



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY, 22 MARCH 2006

AT 5.30 PM

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

UNCONFIRMED MINUTES

“WITHOUT PREJUDICE”

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*Chris Adams
Chief Executive Officer*

OUR COMMITMENT

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

TABLE OF CONTENTS

ITEM 1	OPENING OF MEETING	5
1.1	OPENING	5
ITEM 2	RECORDING OF ATTENDANCE AND APOLOGIES.....	5
2.1	ATTENDANCE.....	5
2.2	APOLOGIES	5
2.3	APPROVED LEAVE OF ABSENCE	5
ITEM 3	RESPONSE TO PREVIOUS QUESTIONS - ON NOTICE.....	5
3.2.1	<i>Councillor Arthur A Gear.....</i>	<i>5</i>
3.2.2	<i>Councillor Grant D Bussell.....</i>	<i>6</i>
ITEM 4	PUBLIC TIME	6
4.1	PUBLIC QUESTION	7
4.1.1	<i>Mr Chris Whaley</i>	<i>7</i>
4.2	PUBLIC STATEMENTS.....	7
ITEM 5	QUESTIONS FROM MEMBERS WITHOUT NOTICE	7
5.1	<i>Councillor Arnold Carter.....</i>	<i>7</i>
5.2	<i>Councillor Arthur Gear</i>	<i>8</i>
5.3	<i>Councillor Trona Young.....</i>	<i>10</i>
5.4	<i>Councillor Des Pike.....</i>	<i>10</i>
5.5	<i>Councillor Grant Bussell</i>	<i>10</i>
ITEM 6	DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING.....	11
ITEM 7	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	11
ITEM 8	ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION.....	13
ITEM 9	REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION.....	13
ITEM 11	REPORTS OF OFFICERS.....	14
11.1	GOVERNANCE	14
11.1	<i>Status of Council Decisions (File No.: ADM-015).....</i>	<i>14</i>
11.2	REGULATORY AND COMMUNITY SERVICES	36
11.2.1	DIRECTOR REGULATORY AND COMMUNITY SERVICES.....	36
11.2.1.1	<i>Monthly Report – Regulatory and Community Services (File No.: ...-...)</i>	<i>36</i>
11.2.1.2	<i>Policy Review – Recreation Policies (File No.: 26/03/0001)</i>	<i>43</i>
11.2.2	PLANNING SERVICES	58
11.2.2.1	<i>Delegated Planning Approvals for February 2006 (File No.: PLN-104)</i>	<i>58</i>
11.2.2.2	<i>Proposed Construction of Three Group Dwellings at Lot 2023 (2) Leeds Street, Port Hedland (File No.: 155930G).....</i>	<i>61</i>

11.2.2.3	<i>Request for Comment Regarding the Proposed Lease for Lots 5827 and 5828 Anderson Street (File No.: 130495G)</i>	67
11.2.2.4	<i>Notification of Application for Exploration Licence (File No.: 803387G)</i>	71
11.2.2.5	<i>Proposed Pedestrian Access Way (PAW) Closure At Lot 1699 (18-20) Logue Court South Hedland (Applicant: The Town of Port Hedland, File No.: 800210G)</i>	75
12.2.2.6	<i>Proposed Additional Units at lot 100 Court Place South Hedland (The Budget Motel) (File No.: 116426G)</i>	80
12.2.2.7	<i>Request for Scheme Amendment to Rezone Lot 5197 (21) Harper Street Port Hedland From Residential R 15 to Residential R (File No.: 101770G)</i>	86
11.2.3	COMMUNITY SERVICES.....	90
11.2.3.1	<i>Performance Agreement Country Arts WA and Matt Dann Cultural Centre (File No.: AGR-030)</i>	90
11.2.4	AGED AND DISABILITY SERVICES	92
11.2.4.1	<i>HACC Logo Sub- Licence (File No.: AGR 025)</i>	92
11.2.5	ENVIRONMENTAL HEALTH SERVICES	94
11.2.5.1	<i>Proposed Boodarie Industrial Hazardous Waste Precinct (File No.: WST-006)</i>	94
11.2.6	RANGER SERVICES	103
11.2.6.1	<i>Appointment of Fire Control Officers (File No.: RAN- 014)</i>	103
11.2.6.2	<i>Authorisation of Co-ordinator of Ranger Services (File No.: RAN-001)</i>	105
11.3	ENGINEERING SERVICES.....	108
11.3.1	DIRECTOR ENGINEERING SERVICES.....	108
11.3.1.1	<i>Monthly Report – Engineering Services (File No.: ...-...)</i>	108
11.3.2	PORT HEDLAND INTERNATIONAL AIRPORT.....	111
11.3.2.1	<i>Tender 06-01 Supply and Installation of Security Fencing and Boundary Fencing to Port Hedland International Airport (File No.: ...-...)</i>	111
11.4	GOVERNANCE AND ADMINISTRATION.....	116
11.4.1	CORPORATE SERVICES.....	116
11.4.1.1	<i>Financial Reports to Council for period ended 28 February 2006 (File Nos: FIN-008, FIN-014 and RAT-009)</i>	116
11.4.1.2	<i>Five Year Financial Plan (File No.: FIN-...)</i>	122
11.4.1.3	<i>Request to Write Off Debtors (File No.: Fin-005/Fin-100)</i>	128
11.4.1.4	<i>Water Corporation Loan (File No.: AGR-048 and FIN-012)</i>	132
11.4.2	GOVERNANCE	136
11.4.2.1	<i>Annual General Meeting of Electors held on 8 February 2006 (File No.: ELE-005)</i>	136
11.4.2.2	<i>Port Hedland Enhancement Scheme – Projects for Funding Endorsement</i>	139
11.4.3	HUMAN RESOURCES.....	143
ITEM 12	LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL	143
ITEM 13	MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN	143
ITEM 14	CONFIDENTIAL ITEMS	143
ITEM 15	APPLICATIONS FOR LEAVE OF ABSENCE	143
ITEM 16	CLOSURE	143
16.1	DATE OF NEXT MEETING	143
16.2	CLOSURE.....	143

ITEM 1 OPENING OF MEETING**1.1 Opening**

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

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

Mayor S R Martin
Cr A A Carter
Cr G D Bussell
Cr G J Daccache
Cr A A Gear
Cr J M Gillingham
Cr D R Pike
Cr S F Sear
Cr T M Young

2.2 Apologies

Nil.

2.3 Approved Leave of Absence

Nil.

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS - ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held Wednesday 22 February 2006**

Nil.

3.2 Questions from Members at Ordinary Council Meeting held Wednesday 22 February 2006**3.2.1 *Councillor Arthur A Gear***

How much does Council pay Western Power annually for street lighting?

Director Corporate Services advises that expenditure to Western Power for street lighting this financial year to 27 February 2006 is \$121,180. The total expenditure for the 2004/05 financial year was \$178,796.94.

3.2.2 Councillor Grant D Bussell

In relation to the proposed Pretty Pool Development and LandCorp having provided Council with a copy of their Environmental Consultant's report and preliminary advice, including modifications to the plan in order to address the issues identified; are these modifications reflected in the map attached to tonight's Agenda Item?

Director Regulatory and Community Services advises that the original master plan presented to Council was adopted for advertising at Council's Ordinary Meeting on 28 September 2005. This plan was modified in response to Council's concerns and in the context of the environmental report provided by Bowman Bishaw Gorham. This updated plan for the Scheme Amendment was adopted by Council at its Ordinary Meeting on 14 December 2005. The same plan is that attached to the February 2006 agenda.

Both the original and updated maps are available for inspection at Council's Planning Services.

It is noted that this map was included in the agenda for Council's February Ordinary Meeting to provide Council with the context of the proposed subdivision of Lot 5876 Styles Road, which is not the subject of the Pretty Pool Scheme Amendment.

3.3 Questions from Public at Special Council Meeting held Tuesday 28 February 2006

Nil.

3.4 Questions from Members at Special Council Meeting held Tuesday 28 February 2006

Nil.

3.5 Questions from Public at Special Council Meeting held Wednesday 8 March 2006

Nil.

3.6 Questions from Members at Special Council Meeting held Wednesday 8 March 2006

Nil.

ITEM 4 PUBLIC TIME

4.1 Public Question

5:31 pm Mayor opened Public Question Time

4.1.1 Mr Chris Whaley

Does the Council know of any plans by the federal government to re-open the Port Hedland Detention Centre for illegal immigrants?

Mayor advised he is not aware of any plans, but will ask the Chief Executive Officer to ask our local Federal Member of Parliament, Mr Barry Haase, MP.

5:32 pm Mayor closed Public Question Time

4.2 Public Statements

5:32 pm Mayor opened Public Statement Time

Nil.

5:32 pm Mayor closed Public Statement Time

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE**5.1 Councillor Arnold Carter**

In reference to the new legislation for Emergency Management including cyclones, representatives of the Fire and Emergency Services Authority (FESA) met on Friday in Karratha, has anyone seen and new legislation; and can a copy be available to Councillors? What affect will the new legislation have on our Port Hedland State Emergency Services (SES), as I am concerned about our local resources?

Mayor advised he is unable to answer this question, and has requested the information today.

Chief Executive Officer advised that regulations supporting the new legislation are yet to be developed, and Council's Director Engineering Services attended the FESA meeting held in Karratha on behalf of Council.

Director Engineering Services advised the process for development of detailed Regulations for the new Emergency Management legislation was discussed at the meeting. It has not yet been determined whether the new legislation would be presented; and relevant feedback from Councils will be delivered to individual Councils or the Pilbara Regional Council.

Council's Engineering Services and Ranger Services are involved in the process.

Director Engineering Services added that while there are not a lot of changes, the new legislation has been improved, and the role of the SES has not really changed.

Were any State Emergency Services representatives at the meeting?

Director Engineering Services confirmed yes.

Were any Port Hedland State Emergency Services representatives present at the meeting?

Director Engineering Services advised no.

Why were no Port Hedland SES representatives at the meeting?

Director Engineering Services advised he did not know who was invited to the meeting.

Can we arrange a meeting with the Port Hedland State Emergency Services unit?

Mayor advised that FESA can be invited to give a full presentation at an informal briefing session of Council, following this Council can invite the Port Hedland SES.

Can it be arranged that the representative of SES from Port Hedland's office be invited to present to Council?

Mayor advised that both could be invited.

5.2 Councillor Arthur Gear

Further to being advised that Council has paid Western Power \$178,796.94 to date this financial year, can something be done to ensure the street lighting that is not working in South Hedland is fixed; as nearly half the street lighting in South Hedland is not working?

Mayor confirmed there is a big area of South Hedland in which street lighting is currently not working.

Chief Executive Officer clarified that the payment to Western Power is based on usage in Port Hedland, South Hedland and Wedgefield areas. Council has also budgeted \$100,000 this year to upgrading street lighting that Council is responsible for. There should be a significant increase in working streetlights in the very near future.

Is it possible to work with State Government agencies, to put into effect that occupants of a household that accommodates recidivist offenders are evicted from State housing?

Chief Executive Officer clarified that the Community Safety and Crime Prevention Committee involves all State Government departments.

Chief Executive Officer added the Department of Housing and Work's South Hedland New Living Program is designed to improve community safety and amenity in South Hedland. Chief Executive Officer advised the matters would be raised at the next meeting.

Mayor added that all Councillors are invited to attend the Community Safety and Crime Prevention Committee meetings.

Can a community meeting be held whereby members of the public can vent their concerns with representatives of the State Government agencies?

Mayor advised a community meeting would be possible, providing the representatives of each State Government agencies were agreeable and able to attend.

Further to the young girl's suggestion in the North West Telegraph to have lights that simulate cyclone alerts on the water tower, has anything happened yet?

Chief Executive Officer advised this has not been actioned.

With the new playground equipment being installed, is there a possibility of other community groups to put in expressions of interest for the equipment being removed?

Director Engineering Services advised that as the equipment is being replaced due to safety aspects, it is not advisable for the equipment to be re-used elsewhere.

Is it possible to revisit Council's motion of 2003 in relation to investigating the implementation of a curfew, with the possibility of the JD Hardie Centre being a facility utilised as part of the process?

Mayor advised an item relating to these matters will be included in Council's informal briefing session schedule.

Is it true that the new hospital is going to be smaller in size than the existing hospital?

Chief Executive Officer advised he is currently seeking information on this matter.

5.3 Councillor Trona Young

Can Council ask Western Power when they last completed an audit of street lighting, and receive a copy of their results and maintenance programs?

Mayor advised Chief Executive Officer is currently following this matter up with Western Power.

Could you please confirm that nursing numbers for the new hospital are not being reduced?

Mayor advised Chief Executive Officer will follow up and will advise Councillors when information is received.

5.4 Councillor Des Pike

Who is responsible for maintaining fire hydrants in the Town of Port Hedland?

Mayor advised he is unaware which agency is responsible for maintaining fire hydrants with the Town of Port Hedland District.

Chief Executive Officer advised this question will be taken on notice.

Has there been a maintenance audit done in the last two (2) years? If no, could an audit be initiated please?

Chief Executive Officer advised this question will be taken on notice.

Can the Town of Port Hedland exclude conveyor belt from the landfill, so as to make the mining industry more responsible for recycling needs and the environment?

Chief Executive Officer advised Council it can develop a policy to exclude conveyor belt from the landfill if it so wishes, but an alternative location may need to be found.

Could the Fire and Emergency Services Authority (FESA) legislation be emailed to all Councillors?

Chief Executive Officer confirmed yes.

5.5 Councillor Grant Bussell

Has Council costed solar powered street lighting?

Councillor Trona Young advised Council has previously investigated the cost and suitability of solar powered street lighting, in that instance for installation on the Great Northern Highway. At that time, the cost was four to five times more expensive than existing lighting infrastructure and was easily vandalised.

Can Council investigate the cost and suitability of solar powered street lighting again?

Mayor advised this question will be taken on notice.

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

The following Members verbally declared to have given due consideration to all matters contained in the Business Paper presented before the meeting.

Cr S R Martin	Cr J M Gillingham
Cr A A Carter	Cr D R Pike
Cr G D Bussell	Cr S F Sear
Cr G J Daccache	Cr T M Young

NOTE: Councillor Gear verbally declared to have given due consideration to all matters contained in the Business Paper presented before the meeting, excepting the attachments.

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

**7.1 Confirmation of Minutes of Ordinary Meeting of Council held
on Wednesday 22 February 2006.**

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held on Wednesday 22 February 2006 be confirmed as a true and correct record of proceedings.

200506/333 Council Decision

Moved: Cr A A Carter **Seconded:** Cr A A Gear

**That the Minutes of the Ordinary Meeting of Council held on
Wednesday 22 February 2006 be confirmed as a true and**

correct record of proceedings with the following amendments:

- . Item 11.2.2.2 (page 57) 8:02 pm, delete “friend”, insert “neighbour”.

CARRIED 9/0

7.2 Confirmation of Minutes of Special Meeting of Council held on Tuesday 28 February 2006.

Officer’s Recommendation

That the Minutes of the Special Meeting of Council held on Tuesday 28 February 2006 be confirmed as a true and correct record of proceedings with the following amendments:

200506/334 Council Decision

Moved: Cr A A Carter **Seconded:** Cr A A Gear

That the Minutes of the Special Meeting of Council held on Tuesday 28 February 2006 be confirmed as a true and correct record of proceedings with the following amendments:

- . Item 6.2.1.2 (page 12) NOTE:, delete “Director Engineering Services”.

CARRIED 9/0

7.3 Confirmation of Minutes of Special Meeting of Council held on Wednesday 8 March 2006.

Officer’s Recommendation

That the Minutes of the Special Meeting of Council held on Wednesday 8 March 2006 be confirmed as a true and correct record of proceedings.

200506/335 Council Decision

Moved: Cr T M Young **Seconded:** Cr D R Pike

That the Minutes of the Special Meeting of Council held on Wednesday 8 March 2006 be confirmed as a true and correct record of proceedings with the following amendments:

- . Item 2.1 (page 4) insert “Cr D R Pike” and “Cr A A Gear (from 5:30pm)”;

- . **Item 2.3 (page 4), delete “Cr D R Pike”; and**
- . **Item 7 (page 12), insert “Deputy”.**

CARRIED 9/0

NOTE: Councillor A A Gear requested it be requested a note be recorded in the Minutes that he arrived at 5:30 pm, as he thought the meeting was commencing at 5:30pm.

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

Nil.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

Cr A A Carter

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS

Nil.

(b) determine the local government's policies."

Policy Implications

Nil

Strategic Planning Implications

KRA 6 – Governance

Goal 6 – Systems Development

That the Towns internal operating systems are structured in a manner that assists in providing timely accurate information to the community.

Budget Implications

Nil

200506/336 Council Decision/Officer's Recommendation

Moved: Cr T M Young

Seconded: Cr S F Sear

That the Officer's Report 'Status of Council Resolutions' as presented to the Council's Ordinary Meeting held on 22 March 2006 be received.

CARRIED 9/0

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
Ordinary Meeting held 28September 2005				
10.2.2.3	Revised Pretty Pool Development Plan	200506/101 Council Decision That Council resolve to: a) initiate an amendment to Town Planning Scheme No. 5 to rezone an area of land from 'Rural' and 'Urban Development R20' to 'Urban Development' to facilitate the subdivision and development of the land in accordance with the Revised Pretty Pool Development Plan; b) advise the applicant accordingly and request that the applicant prepare the formal amendment documentation to enable referral to the Environmental Protection Authority; c) receive the Revised Pretty Pool Development Plan for the purpose of public advertising in conjunction with the associated Town Planning Scheme No.5 Scheme Amendment; d) invite Landcorp to a meeting with Council to address the issues of . permeability/road layout; . open space window; . alienation of public land; . commercial and tourism site locations; and . management planning to reduce impacts on flatback turtle populations; and e) the final plans be returned to Council for consideration after the public consultation period and prior commencement of the project, in accordance with the Local Government Act 1995 and association regulations.	RESPONSIBLE OFFICER: Planning Officer EPA to set level of assessment prior to advertising. Amendment still with Dept of Environment for assessment. Report to April Ordinary Meeting	
10.2.3.3	Bali International Service Passenger Service Charge (PSC) and Landing Fee Waiver	200506/105 Council Decision/Officer's Recommendation That: i) the Passenger Service Fee and Landing Fee exemptions for the Bali International Service be extended through to 31 May 2006; and ii) a meeting be scheduled with the operators of the Bali International Service in April 2006, with a view to providing Council with a report on the viability of the service at that time.	RESPONSIBLE OFFICER: Airport Manager	✓ COMPLETED
10.2.3.6	Hire Car Operations	200506/108 Council Decision/Officer's Recommendation That: i) the Chief Executive Officer and the Airport Manager commence negotiations with Hire Car operators regarding the possible relocation and consolidation of facilities; and ii) a report be presented for Council's consideration following negotiations being undertaken with Hire Car operators, and drainage investigations being completed at the Port Hedland International Airport.	RESPONSIBLE OFFICER: Airport Manager Meeting arranged 16.02.06. As per briefing to Council in March Letters to be sent to Hire Car Operators Ongoing discussions	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
10.2.3.7	Lease of Portion of Terminal for Check In, Office, Baggage Handling and Managers Lounge: Qantas Airways Limited	200506/109 Council Decision That: i) a lease agreement be offered to Qantas Airways Limited for the Terminal Check-In areas, lounge, office and baggage make up area being approximately 255sqm for a fee of set at market rate as determined by the Valuer General, ex GST per month for a period of five years commencing on 1 July 2002 and expiring 30 June 2007 with an option of renewal for a further term of five (5) years commencing 1 July 2007 and expiring on 30 June 2012; ii) if the above officer is accepted, Council's intention to enter into the abovementioned lease agreement with Qantas Airways Limited be advertised in accordance with Section 3.58 of the Local Government Act 1995; iii) Qantas be advised that: a) rental payments are exclusive of GST and the difference in rental payments received from 1 July 2002 to present and those payable is recovered; and b) CPI increases are to be calculated for the period	RESPONSIBLE OFFICER: Airport Manager Response received from Qantas 23/1/06. Requested lease in agreed form showing commercial terms as set out in Council Resolution and other wise as per agreed form. Revised Lease sent to Qantas via email 07.02.06. 2 further phone calls made and 1 email, still no response. Ongoing	
10.2.5.1	Monitoring of Cemetery Beach and Pretty Pool Beach	200506/113 Council Decision/Officer's Recommendation That Council: i) endorse Ranger Services to perform ad hoc patrols of the foreshore reserves on a regular basis during flatback turtle breeding season; ii) acknowledge and approve of the lawful actions being undertaken by Authorised Officers, following any offenders being caught riding or driving on the forshore area, including any infringements being issued; and iii) considers installing barriers along Cemetery Beach to prevent off-road vehicle access.	RESPONSIBLE OFFICER: Senior Ranger Items I) and ii) are completed. Item iii) pending. Co-ordinator Ranger Services commenced 15.03.06.	✓ COMPLETED Est. Completion April
10.3.1.4	Withdrawal of Caveat Lot 5441(1) Souey Court, South Hedland	200506/119 Council Decision/Officer's Recommendation That Council: i) resolve to lift the Caveat lodged against Lot 5441 (1) Souey Court South Hedland currently owned by Commonwealth Bank of Australia as Mortgagee in possession (from Woodward Australia Pty Ltd); and ii) authorise the Common Seal to be affixed to the WITHDRAWAL OF CAVEAT Form W1 and signed by the Mayor and the Chief Executive Officer.	RESPONSIBLE OFFICER: Acting Manager Finance/ Senior Rates Officer	✓ COMPLETED
10.3.4.1	Council Advertising	200506/123 Council Decision That: i) a full quote of services be invited by both North West Telegraph and Marketforce Productions; and ii) the Agenda Item 'Council Advertising' lay on the table pending receipt of full quotes by both North West Telegraph and Marketforce Production to be considered by Council.	RESPONSIBLE OFFICER: Manager Administration Quotes have been received, Agenda Item presented to Council's February Ordinary Meeting.	✓ COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
		200506/139 Council Decision That the Chief Executive Officer write to the Department of Local Government and Regional Development seeking further clarification from the Minister in relation to declaration of financial, impartial, in common interest, etc.	RESPONSIBLE OFFICER: Chief Executive Officer Ltr sent. DLG&RD have requested further information from Councillors. Ongoing from month to month.	✓ COMPLETED
Ordinary Meeting held 26 October 2005				
10.1.3.6	Proposed Scheme Amendment – Portion of Crowe Street Road Reserve	200506/151 Council Decision That Agenda Item 10.1.3.6 'Proposed Scheme Amendment – Portion of Crowe Street Road Reserve' requesting for rezoning of portion of Crowe Street Road Reserve from 'Local Road' to 'Residential R12.5/50' lay on the table pending further information being provided to Council, including – i) any potential obstruction to public access the intended purpose for the scheme amendment rezoning may cause; and ii) advice on the affect of legal ownership that the requested rezoning may have.	RESPONSIBLE OFFICER: Planning Officer Still pending. Awaiting purchase of land prior to considering scheme amendment.	
10.2.2.1	Lease of Southern Aircraft Hangar and Surrounding Land at Port Hedland International Airport	200506/154 Council Decision/Officer's Recommendation That: i) Council advertise its intention to dispose of the Southern Apron Hangar as per the requirements of Section 3.58 of the Local Government Act 1995; ii) if no objections are received during the advertising period, a lease agreement be entered into with Polar Aviation Pty Ltd for the Southern Apron Hangar and Land at an initial cost of \$7,000 + gst per annum; iii) the Common Seal be affixed and the Mayor and Chief Executive Officer be authorised to sign the Lease Agreement; and iv) if the transportable building located on the Western Edge of the leased are is not removed by the current lessee, that Council dispose of this building.	RESPONSIBLE OFFICER: Airport Manager Advertising completed. No objection. Discussions with Director re: Lease Arrangement Ongoing. Leases Register and systems/procedures being developed on a Corporate level. Lawyer instructed to provide lease. Ongoing	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
10.2.2.2	School of the Air Request to Lease Airport Building	200506/155 Council Decision/Officer's Recommendation That: i) Council advertise its intention to dispose of Building 158 (ex Air BP) as per the requirements of Section 3.58 of the Local Government Act 1995; ii) if no objections are received during the advertising period, a lease agreement be entered into with Port Hedland School of the Air at the valuation rate. iii) the Mayor and Chief Executive Officer be authorised to sign and execute Lease Agreement documents once it has been prepared.	RESPONSIBLE OFFICER: Airport Manager Advertising completed. No objection received. Discussion with Director re: Lease arrangement. Still Awaiting valuation. Ongoing. Leases Register and systems/procedures being developed on a Corporate level.	
10.3.2.1	Draft Tenancy Policy	200506/158 Council Decision/Officer's Recommendation That Council: i) provide a copy of the Draft Tenancy Policy to all sporting and community groups seeking their comments/suggestions by Wednesday 30 th November, 2005; and ii) comments received be reported back to Council's December 2005 Ordinary Meeting with any recommendations to amend the proposed policy.	RESPONSIBLE OFFICER: Chief Executive Officer	April 2006
10.3.2.2	Pretty Pool Stables (Reserve 31462 – Lot 5770 Styles Road, Port Hedland	200506/159 Council Decision That Council: i) extend the leases on Reserve 31462 until 30 April 2006 to allow lessee's to submit a request for certification of unauthorised works and remove any structures as required in the Building Surveyors report above; ii) all tenants be notified of the requirements to formalise/remove structures as per building surveyors report and deadline of 30 April 2005; iii) this extension be given on the understanding there will be no more extensions, no more works undertaken and should certification/removal not occur by 30 April 2006 the lease will become void and the tenant removed. For those that comply Council will offer a lease of five years with another five year option at Council's discretion; iv) that all living arrangements on the reserve cease immediately and should this not occur Council cease discussions and have the tenant removed; and v) In the event that leases are terminated, then public advertising of Council's intention to lease relevant sections of Reserve Number 31462, in accordance with Section 3.58 of the Local Government Act be undertaken.	RESPONSIBLE OFFICER: Manager Administration Ltrs sent to lessees via Registered Post 15.11.05 Have until 30 April 06 to comply. Item to May Ordinary Meeting.	May 2006

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
10.3.2.3	Pretty Pool Stables Reserve 31462 – Lot 5770 Styles Road, Port Hedland - Request Received from Port Hedland Turf Club	200506/160 Council Decision/Officer's Recommendation That Council: i) consider entering into lease negotiations with the Port Hedland Turf Club for Lease Area 6 of Reserve 31462 subject to removal of the existing unauthorised structures; and ii) in accordance with the proposed Tenancy Policy, the lease be for a term of five years (5) with a further option of five (5) years at Council's acceptance.	RESPONSIBLE OFFICER: Manager Administration PH Turf Club given permission to enter and construct. Report to May Ordinary Meeting	May 2006
Ordinary Meeting held 23 November 2005				
10.4.3.5	Pretty Pool Stables (Reserve 31462 – Lot 5770 Styles Road, Port Hedland	200506/201 Council Decision/Officer's Recommendation That Council: a) consider entering into lease negotiations with G & W Brooks for Lease Area 4 of Reserve 31462 subject to removal of the existing unauthorised structures; b) accept the lease be for a term of five years (5) with a further option of five (5) years, in accordance with the proposed Tenancy Policy; and c) resolve this matter as a one-off allowance limited to Reserve 31462 and stipulate that no other leases that prohibit transfer of ownership are impacted or subject to the precedent of this transfer.	RESPONSIBLE OFFICER: Manager Administration Awaiting finalisation of Turf Club Lease. Lessees have until 30 April to comply. Report to May Ordinary Meeting.	May 2006
10.2.1.2	South Hedland Refuse Facility Fees and Charges	200506/177 Council Decision That: i) Council endorse in principle: a) Setting commercial refuse disposal fees based on volume or weight, whichever is the lesser charge b) Setting a significantly reduced disposal charge for clean fill and suitable cover material; ii) Council consult with major commercial users of the South Hedland Refuse Disposal Site to obtain their views on the most appropriate disposal fee structure and investigate the operating cost structure and useful life of the tip; and iii) a draft fee structure reflecting these principles and the outcomes of the consultation be prepared for consideration during the 3 rd quarter budget review process. 200506/178 Council Decision/Officer's Recommendation Domestic Waste disposal charges for "Private Residents; Non-Commercial" be deleted until a tip pass scheme is implemented and appropriate amended fees adopted.	RESPONSIBLE OFFICER: Director Engineering Services Obtaining information from adjoining Councils'. Consulting with Local Businesses. Report compiled. To be included at April Briefing Session.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
10.4.3.3	Proposed Rodeo and Equestrian Facility - Lot 5213 (Reserve 37971) off Great Northern Highway, Port Hedland.	200506/199 Council Decision/Officer's Recommendation That: a) the following amendments be made to the draft lease for Mr Frank Edwards on Reserve 37971 (Lot 5213 Great Northern Highway, Port Hedland: . Condition 3.10 No Caretakers Premises At no time is the lessee permitted to undertake the construction of a caretakers residence. . Condition 3.11 Defacing Remove . Condition 3.21 Alterations or improvements Any alterations, additions or improvement to the walls, floors, ceilings, plumbing, gas, electrical fixtures or fittings or timbers be undertaken in accordance with Australian Standards with written consent of the relevant authorities. . Condition 3.23 Sale of Alcohol The Lessee must not sell or permit the sale of any alcohol or alcoholic beverage on the premises without the prior written consent of the Town of Port Hedland and Director of Liquor Licencing. . Condition 3.34 Ownership of improvements All structures and improvements are to be removed from the site at the end of the lease term, should a new lease term not be entered into. b) the term of the lease be amended to read - "Term of Lease - For a period of ten (10) years with an option of a further five (5) at the discretion of Council"; and c) the amended lease document be signed by Council and the common seal be affixed.	RESPONSIBLE OFFICER: Manager Administration Awaiting valuer's report, will then be advertised.	April 2006
Ordinary Meeting held 14 December 2005				
		200506/209 Council Decision That Council: i) continues to consult with the community, potential funding bodies and owners of similar facilities with the aim of completing the review of 'Skate Ramps, BMX Facilities and Motorbike Facilities' in accordance with the Draft Strategic Plan; ii) uses its best efforts to make good the existing facility as an interim measure; and iii) the Pilbara Development Commission be approached to assist with the design and funding for the installation of new skate facilities within the Town.	RESPONSIBLE OFFICER: Director Regulatory and Community Services WG formed – progress reports to Council as required.	✓COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
		200506/212 Council Decision/Officer's Recommendation That Council: i) agree to Whelans request to enter into a bonded legal agreement with the landowner of Lot 11 (29-37) Keesing Street, Port Hedland to enable the clearance of the following conditions imposed by the Western Australian Planning Commission (WAPC): 1. The provision of car parking bays for proposed Lot A in accordance with the specifications of the Town of Port Hedland Town Planning Scheme No. 5 to the satisfaction of the WAPC; 2. Existing structures on proposed Lot B are to be removed to the satisfaction of the WAPC; 3. (deleted) 4. The land being filled and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission, and any easements and/or reserves necessary for the implementation thereof, being provided free of cost; and 5. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision; ii) request Council's solicitors to prepare the legal documentation required for the above agreement; iii) request Whelans Town Planners to provide written quotations for all works to be the subject of the legal agreement to form the basis of the required bond; and iv) require that all associated costs of abovementioned undertakings to be the responsibility of the landowner.	RESPONSIBLE OFFICER: Planning Officer Awaiting alternative solution proposal from Whelans. Legal docs received and being addressed by staff.	April 2006
10.2.4.1	Adoption of 2005-2006 Fire Management Plan	200506/217 Council Decision That: i) Council adopt the 2005-2006 Fire Management Plan; and ii) a report being presented to Council to consider reforming the Bushfire Advisory Group as either a Working Group or a Committee.	RESPONSIBLE OFFICER: Director Regulatory and Community Services Item to April Ordinary Meeting	April 2006
10.4.1.2	WALGA Telecommunication Contract	200506/221 Council Decision/Officer's Recommendation That Council: i) note the current telecommunication contract with Telstra, known as "Offer 4"; ii) continue to utilise the Western Australian Local Government Association (WALGA) telecommunication pricing tender for the remainder of 2005/06 financial year; and iii) on the success of the the Western Australian Local Government Association (WALGA) negotiations, the telecommunication contract with Telstra, known as "Offer 5" be accepted by Council.	RESPONSIBLE OFFICER: Director Corporate Services	✓COMPLETED
10.2.4.2	Impounded Shopping Trolleys	200506/218 Council Decision That Council rejects the offer of \$4,500 in lieu of impounding fees for the shopping trolleys currently held at the depot and commences disposal by public tender of the impounded trolleys in accordance with the provisions of the Local Laws in January 2006.	RESPONSIBLE OFFICER: Director Regulatory and Community Services Letters sent. Trolleys to be disposed via surplus materials tender.	April 2006

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
10.4.2.3	Partnership Agreement – BHP & Town of Port Hedland	200506/224 Council Decision That Council: i) Council endorse the signing and sealing the funding Agreement between BHPBIO and Council; ii) approve the establishment of the BHPBIO/Council Joint Projects Working Group with the expressed purpose being to: a) discuss joint initiatives that may be appropriate between BHPBIO and Council; and b) recommend projects to Council for funding from the BHPBIO/ToPH Strategic Plan Implementation Reserve; Note: The working group has no delegated authority to make decisions on behalf of the Council; and iii) appoint the Mayor, Deputy Mayor and Councillor A A Gear as Council representatives on the BHPBIO/Council Joint Projects Working Group.	RESPONSIBLE OFFICER: Chief Executive Officer	✓ COMPLETED
		200506/225 Council Decision That Council establish a new Reserve Account entitled BHPBIO/ToPH Strategic Plan Implementation Reserve with the expressed purpose of the reserve being to use the funding for strategic projects as recommended by the BHPBIO/Council Joint Projects Working Group.	RESPONSIBLE OFFICER: Director Corporate Services	✓ COMPLETED
11.1.2.1	Appointment of Fire Control Officers	200506/229 Council Decision/Officer's Recommendation That: i) Mr Chris Adams, Chief Executive Officer, be appointed to the position of Acting Chief Bush Fire Control Officer; ii) Mr Mal Blythe, Works Manager be appointed to the position of Deputy Chief Bush Fire Control Officer; iii) Town Rangers Messrs Colin Mathie and Daniel Hendriksen be appointed as operational Fire Control Officers; and iv) the appointments of Mr Chris Sousa, as Chief Bush Fire Control Officer and Mr Rob Whooley, as Deputy Chief Bush Fire Control Officer be cancelled.	RESPONSIBLE OFFICER: Senior Ranger Gazetted	✓ COMPLETED
Ordinary Meeting held 25 January 2006				
11.2.1.2	Tender 05/06 – For Design and Construction of Shade Structures – South Hedland Aquatic Centre	200506/236 Council Decision/Officer's Recommendation That: i) Council not accept the submission from Skyspan Umbrellas for the construction of shade over the South Hedland Aquatic Centre; and ii) Council explore the purchase of products from suppliers who have recently constructed suitable structures in other locations.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	✓ COMPLETED
11.2.2.3	Request for Consent to Grant an Investigation Licence to the Pilbara Infrastructure Pty Ltd	200506/239 Council Decision That: i) Agenda Item '11.2.2.3 Request for Consent to Grant an Investigation Licence to the Pilbara Infrastructure Pty Ltd' lay on the Table; ii) a copy of Licence Application to be sealed and signed is to be circulated to Councillors prior to its consideration by Council; and iii) clarification of any potential impact to current leasees of Reserve 35915 to be provided to Council.	RESPONSIBLE OFFICER: Planning Officer Agenda Item presented to Council 22.02.06	✓ COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.6	Proposed Construction of Transient Workforce Accommodation at Lot 2444 Great Northern Highway	200506/242 Council Decision/Officer's Recommendation Planning Consent be granted to Spotless Services Australia Ltd for the construction of a Transient Workforce Accommodation Village at Lot 2444 Great Northern Highway Port Hedland as outlined in the Application received 12 January 2006 (Application 2006/112) and indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning Officer Awaiting arrival of completed application form and fee.	✓ COMPLETED
11.3.1.1	Review of WA's Default Open Speed Limit	200506/248 Council Decision That Council respond to the Western Australian Local Government Association indicating Council does not support the proposal to reduce the default speed limit from 110 km/hr to 100 km/hr on existing non speed zoned roads.	RESPONSIBLE OFFICER: Director Engineering Services Letters to be sent. WALGA advised. Return Sent.	✓ COMPLETED
11.3.1.2	Tender 05/09 Supply of New Vehicle(s) With or Without Trade In and/or Purchase of Vehicle(s) for Disposal	200506/249 Council Decision/Officer's Recommendation That: i) various light fleet vehicles be purchased from Pilbara Motor Group in accordance with tender submitted as follows: ... and ii) various light fleet vehicles be sold to Pilbara Motor Group in accordance with tender submitted as follows: ...	RESPONSIBLE OFFICER: Director Engineering Services Tenderers advised. Letters sent.	✓ COMPLETED
11.3.1.3	Tender 05/10 Litter Collection Period Contract	200506/250 Council Decision That: i) Tender 05/10 Litter Collection Period Contract not be awarded due to significantly higher costs of tenderers than budgeted for by Council; and ii) Council's Engineering Services continue to provide litter collection services and further evaluation of service requirements be carried out, with an internal bid being made for comparative purposes.	RESPONSIBLE OFFICER: Director Engineering Services Tenderer advised. Letters sent.	✓ COMPLETED
11.3.1.4	Waste Management Strategic Plan	200506/251 Council Decision/Officer's Recommendation That: i) recommendations from the Landfill Management and Development Report, detailing works to be undertaken by the Town of Port Hedland during the interim period until the development of a Waste Management Plan, be undertaken; and ii) Council refuse the offer from Mr Brad Young to obtain his sand pit to be utilised in addition to Council's current landfill operations.	RESPONSIBLE OFFICER: Director Engineering Services Dept. of Environment advised. Letters sent.	✓ COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.2.4	Expression of Interest Upgrade Apron Floodlighting	200506/257 Council Decision/Officer's Recommendation That: i) the Expression of Interest from O'Donnell Griffin for the upgrade of Airport lighting be rejected by Council, as it is non-conforming; ii) a further review of the specifications for the upgrade of the Apron Lighting be undertaken by Council's Officers, with a view to utilising the existing lighting towers; and iii) further quotes be sought from interested parties, including O'Donnell Griffin, and a report be provided to Council giving details of further quotes received.	RESPONSIBLE OFFICER: Airport Manager Discussions with Electrical Companies ongoing. Item to April Ordinary Meeting	✓COMPLETED
11.4.1.2	Water Corporation Loan	200506/259 Council Decision/Officer's Recommendation That Council: i) advertise the proposed loan for one month, as per section 6.20, the Local Government Act 1995; and ii) a report be presented to Council at its next available meeting from Director Corporate Service, detailing any submissions received from the abovementioned advertising.	RESPONSIBLE OFFICER: Director Corporate Services Item to March Ordinary Meeting.	
11.4.2.2	Proposed Lease - Part Lot 2444 Great Northern Highway, Port Hedland.	200506/264 Council Decision/Officer's Recommendation That: i) Council dispose of part Lot 2444 Great Northern Highway, Port Hedland to The Pilbara Infrastructure Pty Ltd by lease in accordance with Section 3.58 of the Local Government Act 1995; ii) Council receive a valuation of the proposed leased area by a qualified independent valuer; iii) Council delegate authority to the Chief Executive Officer to negotiate a lease with The Pilbara Infrastructure Pty Ltd subject to the following conditions: a) the term of the lease be for a period of three (3) years plus a further two (2) years, plus two (2) year option; b) that the lease rental is no less than the medium value as calculated by the independent valuer; c) that annual reviews will be conducted with an annual rent review increased by CPI – Perth; and iv) the finalised document be signed under Council seal.	RESPONSIBLE OFFICER: Manager Administration Lease being finalised by solicitors.	
11.4.3.1	Newcrest Mining Partnership Agreement	200506/265 Council Decision/Officer's Recommendation That Council: i) approve the establishment of the Newcrest Mining/Council Joint Projects Working Group with the expressed purpose being to: a) Discuss joint initiatives that may be appropriate between Newcrest Mining and Council; and b) Recommend projects to Council for funding from the Newcrest Mining/ToPH Strategic Plan Implementation Reserve. Note: The working group has no delegated authority to make decisions on behalf of the Council. ii) establish a new reserve account entitled Newcrest Mining Limited/ToPH Strategic Plan Implementation Reserve with the expressed purpose of the reserve being to use the funding for strategic projects as recommended by the Newcrest Mining Limited/Council Joint Projects Working Group; and iii) endorse the signing and sealing of the funding agreement between Newcrest Mining and Council as proposed.	RESPONSIBLE OFFICER: Chief Executive Officer Ltr send 8.02.06 Reply received. MOU signed by ToPH, awaiting signature by PHPA.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
13.3	Use of Recording Equipment to Record Future Council Meetings	200506/271 Council Decision That the Chief Executive Officer be directed to check and repair if necessary recording equipment in the Council Chambers and that future Council meetings be recorded.	RESPONSIBLE OFFICER: Chief Executive Officer/ Director Corporate Services	✓ COMPLETED
13.4	Town of Port Hedland's Aboriginal Employment Strategies	200506/272 Council Decision That the Chief Executive Officer be directed to report to Council the current proportion of aboriginal employees at the Town of Port Hedland and prepare recommendations on aboriginal employment strategies and targets over the course of the new Plan for the Future/Strategic Plan.	RESPONSIBLE OFFICER: Chief Executive Officer Part of Council's Strategic Plan	
Ordinary Meeting held 22 February 2006				
11.2.1.1	'Policy Review – Recreation Policies'	200506/276 Council Decision That Item 11.2.1.1 'Policy Review – Recreation Policies' lay on the table until further consideration by Council at its next informal briefing session.	RESPONSIBLE OFFICER: Director Regulatory and Community Services Item to March Ord. Mtg.	✓ COMPLETED
11.2.1.2	South Hedland Football Club Outstanding Debt	200506/277 Council Decision/Officer's Recommendation That Council permit the South Hedland Football Club to continue to use Kevin Scott Oval and clubrooms outside Policy 6/007 provided that the club: i) pays \$2,000 off their outstanding debt each financial year (including the current financial year) before any bookings will be approved; and ii) pays all current charges throughout the season within 30 days of receipt of invoice.	RESPONSIBLE OFFICER: Paid.	✓ COMPLETED
11.2.1.3	Request to Support Entry in Triple J's 'One Night Stand' Competition	200506/278 Council Decision That Agenda Item 11.2.1.3 'Request to Support Entry in Triple J's 'One Night Stand' Competition' lay on table until further costings are received by Council.	RESPONSIBLE OFFICER: Sports and Recreation Officer Superseded by Item 6.1.1.1 @ Special Mtg 28.02.06	✓ COMPLETED/ SUPERCEDED
11.2.1.4	Request to Waive Fees – The Rotary Club of Port Hedland Annual Ball	200506/279 Council Decision That: i) 100% of proposed charges applicable for the hire of Gratwick Hall for its annual Rotary Ball to be held on Saturday 18.03.06, be waived; ii) 100% exemption of payment of bond payable by Soroptimist International Port Hedland for its Women's Day sunset function to be held on 9 March 2006; and iii) Council Chambers be made available for the receipt of deliveries for the Rotary Ball on the 17 March 2006, if required.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	✓ COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.1.5	Request to Amend Schedule of Fees and Charges – Commercial Hire for Y@JD	200506/280 Council Decision That Council retain the JD Hardie Centre for community use without making it available to commercial users.	RESPONSIBLE OFFICER: Sport and Recreation Officer	✓COMPLETED
11.2.1.6	Donation of SBS Broadcasting Equipment	200506/281 Council Decision/Officer's Recommendation That: i) Public Notice be given of Council's intention to dispose of SBS equipment to the Hedland Community Radio Group for a nil consideration, in accordance with section 3.58 of the Local Government Act; ii) Council's budget be adjusted to reflect this not budgeted loss on Sale of Asset \$16,301.44; iii) Hedland Community Radio Group acknowledge the Town Of Port Hedland as a sponsor of the new service; and iii) Hedland Community Radio Group pay for all removal costs.	RESPONSIBLE OFFICER: Manager Community Services	✓COMPLETED
11.2.1.7	Establishment of Recreation Facilities Working Group	200506/282 Council Decision/Officer's Alternative Recommendation That: i) Council create a working group of five (5) Councillors and four (4) invited community representatives, called the Recreation Facilities Working Group, with the following terms of reference: a) consider the provision of skateboarding facilities in the Town of Port Hedland; b) make recommendations to Council regarding the outcome of those considerations; c) consider the findings of the Recreation Facilities Audit; and d) make recommendations to Council regarding the location and nature of facilities to address needs identified in the Recreation Facilities Audit; ii) the Recreation Facilities Working Group be made up of the following members: a) Cr G J Daccache; b) Cr T M Young; c) Cr A A Carter; d) Cr A A Gear; e) Cr D R Pike; f) and two (2) interested community members; and g) two representatives from South and Port Hedland sporting bodies being Jeannie Smith and Rick Hockey respectively iii) the Chief Executive Officer and appropriate staff attend meeting of the Recreation Facilities Working Group as ex officio members.	RESPONSIBLE OFFICER: Director Regulatory and Community Services 2 community representative positions advertised.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
		200506/283 Council Decision/Officer's Additional Recommendation That: i) Council create a working group, called the JD Hardie Centre Working Group, to function for a short period to consider future uses of the JD Hardie Centre. ii) the JD Hardie Centre Working Group be made up of the following members: a) Cr S R Martin b) Cr A A Gear c) Cr G D Bussell d) Mr Gavin Mitchell, representing Pilbara Meta Maya e) Ms Sue Harrison representing the Youth Involvement Council iii) the Chief Executive Officer and appropriate staff attend meetings of the JD Hardie Centre Working Group as ex officio members.	RESPONSIBLE OFFICER: Director Regulatory and Community Services Invites to be sent and confirmation needed by mid March. First meeting set for 20.03.06	✓ COMPLETED
11.2.2.2	Application for Extension of Planning Permission for Lot 1258 (7) Craig Street Port Hedland	200506/285 Council Decision/Officer's Recommendation That the application for an extension of time for Planning Permission at Lot 1258 (7) Craig Street, Port Hedland, (Applicant Rick Hockey) be approved subject to: a) condition e) as imposed by Council in the Application received 19 April 2005 (Application 2005/51) be modified to read: "e) this approval to remain valid for a period of twenty-four (24) months (PS); and" b) the applicant be advised in writing of this decision.	RESPONSIBLE OFFICER: Planning Officer	✓ COMPLETED
11.2.2.3	Request for Comment Regarding Subdivision of Lot 5876 Styles Road, Port Hedland	200506/286 Council Decision/Officer's Recommendation That the Western Australian Planning Commission be advised that the proposed subdivision of Lot 5876 (No Street Address), Port Hedland into 71 lots in accordance with the plan dated 19 January 2006 (Application 130283) is supported, subject to the following conditions being placed upon any approval granted by the Commission: a) the proposed public open space to be developed and maintained to Council's satisfaction for a period of two (2) years; b) footpaths to be constructed to Council's satisfaction on both sides of the proposed streets; c) all vehicle crossings to be designed and constructed to the satisfaction and specification of Council's Engineering Services (ES); and d) a drainage management plan to be approved by the Town of Port Hedland Environmental Health Service, prior to commencement of development.	RESPONSIBLE OFFICER: Planning Officer	✓ COMPLETED
11.2.2.4	Request for Consent to Grant Investigation Licence to The Pilbara Infrastructure Pty Ltd	200506/287 Council Decision/Officer's Recommendation That Council resolve to: i) authorise the Chief Executive Officer, and the Mayor to sign the Consent to Grant Licence and affix the Common Seal of the Town of Port Hedland to the supplied pro forma, subject to: a) Lot 5164 (Reserve 35915) being excised from the exploration area; and ii) return the completed documents to The Pilbara Infrastructure.	RESPONSIBLE OFFICER: Planning Officer	✓ COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.5	Proposed Road Closure of Portion of Lawson Street South Hedland	200506/288 Council Decision/Officer's Recommendation That Council resolve to: i) close the portion of the Lawson Street road reserve as indicated on the plan received by the Department for Planning and Infrastructure (Land Assets Management Services), drawing number 5595/03/05; ii) seek comment with relation to the road closure from a) Western Power, b) the Water Corporation, c) Telstra.; and iii) advertise the proposed road closure in accordance with Section 58 of the Land Administration Act 1997.	RESPONSIBLE OFFICER: Planning Officer Advertising in progress	✓ COMPLETED May 2006
11.2.2.6	Request for Addition to Town Planning Scheme 5 Amendment No. 7	200506/289 Council Decision That Item 11.2.2.6 'Request for Addition to Town Planning Scheme 5 Amendment No. 7' lay on the table until the matter is considered by the Department of Environment.	RESPONSIBLE OFFICER: Planning Officer Awaiting advice for Dept. of Env.	✓ COMPLETED
11.2.2.7	Request for Reconsideration Regarding Change of Use on Lot 842 Great Northern Hwy and Proposed Lease for Lot 5909 Great Northern Hwy	200506/290 Council Decision That Council writes to Tony Ford Management Services advising that it upholds its opposition to the stockpiling of Manganese ore on Lot 842 Great Northern Highway and the proposed Lease for Lot 5909 Great Northern Highway, Port Hedland, (Council Decision 200506/148).	RESPONSIBLE OFFICER: Planning Officer	✓ COMPLETED
11.2.2.8	Location of Transportable Office at Lot 308 (19 – 21) Ridley Street, Wedgefield	200506/291 Council Decision That Planning Consent be granted to Christopher John Drazic for the locating of a transportable office at Lot 308 (19 – 21) Ridley Street as outlined in the Application received 25 January 2006 (Application 2006/10) and indicated on the approached plans, subject to the following conditions: ..."	RESPONSIBLE OFFICER: Planning Officer Permit signed and posted.	✓ COMPLETED
11.3.1.1	Upgrade of Signage on Port Hedland Heritage and Cultural Trail	200506/292 Council Decision/Officer's Recommendation That: i) Tender 05/11 (Manufacture of Stainless Steel Plaques and Etching Designs) be awarded to Talbot and Walsh for the tendered price of \$38,160 (excluding GST); and ii) the Pilbara Development Commission seek quotes for the work specified in the following tenders: a) Tender 05/12 Manufacture of Metal Plate Stands; and b) Tender 05/13 Removal of Existing and Installation of New Trail Signage for the upgrade of signage works on the Port Hedland Heritage and Cultural Trail.	RESPONSIBLE OFFICER: Director Engineering Services Letter sent 1.03.06	✓ COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.1.2	Buttweld Road Upgrade	200506/293 Council Decision/Officer's Recommendation That Council approves BHP Billiton's Buttweld Road upgrade proposal subject to the following: i) construction is in accordance with Drawings 075-C-0646/C to 075-C-0650/C (supplied by BHP Billiton to Council's Engineering Services); ii) Great Northern Highway intersection designs are approved by Main Roads WA; and iii) construction works are to be inspected and managed by Town of Port Hedland Engineering Services.	RESPONSIBLE OFFICER: Director Engineering Services BHPB advised. Letter sent 1.03.06	✓COMPLETED
11.3.1.3	Vehicle Policy Review	200506/294 Council Decision That Council endorse the replacement of existing Council Policy 1/008 Vehicle Usage with Council Policy 1/008 Vehicle Policy, as follows: "1/008 VEHICLE POLICY ..."	RESPONSIBLE OFFICER: Director Engineering Services Policy updated	✓COMPLETED
11.3.1.4	Amendment to Council Policy 9/005 Crossovers	200506/295 Council Decision That Council approve the proposed new Council Policy 9/005 Crossovers with the following Clause 5.2.2, for two (2) coat seals being included: "5.2.2 Spray seal crossovers shall comprise of 14 mm and 10 mm aggregate. 14 mm aggregate is to be spread at a rate of 100 square metres per cubic metre of aggregate, within tolerance of + 10 square metres per cubic metre. 10mm aggregate is to be spread at a rate of 120 square metres per cubic metre of aggregate, within tolerance of + 10 square metres per cubic metre. Typical spray rates will range between 0.7 and 1.9 litres per m ² ."	RESPONSIBLE OFFICER: Director Engineering Services Policy Updated	✓COMPLETED
11.4.1.2	Administration Policies	200506/297 Council Decision 1. delete Policy 1/003 Execution of Documents and create a new policy "Execution of Documents" with the following statement: "The Chief Executive Officer will report to Council all documents that require the Town of Port Hedland Common Seal to be affixed, prior to them being executed." and ii) amend Policy 1/004 Media, by adding the following paragraph: "Councillors and Staff will refrain from making any negative comments publicly regarding a resolution of Council."	RESPONSIBLE OFFICER: Director Corporate Services	✓COMPLETED
11.4.1.3	Establishment of Local Laws Working Group	200506/298 Council Decision That: i) Council create a working group called the Local Law Working Group, with the following terms of reference: a) review the Town of Port Hedland Local Laws; and b) make recommendations to Council regarding the outcome of this review. ii) the Local Law Working Group be made up of the following members: a) Cr G D Bussell b) Cr S F Sear c) Cr G J Daccache d) Cr A A Carter iii) the Chief Executive Officer, or his nominated officer, and appropriate staff attend meeting of the Local Law Working Group as ex official members.	RESPONSIBLE OFFICER: Director Corporate Services Meeting to be arranged in April 2006	✓COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.1.4	Write off re: Installation of Shade Shelter & Bus Shelters	200506/299 Council Decision/Officer's Recommendation That Council write off \$12,455.90 (GST inc) from invoice 12049 and apply the write off to the Provision of Doubtful Debts.	RESPONSIBLE OFFICER: Director Corporate Services	✓ COMPLETED
11.4.1.5	Request to Write Off Debtors	200506/300 Council Decision/Officer's Recommendation That Council write-off the following debts and apply the write-off to the Provision of Doubtful debts: ...	RESPONSIBLE OFFICER: Director Corporate Services	✓ COMPLETED
11.4.1.6	Council Advertising	200506/301 Council Decision/Officer's Recommendation That Council: i) offer the North West Telegraph the option to match the discounts available to Council through Marketforce Productions as detailed in this report for a 12 month period. As part of this proposal the NWT detail how they will provide the same level of service through their accounts department. Should this be achieved, Council place all local advertisements through the NWT for a period of 12 months; ii) should the North West Telegraph decline this offer or not be able to match the discounts available, Council put all advertising through Marketforce Productions.	RESPONSIBLE OFFICER: Director Corporate Services	✓ COMPLETED
11.4.1.7	Budget Timetable	200506/302 Council Decision/Officer's Recommendation That Council adopt the 2006/07 budget timetable as presented in the following table: ...	RESPONSIBLE OFFICER: Director Corporate Services	✓ COMPLETED
11.4.1.8	New Policy - Councillor Attendance at Conferences	200506/303 Council Decision/Officer's Recommendation That Council adopt the following policy: "4/005 COUNCILLOR CONFERENCE ATTENDANCE ...	RESPONSIBLE OFFICER: Director Corporate Services	✓ COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.1.9	Audit & Finance Committee	200506/304 Council Decision/ Officer's Recommendation That i) Council receive the Auditor's Management Letter, dated 19 December 2005; ii) the Director Corporate Services, in consultation with the Auditor, provide options on expanding the audit scope, prior to the 2005/06 interim budget review commencing, for the Audit and Finance Committee and Council to consider; iii) Council confirm the 2004/05 Actual Carried Forward surplus of \$3,035,705 and adjust the budget accordingly; iv) the Director Corporate Services reconcile the net current assets to monthly statement of financial activity on a monthly basis; v) Council approve the budget adjustments, as listed in schedule A (attached); and vi) Council allocate the resulting \$456,790 budget surplus, as follows: a) \$238,360 be transferred to the Leave Reserve; b) \$100,000 be allocated for Playground equipment; c) \$50,000 be allocated for a Road Audit; d) \$15,000 be allocated for the construction of a ramp to assist access to the Court House Gallery; and e) \$53,430 remains as unallocated surplus.	RESPONSIBLE OFFICER: Director Corporate Services	✓ COMPLETED
11.4.2.1	Liquor Restrictions	200506/305 Council Decision That: i) Council undertake community consultation on the level of community support and perceived effectiveness of the current Town of Port Hedland Liquor Restrictions. ii) The community consultation include: a) A random community survey b) Survey of Licensees c) Survey of relevant government agencies, indigenous organisations and interested not-for-profit groups d) Request for public submissions and iii) The Office of Racing, Gaming and Liquor be requested to expedite answers in relation to questions previously asked by Council.	RESPONSIBLE OFFICER: Chief Executive Officer 800 surveys distributed. Closing date 7.4.06 Data to be analysed and presented to Council	May 2006

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.2.2	Strategic Land Use Plan for the Town of Port Hedland	200506/306 Council Decision/Revised Officer's Recommendation 1. Council agree to proceed with the development of a long-term, strategic land use plan for the Town of Port Hedland using resources provided by the BHP Billiton/Mirvac Fini Partnership, subject to Council retaining the management and direction of this project at all times. 2. The development of the plan be facilitated by the a project Steering Committee who has the specific tasks of: . Coordinating the development of the plan. . Managing and coordinating appropriate community consultation . Consultant management (NOTE: The committee has no delegated authority to make decisions on behalf of Council.) 3. The Steering Group be required to provide a written report to Council on the current status of the project after each Steering Committee meeting has been held 4. Council advise BHP Billiton, Mirvac Fini and the UDC that Council's involvement in the project is subject to Council retaining the right to terminate the agreement by resolution of Council if so deemed necessary. 5. The Steering Committee include the following representation: ... 6. That letters be sent to each of the nominated agencies seeking confirmation of their representative to be on the Steering Committee. 7. The expressions of interest for the positions of community representatives be advertised in the North West Telegraph with Council considering the submissions after the closing date. 8. That Council call for quotations from consultants who have experience in the preparation of Local Planning Strategies to assist Council in reviewing an analysing the direction and products of the draft Land Use Master Plan at all stages of the project development.	RESPONSIBLE OFFICER: Chief Executive Officer Letters sent. Advertisement placed. First meeting April 2006	✓COMPLETED
11.4.2.3	Port Hedland Underground Power Project – Billing Model	200506/307 Council Decision/Officer's Recommendation That: i) Council send a survey to all ratepayers within the Port Hedland Underground Power project area to determine: a) the total quantum of residents who are eligible for . Ratepayer rebate; . Owner Occupier Rebate; . Small Business Rebate; . Pensioner/Low Income Earner Rebate; and a . Community Group Rebate; b) The number of residents who intend paying their contribution 'upfront', the number that intend paying by instalments and the number intending to pay their contribution over a five year period; and ii) the results of the survey be presented to the first available Council meeting after they have been collated and analysed.	RESPONSIBLE OFFICER: Chief Executive Officer Survey distributed to homeowners. Closing date 24.03.06.	May 2006
11.4.2.4	Port Hedland Enhancement Scheme – Projects for Funding Endorsement	200506/308 Council Decision/Officer's Recommendation It is recommended that the Town of Port Hedland Council endorses the Port Hedland Enhancement Scheme Steering Group's recommendation to allocate: i) \$80,000 from the Port Hedland Enhancement Scheme fund to the Town of Port Hedland to replace bus shelters in Port Hedland and install shaded seating at Koombana Lookout; ii) \$17,000 from the Port Hedland Enhancement Scheme fund to the Town of Port Hedland to install concrete picnic tables and benches under six pergolas on the Spoilbank; and iii) \$100,000 from the Port Hedland Enhancement Scheme fund to the Town of Port Hedland to provide remedial infrastructure at the Old Port Hedland Cemetery.	RESPONSIBLE OFFICER: Chief Executive Officer	✓COMPLETED.

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.3.1	Cancellation of Policy 3/016 - Redundancy/ Severance Payments	200506/309 Council Decision/Officer's Recommendation It is recommended that the existing Redundancy/Severance Payment Policy Number 3/016 is deleted from the Council Policy Manual.	RESPONSIBLE OFFICER: Chief Executive Officer	✓COMPLETED
11.4.3.2	Variation to Existing Policy 3/006 – Staff Uniforms	200506/310 Council Decision/Officer's Recommendation That the existing policy 3/006 Staff Uniforms be deleted and replaced with the following: "3/006 STAFF UNIFORMS ..."	RESPONSIBLE OFFICER: Chief Executive Officer	✓COMPLETED
12.1.1	Port Hedland Enhancement Scheme – Projects for Funding Endorsement	200506/313 Council Decision/Officer's Recommendation That Council endorses the Port Hedland Enhancement Scheme Steering Group's recommendation to the Minister for the Kimberley, Pilbara and the Gascoyne and BHP Billiton Iron Ore for an additional allocation of up to \$300,000 for the project to upgrade the Cemetery Beach and Pretty Pool Parks and the ocean side of the Civic Centre.	RESPONSIBLE OFFICER: Chief Executive Officer	✓COMPLETED
12.2.1	Application for Home Business – Licensed Reptile Farming at Lot 1919 (8) Roberts Street South Hedland	200506/314 Council Decision/Officer's Recommendation That Planning Consent be granted to Donelle Bleakley for the conduct of a Home Business (Licensed Reptile Farming) at Lot 1918 (8) Roberts Street, South Hedland as outlined in the Application received 4 January 2006 (Application 2006/5) and subject to the following conditions: ...	RESPONSIBLE OFFICER: Chief Executive Officer Director Regulatory and Community Services Signed and posted.	✓COMPLETED
14.1	Chief Executive Officer's Probation and Annual Performance Review	200506/318 Council Decision That: i) Council formally advises the Chief Executive Officer that he has successfully completed his probationary period; ii) Council establish the CEO Performance Review Working Group in accordance with existing Policy 3/019 to coordinate the Chief Executive Officer's Annual Performance Appraisal process; and iii) the membership of the CEO Performance Review Working Group be: Mayor; Deputy Mayor; Cr T M Young; and Manager Human Resources. (Support Role Only).	RESPONSIBLE OFFICER: Manager Human Resources	✓COMPLETED
14.2	Chief Executive Officer's Employment Package and Conditions of Employment	200506/321 Council Decision That Item 14.2 'Chief Executive Officer's Employment Package and Conditions of Employment' lay on the table for further consideration by Council.	RESPONSIBLE OFFICER: Manager Human Resources Superseded by 6.2.1.1 @ Special Meeting 28.02.06	✓COMPLETED/ SUPERCEDED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
14.3	Directors Employment Package and Conditions of Employment	200506/322 Council Decision That Item 14.2 'Directors Employment Package and Conditions of Employment' lay on the table for further consideration by Council.	RESPONSIBLE OFFICER: Manager Human Resources Superceded by 6.2.1.2 @ Special Meeting 28.02.06	✓COMPLETED/ SUPERCEDED
Special Meeting held 28 February 2006				
6.1.1.1	Request to Support Entry in Triple J's 'One Night Stand' Competition	200506/325 Council Decision/Officer's Recommendation That in the event that Port Hedland is selected to host Triple J's One Night Stand, Council: i) waive fees for use of the Kevin Scott Oval, hire of the bins required for the event, and oval lighting otherwise applicable for the event (total of \$2,008); and ii) provide support to a maximum value of four thousand six hundred dollars (\$4,600) for cleaning and hire of toilets for the event.	RESPONSIBLE OFFICER: Sport and Recreation Officer	✓COMPLETED
6.2.1.1	Chief Executive Officer's Employment Package and Conditions of Employment (Confidential Item)	200506/327 Council Decision/Officer's Recommendation That: i) Council endorse the offering of the attached Australian Workplace Agreement without modification to the CEO by the Manager Human Resources; ii) Council endorse the extension of the Chief Executive Officer's existing contract length by 5 months until the 28 February 2009; and iii) the attached Australian Workplace Agreement be lodged with the Officer of Employment Advocate once it has been signed by the parties.	RESPONSIBLE OFFICER: Manager Human Resources	✓COMPLETED
6.2.1.2	Directors' Employment Package and Conditions of Employment (Confidential Item)	200506/330 Council Decision/Officer's Recommendation That: i) Council endorse the offering of the attached Australian Workplace Agreement without modification to the Directors by the Chief Executive Officer; ii) Council endorse the extension of the Directors existing contract length until the 28 February 2009; and iii) The attached Australian Workplace Agreement be lodged with the Officer of Employment Advocate once it has been signed by the parties.	RESPONSIBLE OFFICER: Chief Executive Officer and Manager Human Resources	✓COMPLETED
Special Meeting held 8 March 2006				
6.1.1.1	Tender 05/06 – Design and Construction of Shade Structures for South Hedland Aquatic Centre	200506/... Council Decision/Officer's Recommendation	RESPONSIBLE OFFICER: Director	✓COMPLETED

11.2 Regulatory and Community Services**11.2.1 Director Regulatory and Community Services****11.2.1.1 *Monthly Report – Regulatory and Community Services (File No.: ...-....)***

Officer Terry Sargent
Director Regulatory and
Community Services

Date of Report 15 March 2006

Disclosure of Interest by Officer Nil

Summary

For Council's information.

Background

Regulatory and Community Services Monthly Report to Council.

Consultation

Nil.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment**. *Library and Information Services******Better Beginnings Early Literacy Program***

30 kits have been distributed to Community Health nurses in Port and South Hedland for presentation to mothers with new born infants. The kits comprise book bag, growth chart, board book and brochures to encourage sharing of books with babies. The official launch of the program in Port Hedland is planned for early April.

Perth International Arts Festival – Library participation

South Hedland Library was the venue for Meet the Author sessions with Carrie Tiffany and Kate Grenville. Approximately 40 attended the session with Carrie Tiffany. The following evening renowned Australian author Kate Grenville shared her writing experiences with a most appreciative audience of 15.

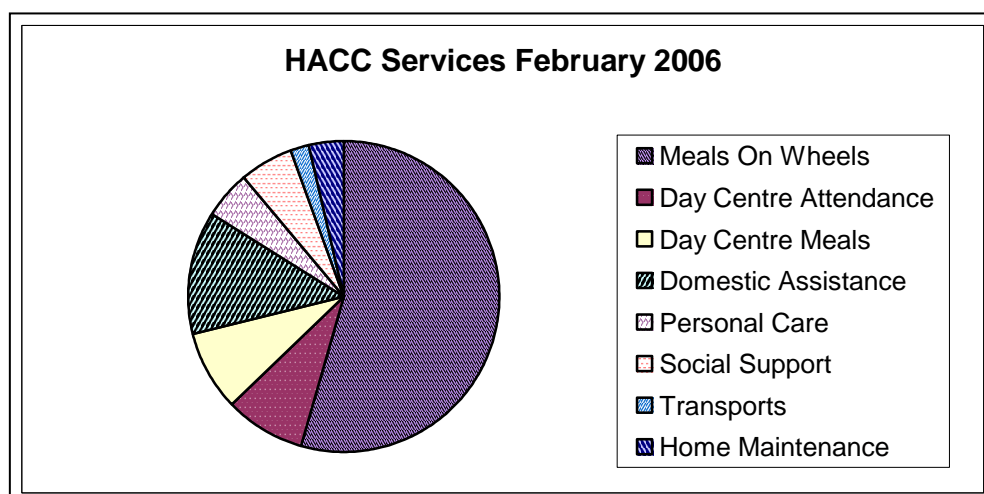
Port Hedland Library	February 2005	February 2006
Issues and Renewals	1963	1816
Reservations	103	99
New Borrowers	40	55

South Hedland Library	February 2005	February 2006
Issues and Renewals	1190	1177
Reservations	16	14
New Borrowers	34	26

Human Services

HACC Programme

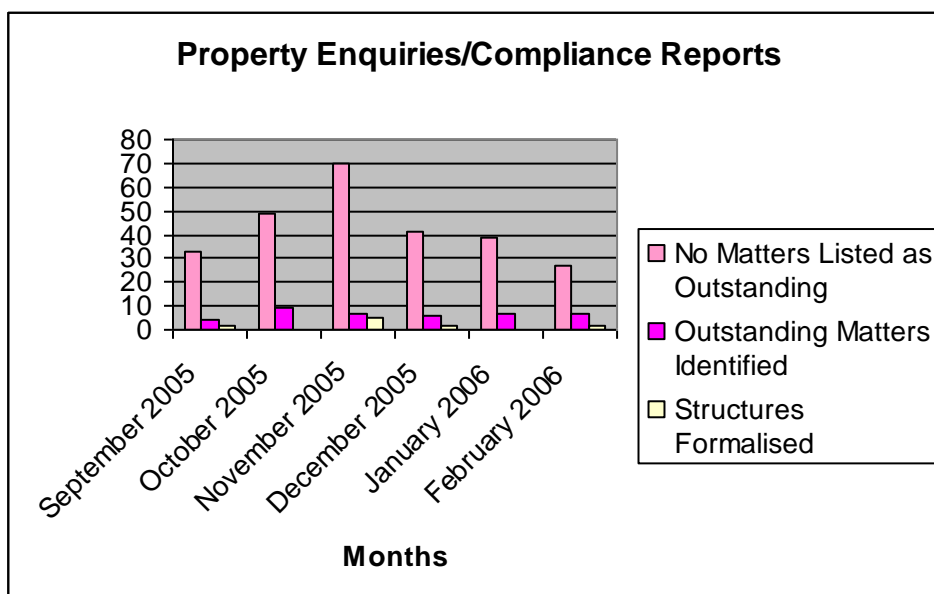
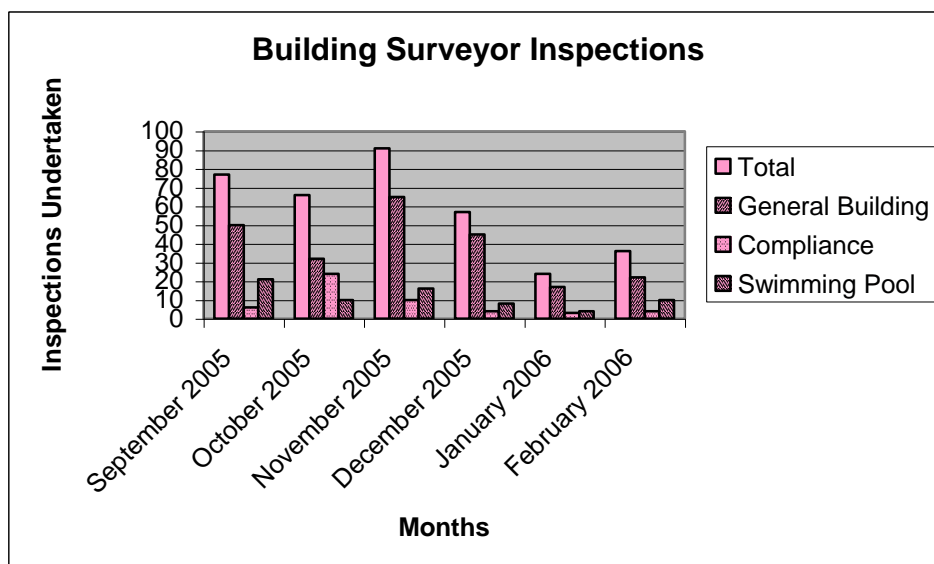
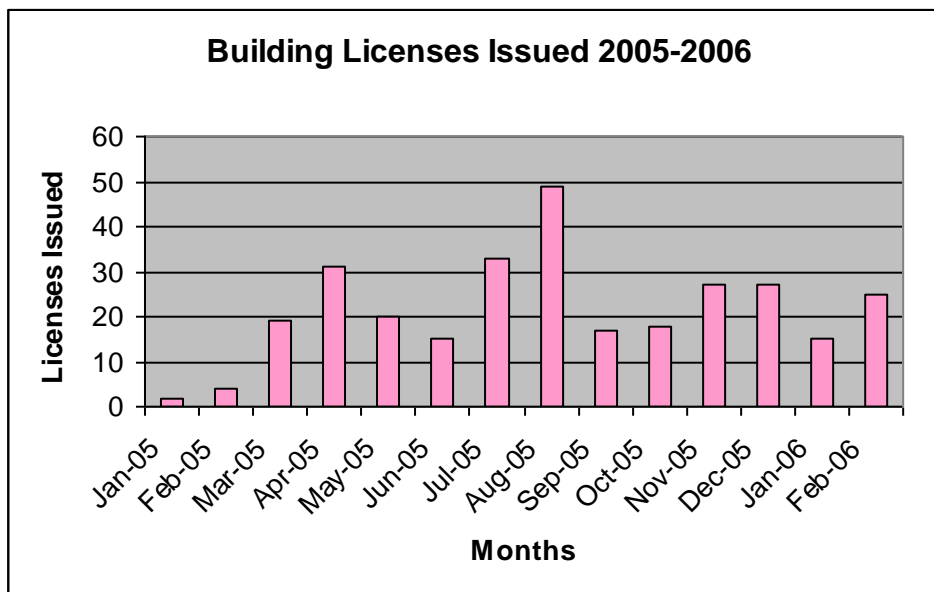
The first Discobility for 2006 was held .



Mirtanya Maya

Resident occupancy at 80%
 Attained 100% occupancy for respite beds.

Building Services



Status of Building Licences for Valuer General’s Office

Building Licence Applications Received in 2004

Total Building Licence applications received in 2004: 416
 Building Licences approved in 2004: 410
 Building Applications not approved: 6

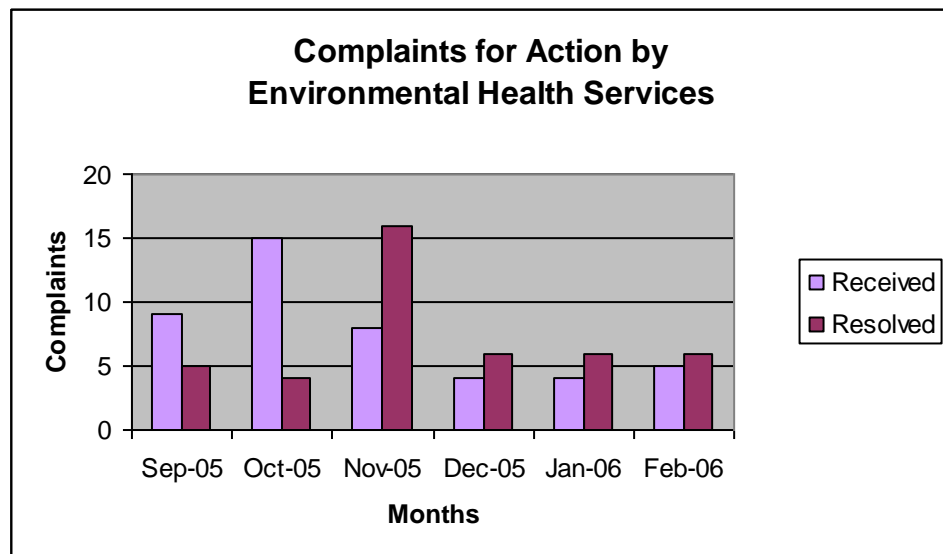
2004	Running Total as at 25/2/06
Licences copied & sent to VGO	273
Licences not required to be sent	111
Licences expired – structure not built	10
More information required	12
Not complete – building in progress	4

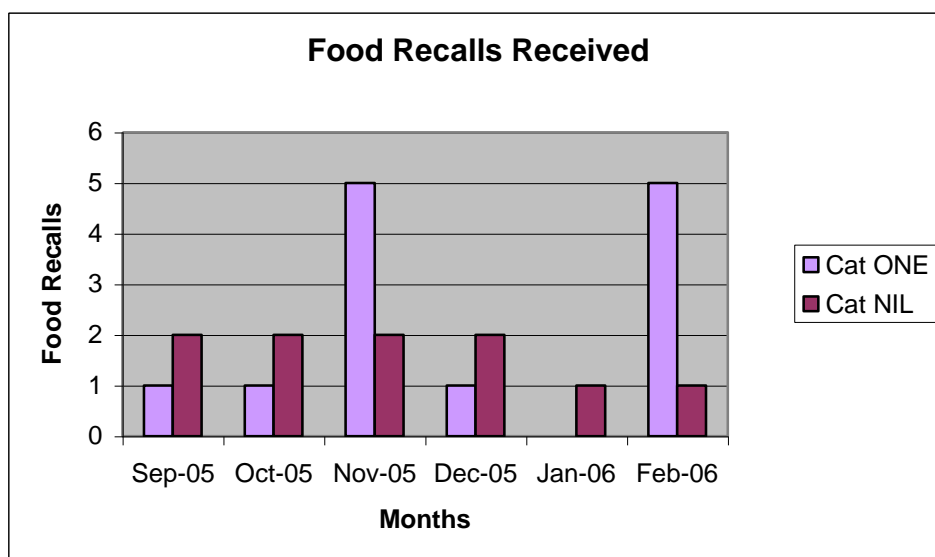
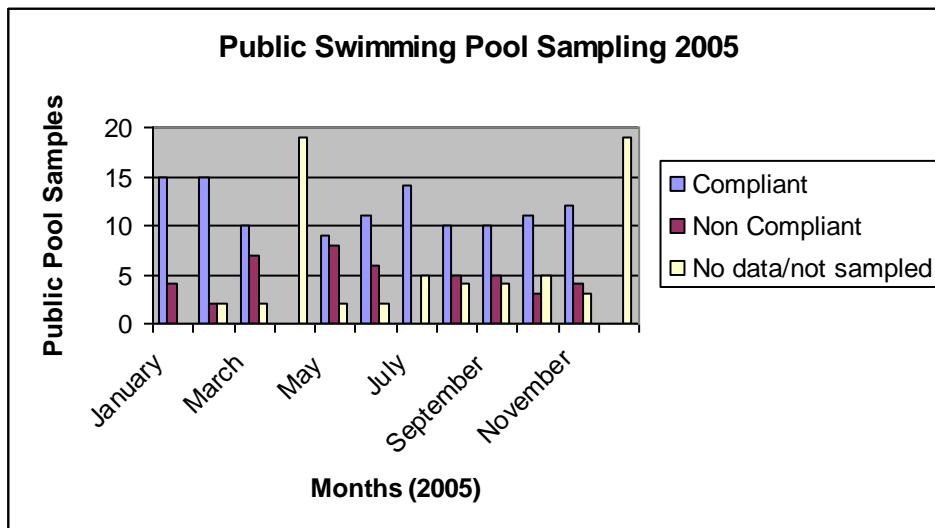
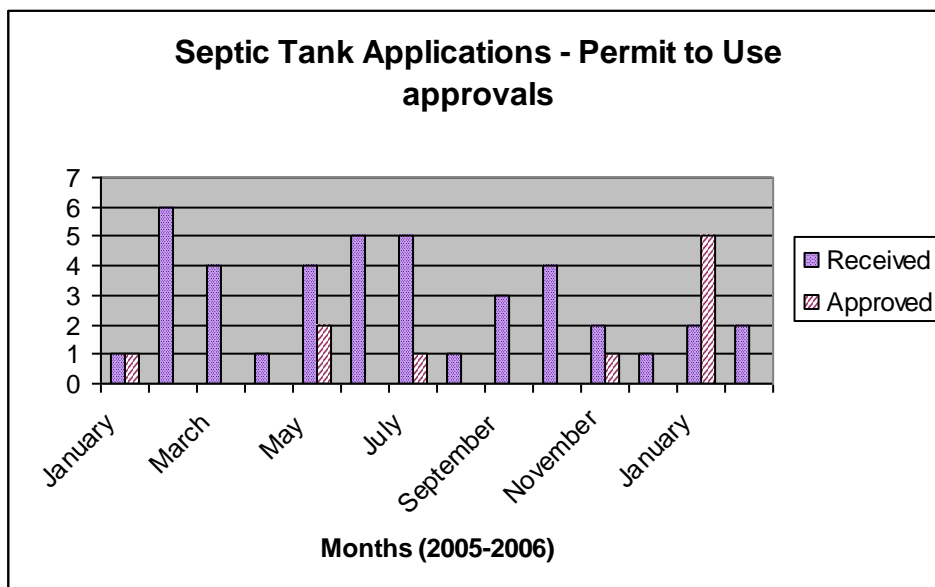
Building Licence Applications Received in 2005

Total Building Licence applications received in 2005: 386
 Building Licences approved in 2005: 289
 Building applications not approved or withdrawn: 3
 Approved in 2006: 16
 Building applications received in 2005 that are pending: 78

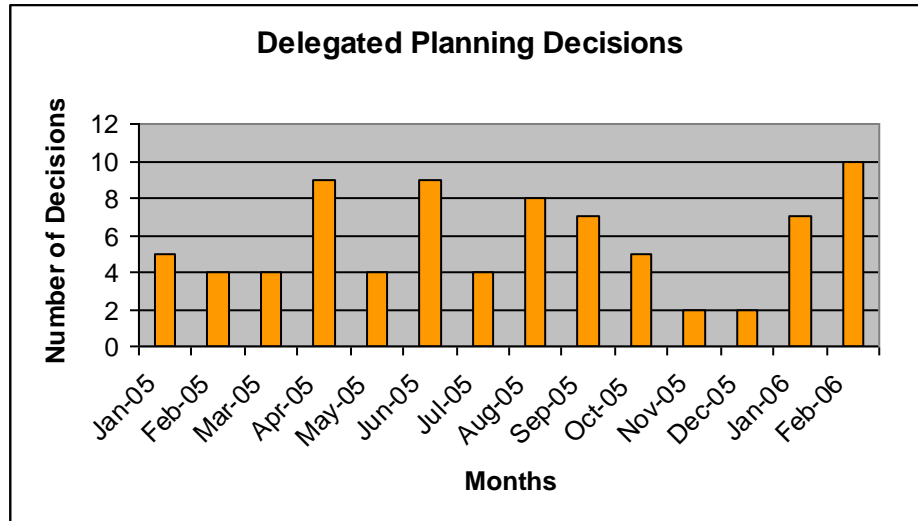
2005	Running Total as at 25/2/06
Licences copied & sent to VGO	36
Licences not required to be sent	97
Structure not built	0
More information required	186
Not complete – building in progress	0

Environmental Health Services

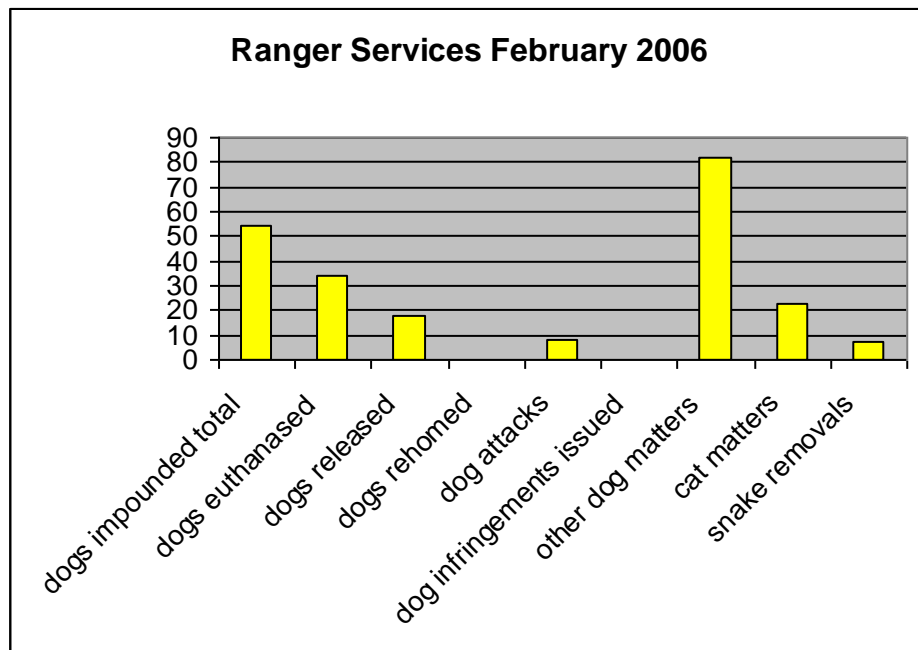


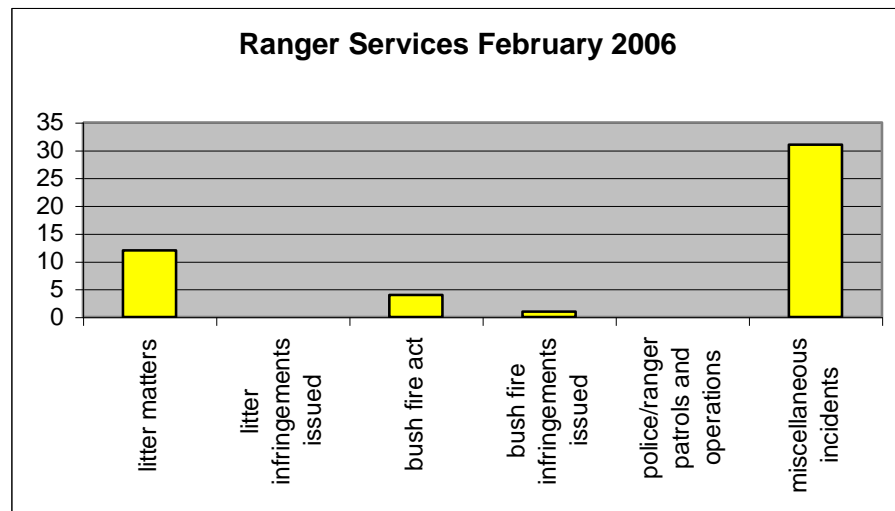
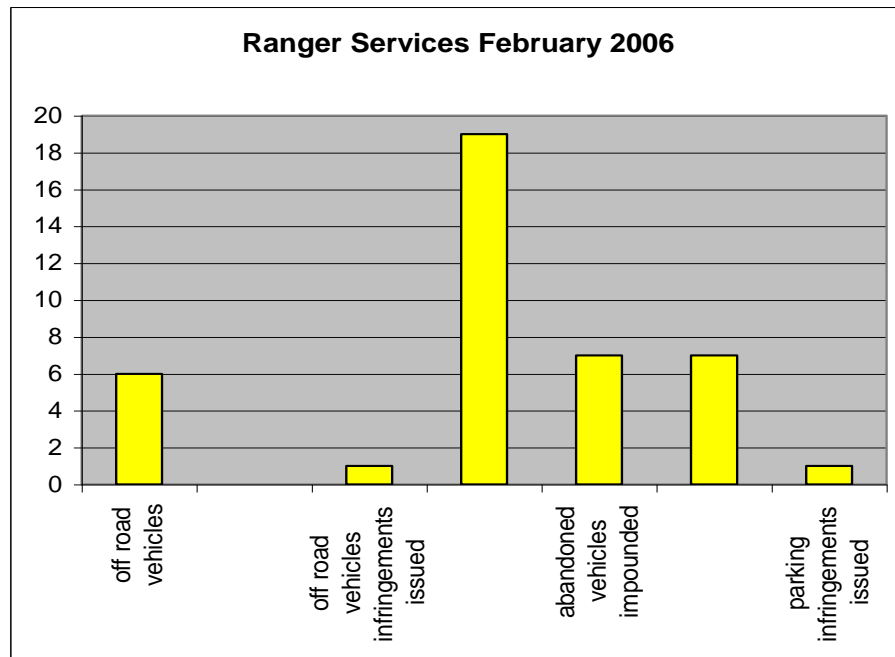


Planning Services



Ranger Services





20050/337 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council receive the Regulatory and Community Services Report for March 2006.

CARRIED 9/0

11.2.1.2 Policy Review – Recreation Policies (File No.: 26/03/0001)

Officer	Terry Sargent Director Regulatory and Community Services
Date of Report	10 March 2006
Disclosure of Interest by Officer	Nil

Summary

As part of the ongoing review of Council's Policies, all policies relating to recreation services have been reviewed and amendments proposed.

Background

Although Council has reviewed its policy manual regularly, the recreation policies appear to have remained basically unchanged for several years. The comprehensive review recently completed by staff has identified a number of areas in which the policy is now redundant or has become outdated.

Consultation

Comment has been sought from the relevant Council officers, taking into account the feedback they have received from the community in relation to the existing policies. The policy review was discussed at the Council Briefing session on 11th January 2006, at the Ordinary meeting of Council on 22 Feb 2006 and at the Council Briefing on 8 March 2006.

Statutory Implications

The adoption of appropriate policies is in accord with Council's obligations under Section 3.1(1) of the Local Government Act, which obliges Council to provide for "...the good government of persons in its district"

Policy Implications

This report recommends that Council's Recreation Policies be amended.

Strategic Planning Implications

Goal 6, Strategy 1 of the Town of Port Hedland Strategic Plan 2006 – 2011 is to “Progressively review all Council Policies.

Budget Implications

It is not anticipated the proposed amendments will have any budgetary implications.

Officer’s Comment

- Following the discussion at previous briefing sessions and Council meeting proposed amendments to the recreation policy have been prepared.
- As requested at the February 22 briefing session, the proposed changes are detailed in an attachment, which tracks and identify each proposed change.

Officer’s Recommendation

It is recommended that Council adopt the following Recreation Policies:

“6/001 COMMERCIAL OR NON SPORTING USE OF RECREATION RESERVES

It is Council policy that the following recreation areas be made available for appropriate commercial or non sporting use subject to conditions as considered necessary by the Manager Recreation Services and subject to payment of fees set by Council from time to time:

- i) Kevin Scott Oval and Marie Marland Reserve
Any area outside of recognised sporting boundaries.
- ii) Port Hedland Oval
Any area outside of recognised sporting boundaries.
- iii) Race-Course.
- iv) Colin Matheson Oval

Applications received to be referred to Director Regulatory and Community Services.”

**6/002 SPONSORSHIP, COMMUNITY AND CLUB
SIGNAGE ON COUNCIL RECREATION
RESERVES AND AQUATIC CENTRES**

Clubs and community groups are encouraged to utilise movable sponsorship signs to satisfy sponsors requirements.

Movable Sponsorship Signs

- . Application for the erection of more than ten movable signs on a reserve will be referred to Council for approval.
- . All movable signs must be removed from the reserve, when the wind velocity exceeds 30km/hr.
- . Movable advertising signs that have reference to alcoholic products shall be removed at the end of each event.

Fixed Signs

- . There shall be no permanent advertising signs that have reference to alcoholic products.
- . No fixed sponsorship signs will be permitted which obstruct a residents view.
- . Fixed sponsorship signs, whether attached to a building or as an arena sign are not to exceed 8m² in area. The maximum height of arena signs is not to exceed 1m.
- . The method of attachment of signs is to conform to the requirements of the Town of Port Hedland's Building Department; details will be supplied on application.
- . All fixed sponsorship signs must include the clubs name on at least 25% of the overall area of the sign.

Single Event Temporary Signs

- . Requests by Community or sporting groups to display signs to advertise an event should be made in writing to the Chief Executive Officer.

General

- . Clubs and community groups are encouraged to utilise movable sponsorship signs to satisfy sponsor requirements. This will limit the proliferation of fixed signs while still providing clubs with advertising exposure for their sponsors.
- . All signs shall be well maintained and in good order.

- . Signs should not be offensive and any objections to a sign will be referred to the Chief Executive Office for final ruling on installation.
- . Council shall have the power to remove any advertising sign.

6/003 COMMUNITY RECREATION CELEBRATIONS AND EVENTS

Recreation is an aspect of a community's way of life. Council will work in collaboration with the community to support the delivery of recreational events and celebrations for all which reflect the unique recreational identity of the town of Port Hedland. Council will encourage excellence and innovation, and inclusive community participation.

Council has delegated authority to the Chief Executive Officer to determine the level of assistance provided to community organisations and events within the constraints of annual budgets and staff resources. The following is an indication of the extent of support that the Council expects to be provided for community events.

Strategic Partnerships

Council is a co-organiser and a host of this event with another agency.

Council Support

Council support is provided to a community group/s in their presentation of a community recreation event or celebration. Council is not a co-host or organiser of this event.

PROGRAMMES

- . MAJOR COMMUNITY RECREATIONAL FESTIVALS/ CELEBRATIONS
- . RECREATION EVENTS

MAJOR COMMUNITY RECREATIONAL FESTIVALS/ CELEBRATIONS AND SIGNIFICANT EVENTS

Objective:

- . To support an annual calendar of special community recreation events catering for all ages groups, socio economic and cultural backgrounds.

- . To make Port Hedland a vibrant and exciting place to live.

Strategic Partnerships - Council is a co-organiser and a host of this event with another agency:

Annual Event	Partnership Agency	Assistance from Council
Blackrock Stakes	Chamber of Commerce	Council representation on Committee Use of Council equipment and facilities at no cost Use of Council venue at no cost for breakfast. Advertising Waiver stall hire for amusement fair. Assist with clean up after event

Council support:

Objective:

- . To support community organisations and group/s in their presentation of a community recreational event or celebration. Council is not a co-host or organiser of this event.
- . To make Port Hedland a vibrant and exciting place to live.

RECREATION EVENTS

Event	Key Partner	Council Support
Community Pool Open Days	Town of Port Hedland	Two days free entry per year to each pool as and when advertised.
Sports Group Forums	Department Sport and Recreation WA	Use of Council Venues at no cost Advertising, photocopying and postage at no cost Contribute to hosting event
Port Hedland Cup Day	Port Hedland Turf Club	Provision for 20 extra bins at no cost. Waiver all stall fees and street trading ground hire for one day. Ground hire included in race meeting fees. No additional hire charges. Staff member on Committee. Use of Council Flag to fly at event.
Premier Regional Lawn Bowls	PHTBA Main street Committee Port and South Hedland	Provide sponsorship towards event. Staff member on Committee. Advertising/photocopying, fax and postage.

	Bowling Clubs	
Nindji Nindji Festival	Bloodwood Tree Association	Provide sponsorship towards event Use of Council Venue at no cost Provision for up to 20 extra bins at no cost.
ANZAC Day Breakfast	RSL	Provide sponsorship towards event Use of Council Venue at no cost
Pilbara Music Festival		Provide sponsorship towards event Use of Council Venue at no cost Provide administrative assistance
Common- Health Games	Office of Seniors Interest	Use of Council Venue at no cost Staff coordinate planning and event Advertising, Photocopying and Postage Bus and travel to event at no cost
Other Events		Additional events will be considered for support upon application

6/004 OCCASIONAL LICENCES AND CONSUMPTION OF LIQUOR ON A RECREATION RESERVE OR COUNCIL OWNED OR MANAGED FACILITIES

If a proposed event is to be conducted on a Council reserve, facility or in a public open space, Council will review the application taking into consideration the nature of the function, venue, social aspects, public safety and any other unique features. If approval is considered for consumption of Liquor on a Council Recreation Reserve or Managed Facility the following conditions will apply.

1. Consumption of liquor is not permitted unless an application to consume liquor form has been completed and written approval has been granted by the Director Regulatory and Community Services.
2. No liquor is to be consumed at events consisting solely of junior sports activities
3. Consumption is restricted to one hour prior to and two hours after an approved event or match time and up to a maximum of six hours or otherwise as approved by the Director Regulatory and Community Services.

- On all occasions extending over three hours food services must be available.
4. No liquor consumption is permitted before 12.00pm or after 11.00pm unless approved by the Chief Executive Officer.
 5. Consumption of liquor must only be undertaken in the licensed areas identified in the approval, unless otherwise specifically approved by the Chief Executive Officer.
 6. Where it is known or anticipated that more than 100 patrons will be in the licensed area then the permit holder is responsible for providing security at a rate prescribed by the liquor licence conditions and proof of a contract to hire security persons must accompany the application.
 7. Up to 10 applications for Occasional Licences per year for any one club/hirer will be supported for events, fixtures matches or training where that does not unreasonably interfere with the operations of an established licensed club.
 8. On all occasions bottled water, non-alcoholic drinks and low alcohol products not greater than 3.5% must also be available.
 9. Council will provide accredited Liquor Licensing training for club members on two occasions each calendar year. Club/ Associations must have two representatives with accredited training or application to consume alcohol will not be considered. (Effective September 2003)

6/005 GENERAL CONDITIONS OF USE OF AQUATIC CENTRES

1. Both Town of Port Hedland Aquatic Centres are designated as non-smoking recreation venues. Smoking is prohibited by staff and patrons in all areas within the fenced boundaries and the immediate entrance areas of each Centre.
2. No alcohol is permitted at these Centres unless a private hire booking is approved and all requirements of Policy 6/006 Consumption of Liquor on Recreation Reserves can be met and adhered to.

3. During normal weekday operating hours, a maximum of up to 50% of available lane space may be allocated for all sports club patrons. A minimum of 50% of lane space is to be allocated at all times for general public and non-sports club activities.
4. Council must approve all events and Carnival bookings if pool closure to the general public is sought, with a minimum of three (3) months' notice required.

6:05 pm Councillor Arthur A Gear left the room.

6:07 pm Councillor Arthur A Gear re-entered the room and assumed his chair.

20050/338 Council Decision

Moved: Cr T M Young

Seconded: Cr D R Pike

The the following Policies be adopted:

“6/001 COMMERCIAL OR NON SPORTING USE OF RECREATION RESERVES

It is Council policy that the following recreation areas be made available for appropriate commercial or non sporting use subject to conditions as considered necessary by the Manager Recreation Services and subject to payment of fees set by Council from time to time:

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Any area outside of recognised sporting boundaries.

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Any area outside of recognised sporting boundaries.

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SIGNAGE ON COUNCIL RECREATION
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- . RECREATION EVENTS

**MAJOR COMMUNITY RECREATIONAL FESTIVALS/
CELEBRATIONS AND SIGNIFICANT EVENTS**

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Council support:

Objective:

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RECREATION EVENTS

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Port Hedland Cup Day	Port Hedland Turf Club	Provision for 20 extra bins at no cost. Waiver all stall fees and street trading ground hire for one day.

		Ground hire included in race meeting fees. No additional hire charges. Staff member on Committee. Use of Council Flag to fly at event.
Premier Regional Lawn Bowls	PHTBA Main street Committee Port and South Hedland Bowling Clubs	Provide sponsorship towards event. Staff member on Committee. Advertising/photocopying, fax and postage.
Nindji Nindji Festival	Bloodwood Tree Association	Provide sponsorship towards event Use of Council Venue at no cost Provision for up to 20 extra bins at no cost.
ANZAC Day Breakfast	RSL	Provide sponsorship towards event Use of Council Venue at no cost
Pilbara Music Festival		Patron at Festival Provide sponsorship towards event Use of Council Venue at no cost Provide administrative and photocopying assistance
Common- Health Games	Office of Seniors Interest	Use of Council Venue at no cost Staff coordinate planning and event Advertising, Photocopying and Postage Bus and travel to event at no cost
Other Events		Additional events will be considered for support upon application

6/004 OCCASIONAL LICENCES AND CONSUMPTION OF LIQUOR ON A RECREATION RESERVE OR COUNCIL OWNED OR MANAGED FACILITIES

If a proposed event is to be conducted on a Council reserve, facility or in a public open space, Council will review the application taking into consideration the nature of the function, venue, social aspects, public safety and any other unique features. If approval is considered for consumption of Liquor on a Council Recreation Reserve or Managed Facility the following conditions will apply.

- 1. Consumption of liquor is not permitted unless an application to consume liquor form has been completed and written approval has been granted by the Director Regulatory and Community Services.**
- 2. No liquor is to be consumed at events consisting solely of junior sports activities**
- 3. Consumption is restricted to one hour prior to and two hours after an approved event or match time and up to a maximum of six hours or otherwise as approved by the Director Regulatory and Community Services.
On all occasions extending over three hours food services must be available.**
- 4. No liquor consumption is permitted before 12.00pm or after 11.00pm unless approved by the Chief Executive Officer.**
- 5. Consumption of liquor must only be undertaken in the licensed areas identified in the approval, unless otherwise specifically approved by the Chief Executive Officer.**
- 6. Where it is known or anticipated that more than 100 patrons will be in the licensed area then the permit holder is responsible for providing security at a rate prescribed by the liquor licence conditions and proof of a contract to hire security persons must accompany the application.**
- 7. Up to 10 applications for Occasional Licences per year for any one club/hirer will be supported for events, fixtures matches or training where that does not unreasonably interfere with the operations of an established licensed club.**
- 8. On all occasions bottled water, non-alcoholic drinks and low alcohol products not greater than 3.5% must also be available.**
- 9. Council will provide accredited Liquor Licensing training for club members on two occasions each calendar year. Club/ Associations must have two representatives with accredited training or application to consume alcohol will not be considered. (Effective September 2003)**

10. Glass containers are not permitted on any recreation reserve unless approved by the Chief Executive Officer.

6/005 GENERAL CONDITIONS OF USE OF AQUATIC CENTRES

1. Both Town of Port Hedland Aquatic Centres are designated as non-smoking recreation venues. Smoking is prohibited by staff and patrons in all areas within the fenced boundaries and the immediate entrance areas of each Centre.
2. No alcohol is permitted at these Centres unless a private hire booking is approved and all requirements of Policy 6/006 Consumption of Liquor on Recreation Reserves can be met and adhered to.
3. During normal weekday operating hours, a maximum of up to 50% of available lane space may be allocated for all sports club patrons. A minimum of 50% of lane space is to be allocated at all times for general public and non-sports club activities.
4. Council must approve all events and Carnival bookings if pool closure to the general public is sought, with a minimum of three (3) months' notice required.

CARRIED 9/0

REASON: Council included the following amendments to the proposed policies:

1. *Policy 6/002 – Sponsorship, Community and Club Signage on Council Recreation Reserves*
 - . *1st paragraph delete “movable”*
 - . *5th paragraph delete “All fixed signs”, insert “All new fixed signs”*
2. *Policy 6/003 Community Recreation Celebrations and Events*
 - . *Recreational Events – Pilbara Music Festival, include “Patron at Music Festival”; and delete “administrative” insert “administrative and photocopying”*

3. *Policy 6/004 Occasional Licences and consumption of liquor on a recreation reserve or council owned or managed facilities*
 - . *insert item 5. as follows:*

“Glass containers are not permitted on any recreation reserve unless approved by the Chief Executive Officer.”

...

11.2.2 Planning Services**11.2.1.1 *Delegated Planning Approvals for February 2006*
(File No.: PLN-104)**

Officer Sarah Hepburn
Administration Officer
Development & Regulatory
Services

Date of Report 10 March 2006

Disclosure of Interest by Officer Nil

Summary

This item relates to the Planning Applications considered under Delegated Authority for the preceding calendar month.

Background

A list of Planning Consents issued by Council's Planning Services under Delegated Authority for the month of February 2006 are attached to this report.

Consultation Nil

Statutory Implications

Town of Port Hedland Delegation Register 2005 outlines the limitations of delegated authority and requires a list of approvals made under it to be provided to Council.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment Nil

200506/339 Council Decision/Officer's Recommendation

Moved: Cr T M Young

Seconded: Cr G D Bussell

That the Schedule of Planning Consents issued by Delegated Authority for the month of February 2006 be received.

CARRIED 9/0

Date	App. No.	Address	Applicant	Owner	Development	Delegation	Comment
17/02/06	2005/138	42 Roberts St, South Hedland	A. Nicholas	Jube Ventures Pty Ltd	Home Occupation (Bookkeeping and Secretarial Service)	40 (9)	Complies with Council Policy 12/001 – Home Occupation Policy
23/2/06	2006/2	10A Reynolds Pl, South Hedland	C. Buckland	C. Buckland	Home Occupation (Acrylic Nails)	40 (9)	Complies with Council Policy 12/001 – Home Occupation Policy
3/2/06	2006/7	9 Moseley St, Port Hedland	O. Vathjunker	Dept of Housing & Works	Carport (Freestanding)	40 (6) (ii)	Variation to R-Codes (750mm side setback)
16/2/06	2006/18	4B Trig St, Wedgefield	Shidaz Pty Ltd	D.Spamon	Outbuilding	40 (6)	9 x 6m Shed for Car Storage
14/2/06	2006/21	13-15 Greenfield St, Boodarie	Telstra Corp Ltd	M. & D. Scott	Communications Antenna	40 (1) (ii)	5m pole with 0.3m antenna attached
14/2/06	2006/22	118-120 Greenfield St, Boodarie	Telstra Corp Ltd	S. Todd	Communications Antenna	40 (1) (ii)	5m pole with 0.3m antenna attached
14/2/06	2006/23	40-42 Greenfield St, Boodarie	Telstra Corp Ltd	S. Walker	Communications Antenna	40 (1) (ii)	5m pole with 0.3m antenna attached
14/2/06	2006/24	163 Greenfield St, Boodarie	Telstra Corp Ltd	G. Stocker	Communications Antenna	40 (1) (ii)	5m pole with 0.3m antenna attached
14/2/06	2006/25	167 Greenfield St, Boodarie	Telstra Corp Ltd	C. & A. Eyden	Communications Antenna	40 (1) (ii)	5m pole with 0.3m antenna attached
22/2/06	2006/27	163 Anderson St, Port Hedland	L. Mackie	J. Burrige & L. Mackie	2 x Grouped Dwelling	40 (5)	2 x 3 bedroom dwellings

11.2.2.2 Proposed Construction of Three Group Dwellings at Lot 2023 (2) Leeds Street, Port Hedland (File No.: 155930G)

Officer Andrew Patterson
Planning Officer

Date of Report 7 March 2006

Disclosure of Interest by Officer Nil

Summary

Council has received an application for planning permission to construct three (3) group dwellings at lot 2023 (2) Leeds Street Port Hedland.

The structures consist of colourbond-clad single storey, four-bedroom dwellings.

Background

The land subject to this application consists of 1636 m² and is zoned Residential R30 in Town Planning Scheme No. 5. The minimum site area required for each dwelling is 270 m² with an average of 300 m² per dwelling. The smallest lot size proposed for this development is 474 m² and achieves an average of 545 m².

This land has been subdivided into two lots (Deposited Plan 58159) consisting of one lot of 713 m² and one lot of 924 m². As proposed, dwelling 2 will be constructed across the lot boundary. The applicant has been contacted regarding this matter and has indicated that an amalgamation process has been initiated that will resolve this issue. An appropriate advice note is included in the Officer's recommendation (Advice to Developer, Note 3) to ensure the amalgamation is completed prior to the issue of a building licence.

Residential Design Code Compliance

As submitted, the proposed development seeks a number of minor variations to the Residential Design Codes.

Unit one requires a reduced setback to 3.5 meters for part of the dwelling. Incursions into the front setback are permitted under the R Codes provided the area is compensated for with an area of open space behind the setback line. This proposal seeks a 3.15 m² incursion while not providing for any compensatory area.

The R Codes also require that 2/3 (66%) of the outdoor living area is provided without a permanent roof cover. Unit one does not comply with this requirement with 73 % of the outdoor living area under permanent cover.

Unit two of this development also proposes a zero setback for the parapet wall of the proposed carport. As the adjacent dwelling is part of this development, it is not considered necessary to seek written comment from the adjoining landowner regarding this matter because it is an internal boundary and does not affect the current neighbours.

Consultation

Building Services: a building license application is required prior to commencement of site works.

Environmental Health Services: consideration of dust and noise generation during construction; development not to interfere with mains or effluent disposal systems; development to connect to Water Corp deep sewage system.

Statutory Implications

The Town of Port Hedland Town Planning Scheme No. 5 zones the land and establishes the allowable density.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Planning application fee of \$2590 received and deposited into account 1006326 (Town Planning Fees).

Officer's Comment

This application is seeking a number of minor variations to the Residential Design Codes. The setback variation for unit 1 is considered relatively minor and will have limited detrimental impact on the streetscape amenity.

The variation requested for the non-conforming permanent roof cover of the outdoor living area of unit 1 is also considered minor. Considering local climate conditions, this variation is unlikely to have a detrimental impact on the resident's lifestyle.

As noted in the background, the parapet wall proposed for unit 2 will only impact the unit 3 and so no further consultation is required for this item.

The major issue from a planning perspective regarding this application is the existing lot boundary that runs through the proposed unit 2. As the applicant has undertaken to address this issue of non-compliance with an amalgamation of the two lots, this should not impede this development application.

200506/340 Council Decision/Officer's Recommendation**Moved:** Cr A A Gear**Seconded:** Cr T M Young

That Planning Consent be granted to Hodge and Collard on behalf of the Port Hedland Port Authority for the construction of three (3) group dwellings at Lot 2023 (2) Leeds Street Port Hedland as outlined in the Application received 6 February 2006 (Application 2006/14) and indicated on the approved plans, subject to the following conditions:

GENERAL

- a) **The development to comply with the provisions of Council's Town Planning Scheme No.5, the Health Act 1911, Building Code of Australia, Residential Design Codes and any other relevant Acts, Regulations, Local Laws and Council Policies (except where varied by this approval).**
- b) **This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only (PS).**

PRIOR TO ISSUE OF BUILDING LICENCE

- c) **Detailed plans and specifications relating to the disposal of stormwater for the development being submitted and approved by Council's Engineering Services (ES).**
- d) **Details of any fill or drainage on the site to be in accordance with plans and specifications submitted to and approved by Council's Engineering Services (ES).**
- e) **All vehicle crossings to be designed and constructed to the satisfaction and specification of Council's Engineering Services (ES).**

DURING CONSTRUCTION

- f) The operations to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 in respect to noise but, notwithstanding, the operations to have due regard to the health and amenity of any person in the vicinity (EHS).**
- g) Developers and/or contractors of developments which are likely to occur at times when prevailing winds will generate a dust nuisance to nearby residents, to take appropriate dust prevention measures by the damping with water of disturbed surfaces and/or hydromulching when necessary to the satisfaction of Council's Engineering Services and Environmental Health Services (EHS).**
- h) The development must not interfere with property and effluent mains and/or effluent disposal systems (EHS).**
- i) The development to be connected to the Water Corporation deep sewerage service (EHS).**
- j) Front walls and fences within the primary street setback area to comply with clause 3.2.5 of the Residential Design Codes in relation to being visually permeable 1.2m above natural ground level (PS).**
- k) Airconditioner units to be located so as not to create a noise nuisance to bedroom areas of adjoining dwellings (PS).**

ADVICE TO DEVELOPER

NOTE 1: 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 cycle of flooding could affect any property below the ten (10) metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.

NOTE 2: A Building Licence to be issued prior to the commencement of any on site works (BS).

NOTE 3: A Building Licence will not be issued until an original, approved diagram of survey is submitted to Council delineating the amalgamation of lots 1 and 2 (PS).

NOTE 4: Footpath deposits, kerb deposits, and crossover specifications and policies to be to the satisfaction of Council's Manager Engineering Services.

CARRIED 9/0

ATTACHMENT TO AGENDA ITEM 11.2.2.2



11.2.2.3 Request for Comment Regarding the Proposed Lease for Lots 5827 and 5828 Anderson Street (File No.: 130495G)

Officer Andrew Patterson
Planning Officer

Date of Report 28 February 2006

Disclosure of Interest by Officer Nil

Summary

Council has received a request from the Department for Planning and Infrastructure Land Asset Management Services (LAMS) to comment on a proposal to offer lots 5827 and 5828 Anderson Street Port Hedland to provide additional parking for the Boulevard Shopping Centre.

Background

The land comprises 3871 m² and 2337 m² respectively and is zoned "Community." Both lots consist of Unallocated Crown Land.

This land is currently zoned "Community" under the Town of Port Hedland Town Planning Scheme No. 5 and "Carpark" is listed as an "IP" use on the zoning table.

Lot 5827 is currently the subject of an easement application in favour of lot 835 Wilson Street that is currently occupied by the Hedland Christian Church. This easement is expected to formalise a vehicle access point to the church car park.

In addition to the access easement, LAMS has noted in their correspondence to Council that there is a 10.1 metre wide easement crossing both lots in favour of the Water Corporation.

It is noted that portions of these lots are low-lying and will require significant fill or drainage in order to make effective parking areas.

Parking issues relating to the Boulevard Shopping Centre were considered by Council at its Ordinary Meeting on 22 June 2005 as part of the planning application for a carwash proposed within the existing shopping centre carpark. At this meeting, Council approved the carwash, subject to conditions and included as an advice note with the approval:

"NOTE 7: The developer is advised that the total number of car parking bays provided for the shopping centre will decrease to under the 300 total required by Council's Town Planning Scheme should this development

proceed. In approving this current development, Council has considered the number of bays lost not to have a detrimental impact on car parking provision at the shopping centre. Notwithstanding this, Council reserves the right to require additional car parking for future developments on the site that it considers will have a detrimental impact on car parking provision."

Consultation

Council's Engineering Services has advised that the Engineering Department is planning to construct a stormwater drainage system within the road reserve adjacent to this proposal. The Director Engineering Services has requested that any development of parking facilities on this land is designed so as not to compromise this drainage system. Engineering Services also note that this land is subject to ponding.

Further internal and external consultation was considered unnecessary for this item.

Statutory Implications

Section 14 of the *Land Administration Act 1997* requires the Minister to consult with local governments prior to exercising certain powers in relation to Crown land.

Section 47 and 48 of the *Land Administration Act 1997* give the Minister the authority to grant a lease in respect to Crown land in an unmanaged reserve.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Council is being asked for comment from the DPI and therefore there are no budget implications with regard to this item. Should a development application relating to this land be forthcoming subsequent to the granting of a lease, all standard application fees will apply.

Officer's Comment

Council is being asked for comment or objections pursuant to the requirements of the *Land Administration Act 1997* and this should not be construed as supporting or granting any planning permission. Should Council resolve not to oppose the application for the lease, it retains control of the development process through the development approval process.

As these lots are currently vacant and adjacent to the shopping centre, this is considered an appropriate use for the land. As noted in this report, the expected use for the land as a carpark is listed as an "IP" use on the TPS 5 zoning table and will therefore necessitate Council's formal consideration of any application for planning approval as delegated officers do not have the authority to determine "IP" uses but are satisfied that this proposal is consistent with good planning practice.

200506/341 Council Decision/Officer's Recommendation

Moved: Cr G J Daccache **Seconded:** Cr A A Carter

That Council inform the Department for Planning and Infrastructure (Land Asset Management Services) that it does not object to the proposed lease of lots 5827 and 5828 Anderson Street Port Hedland for the purpose of car parking subject to:

- a) **any development on the land complying to the Town of Port Hedland Town Planning Scheme No. 5; and**
- b) **the applicant being advised that the adjacent road reserve is subject to a proposed stormwater drainage system and any development is not to compromise this use.**

CARRIED 8/1

ATTACHMENT TO AGENDA ITEM 12.2.2.3



6:20 pm Councillor George J Daccache declared an interest in Agenda Item 11.2.2.4 Notification of Application for Exploration Licence as he owns shares in FMG Limited. Councillor Daccache left the room.

11.2.2.4 Notification of Application for Exploration Licence (File No.: 803387G)

Officer Andrew Patterson
Planning Officer

Date of Report 8 March 2006

Disclosure of Interest by Officer Nil

Summary

Council has received notice from Tenement Administration Services (TAS), who act as tenement managers to Fortescue Metals Group, of an exploration licence application located within the Town of Port Hedland local government area.

Background

TAS has advised Council of the exploration licence application pursuant to the Mining Act 1978 as the subject area encroaches on private property within the local government area. The affected private land consists of the Rural Residential development at Turner River (see attachment).

Any objections to this licence application are to be lodged at the Mining Registrar's office at Marble Bar within 21 days of receipt of the notice. As the Town of Port Hedland received notice of this application on 1 March 2006, objections should therefore be made by 22 March 2006. Late submissions may be permitted where the applicant shows good reason for missing the deadline.

Council's Planning Officer has contacted the applicant with regard to this application and received assurances that should Council so request, all privately owned land may be excised from the licence area.

Consultation

Tenement Administration Services were consulted with regard to this application, which in turn consulted with their client regarding the private land affected by the proposed licence.

Statutory Implications

Sections 21 and 27 –28 of the *Mining Act 1978* allow for the issuing of exploration and mining licenses with regard to private land subject to conditions.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

Notwithstanding that provisions of the *Mining Act 1978* may allow an applicant to apply for and receive licence to access private land for mining purposes, in this case, the licence applicant has indicated that they are prepared to excise private land in this case.

Should Council wish to ensure that private land is not affected by the granting of this exploration licence, it could request that the Registrar of Mines excise affected lots from the exploration area.

Officer's Recommendation

That Council request that the Mining Registrar excise lots 1 – 18 (inclusive) Manilha Drive Boodarie from Exploration Licence 45/2859.

200506/342 Council Decision/Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr D R Pike

That Council defer this item pending further information on the nature of exploration proposed as a component of the Licence.

CARRIED 5/3

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

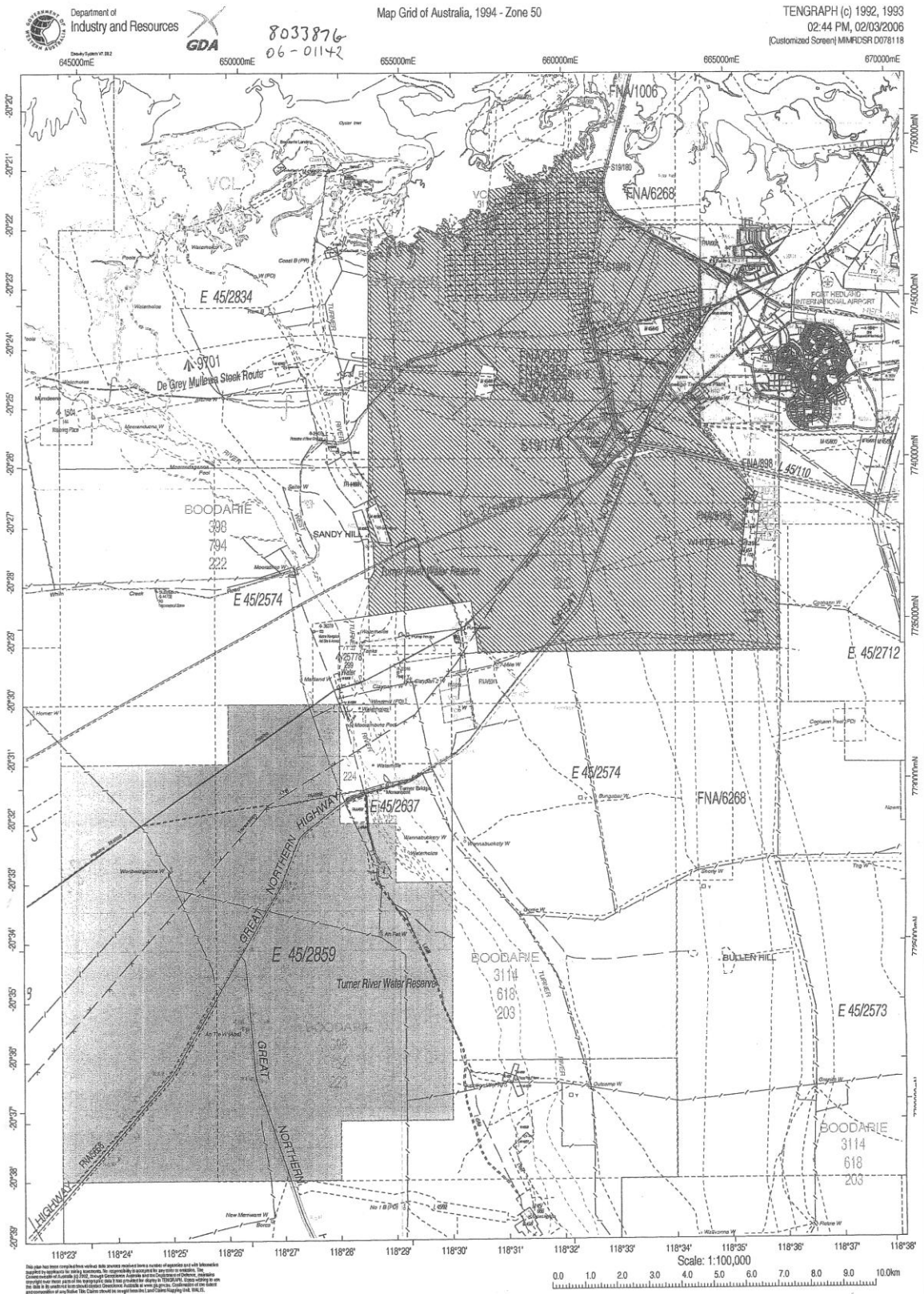
Record of Vote:

FOR	AGAINST
Cr A A Carter	Cr S R Martin
Cr G D Bussell	Cr S F Sear
Cr A A Gear	Cr T M Young
Cr J M Gillingham	
Cr D R Pike	

6:30 pm Councillor George J Daccache re-entered the room and assumed his chair. Mayor advised Councillor Daccache of Council's decision.

REASON : Council sought further clarification from FMG Limited in relation to their purpose for applying for Exploration licence 45/2859.

ATTACHMENT TO AGENDA ITEM 12.2.2.3



11.2.2.5 Proposed Pedestrian Access Way (PAW) Closure At Lot 1699 (18-20) Logue Court South Hedland (Applicant: The Town of Port Hedland, File No.: 800210G)

Officer Andrew Patterson
Planning Officer

Date of Report 24 February 2006

Disclosure of Interest by Officer Nil

Summary

Council's Building Maintenance Officer has requested that Council consider closing the Pedestrian Access Way (PAW) located adjacent to lot 1699 (18-20) Logue Court.

Background

The PAW subject to the closure request is located adjacent to a Council-owned dwelling that is currently in a state of disrepair and has been vacant for 4-5 years. The building has been comprehensively vandalised, requiring extensive work in order to make it habitable.

Council's Building Maintenance Officer is currently in the process of renovating this dwelling in order to provide additional accommodation for Council officers. The cost of the renovation is expected to be between \$75 000 and \$80 000.

Council is requested to close this PAW in order to reduce the potential for vandalism of both the building and fencing of the newly renovated property that is due for completion in April 2006.

The PAW consists of 93 m² and, if closed will require amalgamation into one or both of the adjacent lots. Council's Building Maintenance Officer has indicated that the land is not required for amalgamation into lot 1699, however, should the adjoining neighbour not desire to purchase the land, Council may be required to purchase the land from the Crown.

The laneway provides the only access from Logue Court to the Welsh Street Park, and would result in an additional 120 metres travel to access the park from Ellery Way.

This proposal is consistent with Goal 3.6.3 of Council's Strategic Plan that requires implementation of CPTED principles. Specifically section 4.1.2, table 2 of *Designing Out Crime* recommends the avoidance of using back lanes without "guardian surveillance." The boundary fencing facing the PAW currently consists of chain-link fencing, however it is intended to replace

the Council-owned fence with a 1.8 metre colourbond fence in order to provide added security and privacy to the dwelling. This will reduce the level of passive surveillance for the laneway, potentially leading to increased anti-social behaviour.

In the current budget, there is no allocation of funds for the purpose of purchasing land, and an amended budget would be required to provide funds for this purpose.

Should Council resolve to close this PAW, there is a statutory requirement for a public advertising period of 35 days. Council is to consider all submissions prior to requesting the Hon. Minister for Planning and Infrastructure to close the PAW.

Consultation

Maintenance Services has requested this action and provided the rationale for the request.

Engineering Services has no objection to the proposal and advised that BHP Billiton currently maintains the Welsh Street Park.

The Valuer General's Office, who is the responsible authority for determining the purchase price of Crown land, has indicated that the purchase price for this land will be \$3000.

Statutory Implications

Section 20A of the *Town Planning and Development Act 1928* vests all Pedestrian Access Ways in the Crown.

Section 58 of the *Land Administration Act 1997* determines the process required by a local government in order to close a road.

Delegation 40 (12) of Council's Delegation Register states:

The Director Community Development Services may forward Road Closure Applications to the Department of Land Administration in the event of:

- There being no comment received during the statutory advertising period; and
- The proposal being of a non-contentious nature.

Policy Implications

Nil

Strategic Planning Implications

KEY RESULT AREA 3 – COMMUNITY DEVELOPMENT
Goal 6 - Community Safety

That the incidence of crime has decreased and the perception of community safety within the Town of Port Hedland has increased

Strategy 3:

Introduce Crime Prevention Through Environmental Design (CPTED) principles into the assessment of planning and building applications.

Budget Implications

Advertising fees are expected to amount to approximately \$100 to be sourced from account 1006249 (Advertising – Town Planning).

Should Council be required to purchase the PAW, the VGO has advised the cost will amount to \$3000, with this sum to be sourced from account 901400 (Purchase of Land).

Officer's Comment

Closing this PAW will add to the security of a newly renovated Council asset. Should the PAW not be closed, it is expected that the new fence, and possibly the house itself will be vandalised, as is the current practice.

Closure of the laneway will limit access to the park to some extent, with the additional distance required for accessing the park comprising approximately 120 metres. It is expected that advertising for public comment of the proposed PAW closure will gauge public opinion as to whether this is an acceptable action.

200506/343 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- i) **Resolve to close the pedestrian access way between lots 1699 and 2091 Logue Court, South Hedland;**
- ii) **advertise the proposed road closure in accordance with section 58 of the *Land Administration Act 1997*;**
- iii) **request advise from relevant service providers with regard to required easements;**
- iv) **provide any easements as required by service providers;**
- v) **amalgamate the closed Pedestrian Access Way with Lot 1699 Logue Court, South Hedland; and**

- vi) allocate \$3000 from unallocated funds to account 901400 (Purchase of Land) for the purchase of the PAW if required.

CARRIED 9/0

ATTACHMENT TO AGENDA ITEM 12.2.2.5



**12.2.2.6 Proposed Additional Units at lot 100 Court Place
South Hedland (The Budget Motel) (File No.:
116426G)**

Officer Andrew Patterson
Planning Officer

Date of Report 12 February 2006

Disclosure of Interest by Officer Nil

Summary

Council has received an application to construct an additional 59 motel units to the Budget Motel, South Hedland. The land is zoned "Town Centre" in the Town of Port Hedland Town Planning Scheme No. 5 and the use "Motel" is listed as an "AA" use on the zoning table.

Council's Director of Regulatory and Community Services is delegated to determine "AA" uses, however due to the large scale of the proposed works, and its potential impact on the town, this item is submitted for Council consideration.

Background

The land subject to this proposal is in the final stages of a road and laneway closure and lot amalgamation process. Council resolved to support the Court Place road closure at its Ordinary Meeting on 23 June 2004. Following the required advertising period, at its Ordinary Meeting on 25 August 2004 Council requested that the road reserve be close. At the conclusion of the process, lot 13 and the affected area of road reserve will be amalgamated into lot 100.

Council addressed the laneway closure at its Ordinary Meeting on 22 June 2005 where it resolved to request the laneway also be closed.

The applicant is in the final stages of completing the road closures, lot amalgamation and laneway closure and is now seeking planning permission to develop the new lot.

Details of Proposal

The land subject of this proposal consists of 3004 m² and is zoned "Town Centre."

The applicant proposes to construct four new blocks of units, three of which will be double storey constructions. Two of the proposed units are designed to facilitate disabled access.

In addition to the construction of the new blocks of units, the applicant proposes to renovate the existing block of six (6) units that is sited parallel to Forrest Circle into a restaurant servicing the motel.

Compliance

Under the Town of Port Hedland Town Planning Scheme No. 5, Appendix 7, the following number of car parking bays is required:

1 bay for every accommodation unit:	107 bays
1 bay for every 5 units for visitors, and	22 bays
1 bay for every staff member present at any one time	2 bays

With the number of units to be raised to 107, the total number of required bays is therefore 131, assuming two staff members remain on site. The current proposal includes a total of 132 car-parking bays.

It is noted that the proposed motel units as described on the submitted site plan indicate that two of the blocks will transgress the lot boundary into lot 12, which is part of the existing motel development. In order to correct for this non-compliance issue, the applicant has agreed to initiate an amalgamation of lot 12 into lot 100 Court Place. An appropriate condition is included in the Officer's Recommendation to reflect this requirement.

This land is identified in the *South Hedland Town Centre Development Plan* (as revised May 2003) as being for the construction of a link road from Throssell Road to Cottier Drive. Council addressed this issue during its deliberation for the Court Place road closure, with this proposed development permanently erasing this road link option.

It is noted on the application that the proposed development crosses the lot boundary between lots 12 and 100 Court Place. While these two lots form part of the same development, the existence of this boundary is problematic from both a planning and building perspective.

With regards to the planning issue, no building should be approved that crosses a boundary as each lot is capable of being sold independently which would cause legal problems with the ownership of the existing structure. From the building perspective, a lot boundary comprises a fire source feature that requires additional setbacks or fire ratings.

One solution that will circumvent these issues is to condition any planning approval to the successful amalgamation of these lots. The applicant has been approached with this proposal and has agreed to initiate the amalgamation as required. An appropriate Advice Note is included in the Officer's Recommendations

indicating that a Building Licence will not be issued for this development until an original, approved diagram of survey is submitted to Council delineating the amalgamation of lots 12 and 100 Court Place (PS).

Other Considerations

Appendix 5 of the Town of Port Hedland Town Planning Scheme No. 5 identifies this land as a "Development Plan Area." Council may require that a development plan is prepared prior to considering development proposals, with the matters to be addressed being listed in Appendix 6 of the Scheme. As this land is proposed for the extension of an existing development, and Council has already considered land use changes with regard to the road closure, a development plan is not considered necessary for this application.

Consultation

Council's Building, Engineering and Environmental Health Services have offered no objection to the proposal, with comments and recommendations being reflected in the Officer's recommendation.

Statutory Implications

The Town of Port Hedland Town Planning Scheme No. 5 zones the land and establishes the parking requirements.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Planning fees required for this application comprising \$2,950 have been deposited in Account 1006326 (Town Planning Fees)

Officer's Comment

This development is considered an appropriate development for the land. As the land is currently vacant, development on the site will reduce the amount of anti-social behaviour such land generally attracts.

200506/344 Council Decision/Officer's Recommendation**Moved:** Cr T M Young**Seconded:** Cr S F Sear

That Planning Consent be granted to Alan Bloore on behalf of Vaulken Pty Ltd for the construction of 32 Motel Units at Lot 12 – 17 Court Place as outlined in the Application received 8 February 2006 (Application 2006/17) and indicated on the approved plans, subject to the following conditions:

GENERAL

- a) **The development to comply with the provisions of Council's Town Planning Scheme No.5, the Health Act 1911, Building Code of Australia, Residential Design Codes and any other relevant Acts, Regulations, Local Laws and Council Policies (except where varied by this approval).**
- b) **This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only (PS).**
- c) **Additional garbage storage facilities to be provided or current facilities to be determined as adequate to the satisfaction of Council's EHS (EHS).**
- d) **A three (3) metre wide permanent and reticulated landscaping strip being provided along the front boundary of the property to the satisfaction of Council's Parks and Gardens and Planning Services (PG/PS).**
- e) **The buildings to comply at all times with the relevant provisions of the Health Act 1911 and the Town of Port Hedland Health Local Laws 2000 to the satisfaction of Council's Environmental Health Services (EHS).**
- f) **Approval must be obtained from Council's EHS prior to commencement of construction to ascertain compliance with the Health Act 1911 and Town of Port Hedland Health Local Laws 2000 in regards to Lodging Houses (EHS).**
- g) **Materials and finish of the proposed additions to match or harmonize with those of the existing buildings.**

PRIOR TO ISSUE OF BUILDING LICENCE

- h) Car parking bays to be minimum of 5.4m x 3.0m; constructed, drained and sealed; to be line marked and served by a paved access way, with a minimum width of 5.8 metres in accordance with Appendix 8 of Council's Town Planning Scheme No.5 and to the satisfaction of Council's Engineering Services (ES).**
- i) The applicant is to amalgamate lot 12 Court Place with lot 100 Court Place prior to any on site works (PS).**
- j) Visitors car parking area(s) to be marked as being for the exclusive use of visitors and signage directing visitors to the parking area(s) to be erected to the satisfaction of Council's Planning Services (PS).**
- k) The operations to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 in respect to noise but, notwithstanding, the operations to have due regard to the health and amenity of any person in the vicinity (EHS).**
- l) Developers and/or contractors of developments which are likely to occur at times when prevailing winds will generate a dust nuisance to nearby residents, to take appropriate dust prevention measures by the damping with water of disturbed surfaces and/or hydromulching when necessary to the satisfaction of Council's Engineering Services and Environmental Health Services (EHS).**
- m) The development must not interfere with property and effluent mains and/or effluent disposal systems (EHS).**
- n) The development to be connected to the Water Corporation deep sewerage service (EHS).**

ADVICE TO DEVELOPER

- o) Footpath deposits, kerb deposits, and crossover specifications and policies to be to the satisfaction of Council's Manager Engineering Services.**

- p) The developer to take note that the area of this application may be subject to tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year cycle of flooding could affect any property below the ten (10) metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
- q) The developer is advised that any grey water re-use system to be employed in the proposed development is to be of a type approved for use by the Health Department of Western Australia and installed to the satisfaction of Council's Environmental Health Services.
- r) A Building Licence will not be issued until an original, approved diagram of survey is submitted to Council delineating the amalgamation of lots 12 and 100 Court Place (PS).
- s) A Building Licence to be issued prior to the commencement of any on site works (BS).

CARRIED 8/1

NOTE : Cr T M Young requested the votes be recorded.

Record of Vote:

FOR	AGAINST
Cr S R Martin	Cr G D Bussell
Cr A A Carter	
Cr G J Daccache	
Cr A A Gear	
Cr J M Gillingham	
Cr S F Sear	
Cr D R Pike	
Cr T M Young	

6:36 pm Councillor Trona M Young declared a financial interest in Agenda Item 12.2.2.7 Request for Scheme Amendment to Rezone Lot 5197 (21) Harper Street Port Hedland From Residential R 15 to Residential R, as she owns BHP Billiton shares and her husband is employed by BHP Billiton.

6:36 pm Councillor Trona M Young left the room.

6:36 pm Councillor George J Daccache declared a financial interest in Agenda Item 12.2.2.7 Request for Scheme Amendment to Rezone Lot 5197 (21) Harper Street Port Hedland From Residential R 15 to Residential R, as he owns BHP Billiton shares and is employed by BHP Billiton.

6:36 pm Councillor George J Daccache left the room.

6:36 pm Councillor Arnold A Carter declared a financial interest in Agenda Item 12.2.2.7 Request for Scheme Amendment to Rezone Lot 5197 (21) Harper Street Port Hedland From Residential R 15 to Residential R, as he owns BHP Billiton shares

Councillor Arnold A Carter did not leave the room as the Department of Local Government and Regional Development have permitted him exemption to do so.

6:36 pm Councillor Des R Pike declared a financial interest in Agenda Item 12.2.2.7 Request for Scheme Amendment to Rezone Lot 5197 (21) Harper Street Port Hedland From Residential R 15 to Residential R, as he owns BHP Billiton shares

Councillor Des R Pike did not leave the room as the Department of Local Government and Regional Development have permitted him exemption to do so.

12.2.2.7 *Request for Scheme Amendment to Rezone Lot 5197 (21) Harper Street Port Hedland From Residential R 15 to Residential R (File No.: 101770G)*

Officer Andrew Patterson
Planning Officer

Date of Report 2 March 2006

Disclosure of Interest by Officer Nil

Summary

Council has received a request from BHP Billiton to rezone lot 5197 (21) Harper Street, Port Hedland from Residential R 15 to R 30.

Background

The subject lot consists of 898 m². Half of the lot is developed with a single two-storey dwelling, with the other half of the lot fenced off and vacant.

Planning consent was granted for the development of a single dwelling at this address under delegated authority on 12 May 2004. In addition to the standard conditions imposed on this development

“2. The property is a single residential lot only. The current density coding or R15 does not allow development of and additional dwelling on the property. The approval of the setback variations requested, or the issue of a Building license for the dwelling as proposed does not constitute Council’s approval for the future development of additional dwellings(s) on the lot. Any proposed change in the density coding for this property will be subject to amendment of Town Planning Scheme No. 5 at the owner’s cost. Council’s support for any amendment will be considered in the appropriate manner and will be subject to public consultation. Approval of any future amendment cannot be construed from approval of the current proposal.”

At its Ordinary Meeting on 25 May 2005, Council considered a more extensive proposal to rezone ten blocks of residential lots, refusing to adopt the proposed scheme amendment as:

“REASON: Council believe that with the impending review of Town Planning Scheme No. 5 later in 2005, any unconsulted changes will have an adverse affect on future Town Planning Schemes.”

It is noted that the impending Town Planning Scheme review has not yet commenced, and it is a process that is likely to require 18 – 24 months for completion.

BHP Billiton has requested this spot rezoning in order to make use of the land in an appropriate manner without waiting for the new Town Planning Scheme to consider the current zoning of this lot.

Consultation

No internal consultation was undertaken, or required, with regard to this item.

Should Council resolve to amend Town Planning Scheme No. 5 as requested, a public advertising for comment is required.

Statutory Implications

The Town of Port Hedland Town Planning Scheme No. 5 zones the land Residential R 15 and this application would require a scheme amendment to rezone to R 30.

Section 7 of the *Town Planning and Development Act 1928* delegates local governments the authority to prepare and amend town planning schemes.

Section 25 of the *Town Planning Regulations 1967* establishes the process required to initiate and conduct a town planning scheme amendment.

Policy Implications Nil

Strategic Planning Implications

KEY RESULT AREA 3 – COMMUNITY DEVELOPMENT

Goal 6 - Community Safety

That the incidence of crime has decreased and the perception of community safety within the Town of Port Hedland has increased
Strategy 3: Introduce Crime Prevention Through Environmental Design (CPTED) principles into the assessment of planning and building applications.

Budget Implications

All costs for the proposed rezoning are to be borne by the applicant

Officer's Comment

Council's Planning Officer supports the proposal as it is very likely to be included in any review of the Town Planning Scheme and there is no other appropriate use for the land.

200506/345 Council Decision/Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr J M Gillingham

That

- a) **Council initiates the scheme amendment rezoning lot 5197 (21) Harper Street Port Hedland from Residential R 15 to Residential R 30; and**
- b) **all costs relating to the amendment be borne by the applicant.**

CARRIED 4/3

NOTE : Cr A A Gear requested the votes be recorded.

Record of Vote:

FOR	AGAINST
Cr S R Martin	Cr G D Bussell
Cr A A Carter	Cr A A Gear
Cr J M Gillingham	Cr S F Sear
Cr D R Pike	

6:42 pm Councillors Trona M Young and George J Daccache re-entered the room and assumed their chairs. Mayor advised Councillors of Council's decision.

11.2.3 Community Services**11.2.3.1 Performance Agreement Country Arts WA and Matt Dann Cultural Centre (File No.: AGR-030)**

Officer John Cornelder
Manager Community Services

Date of Report 9 March 2006

Disclosure of Interest by Officer Nil

Summary

A performance agreement with Country Arts WA, for the booked show 'Sensitive New Age Cowpersons' requires the seal of The Town Of Port Hedland.

Background

It is proposed that the Sensitive New Age Cowpersons appear at the Matt Dann Cultural Centre. To do this an agreement is signed with Country Arts WA. It is now reported that Country Arts WA require the Common Seal to be affixed to the agreement. This has not been the practice in the past as the Matt Dann Cultural Centre merely buys the show on a purchase order.

Council officers will seek to implement a simpler process in future, but in order to facilitate this particular show it will be necessary to meet the conditions imposed by Country Arts WA.

Consultation

Director Regulatory and Community Services

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications N/A

Budget Implications

Failure to obtain this particular show will result in a significant revenue reduction for the Matt Dann Cultural Centre.

Officer's Comment

Obviously Country Arts WA has changed its policy in relation to 'Venue Hire Agreements'.

As it is Council Policy that no official seal can be attached without official approval, this approval is now sought.

Cost of purchase of the show was \$2,223, which was purchased with Purchase Order Number 68676 under the existing process. Council approval to affix the common seal to this agreement will allow the commitment to be honoured.

200506/346 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr T M Young

That Council authorises the use of the seal of the Town of Port Hedland for the purpose of validating the purchase of the show 'Sensitive New Age Cowpersons' from Country Arts WA.

CARRIED 9/0

11.2.4 Aged and Disability Services**11.2.4.1 HACC Logo Sub- Licence (File No.: AGR 025)**

Officer	Deborah Craigie Manager Aged and Disability Services
Date of Report	8 March 2006
Disclosure of Interest by Officer	Nil

Summary

In order to obtain a sub–licence to use the current Home and Community Care (HACC) logo the West Australian Department of Health, which holds the licence, requires Council to affix its common seal to the agreement. Approval is sought to affix the seal to this contract.

An application has been made to the West Australian State Government Department of Health for a sub-licence to use the new HACC logo for the purpose of identifying the Home and Community (HACC) Program, initiatives and projects.

Council currently uses an out of date logo, which is inconsistent with that used by other HACC service providers.

Background

The Commonwealth Department of Health is the owner of the intellectual property rights of the HACC logo and has issued a licence to the West Australian State Government Department of Health to use the HACC logo, including the right to sub-licence the use of the HACC Logo.

It is uncertain as to whether or not Council has ever held the appropriate license for the logo, which is being used so it is necessary for a sub licence to be obtained even if Council did not wish to use the new logo.

Consultation

West Australian Department of Health

Statutory Implications

Council cannot legally use the HACC logo without a valid licence. The Department of Health requires that the licence agreement be sealed before they issue a sub- licence.

Policy Implications Nil

Strategic Planning Implications

Regulatory and Community Services
Strategy No 3.3.2: Seek additional funding for the operation of the Council's HACC Services and promote existing services. Use of the logo will be integral part of promoting this service

Budget Implications Nil

Officer's Comment

Under a signed and sealed sub-licence, the Western Australian State Government Department of Health will permit the Town of Port Hedland HACC Program to upgrade and use of the HACC logo.

200506/347 Council Decision/Officer's Recommendation

Moved: Cr T M Young **Seconded:** Cr G J Daccache

That Council authorises the use of the seal of the Town of Port Hedland for the purpose of validating the sub-licence agreement with the Department of Health relating to the use of the HACC logo by the Town of Port Hedland Home and Community Care Program.

CARRIED 9/0

11.2.5 Environmental Health Services**11.2.5.1 Proposed Boodarie Industrial Hazardous Waste Precinct (File No.: WST-006)**

Officer Laura Tucker
Acting Senior Environmental
Health Officer

Date of Report 10 March 2006

Disclosure of Interest by Officer Nil

Summary

The Core Consultative Committee on Waste (3C) has requested submissions from any interested party on the proposed hazardous/industrial waste precincts. One of the proposed precincts is located at the Boodarie Industrial Estate, Port Hedland. As an interested party the Town of Port Hedland are submitting a submission.

Background

The 3C committee, which has previously briefed Council on the possible location of a hazardous waste treatment precinct, has been given two distinct tasks:

1. Develop technology suitability and site selection criteria for establishing hazardous/industrial waste treatment precincts in Western Australia; and
2. Recommend to Government suitable site/s for establishing hazardous/industrial waste precinct/s.

Of the potential sites identified just two are located in the Pilbara. The two Pilbara sites announced were:

- Town of Port Hedland – Boodarie Industrial Estate. Centre of site is located approximately 7.5km west of South Hedland and approximately 14km south of Port Hedland.
- Shire of Roebourne - the centre of the site is approximately 15km south west of Karratha

Overview of the Hazardous/Waste Precinct

The specifics of the precincts will depend largely on the types of wastes that are generated in the areas serviced by the them and the choices made by the operators.

Whilst the specifics of the facilities are unknown at this stage the technology suitable criteria provides some guidance as to what to expect. In total there are sixteen criterion, which include technologies to eliminate or minimise risk to health, safety and the environment. This will ensure that only best practice treatment plants can be constructed and operated within the precinct.

The precincts will not include incinerators or landfills or radioactive material.

Consultation

The matter has been the subject of extensive communication by the 3C.

Within the Town of Port Hedland the matter has only town planning and environmental health implications. Based on the information available at this time, the proposal appears to be a permitted use under the Town Planning Scheme Number 5.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

The proposed area is zoned a Strategic Industry Zone. However, there may be issues such as buffer zones associated with the proposed area, which could interfere with future strategic industry development.

The need for further hazardous/industrial waste treatment facilities in Western Australia is clear, as is the need to incorporate suitable technologies for best practice. However, a suitable site for such a precinct is essential.

The key areas of concern with the proposed Boodarie site are:

Proximity to Residences:

By the 3C's own statement the centre of the proposed Boodarie Industrial Estate site is located approximately 7.5km west of South Hedland and approximately 14km south of Port Hedland. Depending on the eventual size and location of specific sites within the precinct and future development in South Hedland this could locate waste treatment facilities within the prescribed 5 kilometre buffer zone. It also places potential treatment facilities

at, or near the minimum separation distance from the Wedgefield area in which there are several hundred residences.

This contrasts markedly with the Karratha site, which is located more than 15 kilometres from the town site with no realistic potential for residential encroachment to reduce that distance.

Flooding Potential:

Given the cyclonic activity in the area, flooding is a major concern within the site and the cumulative effect on surrounding areas, including Wedgefield and South Hedland. Since the development of HBI and the Boodarie Resource Processing Estate no consideration has been given to the potential diverted cumulative flood impacts on Wedgefield and South Hedland caused by the diversion of catchment areas into the South West Creek. As the nature of flooding in the area is unknown the proposal cannot be supported until further flood studies can demonstrate the integrity of the site and the cumulative effect on Wedgefield, South Hedland and surrounding infrastructure.

There are also concerns with the impact of a storm surge, especially should the event occur at the same time as a high tide. A recent assessment by Chapple Research indicates that should a cyclone with a tidal surge of 6m be added to a 7.6m high tide the AHD would be 9.8m, which would place the exhibition site at the edge of the storm surge. It should also be noted that no projections have been developed for a storm surge and one in hundred year flood event occurring at the same time. Nor do any of the predictions take into account projected sea level rises associated with climate change.

Road Transport Risks:

One of the greatest risks associated with the treatment of hazardous and toxic materials arises from the transport of the untreated material on the public road network. To minimise this risk the site needs to be located in the vicinity of the greatest generators of the material or along specific transport corridors. The location of a site at Boodarie will depend on receiving much of its waste for treatment from sites that require the transport of material from the South, along Great Northern Highway

The massive anticipated increase in offshore oil and gas operations from the Pluto field and Barrow Island, both serviced from Dampier, means there can be little doubt that even if the current needs of the two centres is comparable at present, the greater future demand will come from the Karratha/ Dampier area. (Anecdotal evidence suggests the majority currently comes from the Karratha area.)

In addition to the waste that is generated from the immediate vicinity the Karratha site is also more centrally located to accept waste from the Onslow area which is also to be the site of further development in the hydrocarbon treatment and exploration industries.

Strategic Intentions for the Proposed Area:

The hazardous/industrial waste precinct may affect the future strategic intentions of the Boodarie Industrial Estate.

Currently the area has three proposed zones, Downstream Iron Ore Processing; Power Intensive Industry; and Downstream Petroleum Processing. The proposed site could compromise each of these proposed areas depending on the location of the proposed precinct as there will be a requirement to have buffer zones in which it may not be possible to locate the strategically important industries.

Odour Impacts:

Whilst the technologies proposed are supposed to minimise odours there are still concerns with nuisance odours affecting residences in South Hedland and Wedgefield in particular. Odours from existing waste treatment facilities are known to impact residents over 10km from the source. And while the new facility will use different technology it is prudent to assume there will be occasions where human error or plant failure will potentially lead to unacceptable emissions. At the proposed location this could jeopardize the health or amenity of residents.

It is also a concern that the site is located upwind from South Hedland on the prevailing breezes and that future expansion of the South Hedland residential area will result in residential land being even closer to the site than the existing lots.

Officer's Recommendation

That Council submits an objection to the 3C in regards to the proposed Boodarie Hazardous/Industrial Waste Precinct Site on the following grounds:

a) Proximity to Residences:

By the 3C's own statement the centre of the proposed Boodarie Industrial Estate site is located approximately 7.5km west of South Hedland and approximately 14km south of Port Hedland. Depending on the eventual size and location of specific sites within the precinct and future development in South Hedland this could locate waste treatment facilities within the prescribed 5-kilometre buffer zone. It also places potential treatment facilities at, or near

the minimum separation distance from the Wedgefield area in which there are several hundred residences.

This contrasts markedly with the Karratha site that is located more than 15 Kilometers from the town site with no realistic potential for residential encroachment to reduce that distance.

b) Flooding Potential:

Given the cyclonic activity in the area flooding is a major concern with the site and the cumulative effect on surrounding areas, including Wedgefield and South Hedland. Since the development of HBI and the Boodarie Resource Processing Estate no consideration has been given to the potential diverted cumulative flood impacts on Wedgefield and South Hedland caused by the diversion of catchment areas into the South West Creek. As the nature of flooding in the area is unknown the proposal cannot be supported until further flood studies can demonstrate the integrity of the site and the cumulative effect on Wedgefield, South Hedland and surrounding infrastructure.

There are also concerns with the impact of a storm surge, especially should the event occur at the same time as a high tide. A recent assessment by Chapple Research indicates that should a cyclone with a tidal surge of 6m be added to a 7.6m high tide the AHD would be 9.8m, which would place the exhibition site at the edge of the storm surge. It should also be noted that no projections have been developed for a storm surge and one in hundred year flood event occurring at the same time. Nor do any of the predictions take into account projected sea level rises associated with climate change.

c) Road Transport Risks:

One of the greatest risks associated with the treatment of hazardous and toxic materials arises from the transport of the untreated material on the public road network. To minimise this risk the site needs to be located in the vicinity of the greatest generators of the material or along specific transport corridors. The location of a site at Boodarie will depend on receiving much of its waste for treatment from sites that require the transport of material from the South, along Great Northern Highway

The massive anticipated increase in offshore oil and gas operations from the Pluto field and Barrow Island, both serviced from Dampier, means there can be little doubt that even if the current needs of the two centres is comparable at present, the greater future demand will come from the

Karratha/Dampier area. (Anecdotal evidence suggests the majority currently comes from the Karratha area.)

In addition to the waste that is generated from the immediate vicinity the Karratha site is also more centrally located to accept waste from the Onslow area which is also to be the site of further development in the hydrocarbon treatment and exploration industries.

d) **Strategic Intentions for the Proposed Area:**

The hazardous/industrial waste precinct may affect the future strategic intentions of the Boodarie Industrial Estate.

Currently the area has three proposed zones, Downstream Iron Ore Processing, Power Intensive Industry, and Downstream Petroleum Processing. The proposed site could compromise each of these proposed areas depending on the location of the proposed precinct, as there will be a requirement to have buffer zones in which it may not be possible to locate the strategically important industries.

e) **Odour Impacts:**

Whilst the technologies proposed are supposed to minimise odours there are still concerns with nuisance odours affecting residences in South Hedland and Wedgefield in particular. Odours from existing waste treatment facilities are known to impact residents over 10km from the source. And while the new facility will use different technology it is prudent to assume there will be occasions where human error or plant failure will potentially lead to unacceptable emissions. At the proposed location this could jeopardize the health or amenity of residents.

It is also a concern that the site is located upwind from South Hedland on the prevailing breezes and that future expansion of the South Hedland residential area will result in residential land being even closer to the site than the existing lots.

200506/348 Council Decision/Officer's Recommendation

Moved: Cr D R Pike

Seconded: Cr S F Sear

That Council submits an objection to the 3C in regards to the proposed Boodarie Hazardous/Industrial Waste Precinct Site on the following grounds:

a) **Proximity to Residences:**

By the 3C's own statement the centre of the proposed Boodarie Industrial Estate site is located approximately 7.5km west of South Hedland and approximately 14km south of Port Hedland. Depending on the eventual size and location of specific sites within the precinct and future development in South Hedland this could locate waste treatment facilities within the prescribed 5-kilometre buffer zone. It also places potential treatment facilities at, or near the minimum separation distance from the Wedgefield area in which there are several hundred residences.

This contrasts markedly with the Karratha site that is located more than 15 Kilometers from the town site with no realistic potential for residential encroachment to reduce that distance.

b) Flooding Potential:

Given the cyclonic activity in the area flooding is a major concern with the site and the cumulative effect on surrounding areas, including Wedgefield and South Hedland. Since the development of HBI and the Boodarie Resource Processing Estate no consideration has been given to the potential diverted cumulative flood impacts on Wedgefield and South Hedland caused by the diversion of catchment areas into the South West Creek. As the nature of flooding in the area is unknown the proposal cannot be supported until further flood studies can demonstrate the integrity of the site and the cumulative effect on Wedgefield, South Hedland and surrounding infrastructure.

There are also concerns with the impact of a storm surge, especially should the event occur at the same time as a high tide. A recent assessment by Chapple Research indicates that should a cyclone with a tidal surge of 6m be added to a 7.6m high tide the AHD would be 9.8m, which would place the exhibition site at the edge of the storm surge. It should also be noted that no projections have been developed for a storm surge and one in hundred year flood event occurring at the same time. Nor do any of the predictions take into account projected sea level rises associated with climate change.

c) Road Transport Risks:

One of the greatest risks associated with the treatment of hazardous and toxic materials arises from the transport of the untreated material on the public road network. To minimise this risk the site needs to be located in the vicinity of the greatest generators of the material or along specific transport corridors. The location of a site at Boodarie will depend on receiving much of its waste for treatment from sites that require the transport of material from the South, along Great Northern Highway

The massive anticipated increase in offshore oil and gas operations from the Pluto field and Barrow Island, both serviced from Dampier, means there can be little doubt that even if the current needs of the two centres is comparable at present, the greater future demand will come from the Karratha/Dampier area. (Anecdotal evidence suggests the majority currently comes from the Karratha area.)

In addition to the waste that is generated from the immediate vicinity the Karratha site is also more centrally located to accept waste from the Onslow area which is also to be the site of further development in the hydrocarbon treatment and exploration industries.

d) Strategic Intentions for the Proposed Area:

The hazardous/industrial waste precinct may affect the future strategic intentions of the Boodarie Industrial Estate.

Currently the area has three proposed zones, Downstream Iron Ore Processing, Power Intensive Industry, and Downstream Petroleum Processing. The proposed site could compromise each of these proposed areas depending on the location of the proposed precinct, as there will be a requirement to have buffer zones in which it may not be possible to locate the strategically important industries.

e) Odour Impacts:

Whilst the technologies proposed are supposed to minimise odours there are still concerns with nuisance odours affecting residences in South Hedland and Wedgefield in particular. Odours from existing waste treatment facilities are known to impact residents over 10km from the source.

And while the new facility will use different technology it is prudent to assume there will be occasions where human error or plant failure will potentially lead to unacceptable emissions. At the proposed location this could jeopardize the health or amenity of residents.

It is also a concern that the site is located upwind from South Hedland on the prevailing breezes and that future expansion of the South Hedland residential area will result in residential land being even closer to the site than the existing lots.

and

- f) Council is willing to work with the Core Consultative Committee (3C) with a view to find a more appropriate Industrial Waste Precinct Site within the Town of Port Hedland District.**

CARRIED 9/0

REASON: Council indicated there are more suitable locations available within the Town of Port Hedland District for a industrial waste precinct site, still accessible to local business, but further away from the Town's residents.

11.2.6 Ranger Services**11.2.6.1 Appointment of Fire Control Officers (File No.: RAN-014)**

Officer Peter Kenneth Wilden
Coordinator Ranger
Services

Date of Report 15 March 2006

Disclosure of Interest by Officer Nil

Summary

For Council to consider appointing an Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Fire Control Officers

Background

Under the requirements of the Bush Fires Act, Council must make an appointment within one month of the position of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer becoming vacant, otherwise FESA has the power to appoint a person to that position.

Consultation

Not Applicable.

Statutory Implications

38. Local government may appoint bush fire control officer

(1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

(2)(a) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.

[(b) deleted]

(c) The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the

vacancy occurs and if the local government fails or neglects to do so within that time, the Authority may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.

- (d) *Where a local government that has been served with a notice pursuant to paragraph (c) fails or neglects to comply with the requirements of that notice, the Authority may appoint a person to the vacant office.*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Advertising Costs in the local newspaper of approximately \$150.

Officer's Comment

It is proposed that a the Coordinator of Ranger Services be appointed to the Chief Bush Fire Control Officer's. This position does not necessarily need to be an operational position (i.e. out in the field controlling the fire), however they do need the authority to expend council money and make decisions on Council's behalf.

The position of Deputy Chief Bush Fire Control Officer will remain with Council Works Manager.

The position of Fire Control Offices will remain with the Town Rangers as operational Fire Control Officers to be able to operationally assist the Chief and Deputy Chief Bush Fire Control Officers in the event of a fire.

200506/349 Council Decision/Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr T M Young

That:

- i) Council appoint Peter Kenneth Wilden to the position of Chief Bush Fire Control Officer;**
- ii) Council appoint Mal Blythe as Deputy Chief Bush Fire Control Officer; and**
- iii) Colin Mathie and Daniel Hendriksen be appointed as operational Fire Control Officers.**

CARRIED 9/0

**11.2.6.2 Authorisation of Co-ordinator of Ranger Services
(File No.: RAN-001)**

Officer Peter Kenneth Wilden
Coordinator Ranger
Services

Date of Report 15 March 2006

Disclosure of Interest by Officer Nil

Background

Mr Peter Kenneth Wilden has been appointed as the Coordinator of Ranger Services for the Town of Port Hedland commencing on 15 March 2005.

Officer's Comment

It is a requirement that Council authorise Rangers in various capabilities under a multitude of legislation requirements.

Authorisation allows Rangers to carry out their duties and have full protection of the various Acts and Regulations, to which they are required to enforce.

Rangers are required to be authorised under the following Acts and Regulation to carry out their functions:

- Caravan Parks and Camping Act 1995 appointed as Authorised Persons and to prosecute on behalf of Council for the purpose of the Act.
- Caravan Parks and Camping Ground Regulations 1997, appointed as Authorised Persons for the purpose of Section 17(1), 23(11), and 23(2) of the Regulation and to prosecute on behalf of Council.
- Dog Act 1976 and Regulations (as amended) appointed as Authorised Persons for the purpose of the Act and authorised to effect the registration of dogs.
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations appointed as Authorised Persons and to prosecute on behalf of Council for the purpose of the Act.
- Litter Act 1979 and Regulations appointed as Authorised Persons and to prosecute on behalf of Council for the purpose of the Act.

- Bush Fires Act and Regulations appointed as Bush Fire Control Officer and Authorised Officer to prosecute on behalf of Council for the purpose of the Act.
- Local Government Act (Miscellaneous Provisions) 1960 Part XX as Poundkeeper and Ranger.

Statutory Implications

The Town of Port Hedland Rangers have authority to enforce, to prosecute and the protection of the above mentioned Acts and Regulations in the day-to-day duties of the Officers.

Policy

Nil

Strategic Planning

KRA 6 - Governance

Goal 6 - Policy and Legislation

That Council is responding to the communities needs and desires through appropriate policy and legislative responses.

Budget

Nil

200506/350 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr A A Gear

That Peter Kenneth Wilden be authorised or appointed as appropriate, pursuant to the following provisions:

- i) the Dog Act 1976 (as amended) and Regulations as an Authorised Person and prosecute on behalf of Council for the purpose of the Act;**
- ii) the Dog Act 1976 (as amended) as a Registration Officer to effect the registration of dogs;**
- ii) the Caravan Parks and Camping Act 1995 as an Authorised Person and to prosecute on behalf of Council for the purpose of the Act;**
- iii) the Caravan Parks and Camping Grounds Regulations appointed as an Authorised Person under sections 17(1), 23(11), and 23(2) and to prosecute on behalf of Council for the purpose of the Regulation;**
- iv) the Local Government Act 1995 and Town of Port Hedland Local Laws;**

- v) the Control of Vehicles (Off Road Areas) Act 1978 and Regulations as an Authorised Officer and to prosecute on behalf of Council for the purpose of the Act;
- vi) the Local Government Act (Miscellaneous Provisions) 1960 Part XX as a Poundkeeper and Ranger.
- vii) the Litter Act 1979 and Regulations as an Authorised Officer and to prosecute on behalf of Council for the purpose of the Act; and
- viii) the Bush Fires Act 1954 (as amended) and Regulations as a Fire Control Officer for the purposes of Fire Prevention.

CARRIED 9/0

11.3 ENGINEERING SERVICES**11.3.1 Director Engineering Services****11.3.1.1 *Monthly Report – Engineering Services (File No.: ...- ...)***

Officer Grant Logie
Director Engineering Services

Date of Report 15 March 2006

Disclosure of Interest by Officer Nil

Summary

For Council's information.

Background

Engineering Services Monthly Report to Council.

Consultation

Nil.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment***Engineering Services Works***

PROJECT	STATUS
<i>South Hedland Cemetery Upgrade</i>	Plans prepared Schedule of works prepared Obtaining quotes Program on hold pending further consultation.
<i>Playgrounds</i>	Implemented maintenance schedule based on Safety Audits. Commenced removal of Playground equipment from South Hedland Aquatic Centre and South Hedland Library (to be replaced).
<i>Bus Shelter Relocations</i>	Investigate location and budget implications for the relocation of bus shelters on Cooke Point Drive, as requested by Hedland Bus Lines.
<i>Concessional Loading Scheme</i>	MRWA notified ES of two applications for the Concessional Loading Scheme in Wedgefield LIA and

	Gilbert Road; Patience Bulk Haulage (no objections) Arrowsmith Transport (no objections)
<i>Council Policy</i>	Revision of Council Crossover Policy 9/005 to include Engineering Services Crossover Specifications. Letters have been sent out
<i>Black Spot Funding</i>	Approval of Black Spot funding for 3 projects formally scheduled for 2006/07:- Throssell Road Intersection of Nth Circular Road and Hamilton Road Intersection of Nth Circular Road and Murdoch Road.
<i>Roads to Recovery Funding</i>	Approval of funding for sealing of Boat Ramp Road (Finucane Island Boat Ramp). Commenced preparation of works.
<i>South Hedland Skate Park</i>	Initial survey completed for implementation of design sketches.
<i>Sutherland Street Footpath Upgrade</i>	Work has commenced on the footpath upgrade.
<i>Hamilton Road Crash Barrier</i>	Materials have been ordered awaiting delivery to commence installation.
Landfill	New 7 day per week roster has been put into action, to ensure safety at the Landfill and to comply with DOE regulations.
Walkway Lighting	Walkway lighting upgrade in South Hedland currently being completed by Western Power.
<i>Litter Collection</i>	Implementation of litter collection timetable as per Scheduled works presently being undertaken. Monitoring still being undertaken as to cost.
Sutherland Foreshore	Has been extensively whipper snipped and pathway cleared. One pathway has been totally eroded due to high tides and has been blocked off for safety reasons. Materials have been ordered for fencing replacement, awaiting delivery
<i>Kerbing Construction</i>	Commenced preparation works for kerbing construction. Contractors commenced work on Friday 10 th March. All work is proceeding to plan.
<i>Footpath Construction</i>	Preparation works completed Addition of Sutherland street (hospital end) footpath into works program (PDC funded project) Contractors have had to delay work due a death in the family and are expected to commence work in the Monday 20 th March.
Bell Street/LIA	Work has commenced 50% of work has been completed to date.
Yandeyarra and Woodstock Road	Road Opening Works commenced however due to the Yule River rising further works will need to be undertaken.
Pinnacle Street	Drainage work still underway, awaiting materials.

Parks and Gardens

PROJECT	STATUS
Reticulation	Checking daily.
Port Mowing Crew	Maintain Parks in Port Hedland.
South Hedland Mowing Crew	Maintain Parks in South Hedland.
Verges	Whipper Snipper and spray Roundup Cooke Point area, Sutherland Street.
School Ovals	Maintain all school ovals in South Hedland.
Tree Restaking	Restake Peltophorum Ptercarpum along Forest Circle.
Ovals Maintenance	Spray Weeds Watering Whipper Snipping Mowing
Litter	Daily litter pick ups in CBD areas – Port and South also through drains South Hedland.
Garden Maintenance Port and South	Weed Spray Fertilise Replant
Slashing	Slashing currently being undertaken at Port Hedland vacant blocks and intersections.

200506/351 Council Decision/Officer's Recommendation**Moved:** Cr A A Gear**Seconded:** Cr G J Daccache

That Council receive the Engineering Services Report for February 2006.

CARRIED 9/0

11.3.2 Port Hedland International Airport**11.3.2.1 Tender 06-01 Supply and Installation of Security Fencing and Boundary Fencing to Port Hedland International Airport (File No.: ...-....)**

Officer	Rod Evans Airport Manager
Date of Report	13 March 2006
Disclosure of Interest by Officer	Nil

Summary

For Council to consider the submissions received for Tender 06-01 for the Supply and Installation of Security Fencing and Boundary Fencing to Port Hedland International Airport.

Background

Council's Director Engineering Services and Airport Manager developed tender specifications for this project. A Tender advertisement was placed in the West Australian on 11 February 2004. The advertised tender closing time and date was 2pm on 7 March 2006.

The tender box was opened in the presence of the Chief Executive Officer, Director Corporate Services, and Airport Manager. Two (2) tenders were received.

- Broome Boundaries/Pilbara Boundaries
- Menzies Contracting

One (1) tender was received after the closing time and was not considered.

Following an initial assessment and follow up information provided by both tenderers, the following was identified:

Broome Boundaries/Pilbara Boundaries

Due to an error on the bidders behalf, a revised price was submitted for Security Fencing Section 1-4 of \$63,375.40 including GST.

The original submitted price for Security Fencing Section 1-4 was \$53,269.73 including GST.

Menzies Contracting

The original tender submission included an addition error in their calculation. The tenderer re-submitted correct figures of:

- i) Boundary Fencing Section 5 –
Supply and Installation Per 100 Metres
or part there-of \$1,870.00 incl. GST
- ii) Boundary Fencing Section 5
Removal of existing per 100 metres \$354.00 incl. GST

The original submitted price for Section 5 was:

- i) Boundary Fencing Section 5 –
Supply and Installation Per 100 Metres
or part there-of \$187.00 incl. GST
- ii) Boundary Fencing Section 5 –
Removal of existing per 100 metres) \$55.00 incl. GST

Due to incorrect figures being supplied in the original tenders, it is considered these tenders are non-conforming. Given this, neither tender was assessed against the tender selection criteria.

Consultation

The tender was advertised in a statewide newspaper. Council staff contacted all potential tenderers that could be readily identified and made them aware of the advertised tender. No specific advice was sought from any of the contractors who obtained tender documents

Statutory Implications

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

Policy Implications

The successful tenderer will be required to ensure that they operate within Council's tender guidelines and in accordance with relevant Legislation and Australian Standard requirements.

Strategic Planning Implications

Goal 3 – Airport
Strategy 2 – Implement Business Plan

Budget Implications

Council would be aware there is to be a report to Council following the Expression of Interest for Apron Lights.

Negotiations with contractors are proving difficult and it is expected that this work will not be completed this financial year and will be required to be budgeted next financial year.

The budget allocation from the Apron lights could be re-allocated to the upgrade of perimeter fencing to ensure these works are completed as much as possible.

Both tenders are outside Council's budgetary allowance of \$100,000.

General Ledger Account Number 1210462 Upgrade of Perimeter Fence

Officer's Comment

Council needs to be aware that previous technical and CASA (Civil Aviation safety Authority) Audits, as presented in July and August 2005, which identified deficiencies over the past several years of the Boundary Fencing.

Operationally there are deficiencies also with the current Security fencing, and further delays in any fencing at the Airport may be viewed poorly by the regulators.

As the two (2) tenderers did not conform to the tender specifications Council has a number of options it can pursue.

Option 1

Council could accept one (1) of the nonconforming tenders or a combination of the tenders.

Option 2

Council could re tender. Due to time constraints to complete the works this financial year, it is unlikely this could be achieved.

Option 3

Council could explore discussions with the two (2) non-conforming tenders, to seek a suitable outcome to ensure the works can be completed this financial year.

Officer's Recommendation

That:

- i) Council not accept the tenders from Broome Boundaries/Pilbara Boundaries and Menzies Contracting for Tender 06-01 Supply and Installation of Security Fencing and Boundary fencing to Port Hedland International Airport;

- ii) the Chief Executive Officer and Director Engineering Services be authorised to negotiate with Broome Boundaries/Pilbara Boundaries for the supply and installation of Security Fencing to a maximum of \$25,000;
- iii) in accordance with Regulation 11(2)(C)(i)of the Local Government Act (Functions & General) Regulations, the Chief Executive Officer and Director of Engineering Services be authorised to negotiate with Menzies Contracting for the Supply and installation of Boundary Fencing to a maximum of \$175,000; and
- iv) General Ledger Account ‘New 6’ Upgrade Lights Landside & Airside (\$100,000) be re-allocated to General Ledger Account Number 1210462 Upgrade of Perimeter Fence; and the Upgrade Lights Landside and Airside Project be deferred for consideration in the 2006/07 budget process.

7:10 pm Director Corporate Services left the room.

7:11 pm Director Corporate Services re-entered the room and assumed his chair.

200506/352 Council Decision

Moved: Cr A A Carter **Seconded:** Cr G D Bussell

That:

- i) **Council not accept the tenders from Broome Boundaries/Pilbara Boundaries and Menzies Contracting for Tender 06-01 Supply and Installation of Security Fencing and Boundary fencing to Port Hedland International Airport; and**
- ii) **Council undertake negotiations with the two (2) non-conforming tenders, to seek a suitable outcome to ensure that appropriate fencing works can be completed this financial year within the budgetted ex-penditure.**

CARRIED 6/3

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

Record of Vote:

FOR	AGAINST
Cr A A Carter	Cr S R Martin
Cr G D Bussell	Cr G J Daccache
Cr A A Gear	Cr T M Young
Cr J M Gillingham	
Cr D R Pike	
Cr S F Sear	

REASON: Council did not want to allocate a further \$100,000 to the project, but did want to ensure that appropriate fencing works can be completed prior to the end of the 2005/06 financial year.

11.4 GOVERNANCE AND ADMINISTRATION**11.4.1 Corporate Services****11.4.1.1 *Financial Reports to Council for period ended 28 February 2006 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Stephen Carstairs
Accountant

Date of Report 13 March 2006

Disclosure of Interest by Officer Nil

Summary

The Statement of Financial Position at 28 February 2006 indicates that the Town's net current asset position (\$13,198,335 Reconciliation of Statement of Financial Activity to Current Assets) was strong going into the final third of the financial year. The reader's attention is drawn to Council's unrestricted cash and funds invested (unrestricted), which were \$3,874,146 and \$4,787,901 respectively at 28 February 2006.

The summary sheet (Financial Activity Report – Schedule 2) of the Statements of Financial Activity (Functions 3 – 14), indicated that at 28 February 2006 total actual operating revenue (\$19,030,520) was not appreciably different (variance was 106%) from budgeted revenue (\$18,012,771) for the same period. Further, total actual (\$11,755,479) and budgeted (\$13,275,130) operating expenses were also similar (variance was 89%).

Contrasting with this, total actual capital income and expenditure varied substantially, 16% and 31% respectively, from that budgeted for 28 February 2006. At 31 January 2006 total capital income and expenditure variances were 19% and 36% respectively.

Total rates and charges outstanding at 28 February 2006 (\$956,265), was less than that (\$1,242,109) at the same time in 2005.

Background**1. *Schedule of Accounts Paid***

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is to be submitted to Council on 22 March 2006 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 costings.

Voucher No's			Pages		Fund	Fund Name	Description
From	To	Value	From	To	No		
EFT 15120	15316	\$1,020,341.42	1	72	1	Municipal Fund	
16225	16228	\$ 15,900.10	72	73	1	Municipal Fund	
16229	16229	\$ -	73	73	1	Municipal Fund	Cancelled
16230	16259	\$ 30,159.31	73	77	1	Municipal Fund	
16260	16262	\$ -	77	77	1	Municipal Fund	Cancelled
16263	16263	\$ 97.55	77	77	1	Municipal Fund	
16264	16266	\$ -	77	77	1	Municipal Fund	Cancelled
16267	16282	\$ 46,400.79	77	80	1	Municipal Fund	
16283	16283	\$ -	80	80	1	Municipal Fund	Cancelled
16284	16287	\$ 1,128.47	80	81	1	Municipal Fund	
16288	16288	\$ -	81	81	1	Municipal Fund	Cancelled
16289	16289	\$ 117,556.40	81	81	1	Municipal Fund	
PAY 140206		\$ 164,923.44	81	81	1	Municipal Fund	
PAY 140206		\$ 2,485.36	81	81	1	Municipal Fund	
PAY 280206		\$ 10,984.47	81	81	1	Municipal Fund	
PAY 310106		\$ 785.32	82	82	1	Municipal Fund	
PAY 310106		\$ 255.98	82	82	1	Municipal Fund	
PAY 310306*		\$ 154,946.04	82	82	1	Municipal Fund	
	Muni Total	\$ 1,565,964.65					
301244	301246	\$ 1,090.00	81	81		Trust Fund	
301247	301247	\$ -	81	81		Trust Fund	Cancelled
301248	301253	\$ 4,060.00	82	82		Trust Fund	
	Trust Total	\$ 5,150.00					
TOTAL		\$ 1,571,114.65					

*Pay 310306 should be 310106 entry error in Payroll System.

2. *Financial Statements*

Presented (see attachments) in this report for the financial period ended 28 February 2006, are the:

- Statement of Financial Position;
- Statements of Financial Activity – see Schedules 2 to 14; and
- Reconciliation of Statement of Financial Activity to Current Assets,

as they were at the time of reporting. The reader's attention is drawn to the new format of some of these reports. Schedule 2 summarises by function the collective information contained in Schedules 3 to 14, and satisfies the reporting requirements of Regulation 34 of the Local Government Act 1995 (Financial Management Regulations), see below. Previously in 2005/06, information contained within Schedules 3 to 14 was summarised and presented at the beginning of the schedule. In the statements presented for 28 February 2006, the summaries are presented at the end. The reconciliation of transaction activity to current assets is also a requirement of Regulation 34 of the Local Government Act 1995.

Review of Transaction Activity – earlier the reader's attention was drawn to what may be material variations between total actual capital income (16%) and expenditure (31%), and budgets for the period ending 28 February 2005.

3. *Investments*

Council's Investment Register, and reconciliation of Municipal, Trust and Reserve Funds at 28 February 2006 is presented as an attachment.

Interest Rates for investments are based on the best rate given by the National Australia Bank, BankWest, Commonwealth Bank of Australia and the Australian and New Zealand Bank.

4. *Rate Receipts Received Year to Date*

The Schedule of Rate Receipts to 28 February 2006 is attached.

The combined 2005/06 rates and services outstanding as per the attached schedule was \$956,265.

Consultation

The following Council Officers contributed to the final form of this agenda item:

Matthew Scott (DCS)

Linda Nickoll (Accounts)
Lenore Postans (Rates)

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..

Policy Implications

Council Policy 2/005 Financial Statements - Copies to Councillors, requires that statements shall be issued in the form of:

Quarterly: In accordance with Local Government (Financial management) Regulations 1996, plus detailed schedules 2 – 17 Municipal Fund.

Other Months: Schedules of operating Income and Expenditure and Capital Income and Expenditure as adopted in the Annual Budget. (July, August, October, November, January, February, April, May).

Monthly: Bank Reconciliations for each account operated by Council.”

Policy 2/014 ‘Investment Policy’ sets guidelines and authority levels for Council investments.

Strategic Planning Implications Nil

Budget Implications Nil

Officer’s Comment

As at 28 February 2006 Council’s cash position was strong. Concomitant with this was weak capital expenditure. It is anticipated that livelier capital expenditure in the period 01 March to 30 June 2006 will correct for this.

7:15 pm Councillor Arthur A Gear left the room.

200506/353 Council Decision/Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr S F Sear

That:

- i) **the list of Accounts paid under Delegated Authority as presented be received;**
- ii) **the –**
 - . **Statement of Financial Position;**
 - . **Statements of Financial Activity (represented by Functions 2 to 14);**
 - . **Reconciliation of Statement of Financial Activity to Current Assets; and**
 - . **Review of Transaction Activity;**
- iii) **the Register of Investments, and Municipal, Trust and Reserve Bank Reconciliations as at 28 February 2006 as attached be received; and**
- iv) **the Rates Summary Trial Balance for the month ending 28 February 2006, as attached be received**

CARRIED 8/0

11.4.1.2 Five Year Financial Plan (File No.: FIN-...)

Officer	Matthew Scott Director Corporate Services
Date of Report	22 March 2006
Disclosure of Interest by Officer	Nil

Summary

For Council to consider and adopt various concepts and assumptions concerning the development of the Five Year Financial Plan, and that these concepts and assumptions be used, in conjunction with the Strategic Plan to form the foundation for the Town's "Plan for the Future".

Background

The Council is required under section 5.56 of the Local Government Act 1995 (the Act) to develop a "plan for the future". Though the Department of Local Government and Regional Development (DLGRD) have provided little information on what constitutes a "plan for the future", Council has deemed its current Strategic Plan as its "Plan for the Future". Though this document outlines what Council wants to achieve in the future, it doesn't disclose how these goals and objectives will be achieved from a financial perspective.

In determining what financial resources the Council will have over the next five years, and hence Council's capacity to fund projects in the Strategic Plan, certain concepts and assumptions need to be made to project both income and expenditure over the next 5 years.

At a special briefing on the 7 March 2006, Councillors were briefed on how, using the current amended Budget, and a range of assumptions, a determination could be made on what funds may be available to allocate to new projects and services in the coming years. From this briefing various concepts were explored, especially:

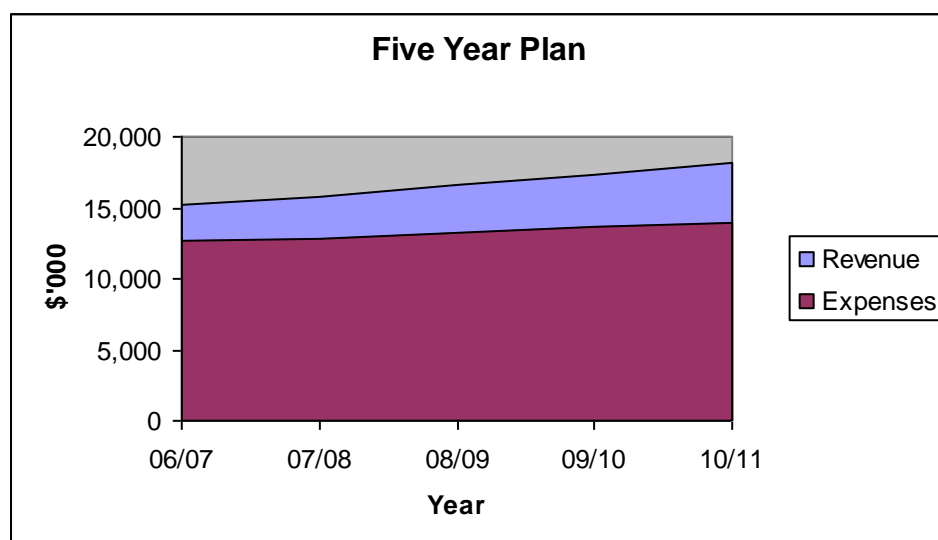
- Discretionary Funds = Controllable Income less Non-Discretionary Expenditure
- Controllable income includes Rates, FAG & other operating grants, investment interest, and other income such as Fees & Charges
- Non-Discretionary Expenditure includes Salaries & Wages, Loan Repayments (Principal & Interest) and other operating expenditure except major maintenance

- That Airport and Sanitation Services, though still integral operations of Council, do not generate discretionary funds, as all surpluses and losses generated in these operations are transferred to reserves and rates do not subsidise these operations;

Having established these concepts the following assumptions have been used to escalate the current budget over the next Five Years

Item	Assumption
CPI	Remain at 4% for the next five years.
Rates	\$ Rate for all non-minimum categories will only increase by CPI. There will be significant growth of residential properties over the next 5 year due to Pretty Pool and South Hedland developments. It is estimated that there will be an additional 75 new properties for the next 2 years, and 100 per year after that. Commercial, Industrial and mining are proposed to have marginal growth (5-10 properties per year). No change to minimum or pastoral properties.
Grants Commission	Additional \$50k in 06/07, due to benefits from the averaging calculations. Grants in future years likely to decrease by 1% per annum due to reduction on overall grant available and increase competition by all 144 WA Councils to maintain grant position. Town of Port Hedland unlikely to become a minimum grant authority in the next five years
Other Operating Grants	Grants to increase by CPI over the next 5 years, and no grant funded service level to be reduced over the next five years.
Investment Interest	Increased by CPI + 2.5% per year
Other Revenue	Increased by CPI per year
Salaries & Wages	Likely to increase annually by CPI. Current EBA and AWA's show increases, however these increases should match efficiently gains, reducing costs such as overtime or other penalty payments. CPI growth still expected due to minimum wage claims and annual step increases.
Loan Repayments	Repayments are set based on current loans and the inclusion of proposed new loan with the Water Corporation likely to start costing Council in 08/09
Other Operating Expenditure	To remain capped at the current 05/06 amended budget. Any CPI increases to be offset by efficiently gains.

To apply these concepts and assumptions to the current amended Budget the following projection of discretionary funds can be developed:



The Difference between the Revenue and Expenditure graphs provide an indication of the level of discretionary funds in future years.

Of the discretionary funds available, Council should note that this has to fund Major Maintenance programs, asset replacement and upgrade programs and all proposed new services. The amount available can be increased by other forms of income such as increasing loans, utilising reserve funds, selling assets, non recurrent grants and new contributions (BHP & Newcrest contributions).

Consultation

Council was briefed on the concepts and assumptions for the five-year financial plan at a special briefing of Council, on Tuesday 7 March 2006. A copy of the explanation memorandum detailed the items discussed and has also been circulated to Councillors.

Statutory Implications

Local Government Act 1995

“5.56. Planning for the future

- (1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.”*

Local Government (Administration) Regulations 1996

“19C. Planning for the future - s. 5.56

- (1) In this regulation and regulation 19D - plan for the future~ means a plan made under section 5.56.*

- (2) *A local government is to make a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).*
- (3) *A plan for the future of a district is to set out the broad objectives of the local government for the period specified in the plan.*
- (4) *A local government is to review its current plan for the future of its district every 2 years and may modify the plan, including extending the period the plan is made in respect of.*
- (5) *A Council is to consider a plan, or modifications, submitted to it and is to determine* whether or not to adopt the plan, or the modifications, as is relevant.*
**Absolute majority required.*
- (6) *If a plan, or modified plan, is adopted by the Council then the plan or modified plan is to apply to the district for the period of time specified in the plan.*
- (7) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a plan for the future of the district, and when preparing any modifications of a plan.*
- (8) *A plan for the future of a district is to contain a description of the involvement by the electors and ratepayers in the development of the plan, and any modifications of the plan.*
- (9) *A local government is to ensure that a plan for the future made in accordance with this regulation applies in respect of each financial year after the financial year ending 30 June 2006.”*

Policy Implications

Nil

Strategic Planning Implications

It is recommended that the Strategic Plan form the primary document in developing the “Plan for the Future”, however the Strategic is not a Financial Plan. As Council determines the use of its discretionary funds, any project contained within the Strategic Plan should have higher priority of being included in the Budget than those projects not in the Strategic Plan.

Budget Implications

Nil

Developing a Five Year Financial Plan is an important step in creating the subsequent year’s budget. The Five Year Plan, through its concepts and assumptions determines the discretionary funds potentially available for Council to allocate to new projects as well as providing to Council and Staff in developing recurrent or operating budgets.

Officer's Comment

The Five-Year Financial Plan is an important part of the overall planning process for the Town of Port Hedland. It is important for Councillors, Officers and ratepayers to have a clear idea of what discretionary funds the Council may have in the future.

In any planning process, predicting the future is always difficult, and can only be done using assumptions. Assumptions can never be 100% accurate, and are usually based on past and current experiences and environment. The goal of any forward planning instrument is the ability to be flexible and to be easily adjusted if these underlining assumptions change.

Attached is the Explanation Memorandum used in further detailing the proposed Five-Year Plan, providing additional information on the development of the Five Year Plan concepts and assumptions. The results presented in this report (graph) are based on the above concepts and assumptions. All assumptions utilised have been based on a conservative viewpoint or on known information, which is important whenever predicting the future.

200506/354 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr T M Young**That Council:**

- i) **Formally recognise the Strategic Plan as the Town's "Plan for the Future" as required under Section 5.56 of the Local Government Act 1995;**
- ii) **directs the Director, Corporate Services to prepare a draft 06/07 Operational Budget for Council's considerations using the following assumptions:**

Item	Assumption
CPI	Remain at 4% for the next five years.
Rates	\$ Rate for all non-minimum categories will only increase by CPI. There will be significant growth of residential properties over the next 5 year due to Pretty Pool and South Hedland developments. It is estimated that there will be an additional 75 new properties for the next 2 years, and 100 per year after that. Commercial, Industrial and mining are proposed to have marginal growth (5-10 properties per year). No change to minimum or pastoral properties.
Grants Commission	Additional \$50k in 06/07, due to benefits from the averaging calculations. Grants in future years likely to decrease by 1% per annum due to reduction on overall grant available and increase competition by all 144 WA Councils to maintain grant position. Town of Port Hedland

	unlikely to become a minimum grant authority in the next five years
Other Operating Grants	Grants to increase by CPI over the next 5 years, and no grant funded service level to be reduced over the next five years.
Investment Interest	Increased by CPI + 2.5% per year
Other Revenue	Increased by CPI per year
Salaries & Wages	Likely to increase annually by CPI. Current EBA and AWA's show increases, however these increases should match efficiently gains, reducing costs such as overtime or other penalty payments. CPI growth still expected due to minimum wage claims and annual step increases.
Loan Repayments	Repayments are set based on current loans and the inclusion of proposed new loan with the Water Corporation likely to start costing council in 08/09
Other Operating Expenditure	To remain capped at the current 05/06 amended budget. Any CPI increases to be offset by efficiently gains.

- iii) review the assumptions listed above annually prior to developing the relevant subsequent budget for the next Five Years; and
- iv) the Executive team develop a five year maintenance and capital plan for the next five years for Council's consideration as part of the 06/07 Budget Process.

CARRIED 8/0

11.4.1.3 Request to Write Off Debtors (File No.: Fin-005/Fin-100)

Officer Julie Roberts
Accounts Officer

Date of Report 5 March 2006

Disclosure of Interest by Officer Nil

Summary

Requesting for Council to write off Library debtors over 90 days that are deemed to be unrecoverable.

Background

The following outstanding library debtors, for lost and overdue library books, have been forwarded to our debt collection agency Dun & Brad Street and have been identified as unable to locate or uneconomical to pursue to legal.

Debtor No	Date	Invoice No	Amount \$
6951 - Allittia Marsh	30/06/05	12364	37.60
6967 - Beverley Whitby	30/06/05	12078	118.25
6952 - Cheryl J Kelly	30/06/05	12061	27.60
6970 - Cheryl Yuline	30/06/05	12081	56.10
6993 - Christina Popazzi	28/07/05	12362	122.15
7032 - Colleen McCloy	31/08/05	12632	55.00
6958 - David Reid	30/06/05	12068	27.00
7033 - Dion Joseph	31/08/05	12633	41.74
6961 - Erin A Clarke	30/06/05	12071	20.00
6945 - Erin S Hayes	30/06/05	12088	44.65
6955 - Eve Pearse	30/06/05	12064	37.60
6963 - Fiona L Dann	30/06/05	12073	58.85
6964 - Glen Owen	30/06/05	12074	19.19
6946 - Glenda Hill	30/06/05	12089	66.50
6943 - Ian Goddard	30/06/05	12086	59.95
6947 - Irene Hokianga	30/06/05	12056	69.49
6971 - Janine D Watts	30/06/05	12082	22.45
6950 - Janine M Kelly	30/06/05	12059	49.95
6948 - Jennifer Jones	30/06/05	12057	49.45
7030 - Joanne Robinson	31/08/05	12630	103.45
6960 - Josh a Sirr	30/06/05	12070	46.90
6959 - Judith M Shadforth	30/06/05	12069	44.55
6989 - Kylie Derschow	21/07/05	12285	150.82
6953 - Lisa M Newman	30/06/05	12062	50.50
7031 - Lorna Barr	31/08/05	12631	43.01
6966 - Malcolm A Walker	30/06/05	12076	37.15
6957 - Martina J Pitron	30/06/05	12067	70.78
6940 - Michelle Dawson	30/06/05	12077	41.00
6962 - Michelle F Copping	30/06/05	12072	45.30
6998 - Michelle Kirk	16/08/05	12470	59.24
6941 - Moiselie A Faulkner	30/06/05	12084	24.00
6859 - Natalie A White	21/02/05	11140	61.50
6949 - Nicola D Keefe	30/06/05	12058	67.38

6858 – Nils D Tromp	21/02/05	11141	98.85
6942 – Paula F Flannigan	30/06/05	12085	53.45
6968 - Rubylea Whitby	30/06/05	12079	124.80
6972 – Scott Wilson	30/06/05	12083	129.45
6965 – Shauna L Taylor	30/06/05	12075	20.00
6939 – Susannah R Dann	30/06/05	12066	82.45
6956 – Tiana K Peneha	30/06/05	12065	24.95
6985 – Trudy Hayes	21/07/05	12293	15.36
6987 – Usha Morrow	21/07/05	12283	108.40
6938 – Vanessa Caruso	30/06/05	12055	76.85
6954 – Victoria R Papertalk	30/06/05	12063	77.00
Total			2640.66

Consultation

Prior to legal action commencing, library staff issued overdue notices. The first notice after 8 days overdue (initial loan period of 3 weeks), second notice after 15 days overdue. After no response from overdue notices, an invoice for the cost of each overdue item is sent, then followed by phone call advising if items are not paid for or returned, details will be forward to Dun & Bradstreet for action.

Statutory Implications

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

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

- (1) Subject to subsection (2) and any other written law, a local government may —*
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) waive or grant concessions in relation to any amount of money; or*
 - (c) write off any amount of money, which is owed to the local government.*
- * Absolute majority required.*
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.”*

Policy Implications

2/012 Sundry Debt Collections

Strategic Planning Implications

Nil

Budget Implications

The proposed write off equates to \$2,640.66 and as per standard accounting practice should be applied to the Provision of Doubtful Debts. This is a balance sheet account, and therefore does not directly affect the Municipal Budget.

The Provision is reviewed annually, and net adjustment is applied to the Municipal budget at that stage.

Officer's Comment

The debts included in this report are reasonably minor and all have been sent to the Town of Port Hedland debt collector for collection. On their advice it is believed that any further attempts to locate the debtors would be uneconomical, as the costs involved significantly exceeds the individual debt. The debtor's membership to the libraries has been cancelled until such time the debt is repaid or items returned.

7:19 pm

Councillor Arthur A Gear re-entered the room and assumed his chair.

200506/355 Council Decision/Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr G J Daccache

That Council Write off the following debts and apply the write off to the Provision of Doubtful debts:

Debtor No	Amount \$
6951 - Allittia Marsh	37.60
6967 - Beverley Whitby	118.25
6952 - Cheryl J Kelly	27.60
6970 - Cheryl Yuline	56.10
6993 - Christina Popazzi	122.15
7032 - Colleen McCloy	55.00
6958 - David Reid	27.00
7033 - Dion Joseph	41.74
6961 - Erin A Clarke	20.00
6945 - Erin S Hayes	44.65
6955 - Eve Pearse	37.60
6963 - Fiona L Dann	58.85
6964 - Glen Owen	19.19
6946 - Glenda Hill	66.50
6943 - Ian Goddard	59.95
6947 - Irene Hokianga	69.49
6971 - Janine D Watts	22.45
6950 - Janine M Kelly	49.95
6948 - Jennifer Jones	49.45
7030 - Joanne Robinson	103.45
6960 - Josh a Sirr	46.90
6959 - Judith M Shadforth	44.55
6989 - Kylie Derschow	150.82
6953 - Lisa M Newman	50.50
7031 - Lorna Barr	43.01

6966 – Malcolm A Walker	37.15
6957 – Martina J Pitron	70.78
6940 – Michelle Dawson	41.00
6962 – Michelle F Copping	45.30
6998 – Michelle Kirk	59.24
6941 – Moisselle A Faulkner	24.00
6859 – Natalie A White	61.50
6949 – Nicola D Keefe	67.38
6858 – Nils D Tromp	98.85
6942 – Paula F Flannigan	53.45
6968 - Rubylea Whitby	124.80
6972 – Scott Wilson	129.45
6965 – Shauna L Taylor	20.00
6939 – Susannah R Dann	82.45
6956 – Tiana K Peneha	24.95
6985 – Trudy Hayes	15.36
6987 – Usha Morrow	108.40
6938 – Vanessa Caruso	76.85
6954 – Victoria R Papertalk	77.00
Total	2640.66

CARRIED 5/3

NOTE : Cr A A Gear requested the votes be recorded.

Record of Vote:

FOR	AGAINST
Cr S R Martin	Cr G D Bussell
Cr A A Carter	Cr A A Gear
Cr G J Daccache	Cr T M Young
Cr J M Gillingham	
Cr S F Sear	
Cr D R Pike	

11.4.1.4 Water Corporation Loan (File No.: AGR-048 and FIN-012)

Officer Matthew Scott
Director Corporate Services

Date of Report 17 March 2006

Disclosure of Interest by Officer Nil

Summary

For Council to approve the proposed loan of \$650,000 from Water Corporation to fund the construction of a treatment plant for wastewater.

Background

At its Ordinary Meeting of Council held on 22 January 2006, Council resolved as follows:

Council Decision 200506/259 -

"That Council:

- i) advertise the proposed loan for one month, as per section 6.20, the Local Government Act 1995; and*
- ii) a report be presented to Council at its next available meeting from Director Corporate Services, detailing any submissions received from the abovementioned advertising."*

The proposed loan from the Water Corporation is to borrow Council's contribution (\$650,000) to construct a wastewater treatment plant. The money will be repaid to the Water Corporation over five (5) years in the form of a interest free loan. Of the \$650,000 to be repaid to the Water Corporation, Council has received a \$325,000 contribution from the Pilbara Development Commission (PDC).

Since that meeting the proposed loan was been advertised and no submission have been received. Council must now formally endorse the proposed loan, and enter into a formal agreement with the Water Corporation.

Consultation

The proposed loan was advertised on the 10 February 2006, in the West Australian, the North West Telegraph and the Council Notice Board. As of the time of writing this report, no submissions have been received concerning the proposed loan.

Statutory Implications

Local Government Act 1995, Section 6.20 states:

“6.20. Power to borrow

- (1) Subject to this Act, a local government may -
 - (a) borrow or re-borrow money;*
 - (b) obtain credit; or*
 - (c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit, to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.**
- (2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) and details of that proposal have not been included in the annual budget for that financial year -
 - (a) unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and*
 - (b) the resolution to exercise that power is to be by absolute majority.**
- (3) Where a local government has exercised a power to borrow and -
 - (a) it does not wish to proceed with the performance of the function or the exercise of the power for which the power to borrow was exercised; or*
 - (b) after having completed the performance of the function or the exercise of the power for which the power to borrow was exercised, any part of the money borrowed, credit obtained or financial accommodation arranged has not been expended or utilized,*
the local government may resolve to expend the money or utilize the credit or financial accommodation for another purpose if one month's local public notice is given of the proposed change of purpose.*
** Absolute majority required.**
- (4) A local government is not required to give local public notice under subsection (3) -
 - (a) where the change of purpose has been disclosed in the annual budget of the local government for the relevant financial year; or*
 - (b) in such other circumstances as are prescribed.**
- (5) A change of purpose referred to in subsection (3) is to be disclosed in the annual financial report for the year in which the change occurs.”*

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Agreeing to this loan will not affect the 2005/06 Municipal Budget, but will commit Council to repay the loan over the next 5 Years, commencing on 1 July 2006.

Officer's Comment

The formal advertising period (one month) has now been completed with no submissions have being received. Effectively the Council will gain a \$1.3 million reticulation system, costing the ratepayers \$325,000 over the next 5 years. Council has already received the Pilbara Fund's contribution from the PDC. These funds need to be restricted to loan repayment use only.

Given Council has recieved the funds from the PDC, Council has at least two options in budgeting for its contribution over the next 5 years:

- use the PDC's Pilbara Fund contribution first, and the Council funds the final 2.5 years; or
- budget for \$65,000 each year, eveningly spreading the cost over 5 years, as opposed to 2.5 years.

Financial Year	Option 1	Option 2
06/07	0	\$65,000
07/08	0	\$65,000
08/09	\$65,000	\$65,000
09/10	\$130,000	\$65,000
10/11	\$130,000	\$65,000
Total	\$325,000	\$325,000

Option 1 has no budgetary impact until 2008/09, where Council will need to find \$65,000 in that year budget, and \$130,000 in the 2009/10 and 2010/11 Budgets.

Alternatively Option 2 budgets \$65,000 over the next 5 years, and reduces the impact to the budget between 2009-2011.

This is dependant on discretionary funds available in each budget. However, if Council was to put the PDC funds and \$65,000 per annum into a reserve, any interest generated (5-6% per annum) could be used to offset Council's contribution in future years. With this option, and Council receiving an interest return of 5.5%, Council could generate approximately \$40,000k over the 5 years, effectively making the ratepayer's contribution to the loan repayment of \$285,000, instead of \$325,000.

200506/356 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr D R Pike

That Council:

- i) enter into a agreement with the Water Corporation to borrow \$650,000, repayable over 5 years, with no interest payable;**
- ii) the \$325,000 Pilbara Fund contribution be placed in a Reserve Account 'Wastewater Treatment Reserve', with the purpose of repaying the loan from the Water Corporation; and**
- iii) consider transferring \$65,000 per annum to the Wastewater Treatment Reserve over the next five (5) years in it's Budget considerations.**

CARRIED BY ABSOLUTE MAJORITY 9/0

11.4.2 Governance**11.4.2.1 Annual General Meeting of Electors held on 8 February 2006 (File No.: ELE-005)**

Officer Gaye Stephens
Executive Assistant

Date of Report 15 March 2004

Disclosure of Interest by Officer Nil

Summary

The Local Government Act 1995 requires Council to consider all decisions made at the Annual General Elector's Meeting.

Background

Section 5.27 of the Local Government Act 1995 requires Local Governments to hold a General Meeting of Electors once every financial year and within 56 days of adopting it's Annual Report for the previous financial year.

Section 5.33 provides that all decisions made at an Electors Meeting are to be considered at the next Ordinary Council Meeting, or if that is not practicable the following Ordinary Council Meeting.

Staff Comment

In addition to the Confirmation of Previous Minutes and receiving of the Annual Report, the following decision was made:

"That Council consider the provision of a dedicated off road vehicle recreation area at the next Ordinary Council Meeting, following the appointment of a Senior Ranger."

Statutory Implications

Sections 5.32 and 5.33 of the Local Government Act ensure that copies of the minutes are available to the public, prior to Council's consideration of any decisions made by electors.

"5.32. Minutes of electors' meetings

The CEO is to –

- (a) cause minutes of the proceedings at an electors' meeting to be kept and preserved; and*
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.*

5.33. Decisions made at electors' meetings

- (1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable –*
- (a) *at the first ordinary council meeting after that meeting;*
or
 - (b) *at a special meeting called for that purpose, whichever happens first.*
- (2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting."*

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 6 – Governance

Goal 3 – communication

That Town of Port Hedland is recognised by residents and ratepayers as being an open, informative, accountable local government that listens to community views and keeps stakeholders informed.

Budget Implications

Nil

200506/357 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr S F Sear**That:**

- i) **the decisions from the Annual General Meeting of Electors held on Wednesday 8 February 2006 be received; and**
- ii) **following the appointment of the Senior Ranger on Tuesday 15 March 2006, the provision of a dedicated off road vehicle recreation area be investigated and a report be provided to Council's Ordinary Meeting to be held in June.**

CARRIED 9/0**200506/358 Council Decision/Officer's Recommendation****Moved:** Cr T M Young**Seconded:** Cr A A Carter**That the meeting be adjourned for a period of five (5) minutes.*****CARRIED 9/0***

7:29 pm Mayor adjourned the meeting.

7:34 pm Mayor declared the meeting resumed.

7:36 pm Director Regulatory and Community Services re-entered the room

11.4.2.2 Port Hedland Enhancement Scheme – Projects for Funding Endorsement

Officer Chris Adams
Chief Executive Officer

Date of Report 3 January 2013

Disclosure of Interest by Officer Nil

Purpose

To seek Council endorsement for:

1. an allocation of an additional \$20,000 from the Port Hedland Enhancement Scheme fund for the Stairway to the Moon Viewing Platform project at Cooke Point to assist with the cost of the project and in attracting funding from external grant programs;
2. an allocation of \$20,000 from the Port Hedland Enhancement Scheme fund to develop a Master Plan for the Spoilbank in Port Hedland;
3. an allocation of \$185,000 from the Port Hedland Enhancement Scheme fund to complete works in Wedge and Edgar Street; and
4. an allocation of \$100,000 for the Port Hedland Enhancement Scheme fund to install a self cleaning toilet adjacent to the Port Hedland Visitor Centre.

Background

Stairway to the Moon Viewing Platform

Council has previously endorsed an initial amount of \$30,000 from the Port Hedland Enhancement Scheme Fund for the construction of a Stairway to the Moon viewing platform at Cooke Point. The Port Hedland Rotary Club has agreed to undertake the project as part of its community services program.

To date, a topographical survey of the site has been completed and consultation is currently underway to determine the scope of works and designs for the project.

The total cost of the project is estimated at \$150,000. Applications for funding of up to \$50,000 from the Federal Government's Regional Partnerships Program and the Australian Tourism Development Program are being prepared by the Pilbara Development Commission on behalf of the Rotary Club to assist with the project.

The Regional Tourism Development Program requires applicants to contribute matching funding to the project as part of the application process. As such, the Enhancement Scheme Steering Group is recommending an additional funding allocation of \$20,000 from the Scheme Fund to ensure eligibility for this grant funding program and support the project.

Spoilbank Concept Master Plan

A working group has been established by the Port Hedland Enhancement Scheme Steering Group to identify development opportunities for the Spoilbank. The working group is chaired by Mr Roger Richardson and comprises representatives from the Port Hedland Port Authority, the Port Hedland Yacht Club and other key stakeholders.

The Council previously endorsed the recommendation to engage consultants to investigate possible development options for the Spoilbank area. The consultants, MP Rogers and Associates, have completed the prefeasibility study and delivered the findings to the working group for deliberation. The study considered a number of issues including:

- The management of sand removal from the yacht club basin including the construction of a suitable groyne.
- Upgrade of the boat launching facilities.
- The establishment of a short stay caravan park.
- The establishment of a small marina.

The working group has recommended to the Enhancement Scheme Steering Group that a concept Master Plan of the Spoilbank be developed to provide a visual interpretation of the outcomes of the prefeasibility study to assist in the determination of projects that could be progressed. The estimated cost of developing the Master Plan is \$20,000.

Wedge and Edgar Street Upgrade

Engineering specifications and tender documentation have been completed for the upgrade works for Wedge and Edgar Street including:

- Construction of Wedge Street pedestrian cross over.
- Construction of a pedestrian crossover to link Marrapikurrinya Park with Wedge Street.
- Connection costs for public toilet facility adjacent to the Port Hedland Visitor Centre.
- Construction of a car park next to Westpac Bank.
- Construction of a car park alongside Port Plaza Arcade in Edgar Street.
- Defining the angled parking in Edgar Street including nibs.
- Tree planting in Edgar Street.

The estimated cost of works for Wedge Street is \$183,037.54 and Edgar Street is \$129,375.34.

Council previously endorsed an allocation of \$225,000 from the Scheme Fund for the commencement of works to upgrade Wedge and Edgar Street, of which \$95,193.49 has been expended on design specifications and improvements to the shade structures. An amount of \$129,806.51 remains unexpended on this project.

The proposed work includes the cost of connection for a toilet facility adjacent to the Port Hedland Visitor Centre. It has been recommended that a self-cleaning toilet be installed on the site. The estimated cost for the self-cleaning toilet is \$100,000.

The total cost for works for Wedge and Edgar Streets, and the installation of a self-cleaning toilet adjacent to the Port Hedland Visitor Centre is \$285,000. This amount does not include the cost of extending the shade structures in Wedge Street.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

200506/359 Council Decision/Officer's Recommendation

Moved: Cr A A Gear **Seconded:** Cr A A Carter

That Council endorses the Port Hedland Enhancement Scheme Steering Group's recommendation to seek an allocation of the following funds from the Port Hedland Enhancement Scheme Fund:

- i) \$20,000 to provide additional funding for the Stairway to the Moon Viewing Platform project;**
- ii) \$20,000 for the development of a concept Master Plan for the Spoilbank area;**
- iii) \$185,000 to complete the upgrade works in Wedge and Edgar Streets; and**
- iv) \$100,000 for the installation of a self cleaning toilet adjacent to the Port Hedland Visitor Centre.**

CARRIED 8/1

NOTE : Cr G J Daccache requested the votes be recorded.

Record of Vote:

FOR	AGAINST
Cr S R Martin	Cr T M Young
Cr A A Carter	
Cr G D Bussell	
Cr A A Gear	
Cr J M Gillingham	
Cr D R Pike	
Cr S F Sear	

NOTE: Cr T M Young requested it be recorded in the minutes that she was only opposed to the installation of a self-cleaning toilet without further exploration of other alternativse.

11.4.3 Human Resources

Nil.

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

Nil.

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil.

ITEM 14 CONFIDENTIAL ITEMS

Nil.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 26 April 2006, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 7:45 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 26 April 2006.

CONFIRMATION:

MAYOR

DATE