MRWA) and Councils Manager Infrastructure Development with regard to the construction and location of the intersection and crossovers from Pippingarra Road.
5. Within 30 days of this approval or such further period as may be agreed by Councils Manager Planning Services, a detailed landscaping and reticulation plan must be submitted to Council’s Manager Planning Services. The plan to include a suitably landscaped bund to screen the proposed development from Pippingarra Road and Great Northern Highway.

The plan is 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. Council would prefer native species be utilized.

6. Within 60 days, or such further period as may be agreed by Councils Manager Planning Services, landscaping and reticulation to be established with the use of mature trees and shrubs, in accordance with the approved detailed plans to the satisfaction of Council Manager Planning Services.
7. No on-site accommodation or human habitation is permitted.
8. An approved effluent disposal system is to be installed to the specification of Environmental Health Services and/or the Health Department of Western Australia to the satisfaction Councils Manager Planning Services.
9. Where petrol, benzene or other inflammable or explosive matter, grease, oil or greasy/oily matter is likely to be discharged, a sealed wash down area and a petrol and oil trap are to be installed and connected to an approved leach drain to the specification of the Health Department of Western Australia to the satisfaction Councils Manager Planning Services.
10. Developer shall be responsible for all road construction / upgrade (including the intersection of Pippingarra Road and the Great Northern Highway) required as a result of the proposed development.
11. The applicant / proponent is to enter into a maintenance agreement with the Town of Port Hedland and contribute toward upgrading/maintaining Pippingarra Road (including the Pippingarra and Great Northern Highway Intersection).
12. In regard to condition 4, any requirements regarding the crossover design or location requested by the Main Roads Western Australia shall be implemented to their specifications, prior to the use of the subject building and to the satisfaction of Councils Manager Infrastructure Development.

#### FOOTNOTES

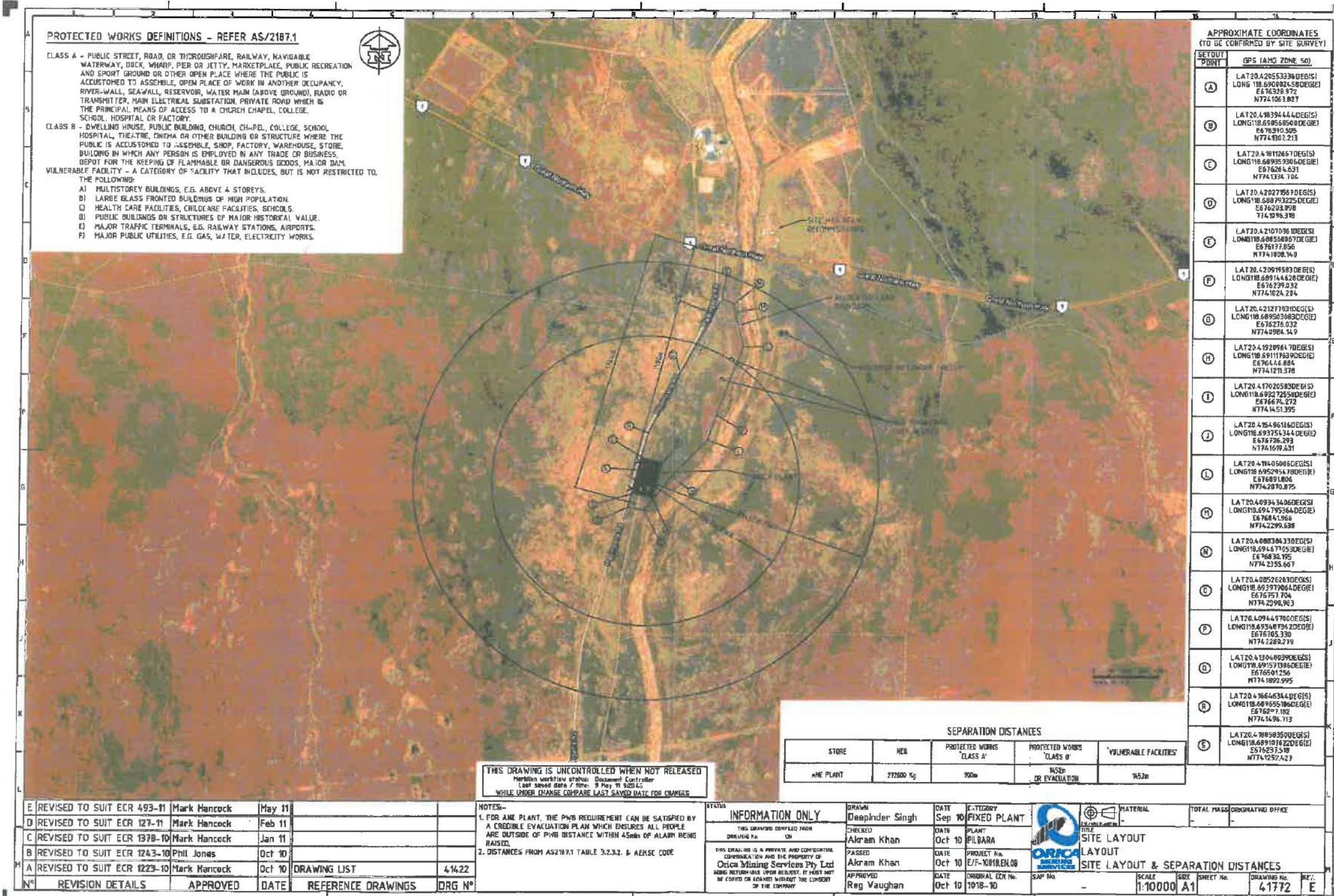
1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. The applicant is required to obtain a Works Approval and License from the Department of Environment (DEC) and is also required to finalise the change in reservation from the Department of Lands and Development.
3. In regard to condition 5, the bund is to be constructed in such a way that it screens the development from the Pippingarra Road and the Great Northern Highway, this may require the bund to be constructed along the side boundaries as well as the road frontage boundary.

4. 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 of Port Hedland before commencing any works whatsoever.
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 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 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.
6. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

*CARRIED 6/0*

*REASON: Council believes it needs to indicate that preference be given to native plants to be utilised as part of the landscaping plan in the area outlined in Agenda Item 11.1.1.9 'Proposed Noxious Use - Ammonium Nitrate Emulsion Production and Storage Facility within Reserve 29323 at Lot 63 Pippingarra Road, Pippingarra'.*

ATTACHMENT 1 TO AGENDA ITEM 1.1.1.9



PROTECTED WORKS DEFINITIONS - REFER AS/2187.1

CLASS A - PUBLIC STREET, ROAD, OR THOROUGHFARE, RAILWAY, NAVIGABLE WATERWAY, DOCK, WHARF, PIER OR JETTY, MARKETPLACE, PUBLIC RECREATION AND SPORT GROUND OR OTHER OPEN PLACE WHERE THE PUBLIC IS ACCUSTOMED TO ASSEMBLE, OPEN PLACE OF WORK IN ANOTHER OCCUPANCY, RIVER-WALL, SEA-WALL, RESERVOIR, WATER MAIN (ABOVE GROUND), RADIO OR TRANSMITTER, MAIN ELECTRICAL SUBSTATION, PRIVATE ROAD WHICH IS THE PRINCIPAL MEANS OF ACCESS TO A CHURCH CHAPEL, COLLEGE, SCHOOL, HOSPITAL OR FACTORY.

CLASS B - DWELLING HOUSE, PUBLIC BUILDING, CHURCH, CHAPEL, COLLEGE, SCHOOL HOSPITAL, THEATRE, CINEMA OR OTHER BUILDING OR STRUCTURE WHERE THE PUBLIC IS ACCUSTOMED TO ASSEMBLE, SHOP, FACTORY, WAREHOUSE, STORE, BUILDING IN WHICH ANY PERSON IS EMPLOYED IN ANY TRADE OR BUSINESS, DEPOT FOR THE KEEPING OF FLAMMABLE OR DANGEROUS GOODS, MAJOR DAM.

VULNERABLE FACILITY - A CATEGORY OF FACILITY THAT INCLUDES, BUT IS NOT RESTRICTED TO, THE FOLLOWING:

- A) MULTISTOREY BUILDINGS, E.G. ABOVE 4 STOREYS.
- B) LARGE GLASS FRONTED BUILDINGS OF HIGH POPULATION.
- C) HEALTH CARE FACILITIES, CHILD CARE FACILITIES, SCHOOLS.
- D) PUBLIC BUILDINGS OR STRUCTURES OF MAJOR HISTORICAL VALUE.
- E) MAJOR TRAFFIC TERMINALS, E.G. RAILWAY STATIONS, AIRPORTS.
- F) MAJOR PUBLIC UTILITIES, E.G. GAS, WATER, ELECTRICITY WORKS.

APPROXIMATE COORDINATES (TO BE CONFIRMED BY SITE SURVEY)

SETOUT POINT	GPS (AMG ZONE 50)
A	LAT 20.42053336 DEGS LONG 118.69002458 DEGS E676328.972 N7741063.827
B	LAT 20.41839444 DEGS LONG 118.69185500 DEGS E676390.505 N7741802.213
C	LAT 20.41811267 DEGS LONG 118.68935936 DEGS E676264.631 N7741334.704
D	LAT 20.42027567 DEGS LONG 118.68702225 DEGS E676203.098 N7741096.318
E	LAT 20.42107036 DEGS LONG 118.68558067 DEGS E676177.856 N7741008.149
F	LAT 20.42091583 DEGS LONG 118.68914452 DEGS E676239.232 N7741024.284
G	LAT 20.42127793 DEGS LONG 118.68950303 DEGS E676276.032 N7740984.149
H	LAT 20.41920961 DEGS LONG 118.69111639 DEGS E676446.864 N7741211.378
I	LAT 20.41702058 DEGS LONG 118.69327255 DEGS E676674.272 N7741451.395
J	LAT 20.41549618 DEGS LONG 118.69375134 DEGS E676736.293 N7741679.631
K	LAT 20.41405005 DEGS LONG 118.69529547 DEGS E676891.806 N7742070.875
L	LAT 20.40934340 DEGS LONG 118.69479564 DEGS E676841.966 N7742295.638
M	LAT 20.40830433 DEGS LONG 118.69467705 DEGS E676830.195 N7742355.667
N	LAT 20.40852628 DEGS LONG 118.69377064 DEGS E676757.704 N7742598.963
O	LAT 20.40944970 DEGS LONG 118.69340734 DEGS E676705.330 N7742289.279
P	LAT 20.41304893 DEGS LONG 118.69151016 DEGS E676501.256 N7741892.995
Q	LAT 20.41664634 DEGS LONG 118.68955186 DEGS E67627.182 N7741496.713
R	LAT 20.41865835 DEGS LONG 118.69107622 DEGS E67623.7518 N7742527.427

SEPARATION DISTANCES

STORE	HEA	PROTECTED WORKS CLASS A	PROTECTED WORKS CLASS B	VULNERABLE FACILITIES
AME PLANT	27200 Kg	90m	152m OR EVACUATION	165m

THIS DRAWING IS UNCONTROLLED WHEN NOT RELEASED  
 Mention work item status: Document Controller  
 Last saved date / time: 9 May 11 8:28:42  
 WHILE UNDER CHANGE COMPARE LAST SAVED DATE FOR CHANGES

NOTES:-  
 1. FOR AME PLANT, THE PWB REQUIREMENT CAN BE SATISFIED BY A CREDIBLE EVACUATION PLAN WHICH ENSURES ALL PEOPLE ARE OUTSIDE OF PWB DISTANCE WITHIN 45min OF ALARM BEING RAISED.  
 2. DISTANCES FROM AS/2187.1 TABLE 3.2.3.2 & AEMSC CODE

STATUS INFORMATION ONLY  
 THIS DRAWING COMPILED FROM DRAWING No. ON  
 THIS DRAWING IS A PRIVATE AND CONFIDENTIAL COMMUNICATION AND THE PROPERTY OF Orica Mining Services Pty Ltd  
 BEING RETURNED UPON REQUEST. IT MUST NOT BE COPIED OR LOANED WITHOUT THE CONSENT OF THE COMPANY

DRAWN	DATE	CATEGORY
Deepinder Singh	Sep 10	FIXED PLANT
Checked Akram Khan	Oct 10	PLANT
Passed Akram Khan	Oct 10	PROJECT No. E/J-1019EN.08
Approved Reg Vaughan	Oct 10	ORIGINAL ECR No. 1018-10

TITLE	SHEET No.	DRAWING No.	REV.
SITE LAYOUT LAYOUT SITE LAYOUT & SEPARATION DISTANCES	41772	41772	E

No	REVISION DETAILS	APPROVED	DATE	REFERENCE DRAWINGS	DRG No
E	REVISED TO SUIT ECR 493-11	Mark Hancock	May 11		
D	REVISED TO SUIT ECR 127-11	Mark Hancock	Feb 11		
C	REVISED TO SUIT ECR 1378-10	Mark Hancock	Jan 11		
B	REVISED TO SUIT ECR 1243-10	Phil Jones	Oct 10		
A	REVISED TO SUIT ECR 1229-10	Mark Hancock	Oct 10	DRAWING LIST	41422



PLANT FACILITIES APPROXIMATE COORDINATES (TO BE CONFIRMED BY SITE SURVEY)		BOUNDARY FENCELINE APPROXIMATE COORDINATES (TO BE CONFIRMED BY SITE SURVEY)	
SETOUT POINT	GPS (AMG ZONE 50)	SETOUT POINT	GPS (AMG ZONE 50)
(A)	LAT20.420553336 DEGREE(S) LONG118.690002450 DEGREE(E) E676328.922 N7741063.827	(1)	LAT20.421070361 DEGREE(S) LONG118.689560867 DEGREE(E) E676171.856 N7741008.140
(B)	LAT20.418394444 DEGREE(S) LONG118.690568500 DEGREE(E) E676390.505 N7741302.213	(2)	LAT20.421277931 DEGREE(S) LONG118.689503083 DEGREE(E) E676276.032 N7740984.149
(C)	LAT20.418112667 DEGREE(S) LONG118.689359306 DEGREE(E) E676264.631 N7741334.704	(3)	LAT20.419209647 DEGREE(S) LONG118.691176390 DEGREE(E) E676446.884 N7741211.378
(D)	LAT20.420275669 DEGREE(S) LONG118.68679327 DEGREE(E) E676203.098 N7741096.318	(4)	LAT20.417020583 DEGREE(S) LONG118.693272558 DEGREE(E) E676674.272 N7741451.395
<b>TOTAL CLEARING AREA</b> (TO BE CONFIRMED AFTER SITE SURVEY) 32 006 sq m		(5)	LAT20.415496106 DEGREE(S) LONG118.693754344 DEGREE(E) E676728.293 N7741619.631
		(6)	LAT20.411405006 DEGREE(S) LONG118.695295478 DEGREE(E) E676891.806 N7742078.875
		(7)	LAT20.409343406 DEGREE(S) LONG118.694795364 DEGREE(E) E676841.966 N7742299.638
		(8)	LAT20.408838433 DEGREE(S) LONG118.694677053 DEGREE(E) E676830.195 N7742355.667
		(9)	LAT20.408526203 DEGREE(S) LONG118.693979064 DEGREE(E) E676757.704 N7742390.983
		(10)	LAT20.419449700 DEGREE(S) LONG118.693487342 DEGREE(E) E676795.330 N7742289.279
		(11)	LAT20.413048039 DEGREE(S) LONG118.691571305 DEGREE(E) E676501.256 N7741892.995
		(12)	LAT20.416646344 DEGREE(S) LONG118.689655186 DEGREE(E) E676297.182 N7741496.713
		(13)	LAT20.418858350 DEGREE(S) LONG118.689107622 DEGREE(E) E676237.518 N7741252.427

INSTALLATION
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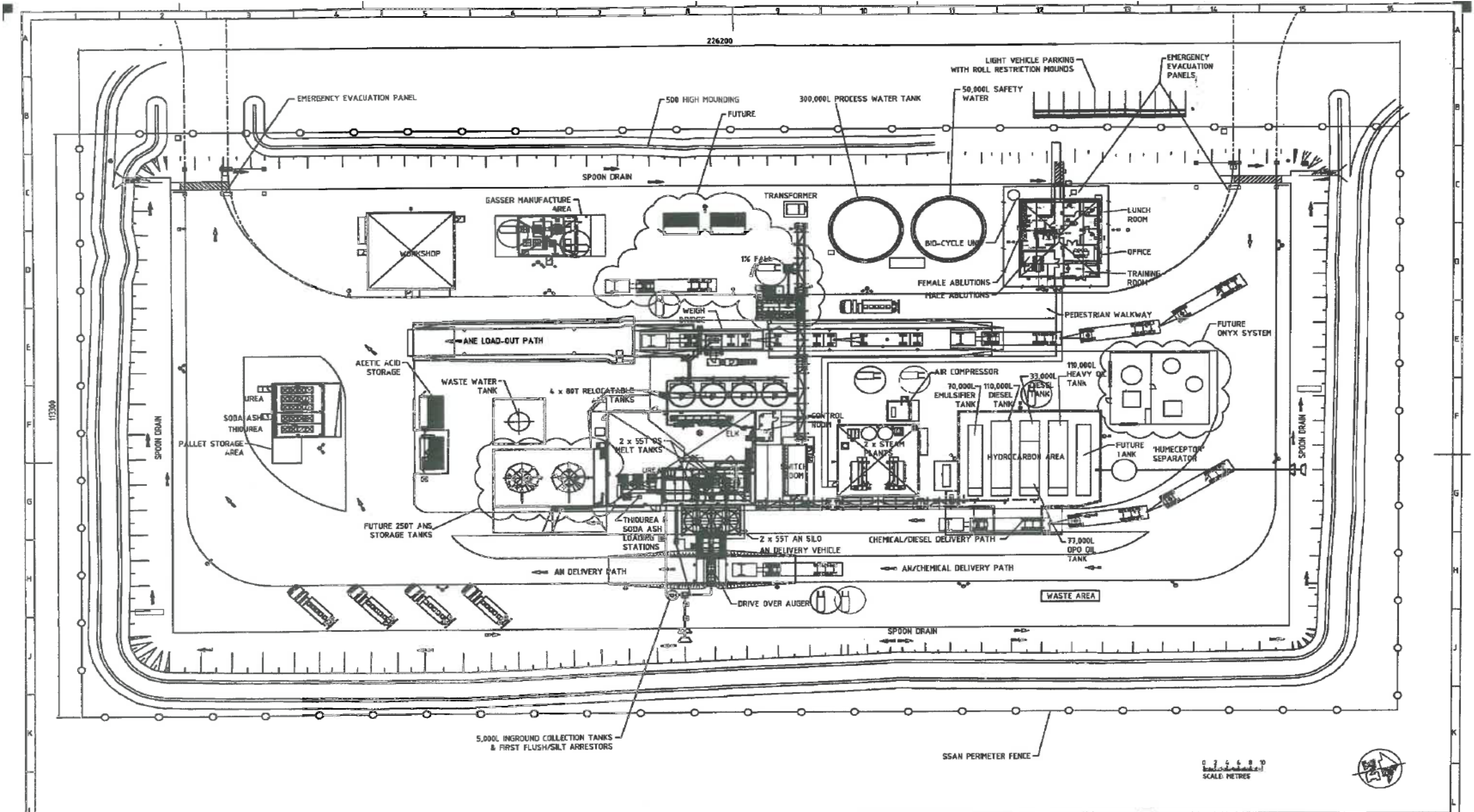
NOTES:-		STATUS <b>INFORMATION ONLY</b> THIS DRAWING COMPLETED FROM ORIGIN THIS DRAWING IS A PRIVATE AND CONFIDENTIAL INSTRUMENTATION AND THE PROPERTY OF Orica Mining Services Pty Ltd BEING RETURNABLE UPON REQUEST. IT MUST NOT BE COPIED OR LOANED WITHOUT THE CONSENT OF THE COMPANY		DRAWN Conrad McPhee DATE May 11	CATEGORY FIXED PLANT DATE May 11	MATERIAL - TOTAL MASS - ORIGINATING OFFICE -	SCALE - SIZE A1 SHEET No. 43989 DRAWING No. 43989 REF. 0
DRAWING LIST 41422 THIS DRAWING IS UNCONTROLLED WHEN NOT RELEASED Meridian workflow status: Released Last saved date / time: 9 May 11 11:15 WHILE UNDER CHANGE COMPARE LAST SAVED DATE FOR CHANGES		CHECKED Richard Carey DATE May 11	PROJECT No. E/F-11034.EN.08 DATE May 11	APPROVED Gus Carfi DATE May 11	ORIGINAL ECR No. 493-11 DATE May 11		
REVISION DETAILS		APPROVED	DATE	REFERENCE DRAWINGS	DRG N°		

ATTACHMENT 2 TO AGENDA ITEM 1.1.1.9





ATTACHMENT 2 TO AGENDA ITEM 1.1.1.9



REVISED TO SUIT	APPROVED	DATE	REFERENCE DRAWINGS	DRG N°	NOTES	STATUS	DRAWN	DATE	CATEGORY	TOTAL MASS	ORIGINATING OFFICE			
E	Mark Hancock	May 11			NOTES:-  THIS DRAWING IS UNCONTROLLED WHEN NOT RELEASED Meridian workflow status. Released Last saved date / time: 9 Mar 11 11:40:25 WHILE UNDER CHANGE COMPARE LAST SAVED DATE FOR CHANGES	INFORMATION ONLY	Graham Fittler	Jul 10	FIXED PLANT		KURRI KURRI			
D	Mark Hancock	May 11				THE DRAWING COPILED FROM ORG	Checked	Reg Vaughan	Jul 10	PLANT				
C	Mark Hancock	Feb 11				THIS DRAWING IS A PRIVATE AND CONFIDENTIAL DOCUMENTATION AND THE PROPERTY OF Orca Mining Services Pty Ltd BEING RETURNABLE UPON REQUEST. IT MUST NOT BE COPIED OR LOANED WITHOUT THE CONSENT OF THE COMPANY	Passed	Reg Vaughan	Jul 10	PROJECT No. E/F-10/18.EN.08				
B	Mark Hancock	Nov 10					Approved	Reg Vaughan	Jul 10	ORIGINAL ECR No. 719-10				
A	Mark Hancock	Nov 10	DRAWING LIST	41422			Approved	Mark Hancock	Jul 10					
REVISION DETAILS										SCALE	SIZE	SHEET No.	DRAWING No.	REV.
										1:300	A1		41421	E

**11.2 Engineering Services****11.2.1** *'Lease of Part Reserve 31462 to the Port Hedland Turf Club', presented to Councils Ordinary Meeting held 23 January 2008 (File No: 05/05/0002)*

Officer Sara Bryan  
Leasing Officer

Date of Report 4 July 2011

Disclosure of Interest by Officer Nil

**Summary**

This agenda item seeks the Council to revoke a decision made at an Ordinary Council Meeting on 23 January 2008, in relation to the disposition of property by way of a lease to the Port Hedland Turf Club (PHTC) as a result of an error in the description of the land size contained therein.

**Background**

At Councils Ordinary Meeting held 23 January 2008, Council agreed to dispose of part reserve 31462 by way of Lease to the Port Hedland Turf Club.

*"200708/160 Council Decision/Officer's Recommendation*

*Moved: Cr G J Daccache Seconded: Cr J E Ford*

*That:*

- a) *Council agrees to dispose of the property on part reserve 31462 by way of lease to the Port Hedland Turf Club as per section 3.58 (3) (private treaty) with the following conditions:*
  - "6) Annual Rental to be \$900 per annum; and*
  - 7) A initial term terminating on the 30 November 2011 years, with a 5 year extension option; and*
  - 8) No material change to the Council's standard facility lease conditions; and*
  - 9) Annum rental review equal to any increase in "Perth" CPI, as published by the Australian Bureau of Statistics; and*
  - 10) That all improvements be removed at the end of the lease."*
- b) *Council permits the Port Hedland Turf Club access to proposed lease area prior to the lease being executed to commence primarily site works, subject on receiving the appropriate planning and building approval and at no cost to Council, to prepare for the 2008 racing season.*
- c) *should no lease agreement be executed by all relevant parties within 12 months that all improvements made to the lease area be removed at no cost to Council.*

**CARRIED 7/0"**

## Consultation

- Director Engineering Services
- Director Community Development
- President Port Hedland Turf Club
- Treasurer Port Hedland Turf Club

## Statutory Implications

### *The Local Government Act 1995*

#### *“5.25. Regulations about council and committee meetings and committees*

- (1) *Without limiting the generality of section 9.59, regulations may make provision in relation to —*
- (a) *the matters to be dealt with at ordinary or at special meetings of councils;*
  - (b) *the functions of committees or types of committee;*
    - (ba) *the holding of council or committee meetings by telephone, video conference or other electronic means;*
  - (c) *the procedure to be followed at, and in respect of, council or committee meetings;*
  - (d) *methods of voting at council or committee meetings; the circumstances and manner in which a decision made at a council or a committee meeting may be revoked or changed (which may differ from the manner in which the decision was made);.....”*

### *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 subregulation (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.*

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Should Council revoke the 2008 decision and adopt the Officers recommendation the base annual rental to the Port Hedland Turf Club for this site, will increase from \$900 to \$2325.96 per annum, further increasing by CPI annually thereafter.

As a lease agreement was never entered into by the parties, the Port Hedland Turf Club has never been invoiced for occupation of this area. Upon execution of a lease agreement, the amount due and owing for the period 23 January 2008 – 22 January 2012 (as invoicing will be on an annual basis in advance) will be \$10,700.10.

Officer's Comment

After careful consideration of Regulation 10(3) of the *Local Government (Administration) Regulations 1996* which states:

*"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."*

The officer recommends that Council now revoke the Council Resolution on 23 January 2008, on the basis that there was an error in the description of the land size which resulted in a change to the base rental amount. Consequently the outcome of , the earlier Council decision would have been "substantially different".

The errors are as follows:

1. The area particularized in the resolution is 1070m<sup>2</sup> when in fact it is 2769m<sup>2</sup>; and
2. The annual base rental (utilising the \$0.84 per m<sup>2</sup> market rate calculation) increases from \$900 to \$2,325.96 per annum; and

Regulation 10(2)(b) of the *Local Government (Functions and General) Regulations 1996* requires that any revocation or change to a decision is to be made by absolute majority.

*Area*

A recent valuation performed by Australia Property Consultants (APC) with the purpose of seeking an opinion for the market value and ground rent of the vacant land, disclosed that the area of the proposed lease site equated to 2769m<sup>2</sup> rather than 1070m<sup>2</sup>, an additional area of 1699m<sup>2</sup> above the originally resolved area.

*Rental*

The proposed 'Annual Rental' was calculated using a formula relating to the rental amounts charged on the adjoining Pretty Pool Stables leases. The leases existing at that time were executed 1 December 2006 and were subject to a rental fee of \$0.82 per m<sup>2</sup>. The original agenda item suggested a further "Perth" CPI increase of 2.2% and the proposed rental for the area was set at \$0.84 per m<sup>2</sup>, equating to a rounded figure of \$900 per annum (\$0.84 x 1070m<sup>2</sup>).

In light of the increased area, the base rental amount should be increased accordingly. The Officer recommends that the previously utilized formula from 2008 should remain in keeping with the other lease agreements comprising of the 'Pretty Pool Stables' at \$0.84 per m<sup>2</sup>.

*Clause (c) of the Resolution*

Clause c) of the resolution, namely "should no lease agreement be executed by all relevant parties within 12 months that all improvements made to the lease area be removed at no cost to Council" has clearly has not been complied with.

This clause was not acted upon as there is no lease agreement with the Turf Club for this site. However, it is not recommended that the Turf Club remove all improvements as originally resolved. The proposed disposition was advertised however no further action was taken by the Town from that point forward. In addition to this, in July 2008 the Turf Club was granted town planning approval for the erection of their stabling sheds situated on this site.

The six leases on the same reserve, commonly referred to as the 'Pretty Pool Stables' all expire on 30 November 2011, with a 5 year option. For administrative convenience and to keep the Town's invoicing consistent as an 'annual' event, it is recommended that this lease expire on 22 January 2012 (7 weeks later than the other adjoining leases) rather than on 30 November 2011 as was originally resolved.

Finally, it is recommended that there are two extended terms, namely a 3 year plus a 2 year option period, which if exercised by the Lessee, effectively sees the expiration of this lease on 22 January 2017, seven weeks after the expiration of the adjoining leases comprising of the 'Pretty Pool Stables'

*Attachments*

Nil

*NOTE: Mayor called for a show of hands in favour of considering the revocation of Resolution 200708/160 of Item 12.5, "Lease of Part Reserve 31462 to the Port Hedland Turf Club", Presented to Council's Ordinary Meeting Held on 23 January 2008, and recorded on page 238 of those Minutes. The following Councillors indicated their intent to do so:*

*Cr A A Carter  
Cr D W Hooper  
Cr M Dziombak*

#### **201112/030 Officer's Recommendation 1/Council Decision**

**Moved:** Cr A A Carter      **Seconded:** Cr M Dziombak

That Council revokes Council Decision 200708/160 on the grounds that the decision would have been substantially different with the change to the description of the land size.

*CARRIED BY ABSOLUTE MAJORITY 6/0*

#### **201112/031 Officer's Recommendation 2/Council Decision**

**Moved:** Cr A A Carter      **Seconded:** Cr M Dziombak

That Council:

1. Agree to dispose of part reserve 31462 by way of a lease to the Port Hedland Turf Club in accordance with section 3.58 (3) of the *Local Government Act 1995* (private treaty) on the following terms;
  - a) **area comprising of 2769m<sup>2</sup>;**
  - b) **an annual base rental of \$2325.96, increasing by Perth CPI annually as published by the Australian Bureau of Statistics;**
  - c) **an initial 4 year term commencing on 23 January 2008 terminating on 22 January 2012;**
  - d) **3 years plus 2 years;  
for the permitted use of stabling horses;**

subject to any adverse submissions being received within the requisite advertising period.

*CARRIED 6/0*

6:08pm Councillors A A Carter, G J Daccache and M Dziombak declared a Financial Interest in Agenda Item 11.2.2 'Maintenance Costs and Ownership for Wallwork Road Bridge (File No.: 28/01/0006)' as they are BHP Billiton shareholders with shares over the statutory limit.

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

Chief Executive Officer advised that Council has received approval from the Minister of Local Government to consider Agenda Item 11.2.2 'Maintenance Costs and Ownership for Wallwork Road Bridge (File No.: 28/01/0006)' with a reduced quorum of three Councillors.

### 11.2.2 *Maintenance Costs and Ownership for Wallwork Road Bridge (File No.: 28/01/0006)*

Officer Russell Dyer  
Director Engineering  
Services

Date of Report 1 July 2011

Disclosure of Interest by Officer Nil

#### **Summary**

The purpose of this report is to give Council an estimate of Maintenance Costs and Ownership of Wallwork Road Bridge.

#### **Background**

Council in its Reconsideration of Construction of Wallwork Road Bridge over BHP Rail Agenda Item 6.2.1 of the 19 April 2011 Special Council Meeting.

*"201011/333 Council Decision*

*Moved : Cr D W Hooper    Seconded : Cr S R Martin*

*That Council:*

1. *Request the Chief Executive Officer to call Tenders for the Project Management for the Construction of Wallwork Road Bridge*
2. *Acknowledges the Chief Executive Officer will use the Road Over Rail Working Group to provide technical advice to the Town during construction*
3. *Chief Executive Officer to provide written information to Council on maintenance cost and ownership of Wallwork Road bridge prior to the calling of project management tenders.*

*CARRIED 3/0"*

This Agenda Item was also presented to the Ordinary Council Meeting of 13 July 2011, however, due to a lack of quorum, Council was not able to consider it.

### **Consultation**

Main Roads Western Australia

### **Statutory Implications**

Nil

Policy Implications

12/004 Road Names

### **Strategic Planning Implications**

Key Result Area 1:	Infrastructure
Goal 1.1:	Roads , Footpaths and Drainage To have a developed network of road, footpaths and verges that are well maintained.
Strategy 1.1.3:	Construct a bridge on Wallwork Road to improve traffic access between Port and South Hedland.
Strategy 1.1.4:	Ensure that the \$200M Port Hedland Road Project progresses in a timely manner.

### **Budget Implications**

Maintenance costs to be included in Council's Annual Budget.

### **Officer's Comment**

The following is a comment from Main Roads Asset Managers in Perth with regard to maintenance costs for bridge structures.

For a new bridge structure you would allow \$1000 pa for the first 10 years or so, after that you would anticipate periodic specific maintenance works will be required.

A new rubber seal in the expansion joint around 15 to 20 years onwards. These are new high embankments being built that will probably settle and maintenance on the running surface levels near the bridge approach slabs will be required within 5 to 7 years. Bearings would last 40 years plus , but to replace them is very expensive and a rural bridge on the North West Coastal highway Main Roads have budgeted \$1M.

Main Roads have suggested that the Town should require a long defects liability period and have input on the quality of the workmanship, if the quality of the work is good then long term maintenance will be much less.



Main Roads works in partnership with Local Government Authorities for the delivery of the Local Government Bridge Maintenance Programme. Funding on this Programme is allocated in accordance with policy set by the Western Australian Local Government Grants Commission. A Bridge Committee, which comprises of representatives from Main Roads, Western Australian Local Government Grants Commission and the Western Australian local Government Association, recommends bridges to be funded on this Programme.

The Bridge Committee will not support grants for the repair or replacement of a bridge if the bridge has not been given the degree of routine and preventive maintenance necessary to prevent undue deterioration.

### **Attachments**

1. Policy for Allocation of Special Project Funds for Bridges

### **201112/032 Officer's Recommendation/Council Decision**

**Moved:** Cr D W Hooper

**Seconded:** Cr J M Gillingham

That Council:

1. Include in its Annual Budget a provision for the maintenance works.
2. Engineering staff seek funding through Main Roads for ongoing maintenance works at Wallwork Road Bridge.

*CARRIED 3/0*

6:09pm Councillors A A Carter, G J Daccache and M Dziombak re-entered the room and resumed their chairs.

Mayor advised Councillors A A Carter, G J Daccache and M Dziombak of Council decision.

*ATTACHMENT 1 TO AGENDA ITEM 11.2.2***WA Local Government Grants Commission****POLICY FOR ALLOCATION OF SPECIAL PROJECT FUNDS FOR BRIDGES**

Under the current principles, 93% of the Federal road funds get allocated to local governments in accordance with road asset preservation needs. The remaining 7% is allocated as Special Projects, two thirds for bridges and one third for roads serving remote Indigenous communities.

The cost of preventive maintenance and annual routine maintenance of bridges is taken into account in calculating road asset preservation needs. The current rates are \$19.60 per square meter for timber bridges and \$9.70 for steel and concrete bridges. The cost of specific maintenance, refurbishment and replacement of bridges is not taken into account because funds are specifically provided for these works through the Special Project funds.

The Commission's policy for allocating the Special Project funds for bridges acknowledges that there are some 370 Local Government bridges in poor condition, and the preservation of these bridges must be given priority in allocating the Special Project funds.

The Commission's policy on Special Project funds for bridges relates only to preservation type projects, recognizing that some of these projects may involve some upgrading, and preservation includes replacement when the existing bridge has reached the end of its economic life.

Bridges must meet the following definition to be eligible for Special Projects funds:

A bridge is defined as:

*A structure with a clear opening in any span of greater than 3 meters measured between the faces of piers and or abutments.*

*A structure with a clear span of less than 3 meters where the deck is supported on timber stringers. This provision is in recognition of the higher maintenance costs and management requirements of timber structures.*

A footpath attached to a road bridge or a footbridge over a road is eligible for Special Project funds. A free-standing footbridge over a river is not eligible.

The Commission will not allocate funds for the construction of a new bridge where there is no existing bridge, or where an existing bridge has not reached the end of its economic life.

The Commission considers recommendations of the Bridge Committee in allocating the Special Project funds. The Committee is made up of representatives of Main Roads WA, the Western Australian Local Government Association and the WA Local Government Grants Commission.

The Bridge Committee makes its recommendations after considering technical advice and priority ratings from Main Roads WA. These ratings take into account bridge condition data and information such as safety considerations are established after liaison with local governments.

The Bridge Committee will not support grants for the repair or replacement of a bridge if the bridge has not been given the degree of routine and preventive maintenance necessary to prevent undue deterioration. For timber bridges, owners are referred to the Main Roads WA document "Timber Bridge Maintenance and Refurbishment – Preventive Maintenance Standards".

***Commission Policy***

***That Special Project funds be allocated to only preservation type projects. These include:***

- 1. Specific maintenance and refurbishment aimed at preserving the bridge.***
- 2. Replacement of an existing bridge where it has reached the end of its economic life.***
  - Where a bridge is replaced with a new bridge, the new structure must be of a similar geometric standard to the existing bridge; e.g. a single lane bridge is replaced with a single lane bridge. Replacement may include minor upgrading and widening [up to one meter] to meet current design and safety standards.***
  - Where widening greater than one meter is required to meet current design standards or to satisfy local government policies, the additional cost of the widening will be met by the local government.***
  - A bridge that has reached the end of its economic life may be replaced with a culvert or a floodway where engineering investigations show that this is the best solution.***
- 3. In special circumstances, and where the existing bridge has not reached the end of its economic life, the Commission may agree to the Special Project funds, being allocated for the preservation of the existing bridge, to being put towards the construction of a new bridge of a higher standard than the existing structure. This provision would apply where a local government is able to access the additional funds needed for the new bridge from other sources.***

22 January 2009

Routine Maintenance for Local Government Bridges 2010-11							0.1469
Council	Concrete and Steel Bridges	Timber Bridges	Felt Bridges	Routine maintenance timber Bridges	Routine maintenance Concrete and Steel Bridges	Lowest Bid	Amount paid to Local Government
	Area	Area	Area	\$/sqm	\$/sqm	\$	\$
1 Albany (C)	47	3307	0	21.73	10.75	72,370	10,631
2 Armadale (C)	2415	1245	0	21.73	10.75	53,017	7,788
3 Ashburton (S)	434	0	0	24.99	12.36	5,367	788
4 Augusta-Margaret River (S)	15	2241	0	21.73	10.75	48,850	7,176
5 Bessendean (T)	0	0	0	21.73	10.75	0	0
6 Bayswater (C)	0	0	0	21.73	10.75	0	0
7 Belmont (C)	243	0	0	21.73	10.75	2,613	394
8 Beverley (S)	143	5806	0	21.73	10.75	127,704	18,760
9 Boddington (S)	0	1206	0	21.73	10.75	28,193	3,848
10 Boyup Brook (S)	0	4442	0	21.73	10.75	98,520	14,179
11 Bridgetown-Greenbushes (S)	59	2356	0	21.73	10.75	51,914	7,611
12 Brookton (S)	137	2477	0	21.73	10.75	55,302	8,124
13 Broome (S)	0	0	0	28.25	13.97	0	0
14 Broomehill Tambellup (S)	0.00	1291.40	0	21.73	10.75	28,060	4,122
15 Bruce Rock (S)	5449	0	0	21.73	10.75	58,589	8,607
16 Bunbury (C)	655	585	0	21.73	10.75	19,313	2,837
17 Busselton (S)	567	3562	0	21.73	10.75	83,493	12,265
18 Cambridge (T)	76	0	0	21.73	10.75	818	120
19 Canning (C)	1242	1072	0	21.73	10.75	36,647	5,383
20 Capel (S)	464	1301	0	21.73	10.75	33,259	4,886
21 Carnamah (S)	299	0	0	21.73	10.75	3,212	472
22 Carnarvon (S)	3842	0	0	23.90	11.83	45,447	6,676
23 Chapman Valley (S)	847	0	0	21.73	10.75	9,106	1,338
24 Chiltering (S)	177	1026	0	21.73	10.75	24,199	3,555
25 Claremont (T)	0	0	0	21.73	10.75	0	0
26 Cockburn (C)	124	0	0	21.73	10.75	1,328	195
27 Collie (S)	154	1505	0	21.73	10.75	34,355	5,047
28 Coolgardie (S)	0	0	0	21.73	10.75	0	0
29 Coorow (S)	472	0	0	21.73	10.75	5,070	745
30 Corrigin (S)	0	228	0	21.73	10.75	4,964	729
31 Cottlesloe (T)	0	0	0	21.73	10.75	0	0
32 Cranbrook (S)	0	2539	0	21.73	10.75	55,170	8,104
33 Cuballing (S)	0	2220	0	21.73	10.75	48,233	7,085
34 Cue (S)	0	0	0	21.73	10.75	0	0
35 Cunderdin (S)	196	436	0	21.73	10.75	11,586	1,702
36 Dalwallinu (S)	0	0	0	21.73	10.75	0	0
37 Dandaragan (S)	354	481	0	21.73	10.75	14,262	2,095
38 Dardanup (S)	980	1813	0	21.73	10.75	49,928	7,334
39 Denmark (S)	146	1053	0	21.73	10.75	24,456	3,593
40 Derby-West Kimberley (S)	746	0	0	28.25	13.97	10,424	1,531
41 Donnybrook-Balingup (S)	413	5148	0	21.73	10.75	116,286	17,082
42 Dowerin (S)	69	0	0	21.73	10.75	739	109
43 Dumbleyung (S)	61	740	0	21.73	10.75	16,735	2,458
44 Dundas (S)	0	0	0	21.73	10.75	0	0
45 East Fremantle (T)	0	0	0	21.73	10.75	0	0

46	East Pilbara (S)	0	0	0	24.99	12.36	0	0
47	Esperance (S)	479	0	0	21.73	10.75	5,148	756
48	Exmouth (S)	0	0	0	24.99	12.36	0	0

	Council	Concrete and Street Works	Timber Bridges	Foot Bridges	Routine maintenance Timbers Bridges	Routine maintenance Concrete and Steel Bridges	Allocations for Routine maintenance	Amount paid to Local Governments
49	Fremantle (C)	0	0	0	21.73	10.75	0	0
50	Geraldton Greenough (C)	2303	0	0	21.73	10.75	24,757	3,637
51	Gingin (S)	39	1084	0	21.73	10.75	23,899	3,511
52	Gnowangerup (S)	0	252	0	21.73	10.75	5,472	804
53	Goomalling (S)	85	800	0	21.73	10.75	18,301	2,688
54	Gosnells (C)	1835	2802	0	21.73	10.75	80,607	11,841
55	Halls Creek (S)	0	0	0	28.25	13.97	0	0
56	Harvey (S)	317	3355	0	21.73	10.75	76,298	11,208
57	Irwin (S)	464	89	0	21.73	10.75	6,813	1,015
58	Jerramungup (S)	0	0	0	21.73	10.75	0	0
59	Joondalup (C)	3234	0	220	21.73	10.75	37,139	5,456
60	Kalamunda (S)	67	137	0	21.73	10.75	3,685	543
61	Kalgoorlie/Boulder (C)	0	0	0	21.73	10.75	0	0
62	Katanning (S)	268	314	0	21.73	10.75	9,698	1,425
63	Kellerberrin (S)	381	319	0	21.73	10.75	11,020	1,619
64	Kent (S)	0	0	0	21.73	10.75	0	0
65	Kolonup (S)	0	1882	0	21.73	10.75	40,890	6,007
66	Kondinin (S)	0	0	0	21.73	10.75	0	0
67	Koorda (S)	0	0	0	21.73	10.75	0	0
68	Kulin (S)	0	0	0	21.73	10.75	0	0
69	Kwinana (T)	0	0	0	21.73	10.75	0	0
70	Lake Grace (S)	0	0	0	21.73	10.75	0	0
71	Laverton (S)	0	0	0	21.73	10.75	0	0
72	Leonora (S)	0	0	0	21.73	10.75	0	0
73	Mandurah (C)	5085	1736	0	21.73	10.75	92,404	13,574
74	Manjimup (S)	348	5064	0	21.73	10.75	113,773	16,713
75	Meekatharra (S)	0	0	0	21.73	10.75	0	0
76	Melville (C)	0	0	0	21.73	10.75	0	0
77	Menzies (S)	0	0	0	21.73	10.75	0	0
78	Merredin (S)	483	0	0	21.73	10.75	5,188	762
79	Mingenew (S)	1351	0	0	21.73	10.75	14,531	2,135
80	Moora (S)	1329	501	0	21.73	10.75	25,175	3,898
81	Morawa (S)	0	0	0	21.73	10.75	0	0
82	Mosman Park (T)	0	0	0	21.73	10.75	0	0
83	Mount Magnet (S)	0	0	0	21.73	10.75	0	0
84	Mount Marshall (S)	0	0	0	21.73	10.75	0	0
85	Mukinbudin (S)	0	0	0	21.73	10.75	0	0
86	Mullewa (S)	132	0	0	21.73	10.75	1,417	208
87	Mundaring (S)	617	660	0	21.73	10.75	20,964	3,080
88	Murchison (S)	356	0	0	21.73	10.75	3,833	563
89	Murray (S)	1298	2926	0	21.73	10.75	77,526	11,389
90	Nannup (S)	422	1263	0	21.73	10.75	31,871	4,667
91	Narembeen (S)	84	0	0	21.73	10.75	1,007	148
92	Narrogin (S)	0	597	0	21.73	10.75	12,977	1,906
93	Narrogin (T)	205	112	181	21.73	10.75	6,579	966
94	Nedlands (C)	0	0	0	21.73	10.75	0	0
95	Ngaanyatjarraku (S)	0	0	0	21.73	10.75	0	0
96	Northam (S)	3053	3695	0	21.73	10.75	113,109	16,616

97	Northampton (S)	0	0	0	21.73	10.75	0	0
98	Nungarin (S)	0	0	0	21.73	10.75	0	0

Council	Concrete and Steel Bridges	Timber Bridges	Foot Bridges	Route maintenance Tarmac Bridges	Route maintenance Concrete and Steel Bridges	Allowance for Route maintenance	Amount paid to Local Government
99 Peppermint Grove (S)	0	0	0	21.73	10.75	0	0
100 Perenjori (S)	0	0	0	21.73	10.75	0	0
101 Perth (C)	1023	0	448	21.73	10.75	15,815	2,323
102 Pingelly (S)	37	1440	0	21.73	10.75	31,550	4,654
103 Plantagenet (S)	0	44	0	21.73	10.75	961	141
104 Port Hedland (T)	311	0	0	24.99	12.36	3,840	564
105 Quairading (S)	292	1208	0	21.73	10.75	29,390	4,317
106 Ravensthorpe (S)	60	0	0	21.73	10.75	643	94
107 Rockingham (C)	668	0	0	21.73	10.75	7,401	1,087
108 Roebourne (S)	1264	0	0	24.99	12.36	15,621	2,295
109 Sandstone (S)	0	0	0	21.73	10.75	0	0
110 Serpentine-Jerrardale (S)	1295	451	0	21.73	10.75	23,729	3,486
111 Shark Bay (S)	0	0	0	23.90	11.83	0	0
112 South Perth (C)	255	0	0	21.73	10.75	2,743	403
113 Stirling (C)	0	0	329	21.73	10.75	3,532	519
114 Subiaco (C)	129	0	0	21.73	10.75	1,364	203
115 Swan (S)	2892	3744	160	21.73	10.75	114,170	16,772
116 Tammin (S)	0	0	0	21.73	10.75	0	0
117 Three Springs (S)	300	0	0	21.73	10.75	3,228	474
118 Toodyay (S)	1740	3255	0	21.73	10.75	89,437	13,138
119 Trayning (S)	0	0	0	21.73	10.75	0	0
120 Upper Gascoyne (S)	0	0	0	21.73	10.75	0	0
121 Victoria Park (T)	0	0	0	21.73	10.75	0	0
122 Victoria Plains (S)	0	738	0	21.73	10.75	16,032	2,355
123 Vincent (T)	214	0	167	21.73	10.75	4,089	601
124 Wagin (S)	553	743	0	21.73	10.75	22,105	3,247
125 Wandering (S)	269	2064	0	21.73	10.75	48,178	7,077
126 Wanneroo (C)	795	0	0	21.73	10.75	8,544	1,255
127 Waroona (S)	0	341	0	21.73	10.75	7,400	1,087
128 West Arthur (S)	90	3972	0	21.73	10.75	87,283	12,822
129 Westonia (S)	0	0	0	21.73	10.75	0	0
130 Wickpin (S)	18	378	0	21.73	10.75	8,398	1,234
131 Williams (S)	520	733	0	21.73	10.75	21,527	3,162
132 Wiluna (S)	0	0	0	21.73	10.75	0	0
133 Wongan-Ballidu (S)	0	0	0	21.73	10.75	0	0
134 Woodanilling (S)	36	341	0	21.73	10.75	7,804	1,146
135 Wyalkatchem (S)	0	0	0	21.73	10.75	0	0
136 Wyndham-East Kimberley (S)	1853	0	0	28.25	13.97	25,894	3,804
137 Yalgoo (S)	0	0	0	21.73	10.75	0	0
138 Yilgarn (S)	0	0	0	21.73	10.75	0	0
139 York (S)	198	3410	0	21.73	10.75	76,220	11,197
Totals	59895	98530	1504			2,816,771	413,784



6:09pm Councillors A A Carter, G J Daccache and M Dziombak declared a Financial Interest in Agenda Item 11.2.3 'Tender 11/19 – Provision of Project Management Services for the Wallwork Road Bridge ' as they are BHP Billiton shareholders with shares over the statutory limit.

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

Chief Executive Officer advised that Council has received approval from the Minister of Local Government to consider Agenda Item 11.2.3 'Tender 11/19 – Provision of Project Management Services for the Wallwork Road Bridge' with a reduced quorum of three Councillors.

### *11.2.3 Tender 11 / 19 – Provision of Project Management Services for the Wallwork Road Bridge (File No.: .../...)*

Officer Russell Dyer  
Director Engineering Services

Date of Report 4 July 2011

Disclosure of Interest by Officer Nil

#### **Summary**

The purpose of this report is to provide a summary and assessment of the submission received for Tender 11 / 19 Provision of Project Management Services for Wallwork Road Bridge to enable Council to award the Tender.

#### **Background**

Council in its Reconsideration of Construction of Wallwork Road Bridge over BHP Rail agenda item 6.2.1 of the 19 of April 2011 Special Council Meeting.

*"201011/333 Council Decision*

*Moved : Cr D W Hooper    Seconded : Cr S R Martin*

*That Council:*

1. *Request the Chief Executive Officer to call Tenders for the Project Management for the Construction of Wallwork Road Bridge*
2. *Acknowledges the Chief Executive Officer will use the Road Over Rail Working Group to provide technical advice to the Town during construction*
3. *Chief Executive Officer to provide written information to Council on maintenance cost and ownership of Wallwork Road bridge prior to the calling of project management tenders.*

**CARRIED 3/0"**

Point 3 of the Council Decision is the subject of another agenda item to be considered at tonight's meeting.

This Agenda Item was also presented to the Ordinary Council meeting of 13 July 2011, however, due to a lack of quorum, Council was not able to consider it.

### Consultation

- Council's Engineering staff has reviewed the tender submission prior to recommending Council's resolution.
- Main Roads Western Australia

### Statutory Implications

The Local Government Act (1995):

*3.57. Tenders for providing goods or services*

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

### Policy Implications

This tender was called in accordance with Council's Procurement Policy 2/015 and Tender Policy 2/011.

### Strategic Planning Implications

Key Result Area 1: Infrastructure  
 Goal 1.1: Roads , Footpaths and Drainage  
 To have a developed network of road, footpaths and verges that are well maintained.  
 Strategy 1.1.3: Construct a bridge on Wallwork Road to improve traffic access between Port and South Hedland.

### Budget Implications

The following funds will be held in GL 1201402 Non-Operating Expenditure and are exclusive of GST.

BHP Billiton Iron Ore	\$24,000,000.00
TOPH loan if required	\$850,000.00
Total	\$24,850,000.00

### Officer's Comment

Tender 11 / 19 closed at 2.30pm on Thursday 30<sup>th</sup> of June 2011. Tenders were opened and recorded by Councillor Carter and Council staff members. Tender packages were sent to 19 companies and submissions were received from one company as listed below:

*Thinc Projects*

Tenderer's were asked to give a lump sum price for a 44 week construction period and hourly rates for personnel who would be working on the project. The reason for both requests is to allow for any preliminary work that would be required before the construction period, which would include tender documentation preparation and assessment.

Table 1 below indicates the rates submitted by the above tenderer for Project Director, Project Manager, word processing also included are airfares from Darwin to Port Hedland, Perth to Port Hedland and also includes accommodation and meals.

Item 7 in Table 1 is the Lump Sum Fee to undertake Project Management Services for the 44 week construction period schedule estimation provided by Main Roads Western Australia.

Table 1:

Item	Description	Unit	Unit Rate (\$)
1	Word Processing	Hour	\$120
2	David McHugh Project Director Bachelor of Civil Engineering	Hour	\$240
3	Niall Cummins Project Manager Bachelor of Civil Engineering	Hour	\$155
4	Travel: From Darwin to Port Hedland Travel Time charged at 75% (4hrs) Airfare Cost	Return trip	\$1,820* \$720 \$1,100*
5	Travel: From Perth to Port Hedland Travel time charged at 75% Airfare cost	Return trip	\$1,315* \$465 \$850*
6	Accommodation and Meals	Night	\$250
7	Lump Sum Fee to undertake Project Management services for the 44 week construction period	44 weeks	\$379,402.80

Essential to the Construction of Wallwork Road Bridge are experienced Project Managers, Thinc have put forward David McHugh (Project Director) and Niall Cummins (Project Manager), Thinc can also make available John Selby (Senior Project Manager) .

*David McHugh, Project Director*

Bachelor of Engineering (Civil)

David was the Chief Executive of the Department of Transport and worked for 3-years and Deputy Chief Executive for 4 years. He was responsible and accountable for the delivery of works valued in excess of \$300m annually on Capital Works and Maintenance Programs related to road infrastructure, public buildings and housing projects in the Northern Territory.

David has over 30 years direct experience as Senior Engineer and Director Level in design, documentation and construction supervision in the Northern Territory of:

- Major road works and bridges
- Large urban sub-divisional developments
- New Port Infrastructure
- Community Rehabilitation Projects
- Government Institutional Buildings – Hospitals, Schools, Prisons, Police Stations, Museum and National Park Facilities.

Bridge Construction Experience:

David was Superintendent on the following bridges constructed over the last 30 years.

- Todd River Bridge south of Alice Springs
- Barrow Creek – 2 Bridges
- Wycliffe Creek Bridge
- Attack Creek Bridge
- Morphett Creek Bridge
- Kakadu Highway – 5 Bridges
- Adelaide River Bridge – Reconstruction
- South Alligator Bridge- Strengthening & Piling

Most of these bridges are “H” Piles or Tubular supporting reinforced concrete headstocks which support precast concrete bridge beams topped with reinforced concrete deck and an asphalt wearing surface. The value of these projects individually in today’s dollars would range from \$15m to \$40m.

The last bridge project David was involved with was 2 years ago as part of the Darwin Waterfront Project. It was a covered pedestrian bridge valued at \$8m. This bridge provides pedestrian access from the Darwin CBD to the Darwin Waterfront Precinct.

*Niall Cummins Project Manager*

Bachelor of Civil Engineering; Honours Degree

Before joining Thinc Projects Niall worked with BAM Civil as an on-site civil engineer. BAM is the only civil construction company in the world with a five star safety rating.

Major Projects

- BMW Optima Centre fit out \$15m
- Scarawelsh Bypass Design and layout (Ireland) \$5m
- Mullingar Sewage Treatment facility (Ireland) \$120m
- Pier 21, W32 Richardson Street , West Perth, \$1.5m
- Wharf and Pontoon Installation Fremantle, \$1.8m
- Rottneet Express Jetty Installation, Fremantle, \$75

Nialls first employment in Australia was a short term Project Management role with Engineering Water Systems. While there Niall became familiar with Australian standards and work practices. Also he became accustomed to construction and its related difficulties on water. Further experience was gained in the design of pile sizes and retaining wall structures.

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

Table 2:

Item	Assessment Criteria	Loading Factor	Max Score	Max loaded score	Awarded Score	Loaded Score
1	Key Personnel that will be allocated to the Project	4	5	20	4	16
2	Knowledge and Experience with bridge construction value over \$20 million	10	5	50	5	50
3	Price		30	30	30	30
	Max loaded Score			100		96

Each non-price criterion is awarded a score from 0 to 5. However, to reflect a particular criterion's relative importance, a "loading factor" is applied to each criterion's score to generate a "loaded score" for that criterion. Loaded scores are then summed to give a total score to a maximum of 100.

Each non-price criterion shall be scored out of 5 in increments of 0.5 as described below:

- A score of 4-5 shall be awarded where the Tenderer's credentials are judged to exceed the minimum requirements for that criterion
- A score of 3.5 shall be awarded where the Tenderer's credentials are judged to satisfy the minimum requirements for that criterion
- A score of 0-3 shall be awarded where the Tenderer's credentials are judged inadequate to meet the minimum requirements for that criterion

Thinc Projects through the evaluation criteria have a loaded score of 96 out of a possible 100 and have shown that they have the key personnel with the knowledge and experience to Project Manage the Wallwork Road Bridge Project.

### Attachments

Nil

**201112/033 Officer's Recommendation/Council Decision****Moved:** Cr D W Hooper**Seconded:** Cr J M Gillingham

That Council, subject to the execution of the funding agreement with BHP Billiton for Wallwork Road Bridge,:

1. Award Tender 11/19 Provision of Project Management Services for the Wallwork Road Bridge to Thinc Projects Australia Pty Limited for the sum of \$379,402.80 plus GST to undertake project management services for the 44 week construction period of this project.
2. For works undertaken outside of the 44 week construction period engage Thinc Projects Australia Pty Limited on the hourly rates provided in Tender 11 /19 Provision of Project Management Services for the Wallwork Road Bridge.

*CARRIED 3/0*

6:10pm Councillors A A Carter, G J Daccache and M Dziombak re-entered the room and resumed their chairs.

Mayor advised Councillors A A Carter, G J Daccache and M Dziombak of Council decision.

**11.3 Community Development****11.3.1 Authorisation of Dog Registration Officers – Dog Act 1976 (File No.: 19/09/001)**

Officer	Sharon Groch Coordinator Library Services
Date of Report	27 July 2011
Disclosure of Interest by Officer	Nil

**Summary**

The Dog Act 1976 requires all persons that register dogs be authorised under the Act to carry out this function. Council is requested to consider and authorise the appointment of a Dog Registration Officer for the Town of Port Hedland.

**Background**

Council allows for the registration of dogs at the Town of Port Hedland's Civic Centre and the South Hedland Library. The Dog Act 1976 requires all persons that register dogs be authorised under the Act to carry out this function.

**Consultation**

Nil

**Statutory Implications**

Dog Act 1976 (as amended) - Subsection 3. Interpretation:

*(1) In this Act, unless the context otherwise requires —*

*registration officer means a person authorised by the local government to effect the registration of dogs pursuant to this Act;*

**Policy Implications**

Nil

**Strategic Planning Implications**

Nil

**Budget Implications**

Nil

**Officer's Comment**

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

The following staff member is required to act in a capacity that requires them to be authorised as a Dog Registration Officer:

- Melissa Day

**Attachments**

Nil

**201112/034 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr J M Gillingham

That Council authorises Melissa Day to become a Dog Registration Officer for the Town of Port Hedland pursuant to the Dog Act 1976.

*CARRIED 6/0*



*11.3.2 Report on Disability Access and Inclusion Plan 2008/09  
(File No.: 03/01/0022)*

Officer	Sheila Cleaver Community Development Officer
Date of Report	11 July 2011
Disclosure of Interest by Officer	Nil

Summary

The Town of Port Hedland is required to report activity against its Disability Access and Inclusion Plan (DAIP) to the Disability Services Commission (DSC) by 31 July annually. This report outlines progress achieved this year against the Town's DAIP and seeks Council's approval to submit this information to the DSC.

Background

Section 29 of the Disability Services Act (1993) requires all public authorities to report on the implementation of their Disability Access and Inclusion Plan. Local Government Authorities are required to report on the status of their Plan in their Annual Report, and to the Disability Services Commission.

To oversee the outcomes of the Plan a committee comprising relevant ToPH officers and representatives from community and government agencies meets bi monthly.

Consultation

- Disability Access and Inclusion Plan Committee
- Relevant ToPH officers across all Directorates

Statutory Implications

Section 29 of the Disability Services Act (1993) requires all public authorities to report on the implementation of their Disability Access and Inclusion Plan. Local Government Authorities are required to report on the status of their Plan in their Annual Report, and to the Disability Services Commission.

Policy Implications

Policy 8/003- Access Policy for people with disabilities, their families and carers outlines the Town of Port Hedland commitment to 'recognizing a community for its diversity and supports the participation of all of its members towards making a richer community life'.

### Strategic Planning Implications

Key Result Area 3: Community Development  
Goal 3: Health

That the community has access to high quality health services and facilities and the Town is taking appropriate preventative measures to ensure a healthy environment.

Review the Town's Disability Service Plan and undertakes actions to improve access to services and all facilities.

### Budget Implications

Budgetary implications associated with the activities in this Plan have been included in the various Directorate budgets.

### Officer's Comment

Attachments to this report include the Town of Port Hedland's DAIP 2008/09 and the Strategies with 2010/11 report updates, as well as the progress report required by the Disability Services Commission.

Some highlights of the activities report include:

1. The revised Terms of Reference for the Disability Access and Inclusion Plan Committee.
2. Installation of inclusive self cleaning toilets throughout the committee.
3. Purchase of two accessible port-a-toilets
4. Finicane Island Beach ramp
5. Completion of the JD Hardie Centre's upgrade included an accessible toilet and an accessible entrance.

This year (2011/2012), an extensive review of the DAIP is planned in consultation with the committee and community to ensure its ongoing relevance and inclusion of the new Council facilities.

### Attachments

1. Town of Port Hedland's DAIP 2008/09
2. Strategies with 2010/11 report updates
3. Progress Report for the Disability Services Commission.

### 201112/035 Officer's Recommendation/Council Decision

**Moved:** Cr A A Carter

**Seconded:** Cr J M Gillingham

That Council:

1. Notes the attached progress report for the Disability Services Commission;
2. Submits the attached report to the Disability Services Commission by July 31 2011
3. Includes the DAIP activity report in the Annual Report 2010/2011

*CARRIED 6/0*



# **TOWN OF PORT HEDLAND**

## **DISABILITY ACCESS & INCLUSION PLAN 2008/09**

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## Vision Statement

Port Hedland: A significant regional centre where people enjoy the lifestyle and natural environment and are proud to call home

## Mission Statement

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

### *Our Goal in Disabilities Access and Inclusion:*

*To provide leadership for the Port Hedland community by encouraging and promoting the inclusion and participation of people with disabilities, their families and carers within Council's services, facilities and functional areas.*

### **Background**

The Town of Port Hedland adopted a Disability Service Plan in February 1996 to ensure that Council's services, facilities and functions are promoted to people with disabilities and that people with disabilities can access and participate fully in Council's facilities, functions and services. The document was updated regularly until 2003, and a major review undertaken in 2008.

The Disability Services Act (1993) requires all public authorities, including Local Government Authorities; to prepare and implement a Disability Access and Inclusion Plan to ensure that people with disabilities can access their services and facilities.

Section 29 of the Disability Services Act (1993) requires all public authorities to report on the

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The Town of Port Hedland has developed a Plan for the Future for 2007-2012 through public consultations via Elected Member Planning days, community surveys and workshops.

While the whole of the Plan for the future is relevant to the Disability Access and Inclusion Plan, the key focus of this work is encompassed in the Community Development portfolio.

**Key Results Area 3: Community Development** The development of a more vibrant, sustainable community is a key responsibility of the Town of Port Hedland.

**Goal 3: Health:** That the community has access to high quality health services and facilities and the Town is taking appropriate preventative measures to ensure a healthy environment.

**Strategy 5:** Review the Town's Disability Service Plan and undertake actions to improve access to services and all facilities.

The Plan is subject to annual review and may be amended and extended as priorities and needs change.

**Key Achievements from the Disability Access & Inclusion Plan to date:**

- Installation of a lift in the Civic Centre Upgrade
- Staff training in disability awareness and inclusion – now scheduled to occur on commencement and annually
- Production of a Booklet in conjunction with the Disability Services Commission: *Services Available to People with Disabilities, their Families and Carers in the Town of Port Hedland.*
- Life skills and social programmes for people with disabilities established through Home and Community Care
- Extensive consultation with people with disabilities on the Port Hedland Public Transport Study
- Civic Centre Reception Counter upgrade.

**What does the Disability Access & Inclusion Plan Contain?**

The plan includes:

- Information on Council functions, facilities and services (both in-house and contracted);
- A policy statement about Council's commitment to addressing the issue of inclusion and participation for people with disabilities, their families and carers;
- A description of the process used to develop, monitor, revise and implement the plan and the consultation mechanism with people with disabilities, their families, carers, disability organisations and relevant community groups;
- The identification of objectives and strategies to overcome barriers that people with disabilities identified during the consultation process;
- Identification of the officers responsible for the proposed strategies and completion dates;
- A method of review and evaluation of the plan; and
- Information about how the plan is being communicated to staff and people with disabilities.

**1. RESPONSIBILITY FOR THE PLANNING PROCESS**

A Disability Service Planning committee of Council was established in June, 1995 comprising of one Councillor, two people with a personal knowledge of disability issues, one person with professional knowledge of disability issues, and six Council officers, to oversee the development, implementation, review and evaluation of the plan.

In September 2008 Council re-established a Disability Access and Inclusion Community Consultation Group. This group is overseeing the revision, monitoring and implementation of the Disability Access and Inclusion Plan.

**2. FUNCTIONS, FACILITIES AND SERVICES (BOTH IN-HOUSE AND CONTRACTED, PROVIDED BY THE TOWN OF PORT HEDLAND)**

The Town of Port Hedland provides:

**Services to Property Including:**

- Construction and maintenance of roads, shared paths and cycle facilities;
- Land drainage and development;
- Waste Management
- Litter control and street cleaning;
- Planting and caring for trees;
- Numbering of buildings and lots;
- Street lighting;
- Emergency management including bush fire and cyclone preparedness, response and recovery procedures

**Services to the Community Including:**

- Ownership and management of outdoor active and passive recreational facilities; (see attached list)
- Ownership and Management of parks (see attached list)
- Ownership and Management of 2 cemeteries – the South Hedland Cemetery and the Pioneer and Pearlers Cemetery
- Ownership of the Gratwick Aquatic Centre and the South Hedland Aquatic Centre. The Aquatic Centres are managed by the YMCA.
- Ownership and Management of the South Hedland Library and the Port Hedland Library
- Ownership and Management of the Port Hedland International Airport;

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- Ownership and management of the JD Hardie Recreation Centre
  - Ownership of the Cooke Point Youth and Family Centre
  - Ownership of community recreation facilities (see attached list)
  - Ownership of the Port Hedland Retirement Village
  - Sponsorship of the Pilbara Family Day Care Scheme;
  - Citizenship ceremonies;
  - Planning for services for people in the community;
  - Ownership of the Town of Port Hedland Home and Community Care Service;
  - Joint Management with DET of Matt Dann Cultural Centre;
  - Ownership of the Courthouse Arts Centre and Gallery, contracted management of the CHAG
  - Sponsorship of the Port Hedland Visitors Centre and Information services.

**Regulatory Services Including:**

- Planning of road systems, sub-divisions and town planning scheme;
- Building approval for any construction, addition or alteration to a building;
- Ranger services;
- Environmental Health Services.

**General Administration Including:**

- The provision of general information to the public;
- Lodging of complaints;
- Payment of rates.

**Processes of Government Including:**

- Ordinary and Special Council and Committee meetings;
- Electors meetings and Election of Council members.

## 3. Council Facilities in Port/South Hedland &amp; Finucane Island

FACILITY	Owned by	Managed by	Leased by
<b>Port Hedland</b>			
Gratwick Aquatic Centre	ToPH	YMCA	
Port Hedland Youth & Family Centre	ToPH	PHY&FC Committee	Lease in process
Port Hedland Library	ToPH	ToPH	
Courthouse Arts Centre and Gallery	ToPH / PACDAC	ToPH / PACDAC / FORM	
Port Hedland Visitors Centre	ToPH	PHVC	
<b>Clubs/Associations</b>			
Port Hedland Tennis Club	ToPH	Tennis Club	Lease in process
Hedland Canine Club	ToPH	Hedland Canine Club	German Shepard Dog Association & Hedland Dog Club
Pilbara Aeromodellers Club	ToPH	Pilbara Aeromodellers Club	Pilbara Aeromodellers Club
Hedland BMX Club	ToPH	Hedland BMX Club	Lease in process
Port Hedland Yacht Club	ToPH	Port Hedland Yacht Club	Port Hedland Yacht Club
Scouts and Guides	ToPH	Scouts	Scouts
Port Hedland Pony Club	ToPH	Port Hedland Pony Club	Port Hedland Pony Club
Port Hedland Game Fishing Club	ToPH	PH GAME Fishing	
Port Hedland Golf Club	ToPH	PH Golf Club	PH Golf Club
<b>Recreation Reserves</b>			
<b>Port Hedland</b>			
Colin Matherson Oval	ToPH	ToPH	
McGregor Street Reserve	ToPH	ToPH	
Turf Club	ToPH	ToPH	
BMX	ToPH	ToPH	
Tennis Courts	ToPH	ToPH	
Skate Park	ToPH	ToPH	
<b>South Hedland</b>			
Skate Park	ToPH	ToPH	
Kevin Scott Oval	ToPH	ToPH	
Marie Marland	ToPH	ToPH	
Faye Gladstone Netball Courts	ToPH	ToPH	
Tennis & Bowls	ToPH	ToPH	
<b>Parks</b>			
Don Rhodes Mining Museum Park	ToPH	ToPH	
Port Hedland Community Park	ToPH	ToPH	
Leap Park	ToPH	ToPH	
Lions Park	ToPH	ToPH	
Captain Bert Madigan (MC) Memorial Park	ToPH	ToPH	
Pretty Pool	ToPH	ToPH	
Koombana Lookout	ToPH	ToPH	
The Spoil Bank	ToPH	ToPH	



Finucane Island Boat Ramp	ToPH	ToPH	
Port Hedland Town Park	ToPH	ToPH	
Sutherland St. Walk/Cycle Way	ToPH	ToPH	
Marapikurrinya Park	ToPH	ToPH	
Civic Centre Gardens	ToPH	ToPH	
Colin Matheson Oval	ToPH	ToPH	
Pretty Pool Park	ToPH	ToPH	
<b>FACILITY</b>	<b>Owned by</b>	<b>Managed by</b>	<b>Leased by</b>
<b>South Hedland</b>			
<b>Recreation Facilities</b>			
South Hedland Aquatic Centre	ToPH	YMCA	
South Hedland Library	ToPH	ToPH	
Matt Dann Cultural Centre	ToPH	ToPH	
Lawson Street Youth Centre	ToPH	Youth Involvement Council	Youth Involvement Council
South Hedland Skate Park	ToPH	ToPH	
JD Hardie Centre	ToPH	ToPH	
<b>Club/Associations Facilities</b>			
Finucane Island Recreation Club	ToPH	Finucane Island Club Committee	Finucane Island Club Committee/BHP have interest
South Hedland Bowling Club	ToPH	South Hedland Bowling Club	South Hedland Bowling Club
South Hedland Tennis Club	ToPH	South Hedland Tennis Club	
Port Hedland Pistol Club	ToPH	Port Hedland Pistol Club	
Port Hedland Sporting Shooters Club	ToPH	Port Hedland Sporting Shooters Club	Port Hedland Sporting Shooters Club
Hedland Kart Club	ToPH	Hedland Kart Club	Hedland Kart Club
Hedland Speedway	ToPH	Port Hedland Speedway Club	
Port Hedland Motorcycle Club	ToPH	Port Hedland Motorcycle Club	Port Hedland Motorcycle Club
Scouts	ToPH	Scouts	Scouts
<b>Parks</b>			
Shay Gap Memorial Park	ToPH	ToPH	
Daylesford Park	ToPH	ToPH	
Centenary Park	ToPH	ToPH	
Trumpet Way	ToPH	ToPH	
Kevin Scott Oval	ToPH	ToPH	
South Hedland Owners & Trainers Association	ToPH	South Hedland Owners & Trainers Association	South Hedland Owners & Trainers Association
Finucane Island Equestrian Reserve	ToPH	ToPH	Lease in Process

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**ACCESS POLICY STATEMENT FOR PEOPLE WITH DISABILITIES, THEIR FAMILIES AND CARERS**

The Town of Port Hedland is committed to ensuring that the community is an accessible community for people with disabilities, their families and carers. The Town of Port Hedland interprets an accessible community as one in which all Council functions, facilities and services (both in-house and contracted) are open and available to people with disabilities providing them with the same opportunities, rights and responsibilities enjoyed by all other people in the community and with the same level of dignity and respect.

The Town of Port Hedland's understanding of disability is that provided by the Western Australian Disability Services Commission:

Disability is defined as any continuing condition that restricts everyday activities:

- Which is attributable to an intellectual, psychiatric, cognitive, neurological, sensory, or physical impairment or a combination of those impairments;
- Which is permanent or likely to be permanent;
- Which may or may not be of a chronic or episodic nature; and which results in;
- A substantially reduced capacity of the person for communication, social interaction, learning or mobility; and
- A need for continuing support services

Definition:

The term 'disability' refers to any permanent or temporary condition which affects a person's bodily or mental function. A disability may arise from a sensory, physical, psychiatric, medical, cognitive or neurological condition.

The disability can be temporary or permanent and can be of different levels of severity. It includes broad categories such as hearing impairment, vision impairment, learning disabilities, mobility disabilities, psychiatric disabilities and medical conditions.

The Town of Port Hedland considers that a disability may be of a temporary nature and that the access needs of people with a temporary disability will be considered as part of this plan.

Council believes that a community that recognises its diversity and supports the participation of all its members makes for a richer community life. Council recognises that people with disabilities are valued members of the community who make a variety of contributions to local social, economic and cultural life.

Council is committed to consulting with people with disabilities, their families and carers and where required, disability organisations, to ensure that barriers to access are addressed appropriately.

Council is also committed to working in partnership with local businesses to improve access to community facilities and services.

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The Town of Port Hedland is committed to achieving the following outcomes:

**Outcome 1: *People with disabilities have the same opportunities as other people to access the services of, and any event organized by, a public authority.***

- \* Council will endeavour to be responsive and adaptable in responding to the barriers experienced by people with various disabilities, including people with physical, sensory, intellectual and psychiatric disabilities.
- \* Council will ensure that all policies and practices that govern the operation of Council functions, facilities and services are consistent with Council's policy on access.
- \* Council will ensure that all contracts for services to the community ensure that provision is made for access for people with disabilities.
- \* Council will ensure that all planning processes will consider the needs of people with disabilities.

**Outcome 2: *People with disabilities have the same opportunities as other people to access the buildings and other facilities of a public authority.***

- \* Council will undertake a full access audit of all Council buildings and facilities, shared paths and kerbs, and pedestrian ramps and establish priorities for improvement.
- \* These priorities and those identified during the consultations will be assessed along with other capital works projects and incorporated into existing capital works improvement program as appropriate. Modifications will commence, as funds are made available.
- \* Council will undertake to liaise with developers to increase their awareness of the access requirements of people with disabilities.
- \* To ensure an overall strategy for coordination and implementation of this plan is taken, all building and facility plans will be submitted to Council's Development Approval Group for discussion.

**Outcome 3: *People with disabilities receive information from a public authority in a format that will enable them to access the information as readily as other people are to access it***

- \* Council will endeavor to supply information about Council functions, facilities and services is written in clear and concise language and available in alternative formats.
- \* Council will advertise the availability of information in alternative formats via the local media (newspaper and radio) and through Council publications. Formats will include large print, audio cassette, and computer disc – Information Technology Services.

**Outcome 4: *People with disabilities receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.***

- \* Disability awareness training will be provided for all Council staff with training for public contact staff given the highest priority. All staff to have Disability Awareness Training on commencement and annually
- \* Where required, Council will seek expert advice from the disability field on how to meet the various needs of people with disabilities.

**Outcome 5:** *People with disabilities have the same opportunities as other people to make complaints to a public authority.*

- Council will ensure that information is available in a clear and concise language, so residents can participate in any grievance processes. Information will be made available in formats to meet the needs of people with disabilities.
- Ensure that current grievance mechanisms are accessible for people with disabilities.
- Improve staff knowledge so they can receive complaints from people with disabilities.

**Outcome 6:** *People with disabilities have the same opportunities as other people to participate in any public consultation by a public authority.*

- \* Council will ensure that information is available in clear and concise language on how residents can participate in decision-making processes, public consultations and grievance mechanisms.
- \* Council will ensure that all Council and electors meetings are accessible and that the minutes from these meetings will be made available upon request in alternative formats.

#### **DEVELOPMENT OF THE PLAN**

Extensive public consultation and input from key disabilities agencies and groups was undertaken in creating the original Disability Services Plan in 1996.

A workshop was held in July 2008 with Disability Services Commission senior staff from Perth, the local area coordinator for the Disability Services Commission and Council Officers to discuss the Disability Access and Inclusion Plan and its implications for Council service areas.

An advertisement was placed in the community newspaper in September 2008 to advise residents that Council was reviewing their Disability Access and Inclusion Plan to improve access for people with disabilities and their families to Council functions, facilities and services. An invitation to participate in the Disability Working Group was included in this advertisement. The draft DAIP was also posted on Council's website for access by the community, with advice that a hardcopy could be sent to people on request.

Consultation meetings were held in July, August and September 2008 with people with disabilities, their families, carers, disability organisations, relevant community groups and council staff to discuss the barriers that people with disabilities and their families experience in accessing Council functions.

#### **Ongoing Consultation**

Consultation between staff and the community is ongoing to ensure that the Disability Access and Inclusion Plan remains relevant to the community and their needs.

The Town of Port Hedland's Community Development department, in consultation with the Disability Access and Inclusion Community Consultation Group is responsible for the monitoring and reporting on this Disability Access and Inclusion Plan.

**5. OBJECTIVES AND STRATEGIES IDENTIFIED TO OVERCOME BARRIERS – All acronyms attached below Outcome 6.**

**Outcome 1:** *People with disabilities have the same opportunities as other people to access the services of, and any event organized by, a public authority.*  
**Objective:** Council to adapt and maintain services to ensure they are accessible to people with disabilities.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (COMPLETIONof DATE)	WHO
<b>Community Services</b>				
* Library Services	*Limited range of resources specific for people with disabilities	Increase resources	Ongoing	MLIS
	*Obtaining information on what is available	Investigate developing information CD	Ongoing	MLIS
	*Library services not promoted to people with disabilities	Develop appropriate promotion strategy	Ongoing	MLIS
* Recreation Services	*Staff not sure how existing activities can allow a person with a disability to participate.	Staff Training	Ongoing	HR
	*Lack of recreational activities	*Employ a Recreation Facilitator for PWD	Ongoing	MRS

**Outcome 1 (continued):** *People with disabilities have the same opportunities as other people to access the services of, and any event organized by, a public authority.*

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES (COMPLETION DATE)	TIMELINE	WHO
<i>(Rec. Service cont.</i>		* Provide information to clubs	Ongoing	MRS
*Service Providers	Lack of awareness for PWD	Develop booklet on services	Annual update	CDO
*Home & Community Care	Promotion and publicity and effective communication with other service providers	Continue to promote to service providers on HACC	Ongoing	
		Promote HACC Social Centre	Ongoing	
	Regularly network with Disability	Ongoing Services Commission	MCED	
* Transport	Transport services limited in this region actively lobby to improve	Council to continue to transport.	Ongoing	MCED
* Parking for people with disabilities	People without ACROD card park in bays	Community Education campaign. Rangers to enforce Penalty to be promoted	Ongoing	SR
* Accommodation	No appropriate accommodation	Liaise with relevant Government agencies.	Ongoing	MCED
* Respite Services	Lack of respite services - particularly on weekends.	Liaise with relevant Government agencies	Ongoing	MCED

**Services to Property**

\* Domestic Waste Removal

People with mobility problems unable to bring 240ltr mobile garbage bins to kerb side

People with disabilities to be informed through various channels that alternative arrangements for removal of domestic waste can be made upon request. Information included in booklet on Services for PWD

Ongoing

MES

**Outcome 2:** *People with disabilities have the same opportunities as other people to access the buildings and other facilities of public authority.*

**Objective:** Council to ensure that Council offices and Chambers are accessible.

FUNCTIONS FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE	WHO
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**Access within Council  
And Offices and Chambers**

Administration

Front counter too high for people in wheelchairs.

Counters modified.

Completed

MBS

**Community  
Services/Facilities**

- Playgrounds

Lack of accessible playground within Local Government area.

Council to develop an integrated approach to the development of playgrounds and parks.

Ongoing

MID

Council to design an appropriate playground with community/Hedland Community Living Association.

Ongoing  
Consultation expected

MID/ MCED

Council to investigate indoor soft play area

Ongoing

MRS

**Outcome 2:** *People Access to buildings and facilities is improved.*

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE	WHO
*South Hedland Aquatic Centre	No accessible toilet	Install accessible toilet	Completed	MRS
* Library (South)	Front doors of libraries too heavy. No accessible toilet	Accessible doors installed in upgrade Accessible toilet installed in upgrade	Completed Ongoing	MLIS
*Library (Port)	No accessible Toilet	Include in upgrade	Ongoing	MLIS
*Public Parks Gardens/	Lack of accessible toilets. Prickles/thorns puncture tyres. Lack of seating.	* To undertake public consultation to develop appropriate park facilities. * To prepare a time-line of forward works.	Ongoing	MPG/MID
* Street Lighting	Lack of lighting	Additional funding to be sought for new street lighting and associated annual costs.	Ongoing Funding sought. Lighting upgraded In 06/07 + 07/08. Program ongoing.	MES



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* Port Hedland Youth & Family Centre	Kitchen not accessible No accessible toilet. Lack of clear signage.	Modify kitchen Install accessible toilet. Install signage.	Ongoing	MBS
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<b>Outcome 2:</b> <i>People Access to buildings and facilities is improved.</i>
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FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE	WHO
*Well Women’s Centre	No accessible toilet. Entrance not accessible.	Ramp, accessible door Accessible toilet installed as part of library upgrade.	Ongoing	MBS
* Matt Dann Theatre Complex	Discussion with HSHS re: upgrade of the facility  No loop system	Accessible toilet installed	December 2008	MDCC/ MCED
*Community Events	No supplier of Accessible Toilets. Ovals and sporting reserves not accessible	Liaise with hire companies to secure accessible event toilets or purchase accessible toilets plan events to include more accessible venues.	Ongoing	MCED
* Shared paths, Kerbs and pedestrian ramps	Shared paths and kerbs not consistently accessible  Paths covered in sand	Council to establish priorities for upgrade. Sweep paths	Ongoing 05/06-07/08 path / kerb programs have improved access. Works ongoing Ongoing	MID MES

No wheelchair access off paths to road	Insert wheelchair access off paths at strategic points	As requested + as per kerb/path upgrades	MES MES/MID
Gravel surfaces not accessible	Build with appropriate materials	As per path construction Program.	MES
No access to beach	Create accessible pathways to beach	Not commenced No budget	MES

**Outcome 2:** *People Access to buildings and facilities is improved.*

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE	WHO
* Road Crossings	Insufficient pedestrian islands.	Council to undertake an audit of all road crossings to establish priorities for upgrading.	Dec 2008 Throssell Rd upgrades ongoing Audits ongoing	MID
* Key Building/Services	Homeswest Building/Post Office/Caravan Park/ Police Station/ High School Banks/Western Power/Hotel/ Motel Accom./Primary Schools/	Council to liaise/lobby with other services to develop strategy i.e. joint ventures from building to Council controlled shared paths. Council to initiate awards for acc. places. Council to develop public awareness campaigns.	Ongoing	MBS/DAIPCCG
* Cemetery	No accessible parking bay Car park and pathways not accessible.	Develop a Cemetery Plan	Dec 2008 Latest upgrades include road and car park upgrades. New shade shelters accessible by wheelchair.	DTS / MID

*Courthouse Arts Centre and Gallery	No accessible toilet Entrance not accessible	Include accessibility in upgrade	Ongoing	MCED /CHAG
*Emergency Evacuation Centre's – JD Hardie/Cooke Point Youth and Family Centre	No accessible toilet Entrance not accessible	Upgrade Y&FC South's Evac centre now TAFE	Ongoing	MCED/MBS

**Outcome 3:** *People with disabilities receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.*

**Objective:** All information about Council functions, facilities and services to use clear and concise language and to be made available in accessible formats.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE	WHO
<b>Applies to all Council Functions, Facilities and Services</b>	Information about all Council functions, facilities and services is not written in clear and concise language and not available in alternative formats	Council to develop policies that all its community information to be written in clear and concise language. Council to inform community in alternative formats. The following formats to be made available upon request:  * large print * audio cassette * computer disc * brail	Ongoing Available in clear & concise print (local directory) and web. Public/ Corporate (i.e. Council) documents prepared in 'Arial' 12pt font.  As requested & if available from town suppliers e.g. BRAILLE.	EA
	PWD not made to feel welcome	To include <i>People of all Abilities Welcome</i> on information where appropriate	Ongoing	EA/Staff

**Outcome 4:** *People with disabilities receive the same level and quality service from the staff of a public authority as other people receive from the staff of that public authority.*  
**Objective:** Council officers to be equipped with information and skills to enable them to appropriately provide advice and services to people with disabilities.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE	WHO
Applies to all Council Functions, Facilities and Services	People with disabilities are not aware of how Council can support people with disabilities.	Regular update on what's new in Council to be provided in local paper and on Information Radio.	Ongoing	EA

**Outcome 4 cont:** *People with disabilities receive the same level and quality service from the staff of a public authority as other people receive from the staff of that public authority.*

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE	WHO
		Council Information brochures to include a section about how the Council supports people with a disability.	Annually	EA
		Council information to include: <i>People of all abilities welcome</i> When promoting activities and events	Ongoing	MCED
		Council selection criteria for Identified positions to include that it would be desirable to have experience, knowledge or willingness to work with people with disabilities.	Ongoing	HR
	People with disabilities who have difficulty communicating find that staff use language and acronyms which are	Training to be incorporated with Equal Employment Opportunity Training.	Ongoing	HR

not easily understood.

In general people with Disabilities find that:

\* Staff appear to be unsure how to talk to someone with a disability.

Disability Awareness Training to be included in Equal Employment Opportunity training. Staff induction training to include disability issues. Ongoing refresher training to be developed

Ongoing

HR

**Outcome 4: continued** *People with disabilities receive the same level and quality service from the staff of a public authority as other people receive from the staff of that public authority.*

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE	WHO
	<ul style="list-style-type: none"> <li>* Staff appear embarrassed.</li> <li>*Staff do not know resources available</li> <li>* Staff assume that they cannot help</li> <li>*Staff assume only disability specific services can help</li> <li>*Staff address the carer not the person with the disability.</li> </ul>			

**Outcome 5: Objective:** *People with disabilities have the same opportunities as other people to make complaints to a public authority.*  
 People with disabilities to raise concerns and make complaints about any aspect of their services.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE	WHO
<b>Administration</b> *Information Services mechanisms are unknown.	Complaint and appeal information about planning	Council to provide	Ongoing	MIS/AC/CSO
	Grievance procedure not known by staff	Promote grievance procedure to staff training	processes, electoral processes. Ongoing	HR

Positive undertakings not known      Promote 'good things'      Ongoing      EA

**Outcome 6:** *People with disabilities have the same opportunities as other people to participate in any public consultation by a public authority.*  
**Objective:** People with disabilities to have opportunities to participate in decision-making processes, public consultations and complaint mechanisms.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE	WHO
*Council Web Site	Council web site does not comply with Access Standards	Audit of web site and upgrade	Under review	DCS

**Outcome 6:cont** *People with disabilities have the same opportunities as other people to participate in any public consultation by a public authority.*

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE	WHO
<b>Government Processes</b>				
*Council Meetings	Lack of information in appropriate formats about Council meetings and how residents can participate.	Procedures in clear and concise language and to make these available in alternative formats upon request.	Ongoing	EA
<b>Regulatory</b>				
Planning Process	Information about planning processes not available in alternative formats.	Information about planning processes to be provided in alternative formats.	As requested	MP
	Lack of auditory supports for people with hearing difficulties at planning meetings and Council meetings.	Council to advertise that it will provide auditory supports for those wishing to attend Council meetings. WA Deaf Society to be contacted regarding arrangements for an interpreter if required.	Ongoing	EA
		Council to investigate use of audio loop or other types of amplification for all meetings.	Ongoing	EA
		Council to use local media	On request Can arrange for an aid (sign) to be avail. If reasonable notice is	EA

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	given.	
including Information Radio and local papers to publicise its meetings and the availability of access for people with disabilities	Ongoing	EA

**ACRONOYMS:**

LC	Library Co-ordinator
HR	Human Resources Coordinator
MCED	Manager Libraries & Cultural Development
PFDC	Coordinator Pilbara Family Day Care
MRS	Manager Recreation Services
HACC	Home & Community Care Program Coordinator
RS	Coordinator Ranger Service
MBS	Manager Building Services
WM	Works Manager
MDCC	Matt Dann Cultural Centre
DAIPCCG	Disability Access and Inclusion Community consultation Group
DES	Director Engineering Services
MID	Manager Infrastructure & Development
DCRS	Director Community & Regulatory Services
DCS	Director Corporate Services
EA	Executive Assistant
CEO	Chief Executive Officer
TP	Manager Planning
PWD	People with Disabilities
MES	Manager Engineering Services
AC	Administration Coordinator
MIS	Manager Information Services

**6. REVIEWS AND EVALUATION MECHANISMS****Review and Monitoring**

- The Disability Access and Inclusion Community Consultation Group will review progress on the implementation of the strategies identified in the Disability Access and Inclusion Plan.
- Outcomes will be reported in the Town of Port Hedland Annual Report and Plan for the Future, and in an annual report to the Disability Services Commission for tabling in WA State Parliament.

**Evaluation**

- Council endorsement of status reports on the disability planning process to be used in seeking feedback from the community.
- Each year Council, through the Disability Access and Inclusion Community Consultation Group, will provide advice to the community regarding the implementation of the Disability Access and Inclusion Plan and seek feedback on the effectiveness of strategies that have been implemented.
- In seeking feedback, the Working Group will also seek to identify any additional barriers that were not identified in the initial consultation.



- 
- The Working Group will use some of the consultation processes used during the initial consultations including: questionnaires, meetings with people with disabilities and disability organisations.
  - Elected members of Council and Council staff will also be requested to provide feedback on how well they believe the strategies are working and to make suggestions for improvement.
  - Plans will be amended based on the feedback received and copies of the amended plan will be available to the community in alternative formats once endorsed by Council.
  - Following Council endorsement, amended plans will be submitted to the Disability Services Commission on an annual basis.

**7. COMMUNICATE THE PLAN TO STAFF AND PEOPLE WITH DISABILITIES**

- Each year as the Plan is amended both staff and the community will be advised of the availability of the updated Plan through the Disability Access and Inclusion Community Consultation Group.

Town of  
Port Hedland



Disability Access

and Inclusion Plan Strategies  
2010-2011

### 2010-2011 update on Disability Access and Inclusion Plan Strategies

**Outcome 1:** People with disabilities have the same opportunities as other people to access services of, and any event organized by, a public authority  
**Objective:** Council to adapt and maintain services to ensure they are accessible to people with disabilities.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2010/11 Update
<b>Community Services</b>					
Library Services	Limited range of resources specific to people with disabilities	Increase resources	Ongoing	CLS	Increase in Large Print formats and Audio Resources Investigation of Adaptive Technology resources suited to people with special needs
	Obtaining information on what is available	Investigate developing information CD	Ongoing	CLS	Provide relevant information to update information on Product & Services Guide including audio format
	Library services not promoted to people with disabilities	Develop appropriate promotion strategy	Ongoing	CLS	Housebound Service is offered to people who are unable to attend the library in person. Continue to develop appropriate promotion strategies.
Recreation Services	Staff not sure how existing activities can allow a person with a disability to participate	Employ a Recreation facilitator for PWD	Ongoing	MRS	Training provided to staff to ensure PWD can be included within all programming. Suggest removal of 'Recreation Facilitator' for PWD, and ensure access for all abilities is included within all relevant PD's

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2010/11 Update
	Lack of recreational activities	Employ a Recreation Facilitator for PWD	Ongoing	MRS	Training provided to staff to ensure PWD can be included within all programming. Suggest removal of 'Recreation Facilitator' for PWD, and ensure access for all abilities is included within all relevant PD's
		Provide information to clubs	Ongoing	MRS	Information provided by WADSA on a regular basis. Suggest continuing.
Service Provider	Lack of awareness for PWD	Develop booklet on service	Annual update	CDO	Waiting on photos to insert for visual aids
Home & Community Care	Promotion and publicity and effective communication with other service providers	Continue to promote to service providers on HACC	Ongoing	MLCD	Ongoing where appropriate
Transport	Transport services limited in this region	Council to continue to actively lobby to improve transport	Ongoing	MLCD	Council raises this issue when appropriate
Parking for people with disabilities	People w/out ACROD card park in bays	Community Education campaign. Rangers to enforce. Penalty to be promoted	Ongoing	SR	Currently the only disabled parking bays we monitor are those at the PHIA and Wedge Street & At schools should these be provided. Disabled parking bays at the SH Shopping Centre and the Boulevard Shopping Centre are not sign posted sufficiently for us to enforce. Current Penalty is \$120.00
Accommodation	No appropriate accommodation	Liaise with relevant Government agencies	Ongoing	MLCD	MLCD has assisted with the establishment of a Reference Group hosted by Foundation Housing to address this issue.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2010/11 Update
Respite Services	Lack of respite services - particularly on weekend	Liaise with relevant Government agencies	Ongoing	MLCD	No action on this in current year - priority for next year
<b>Services to Property</b>					
Domestic Waste Problems	People with mobility unable to bring 240ltr mobile garbage bins to kerb side	People with disabilities to be informed through various channels that alternative arrangements for removal of domestic waste can be made upon request. Information included in booklet on Services for PWD		MES *CDO as well	CWO wasn't aware of this strategy and has requested direction from supervisor to put into action.

**Outcome 2:** People with disabilities have the same opportunities as other people to access the buildings and other facilities of public authority  
**Objective 1:** Council to ensure that Council offices and Chambers are accessible.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2010/11 Update
<b>Access within Council (Offices and Chambers)</b>					
Administration	Front counter too high for people in wheelchairs	Counters modified	Completed	MBS	Completed
<b>Community Services/Facilities</b>					
Playgrounds	Lack of accessible playground within Local Government area	Council to design an appropriate playground w/ community & Hedland Community Living Assoc.	Ongoing Consultation expected	MID / MLCD	MLCD champions inclusion of HCLA representation on /consultation with on design of appropriate playground equipment
		Council to investigate indoor soft play area	Ongoing	MRS	Investigations to continue, with suitability to be examined within new facilities.
South Hedland Aquatic Centre	No accessible toilet	Install accessible toilet	Ongoing	MRS	SHAC redevelopment occurring in 2011/12, including ramp access.
Library (South)	Front doors of libraries too heavy.	Accessible doors installed in upgrade	Ongoing	CLS	Ongoing – timeframe for upgrade has been extended. Refer to Master Plan for SHAC & Library/Community Centre
	No accessible toilet	Accessible toilet installed in upgrade	Ongoing	CLS	Ongoing – timeframe for upgrade has been extended. Refer to Master Plan for SHAC & Library/Community Centre
Library (Port)	No accessible toilet	Included in upgrade	Ongoing	CLS	Ongoing – timeframe for upgrade/relocation has been extended.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2010/11 Update
Public Parks/ Gardens	<ul style="list-style-type: none"> <li>Lack of accessible toilets.</li> <li>Prickles / thorns, puncture tyres.</li> <li>Lack of seating</li> </ul>	To undertake public consultation to develop appropriate park facilities. To prepare a time-line of forward works	Ongoing	MBS MPG MID	Completed  As per above- Can committee provide specific details on problem areas? Parks currently have sufficient seating.
Street Lighting	Lack of Lighting	Additional funding to be sought for new street lighting and associated annual costs	Ongoing  Funding sought. Lighting upgraded in 06/07 & 07/08. Program ongoing	MIS	Program in PH & SH complete. Works in SH pending underground power project.  Council reviewing lighting at Turner River and rural estate for budget request.
Port Hedland Youth & Family Centre	Kitchen not accessible	Modify kitchen	Ongoing	MBS	
	No accessible toilet	Install accessible toilet	Ongoing	MBS	
	Lack of clear signage	Install signage	Ongoing	MBS	Completed
Well Women's Centre	No accessible toilet	Ramp, accessible door	Ongoing	MBS	Completed
	Entrance not accessible	Accessible toilet as part of library upgrade	Ongoing	MBS	Completed
Matt Dann Theatre Complex	Discussion with HSHS re: upgrade of the facility	Accessible toilet installed	December 2008	MDCC/ MLCD	Consider options for increasing accessibility, in context of future building upgrades. with MDCC Shared Facilities Committee
	No loop system	<i>investigate costs</i>		MDCC/ MLCD	Costs estimated at \$15000 for the equipment. In addition to this, existing equipment would need to

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2010/11 Update
					be upgraded to accommodate loop system – not a statutory requirement and recommended for deletion
Community Events	No supplier of accessible toilets. Ovals and sporting reserves not accessible	Liaise with hire companies to secure accessible event toilets or purchase accessible Toilets plan events to include more accessible venues	Ongoing	MLCD	All event planning includes access to assessable and appropriate toilets  Completed
Shared paths, Kerbs & pedestrian ramps	Shared paths & kerbs not consistently accessible	Council to establish priorities for upgrade	Ongoing 05/06 – 07/08: kerb programs have improved access. Works ongoing	MID	Ongoing kerbing program. Can committee provide list of priority areas?
	Paths covered in sand	Sweep paths	Ongoing	MES	Ongoing
	No wheelchair access off paths to road	Insert wheelchair access off paths at strategic points	As requested & as per kerb/path upgrades	MES / MID	Ongoing kerb/path program. Can committee provide list of priority areas?
	Gravel surfaces not accessible	Build with appropriate materials	As per path construction program	MIS	Ongoing path program
	No access to beach	Create accessible pathways to beach	Not commenced. No budget	MID	Fini Island Beach ramp complete. 25/05/11: Seeking Council approval for ramp Cemetery Beach
Road Crossings	Insufficient pedestrian islands	Council to audit all road crossings to establish priorities for upgrading		MID	Will be identified in traffic study. Budget request for 11/12 for Murdoch drive pedestrian islands.



FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2010/11 Update
<i>Key Building/</i>	<i>Homeswest Building/Post Office/ Caravan Park/Police Station/High School/Banks/Western Power/Hotel/Motel Accom./Primary Schools</i>	<i>Council to liaise/lobby with other services to develop strategy i.e. joint ventures from building to council controlled shared paths. Council to initiate awards for acc. places</i>	Ongoing	MbS?DA IPCCG	
Cemetery	No accessible parking bay. Car park and pathways not accessible	Develop a Cemetery Plan	Dec 2008 – Latest upgrades include road and car park upgrades, new shade shelters. Accessible by wheelchair	DTS/MID	Carpark, pathways, roads and shade shelter have wheelchair access. Plan being developed for ongoing improvements to paths around graves.
Courthouse Arts Centre & Gallery	No accessible toilet. Entrance not accessible	Include accessibility in upgrade	Ongoing	MLCD/ CHAG	
Emergency Evacuation Centres  JD Hardie  Cooke Point Youth & Family Centre	No accessible toilet. Entrance not accessible	Upgrade Y&FC. South's Evac centre now TAFE	Ongoing	MLCD/ MBS	Completed at JD

**Outcome 3:** People with disabilities receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

**Objective:** All information about Council functions, facilities and services to use clear and concise language and to be made available in accessible formats.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2010/11 Update
Applies to all Council Functions, Facilities and Services	Information about all Council functions, facilities and services is not written in clear and concise language and not available in alternative formats	Council to develop policies that all its community information to be written in clear and concise language. Council to inform community in alternative formats. The following formats to be made available upon request:  *Large print *Audio cassette *Computer disc *Brail	Ongoing  Available in clear & concise print (local directory) and web. Public/Corporate (i.e. Council) documents prepared in 'Arial' 12pt font  As requested & if available from town suppliers e.g. BRAILLE		
	PWD not made to feel welcome	To include People of all Abilities Welcome on information where appropriate	Ongoing	CD/PO all staff	

**Outcome 4:** People with disabilities receive the same level and quality service from the staff of a public authority as other people receive from the staff of that public authority.  
**Objective:** Council officers to be equipped with information and skills to enable them to appropriately provide advice and services to people with disabilities.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2010/11 Update
Applies to all Council Functions, Facilities and Services	People with disabilities are not aware of how Council can support people with disabilities.	Regular updates on what's new in Council to be provided in local paper and on information radio	Ongoing	PO	Communication still ongoing, also updates in e-newsletter
		Council Information brochures to include a section about how the Council supports people w/ disability	Annually	PO	Information still included and updated annually
		Council information to include <i>People of all abilities welcome</i> when promoting activities & events.	Ongoing	MCLD	This invitation is now included on all Council information when promoting activities and events hosted or the responsibility of the Community Development Directorate
		Council selection criteria for Identified positions to include that it would be desirable to have experience, knowledgeable or willingness to work with people with disabilities	Ongoing	HR	Review of position descriptions to ensure selection criteria have been updated for identified positions.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2010/11 Update
	<p>People with disabilities who have difficulty communicating find that staff use language and acronyms which are not easily understood</p>	<p>Training to be incorporated with Equal Employment Opportunity Training</p>	<p>Ongoing</p>	<p>HR</p>	<p>Annual EEO training provided to all staff and attendance is compulsory.</p>
	<p>In general people with disabilities find that:</p> <ul style="list-style-type: none"> <li>*Staff appear to be unsure how to talk to them</li> <li>*Staff appear embarrassed</li> <li>*Staff do not know resources available</li> <li>*Staff assume that they cannot help</li> <li>*Staff assume only disability specific services can help</li> <li>*Staff address the carer, not the person with the disability.</li> </ul>	<p>Disability Awareness Training to be included in Equal Employment Opportunity Training</p> <p>Staff induction training to include disability issues. Ongoing refresher training</p>	<p>Ongoing</p>	<p>HR</p>	<p>All staff awareness training to be provided. Any gaps in this training not addressing these issues, staff will arrange further training within the training plan to ensure these requirements are met.</p>

**Outcome 5:** People with disabilities have the same opportunities as other people to make complaints to a public authority.

**Objective:** People with disabilities to raise concerns and make complaints about any aspect of their services.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2010/11 Update
Administration *Information Services mechanisms are unknown	Complaint and appeal information about planning & electoral processes	Council to provide	Ongoing	MIS/ AC/ CEO	
	Grievance procedure not known by staff	Promote grievance procedure	29/7/11	HR	Procedure is explained during induction with all new employees and is available on our intranet.
	Positive undertakings not known	Promote 'good things'	Ongoing	PO	

**Outcome 6:** People with disabilities have the same opportunities as other people to participate in any public consultation by a public authority.  
**Objective:** People with disabilities to have opportunities to participate in decision – making processes, public consultations and complaint mechanisms.

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2010/11 Update
Council website	Council website does not comply with Access Standards	Audit of web site & upgrade	Under review	DCS	
<b>Government Processes</b>					
Council Meetings	Lack of information in appropriate formats about Council meetings and how residents can participate	Procedures in clear & concise language and to make these avail. In alternative formats upon request	Ongoing	GC / MOD	
<b>Regulatory</b>					
	Information about planning processes not available in alternative formats.	Information about planning processes to be provided in alternative formats	As requested	TP	
	Lack of auditory supports for people with hearing difficulties at planning & Council meetings	Council to advertise that it will provide auditory supports for those wishing to attend Council meetings	Ongoing	GC / MOD	
		WA Deaf Society to be contacted regarding arrangements for an interpreter is required	Ongoing	Planning Process	

FUNCTIONS, FACILITIES, SERVICES	BARRIERS	STRATEGIES	TIMELINE (Completion Date)	WHO	2010/11 Update
		Council to investigate use of audio loop or other types of amplification for all meetings.	On request Can arrange for an aid (sign) to be available if reasonable notice is given	GC	
		Council to use local media including Information Radio and local papers to publicize its meetings and the availability of access for people with disabilities	Ongoing	GC	

*ATTACHMENT 3 TO AGENDA ITEM 11.3.2***Information in reports about Disability Access and Inclusion Plans**

It is a requirement of the Disability Services Act 1993 that public authorities provide a DAIP report that shows how identified strategies have been progressed to meet the desired outcomes. This includes the work of agents and contractors.

Agents and contractors can include non-government and not-for-profit organisations, as well as businesses that provide activities that interact with the community. Examples of such work include consultants that engage with the community, website related work, public building or renovation contracts for areas accessible to the public and direct service provision.

Contract employees should not be considered as contractors for this report.

While the strategies to support your DAIP will have an ongoing effect, they should be considered completed if they were implemented as intended for 2010-2011.

The DAIP report is not just about complying with the requirements of the Act. It also helps identify best practice that can showcase innovative ideas and assist in the development of resources and information sharing.

A copy of the template is available at [www.disability.wa.gov.au](http://www.disability.wa.gov.au) in the 'Access and universal design' section.

Please submit the DAIP progress report by 31 July 2011 to:

Post: Community Access and Information Branch  
Disability Services Commission  
PO Box 441  
West Perth WA 6872

Fax: 9481 6808

Email: [access@dsc.wa.gov.au](mailto:access@dsc.wa.gov.au)



**DAIP Progress Report for the Disability Services Commission 2010-2011**Name of Public Authority: **Town of Port Hedland**\_\_\_\_\_Name of Contact Person: **Community Development Officer**\_\_\_\_\_Phone number/email: **08 9158 9687** or **cdo@porthedland.wa.gov.au**\_\_\_\_\_

Please complete and forward to the Disability Services Commission by 31 July 2011.

**1. For 2010-11, please indicate for the outcome areas in your DAIP:**

- the number of strategies that were planned, completed or partially completed by your organisation in the shaded columns below
- the number of contractors supporting DAIP outcomes in the far right column

	Total number of planned strategies	Number of strategies completed	Number of strategies partially completed	Number of contractors undertaking DAIP activity
<b>Outcome 1</b>	13	4	5	
<b>Outcome 2</b>	27	8	4	
<b>Outcome 3</b>	2		2	
<b>Outcome 4</b>	7	4	2	
<b>Outcome 5</b>	3	2		
<b>Outcome 6</b>	7	2	5	

**2. For 2010-11, please indicate the number of contractors that worked towards DAIP outcomes and the total number of contractors providing a service to the public:**

Number of contractors providing a service to the public consistent with the Disability Access and Inclusion Plan	
Total number of contractors providing a service to the public (whether they were provided consistent with the Disability Access and Inclusion Plan or not)	

**3. For 2010-11, how have you informed agents and contractors of the Disability Access and Inclusion Plan? (Tick relevant responses)**

Provided a copy of your agency DAIP	x
Provided a link to the DAIP	X
Sent a letter	X
Referenced in a contract(s)	X
Referenced in a contract variation(s)	X

**4. (Optional) Please provide a brief description of any significant access initiatives undertaken in 2010-11 (photographs and additional information can be attached if desired):**

- Completion of the Finicane Island boat ramp to be inclusive of people of all abilities.
  - Redefined Terms of Reference for the Town of Port Hedland's Disability Access and Inclusion Plan.
  - Further training in engaging people living with disabilities.
  - Purchase and installation of Accessible Portable Toilets for events.
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6:12pm Councillor M Dziombak declared a Financial Interest in Agenda Item 11.3.3 'South Hedland Skate Park – Further Consideration of Location, Consultation and South Hedland CBD Stakeholder Committee' as he is a BHP Billiton shareholder with shares over the statutory limit.

Councillor M Dziombak left the room.

*11.3.3 South Hedland Skate Park – Further Consideration of Location, Consultation and South Hedland CBD Stakeholder Committee Recommendation (File No.:26/06/0004)*

Officer Gordon MacMile  
Director Community  
Development

Date of Report 27 July 2011

Disclosure of Interest by Officer Nil

Council has previously considered the impact of the South Hedland CBD works on the existing Skate Park and the potential locations and options for any redevelopment / replacement.

The opportunity to collocate the Skate Park with and on the SHAC redevelopment site has recently been identified. A limited and preliminary consultation process has been undertaken including the South Hedland CBD Stakeholder Committee regarding the proposed skate facility location.

The results of the preliminary consultation process are included in this report.

Council is therefore requested to support a comprehensive community engagement and consultation process being undertaken to consider the detailed site circumstances and develop a skate facility plan. A subsequent report will be provided to Council in late November 2011, detailing the consultation outcomes, concepts designs, cost estimates, funding strategy and potential construction program for the proposed facility.

Background

In August 2010 Council considered 2 options offered by Landcorp, regarding the impact of the realignment of Colebatch Way on the South Hedland Skate facility as part of the CBD development. These options were:

Modify the existing skate park and build a replacement section on the eastern end  
Build a new facility at an alternative location.

Given the limited consultation undertaken at the time around an alternative location, Council supported the development of modifications of the facility at the existing location.

Council further considered the location of the South Hedland skate facility at the Ordinary meeting held on 13 October 2010 and resolved:

That Council:

requests the Chief Executive Officer to advise Landcorp that it supports the closure of a portion of the skate park to allow construction works associated with the realignment of Colebatch Way, but to leave a portion of the park functional, challenging and safe at all times

requests the Chief Executive Officer to advise Landcorp to consult with young people to plan the construction of an extension to the eastern end of the existing skate park.

Convic Design were engaged to develop preliminary / concept skate facility designs and prepared a preliminary feasibility and design for the proposed South Hedland skate facility. The preliminary feasibility work by Convic focused on creating a facility that connected the existing park location with the Town Centre utilising the drainage swale parallel to Forrest Circle.

These concepts and costings were presented at the South Hedland CBD Stakeholder Committee meeting held on 10 May 2011, with the Committee recommending the following:

*“That the South Hedland CBD Stakeholder Committee:*

- 1. recommends to Council its support in principal for the extension of the South Hedland skate park through the drainage reserve parallel to Forrest Circle; and*
- 2. recommends to Council that further investigations around the skate park concepts need to be carried out”.*

The May 2011 meeting resolved the following:

*“That Council*

- 1. Acknowledges the recommendations of the South Hedland CBD Stakeholder Committee regarding the proposed skate facility*
- 2. Supports the exploration of all opportunities to share / jointly use space within the CBD for multiple infrastructure / community outcomes*
- 3. Supports the further investigation of key skate park concepts including design, cost, funding strategies, multiple delivery partners and community inclusion opportunities*
- 4. Notes that information identified in 3. above will be reported to Council and key stakeholders by 30 September 2011”.*

Subsequent investigation into the location of the SH skate facility have taken place throughout June and early July, with the potential collocation and integration with the SHAC redevelopment, adjacent to Town Park being identified.

## Consultation

## Internal

- Chief Executive Officer
- Director Community Development

## External

The South Hedland CBD Stakeholder Committee has broad representation from Councillors, Landcorp, Lotteries House, South Hedland Shopping Centre, WA Police, BHP Billiton, Local Business owners and community members.

Recent Location Consultation (Collocated on SHAC site, adjacent to Town Park)

Officers recently undertook a consultation process with key stakeholders and sections of the broader community, focused on establishing the level of support for location the SH skate facility on the northern area of the SHAC site. Process undertaken and feedback received is detailed below:

Location (Scope of Consultation)	
	To seek public comment on proposed new site for South Hedland Skate Park
	Specifically consult with ToPH youth generally, and key community youth stakeholders
	To record any comments from those at point 2 about the proposed relocation
	Allow for capture of information that might be related to skate park relocation.
Location (Consultation Process)	
	Email request to for comment to HYSAG membership email list – indication that proposed new site would be next to refurbished South Hedland Aquatic centre
	Follow up emails to with phone calls to selected HYSAG members
	A brief survey designed, as attached, and encourage youth to complete
	Direct consultation with YIC and membership
	Direct consultation with SH skate park users
	Survey for to be completed by youth at Hedland High School during lunch break and at YIC Youth Centre as an afterschool activity

Location (Consultation - High School lunch time and YIC after school survey – Total 41 surveys completed) – Raw Comments	
	Great idea
	Close to pool so can also have a swim to get cool if gets too hot
	Good -seems it be could be less traffic in that area
	Very interested in what might be new design
	Want more shade than existing skate park and water

fountains
Hope will be larger than existing South Hedland skate park
Skate Park needs to be big enough to provide for skate boarders, scooters and BMX
Too far away from shops x 7 respondents
Too far away from McDonald's x 1 respondent
Where will parents park their car x 1 respondent
Safer as kids don't have to run across road to BP service station for cold drink as new site means now can access shop at pool

Location (Consultation process undertaken at SH Skate Park on Friday evening 15 July 2011. The consultations coincided with a YIC Skate park event and include a total of 14 children and youth of approx ages of 8 to 15).
Majority like idea that proposed site is next to the pool
Like it because don't have to cross road to get drinks at BP, at new site can get drinks from pool shop without crossing a road.
Away from current busy road (one responded recalled when his cousin was run over on the road next to the existing skate park)
A bad idea if they close down completely the existing South Hedland Skate Park before they open the new Skate Park.

Location (Key Stakeholder Consultation Feedback)
HYSAG members (Gningala Yarran-Clanton , Family Healing Co-ordinator, Wirraka Maya Health Service) - The new location is much better, next to pool and away from traffic.
Tim Turner (The Hood and Coordinator Swim for Life Program) - new location is better than current site particularly as nearer the pool – however firmly believes new skate park should be next the JD Hardie Youth Centre so youth can easily access youth centre and workers have easy access to youth.
Sarah Amiradaki (Health Schools Coordinator & Youth Director C3 Church – WA Country Health Population Health Team) – same view as Tim Turner that the new location should be next to JD Hardie Youth Centre based on same rationale as above.
Ray Holt (Youth Diversion Officer, South Hedland Police) – Believes new site is better than existing site, but adds that design will be important for passive surveillance of skate park and also asked if the skate park will also be covered by CCTV
<ul style="list-style-type: none"> <li>• Based on conversations with the youth at the Lawson Street Youth Centre and YIC staff (including Mingle Mob) the following comments are made about the proposed new location of the South Hedland Skate Park: <ul style="list-style-type: none"> <li>– Safety concerns regarding the speed / quantity of traffic</li> <li>– Safety concerns regarding the pool (possible access to it) out of hours</li> <li>– Safety concerns regarding the children using the skate park - many of our clients who utilize the skate park do not have parental supervision. In the current location help is</li> </ul> </li> </ul>

<p>readily available from the shopping centre, car park users or BP. May be compromised in the proposed new location</p> <ul style="list-style-type: none"> <li>- Toilets and amenities are far away (unless these are included in the new design).</li> </ul> <ul style="list-style-type: none"> <li>• The following comments were raised about the design of the skate park: <ul style="list-style-type: none"> <li>- The need for shade;</li> <li>- The need for sturdy water fountains;</li> <li>- The need for a functional BBQ and BBQ area (similar to Cemetery Beach);</li> <li>- Close and abundant parking for use by parents and Mingle Mob to supervise children and to cater for events such as skate competitions and the visitors it may attract</li> <li>- Landscaped area around the skate park area including play equipment and seating set back from the roads</li> <li>- Incorporate CCTV cameras / effective lighting into design</li> <li>- Need for toilets.</li> </ul> </li> </ul>	<p>Lenny Quakawoot – (Senior Agreement Manager / South Hedland Indigenous Coordination Centre) – Much better location – one stop for parents and other users who want to access both Aquatic Centre and Skate Park at same time. Such as parents with toddlers who they can take to toddler pool while older children might prefer to use skate park at same time.</p>
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Very preliminary consultation processes have been undertaken as outlined above, indicating a general level of support for the proposed new skate park location, adjacent to the SHAC and Town Park.

Subject to Council approval a full engagement, consultation, and capacity building process is intended to be undertaken in relation to SH skate park design and delivery, as well as the broader vision for the community space in the CBD area.

This potential process is further in the Officer's Comment section of this report.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 3 –  
Goal 1 -

Community Development  
Youth and Children: That parents and young people in the Town have access to a range of facilities and services that is comparable to a metropolitan area.

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

#### Budget Implications

Potential funding for the project is as follows:

Income	Amount	Status
BHPB Funding	\$ 1,000,000	Confirmed
Royalties for Regions	\$ 1,500,000	Unconfirmed
Other	\$ 500,000	Unconfirmed
Total	\$ 3,000,000	

Funds are available within 2011/2012 from the ToPH / BHPB partnership. The consultation, engagement, concept design and cost estimate process is anticipated to require a budget of approximately \$75,000.

#### Officer's Comment

The meeting of the South Hedland CBD Stakeholder Committee meeting held on 11 July 2011 resolved for Council consideration the following:

“That the South Hedland CBD Stakeholder Committee in principal supports the reconstruction of a new skate park on the South Hedland Aquatic Centre site, subject to further consultation to be carried out amongst the community and in particular with regular skate park users”.

Officers have held discussions with industry professionals to understand and establish the most inclusive process of consultation, engagement and capacity building that would deliver an effective design, catering for all users / needs and placing the community in a position to self-manage the operation of the new skate park.

Key points / principles of this process and outcomes would include:

- Community engagement and capacity building would be focused on the whole life of the project and beyond from inception, schematic design and technical phases. This would ensure that each element works into the requirements of existing and future users
- Engagement would not only identify skate facility needs but also teach young people skills to be able to effectively use the finished result (programs and competitions etc)
- Project would not only consider 'building a new skate park' but integrating this facility and elements into the broader CBD community spaces
- Input would be 'whole of community' exhibiting how young people think, what they make, how they socialise – providing a genuine growth in the community through these exchanges



- Engagement would identify how to use / program (music, events, exhibitions, skate activities) the whole CBD hub, not just the skate facility.

The engagement, consultation, schematic design and costing process is proposed to be undertaken over a 3 month process, concluding with a report to Council in late November 2011. This timeframe would ensure alignment and integration with the detailed design of facilities at the SHAC redevelopment.

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

That Council:

1. Notes the recommendations of the South Hedland CBD Stakeholder Committee regarding the proposed skate facility location
2. Request the Chief Executive Officer to undertake a comprehensive community engagement and consultation process being undertaken to consider the detailed site circumstances and develop a skate facility plan for consideration by Council
3. Notes that a subsequent report will be provided to Council in late November 2011, detailing the consultation outcomes, concepts designs, cost estimates, funding strategy and potential construction program for the proposed skate park facility.

#### **201112/036 Officer's Recommendation/Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr J M Gillingham

That Council:

1. Notes the recommendations of the South Hedland CBD Stakeholder Committee regarding the proposed skate facility location
2. Request the Chief Executive Officer to undertake a comprehensive community engagement and consultation process being undertaken to consider the detailed site circumstances and develop a skate facility plan for consideration by Council
3. Notes that a subsequent report will be provided to Council in late November 2011, detailing the consultation outcomes, concepts designs, cost estimates, funding strategy and potential construction program for the proposed skate park facility.
4. The consultation, engagement, concept design and cost estimate process, which is expected to cost \$75,000, be deducted from confirmed BHP Billiton funding.

*CARRIED 5/0*

6:13pm Councillor M Dziombak left re-entered the room and resumed his chair.  
Mayor advised Councillor M Dziombak of Council Decision.

**11.4 Governance and Administration**

## 11.4.1 Finance and Corporate Services

**11.4.1.1 *Interim Financial Reports to Council for Period Ended 30 June 2011 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Lee Crombie  
Coordinator Financial Services

Date of Report 30 June 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 30 June 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 2009/10. The reports are considered to be interim as the Finance Department is still in the process of raising accruals for the 2010-11 Financial year that will affect the actual results for June 2011.

**Background****1. *Interim Financial Statements***

Presented (see attachments) in this report for the financial period ended 30 June 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 30 June 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 2010/11 monthly water, power and fuel costs compared with 2009/10.

**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 27<sup>th</sup> July 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
NMF050611	NMF050511	\$284.57	78	78	1	Municipal Fund	Photocopier lease
			3	3	1	Municipal Fund	
CHQ20594	CHQ20595		-	-	1	Municipal Fund	Cheque cancelled
CHQ20596	CHQ20622		1	4	1	Municipal Fund	
CHQ20623	CHQ20623		-	-	1	Municipal Fund	Cheque cancelled
CHQ20624	CHQ20624		4	6	1	Municipal Fund	
CHQ20638	CHQ20638		-	-	1	Municipal Fund	Cheque cancelled
CHQ20639	CHQ20639	\$189,020.59	6	8	1	Municipal Fund	
EFT35072	EFT35484	\$8,021,925.75	9	78	1	Municipal Fund	
PAY140611	PAY140611	\$328,019.16	78	78	1	Municipal Fund	
PAY280611	PAY280611	\$341,484.14	78	78	1	Municipal Fund	
APS120511	APS120511	\$19,250.00	78	78	1	Municipal Fund	
CAL140611	CAL140611	\$2,263.50	78	78	1	Municipal Fund	Caltex
CAL160511	CAL160511	\$2,030.49	78	78	1	Municipal Fund	Caltex
CMS070611	CMS070611	\$192.39	78	78	1	Municipal Fund	Photocopier lease
WOW160611	WOW160611	\$2,981.97	78	78	1	Municipal Fund	Woolworths
BOQ270611	BOQ270611	\$891.10	78	78	1	Municipal Fund	Equipment
	Municipal Total	\$8,910,157.12					
3002077	3002088	\$49,791.51	78	80	3	Trust Fund	
	Trust Total	\$49,791.51					
	Sub-Total	\$8,959,948.63					
LESS: one-off pays		-					
	Total	\$8,959,948.63					

## 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 Councilors

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

#### Monthly

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

#### Quarterly

- Quarterly Budget Review
- Report on all Budgeted Grants of \$50,000 or more
- Irregular Financial reports will be presented to Council 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 2010/11:2009/10 Utility & Fuel Costs
2. June 2011 Accounts for Payment – under separate cover

**201112/037 Officer's Recommendation/Council Decision****Moved:** Cr A A Carter**Seconded:** Cr M 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 30 June 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 June 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 6/0*



## 11.4.2 Governance

**11.4.2.1 *South Hedland CBD Stakeholder Committee – Change of Meeting Venue (File No.: ...)***

Officer Josephine Bianchi  
Governance Coordinator

Date of Report 20 July 2011

Disclosure of Interest by Officer Nil

**Summary**

This report is for Council to consider the change of venue for the next South Hedland CBD Stakeholder Committee of 8 August 2011 from the Council Chambers at the Civic Centre in Port Hedland to the JD Hardie Centre in South Hedland.

**Background**

At the South Hedland CBD Stakeholder Committee Meeting held on Monday 11 July 2011 a committee member proposed that the next committee meeting be held at the JD Hardie Centre in South Hedland, with general consent from the rest of the committee.

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

Council is required to approve the change of venue of any Town of Port Hedland Committee meeting. A Public Notice will also have to be inserted in the NW Telegraph to make the public aware of this change of venue.

Staff at the JD Hardie Centre has been contacted for the hiring of a meeting room on 8 August 2011. As the Centre is not equipped to hold formal meetings, it has to be noted that the room will not have a PC or projector screen for presentations. Also, as the current number of table and chairs available at the centre is limited, Council officers will have to hire additional table and chairs to accommodate all committee members.

**Consultation**

- South Hedland CBD Stakeholder Committee Members
- Chief Executive Officer Paul Martin

**Statutory Implications**

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

The requirements of Committee Meetings are largely the same as those that apply to formal Council meetings. Council is required to determine at least

once each year the Committee meeting program, and this is to be set and advertised in the local newspaper.

Local Government (Administration) Regulations 1996

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

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

### **Policy Implications**

Nil

### **Strategic Planning Implications**

Nil

### **Budget Implications**

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

The cheapest quote for the hire of table and chairs for the night of 8 August 2011 at the JD Hardie Centre is \$215.00. Budget allocation for this is included in Administration General Expenses, General Ledger Account Number 401273 'Public Relations'.

### **Officer's Comment**

The LG Act requires that all dates, times and venues for Committee meetings are advertised every 12 months for the year ahead.

All these details were decided upon at the Ordinary Meeting of Council on 25 May 2011 and were advertised accordingly shortly after.

It is therefore recommended that South Hedland CBD Stakeholder Committee members review dates, times and venues at their next meeting, decide on a course of action for the year ahead and request that Council officers advertise any changes accordingly.

Attachments

Nil

**201112/038 Officer's Recommendation/Council Decision****Moved:** Cr M Dziombak**Seconded:** Cr A A Carter

That Council:

1. approve the change of venue of the South Hedland CBD Stakeholder Committee meeting of 8 August 2011 from the Council Chambers at the Civic Centre in Port Hedland to the JD Hardie Centre in South Hedland; and
2. request that the South Hedland CBD Stakeholder Committee decide on the date, time and venue for all of their meetings for the year ahead and re-advertise them accordingly.

*CARRIED 6/0*

6:14pm Chief Executive Officer advised Council that Mr Chris Smith, Manager Accommodation Development, BHP Billiton Iron Ore, has notified him via text message that his flight from Perth has landed and he will be in the Council Chambers shortly.

*NOTE: Mayor proposed to Elected Members that the meeting be adjourned whilst they wait for Mr Smith's arrival.*

**201112/039 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr J M Gillingham

That Council agrees to adjourn the meeting.

*CARRIED 6/0*

6:15pm Chris Smith entered the Council Chambers.

**201112/040 Council Decision**

**Moved:** Cr A A Carter

**Seconded:** Cr M Dziombak

That Council resumes the meeting.

*CARRIED 6/0*

*NOTE: Mayor advised Councillors that Chris Smith will be making a presentation in regards to Confidential Agenda Item 14.1 'Development of Precinct 3 at Port Hedland International Airport via Private Treaty with BHP Billiton' and thus their questions or comments must not be in relation to any details that would compromise the confidentiality of this item.*

*Mayor advised members of the public that Confidential Agenda Item 14.1 'Development of Precinct 3 at Port Hedland International Airport via Private Treaty with BHP Billiton' is confidential only because of the commercially-sensitive information contained within the report. Members of the public are welcome to stay and listen to Chris Smith's presentation.*

**PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Chris Smith, Manager Accommodation Development, BHP Billiton Iron Ore

Mr Smith answered a number of questions from Chief Executive Officer and Councillors and outlined the following:

BHP Billiton currently has a range of accommodation options in Hedland comprising of fly in fly out (FIFO) workers and local residents. Due to its expansion programs BHP Billiton is looking at significantly increasing accommodation for its workers in the next 12-14 months.

BHP Billiton's current preferred option is Precinct 3 at Port Hedland International Airport because it would leave a lasting legacy to the town and also open up opportunities for future investment in the vicinity. In the short-term, the occupants would be largely fly-in fly-out, but in the long-term BHP Billiton would like to see sustainable, local employment. BHP Billiton is not a property developer and is not looking to make a profit from the land it develops. In view of this BHP Billiton has been in talks with the Town's Chief Executive Officer so as to give consideration to working with other parties, such as developers who may be looking to build in Precinct 3.

**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**

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

*“(1) Subject to subsection (2), the following are to be open to members of the public —*

*(a) all council meetings; and*

*(b) all meetings of any committee to which a local government power or duty has been delegated.*

*(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*

*(a) a matter affecting an employee or employees;....*

*...(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;.....*

*...(h) such other matters as may be prescribed.”*

**201112/041 Officer's Recommendation/ Council Decision**

**Moved:** Mayor K A Howlett

**Seconded:** Cr D W Hooper

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

1. Development of Precinct 3 at Port Hedland International Airport via Private Treaty with BHB Billiton (File No.: .../...)

*CARRIED 6/0*

6:33pm

Mayor advised the meeting closed to members of the public.

6:33pm Councillors A A Carter, G J Daccache and M Dziombak declared a Financial Interest in Confidential Agenda Item 14.1 'Development of Precinct 3 at Port Hedland International Airport via Private Treaty with BHP Billiton (File No.: .../...)' as they are BHP Billiton shareholders with shares over the statutory limit.

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

Chief Executive Officer advised that Council has received approval from the Minister of Local Government to consider Confidential Agenda Item 14.1 'Development of Precinct 3 at Port Hedland International Airport via Private Treaty with BHP Billiton' with a reduced quorum of three Councillors.

*14.1 Development of Precinct 3 at Port Hedland International Airport via Private Treaty with BHB Billiton (File No.: .../...)*

**201112/042 Officer's Recommendation/ Council Decision**

**Moved:** Mayor K A Howlett

**Seconded:** Cr D W Hooper

That Council:

1. Thanks BHP Billiton for the proposal and acknowledges it has significant benefits for both the organisation and the community;
2. Indicates to BHP Billiton that it would like to see slight improvements to the proposal to warrant it being considered as private treaty arrangement in accordance with the Local Government Act in the following areas:
  - a. **Rooms available for occupation for other construction workers immediately as part of the proposal which can be managed by a third party;**
  - b. **The amount of the lease fee for the 60ha needs to be improved; and**
  - c. **The 10ha BHP Billiton wishes to purchase at unimproved value (for a workshop area) should be in addition to the 40ha of industrial subdivision created not as part of it.**
3. Requests the Chief Executive Officer (using funds from account 1210253 "Land Development Costs") to develop the proposal for consideration of a disposal via a private treaty arrangement in accordance with the Local Government Act 1995 by:
  - a. **Preparing a business plan in accordance with section 3.59 of the Local Government Act 1995 which reflects the proposal from BHP Billiton and addresses the issues raised above;**
  - b. **Obtaining independent financial modeling (to be included in the business plan) outlining the financial returns to the Council which includes but is not limited to:**

- i. **Estimates of the costs of subdivision for the industrial land including the costs of providing services to the site and any fill required;**
    - ii. **Independent valuation of the land to be leased to BHP Billiton; and**
    - iii. **Independent valuation of the land which will be available for sale at the end of the subdivision.**
  - c. **Presenting the business plan to council for consideration prior to advertising process.**
4. Council establish a Working group to be Chaired by Mr Ian Taylor comprising representatives from the Town of Port Hedland including the Mayor, Cr D W Hooper, Cr J W Gillingham, Cr A A Carter, and Chief Executive Officer together with representatives from BHP Billiton to ensure that communication flows between the parties as the business plan is developed.
5. Request the Chief Executive Officer to report to a future Council meeting on the options to publicly dispose of other land at the Airport for the purposes of construction workers facilities.

*CARRIED 3/0*

#### **201112/043 Council Decision**

**Moved:** Cr D W Hooper

**Seconded:** Cr J M Gillingham

That the Meeting be opened to members of the public.

*CARRIED 3/0*

6:36pm Mayor advised the meeting to be open to members of the public.

6:36pm Councillors A A Carter, G J Daccache, M Dziombak and members of the public re-entered the room and resumed their chairs.

Mayor advised Councillors A A Carter, G J Daccache, M Dziombak and members of the public of Council decision.

**ITEM 15      APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**ITEM 16      CLOSURE**

## 16.1          Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 10 August 2011, commencing at 5.30 pm.

## 16.2          Closure

*NOTE: The Mayor reminded the Council and members of the public that the Census will be held on 9 August 2011.*

There being no further business, the Chairman declared the meeting closed at 6:40 pm.



**Declaration of Confirmation of Minutes**

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

CONFIRMATION:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE