



**Town of Port Hedland**

**MINUTES**

**OF THE**

**ORDINARY MEETING  
OF THE TOWN OF PORT HEDLAND COUNCIL**

**HELD ON**

**WEDNESDAY, 28 FEBRUARY 2007**

**AT 5.30 PM**

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

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*Chris Adams  
Chief Executive Officer*

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**OUR COMMITMENT**

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

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**ITEM 1        OPENING OF MEETING****1.1            Opening**

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

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

Deputy Mayor A A Carter  
Cr G D Bussell  
Cr A A Gear  
Cr J M Gillingham  
Cr D R Pike  
Cr S F Sear

Mr Chris Adams	Chief Executive Officer
Mr Matthew Scott	Directory Corporate Services
Mr Grant Logie	Director Engineering Services
Mr Terry Sargent	Director Regulatory and Community Services
Ms Gaye Stephens	Executive Assistant

Members of Public	8 (including Manager Finance)
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Members of the Media	Nil
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**2.2            Apologies**

Cr G J Daccache

**2.3            Approved Leave of Absence**

Mayor S R Martin

**ITEM 3        RESPONSE TO PREVIOUS QUESTIONS - ON NOTICE****3.1            Questions from Public at Ordinary Council Meeting held  
Wednesday 24 January 2007.**

Nil

**3.2            Questions from Members at Ordinary Council Meeting held  
Wednesday 24 January 2007**

Nil.

**ITEM 4 PUBLIC TIME****4.1 Public Questions**

5:31 pm Deputy Mayor opened Public Question Time

Nil.

5:31 pm Deputy Mayor closed Public Question Time

**4.2 Public Statements**

5:31 pm Deputy Mayor opened Public Statement Time

5:32 pm Deputy Mayor closed Public Question Time

**ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE****5.1 Councillor Des Pike**

*Has a letter been sent to MRD [Main Roads WA] in relation to lighting from the Port Hedland International Airport to the Fortescue Metals Group's camp?*

Director Engineering Services advised an email has been sent to Main Roads WA on the matter, and Council staff have inspected the area. Staff will follow up with a letter to Main Roads WA.

*Could Council write the MRD [Main Roads WA] with regard to manganese truck spillage on our roadways, and how they are to enforce compliance with the spillage?*

Director Engineering Services advised Council has contacted Main Roads WA in relation to spillage of manganese on roadways by trucks, and sent a couple of letters on the matter. The matter relies on receipt of public complaints.

*What's the next step then to ensure action is taken in relation to the spillage of manganese on the roadways? Should Council write to the Minister?*

Director Engineering Services advised that the process of public complaints, i.e. writing to Local Member of Parliament. Council will convey concern to Main Roads WA in writing again.

*Has there been any correspondence from Council's lawyers on the issue of private business occupying State Government land (MRD) [Main Roads WA] and not paying rates?*



Director Corporate Services advised an item relating to this matter will be presented to Council at it's Ordinary Meeting to be held in March.

*Could Council provide a report to the next Ordinary Council Meeting in relation to Item 'Tender 06/30: Feasibility and Design of the Multi Purpose Sports Complex' that was previously laid on the table at Council's Ordinary Meeting held in December 2006?*

Chief Executive Officer advised an item will be presented to Council's next Ordinary Meeting.

## **5.2 Councillor Jan Gillingham**

*In response to community concerns in relation to teacher shortages, which is state wide, can Council invite the present principal of the Hedland Senior High School to an informal briefing session of Council?*

Mayor advised yes.

Chief Executive Officer advised the Principal of Hedland Senior High School will be invited to attend the next informal briefing session of Council, which will be held on Wednesday 14 March 2007.

## **5.3 Councillor Arthur Gear**

*Has approval been given for the evaporation ponds along Wilson Street in the vicinity of the former BP works that are opposite Freo Cranes?*

Chief Executive Officer advised that the matter will be investigated and information provided to Council.

**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 A A Carter	Cr J M Gillingham
Cr G D Bussell	Cr D R Pike
Cr A A Gear	Cr S F Sear

**ITEM 7      CONFIRMATION OF MINUTES OF PREVIOUS MEETING****7.1          Confirmation of Minutes of Ordinary Meeting of Council  
held on Wednesday 24 January 2007.**

**200607/193 Council Decision/Officer's Recommendation**

**Moved:** Cr A A Gear

**Seconded:** Cr S F Sear

**That the Minutes of the Ordinary Meeting of Council held on Wednesday 24 January 2007 be confirmed as a true and correct record of proceedings.**

***CARRIED 6/0***

**ITEM 8      ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION**

Nil.

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

Councillor Arthur A Gear advised the Minutes of the BHP Billiton Community Consultative Group (CCG) Meeting held on 20 February 2007, and that he and Cr Des Pike (Deputy) are able to attend these meetings. The CCG is looking to invite Newman CCG to visit Port Hedland and vice versa.

Councillor Grant D Bussell advised council that he attended a Community Bank Group meeting on Monday 26 February 2007, at which a formal Committee was formed. The Committee is now aiming to raise \$1.5M funds from local community to form a local organisation to enable a local Bendigo Bank to be set up.

Councillor Jan M Gillingham advised she attended the very successful opening of the Cultural Arts Precinct, including the Port Hedland Visitor Centre and the Courthouse Arts Centre and Gallery, and advised that students have already visited and participated in art activities at the Courthouse Arts Centre and Gallery this week. Councillor Gillingham also commended the Care for Hedland Association Inc. for their commitment to environmental preservation in the area, particularly in relation to a number of manhours expended on the turtle-monitoring program since the beginning of the turtle-breeding season in October 2006.

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

Landscape Architect, Belinda Foster form EPCAD Pty Ltd, and sculptor Jon Tarry, provided Council will a presentation on the proposed Public Sculpture works being undertaken, prior to Agenda Item 11.2.2.2 'Proposed Single House – Shed Additions and Sea Container requiring R-Code Variations'.

**ITEM 11    REPORTS OF OFFICERS****11.1        Governance****11.1        *Status of Council Decisions (File No.: ADM-015)***

<b>Officer</b>	Gaye Stephens Executive Assistant
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<b>Date of Report</b>	19 February 2007
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<b>Disclosure of Interest by Officer</b>	Nil
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**Summary**

Informing Council of actions undertaken in relations to decisions of Council in the past month.

**Background**

This monthly report is presented to Council for information. The report advises Council how decisions are being actioned by staff. Any Council Decision that has not yet been completely implemented will remain on the list until it has been completed.

**Officers Comments**

This report includes decisions from the following meetings:

- Ordinary Meeting held 28 September 2005;
- Ordinary Meeting held 26 October 2005;
- Ordinary Meeting held 24 May 2006;
- Ordinary Meeting held 28 June 2006;
- Ordinary Meeting held 26 July 2006
- Ordinary Meeting held 27 September 2006;
- Ordinary Meeting held 25 October 2006;
- Ordinary Meeting held 22 November 2006;
- Ordinary Meeting held 13 December 2006; and
- Ordinary Meeting held 24 January 2007

**Statutory Implications**

Section 2.7 of the Local Government Act states how Council is responsible for directing the local government's affairs:

*"2.7. The role of the council*

*(1) The council -*

*(a) directs and controls the local government's affairs;*  
*and*

*(b) is responsible for the performance of the local government's functions.*

*(2) Without limiting subsection (1), the council is to -*

- (a) oversee the allocation of the local government's finances and resources; and*
- (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

**200607/194 Council Decision/Officer’s Recommendation**

**Moved:** Cr A A Gear

**Seconded:** Cr D R Pike

**That the ‘Status of Council Resolutions’ Report as presented to the Council’s Ordinary Meeting held on 24 January 2007 be received.**

***CARRIED 6/0***

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
Ordinary Meeting held 28 September 2005				
10.2.3.6	Hire Car Operations	200607/108 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 Report to Ord CI Mtg May 2007	May 2007
Ordinary Meeting held 26 October 2005				
10.1.3.6	Proposed Scheme Amend't – Portion of Crowe St Road Reserve	200607/151 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. Applicant has written to CI re: seeking the services of a surveyor. If still unsuccessful in 2 mths, will withdraw application. Report to Feb CI Mtg.	iCOMPLETE
10.2.2.1	Lease of Southern Aircraft Hangar and Surrounding Land at PHIA	200607/154 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 Lease negotiations are still in progress. Draft Lease being considered. DCS - Letter being sent – requesting to consider ultimatum. Awaiting Polar Aviation contact. Report to March 07 Ord CI Mtg.	March 2007
Ordinary Meeting held 24 May 2006				
14.2	Confidential Matter : Legal Matter – Wellard Industries	200607/443 Council Decision/Officer's Recommendation That Council rescind Council decisions 200607/149 (October 2005) and 200607/290 (February 2006) relating to Council objection to the storage of manganese ore on Lot 842 and the proposed leasing of Lot 5909.  200607/444 Council Decision/Officer's Recommendation That Council write to LAMS advising that ... providing that: ...	RESPONSIBLE OFFICER: Chief Executive Officer Report to Mar Ord CI Mtg	March 2007

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
Ordinary Meeting held 28 June 2006				
11.2.2.3	Prop.Scheme A'ment to Rezone Portion Lot 313 Anderson St, PH from R12.5/50 to "Public Purp. – Telecom."	200607/451 Council Decision/Officer's Recommendation  That Council initiates a scheme amendment to the Town of Port Hedland Town Planning Scheme No. 5 to rezone a portion of Lot 313 Anderson Street, Port Hedland from "Residential R12.5/50" to "Public Purposes – Telecommunications" as outlined in the application received 4 May 2006.	RESPONSIBLE OFFICER: Planning Officer Applicant advised of resolution. Advertising commenced.	
Ordinary Meeting held 26 July 2006				
11.4.2.5	Street Names for Pretty Pool Subdivision	200607/506 Council Decision That Item 11.4.2.5 Street Names for Pretty Pool Subdivision lay on the table.	RESPONSIBLE OFFICER: Chief Executive Officer Item to Feb Ord CI Mtg	uCOMPL.
Ordinary Meeting held 23 August 2006				
11.2.2.3	Revised Pretty Pool Development Plan	200607/005 Council Decision/Officer's Recommendation That Council: 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 the area of land adjacent to 'Balance Project Area' 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; and c) adopt the Revised Pretty Pool Development Plan (excluding the 'Balance Project Area') for the purpose of public advertising in conjunction with the associated Town Planning Scheme No.5 Scheme Amendment.	RESPONSIBLE OFFICER: Manager Planning Applicant has advised this application has been superceded and will be replaced by another application to be presented to March Ord CI Mtg 07.	March 2007
11.2.2.5	Prop.Scheme Amend. to Allow the Dev. of Grouped Dwellings at Lot 501 Byass St, SH	200607/007 Council Decision/Officer's Recommendation That Council: i) initiate an Amendment to Town Planning Scheme No. 5 to rezone Lots 501 and 502 Byass Street South Hedland from "Mixed Business" to "Mixed Business" with an Additional Use for Multiple Dwellings; and ii) advise the applicant accordingly and request the applicant to prepare the amendment document in accordance with this resolution.	RESPONSIBLE OFFICER: Planning Officer Documents submitted to EPA for assessment prior to advertising. No response received to date	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.2.2	EOI for Advertising Options at the Port Hedland International Airport	200607/023 Council Decision/Officer's Recommendation That i) the CEO or his nominated delegate be authorised to develop an Expression of Interest calling for an advertising plan and options for Port Hedland International Airport using one or a combination of advertising mediums available; ii) the Expression of interest be advertised in the Australian and West Australian Newspapers; and iii) following the close of expression of interests, a report be presented to Council for further consideration.	RESPONSIBLE OFFICER: Airport Manager To be advertised Jan 07	March 2007
11.4.2.2	Lease Option - Rose Nowers Child Care Centre Lot 2791 Boronia Close, SH.	200607/030 Council Decision/Officer's Recommendation That: i) in accordance with the lease document, Rose Nowers Child Care Centre Incorporated be granted a further term of five years on the same terms and conditions as the existing lease agreement, except the rental charge be adjusted to reflect CPI; and ii) this extension be signed and sealed by Council.	RESPONSIBLE OFFICER: Manager Administration Reviewing file and seeking response from Rose Nowers .	March 2007
11.4.2.3	Lease Variation - Chalkwest Pty Ltd Pt Lot 2444 G't Northern Hwy, PH	200607/031 Council Decision That Agenda Item 11.4.2.3 'Lease Variation - Chalkwest Pty Ltd (Budget Rent A Car) Part Lot 2444 Great Northern Highway, Port Hedland.' Lay on the table, pending the completion of outstanding matters, including revaluation as resolved by Council (Agenda Item 10.2.3.6) at it's Ordinary Meeting held in September - Agenda Item 10.2.3.6.	RESPONSIBLE OFFICER: Manager Administration DCS – Mtg 6.12.06 to discuss options. Awaiting formal written advice from budget.	Feb- 2007
Ordinary Meeting held 27 September 2006				
11.2.2.2	Application to Amend TPS 5 to Rezone Lot 5197 Harper St, PH from Residential R15 to R30	200607/043 Council Decision/Officer's Recommendation That: i) Amendment No.8 to Town Planning Scheme No.5 be adopted without modification; ii) the following Schedule of Submissions and recommendations be forwarded to the Western Australian Planning Commission for the Minister's consideration: ... and iii) the Mayor and Chief Executive Officer be authorised to execute three (3) copies of the amendment documents in accordance with the <i>Town Planning Regulations 1967</i> (as amended), including the fixing of the Council's seal in the event that the Minister for Planning and Infrastructure approves the Amendment without modification.	RESPONSIBLE OFFICER: Planning Officer Amendment submitted to WAPC for determination. Awaiting response.	
11.2.2.3	Request to Divest a Portion of Lot 5209 (Reserve 28372)	200607/044 Council Decision/Officer's Recommendation That: i) the applicant be advised that it is prepared to divest itself of a portion of lot 5209 (Reserve 38272) subject to: ... ii) the Department for Planning and Infrastructure (State Land Services) be advised that it wishes to excise a portion of lot 5209 (Reserve 38272).	RESPONSIBLE OFFICER: Planning Officer Applicant advised, waiting for survey diagram.	



ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.7	Request to Rezone a Portion of Lot 2202 (4) Reynolds Place, SH From Residential R20 to R30	200607/048 Council Decision/Officer's Recommendation That i) Pursuant to section 75 of the <i>Planning and Development Act 2005</i> (as amended), Council resolves to amend Town of Port Hedland Town Planning Scheme No.5 by: ... ii) the proposed amendment be numbered Amendment No.12 of <i>Town of Port Hedland Town Planning Scheme No.5</i> and be forwarded to the Environmental Protection Authority for assessment in accordance with section 81 of the <i>Planning and Development Act 2005</i> prior to advertising in accordance with the <i>Town Planning Regulations 1967</i> ; and iii) the applicant be advised that all costs associated with advertising and preparing the amendment will be borne by the applicant.	RESPONSIBLE OFFICER: Planning Officer Advice received from EPA. Going to advertisement stage.	
11.2.2.8	Proposed Partial Rd Closure of Traine Cres, SH	200607/049 Council Decision/Officer's Recommendation That Council: i) advertise the proposed closure of the portion of Traine Crescent South Hedland identified in the application received from Taylor Burrell Barnett on 30 August 2006 pursuant to section 58 of the <i>Land Administration Act 1997</i> , and section 9 of the <i>Land Administration Regulations 1998</i> ; ii) request that the Honorable Minister for Lands to close the portion of Traine Crescent South Hedland; and iii) advise the applicant that all costs associated with advertising the road closure will be borne by the applicant.	RESPONSIBLE OFFICER: Planning Officer Being processed by DPI (State Land Services)	
14.2	Legal Issue - Qantas Lease	200607/067 Council Decision That: i) Council's lawyers write to Qantas advising that the Town of Port Hedland is willing to sign and seal a lease document for the use of the Port Hedland International Airport for the period from 1 July 2002 – 30 June 2007 (with a potential five year extension) subject to the lease documentation including a rent review provision whereby rental is set at market rental from 1 July 2007 subject to: ... ii) assuming that Qantas agrees with the above, the Mayor and Chief Executive Officer be authorised to sign and seal the lease documentation.	RESPONSIBLE OFFICER: Chief Executive Officer Signed (Qantas) Lease received 22.02.07. Item to Feb Ord CI Mtg.	COMPLETE
Ordinary Meeting held 25 October 2006				
11.3.1.3	Installation of Turtle Conservation Signage	200607/84 Council Decision/Officer's Recommendation i) the installation of Informative Turtle Conservation signage at the following locations: ... be approved; ii) approval be sought 'from the Department for Planning and Infrastructure for signage erection on Crown land; iii) Council staff erect the Informative Turtle Conservation signs at the locations identified in Clause i) above; and iv) the Informative Turtle Conservation signage remains the property of the Care for Hedland Environmental Association.	RESPONSIBLE OFFICER: Director Engineering Services Signs arrived. Awaiting posts to arrive and DPI approval.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
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Ordinary Meeting held 22 November 2006

11.2.1.3	SBS Radio Services	200607/108 Council Decision That: i) registrations of interest be sought from persons interested in receiving SBS Radio broadcasts; and ii) the offer from Richardson Electronics to install SBS Radio transmitting equipment for Port and South Hedland be considered, subject to Council receiving registrations of interest from 200 residents of the Town of Port Hedland and SBS Radio funding the project through its grant scheme.	RESPONSIBLE OFFICER: Director Regulatory and Community Service Item to Feb Ord CI Mtg.	üCOMPLETE
11.3.2.2	Continued Financial Support – Skywest Airlines	200607/124 Council Decision That subject to Council's Mayor and Chief Executive Officer meeting with Skywest Airline's representatives to discuss Skywest's business and marketing plans, Skywest Airlines be advised in writing that: . Council is willing to extend the 50% waiver of inbound-outbound passenger service charges for a further period of four (4) months, effective from 1 November 2006 to 28 February 2007; or . when weekly passenger load factors reach 50%, whichever is the earlier.	RESPONSIBLE OFFICER: Director Engineering Services To meet Skywest.	April 2007
11.3.3.3	Future Use of the JD Hardie Centre	200607/126 Council Decision That: the Youth Involvement Council (YIC) be advised that: ii) proposed timeframe for implementation of management plan for the JD Hardie Centre as follows be endorsed: ... iii) submissions be called to undertake feasibility study works and preliminary designs for the transition, conversion and renovation of the JD Hardie Centre from a sports centre into a youth specific facility. The scope of works shall include business planning for the management of the facility for the short, medium and long term and the development of conceptual plans for the staged redevelopment of the Centre. Timeframes for this project shall be as follows: ... iv) the Department for Planning and Infrastructure (State Land Services) be advised in writing that Council wishes to change the purpose of Reserve 41675 from Recreation to Youth Service Facilities; v) a budget item be prepared indicating proposed income expenditure be prepared and submitted to council (06/07) together with the Feasibility study recommendations	RESPONSIBLE OFFICER: Director Engineering Services  Items being undertaken as per agreed time frames.  Item to Feb Ord CI Mtg	üCOMPLETE

Ordinary Meeting held 13 December 2006

11.3.1.2	Tender 06/30: Feasibility and Design of the Multi Purpose Sports Complex	200607/150 Council Decision/ That item 11.3.1.2 'Tender 06/30: Feasibility and Design of the Multi Purpose Sports Complex' lay on table as per resolution 200607/057 of Council on 27 September 2006 awaiting further financial and legal discussion; and the remaining funds to be utilised in assessing the market requirements and ongoing financials and report back to Council.	RESPONSIBLE OFFICER: Director Engineering Services Item to Feb Ord CI Mtg	üCOMPLETE
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ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.1.2	SHOATA Lease Renewal.& Prop. Sep. Lease of Lot S11 Shoata Rd, SH – Mr & Mrs Mahoney	200607/154 Council Decision/Officer's Recommendation That Council: i) agrees to dispose of a portion Reserve 35915 to the South Hedland Owners and Trainers Associated by way of public advertisement, as per the following conditions: ... ii) negotiates a separate lease with Kevin and Angela Mahoney, on other vacant land, under Council's control for the purpose an 'Equestrian' or like activities. iii) receives a report on the proposed lease with Kevin and Angela Mahoney before any disposal of land by way of Lease occurs.	RESPONSIBLE OFFICER: Director Corporate Services Draft Lease Documents being sent.	
11.4.2.5	Review of Delegated Authority Register	200607/160 Council Decision That: i) the 2006 Delegated Authority be adopted as Council's 2007 Delegated Authority Register, subject to the removal of the existing delegation of subdivisions of more than 10 properties; and ii) Chief Executive Officer to submit to Council specific suggestions of delegations sought and justification thereof.	RESPONSIBLE OFFICER: Chief Executive Officer	March 2007
Ordinary Meeting held 24 January 2007				
11.2.1.1	Hedland Community Safety & Crime Prevention Plan 2006-09	200607/171 Council Decision/Officer's Recommendation  That Council adopt the draft Ongoing Initiative "Community Patrols, Intoxication" for inclusion in the Hedland Community Safety and Crime Prevention Plan 2006 - 2009.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	iCOMPLETE
11.2.1.2	Preferred Contractor Register	200607/172 Council Decision  That this matter (Preferred Contractor Register) lay on the table for further clarification of costings, and benefits to the Council through undertaking such a process.	RESPONSIBLE OFFICER: Director Regulatory and Community Services. Incl. In March Informal Briefing Session	
11.2.2.1	Prop. Single House & Shed Add'n Req. R-Code Variations at (130-132) Greenfield St, SH	200607/173 Council Decision/Officer's Recommendation  That Planning Approval be granted for the construction of a SINGLE HOUSE and Shed addition requiring R-Codes Variation at Lot 93 (130-132) Greenfield Street (Application Number 2006/179), as indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning/Compliance Officer	iCOMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.2	Hotel & Motel – Additional Units & Carparking Lots 944 1611 Great Northern Hwy	200607/174 Council Decision  That Planning Consent be granted for the construction of HOTEL and MOTEL – addition of 8 transportable accommodation structures (comprising 32 x 1 bedroom accommodation units) and additional carparking at Lots 944 and 1611 Great Northern Highway, Port Hedland, and in accordance with Clause 6.13.5 of Town Planning Scheme No. 5 permit a reduction in the number of carparking spaces from 859 bays to 192 bays, subject to the following conditions:	RESPONSIBLE OFFICER: Planning/Compliance Officer Condition being followed up.	üCOMPLETE
11.2.2.3	Proposed Construction of 24 Multiple Dwellings at (8-10) Leeds St, PH	200607/175 Council Decision/Officer's Recommendation  That Council grants Planning Consent for the construction of a MULTIPLE DWELLING – 24 dwellings (comprising 12 x 2 storey buildings) at Lot 5429 (8-10) Leeds Street (Application Number 2006/160), subject to the following conditions:	RESPONSIBLE OFFICER: Planning/Compliance Officer	üCOMPLETE
11.2.2.4	Proposed Construction of Transient Workforce Accom. Lot 244 Great Northern Hwy	200607/176 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: Manager Planning Services	üCOMPLETE
11.2.2.5	RGP4 Project Proposal for PACE at Finucane Is.	200607/177 Council Decision  That Council:  i) advise the Department of Industry and Resources that the Town of Port Hedland supports in principal the proposal for Rapid Growth Project 4 Products and Capacity Expansion 2 at Finucane Island AND requests that the DOIR include the following conditions on any approval: ...  ii) Arrange a meeting with Vice President of Operations of BHP Billiton to discuss the above issues.	RESPONSIBLE OFFICER: Manager Planning Services	üCOMPLETE
11.3.2.1	Tender 06/37: Supply & Install'n of Security & Boundary Fencing at Sporting Reserves	200607/179 Council Decision/Officer's Recommendation  That Tender 06/37 Supply and Installation of Security and Boundary Fencing at Sporting Reserves, be awarded to Southern Wire for the lump sum cost of \$165,825 inc. GST.	RESPONSIBLE OFFICER: Sport and Recreation Officer	üCOMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.3.1	Tender 06-31 Design Supply & Install'n of Apron Floodlighting at PHIA	200607/180 Council Decision/Officer's Recommendation That: i) Council accept the non-conforming tender submission from Air Services Australia for Option 1 Installation of Apron Floodlighting to Bays 2 & 3 of \$185,995.46 (ex gst) for Tender 06/31 – Design Supply & Installation of Apron Floodlighting at Port Hedland International Airport; ii) \$50,000 be transferred from General Ledger Account 1210398 Port Hedland International Airport's Reserve Fund; iii) General ledger expenditure account 1210453 Airport Infrastructure be increased from \$900,000 to \$950,000; and iv) Capital expenditure sub item of Apron Floodlighting be increased from \$150,000 to \$200,000.	RESPONSIBLE OFFICER: Airport Manager	üCOMPLETE
11.4.1.2	Proposed Framework for Assessing LG Sustainability	200607/182 Council Decision/Officer's Recommendation That Council issues a letter of support to the Minister for Local Government and Regional Development, regarding the proposed framework endorsed by the Local Government and Planning Ministers Council for accessing Local Government Sustainability.	RESPONSIBLE OFFICER: Director Corporate Services Reviewing comments from WALGA prior to issuing letter.	
11.4.1.3	Underground Power Charge Adjustment	200607/183 Council Decision That Council: i) amend the Service Charge for underground power to \$500.00 to the following properties: ... ii) the \$174,181.08 budget variation be included in the December 2006/07 Budget Review to be presented to Council at its Ordinary Council Meeting to be held in February 2007; iii) the additional cost of \$174,181.08 be forwarded to Horizon Power as a supplementary project cost to their budget.	RESPONSIBLE OFFICER: Director Corporate Services	üCOMPLETE
11.4.2.1	BHP Sustainability Partnership Projects: Funding Allocations	200607/184 Council Decision/Officer's Recommendation That Council accepts the recommendations of the BHP Billiton/Town of Port Hedland Sustainability Partnerships Working Group and allocates the remaining funds from the 2006/07 funding allocation to the following projects: i) Walkway Lighting Program - \$10,000; ii) South Hedland Skate Park Amenities - \$10,000; and iii) Town Entry Statement - \$25,000.	RESPONSIBLE OFFICER: Chief Executive Officer	üCOMPLETE
11.4.2.2	Tender 06-29 Lease of Port Hedland Cattle Yards	200607/185 Council Decision/Officer's Recommendation That subsequent to receipt of approval from the Minister for Lands permitting the propose leasing of the Reserve 33593, the Chief Executive Officer and Mayor be authorised to sign and seal the lease document between Melreef Pty Ltd and the Town of Port Hedland for the use of the Port Hedland Cattle Yards for an initial term of ten (10) years.	RESPONSIBLE OFFICER: Chief Executive Officer Ltr sent to DPI. Awaiting response.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.2.3	Tender 06-20 Mgt of Aquatic Centres	200607/186 Council Decision/Officer's Recommendation That: i) the Chief Executive Officer and Mayor be authorised to sign and seal the contract between Council and the YMCA Inc. for the management of the South Hedland Aquatic Centre and Gratwick Aquatic Centre for two years, with the combined operational loss for the centres being \$799,932 for Calendar Year 1 (1 <sup>st</sup> January 2007 – 31 <sup>st</sup> December 2007), and \$821,530 for Calendar Year 2 (1 <sup>st</sup> December 2008 – 31 <sup>st</sup> December 2008); ii) the following changes to the original tender submission from the YMCA Inc. with the following alterations be approved: ... iii) Council pre-commit \$40,000 from Council's 2005/2006 Budget Surplus and/or Mid-Year Budget review for the purchase of the following Council assets for the aquatic centres: ... iv) the following revised Fees and Charges for the Aquatic Centre's be advertised in accordance with the <i>Local Government Act 1995</i> , effective from 10 February 2007. v) Council seek a variation request from YMCA for the operation of the South Hedland Aquatic Centre until 7.30pm in the evenings for a 6-8 week trial period with a report being prepared at the conclusion of the trial regarding the effectiveness and utilisation of the extended hours; and iv) the Chief Executive Officer be given the authority to approve the implementation of the trial extended opening hours (subject to the price being deemed to be reasonable).	RESPONSIBLE OFFICER: Chief Executive Officer  Contract Documents to be signed by YMCA Inc.	March 2007
11.4.2.4	2005/06 Annual Report	200607/187 Council Decision That Council: i) adopt the Financial Statements and associated notes for the period ended 30 June 2006, as presented; ii) adopt the Audit Report of the Financial Statements and associated notes for the period ended 30 June 2006, as presented; iii) adopt the 2005/06 Annual Report as presented; iv) hold the Annual General Meeting of Electors on Wednesday, 14 February 2006, commencing at 7:00 pm at the Civic Centre.	RESPONSIBLE OFFICER: Chief Executive Officer Annual General Meeting of Electors being held 28.02.07, 7:30pm	üCOMPLETE
11.4.2.5	Attendance at Kimberley/ Pilbara LG Joint Forum April 2007	200607/188 Council Decision That: i) Mayor Stan R Martin, and Councillors Arnold A Carter, Daccache, Gear, Gillingham and Pike attend the Kimberley/Pilbara Local Government Joint Forum to be held in Broome on Thursday 12 and Friday 13 April 2007; and ii) Mayor Stan R Martin and Councillor Arnold A Carter attend the Pilbara Regional Council Meeting being held in Broome on Friday 13 April 2007.	RESPONSIBLE OFFICER: Executive Assistant PRC advised of CI attendees.	üCOMPLETE
12.1.1	Acknowledge ment of Service – Mirtanya Maya Staff	200607/190 Council Decision/Officer's Recommendation That: i) Council Policy 3/002 Council Contributions to Staff Functions be amended to include an additional clause as follows: ... ii) a 'one-off' payment of a gift of five hundred dollars (\$500) to the five (5) casual staff employed at Mirtanya Maya whose positions become redundant as a direct result of the closure of the facility, effective 18 January 2007, be approved.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	üCOMPLETE

**11.2 REGULATORY AND COMMUNITY SERVICES****11.2.1 Director Regulatory and Community Services****11.2.1.1 SBS Radio Services (File No.: COM-002)**

<b>Officer</b>	Terry Sargent Director Community and Regulatory Services
<b>Date of Report</b>	18 February 2007
<b>Disclosure of Interest by Officer</b>	Nil

**Summary**

To reconsider the opportunity to enable SBS radio broadcast within the town sites of Port and South Hedland in light of feedback received.

**Background**

Council considered the proposed re-broadcasting of SBS Radio programs at its ordinary meeting in November 2006. Council resolved that:

- “i) registrations of interest be sought from persons interested in receiving SBS Radio broadcasts; and*
- ii) the offer from Richardson Electronics to install SBS Radio transmitting equipment for Port and South Hedland be accepted, subject to Council receiving registrations of interest from 200 residents of the Town of Port Hedland and SBS Radio funding the project through its grant scheme.”*

The resolution was publicised in the local press and registration forms were located at the libraries. Publicity included reference to a web-based, which could be accessed from Council’s web site.

Technical difficulties prevented the online survey being initiated. This failure was not initially recognised and no members of the community sought information about the on-line survey.

Less than thirty people responded to the survey forms in three months.

**Consultation**

A media release ‘Comment on SBS’ dated 24 November 2006 was distributed to various medium. Community consultation via survey

**Statutory Implications** Nil

**Policy Implications** Nil

### **Strategic Planning Implications**

The project does not come within the scope of Council's Strategic Plan.

### **Budget Implications**

Proceeding with the proposed re-broadcasting would require the creation of capital income and expense accounts for SBS radio operation to the value of \$50,500 to cover the equipment cost (net cost = \$0), and an additional operational account of \$400 to cover the power usage.

### **Officer's Comment**

While it must be acknowledged that the proposed on-line survey may have enabled some additional people to register their interest it is unlikely that this numbers was very large. The fact that not one person contacted Council seeking further information about how to access the publicised on-line survey suggests a distinct a lack of interest. Similarly the fact that over a three-month period, less than 30 people personally registered interest in a free service, fell short of the level of support that would justify the proposed re-broadcast of the SBS Radio Programs.

### **200607/... Council Decision/Officer's Recommendation**

**Moved:** Cr S F Sear

**Seconded:** Cr D R Pike

That the offer from Richardson Electronics to install SBS Radio transmitting equipment for Port and South Hedland, as considered by Council at its Ordinary Meeting held on 22 November 2006, be declined.

*LOST 2/4*

*REASON: Council indicated that they would prefer to re-advertise/survey interest from residents for SBS radio transmission, and to re-consider the item again at a later date.*



**11.2.1.2 Management of Court House Arts Centre and Cultural/Tourist Precinct. (File No.: ART-012)**

**Officer** Terry Sargent  
Director Community and  
Regulatory Services

**Date of Report** 18 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

Completion of the Visitor Centre and Gallery upgrade project provides an ideal occasion to consider future management options to maximize the opportunities afforded by what are effectively new facilities.

While each can operate effectively with its own separate management structure, this doesn't necessarily capitalize on the benefits of a precinct development, which could, if exploited properly, be a major draw card for tourists and residents alike.

**Background**

The upgrading of the Court House Arts Centre and Gallery in Edgar St. and the Port Hedland Visitor Centre in Wedge Street has afforded great opportunities for both to greatly improve their exposure to the traveling and resident population. This enhances their ability to educate and potentially enables greatly enhanced income from retail sales.

The upgrade was undertaken in conjunction with the landscaping of adjoining land to form a very user-friendly civic space that strengthens the link between the two buildings. The synergy, i.e. potential for these two operations to enhance the experience of tourists and residents by working more closely together, has been recognised, and discussed as a general concept for some time now.

A joint approach to decision making and forward planning so the separate operations do not compete in an unhelpful manner can also maximise the strengths of each so that they can deliver services to a broader market.

Strong liaison between the two management bodies; Council, in respect of the Gallery and the Management Committee of the Visitor Centre would meet that objective in most circumstances. This would however fail, if the interests of either were best served by taking a different strategic direction. Without a power of veto or some requirement to consider the interests of the community as a whole there is at least the potential to reach an impasse that prevents agreement being reached on key strategic issues.

The alternative, which has been informally discussed since the upgrading work commenced, is to have both the Visitor Centre and the Arts Centre managed by a single board.

A board of management, independent of Council, established to manage both operations would be able to capitalize on the economies scale in dealing with the combined business unit. It would also be in a position to make decisions for the benefit of the whole of the Arts and Tourism Precinct without being constrained to consider any sectional interest.

### **Consultation**

No external consultation has been undertaken at this stage.

### **Statutory Implications**

Establishment of an independent board and transfer of responsibilities currently undertaken by the Town of Port Hedland will require reference to the raft of legislation under which Council operates and close liaison with Council's Auditors.

### **Policy Implications**

Nil

### **Strategic Planning Implications**

KRA4 Economic Development; Goal 1 – Tourism; Strategy 4: Work with Port Hedland Visitor Centre to identify the short, medium and long term plan for the development of visitor servicing facilities within the Town.

The 2007-2012 Draft Strategic Plan includes:

KRA3 Community Development: Goal 7 – Arts & Culture; Strategy 1: Complete the redevelopment of the Courthouse Art Gallery precinct including the development of Board of Management to operate Council funded facilities within the precinct.

### **Budget Implications**

Council's adopted budget provides for an operating subsidy of \$180K to be paid to the Port Hedland Visitor Centre and the operating deficit for the gallery (excluding grant contribution for upgrade) of approximately \$112K.

Operational efficiencies may reduce the need for this assistance but any decision to change this level of funding is independent of the scope of this report.

**Officer's Comment**

If the Board of Management of a combined Arts and Visitor Centre Precinct is to achieve better outcomes than the current management arrangements it clearly needs to be able to appreciate the "big picture", without overrepresentation from either of the separate interests.

The board will need to comprise of people who have the experience to make sound strategic decisions and access to resources and exploit funding opportunities so that the board will not be so heavily dependent on a funding stream that is so heavily dependent on the operational subsidies currently paid through Council. Ideally this body should include representation from across the local business, community and public sectors at an executive or business proprietor level.

Establishment of an independent board will need to be accompanied by suitable arrangements to enable a seamless transition, as there will need to be a combination of disparate accounting systems, operating procedures and management practices. If this is not managed prior to the board assuming responsibility for the operations, the board will in fact lose its initial momentum as it will almost certainly become bogged down with operational issues rather than being free to operate at a strategic level.

From Council's perspective the most cost effective, low risk means of achieving a smooth transition is to enter into an agreement with a facility manager who will develop the Gallery and retail operations to enable the smoothest possible hand-over to an independent board, while at the same time forging an agreement with the Port Hedland Visitor Centre to participate in a merged operation.

FORM, the project managers of the precinct redevelopment have indicated a willingness to enter into a management agreement, along the lines of a facilities management contract, whereby they would be responsible to report to Council on the financial management of the Gallery, develop appropriate processes for a best practice gallery and develop the business so that it is ready to be taken up by the board of management. They would also be able to participate in developing a transition plan.

Because the proposal dovetails into the work FORM is already doing in Port Hedland it has been indicated that they would enter into a management agreement to oversee a transitional period until 30 June 2007, at little, if any cost to Council.

**Officer's Recommendation**

That Council:

- i) agrees, in principal, to the concept of a Board assuming Management of both the Port Hedland Visitor Centre and Courthouse Arts Centre and Gallery, effective from 1 July 2007 (subject to appropriate agreements being negotiated with relevant parties);
- ii) initiates discussions with the Port Hedland Visitor Centre Committee with the aim of investigating the establishment of an executive board to manage the Port Hedland Visitor Centre and the Courthouse Arts Centre and Gallery;
- iii) negotiates an agreement, for ratification by Council, with FORM Contemporary Craft and Design Inc to manage the Courthouse Arts Centre and Gallery until 30 June 2007; and
- iv) approaches the following, to ascertain their level of interest in serving with elected and executive representatives of Town of Port Hedland in an Executive Board of Management
  - a) BHP Billiton Iron Ore
  - b) Fortescue Metals Group
  - c) Rio Tinto
  - d) PACDAC
  - e) Port Hedland Port Authority
  - f) Port Hedland Chamber of Commerce and Industry

**200607/195 Council Decision**

**Moved:** Cr G D Bussell

**Seconded:** Cr A A Gear

**That Council:**

- i) initiates discussions with the Port Hedland Visitor Centre Committee with the aim of investigating the establishment of an executive board to manage the Port Hedland Visitor Centre and the Courthouse Arts Centre and Gallery;**
- ii) negotiates an agreement, for ratification by Council, with FORM Contemporary Craft and Design Inc to manage the Courthouse Arts Centre and Gallery until 30 June 2007; and**
- iii) approaches the following, to ascertain their level of interest in serving with elected and executive representatives of Town of Port Hedland in an Executive Board of Management**
  - a) BHP Billiton Iron Ore**
  - b) Fortescue Metals Group**

- c) Rio Tinto**
- d) PACDAC**
- e) Port Hedland Port Authority**
- f) Port Hedland Chamber of Commerce and Industry**

**CARRIED 6/0**

*REASON: Council removed clause i) of the Officer's Recommendation as it preferred to initiate discussions with the Port Hedland Visitor Centre Committee, prior to agreeing in principal, to the concept of a Board assuming management of both facilities being subject to appropriate agreements being negotiated with relevant parties.*

**11.2.2 Planning Services****11.2.2.1 Delegated Planning Approvals for December 2006 and January 2007 (File No.: 18/07/0002)**

**Officer** Lyn McAllister  
Administration Officer  
Development and  
Regulatory Services

**Date of Report** 20 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

This item relates to the Planning Applications considered under Delegated Authority for the months of December 2006 and January 2007.

**Background**

A list of Planning Consents issued by Council's Planning Services under Delegated Authority for the months of December 2006 and January 2007 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

**200607/196 Council Decision/Officer's Recommendation**

**Moved:** Cr S F Sear

**Seconded:** Cr J M Gillingham

**That the Schedule of Planning Consents issued by Delegated Authority for the months of December 2006 and January 2007 be received.**

**CARRIED 6/0**

*ATTACHMENT TO AGENDA ITEM 11.2.2.1*

Applic No	Application Date	Date Determined	Description	Applicants name.	Owners Name	Address	Deleg.	Zoning
2006/91	28 Jul 06	18-Dec-06	CHANGE OF USE - INDUSTRY to HIRE SERVICES (Industrial)	ROHAN MEW	JOHN BURWELL	LOT 1430 MCKAY STREET PORT HEDLAND 6721	No	Industry
2006/95	9 Aug 06	4-Dec-06	GROUPED DWELLING - x 2 units	PILBARA CONSTRUCTION S PTY LTD	BHP BILLITON MINERALS PTY LTD	7 HALL STREET PORT HEDLAND WA 6721	No	R25
2006/130	5 Oct 06	14-Dec-06	MOTEL - conversion of existing motel units into a dining room for motel guests only.	Vaulken Pty Ltd	VAULKEN PTY LTD	15 COURT PLACE SOUTH HEDLAND WA 6722	Yes	Town Ctr
2006/133	9 Oct 06	1-Dec-06	STORAGE FACILITY/DEPOT/LAYDOWN AREA - patio addition to existing incidental office	Freedom Building	PILBARA TRUCKING PTY LTD	LOT 2524 GREAT NORTHERN HIGHWAY PORT HEDLAND 6721	Yes	Other Purposes
2006/144	30 Oct 06	13-Dec-06	SINGLE HOUSE - shed addition requiring R-Codes variation	Shidaz Pty Ltd	JENNIFER LOUISE MOELLER	15 BALER CLOSE SHELLBOROUGH 6722	Yes	R20
2006/157	10 Nov 06	5-Dec-06	HOTEL - toilet block addition	RAIN WEST HOLDINGS PTY LTD	RAIN WEST HOLDINGS PTY LTD	2-4 ANDERSON STREET PORT HEDLAND 6721	Yes	Town Ctr
2006/161	22 Nov 06	22-Dec-06	SUBDIVISION - 2 residential lots	WHELANS	DANIELLE LEE COWAN & CHRISTOPHER RANDLE HURSTFIELD	141 ANDERSON STREET PORT HEDLAND 6721	Yes	R12.5/30
2006/162	9 Nov 06	15-Dec-06	GROUPED DWELLING - 2 dwellings	John Kannis & Associates	DEPARTMENT OF HOUSING AND WORKS	28 SOMERSET CRESCENT SOUTH HEDLAND 6722	Yes	R50
2006/163	9 Nov 06	14-Dec-06	GROUPED DWELLING - 2 dwellings	John Kannis & Associates	DEPARTMENT OF HOUSING AND WORKS	20 GODRICK PLACE SOUTH HEDLAND 6722	Yes	R50
2006/165	9 Nov 06	15-Dec-06	GROUPED DWELLING - 2 dwellings	John Kannis & Associates	DEPARTMENT OF HOUSING AND WORKS	12 GODRICK PLACE SOUTH HEDLAND 6722	Yes	R50
2006/167	6 Nov 06	20-Dec-06	SINGLE HOUSE - shed addition, R-Codes Variation	Liz Brown	RODNEY STANLEY BROWN	10 HARPER STREET PORT HEDLAND 6721	Yes	R15

*ATTACHMENT TO AGENDA ITEM 11.2.2.1*

2006/172	8 Sep 06	28-Dec-06	INDUSTRY - GENERAL - Office addition	Freo Constructions	SABRECHIEF PTY LTD	LOT 1413 WILSON STREET PORT HEDLAND 6721	No	Industry
2006/176	15 Nov 06	12-Dec-06	AERODROME - Sea Container addition, storage	Greg Jones (Air Services Australia)	TOWN OF PORT HEDLAND	LOT 11 GREAT NORTHERN HIGHWAY PORT HEDLAND 6721	Yes	Airport
2006/177	30 Nov 06	20-Dec-06	STORAGE FACILITY/DEPOT/LAYDOWN AREA - Shed addition	Shidaz Pty Ltd	G P STOCKER & R A MCPHEE ATF THE STOCKER MCPHEE SUPERANNUATION FUND	3 MURRENA STREET WEDGEFIELD 6724	Yes	Industry
2006/182	1 Dec 06	11-Dec-06	SINGLE HOUSE - Codes Variation - Retrospective Approval - Carport and Garden shed additions	SOLIVIA ROLJIC	RATKO & SOLIVIA ROLJIC	1 PATON ROAD WALNUT GROVE 6722	Yes	R20
2006/193	4 Dec 06	20-Dec-06	PRIVATE RECREATION - 2x sea containers	SOUTH HEDLAND BOWLING & TENNIS CLUB	TOWN OF PORT HEDLAND	LOT 5471 HEDDITCH STREET LAWSON 6722	Yes	Community
2006/195	12 Dec 06	22-Dec-06	LIGHT INDUSTRY - addition to existing storage shed	PILBARA CONSTRUCTION PTY LTD	PILBARA CONSTRUCTION S PTY LTD	7 BYASS STREET CASSIA 6722	Yes	Mixed Business
2006/112.02		25-Jan-07	TRANSIENT WORKFORCE ACCOMMODATION - Proposed increase in camp numbers from 96 persons to 192 persons	The Pilbara Infrastructure Pty Ltd	TOWN OF PORT HEDLAND	LOT 2444 GREAT NORTHERN HIGHWAY PORT HEDLAND 6721	No	Airport
2006/142	25 Oct 06	25-Jan-07	STRATA SURVEY - Residential - creation of 2 lots	Makjap Pty Ltd	LEIGH ANTONY ITALIANO	UNIT A & B/ 62 MORGANS STREET PORT HEDLAND 6721	Yes	R121.5/30
2006/180	1 Dec 06	17-Jan-07	GROUPED DWELLING - 2 x Grouped Dwelling	John Kannis & Associates	CROWN	6 GODRICK PLACE SOUTH HEDLAND 6722	Yes	R50
2006/181	1 Dec 06	16-Jan-07	GROUPED DWELLING - 2 x Grouped Dwelling	John Kannis & Associates	CROWN	8 GODRICK PLACE SOUTH HEDLAND 6722	Yes	R50
2006/183	5 Dec 06	8-Jan-07	AMALGAMATION - consolidate 2 lots to create 1	Janine McDonald (Whelans WA Pty Ltd)	MANDAY INVESTMENTS PTY LTD	2-6 BYASS STREET SOUTH HEDLAND 6722	Yes	Mixed Business



*ATTACHMENT TO AGENDA ITEM 11.2.2.1*

2006/185	30 Nov 06	17-Jan-07	SHOWROOM & OUTDOOR DISPLAY - dwelling (display only), patio x 3 and carport additions	Desert Gecko Designs	PORTSILK HOLDINGS PTY LTD	1 NAIRN STREET SOUTH HEDLAND 6722	Yes	Mixed Business
2006/188		29-Jan-07	HOTEL/MOTEL - 8 transportable accommodation structures (32 x 1 bed units and carparking)	Goldland Corporation P/L (Gary Elson)	GOLDLAND CORPORATION	LOT 944 GREAT NORTHERN HIGHWAY PORT HEDLAND 6721	No	Tourism
2007/005		17-Jan-07	SINGLE HOUSE - shed addition	Shidaz Pty Ltd	SUZANNE MARIE VELKOSKI	18 GREENE PLACE WALNUT GROVE 6722	Yes	R20
2007/009	23 Jan 07	25-Jan-07	INDUSTRY - weighbridge addition	Cristian McGrory	SIMSMETAL	15 PEAWAH STREET WEDGEFIELD 6724	Yes	Industry
2007/010	25 Jan 07	31-Jan-07	STORAGE FACILITY/DEPOT/LAYDOWN AREA - shed addition	BM & JH Arrowsmith	BRIAN MICHAEL ARROWSMITH	10-12 RIDLEY STREET WEDGEFIELD 6724	Yes	Industry

5:59 pm Landscape Architect, Belinda Foster from EPCAD Pty Ltd, and sculptor Jon Tarry, entered the room and provided Council with a presentation on the proposed Public Sculpture works being undertaken.

**11.2.2.2 *Proposed Single House - Shed Additions and Sea Container requiring R-Code Variations at Lot 2 Manilha Drive, Port Hedland (File No:800026G)***

**Officer** Vickie LeGear  
Planning/Compliance Officer

**Date of Report** 21 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received an application from Mr Christopher Ferris, the owner of Lot 2 Manilha Drive, Port Hedland seeking planning approval for a single house – shed additions. The proposal involves formalising approval for an existing shed and proposed extension to the shed. It is also proposed to formalise approval for an existing garage, sea container, and wood storage structure observed on site during assessment of the application.

The proposal is inconsistent with 'Acceptable Development' for outbuildings as described by the Residential Design Codes of Western Australia. The area of the existing shed proposed to be extended, will exceed 100m<sup>2</sup>. Consideration of the application by Council is therefore required rather than determination under delegated Authority.

The proposal is not considered to raise significant planning issues and approval of the development subject to conditions is recommended.

**Background**

*The Site*

The site is included in the Rural Residential zone under the Town of Port Hedland Planning Scheme No. 5 (TPS5) and has an area of 1.03 ha. Adjoining properties are also included in the Rural Residential Zone.

The site has previously been used by the Commonwealth of Australia as a communications facility. The building associated with the facility has been converted for use as a residential dwelling, consistent with the zoning of the site.

The current proposal for the 8.4m x 14.4m shed was previously approved in November 2005 as an outbuilding. This approval has since lapsed and the current proposal does not include ablutions as previously approved.

### *The Proposal*

It is intended to use the 8.4m x 14.4m shed for storage and private display of Australian memorabilia.

On inspection of the site it was noted that there were other structures that may have required approval such as a single car garage, a sea container used for the storage of a car (hobby / project), and another structure being used for wood storage. Wood currently being stored in the open space areas of the site is in the process of being relocated into the storage structure.

The 8.4m x 14.4m shed is comprised of an existing transportable structure proposed to be extended to double its size and create an open floor area. The shed would be mounted on stumps and have an overall maximum height of 3.3m.

A copy of the application is included at Attachment A.

### **Statutory Implications**

In accordance with the *Planning and Development Act 2005* the proposed development is subject to the provisions of the TPS5 and subsequently the Residential Design Codes of Western Australia (R-Codes).

### *R-Codes Assessment*

The existing Single House is Permitted Development under TPS5 and does not require Council approval in accordance with section 4.1.3(f). The proposed 8.4m x 14.4m shed however, is considered to be an 'outbuilding' as defined by the R-Codes and subject to development criteria as are the existing garages and wood storage structures.

The proposed 8.4m x 14.4m shed is inconsistent with 'Acceptable Development' as provided by 3.10.1 A1 of the R Codes in that it:

- a) exceeds 60m<sup>2</sup> in area; and
- b) exceeds a wall height of 2.4m;

The proposed shed has an area of 120.96m<sup>2</sup> and a wall height of 3.7m.

The sea container currently housing a car is considered to be a transportable structure under TPS5 however given the size of the lot and its location away from the site's boundaries it is not considered to raise any significant planning issues.

The storage structure for the wood also raises no significant planning issues given its size and location on the lot. Use of this structure will also improve the appearance of the site by arranging materials in a more organised manner.

The existing garage is consistent with R-Codes requirements.

### **Consultation**

The application was referred to Building Services who have raised no objection to the proposal.

No external consultation is required for this application.

### **Policy Implications**

The proposed development has no implications for Council Policy.

### **Strategic Planning Implications**

The proposed development has no implications for Strategic Planning.

### **Budget Implications**

The proposed development has no significant implication for Council's budget. An application fee of \$100 was paid on lodgement of the application.

### **Officer's Comments**

The proposed 8.4m x 14.4m shed is not 'Acceptable Development' as prescribed by the R-Codes; therefore Council needs to be satisfied that the development meets the Performance Criteria. The Performance Criteria for outbuildings as described at 3.10.1 P1 of the R-Codes is as follows:

*"Outbuildings that do not detract from the streetscape or the visual amenity or residents or neighbouring properties."*

The proposed outbuilding will be located 15 metres from the front property boundary and 23.4 metres from the adjoining neighbours boundary. The adjoining site is currently vacant and any impact on that land will be minimal.

It is acknowledged that the proposed shed is significantly set back from property boundaries however given the size of the proposed building in addition to the garage, sea container and storage structure it will be noticeable from the street. To minimise any detrimental visual impact it is therefore recommended that any approval be conditioned to ensure the establishment of landscaping so as to provide a measure of screening when viewed from the street and adjoining properties.

**Officer's Recommendation**

That Planning Approval be granted for the construction of a single house - shed additions and sea container at Lot 2 Manilinha Drive (Application Number 2007/008), as indicated on the approved plans, subject to the following conditions:

- a) Development of the site is to be in accordance with the approved plans, which form a part of 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.
- c) The shed additions and sea container shall not be used for commercial or industrial purposes or human habitation.
- d) The colours of the sheds are to blend with those of the dwelling or environment to the satisfaction of the Manager Planning.
- e) Prior to construction, a landscaping plan is to be submitted and approved by the Manager Planning. The landscaping is to provide visual screening from the street and adjoining properties. The plan is to include location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.
- f) Landscaping is to be implemented and maintained in accordance with the approved plan, to the satisfaction of the Manager Planning.
- g) All stormwater shall be collected and disposed of to the specifications of the Director Engineering Services, to the satisfaction of the Manager Planning.

**FOOTNOTES**

- h) You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
- i) The applicant/owner is required to lodge an application for a Building Licence under the provisions of the Building Regulations and approval from the Town before commencing any works whatsoever.

- j) You are advised that drawings submitted for Building License are to be properly drawn and signed by a practising structural engineer.

**200607/197 Council Decision****Moved:** Cr S F Sear**Seconded:** Cr J M Gillingham

**That Planning Approval be granted for the construction of a single house - shed additions and sea container at Lot 2 Manilha Drive (Application Number 2007/008), as indicated on the approved plans, subject to the following conditions:**

- a) **Development of the site is to be in accordance with the approved plans, which form a part of 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.**
- c) **The shed additions and sea container shall not be used for commercial or industrial purposes or human habitation.**
- d) **The colours of the sheds are to blend with those of the dwelling or environment to the satisfaction of the Manager Planning.**
- e) **Prior to construction, a landscaping plan is to be submitted and approved by the Manager Planning. The landscaping is to provide visual screening from the street and adjoining properties. The plan is to include location, species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.**
- f) **Landscaping is to be implemented and maintained in accordance with the approved plan, to the satisfaction of the Manager Planning.**
- g) **All stormwater shall be collected and disposed of to the specifications of the Director Engineering Services, to the satisfaction of the Manager Planning.**

**FOOTNOTES**

- h) **You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.**

- i) The applicant/owner is required to lodge an application for a Building Licence under the provisions of the Building Regulations and approval from the Town before commencing any works whatsoever.**
- j) You are advised that drawings submitted for Building License are to be properly drawn and signed by a practising structural engineer.**
- k) 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.**

***CARRIED 6/0***

*REASON: Council included clause k) in relation to flooding.*

ATTACHMENT TO AGENDA ITEM 11.2.2.2



TOWN OF PORT HEDLAND  
TOWN PLANNING SCHEME NO. 5 APPENDIX 3

APPLICATION FOR PLANNING APPROVAL

**OWNER DETAILS** *Include names of all owners shown on the Title Deed.*

Name(s): CHRISTOPHER WILLIAM & KAREN LORENS FERRELL  
Postal address: PO Box 3002 SOUTH Hedland Postcode: 6722  
Contact Phone: 91725900 Fax: 91725900 Email: dingsocars@telstra.com.au  
Signature(s): [Signature] Date: 11/1/07  
Note: This application must be signed by the owner(s), or purchaser(s) of the land on which the development is proposed.

**APPLICANT DETAILS** *This person will be the contact for this application.*

Name / Company: N/A  
Address for Correspondence: Postcode:  
Contact Phone: Fax: Email:  
Signature: [Signature] Date: 11/1/07

**PROPERTY DETAILS** *Indicate where the proposed development is to take place.*

Lot No.: 2 Street No.: Street / Road: MARILYNNA DUE  
Suburb / Locality: Port Hedland (Tuanon River)

**DEVELOPMENT DETAILS** *Three (3) copies of plans detailing the development are required to be submitted with this application.*

Type of Development (Tick): Single House  Grouped Dwelling  Outbuilding   
Commercial Premises  Industrial Premises  Change of Use  Other   
Details: Street Stop Sign (600x300)

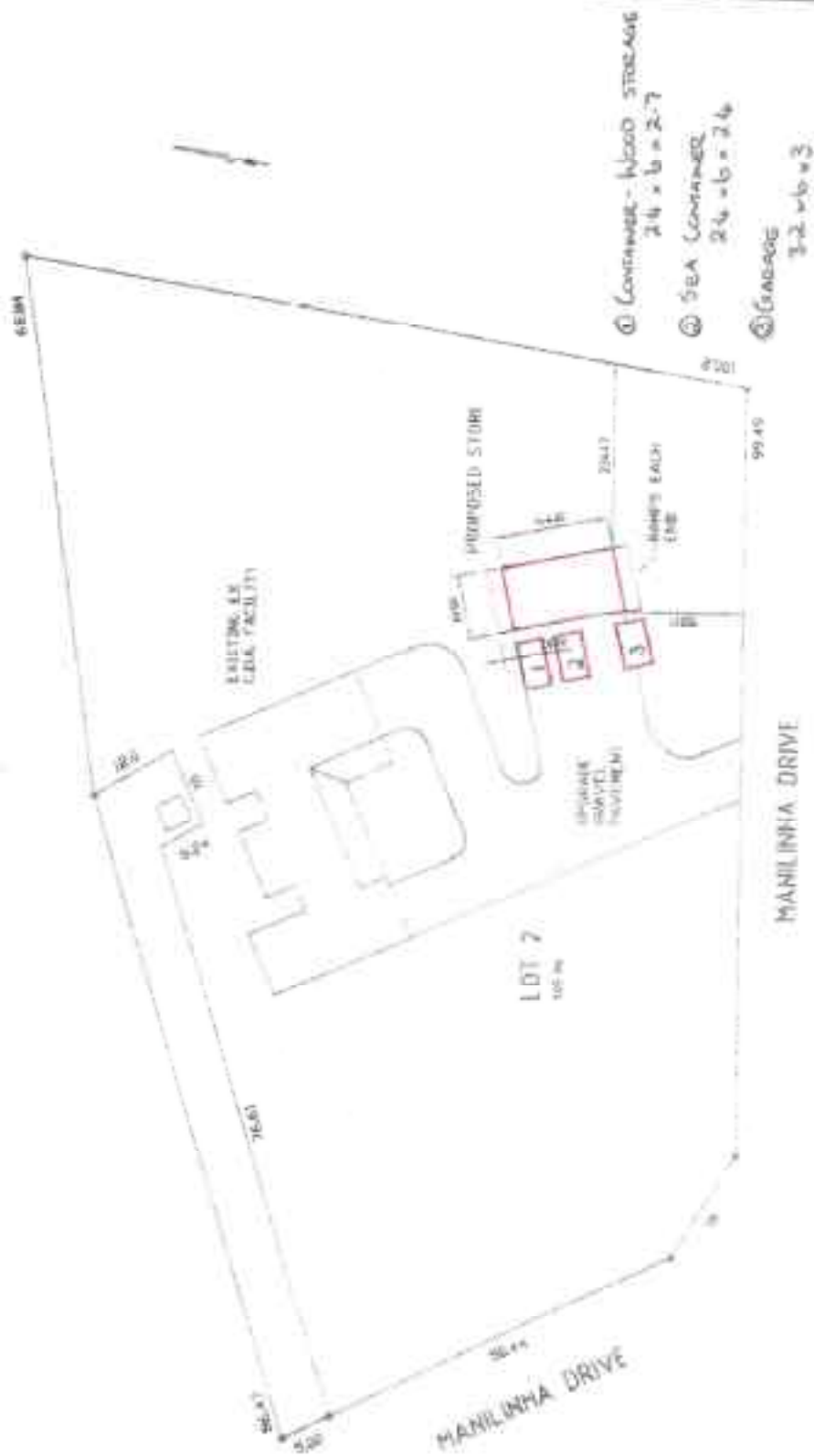
Approximate cost of proposed development (exc. GST): \$17500  
Estimated time of completion: 6 Months

46-06-264  
M/P  
800264

- NOTES:**
- 1. This is not an application for a building licence. Separate application forms and plans are to be submitted for such, after Planning Approval has been obtained.
  - 2. This application is subject to an upfront fee in accordance with the Schedule of Fees.
  - 3. This application will not be accepted unless the form is complete and signed, all required plans are submitted and the prescribed fee paid.

**OFFICE USE ONLY**  
Lodgement Date: 11/1/07 Acceptance Date: Fee: \$100.00  
Form / Plans Checked By: Application No.:





PROPOSED STORES & SORTING ROOM  
AT MANILINHA DRIVE  
TURNER RIVER

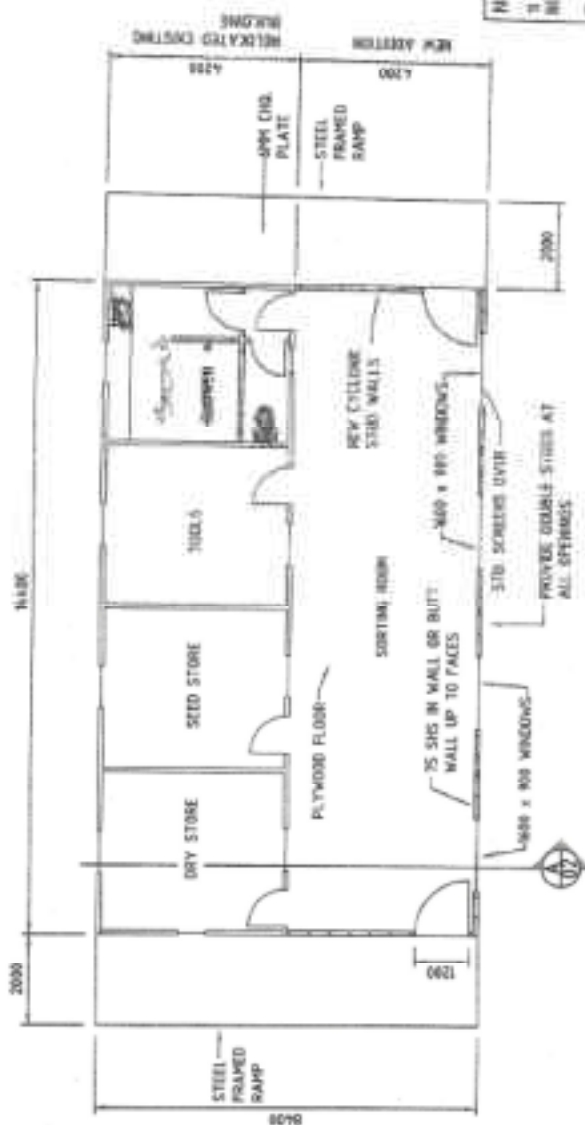
ROBIN SALJER & ASSOCIATES  
LANDSCAPE ARCHITECTS, PLANNING ENGINEERS & PHOTOGRAPHERS  
10/75, 1/11, 1/12 TURNER RIVER DRIVE, TURNER RIVER, VIC 3700

DATE	BY	NO.	REV.
			1
			2
			3
			4
			5

DATE: 28 FEB 2007 1:30:00 PM



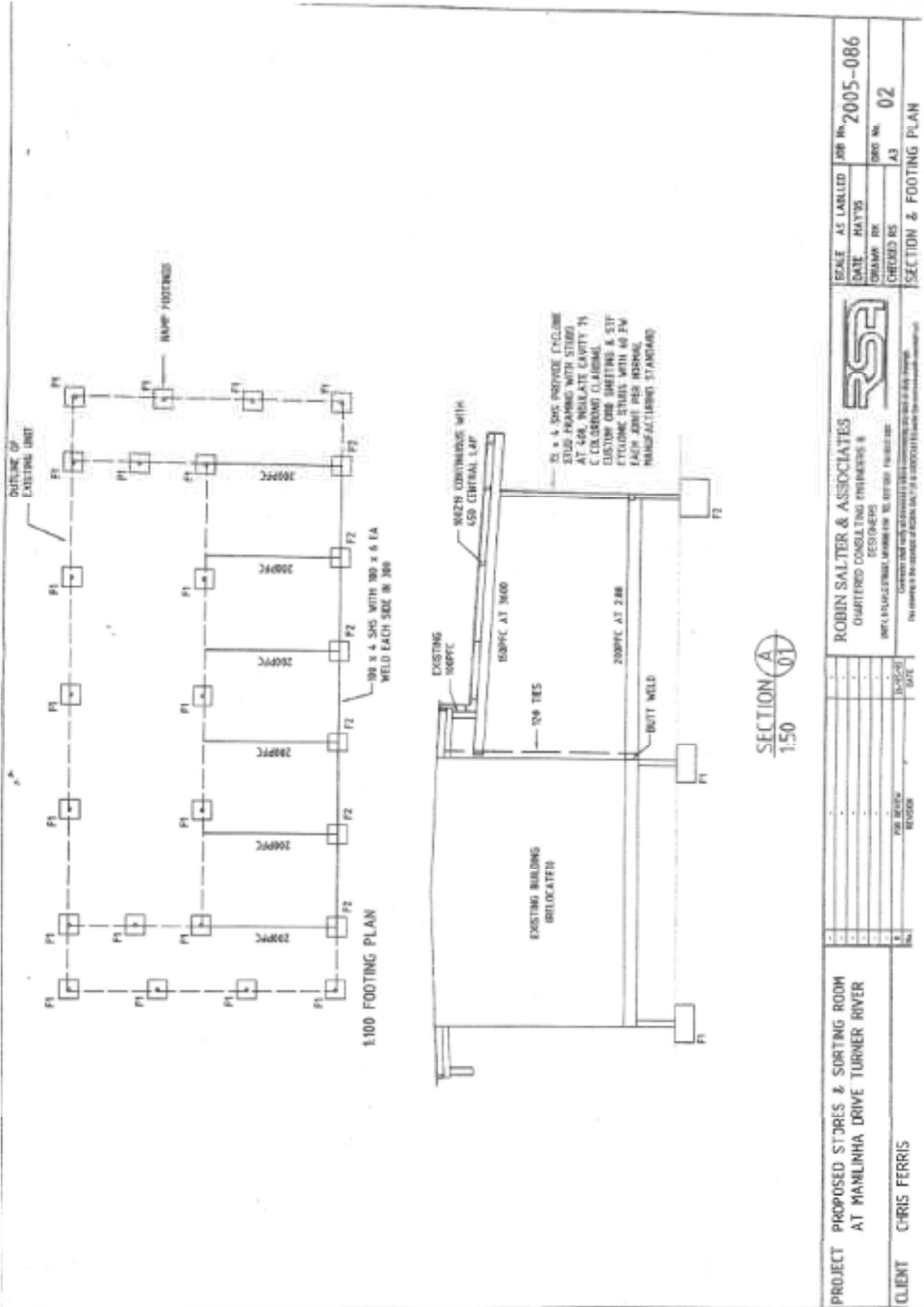
SECTION RAMP 150



FLOOR PLAN 1300

NOTE:  
 1) WORKERS SHOULD BE RATED TO 2500PA TO AVOID  
 2) DESIGN ROOMS D CAT. 2 TO ASTM D 2899  
 3) CONCRETE SHALL BE TO ASTM 4400 PROPERTIES TO BE 28.000 BRACE

PROJECT PROPOSED STORES & SORTING ROOM AT MANILINHA DRIVE TURNER RIVER		SCALE AS LABELLED JOB No. 2005-086	
CLIENT CHRIS FERRIS		DATE MAY '05	DRG No. 01
		DRAWN BY	CHECKED BY AS
		[PSA]	
ROBIN SALTIER & ASSOCIATES CHARITIED CONSULTING ENGINEERS & 207/14-16/15 10/15/16/15 10/15/16/15			
<small>The drawings are the property of ROBIN SALTIER &amp; ASSOCIATES. No part of this drawing may be reproduced or transmitted in any form or by any means electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of ROBIN SALTIER &amp; ASSOCIATES.</small>			



SCALE	AS LABELED	JOB NO.	2005-086
DATE	MAY '05	DWG NO.	02
DRAWN BY	RE	CHECKED BY	AS
SECTION & FOOTING PLAN			

**RSA**

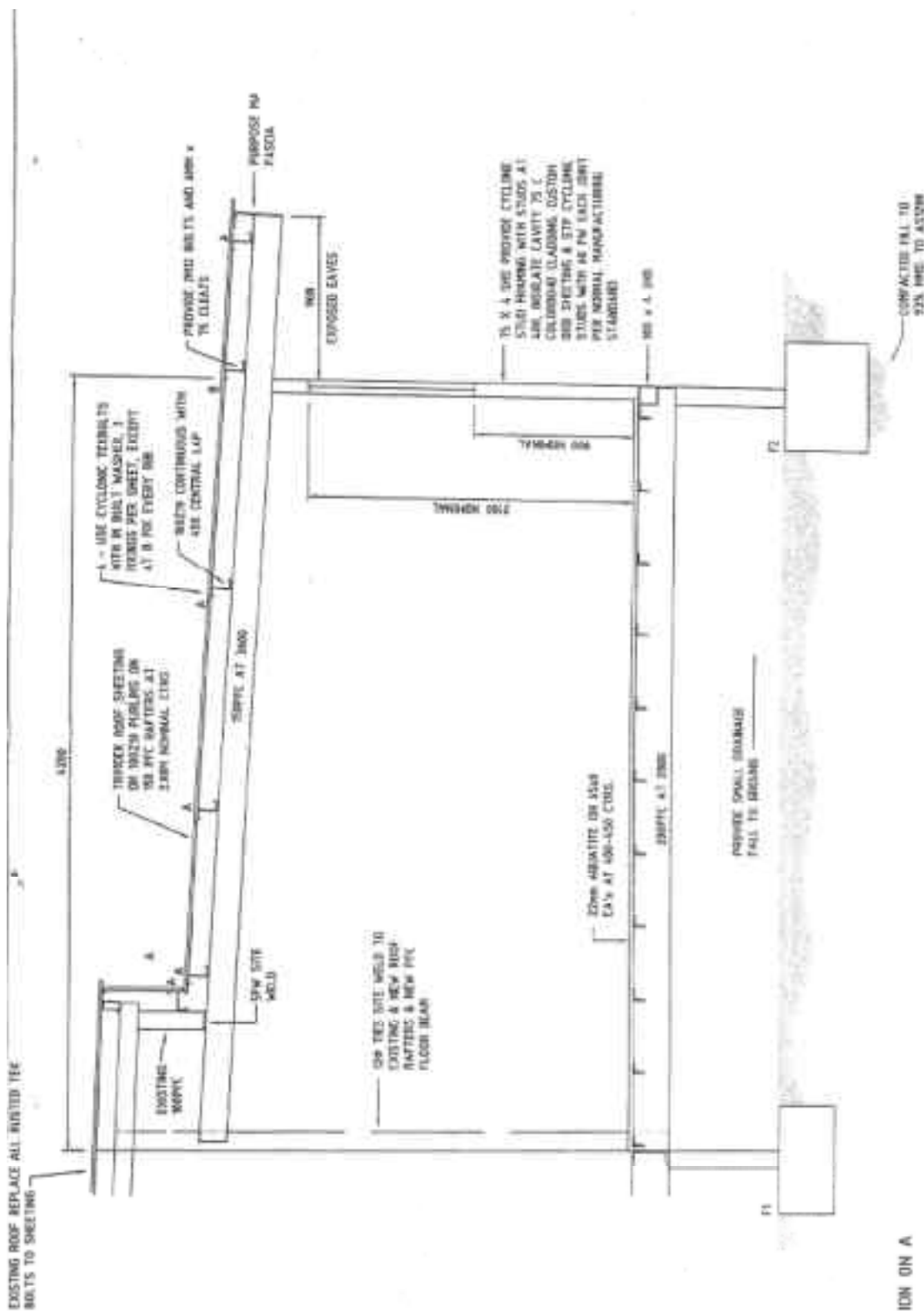
**ROBIN SALTER & ASSOCIATES**  
 CHARTERED CONSULTING ENGINEERS &  
 DESIGNERS

INCORPORATED IN AUSTRALIA  
 100 COLLEGE STREET, SYDNEY NSW 1570  
 TEL: (02) 9550 7400 FAX: (02) 9550 7401  
 THE COMPANY IS A MEMBER OF THE INSTITUTE OF STRUCTURAL ENGINEERS AUSTRALIA

NO.	REVISION	DATE

PROJECT PROPOSED STORES & SORTING ROOM  
 AT MANLINDA DRIVE TURNER RIVER

CLIENT CHRIS FERRIS



PROJECT	PROPOSED STORES & SORTING ROOM AT MANILHA DRIVE TURNER RIVER
CLIENT	CHRIS FERRIS
SCALE	1:50
DATE	2005-08-06
DESIGNED BY	ROBIN SALTER & ASSOCIATES
CHECKED BY	ROBIN SALTER
DATE	2005-08-06
JOB NO.	2005-086
DRW NO.	04
CHECKED BY	AS
 <b>ROBIN SALTER &amp; ASSOCIATES</b> CHARTERED CONSULTING ENGINEERS & ARCHITECTS 100-110 SOUTH BRISBANE ROAD, BRISBANE, QLD 4000 PH: (07) 3253 4444 FAX: (07) 3253 4445	
DETAIL C 2	

6:25 pm Councillor Arthur Gear declared a proximity interest as he lives in the same street, in Agenda Item 11.2.2.3 'Proposed Change of Use from Single House to Residential Building – Respite Facility for 6 Clients and 2 Supervisors – Lot 2889 (47) Acacia Way'. Councillor Gear left the room.

**11.2.2.3 *Proposed Change of Use from Single House to Residential Building – Respite Facility for 6 Clients and 2 Supervisors – Lot 2889 (47) Acacia Way, South Hedland (File No.: 106240G)***

**Officer** Richard Bairstow  
Manager Planning

**Date of Report** 21 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

An application was lodged for a Change of Use from Single House to Residential Building. The Change of Use was for the Pilbara & Kimberly Care Inc. to provide overnight respite facilities for six clients and 2 staff. The application was advertised and, as a result, an objection was received, and therefore the application is required to be determined by Council.

**Background**

The Pilbara & Kimberley Care Inc. submitted the application which is a non-government agency providing individual support to older people, people with disabilities, mental illness, terminal illness, veterans and their carers.

Pilbara & Kimberley Care currently provides services from 46 Acacia Way, South Hedland. These services include personal care, social support, educating and supporting clients with daily independent living skills, advocacy, and respite care, transportation to and from health appointments, banking, and access and participation to community events.

At present there are no respite overnight accommodation facilities available to people with high care needs, unless the community members wish to go through Port Hedland Regional Hospital or the Aged Care Facilities, which are operating on a waiting list and only offer one respite bed at anyone time.

*Proposal*

The proposal is to use Lot 2889 (47) Acacia Way as a Respite Facility for overnight accommodation and emergency respite for no more than six clients and 2 staff at any given time for a trial period of 6-8 months.

The property is located across the road from the existing facility. (See Attachment No. 1)

The proposal involves no modification of the building's façade or the attachment of any signage. Effectively its' appearance will be nothing more than a Single House.

If approval were granted by the Council the service would be immediately available after an initial set up time.

**Consultation**

As part of the Assessment process the application was advertised to adjoining owners (including those across the street) (See Attachment No. 1). Advertising was carried by letter from the 14 December 2006 to the 14 January 2007 with the advertising period extended to allow for the Christmas break. At the close of advertising one (1) submission in objection to the proposal had been received. The grounds of objection were provided to the applicant for comment. Following are the grounds of objection, the applicant's response (*Italic*) and a comment from the assessing officer.

*Objection: Increased traffic on a busy corner where everyone speeds.*

*Response: Pilbara & Kimberley Care Inc do not operate from any corner so it is not clear to Pilbara & Kimberley Care Inc that this should be a concern to the proposed premise at 47 Acacia Way. Although speeding vehicles are concerns to our community it is also out of our agency control, the staff do not demonstrate speeding at any time of business hours and there would be no more than the current vehicles in operation.*

*Should residence have concerns for the speeding in the area this possibly should be raised with the Local Police Department for further investigation. The increased traffic is also something that is out of the control of our agency due to population increase in the town there will be constant flow of traffic to the area due to the close proximity of Schools, Day Care Facilities and other Housing Accommodating Services to the vicinity of Acacia Way.*

Officer Comment: The impact of traffic associated with the proposal is considered to be consistent with other residences within the general area. As the applicant states, if there is an issue with vehicles speeding in the area then this matter should be referred to the Local Police.

*Objection: Increasing parking demand on the street, which will affect visibility when reversing from driveways.*

*Response: Pilbara & Kimberley Care Inc currently has 3 agency vehicles operating on each day Monday – Friday. On each evening there are only two vehicles left parked in the driveway under the carport for safe and secure parking. Pilbara & Kimberley Care Inc also has consideration for daytime parking and reduces this by car-pooling for staff to attend work. By doing so eliminates excessive vehicles related to the agency and reduces poor visibility that has been raised as a concern.*

Officer Comment: The applicant has advised that there will only ever be two vehicles parked at the premises. It is acknowledged that there may be additional drop offs and/or pick-ups by other vehicles, however these circumstances have been addressed by the recommended conditions.

*Objection: Possible noise at nighttime due to the nature of the residence.*

*Response: Pilbara & Kimberley Care Inc have been providing Community Service in the current location of 46 Acacia Way since 2002 and in this time there has never been any noise or other related problems to interfere with neighbours.*

*This objection also raises concerns for Pilbara & Kimberley Care Inc as the statement "the nature of the residence" I would like to ask to be clarified.*

*The residents that would be staying in the house overnight would be supervised at all times.*

Officer Comment: The residence will be staffed at all times and there is separate legislation, which exists under the Health Act to control the issue of noise.

*Objection: Possible devaluation of our property due to having two (2) carer facilities in close proximity.*

*Response: Pilbara & Kimberley Care Inc does not have any agency signage to display our name or services on the current location or the proposed block of 47 Acacia Way.*

*Pilbara & Kimberley Care do not advertise as care facility and unless you were using the service our agency would look like many normal houses around the community.*

*The Real Estate Market at current is extremely generous to Western Australia and due to this it would also be out of the hands as an agency to surrounding houses for the devaluation of their property.*

*Over the last two years Pilbara & Kimberley Care have been successful in funding to replace the old fence and carport at 46 Acacia Way these have been replaced with modern fencing and carport design. Pilbara & Kimberley Care also are currently waiting on further funding to be confirmed to provide landscaping to the current location at 46 Acacia Way this will assist in providing nice gardens to help beautify the premise and contribute to the area of which we are located.*

Officer Comment: The issue of a valuation of a property is not a valid planning matter.

The application was also referred internally for comments from Council's Building and Health Departments. Both Department's comments have been reflected within the recommendation where appropriate, or addressed as part of the assessment.

### **Statutory Implications**

In accordance with the *Planning and Development Act 2005* the proposed development is subject to the provisions of the Town Planning Scheme No. 5.

Clause 4.3.3 – Advertising of Applications states where Council is required or decides to give notice of an application for planning approval the Council shall:

- “(a) determine a submission period of not less than 14 days which is appropriate to the potential impact of the development and takes into account calendar events which may detract from the effective advertising of the proposal or the preparation of submissions,*
- (b) determine the level of notice required as one or more of the following:*
  - (i) serving notice of the proposed development, adequately describing and illustrating the proposal, on the owners and occupiers as likely to be affected by the granting of planning approval, stating that submissions may be made to the Council within the submission period,*
  - (ii) publishing notice of the proposed development, adequately describing and illustrating the proposal, in a local newspaper circulating in the Scheme area stating that submissions may be made to the Council within the submission period, which may be 14 days or longer as*



- determined by Council pursuant to subclause 4.3.3 (a), and*
- (iii) *erecting a sign or signs displaying notice of the proposed development, adequately describing and illustrating the proposal, in a conspicuous position on the land for the duration of the submission period,*
- (c) *give notice of the proposed development in accordance with its determination pursuant to subclause 4.3.3 (b)."*

Council's Notice of Delegation – Clause 40.1 requires:

*"Where any objection is received by a Councillor or a member of the public, or the proposal may have an effect on the amenity or the orderly and proper planning of the locality then the application is to be referred to Council for determination."*

### **Policy Implications**

The proposed development has no implications for Council Policy.

### **Strategic Planning Implications**

The proposed development has no implications for Strategic Planning.

### **Budget Implications**

The proposed development has no significant implication for Council's budget. An application fee of \$100.00 was paid on lodgment of the application.

### **Officer's Comment**

The proposal to accommodate up to 8 people (including staff) is only slightly larger than the 6 people that are allowed to be accommodated under the definition of a Single House. The applicant has clearly outlined the proposed method of operation and the nature of the clients to be accommodated. The applicant has advised that a lease was provided by BHP as this location was considered less desirable by BHP staff and was vacant. The proposal will provide the community with the opportunity to access respite facilities, which are currently not available from a community-based program.

The streetscape of the proposal will be nothing more than a single house and conditions have been included to ensure this.

Conditions have also been recommended to ensure the landscaping of the proposal is addressed and that the proposed methods of operation are maintained.

**Officer's Recommendation**

That Planning Approval be granted for the Change of Use from Single House to Residential Building – Respite Facility for 6 clients and 2 supervisors – Lot 2889 (47) Acacia Way, South Hedland (Application Number 2006/187), as indicated on the approved plans, subject to the following conditions:

- a) 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.
- b) The Change in Use is only granted to the Pilbara & Kimberley Care Inc. for the use as a Respite Facility for a maximum of 6 clients and 2 supervisors at any one time.
- c) The proposal is to operate in accordance with the letters submitted by the Pilbara & Kimberley Care Inc. regarding the proposed operation of the building dated 29<sup>th</sup> November 2006 and 8<sup>th</sup> February 2007 and to the satisfaction of the Manager Planning.
- d) Clients' visitors are to be limited to drop off and pick ups only and any vehicles associated with these visits should be parked within the property boundary all to the satisfaction Manager Planning.
- e) The property is to be maintained to a standard of a Single House with no identifying features, which indicate its use as a respite facility, all to the satisfaction of the Manager Planning.
- f) A detailed landscaping plan to be submitted, and approved, by the Manager Planning within 30 days of the building being occupied. The plans to include location, plant species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.
- g) Landscaping and reticulation to be established in accordance with the approved detailed plans prior to the development first being occupied and thereafter maintained to the satisfaction Manager Planning.
- h) All stormwater shall be collected and disposed of in a manner acceptable to the Manager Planning.

**FOOTNOTES**

- i) In regard to condition 1, a fresh application will be required if the method of operation changes, service provider changes or if the building is externally modified in any way.

- j) Be advised that if more than 6 persons are to be accommodated then the proposal must comply with the Town of Port Hedland Local Laws.
- k) You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
- l) 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.
- m) Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

**200607/198 Council Decision****Moved:** Cr S F Sear**Seconded:** Cr D R Pike

**That Planning Approval be granted for the Change of Use from Single House to Residential Building – Respite Facility for 6 clients and 2 supervisors – Lot 2889 (47) Acacia Way, South Hedland (Application Number 2006/187), as indicated on the approved plans, subject to the following conditions:**

- a) **This approval is valid for 8 months only and an application for renewal of approval shall be submitted at least 4 weeks prior to the expiry of this approval. If application for renewal is not made then the Residential Building - Respite Facility use shall immediately cease operation at the end of the 8 months.**
- b) **The Change in Use is only granted to the Pilbara & Kimberley Care Inc. for the use as a Respite Facility for a maximum of 6 clients and 2 supervisors at any one time.**
- c) **The proposal is to operate in accordance with the letters submitted by the Pilbara & Kimberley Care Inc. regarding the proposed operation of the building dated 29<sup>th</sup> November 2006 and 8<sup>th</sup> February 2007 and to the satisfaction of the Manager Planning.**

- d) Clients' visitors are to be limited to drop off and pick ups only and any vehicles associated with these visits should be parked within the property boundary all to the satisfaction Manager Planning.**
- e) The property is to be maintained to a standard of a Single House with no identifying features, which indicate its use as a respite facility, all to the satisfaction of the Manager Planning.**
- f) A detailed landscaping plan to be submitted, and approved, by the Manager Planning within 30 days of the building being occupied. The plans to include location, plant species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.**
- g) Landscaping and reticulation to be established in accordance with the approved detailed plans prior to the development first being occupied and thereafter maintained to the satisfaction Manager Planning.**
- h) All stormwater shall be collected and disposed of in a manner acceptable to the Manager Planning.**
- i) The Residential Building - Respite Facility shall be operated in such a manner that it will be unobtrusive and will not prejudicially affect the amenity of the area to the satisfaction of the Manager Planning.**
- j) No vehicles associated with the Residential Building - Respite Facility shall be parked on the street or the road verge.**
- k) Collections or deliveries other than of clients shall not involve anyone other than an employee of the applicant visiting the premises.**

**FOOTNOTES**

- l) In regard to condition 1, a fresh application will be required if the method of operation changes, service provider changes or if the building is externally modified in any way.**
- m) Be advised that if more than 6 persons are to be accommodated then the proposal must comply with the Town of Port Hedland Local Laws.**

- n) You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
- o) 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.
- p) Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

**CARRIED 5/0**

**REASON**

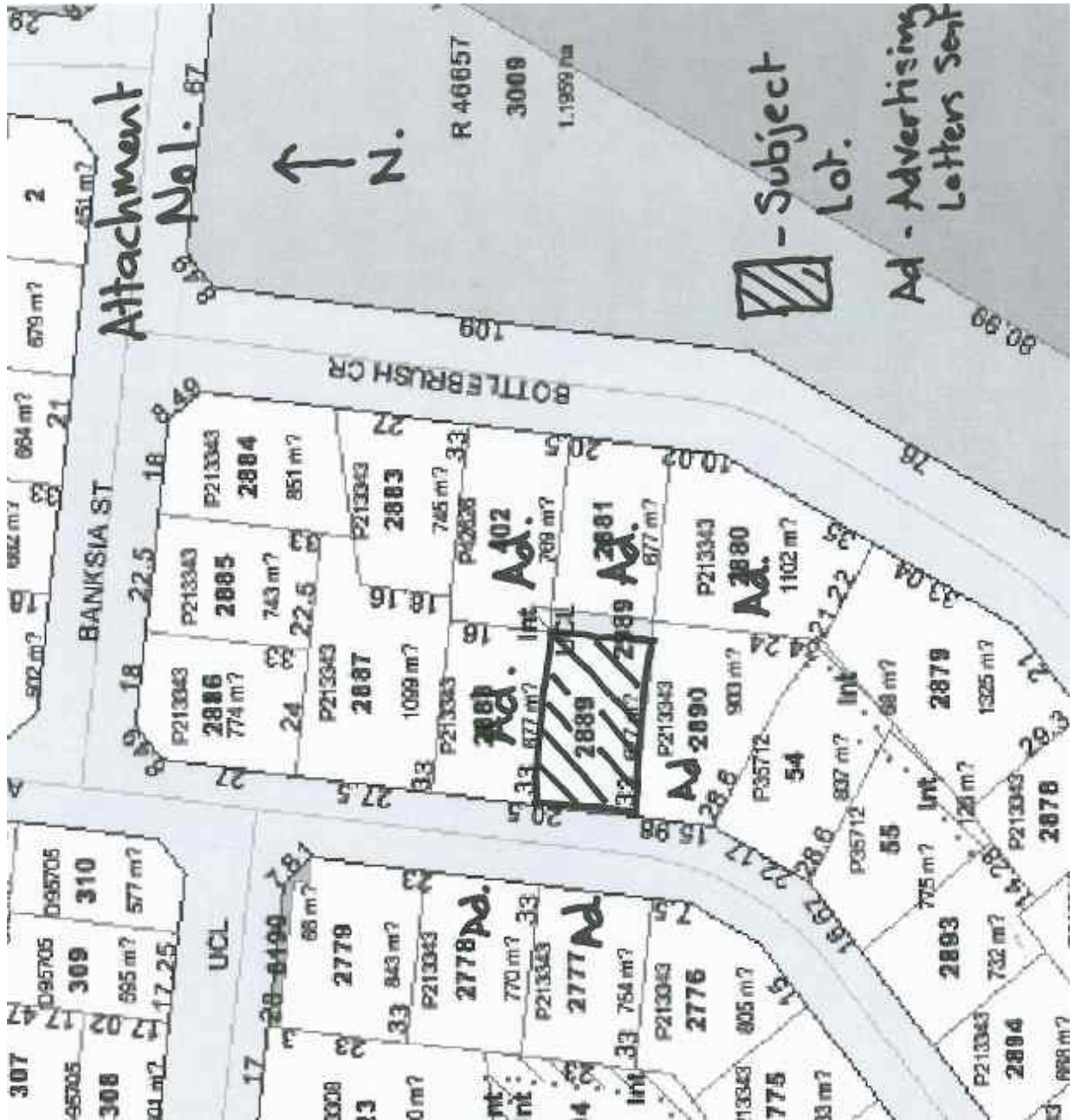
*Council sought for to change clause a), to reduce the approval period from 24 months to 8 months, at which time Council can review any social impacts of residences in the immediate vicinity of the facility.*

*Council also resolved for the following additional conditions to be placed on the planning approval:*

- “i) The Residential Building - Respite Facility shall be operated in such a manner that it will be unobtrusive and will not prejudicially affect the amenity of the area to the satisfaction of the Manager Planning.*
- j) No vehicles associated with the Residential Building - Respite Facility shall be parked on the street or the road verge.*
- k) Collections or deliveries other than of clients shall not involve anyone other than an employee of the applicant visiting the premises”.*

6:31 pm Councillor Arthur Gear re-entered the room and assumed his chair. Deputy Mayor advised Councillor Gear of Council's decision

ATTACHMENT TO AGENDA ITEM 11.2.2.3



**11.2.2.4 Proposed Incidental Accommodation and Storeroom Additions to the Existing Hall – Lot 1628 R29781 Moore Street, Port Hedland (File No:123310G)**

<b>Officer</b>	Richard Bairstow Manager Planning
<b>Date of Report</b>	21 February 2007
<b>Disclosure of Interest by Officer</b>	Nil

**Summary**

An application has been lodged by the Masonic Lodge for the proposed addition of two transportable buildings to be used temporarily by the membership for accommodation associated with meetings and for storage.

The land is reserved and therefore any change in the development is required to be determined by Council.

**Background**

*The Site*

The site is reserved Public Purposes (Hall Site) under the Town of Port Hedland Planning Scheme No. 5 (TPS5) and has an area of approximately 4000m<sup>2</sup>. The lot is bounded by street on 3 sides and the 4<sup>th</sup> is a reserved lot occupied by the Country Women's Association (CWA). (See attachment No. 1).

The site currently contains a hall, shade structures and associated carparking.

*The Proposal*

It is intended to use two 12m x 2.940m x 3.6m (including 600mm footing) transportable buildings for 6 accommodation units and storage (See Attachment No. 2).

The proposed accommodation is to only be used by visiting members attending meetings associated with the operations of the Masonic Lodge.

**Statutory Implications**

In accordance with Clause 2.2 of TPS5 which states:

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

The application is referred to Council for determination.

**Consultation**

The application was referred to Building and Health Services who have raised no objection to the proposal. Both Departments comments have been covered by the recommended conditions and footnotes.

No external consultation is required for this application.

**Policy Implications**

The proposed development has no implications for Council Policy.

**Strategic Planning Implications**

The proposed development has no implications for Strategic Planning.

**Budget Implications**

The proposed development has no significant implication for Council's budget. An application fee of \$100 was paid on lodgement of the application.

**Officer's Comments**

The proposal is for temporary accommodation and storage, and the application has stated that he was happy for conditions to be placed on the application limiting the time that the temporary structures can occupy the site.

Furthermore, the application includes a landscaping plan and a letter from BHP regarding the funding of the plan, which would result in the proposed development being substantially obscured by vegetation over the next couple of years.

It should be noted that discussions have been held with the Masonic Lodge about a possible future relocation and, therefore, conditions have been imposed to ensure that the current development will not prove to be an impediment to the implementation of such future plans.



**200607/199 Council Decision/Officer's Recommendation****Moved:** Cr A A Gear**Seconded:** Cr J M Gillingham

**That Planning Approval be granted for the construction of a Place of Public Meeting, Assembly or Worship – temporary incidental accommodation (6 units) and storage additions within two transportable buildings at Lot 1628 R29781 Moore Street, Port Hedland (Application Number 2007/019), as indicated on the approved plans, subject to the following conditions:**

- a) Development of the site is to be in accordance with the approved plans, which form a part of this approval.**
- b) This temporary 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.**
- c) At the conclusion of the 24 month approval period, the transportable buildings and associated infrastructure shall be removed at the applicant/owners' expense unless a fresh application is lodged and approved by the Town prior to the expiry of the current approval all to the satisfaction of the Manager Planning.**
- d) The landscaping plan submitted as part of this application shall be implemented within 90 days of the date of this approval, and maintained in accordance with the approved plan, all to the satisfaction of the Manager Planning.**
- e) A maximum of 6 members shall occupy the accommodation units at any one time.**
- f) The accommodation can only be used by members of the Masonic Lodge for the purpose of attending formal lodge meetings. No stay can be greater than 3 consecutive nights.**
- g) Existing leach drains to be relocated to the specifications of the Manager Environmental Health Services and to the satisfaction of the Manager Planning.**
- h) All stormwater shall be collected and disposed of to the specifications of the Director Engineering Services, to the satisfaction of the Manager Planning.**

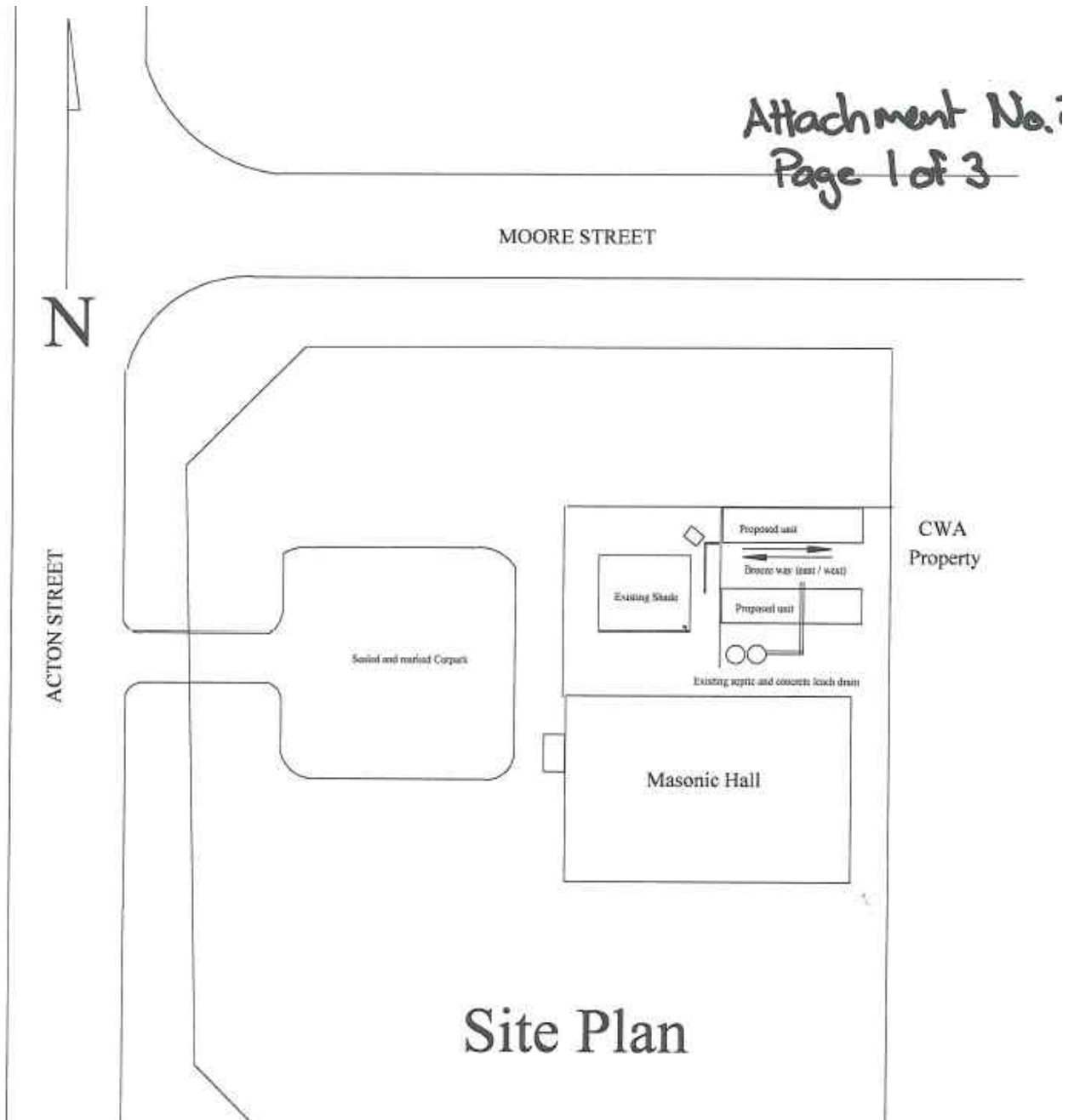
**FOOTNOTES**

- i) You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.**
- j) The applicant/owner is required to lodge an application for a Building Licence under the provisions of the Building Regulations and approval from the Town before commencing any works whatsoever.**
- k) You are advised that drawings submitted for Building License are to be properly drawn and signed by a practising structural engineer.**
- l) 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.**
- m) Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.**

***CARRIED 6/0***

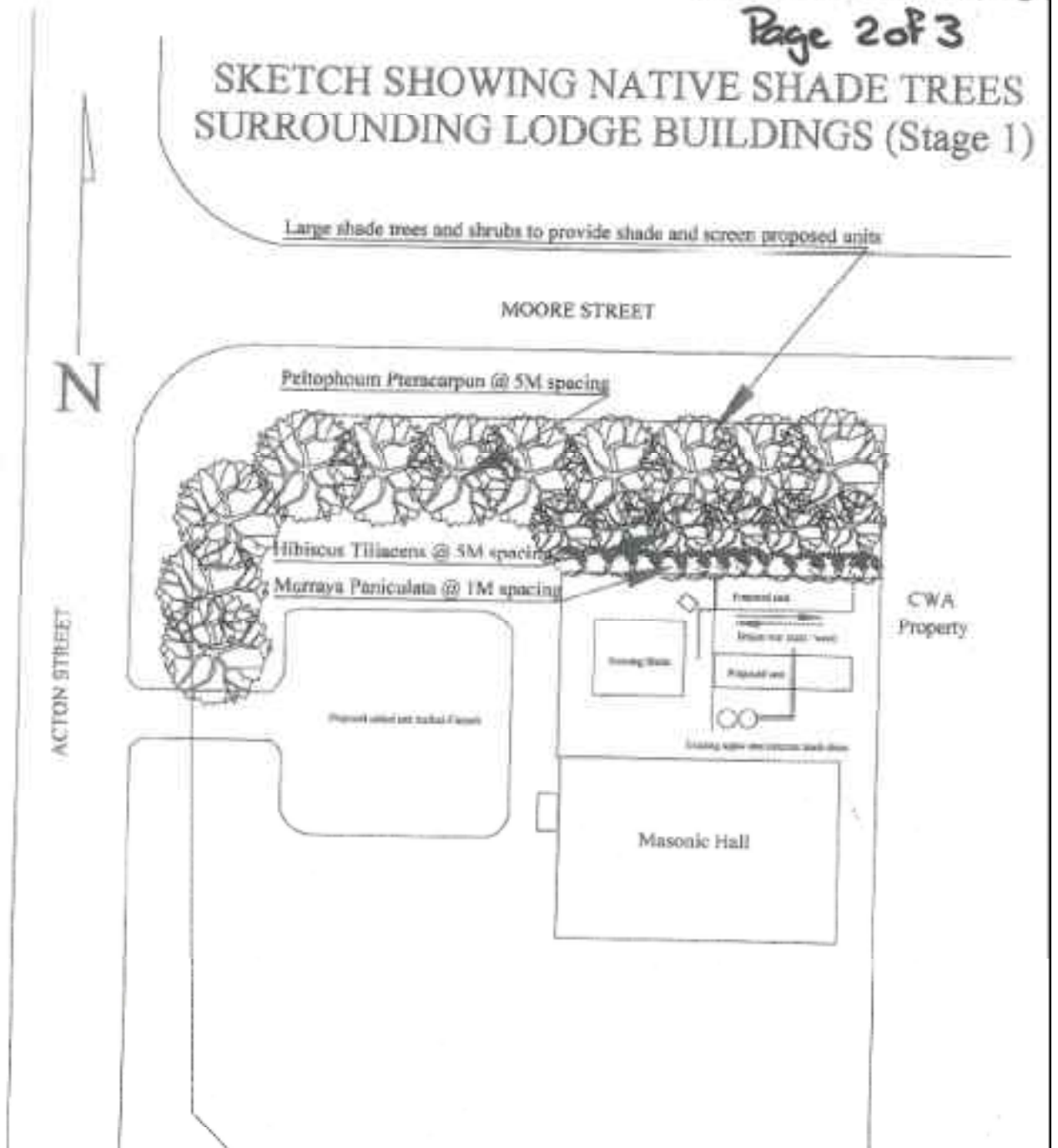


ATTACHMENT 2 TO AGENDA ITEM 11.2.2.4



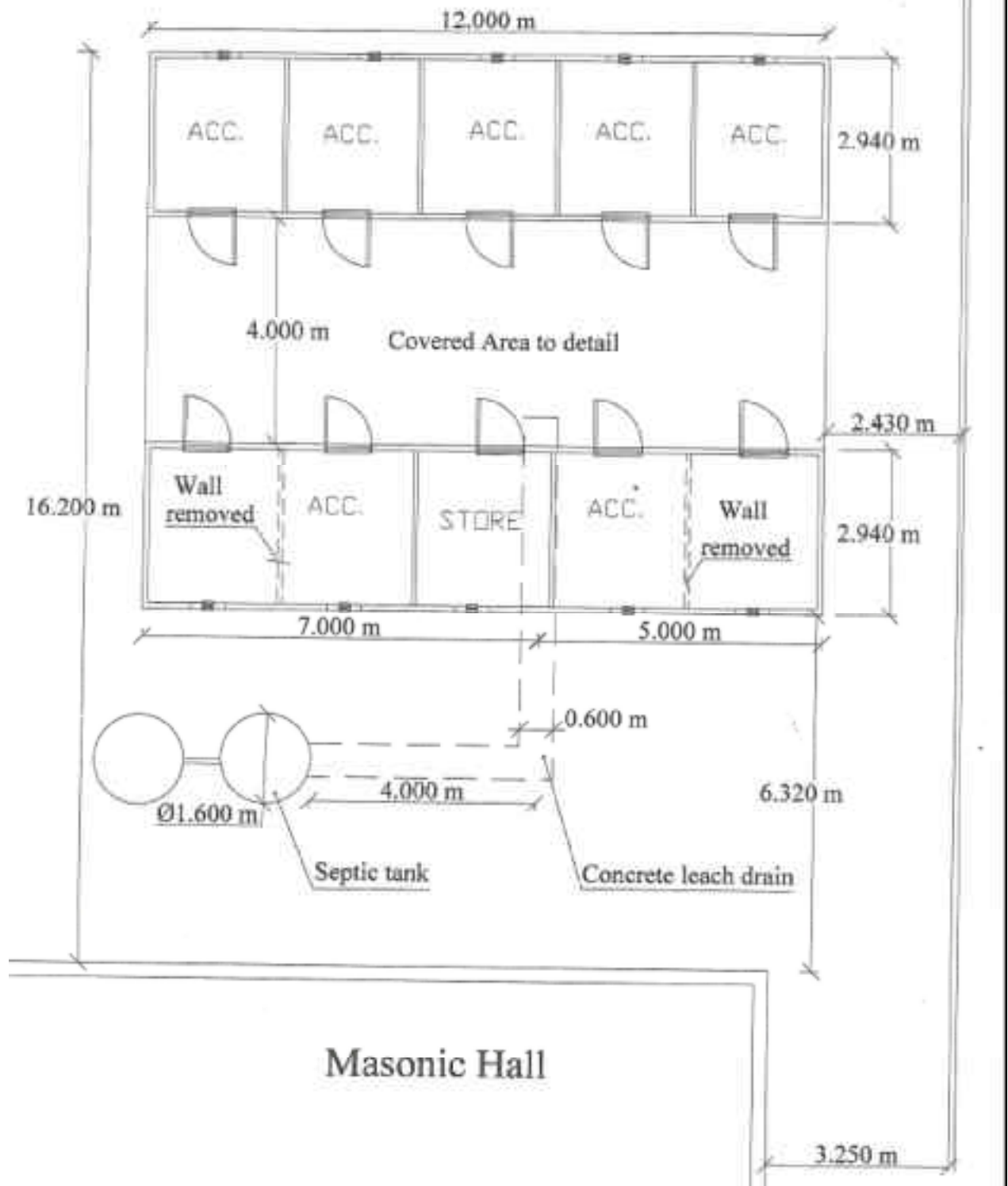
Attachment No 2  
Page 2 of 3

### SKETCH SHOWING NATIVE SHADE TREES SURROUNDING LODGE BUILDINGS (Stage 1)



Attachment No2. P. 3 of 3

Sketch showing layout of units (Not to scale)



ATTACHMENT 3 TO AGENDA ITEM 11.2.2.4



**11.2.2.5 Proposed Amendments to Town of Port Hedland Policy 12/001 Home Occupation (File No.: ...-...)**

<b>Officer</b>	Vickie LeGear Planning Officer
<b>Date of Report</b>	21 February 2007
<b>Disclosure of Interest by Officer</b>	Nil

**Background**

It is currently Council Policy to renew Home Occupation planning approvals annually. This process has lapsed in recent years and to encourage business operators to obtain or renew their home occupation permit, Planning Services conducted a survey in the form of a mail-out in December 2006 and January 2007 and a "ring around" to businesses for which no mailing address was available.

Attempts to assess applications received in response to this program, against the Town of Port Hedland Planning Scheme No. 5 (TPS5) and Policy 12/001 Home Occupation Policy (the Policy) have revealed significant flaws in the policy. Comprehensive review Policy 12/001 Home Occupation Policy is necessary to enable proper administration and assessment of the 43 businesses identified as operating from home.

A draft Home Occupation Policy has been prepared for Council's consideration and is included at Attachment 1.

As a consequence of proposed amendments to the Policy, amendments are also required to TPS5. These are outlined at Attachment 2.

**Officer's Comment**

It is generally accepted that a planning policy should provide guidance to the community and Council officers about how Council intends discretionary development standards in the planning scheme to be considered.

The current policy does not function that way. Instead, it adds another layer of regulation. This creates problems with the interpretation and implementation of TPS5 and Policy requirements. To address these issues, a series of amendments are recommended. These are outlined below, in relation to each section of the current policy. Each recommendation is followed by a discussion justifying the proposed changes.



**1. Policy Title***Recommendation*

Amend the title of the policy from:

“12/001 Home Occupation Policy” to:

“12/002 Operating a Business from Home”

*Justification*

The policy applies to ‘home occupations’ but also needs to include ‘mobile business,’ ‘home office,’ ‘home occupation’ and ‘home business.’

**2. Intent**

Based on feedback from Council’s briefing session on Wednesday 14 January 2007 the proposed amendments do not seek to avoid competition between home based businesses and those based in commercial centres. The need to accommodate business incubation is an issue to be addressed separately from the home occupation policy.

The proposal also seeks to accommodate people to having the choice to work from home and allow determination of home occupations, on the merits of the use rather than through strict prescriptive measures. Where prescriptive measures are proposed to be included in the policy they are intended to provide an indication of what Council would consider to be acceptable parameters for a business operating from home.

*Recommendation*

Revise the intent statement of the policy to identify the strategic goal(s) intended to be achieved through implementation of the policy to state:

It is the intent of this policy to accommodate a person’s choice to work from home whilst ensuring an acceptable level of residential amenity and maintaining the integrity or the Town’s residential neighbourhoods.

*Justification*

The current policy is unclear in outlining what Council is trying to achieve through the Home Occupation Policy.

NOTE: The strategic intent of the Policy is important in determining the policy’s effectiveness (a critical question for future reviews) and is valuable in assisting the application of discretion during the assessment of applications.

**3. Classification**

*3.1 Recommendation*

Amend the classification of a ‘mobile business’ to limit the tare weight of vehicles, to read as follows:

*A mobile business is a business from which all work is conducted at the client’s home, ~~a minor amount~~ no more than 20m<sup>2</sup> of material (including tools) may be required to be stored on site, only minor home office use is involved, and does not involve the use or calling of vehicle(s) with a combined tare weight of more than 3.5 tonnes(e.g. mobile mechanic, mobile hairdresser, mobile builder, plumber, electrician etc.)*

*3.1 Justification*

Vehicle noise is a key concern when considering the impacts of a home occupation on residential amenity and by prescribing a limit to the vehicle size it is intended to minimize any adverse noise impacts from large vehicles.

The 3.5 tonne limit is consistent with maximum vehicle size prescribed by the WA model scheme text for a home business.

*3.2 Recommendation*

Delete the ‘mobile business’ classification from the Policy and insert it into Appendix 1 – Definitions of TPS5.

*3.2 Justification*

Including a ‘mobile business’ definition in the planning scheme clearly identifies it as a use with an assigned level of assessment in the Zoning Table.

*3.3 Recommendation*

Insert the following row in the Zoning Table of TPS5:

	Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health	Education
mobile business	P	P	P	P	~	P	~	~	~	~	~	P	P	~	~	~

**3.3 Justification**

Including a ‘mobile business’ definition in the planning scheme clearly identifies it as a use with an assigned level of assessment in the Zoning Table.

**3.4 Recommendation**

Delete the ‘home office’ classification from the Policy and insert it into Appendix 1 – Definitions of TPS5.

See attachment 2 for further detail.

**3.4 Justification**

Including a ‘home office’ definition in the planning scheme clearly identifies it as a use with an assigned level of assessment.

**3.5 Recommendation**

Insert the following row in the Zoning Table of TPS5:

	Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health	Education
home office	P	P	P	P	?	P	?	?	?	?	?	P	P	?	?	?

**3.5 Justification**

Including a ‘home office’ definition in the planning scheme clearly identifies it as a use with an assigned level of assessment.

**3.6 Recommendation**

Insert the following clause into section 4.1.3 of TPS5:

*“4.1.3 Unless otherwise referred to the planning approval of Council is not required for the following development of land:*

*...  
(k) The operation of a mobile business or home office from a residence, in a zone in which it is a use that is a permitted (P) use, except as otherwise required by the Scheme.”*

### 3.6 *Justification*

This clause will make it clear that Council does not require planning approval for a 'mobile business' or 'home office' in residential zones.

### 3.7 *Recommendation*

Delete the 'home occupation' classification from the Policy and Delete the existing definition of 'home occupation' from TPS5 and insert the following definition into Appendix 1 – Definitions of TPS5:

*“home occupation means an occupation carried out in a dwelling or on land around a dwelling by a resident of the dwelling which:*

- does not employ any person not a member of the occupier's household;*
- will not cause injury to or adversely affect the amenity of the occupier's neighbourhood;*
- does not occupy an area greater than 20 square meters;*
- does not display a sign exceeding 0.2 square meter in area;*
- does not involve the retail sale, display or hire of goods of any nature;*
- in relation to vehicles and parking, will not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volumes in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and does not include provision for the fuelling, repair or maintenance of motor vehicles; and*
- does not involve the use of an essential service of greater capacity than normally available in the zone.”*

See Attachment 2 for further detail.

### 3.7 *Justification*

Including 'home occupation' in the planning scheme clearly identifies it as a use with an assigned level of assessment.

The zoning table already indicates that a 'home occupation' is an AA use in the appropriate zones.

### 3.8 *Recommendation*

Amend the 'home business' classification in the Policy as follows (proposed new text is underlined and proposed deletions are struck through):

*“**Home Business** means a business, service or profession carried out in a dwelling or on land around a dwelling which:*

- *does not employ more than two (2) people on site not members of the occupier's household;*
- *will not cause injury to or adversely affect the amenity of the occupier's household;*
- *does not occupy an area greater than 50 square meters;*
- *does not entail the retail sale, or display ~~or~~ hire of goods of any nature;*
- *~~in relation to vehicles and parking~~, will not result in traffic difficulties as a result of the inadequacy of parking or an increased ~~in~~ traffic volumes in the neighbourhood, and*
- *does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and*
- *does not involve the use of an essential service of greater capacity than normal required in the zone."*

### 3.8 *Justification*

The number of employees permitted for a business operating from home can be a concern and has been included in the definition to limit potential variation of this figure.

A prescriptive floor area has not been included so applications can be assessed on merit.

Prescriptive parameters are proposed for inclusion in the policy assessment criteria to assist in the application of discretion but can be varied where the merit of any proposal deems it appropriate.

The amended definition also allows the hire of goods to be considered as a home business.

### 3.9 *Recommendation*

Delete the home business classification from the Policy and insert it into Appendix 1 – Definitions of TPS5.

### 3.9 *Justification*

Including 'home business' in the planning scheme clearly identifies it as a use with an assigned level of assessment.

The assigned levels of assessment are consistent with those identified for a home occupation.

### 3.10 *Recommendation*

Insert the following row in the Zoning Table of TPS5:

	Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health
home business	AA	AA	AA	AA	~	AA	~	~	~	~	~	AA	AA	~	~

**3.10 Justification**

Including ‘home business’ in the planning scheme clearly identifies it as a use with an assigned level of assessment.

The assigned levels of assessment are consistent with those identified for a home occupation.

**4. Applications**

*Recommendation*

Amend the Applications section to only include Council’s requirement for mobile businesses and home offices to register their details with Council. To read as follows:

*“Mobile Business and Home Office*

Persons wishing to carry on a Mobile Business or Home Office are required to lodge details of the business activity, name and residential address with the Council.

While not requiring a Home Occupation permit, Mobile Business or Home Office may be subject to provisions of the Health Act and Regulations.

If the persons wish a written acknowledgement from the Town then a fee for 1 hour of written advice, as provided by Council’s Schedule of Fees and Charges, will be required to be paid and a response requested.”

*Justification*

Through including the various classifications of a home occupation as definitions in TPS5, the level of assessment is provided by the planning scheme.

**5. Renewals**

*Recommendation*

Revise the wording of the Renewals section of the policy from:

*“Any Home Occupation Permit shall be required to renew its approval annually. An application for the renewal of an existing Home Occupation shall be accompanied by the prescribed Home Occupations Renewal as determined by Council from time to time.*

*Renewal notices are issued by the Council before the end of each calendar year, however it is the permit holder’s responsibility to ensure the Home Occupation Permit is renewed if they wish to carry on the business.”*

to read as follows:

*“The holder of any approval to operate a business from home shall be required to renew its approval annually. Renewal notices are issued by the Council before the end of each calendar year, however it is the permit holder’s responsibility to ensure the Home Occupation Permit is renewed if they wish to carry on the business.”*

*Justification*

The current wording is unnecessarily long and unclear, creating confusion about Council’s expectations.

**6. Assessment Criteria**

6.1 *Recommendation*

Delete the following assessment criteria from the policy:

**‘Food** – *The business should not involve the preparation, packing, storing, handling, or supply for sale any food in residential premises.’*

6.1 *Justification*

A home business involving the handling of food may be achievable, subject to the requirements of Council’s, Environmental Health Services.

A note is included in the Policy to notify *mobile business* and *home office* operators that if handling food, approval under the Health Act and Regulations may be required.

6.2 *Recommendation*

Add an additional assessment criteria to the Policy as follows:

**“Size** – *The home business should not dominate the residential use of the site and should occupy an area within or around the dwelling, including area within an outbuilding, no greater than 60m<sup>2</sup> where located on property in an urban area,*

*or no greater than 200m<sup>2</sup> where located on property in the Rural and Rural Residential zones.”*

## **6.2**        *Justification*

The inclusion of size parameters in the policy provides an initial indication of what is likely to be an acceptable size for a home business but can be varied when appropriate.

The area of 60m<sup>2</sup> in urban residential areas has been included to compliment the accepted size of a residential outbuilding as prescribed in the Residential Design Codes of Western Australian.

In rural and rural residential zones an area of 200m<sup>2</sup> has been recommended based on parameters for shed requirements described in the Building Code of Australia.

## **7. Conditions of Approval**

### *Recommendation*

Delete the Conditions of Approval section from the Policy.

### *Justification*

Conditions of approval are determined in response to the merits of each proposal and should not be represented in a policy.

## **8. Fees**

### *Recommendation*

Delete the Fees section from the Policy.

### *Justification*

Fee requirements are included in Council's Schedule of Fees & Charges.

## **9. Council Assessment Procedures**

### *Recommendation*

Delete the Council Assessment Procedures section from the Policy.

### *Justification*

Assessment procedures should not be any different to those applied to any other application for planning approval. Advertising procedures are included in TPS5.



**Discussion**

It is important to understand that the role of Planning Policy is to support the statutory provisions of the Town Planning Scheme. The Assessment Criteria in the proposed Policy are therefore intended to clarify what Council generally considers as appropriate for the operation of a business from home.

As the policy is intended to clarify how discretion is to be applied to proposals, any prescribed parameters such as those provided for size (i.e. max 60m<sup>2</sup> in residential zone or 200m<sup>2</sup> in rural and rural residential zones) are therefore variable subject to the merits of the proposal. Conversely, it should be noted that the definitions proposed to be included in TPS5 (attachment 2) are intended to categorise the different types of businesses operating from home and therefore identify the scale of operations where the use of discretion is most appropriate.

Proposals varying or exceeding parameters included in the Policy should therefore be considered on their merits and whether they conflict with the intent of policy. For example, it may be that a business proposes to use the road reserve for carparking and is therefore inconsistent with the Parking assessment criteria in the Policy. The proposed variation to the policy requirement would need to be considered on its merits. Assessment would have due regard for the intent of the policy particularly, in relation to it ensuring that an acceptable level of residential amenity is maintained.

The inclusion of prescriptive parameters in the policy also enables consideration of the scale of the business and its appropriateness in a residential zone as opposed to being located in a commercial centre. These considerations ultimately lead to a need to examine the options for businesses operating from home that are growing and will ultimately become established commercial businesses in their own right. One such option may be for the creation of an area designed for 'business incubation.' This and other options however are beyond the scope of the Policy being considered, and would be best addressed as separate initiatives.

**Statutory Implications**

As indicated through recommendations 3 - 7 amendment to the Policy will require amendments to TPS5. These will primarily involve the inclusion of the recommended definitions for 'mobile business,' 'home office,' 'home occupation,' and 'home business.'

Details of proposed consequential amendments to TPS5 are included at Attachment 2.

Once Council has resolved to commence an amendment to TPS5 the next step involves referral to the EPA for determination of whether an environmental assessment is required.

The EPA will then provide direction as to whether the proposal can be advertised. The statutory requirements for advertising of a Scheme Amendment exceed those for a Local Planning Policy as prescribed by sections 5.1.4 of TPS5.

It is therefore intended that advertising of the proposed draft Policy commence after advice from the EPA as it is desirable to have the Policy and Scheme Amendments advertised concurrently.

The proposed draft Policy and amendments to TPS5 are included at Attachments 1 and 2 for Council's consideration.

### **Strategic Planning**

The review of the Home Occupation Policy is consistent with Strategy 6 of Goal 5 of the *Draft Strategic Plan 2007 – 2012* which requires review of all existing Town Planning Policies and development of a range of contemporary policies that are appropriate for the Town of Port Hedland.

### **Budget**

There will be costs associated with advertising the proposed amendments. These will be met within the existing Budget.

### **200607/200 Council Decision/Officer's Recommendation**

**Moved:** Cr A A Gear

**Seconded:** Cr G D Bussell

### **That Council:**

- i) Commence the amendment of the Town of Port Hedland Planning Scheme No. 5. pursuant to section 75 of the *Planning and Development Act* and in accordance with the process provided by section 25 the *Town Planning Regulations 1967*;**
- ii) Commence the amendment of the Town of Port Hedland Policy 12/001 Home Occupation Policy (Policy), in accordance with section 5.1.9 of the Town of Port Hedland Planning Scheme No 5 (TPS5);**
- iii) Refer the proposed draft amendments of TPS5, outlined at Attachment 2, to the Environmental Protection Authority (EPA) for direction on advertising as required by the *Planning and Development Act* and *Town Planning Regulations 1967*;**
- iv) Subject to direction from the EPA, advertise proposed amendments to TPS5 and notify the Western Australian Planning Commission accordingly;**

- v) Advertise the draft revised Policy in accordance with section 5.1.4 of TPS5, amended as outlined below, and included at Attachment 1, for the same time frame as the proposed amendments to TPS5.

- a) Amend the title of the policy to:

**‘Town of Port Hedland Policy 12/002 Operating a Business from Home’;**

- b) Revise the intent statement of the policy to identify the strategic goal(s) intended to be achieved through implementation of the policy to state:

“It is the intent of this policy to accommodate a person’s choice to work from home whilst ensuring an acceptable level of residential amenity and maintaining the integrity or the Town’s residential neighbourhoods.”;

- c) Delete the ‘mobile business’ definition from the Policy and insert it into Appendix 1 – Definitions of TPS5;

- d) Insert the following row in the Zoning Table of TPS5:

	Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health	Education
mobile business	P	P	P	P	~	P	~	~	~	~	~	P	P	~	~	~

- e) Amend the classification of a ‘mobile business’ to limit the tare weight of vehicles, to read as follows:

“A mobile business is a business from which all work is conducted at the client’s home, no more than 20m<sup>2</sup> of material (including tools) may be required to be stored on site, only minor home office use is involved, and does not involve the use or calling of vehicle(s) with a combined tare weight of more than 3.5 tonnes (e.g. mobile mechanic, mobile hairdresser, mobile builder, plumber, electrician, etc.)”

- f) Delete the ‘home office’ classification from the Policy and insert it into Appendix 1 – Definitions of TPS5.

- g) Insert the following row in the Zoning Table of TPS5:

	P Residential	P Urban Development	P Transient Workforce Accommodation	P Town Centre	~ Commercial	P Tourism	~ Mixed Business	~ Airport	~ Strategic Industry	~ Industry	~ Industrial Development	P Rural	P Rural Residential	~ Community	~ Health	~ Education
home office	P	P	P	P	~	P	~	~	~	~	~	P	P	~	~	~

h) Insert the following clause into section 4.1.3 of TPS5:

“4.1.3 Unless otherwise referred to the planning approval of Council is not required for the following development of land:

...

(k) The operation of a mobile business or home office from a residence, in a zone in which it is a use that is a permitted (P) use, except as otherwise required by the Scheme.”;

i) Delete the ‘home occupation’ classification from the Policy and the existing ‘home occupation’ definition in TPS5 and insert the following into Appendix 1 – Definitions of TPS5.

“home occupation means an occupation carried out in a dwelling or on land around a dwelling by a resident of the dwelling which:

- does not employ any person not a member of the occupier’s household;
- will not cause injury to or adversely affect the amenity of the occupier’s neighbourhood;
- does not occupy an area greater than 20 square meters;
- does not display a sign exceeding 0.2 square meter in area;
- does not involve the retail sale, display or hire of goods of any nature;
- in relation to vehicles and parking, will not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volumes in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- does not involve the use of an essential service of greater capacity than normally required in the zone.”;

- j) Amend the ‘home business’ classification in HOP 12/001 to read as follows:

“Home Business means a business, service or profession carried out in a dwelling or on land around a dwelling which:

- does not employ more than two (2) people on site not members of the occupier’s household;
- will not cause injury to or adversely affect the amenity of the occupier’s household;
- does not entail the retail sale, or display of goods of any nature;
- will not result in traffic difficulties as a result of the inadequacy of parking or an increased traffic volumes in the neighbourhood, and
- does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- does not involve the use of an essential service of greater capacity than normal required in the zone.”;

- k) Delete the home business classification from the Policy and insert it into Appendix 1 – Definitions of TPS5;

- l) Insert the following row in the Zoning Table of TPS5:

	Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health	Education
home business	AA	AA	AA	AA	~	AA	~	~	~	~	~	AA	AA	~	~	~

- m) Amend the Applications section to only include Council’s requirement for mobile businesses and home offices to register their details with Council and to read as follows:

**“Mobile Business and Home Office**

Persons wishing to carry on a Mobile Business or Home Office are required to lodge details of the business activity, name and residential address with the Council.

While not requiring a Home Occupation permit, Mobile Business or Home Office may be subject to provisions of the Health Act and Regulations.

If the persons wish a written acknowledgement from the Town then a fee for written advice, as provided by Council's Schedule of Fees and Charges, will be required to be paid and a response requested.”;

- n) **Revise the wording of the Renewals section of the policy from to read as follows:**

“The holder of any approval to operate a business from home shall be required to renew its approval annually. Renewal notices are issued by the Council before the end of each calendar year, however it is the permit holder's responsibility to ensure the Home Occupation Permit is renewed if they wish to carry on the business.”

- o) **Delete the following assessment criteria from the policy:**

“Food – The business should not involve the preparation, packing, storing, handling, or supply for sale any food in residential premises.”;

- p) **Add additional assessment criteria to the Policy as follows:**

“Size – The home business should not dominate the residential use of the site and should occupy an area within or around the dwelling, including area within an outbuilding, no greater than 60m<sup>2</sup> where located on property in an urban area, or no greater than 200m<sup>2</sup> where located on property in the Rural and Rural Residential zones.”;

- q) **Delete the Conditions of Approval section from the Policy;**

- r) **Delete the Fees section from the Policy; and**

- s) **Delete the Council Assessment Procedures section from the Policy.**

***CARRIED 6/0***

## ATTACHMENT 1 TO AGENDA ITEM 11.2.2.5

*Town of Port Hedland Policy 12/002 Operating a Business From Home*



## TOWN OF PORT HEDLAND POLICY 12/002 HOME OCCUPATION POLICY

### **Intent**

It is the intent of this policy to accommodate a person's choice to work from home while ensuring an acceptable level of residential amenity and the integrity of the Town's residential neighbourhoods is maintained.

### **Mobile Business and Home Office**

Persons wishing to carry on a *Mobile Business* or *Home Office* are required to lodge details of the business activity, name and residential address with the Council.

While not requiring a Home Occupation permit, *Mobile Business* or *Home Office* may be subject to provisions of the Health Act and Regulations.

### **Home Occupation and Home Business Assessment**

The following factors shall be considered in assessing each application for approval to conduct a Home Occupation or Home Business:

- **Traffic** - The business should not attract more than the normal residential volume of traffic into the street, and generally should not involve the calling of clients to the house.
- **Parking** - All vehicles associated with the business should be parked on the lot and generally should be located behind the building line, in a garage or otherwise screened from view.
- **Noise** - Noise from vehicles or equipment associated with the business should not be disruptive to neighbours and should not occur at any unreasonable hours.
- **Safety** - Normal safety should not be threatened, particularly by traffic, turning and maneuvering of vehicles or obstruction of vision.
- **Size** - A home occupation and home business should remain incidental to the residential use of the site and should occupy an area within or around the dwelling, including area within an outbuilding, no greater than 60m<sup>2</sup>, or no greater than 200m<sup>2</sup> where located on property in the Rural and Rural Residential zones.
- **Interference** - There should be no adverse interference with adjacent residents caused by any of the factors mentioned in the Town Planning Scheme.

*Town of Port Hedland Policy 12/062 Operating a Business From Home*

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- *Standard of Living* - The presence of the business should not lower the standard of living on that Lot or any of the adjacent Lots
- *Appearance* - The appearance of the premises should not be significantly different from a standard residential premises and all things such as vehicles, plant and equipment, materials, etc should be adequately screened from view.
- *Services* - The business should not require greater than standard residential services and the operation of the business should not in anyway affect the services to adjacent Lots.
- *Scale of Operation* - The scale of operation of the business should at all times be maintained at a level compatible with the above eight criteria.

**Renewals**

Any Home Occupation Permit shall be required to renew its approval annually. Renewal notices are issued by the Council before the end of each calendar year, however it is the permit holder's responsibility to ensure the Home Occupation Permit is renewed if they wish to carry on the business.

Draft



Attachment 2 – Draft Consequential Amendments to TPS5

Existing Text	Proposed Text	Explanation
<p>APPENDIX 1 – DEFINITIONS</p> <p><b>home occupation</b>                      a business or activity carried out within a dwelling house or the curtilage of a house by a person resident therein or within a domestic outbuilding by a person resident in the dwelling house to which it is appurtenant that:</p> <ul style="list-style-type: none"> <li>a) entails the conduct of a business, office and/or workshop and does not entail the retail sale or display of goods of any nature,</li> <li>b) does not cause injury to or prejudicially affect the amenity of the neighbourhood,</li> <li>c) does not detract from the residential appearance of the dwelling house or domestic outbuilding,</li> <li>d) does not entail employment of the occupier's household,</li> <li>e) does not occupy an area greater than 20m<sup>2</sup> in area,</li> <li>f) does not display a sign exceeding 0.2m<sup>2</sup> in area,</li> <li>g) in the opinion of Council is compatible with the principle uses to which land in the zone in which its located may be put,</li> <li>h) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling and will not result in a substantial increase in the amount of vehicular traffic in the vicinity,</li> </ul>	<p><i>delete the existing home occupation definition and insert the following definitions:</i></p> <p><b>mobile business</b> means a business from which all work is conducted at the client's home, a minor amount of material is required to be stored on site, only minor home office use is involved, and does not involve the use or calling of a vehicle more than 3.5 tonnes tare weight (eg. mobile mechanic, mobile hairdresser, mobile builder, plumber, electrician etc.)</p> <p><b>home office</b> means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which:</p> <ul style="list-style-type: none"> <li>a) does not entail clients or customers travelling to and from the dwelling,</li> <li>b) does not involve any advertising signs on the premises; and</li> <li>c) does not require any external changes to the appearance of the dwelling.</li> </ul> <p><b>home occupation</b> means an occupation carried out in a dwelling or on land around a dwelling by a resident of the dwelling which</p> <ul style="list-style-type: none"> <li>a) does not employ any person not a member of the occupier's household;</li> <li>b) will not cause injury to or adversely affect the amenity of the occupier's neighbourhood;</li> <li>c) does not occupy an area greater than 20</li> </ul>	<p>Including the new definitions in TPS5 clearly identifies them as uses with assigned levels of assessment.</p>

Existing Text	Proposed Text	Explanation
<p>i) does not entail the presence, parking and garaging of a vehicle of more than two tonnes tare weight</p>	<p>square meters;</p> <p>d) does not display a sign exceeding 0.2 square meter in area;</p> <p>e) does not involve the retail sale, display or hire of goods of any nature;</p> <p>f) in relation to vehicles and parking, will not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volumes in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight; and does not include provision for the fuelling, repair or maintenance of motor vehicles; and</p> <p>g) does not involve the use of an essential service of greater capacity than normally required in the zone.</p> <p><b>home business</b> means a business, service or profession carried out in a dwelling or on land around a dwelling which:</p> <p>a) does not employ more than two (2) people on site, not members of the occupier's household;</p> <p>b) will not cause injury to or adversely affect the amenity of the occupiers household;</p> <p>c) does not entail the retail sale or display of goods of any nature;</p>	

Existing Text	Proposed Text	Explanation
	<ul style="list-style-type: none"> <li>d) will not result in traffic difficulties as a result of the inadequacy of parking or increased traffic volumes,</li> <li>e) does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and</li> <li>f) does not involve the use of an essential service of greater capacity than normally required in the zone.</li> </ul>	
3.2 ZONING TABLE – see attached	Amend the zoning table to include the 'Home Office' and 'Mobile Business' uses as Permitted (P) by the Scheme in the Residential, Urban Development, Transient Workforce Accommodation, Town Centre, Tourism, Rural and Rural Residential zones and identify them as 'not permitted by the Scheme' in any other zone.	As defined uses the table needs to be amended to assign levels of assessment
	Amend the zoning table to include 'Home Business' as an A (not permit unless granted approval) use in the Residential, Urban Development, Transient Workforce Accommodation, Town Centre, Tourism, Rural and Rural Residential zones and identify it as a 'not permitted by the Scheme' use in any other zone.	As a defined use the table needs to be amended to assign levels of assessment.

Existing Text	Proposed Text	Explanation
<p>4.1.3 Unless otherwise referred to the planning approval of Council is not required for the following development of land:</p> <p>NIL re: mobile business and home office</p>	<p>4.1.3 Unless otherwise referred to the planning approval of Council is not required for the following development of land:</p> <p>....</p> <p>(k) The operation of a mobile business or home office from a residence, in a zone in which it is a use that is a permitted (P) use, except as otherwise required by the Scheme.</p>	<p>Insertion of the clause will make it clear that Council does not require planning approval for a mobile business or home office in residential zones.</p>
<p>6.3.6 A home occupation shall not be undertaken unless Council has granted planning approval. In considering an application for planning approval Council shall have regard for the Home Occupation Policy Statement in the Policy Manual.</p>	<p><i>delete clause 6.3.6</i></p>	<p>Deletion of clause 6.3.6 is proposed as it duplicates the function of clause 4.5 (e) which enables any Council to have due regard to any Policy Statement adopted by Council, in considering an application for planning approval.</p>

**11.2.2.6 Request to Cancel Vesting of Reserve 35311 (Lot 3715) Koojarra Crescent, South Hedland (File No.: 405940G and VES-049)**

**Officer** Andrew Patterson  
Planning Officer

**Date of Report** 17 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received a request from the Kroll Family Trust on behalf of J. Jones and S. Jessup who are the owners of lot 3504 (18) Koojarra Crescent South Hedland for Council to divest itself of Reserve 35311 (Lot 3715 Koojarra Crescent South Hedland. Reserve 35311 comprises approximately 2613 m<sup>2</sup> and is vested in the Town of Port Hedland for the purpose of "Parkland and Pedestrian Access way."

The applicant is requesting Council divest itself of this reserve in order to allow the purchase of the land and amalgamation into lot 3504 Koojarra Crescent.

**Background**

Reserve 35311 is identified in the *Town of Port Hedland Town Planning Scheme No. 5* (TPS 5) as a road and currently consists of undeveloped open space. The reserve extends along the eastern boundary of Reserve 35318 that is reserved for a primary school.

The subject land is immediately adjacent to Reserve 35320 (lot 3505) that is reserved for the purpose of "Kindergarten." This reserve is part of the larger reserve 35318 (lot 3508) that is identified as the future site of a primary school. Adjacent to the kindergarten site is an additional reserve 35319 (lot 3506) that is reserved as the site of a car park.

The land subject to this application does not share a common boundary with the reserved car park site, and vehicular access would not be affected in granting this application.

While the applicant has not indicated the extent of the desired land take, it is expected that the applicant only intends to acquire the land immediately adjacent to lot 3504 to both the north and east. Should this occur, a triangular portion of land would remain to the east of lot 3503. No consultation has yet occurred with the owner of this lot to ascertain whether there was interest in acquiring this land for amalgamation into lot 3503.

Should Council support this application, and the owner of lot 3503 elect not to purchase the adjacent land, this portion, along with the four metre wide section extending along the length of the primary school reserve to Steamer Avenue would be amalgamated into the drainage reserve. This would preserve the land as a potential footpath or access way should this be required at any future date.

It has not yet been ascertained whether this lot comprised a portion of the POS contribution from the original residential subdivision. If this land is part of the POS contribution proceeds of the sale may be allocated to the Town of Port Hedland as cash-in-lieu and allocated to the improvement or purchase of additional POS in the vicinity.

### **Consultation**

Council's Environmental Health Services have not objected to, and have not offered any comment this proposal.

Council's Engineering Services have not objected to, or offered comment on this proposal.

Should Council resolve to support this application, additional consultation will be conducted with comments sought from the Department for Housing and Works, Department from Planning and Infrastructure and service providers.

Should this application be supported, the owner of lot 3503 would also be consulted with the aim of amalgamating a portion of the subject land into this lot.

### **Statutory Implications**

As the subject land is vested for the purpose of "Parkland and Pedestrian Access way," the procedure for advertising and requesting the access way closure is regulated by the Land Administration Act 1997.

### **Policy Implications**

Nil

### **Strategic Planning Implications**

KRA 1 – INFRASTRUCTURE : Goal 2 - Parks & Gardens

To have a variety of well maintained and well utilised Parks and Gardens that meet the various needs of park users

Strategy 2. - Develop of a hierarchy of parks (including the identification of appropriate development and maintenance standards for each park – including shade, reticulation, BBQ's and play equipment)

KRA 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 Environment Design (CPTED) principals into the assessment of planning and building applications

### **Budget Implications**

As reserve 35311 is currently vested in the Town of Port Hedland, Council is responsible for its maintenance. Should Council support this application and a large portion of the reserve be amalgamated into adjacent freehold title, this land would be removed from Council's maintenance program. Any land unwanted by the applicant could be amalgamated into the adjoining drainage reserve with the maintenance incorporated accordingly.

### **Officer's Comment**

The land subject to this request is currently undeveloped and is not identified as required for either public open space, or as a pedestrian access way.

As the subject land connects Koojarra Crescent with an existing drainage reserve that is easily accessible from Steamer Avenue at an additional distance of approximately 100m, closing this land as an access way is not considered to have any significant impact on pedestrian traffic. Accepted CPTED principles discourage the construction of pedestrian access ways where there is little or no opportunity for passive surveillance. In closing this unconstructed access way, Council would act in accordance with CPTED principles by forcing pedestrian traffic to use existing footpaths along the street frontage.

Should Council support the application, and the land subsequently sold and amalgamated into lot 3504, Council would no longer be responsible for maintaining an impractical parcel of open space that is more likely a site encouraging anti-social behavior. At such time the planned kindergarten is constructed, it would prove a better planning outcome to locate residential housing immediately adjacent – thus providing additional passive surveillance, than an unnecessary PAW.

Council could resolve to refuse this application and continue to maintain the reserve as a pedestrian access way and parkland. Given the reserve dimensions and the intention of a developer to acquire the land for residential development, this action is not recommended as the primary school is likely to provide sufficient public open space and parkland, and closing the access way to a drainage reserve that enjoys easy access in the near vicinity is unlikely to impede pedestrian traffic.

**200607/201 Council Decision/Officer's Recommendation****Moved:** Cr S F Sear**Seconded:** Cr D R Pike

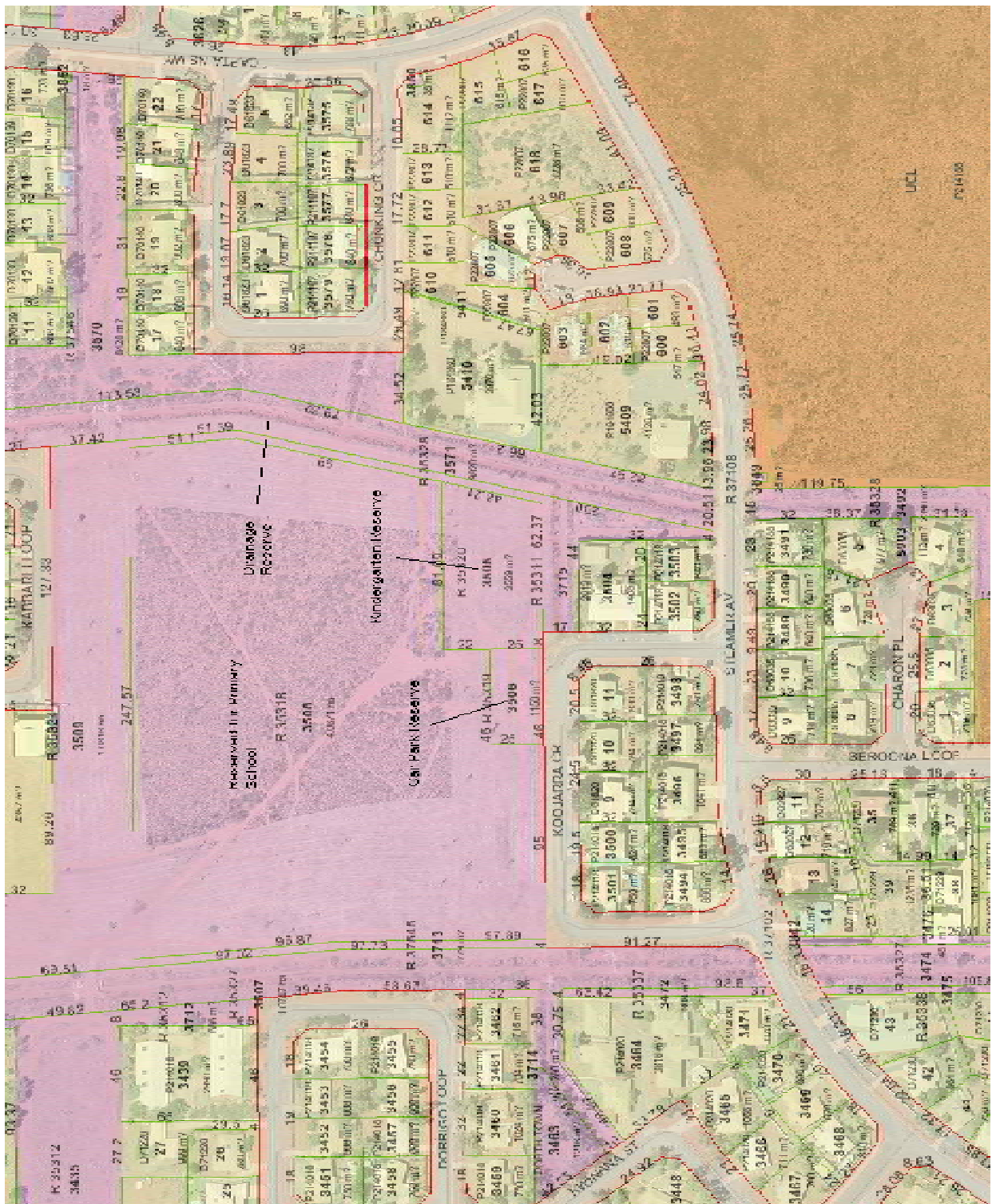
**That Council requests the Department for Planning and Infrastructure to cancel Reserve 35311, comprising the whole of lot 3715 Koojarra Crescent, South Hedland subject to:**

- i) the owner of lot 3504 Koojarra Crescent South Hedland purchasing the portion of Reserve 35311 (lot 3715 Koojarra Crescent) adjacent to lot 3504;**
- ii) a four (4) metre wide portion of Reserve 35311 adjacent to Reserve 35328 being amalgamated into Reserve 35328;**
- iii) any portion of Reserve 35311 (lot 3715 Koojarra Crescent) adjacent to lot 3503 not amalgamated into adjoining freehold title being included in Reserve 35328;**
- iv) any easement required by any service provider being granted at no cost to Council; and**
- v) the reserve cancellation being at no cost to Council.**

***CARRIED 5/1***



ATTACHMENT TO AGENDA ITEM 11.2.2.6



**11.2.2.7 Proposed Scheme Amendment to Rezone Lots 2116 and 2117 North Circular Road South Hedland from “Community” to “Residential R 30.” (File Nos: 130330G, 130331G and 18/09/0018)**

<b>Officer</b>	Andrew Patterson Planning Officer
<b>Date of Report</b>	15 February 2007
<b>Disclosure of Interest by Officer</b>	Nil

### **Summary**

Council has received an application from Gray and Lewis Land use Planners on behalf of Voyager Resources, the owner of lots 2116 and 2117 North Circular Road South Hedland, to amend the *Town of Port Hedland Town Planning Scheme No. 5* (TPS 5). The purpose of this proposal is to rezone lots 2116 and 2117 North Circular Road South Hedland from “Community” to “Residential R 30.”

### **Background**

The applicant is seeking to rezone lots 2116 and 2117 to enable the owner to develop the land for residential purposes with a density not exceeding R 30. The two lots comprise 2023 m<sup>2</sup> and 1836 m<sup>2</sup> respectively, and the proposed residential density would allow for a maximum of 12 dwellings, subject to Council planning approval. An indicative plan is attached to this report indicating the type of development permissible should the land be rezoned.

These lots have been the subject of a number of telephone conversations and correspondence between the owner and/or prospective developer and Council’s planning staff. Below is a brief outline of these communications:

- 29 January 2004 – DA lodged for subdivision into six residential lots. There is a file note stating that the applicant was contacted by telephone on 5/02/2004 and advised subdivision would not be supported prior to TPS amendment. The applicant advised verbally that this amendment request would be forthcoming.
- 16 August 2006 – Application for Scheme amendment received with no fees or appropriate justification. Application included a site plan showing five grouped dwellings, four of which show crossovers to North Circular Road. This application was assessed on 7 September 2006 and returned to the applicant on 13 September 2006, as the required fee had not been paid, the application had not been submitted on the correct form and no justification had been offered for the proposed amendment.

It should be noted that some of the language used in the accompanying letter was incorrect. This error confused the Applicant in relation to proper process.

- 20 December 2006 – received an application for planning approval for 11 grouped dwellings at lots 2116 and 2117. Customer Service Officer queried the submitted fee with the Manager Planning who advised the applicant via telephone of the correct planning fee.
- 3 January 2007 – Additional fees received by Town of Port Hedland as requested.
- 30 January 2007 – letter received from Richard Trainer registering sincere disappointment that he was now being advised that a scheme amendment was required prior to being able to develop lots 2116 and 2117 for residential purposes. Mr. Trainer formally withdrew planning application and requested refund of fees.
- 30 January 2007 – Application for Scheme amendment received from Gray and Lewis Land Use Planners on behalf of owner with appropriate fee, justification and documentation to enable tabling of report to February Council meeting.

This land is currently undeveloped and the applicant suggests that any commercial development as currently permitted under TPS 5 is unlikely in the near future. Rather than wait for potential development that would be sympathetic to the current zoning, the applicant is proposing to develop this land for residential purposes to meet the current high demand for housing in Port Hedland.

The applicant also notes that this land is currently contained within the South Hedland Entry Development Plan Area and is not proposing to alter this as part of the amendment.

The surrounding land is the site of the Black Rock Caravan Park, with the land immediately surrounding the subject lots currently undeveloped.

It is noted that the Black Rock Caravan Park has submitted preliminary drawings of a proposed development of this site and been advised that a rezoning would also be required for this site to be developed for residential purposes or an extension of the existing caravan park. Council has received no formal application for a rezoning, or any application for planning approval of the Black Rock Caravan Park.

The applicant acknowledges that no vehicular access to North Circular Road would be permitted, and that any residential development of the site would require access from Stanley Street. As lot 2116 has no frontage to Stanley Street, any residential development would require either an amalgamation of lots 2116 and 2117 or a caveat or similar legal device being placed on the title of lot 2117 ensuring lot 2116 would receive legal access to

Stanley Street. The applicant has indicated that, should the land be rezoned as requested, the lots would be amalgamated.

With regard to changing traffic flows experienced on North Circular Road, the applicant claims that a residential development would provide for less impact on peak traffic movements than a commercial or community use that is currently permitted under TPS 5.

As noted in the application, these two lots are both wholly contained within the South Hedland Entry Precinct identified in Appendix 5 of TPS 5. The following Scheme provisions govern development in this precinct:

*“5.3.1 The precinct objectives in the Part:*

- (a) relate to precincts identified in Appendix 5,*
- (b) indicate the preferred land use and development*
- (c) within these precincts, and*
- (d) provide additional guidance for Council when determining applications for planning approval.”*

*“5.3.5 The precinct objectives for the South Hedland entry precinct are to:*

- (a) improve the legibility of the location and functional relationships between Wedgefield, Boodarie, South Hedland, Port Hedland and the airport,*
- (b) enhance the visual amenity of entry roads to South Hedland,*
- (c) give priority to recreation and community uses,*
- (d) ensure that uses occurring within the Boodarie strategic industrial buffer area place no constraints on industry operations within the Strategic Industry zone,*
- (e) determine practical functional relationships between land uses as the basis for possible rationalisation of cadastral boundaries within the precinct, and*
- (f) protect options for future infrastructure within the area reserved for this purpose.”*

It is noted that Lots 2116 and 2117 front directly on to North Circular Road. Following North Circular Road in a clockwise direction from Stanley Street, all land held in freehold title is separated from the road reserve by either a drainage reserve or unallocated Crown land. Should TPS 5 be amended to permit residential development, these lots would be the only residential lots so situated.

### **Consultation**

Extensive consultation is required for any Town Planning Scheme amendment, and this process is regulated by the *Planning and Development Act 2005* and the *Town Planning Regulations 1967*.

**Statutory Implications**

Council's ability to request the honorable Minister for Planning and Infrastructure is contained in s.75 of the *Planning and Development Act 2005*, with the procedure for any amendment described in s. 25 of the *Town Planning Regulations 1967*.

**Policy Implications** Nil

**Strategic Planning Implications** Nil

**Budget Implications**

Pursuant to Council's fees and charges, fees of \$1000 have been submitted with this application and deposited into account 1006326 – Town Planning Fees. Should Council resolve to initiate this amendment, at the completion of the required advertising and referral process, an additional \$1500 fee is required prior to submitting the amendment to the Western Australian Planning Commission.

In addition to initiation and adoption fees, the applicant will reimburse all advertising fees incurred by Council with regard to this application.

**Officer's Comment**

While there is a demonstrated need for additional housing of a variety of styles in Port and South Hedland, it does not necessarily follow that there is currently a lack of residential zoned land, which is the applicant's central assertion.

The South Hedland New Living Project will release a significant amount of residential land in South Hedland. At present, approximately 80 lots are approved for subdivision and likely to be released to the market by March 2007. An additional 200 lots are also planned for release by the end of 2007 with the project expected to release a total of approximately 700 residential lots.

The argument that South Hedland lacks adequate residential land is therefore not supported.

As noted earlier in this report, should these lots be rezoned "Residential" they would be the only residential lots with a frontage directly on North Circular Road. As this situation is incongruous with all existing residential land in South Hedland, permitting this rezoning would be inconsistent with existing planning and development outcomes.

Should Council resolve to initiate this amendment, it should also address the South Hedland Entry Precinct objectives contained in TPS 5 s. 5.3.5, particularly part (c) that requires all land in this area to give priority to recreational and community uses. In drafting TPS 5, Council expressed a clear intention that land uses in this area would be non-residential in character and lead towards community-oriented uses. If adopting this amendment, Council is recommended to either excise these lots from the South Hedland Entry Development Area, or modify the precinct objectives in the Scheme text.

These lots are identified in TPS 5 as highly significant to the South Hedland entry both through their current zoning, and through the added protection of being included in the precinct objectives in the Scheme text. To rezone these lots for a residential use would be contrary to the Scheme's intent and constitute ad-hoc planning that fails to consider the existing land use context or long-term strategic planning goals.

Given that the South Hedland New Living Project is giving added priority to the development on an appropriate spine road entry into South Hedland in the close vicinity of the subject lots, the development may not be consistent with future planning.

Council has the options of initiating this amendment, or refusing the initiation of the amendment.

Should Council determine that this application is of sufficient merit, and that the subject lots should be considered for residential development, a Town Planning Scheme amendment could be initiated in accordance with the process outlined in the *Town Planning Regulations 1967*. Given the reasons previously outlined in this report, this course of action is not recommended unless Council firmly supports the rezoning.

**200607/202 Council Decision/Officer’s Recommendation**

**Moved:** Cr G D Bussell

**Seconded:** Cr S F Sear

**That Council refuse to initiate the Scheme Amendment submitted by Gray and Lewis Land Use Planners on behalf of Voyager Resources as outlined in the application received 30 January 2007 (Application 2007/013) for the following reasons:**

- i) the proposed zoning is not in accordance with the Town of Port Hedland Town Planning Scheme No. 5 precinct objectives as outlined in section 5.3.5;**
- ii) the proposed rezoning is not consistent with existing development along North Circular Road; and**
- iii) the proposed rezoning would comprise ad hoc development that is not in accordance with proper and orderly planning**

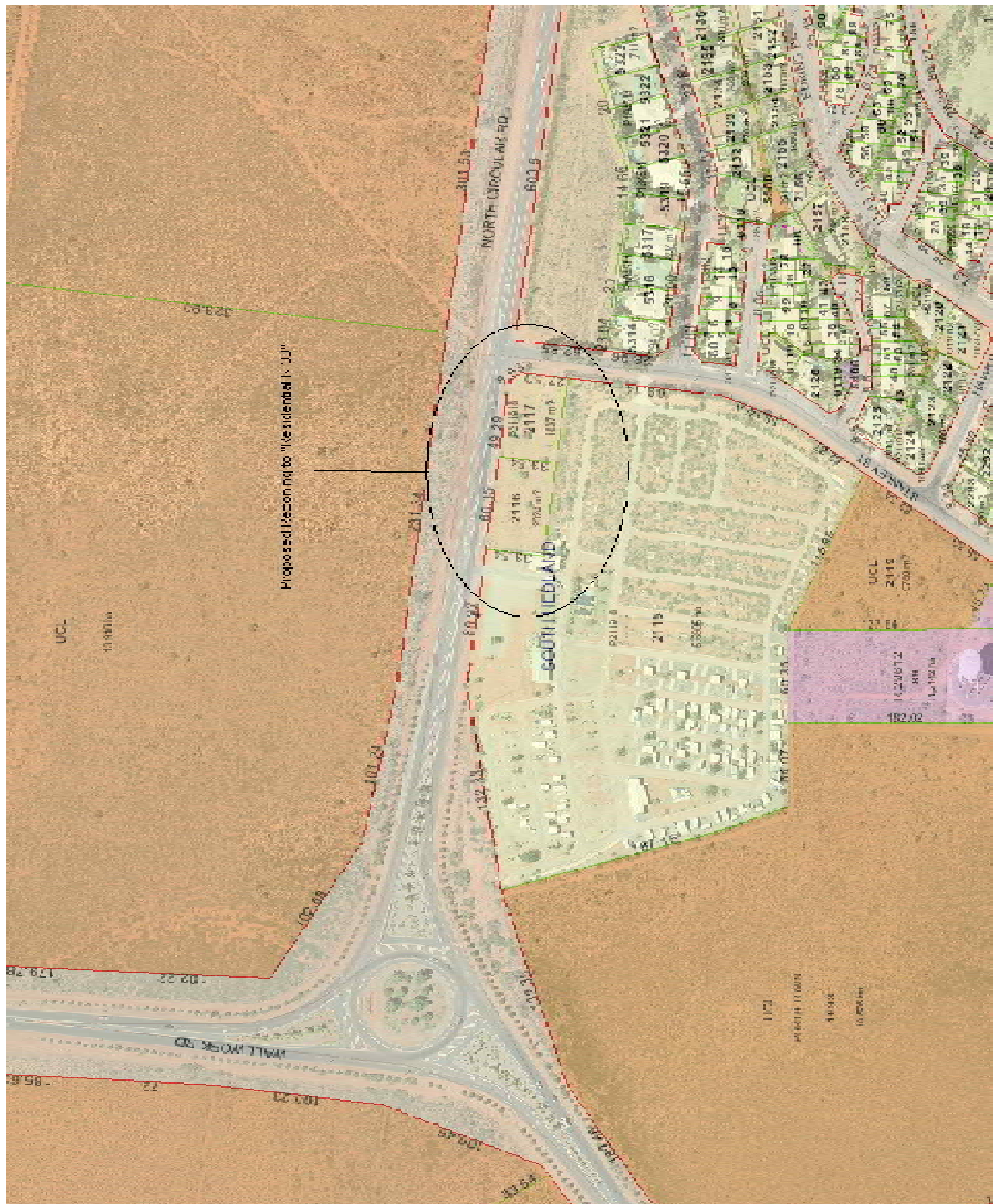
**CARRIED 4/2**

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

*Record of Vote:*

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

ATTACHMENT TO AGENDA ITEM 11.2.2.7





**11.2.2.8 Proposed Partial Road Closure of Crowe Street, Port Hedland (File No.: 803222G)**

**Officer** Andrew Patterson  
Planning Officer

**Date of Report** 20 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

At its Ordinary Meeting on 24 February 2004, Council resolved to support a partial road closure of Crowe Street. Following the statutory advertising, Council resolved to request that the road be closed pursuant to the applicant's request. At its Ordinary Meeting on the 24 November 2004, Council resolved in relation to this proposed road closure:

*"That Land Asset Management Services and A Curyer be advised that Council has no objection to the proposed extension of the partial road closure of Crowe Street, Port Hedland, as resolved by Council at its meeting held on 28<sup>th</sup> July 2004, subject to the following:*

- a) *closure of the entire 30m northern portion of Crowe Street and construction of a cul-de-sac bulb at the applicant's cost to the specification and satisfaction of Manager Engineering Services;*
- b) *the proposed land take and amalgamation into Lot 210 to be limited to a maximum 29.03m long by 7.0m wide strip adjoining Lot 210 as detailed in the submitted plan;*
- c) *a minimum verge width of 4.0m from existing and/or projected roadway kerbs to be maintained at all times;*
- d) *a detailed survey plan incorporating the required land take areas as modified to be approved by Council's Manager Engineering Services and Town Planner prior to submission to Land Asset Management Services; and*
- e) *all conditions contained in the resolution dated 28<sup>th</sup> July 2004 relating to the road closure applying to the modified land take."*

In accordance with part "d" of the November 2004 resolution, Council has now received the required survey plan and is able to progress this application.

This item is referred to Council due to the significant amount of time that has elapsed since the previous relevant resolution.

**Background**

Given the significant of time taken in resolving this item, this proposed road closure is presented for Council to reconsider the propose road closure, particularly in view of recent strategic planning studies investigating this area of Port Hedland.

In addition, it is considered that this proposed road closure should be readvertised, particularly to service providers to ensure that any recent infrastructure development will not be affected by the closure.

With regard to strategic planning goals, the Land Use Master Plan and the proposed Marina Project are both examining future use and development in this area. While neither of these studies have been completed or offered firm recommendations for this area at this time, Council may use this opportunity to reconsider the proposed road closure in light of possible recommendations.

It is noted that, on advice from Council's Engineering Services, the applicant was advised that a minimum five metre pedestrian access way (PAW) would be required to maintain access from Crowe Street to the foreshore reserve. The submitted plans indicate a three metre PAW. On inspecting the submitted plans, Engineering Services have now indicated that a minimum four meter PAW is required linking Crowe Street to the foreshore reserve.

**Consultation**

Should Council resolve to support the proposed road closure, given the time elapsed since the previous consultation regarding this action, it is recommended that this proposal be readvertised in accordance with s. 58 of the *Land Administration Act 1997*. In addition, request for comment will be specifically sought from the Urban Design Centre who is coordinating the Land Use Master Plan.

**Statutory Implications**

Section 58 of the *Land Administration Act 1997* establishes the process required prior to making a request to the Honorable Minister for Lands to close a road.

**Policy Implications** Nil

**Strategic Planning Implications** Nil

**Budget Implications**

Should Council support this application, additional advertising costs will be incurred that will be passed on to the applicant.

**Officer's Comment**

While from a planning perspective, there are significant benefits possible from the reconstruction of the Esplanade between Howe and Withnell Streets, this is considered an unlikely scenario due to the cost of this project.

A more likely scenario is the construction of a dual-use path through this land within the existing road reserve. As this is the likely outcome, it is considered that maintaining adequate pedestrian and bicycle access is an adequate compromise in this situation.

It is recommended that Council initiate the road closure action in accordance with the *Land Administration Act 1997* to enable all interested parties the opportunity to comment on the proposal, after which Council will have the opportunity to consider whether to make the request to the Honorable Minister for Lands.

It is noted that the actions conducted with regard to this action when first considered, are sufficient to allow the request to be forwarded immediately to the Minister for Lands, and that Council could resolve not to re-advertise this application. Given the length of time since the previous advertising however, this is not a recommended course of action.

Council could also reverse its earlier resolution with regard to this road closure and refuse to support the application. As the road already exists as a cul-de-sac however, and as The Esplanade is unlikely to be reconstructed as a road, retaining road access is considered unnecessary, particularly as pedestrian and bicycle use will not be restricted in their access to any future dual-use path constructed along the coastline.

**200607/203 Council Decision/Officer’s Recommendation**

**Moved:** Cr G D Bussell

**Seconded:** Cr S F Sear

**That:**

- i) the proposed closure of a portion of the Crowe Street road reserve be advertised in accordance with section 58 of the *Land Administration Act 1997* as outlined in the survey plan submitted on 5 January 2007;
- ii) all submissions regarding the proposed road closure prior to making a determination on this matter be considered by Council at the next available Ordinary Meeting; and
- iii) the applicant be advised that all costs incurred for the advertising of this proposal will be the responsibility of the applicant.

**CARRIED 5/1**

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

*Record of Vote:*

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





**11.2.3 Building Services**

**11.2.3.1 Tender 06/38 State Emergency Building Tender (File No.: 08/03/0001)**

**Officer** Andy Taylor  
 Manager Building Services

**Date of Report** 20 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

To consider awarding Tender 06/38 for the Supply and Construction of a 490m<sup>2</sup> Building to be used by the Port Hedland State Emergency Service.

**Background**

A tender was called, closing on 7 February 2007, for the supply and construction of a 490m<sup>2</sup> building to be used by the Port Hedland State Emergency Service, to be located on land adjacent to the airport. The tender process was followed in accordance with normal tender requirements. Eight tender packages were given out with only one submission being returned

**Officers Comments**

The tender contained two schedules, both being a performance based specification.

- Schedule One required the supply and construction of a “bare bones” type building where it was envisioned that the internal fit out would be undertaken at a later date.
- Schedule Two required the supply and construction of a completed building including the connection to all services.

One tender was received from Western Australian Building Group (WABG) Perth, for the supply and construction of a 474m<sup>2</sup> steel framed metal clad building only. This submission excluded all other items, including the internal ablution facilities and connection to services (i.e. a basic submission in accordance with Schedule 1).

Should the tender submitted by WABG be accepted, the following additional work would need to be undertaken in order to bring the building up to a standard where it would be considered ready for occupation and use:

Installation of concrete floor	Internal partitioning for office space
Installation of ablution facilities	Connection to all services including effluent disposal.
All required plumbing and electrical works including powered roller doors.	Install external hard stands and trafficable area's

The amount tendered by WABG is \$269,900 including GST. This leaves a balance from the budgeted amount of approximately \$500,000.

Council has three options to consider being;

- Re-advertise the tender.
- Accept the tender submitted by West Australian Building Group.
- Accept the tender submitted by West Australian Building Group and after the building has been constructed, complete the remaining works under the control of Councils Building Department in co-operation with the Port Hedland State Emergency Service.

Given the poor response, and the current difficulties in undertaking building work in the Pilbara, it would seem prudent for Council to accept this tender with the remainder of the works completed "in house". It is envisaged that this work would be done in consultation with the Port Hedland State Emergency Service where goods and services may be obtained by donation or at a reduced rate from local subcontractors.

#### **Statutory Implications**

Part 4 - Tenders for providing goods and services – Local Government (Functions and General) Regulations 1996

**Policy Implications** Nil

**Strategic Planning Implications** Nil

#### **Budget Implications**

Should Council accept the tender from Western Australian Building Group in the amount of \$269,900 including GST, this would leave a balance from the original budgeted amount of \$500,000.



**200607/204 Council Decision/Officer's Recommendation****Moved:** Cr D R Pike**Seconded:** Cr A A Gear**That:**

1. **Tender 06/38 for the supply and construction of a 475m<sup>2</sup> building as submitted by Western Australian Building Group for the Port Hedland State Emergency Service in the amount of \$269,900 including GST, be accepted and;**
2. **the balance of works to complete this building to the specification as detailed in Schedule two of Tender 06/38 be undertaken at a cost not to exceed the total project budgeted amount of \$770,000 (including the cost of the building of \$269,900 including GST). This work to be undertaken by Councils Building Department in conjunction with the Port Hedland State Emergency Service Unit.**

***CARRIED 6/0***

**11.3 ENGINEERING SERVICES****11.3.1 Director Engineering Services****11.3.1.1 Monthly Report – Engineering Services (File No.: 13/04/0001)**

**Officer** Grant Logie  
Director Engineering  
Services

**Date of Report** 12 February 2007

**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
South Hedland Cemetery Upgrade	Seating installation now complete. Parks & Gardens obtaining quotes for bougainvillea & reticulation along front fence. Limestone wall to be sealed. Preparing program, costings and funding possibilities for 07/08 works to be presented to Council.
Playgrounds	New disabled access playground equipment will be installed by Forpark Australia and rubber softfall surfacing by Reclaim Industries during April at Kevin Scott Oval. Quotes are currently being obtained for a permanent shade structure over the playground equipment at Colin Matheson Oval.
Black Spot Funding	North Circular/Murdoch and North Circular/Hamilton final designs are being prepared. Throssell road concept plan presented to Council at January Briefing session.
Roads to Recovery Funding	Minor works at Buttsweld/North Circular intersection will be completed by late February.

Regional Road Group Funding	Contractors currently extending culverts on North Circular Road and Wallwork road. North Circular road guardrail replacements have been delayed as Main Roads have been requested to carry out bridge load assessments. It is anticipated that this funding will be transferred to the culvert extension projects.
Walkway/Street Lighting	Horizon Power have been contracted to upgrade walkway lighting and street lighting as per 06/07 lighting upgrade program. Horizon Power to take over assets of lights.
Kerbing Maintenance	Kerbing construction program complete. Kerbing maintenance ongoing.
Footpath Construction & Maintenance	Engineering Staff are currently relocating obstructions ready for the second stage of the 06/07 footpath construction program. Contractors will commence in March.
Drainage Construction	Drainage works on Kingsmill Street are now complete. Drainage works on Anderson street/Darlot street to commence mid February.
Landfill	Road construction works have commenced and signage installed to meet licensing standards as per the Waste Management Plan. Works commencing for recycling hardstand area.
Wedge & Edgar street Streetscape Enhancements	Car park construction has commenced. Raised pedestrian crossing has been installed. Seeking quotes for faux brick paving and crossovers. Parks & Gardens are removing bougainvillea from Wedge Street.
Cooke Point Drive Bus Bays	Bus shelters and line marking has been installed.
Footpath Sweeping Program	Engineering Services has created a footpath sweeping register due to a rising number of complaints from residents of broken glass on footpaths. Local contractor is currently sweeping footpaths.
Ride on Litter Vacuum Tender	Tender documentation is being prepared for the purchase of an All Terrain Ride-On Litter Vacuum. The tender will be advertised during February and March.
Forrest Circle Road Repairs	Road repairs have been carried out early February to road faults on Forrest Circle. This includes boxing out 200mm of materials, laying of filter cloth, road base & premix with final asphalt top to be laid in March.
Port Hedland Enhancement Scheme	Chairs & tables under existing shade shelters have been installed at the Spoil bank.
Heavy Vehicle Access	Main Roads have been requested to approve temporary road train access for a section Quartz Quarry road, Pippingarra road, Indee road, Hillside-Woodstock road and East Wodgina road for the construction of FMG's railway. Access will be restricted to vehicles specified by FMG. FMG are responsible for all maintenance and safety issues.
FMG Railway Construction	FMG have commenced construction of the railway near Hillside-Woodstock road. Works include the construction of a temporary detour and blasting will take place. FMG will be working to approved traffic management plans. The realignment of a section of Hillside-Woodstock road to suit the railway crossing is currently being investigated.
Pretty Pool Development	Works Infrastructure will be carting materials from the Spoil bank to the Pretty Pool development site using single side tippers. The approved route is Sutherland St, Lukis St, McGregor St, Cooke Point Dr, Styles Rd onto the construction access road. Traffic and dust management plans are in place.
Dempster St development	Broad Construction will be commencing works on the St Cecelia's development on Dempster street in February.

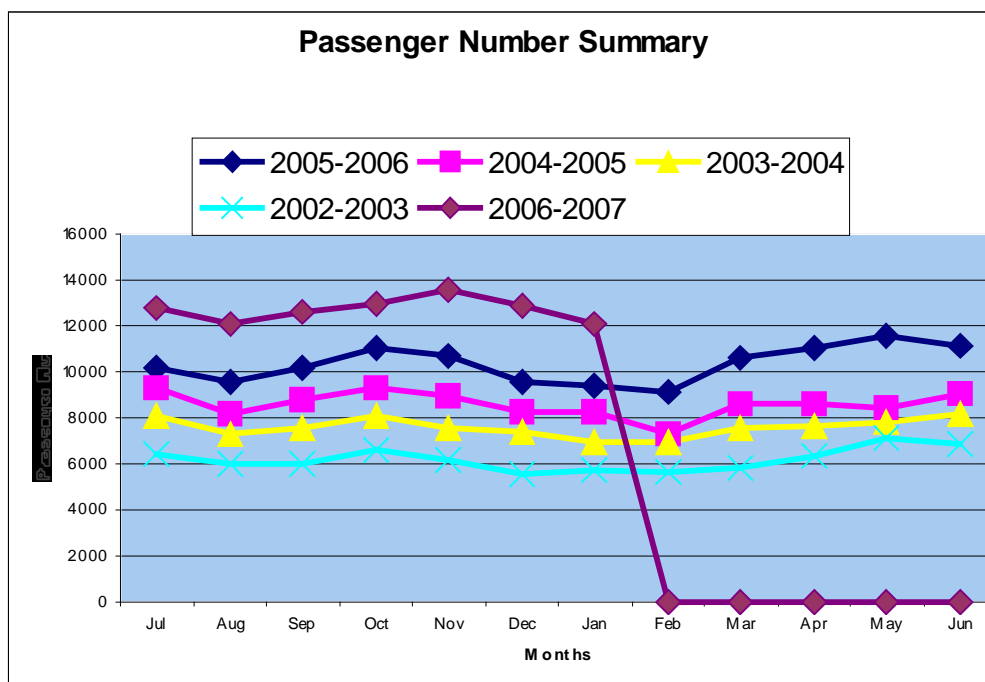
(St Cecelia's)	Intermittent road closures will be in place from March to June with traffic management in place. High vehicle and truck movements can be expected. The public have been advised.
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**Parks and Gardens Works**

Reticulation Damage	Officers are now recording the amount of sprinklers being damaged by vandalism in parks and reserves, with 10 damaged sprinklers recorded in one week.
Colin Matheson Oval Weeding	Parks & Gardens Crew removed excess weeds from Colin Matheson Oval.

**Port Hedland International Airport**

Regular Passenger Transport Services Passenger Information as at 31 January 2006.



The Bureau of Transport & Regional Economics (BTRE) have released the official aviation statistics for November 2006. The below table provides a comparison between the major regional airports in WA for the period ended 30 November 2006. Again no information available for Karratha as only one carrier uses that airport.

Route	Ranking In Aust	Pax Numbers	Available Seats	Load Factors	Major Aircraft Movements
Perth –PortHedland	41	12947	20343	63.6	179
Karratha- Perth	-	-	-	-	-
Kalgoorlie-Perth	33	18424	25597	70.9	232
Broome-Perth	32	20641	25314	81.5	189

Source : BTRE November 2006

*Bali International Service:*

Skywest have advised that during the upcoming school holiday periods for 2007 an extra service to Bali will be introduced operating on Sundays. This is in **addition** to the existing Saturday Service. Following are the passenger numbers for the service from November 2005 to December 2006

Month	Total
Nov-05	266
Dec-05	309
Jan-06	292
Feb-06	121
Mar-06	240
Apr-06	487
May-06	220
Jun-06	286
Jul-06	441
Aug-06	329
Sep-06	445
Oct-06	495
Nov-06	542
Dec-06	808

*RPT Services:*

Skywest have advised that the suspension of services to Port Hedland due to fleet maintenance shall continue through February.

*International Movements:*

Port Hedland airport is still experiencing a number of international charter operations, mainly small to medium corporate jets.

*Airport Operations:*

- Final Draft of the Airports Transport Security Program (TSP) has been submitted to DOTARS in Canberra for approval of the Secretary as required under the Aviation Transport Security Act 2004.
- Sewerage Upgrade: design phase nearing completion with resurvey of some levels required to confirm existing plan information.
- Fencing Upgrade: Southern Wire has advised that works will commence end of February. Delay experienced due to lack of accommodation.
- Car Park Lighting: Horizon Power have advised that poles and materials should be delivered late February. Works envisaged to commence mid March with partial closures of car parks required once works schedule finalised. Advertisements of closures will occur in local press.

- Electrical Works on Terminal progressing with Connell Wagner carrying out detailed drafting and site works for a week commencing 26/2/07.
- Mechanical Engineer from Perth conducted assessment of the 14 terminal air-conditioning units on Monday 29/1/07 in conjunction with inspection of Civic Centre. Awaiting Report.
- Inspection of Fire Panels in airport Terminal and ancillary buildings carried out 9,10 &11 February. Awaiting Report.
- Airport Security Committee meeting held 15/2/07.
- WA Billboards has engaged the Airport to undertake banner changed for the billboard situated on Airport land following the resignation of previous installer. Rate is \$100 ex GST per banner change; \$50 ex GST banner removal only. Payments will be allocated to the Airport's General Ledger Income Account "Sundry Income".

*General:*

- Security Breach 24 January 2007: Boundary Incursion South Hedland Boundary. White male intercepted and escorted by Aerodrome Staff to terminal.
- Increased incidence of cattle on airport landside grounds. Aerodrome Staff and security patrols reporting on cattle on airport landside areas. On 29 January 2007 cattle pushed airside by Rangers attempting to herd cattle in the road reserve along airport Broome Road boundary fence. Report submitted.
- Australian Airport Association (WA Branch) meeting to be held in Port Hedland on Friday 13 April 2007. Town of Port Hedland is hosting the event.
- Grass Fire at Airport on 13 February 2007 near main transformer as a result of a Horizon Power pole fault on main High Voltage line coming into Airport grounds. Aerodrome staff extinguished fire. Fire Brigade and Ranger Services also attended to mop up. Aerodrome operated on emergency generator power supply for approximately 1.5 hours. Qantas midday flight not affected although on ground at the time.

***Recreation Services***

*Australia Day Sports Awards*

The Australia Day 2007 Sports Awards were held at the Soroptimist's Australia Day Breakfast at the All Seasons Hotel function room. The awards and winners were:

- ITOCHU (CIMA Minerals) Junior Sports Star of the Year - Winner: Steven Burnham, from Port Hedland Baseball Association.
- Town of Port Hedland Sports Achievement Award - Winner: Les Brackin, from Port Hedland Baseball Association.

- Percy Gratwick VC Sports Excellence Trophy - Winner: Hedland Touch Association.

. *Physical Activity Week*

Physical Activity Week is programmed for Monday 26 March to Sunday 1 April 2007. This annual event is organised by the Town of Port Hedland to promote physical activity within the community.

The current list of events is to include:

- Town Walk in South Hedland,
- PAW Walk in Port Hedland,
- Free fitness classes at The Edge,
- A dodge ball competition at the JD Hardie Centre,
- An Aqua Games Day at the South Hedland Aquatic Centre,
- Cops vs. Kids baseball game,
- President's Breakfast and
- Female Football Game.

All events are aimed at encouraging people who aren't generally physically active to engage in physical activity.

. *Port and South Hedland Skate Parks*

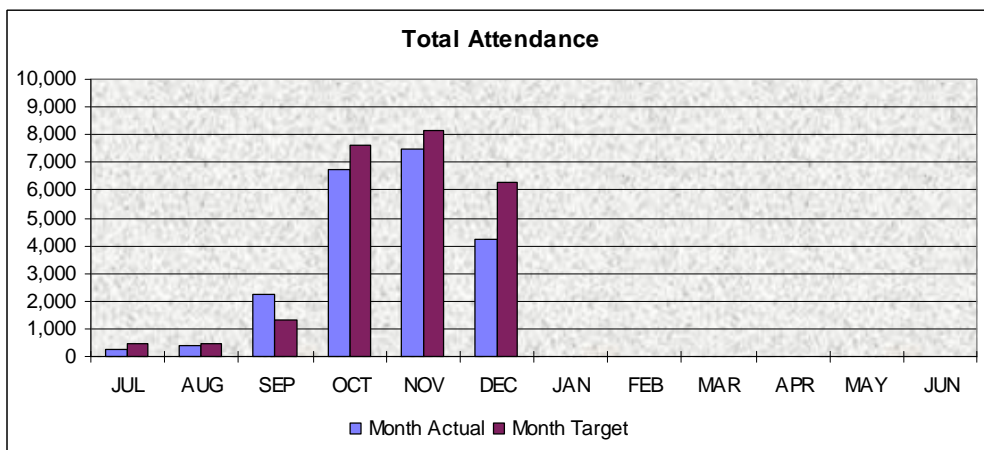
Convic Design required additional surveys at South Hedland before the final construction drawings could be completed. These have now been completed and final designs should be submitted from Convic by the end of the month.

. *Sporting Facilities Upgrades*

The cricket pitch block at the Town Oval has now been replaced and the new turf for two pitches and new turf for the training nets is now being delivered. Tiling has begun at Kevin Scott Oval and Faye Gladstone Netball Courts, other upgrades including painting, plumbing and electrical will be starting soon. All sporting associations and clubs that will be affected by these upgrades have been notified, with the aim to minimally disrupt sporting fixtures. Southern Wire, the fencing tenderer that was awarded the contract at last month's Council meeting is looking to start works in mid to late March. Southern Wire will submit a timeline for work start and completion dates within the fortnight.

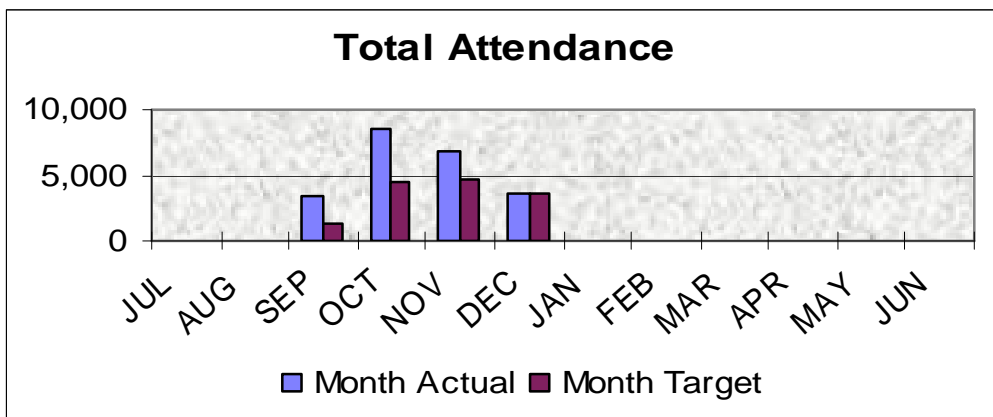
*Aquatic Centre Attendance figures for December and January*

Gratwick Aquatic Centre attendance figures for December 2006

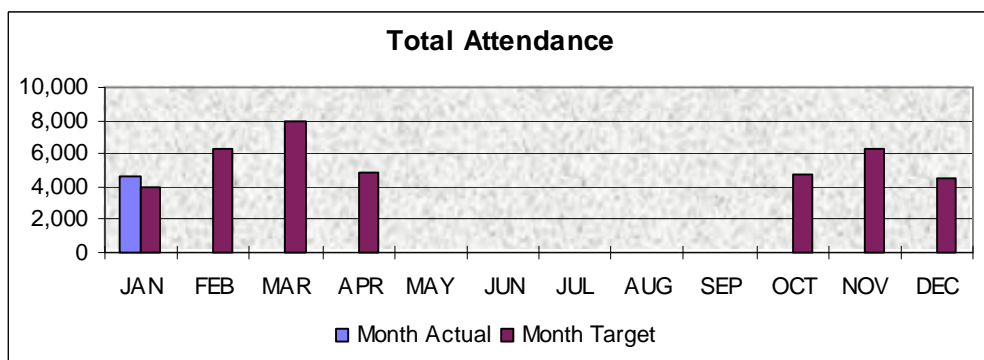


Gratwick Aquatic Centre attendance figures and report for January 2007, not yet submitted by YMCA.

South Hedland Aquatic Centre attendance figures for December 2006.



South Hedland Aquatic Centre figures for January 2007





*JD Hardie Centre*

*Centre Attendances:*

Holiday Program 142

Facility Hire: 150

*Programs Offered:*

School Holiday Program - The children's school holiday program consisted of physical activity days, visits to the Matt Dann Cultural Centre, and arts and craft days. The program was conducted over the three-week period prior to school returning.

Facility Hire - Treloar Child Care utilised the centre as a facility hire to conduct one session per week for 5 weeks as part of their Vacation Care.

Upcoming Programs - New programs are to commence in Term 1. This includes team nominations for the structured sports, and detailing the program list for the semester.

New Programs - The proposed programs to be run this term consist of Kids Club, Tae Kwon Do, All Sports, Dance, Boxing, GR8 SK8 and X-Pression. As well as Netball, Volleyball and Basketball. Other programs that will run once a month include Discos and Saturday Sessions.

**200607/205 Council Decision/Officer's Recommendation**

**Moved:** Cr A A Gear

**Seconded:** Cr S F Sear

**That Council receives the Engineering Services Report for January 2007.**

**CARRIED 6/0**

**11.3.1.2 Road Trauma Reduction Campaign (File No.: 28/13/0001)**

<b>Officer</b>	Grant Logie Director Engineering Services
<b>Date of Report</b>	19 February 2007
<b>Disclosure of Interest by Officer</b>	Nil

**Summary**

For Council to financially contribute to the Road Trauma Reduction Fund, which will assist in buying airtime as part of an Easter Road Safety Campaign.

**Background**

The Town of Port Hedland has received correspondence from Barry Haase MHR, Dr Graham Jacobs MLA and Mrs Carol Martin MLA in regards to financial contributions for a Road Trauma Reduction Project over the Easter period as per details below:

*"18 February 2007*

*Dear Mr Martin*

*I write on the subject of road safety.*

*You will recall that prior to Christmas I contacted you to ask for support of a campaign, but due to a number of factors, was forced to postpone it.*

*I am now asking for your involvement in this project, which will air this Easter.*

*Nearly half of the deaths or serious injuries in car accidents occur country areas. Considering the population disparity, this is an unacceptably high number.*

*I believe it is time for a new approach to road safety. The most recent incidents indicate that the current message is simply not getting through, and motorists in rural and regional areas continue to be killed and injured by speed, fatigue and alcohol. According to the Office of Road Safety, 75% of people are killed in crashes within their Shire: our local people are dying on our local roads. If we all work together, as community representatives, we will create a happier festive season.*

*Mrs Carol Martin MLA for the Kimberley and Dr Graham Jacobs MLA for Roe are both very keen to be involved in a*

*non-partisan road safety campaign, extending from Broome to Esperance. We all agree that it is up to all of us in public office to do our utmost to get the message out.*

*Many of your Council members and rate payers will be already playing an active role on the frontline of combating road trauma through SES and other emergency services.*

*Right now drought is at the forefront of people's minds, however, when the rains come, the memory of lost community members lives on.*

*You will be aware of the 2004 Easter strategy, and the difference that made. I believe we can replicate that work to help keep people in the bush safe.*

*I therefore ask you to financially contribute to this project, to assist us in buying airtime to get the message out. Television advertising is a costly exercise, so I hope you will give generously. I am sure the families in your community will appreciate your commitment.*

*Your community's contribution through local government is essential and will be recognised in the following manner:*

**\$250+** Local government **name**

**\$500+** Local government **logo**

**\$1000+** Local government **name and logo**

*This unique approach, when completed, will set a benchmark for other regions of Australia. Your involvement will be conveyed to the Prime Minister, the Hon John Howard MP.*

*I implore you, as a fellow West Australian, to work with us to make a difference this Easter.*

*Should you require more information, please do not hesitate to contact me, Dr Jacobs or Mrs Martin.*

*Your Sincerely*

**BARRY HAASE MHR**  
Federal Member for Kalgoorlie Ph: 08902 12035

**DR GRAHAM JACOBS**  
Member of Roe Ph: 08 9071 6555

**MRS CAROL MARTIN MLA**  
Member for Kimberley Ph: 0891923111"

### **Consultation**

Chief Executive Officer and Director Engineering Services

**Statutory Implications** Nil

**Policy Implications**

Council Policy 3/013 'Safety, Health and Environmental Policy' states in part:

- . *to develop, implement and evaluate safety, health and environmental policies, programs and management plans; and*
- . *provide appropriate financial and other resources for safety, health and environmental programs.*

**Strategic Planning Implications** Nil

**Budget Implications**

No allocation of funds has been included in the 2006/2007 budget for Road Safety Media Campaigns.

**Officer's Comment**

Local Government is involved in various safety and other related issues on our local roads. While this request has merit, it is felt that any media campaigns for road safety should be funded through the State and/or Federal Governments.

**200607/206 Council Decision/Officer's Recommendation**

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

**That Council decline request to financially contribute to the Road Trauma Reduction Fund.**

**CARRIED 5/1**

*NOTE : Cr G D Bussell requested the votes be recorded.*

*Record of Vote:*

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

**11.3.2 Recreation Services****11.3.2.1 JD Hardie Working Group - Recommendation for Future of JD Hardie Centre (File No.: 26/05/0013)**

**Officer** Bec Coxall  
Recreation Coordinator

**Date of Report** 14 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

Council resumed management of the JD Hardie Centre on the Monday 27 November 2006. The JD Hardie Working Group has developed recommendations for the immediate and medium-term use of the JD Hardie Centre for consideration by Council.

**Background**

At the Ordinary Council Meeting on the 22<sup>nd</sup> February 2006, Council resolved in part to:

*“...create a working group, called the JD Hardie Working Group, to function for a short period to consider future uses of the JD Hardie Centre...”*

In July 2006, Council was approached by the Youth Involvement Council (YIC) with a proposal to relocate the YIC and its services to the JD Hardie Centre. Consultation with various groups ensued, and a report was submitted by CCS Strategic Management in regards to management and tenancy issues. At the Ordinary Council Meeting on the 22<sup>nd</sup> November 2006, Council resolved that:

- “i) the Youth Involvement Council (YIC) be advised that:*
- a) Council's intention is to convert the JD Hardie Centre into a full-time permanent youth centre with YIC being a key tenant;*
  - b) Council wishes to finalise all management and tenancy issues with YIC prior to committing to a timeframe for YIC's partial or full relocation into the facility so that the management and transition process is well defined and understood by all parties prior to implementation; and*
  - c) Council is not in a position to confirm a date for the proposed relocation of the YIC Drop-In Centre to the JD Hardie Centre Lessor Hall at this point as management and tenancy issues are yet to be*

*finalised and alternate arrangements are yet to be negotiated and/or confirmed with existing centre users.*

- ii) *proposed timeframe for implementation of management plan for the JD Hardie Centre as follows be endorsed:*

Date	Action
27 <sup>th</sup> November	Council assumes management of the facility
	DSR's ISDO move into the facility to promote/operate unstructured and semi-structured activities for youth in conjunction with YIC
Nov – Feb	All management and tenancy issues for proposed YIC relocation to the JD Hardie Centre to be negotiated and finalised
February 2007	Proposed management and tenancy arrangements for YIC's relocation to the JD Hardie be presented to be presented to Council for consideration
March 2007 onwards	Agreed management and tenancy arrangements implemented (assuming agreement can be reached).

- iii) *submissions be called to undertake feasibility study works and preliminary designs for the transition, conversion and renovation of the JD Hardie Centre from a sports centre into a youth specific facility. The scope of works shall include business planning for the management of the facility for the short, medium and long term and the development of conceptual plans for the staged redevelopment of the Centre. Timeframes for this project shall be as follows:*

Date	Action
28 <sup>th</sup> November	Quotations Sought
13 <sup>th</sup> December	Quotations Close
Dec – March	Consultation Undertaken
March	Draft Report Due – refer to Council
April	Final Report Due – refer to Council

- iv) *the Department for Planning and Infrastructure (State Land Services) be advised in writing that Council wishes to change the purpose of Reserve 41675 from Recreation to Youth Service Facilities;*
- v) *a budget item be prepared indicating proposed income expenditure be prepared and submitted to council (06/07) together with the Feasibility study recommendations.”*

As per the Council resolution, management and tenancy issues were researched and reported by an external consultant, to allow the management and transition process to be well defined and understood by each party.

CCS Strategic Management, who has previously presented reports to Council in regards to the JD Hardie Centre, undertook this consultation. This report specifically outlined that the Town of Port Hedland not compromise the use of the JD Hardie Centre as a predominant recreation center in the short term, and continue (as a priority), the planning for the development of a new multi-purpose recreation facility. Conversely however, it was also recommended that (in accordance with Council's previous resolution), Council should continue to support the future transformation of the JD Hardie Centre into a Youth Centre, dependant on the approval and construction of the proposed multi-purpose recreation facility.

In response to CCS Strategic Management's report concerning management and tenancy, the ICC submitted a report on behalf of the YIC. This outlined the importance of the YIC immediately leasing the minor hall of the JD Hardie Centre, for use as a drop-in-centre. From a financial perspective, the primary concern of both the YIC and the ICC is the funding from State and Federal departments of approximately \$600,000, earmarked for an administration building. These funds are required to be expended prior to the end of the 06/07 financial year, due to the carry-forward that has occurred with these grants previously.

An agreement from all members of the JD Hardie Centre Working Group was obtained, for recommendation to Council. These recommendations included:

- Allowing the YIC to commence the construction of their administration building on the site of the JD Hardie Centre
- Develop a subsidised rate for youth access to the JD Hardie Centre and its programs
- Maintain the JD Hardie Centre as a predominant recreation centre with a priority plan on the development of a youth or recreation centre
- Invite other agencies to become members of the JD Hardie Centre Working Group.

### **Consultation**

JD Hardie Centre Working Group  
Chief Executive Officer  
Director Engineering  
Recreation Staff  
Youth Involvement Council  
Indigenous Coordination Centre  
CCS Strategic Management

**Statutory Implications** Nil

**Policy Implications** Nil

**Strategic Planning Implications**

Key Result Area 3 – Community Development

Goal 2: Sports and Leisure

Strategy 1. Review and services provision and management model at the JD Hardie Recreation Centre and implement Council's preferred direction.

**Budget Implications**

Nil

**Officer's Comment**

The JD Hardie Working Group came to a consensus in regards to the recommendations for Council consideration, after discussions regarding the current and proposed programs on offer, and the recommendations from CCS Strategic Management and the ICC. All present at this final meeting agreed that the need for youth services in the town was a priority, however removing the recreation services offered from the minor hall of the JD Hardie Centre would not benefit either the youth, the YIC and the current attendees at the JD Hardie Centre. By approving the YIC to commence the process for construction of their administration building and drop-in-centre on the JD Hardie Centre reserve, mutual goals can be achieved.

An advantage of allowing the YIC to construct their building adjacent to the JD Hardie Centre is the integration of some of the 'at-risk' youth that frequent the YIC, with the programs on offer at the JD Hardie Centre. This will assist in increasing program numbers, and allow a closer relationship between the Town of Port Hedland and the YIC. The minor hall of the JD Hardie Centre will therefore be available for use for the current and upcoming recreation programs in the medium-term, many of which are targeted at youth. This recommendation is closely linked with the progression of the development of the multi-purpose recreation centre, to allow the JD Hardie Centre to eventually become the youth 'hub' of South Hedland. By approving this construction on the JD Hardie Centre site, both the YIC and the JD Hardie Centre will be accessible to all youth in Hedland, in one central location.

The JD Hardie Working Group deemed that the commencement of the administration building on Reserve 41675 for the YIC would allow the transition of youth based services to occur. Should the development of the proposed multi-purpose recreation facility be approved, the JD Hardie Centre will then be available for use predominantly for youth and related services. This recommendation also allows for the continuation of the current programs on offer at the Centre, and will therefore not disrupt any of the existing users.



Attendance figures at the JD Hardie Centre have increased over the last two months in comparison to previous months. Tae Kwon Do is now offered five times per week, and registration numbers for structured sports are higher than the previous season. New programs have been developed for all members of the community, as a way to encourage active and healthy lifestyles, whilst providing a safe and happy atmosphere. The Kids Club (6 months to 4 years) has up to 30 children per class, and youth based programs include roller discos, GR8 SK8, and Saturday Sessions. All are programmed to commence late March, providing Fees and Charges are adopted.

A financial based recommendation from the JD Hardie Centre Working Group was based on the current Schedule Fees and Charges used at the Centre. It has been recommended that either a funding or a subsidy scheme for youth entry into the Centre be developed, to allow all access to the programs on offer. This recommendation will require in-depth research, due to the different types of programs currently being offered, including unstructured, semi-structured, and fully structured services. Offering access to structured programs at the Centre at a nil charge for youth is admirable, however lack of ownership to the program causes disruption to fixtures, umpiring and successful programming. It is therefore recommended that Council allow research into a new fee structure that will allow continual participation in all structures programs, and random participation in semi and un-structured programs.

To allow inter-agency input at the JD Hardie Centre, it is recommended that other government and non-government organisations be invited to become members of the JD Hardie Centre Working Group, to oversee and make recommendations to Council on the eventual use of the JD Hardie Centre as the hub of youth services in South Hedland.

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

That:

- i) the Youth Involvement Council (YIC) be advised that:
  - a) Council supports the development of the YIC administration facility adjacent to the JD Hardie Centre on Reserve 41675;
  - b) Council will work closely with YIC to develop the administration facility in the shortest possible time period;
  - c) YIC should commence processes to undertake design of the building on this site;
  - d) Council Officers commence the process of developing a lease for the proposed development; and

- e) a planning application be submitted to Council for approval for construction of the administration block, following completion of design works;
- ii) the JD Hardie Centre be maintained as the primary recreation centre, with an emphasis on providing structured and semi-structured programs for youth, whilst a feasibility study is undertaken into the proposed new multi-purpose recreation centre;
- iii) other agencies be invited to become members of the JD Hardie Working Group to determine interaction and co-relationship with the YIC and the Town of Port Hedland in regards to the JD Hardie Centre;
- iv) research into potential fee structures for youth based programs at the JD Hardie Centre commence, with subsidies, promotions and funding all considered.

**200607/207 Council Decision****Moved:** Cr G D Bussell**Seconded:** Cr S F Sear**That:**

- i) **the Youth Involvement Council (YIC) be advised that:**
  - a) **Council supports the development of the YIC administration facility adjacent to the JD Hardie Centre on Reserve 41675;**
  - b) **Council will work closely with YIC to develop the administration facility in the shortest possible time period;**
  - c) **YIC should commence processes to undertake design of the building on this site;**
  - d) **Council Officers commence the process of developing a lease for the proposed development; and**
  - e) **a planning application be submitted to Council for approval for construction of the administration block, following completion of design works;**
- ii) **the JD Hardie Centre be maintained as the primary recreation centre, with an emphasis on providing structured and semi-structured programs for youth, whilst a feasibility study is undertaken into the proposed new multi-purpose recreation centre;**

- iii) other agencies be invited to become members of the JD Hardie Working Group to determine interaction and co-relationship with the YIC and the Town of Port Hedland in regards to the JD Hardie Centre;
- iv) Council develop a fee structure for youth based programs at the JD Hardie Centre commence, with subsidies, promotions and funding all considered.
- v) a Memorandum of Understanding (MOU) or agreement be negotiated between the Town of Port Hedland and Youth Involvement Council Inc. to formalise their current and future role in the JD Hardie centre programming.

**CARRIED 5/1**

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

*Record of Vote:*

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

*REASON: Council included Clause v) for an agreement to be negotiated between Council and the Youth Involvement Council Inc. in order to formalise YIC's current and future role in the JD Hardie centre programming.*

### 11.3.2.2 **Schedule of Fees and Charges – Request for Additional Fees for JD Hardie Centre Programs (File No.: 26/05/0005)**

<b>Officer</b>	Bec Coxall Recreation Coordinator
<b>Date of Report</b>	16 February 2007
<b>Disclosure of Interest by Officer</b>	Nil

#### **Summary**

The JD Hardie Centre has introduced new programs for the community, however fees and charges do not currently exist. Additions to the 2006/07 Schedule Fees and Charges are requested.

#### **Background**

Council resumed management of the JD Hardie Centre on the 27<sup>th</sup> November 2006. The existing term programs (as taken over from the YMCA) were concluded for Term 4, and have since commenced for Term 1 2007. New term programs have also been introduced to encourage a broad range of community participation, and to encourage active and healthy lifestyles.

New programs offered are:

#### *Unstructured -*

- X-Pression: Use of selected equipment in an unstructured environment, whilst under supervision. Offered with two time-slots – 6 – 10 years and 11 – 15 years, for 1.5 hours each.

#### *Semi-structured*

- Saturday Sessions: First Saturday of every month, family fun days with use of all equipment. Offered as a five-hour session.
- GR8 SK8: Every Sunday, opening the indoor stadium up for use by skaters and rollerbladers. Offered as a three-hour session.
- Disco: First Friday of every month, conducting a disco in the main hall. Offered as a three-hour session.

#### *Structured and Fully Supervised*

- Move-y Nights: Showing a movie and setting up equipment for a Friday night entertainment and activity session. Offered as a four-hour session.

- Sleepover nights: Four times per year (end of school term)– similar to movie nights, however allowing the children to sleep at the JD Hardie Centre overnight. For primary school aged children only.
- Fitness Classes: Both Les Mills and Freestyle. Offered as an hour per class.

Currently, the Fees and Charges adopted by Council for the JD Hardie Centre state that the stadium fees (structured competition with paid umpires) for juniors are:

No Umpire:	\$2.50 per child
Umpire:	\$3.50 per child

These fees are those used for basketball, where all programming of the games and all associated organisation is undertaken by the JD Hardie Centre staff.

Additions to the current fees and charges are required to cover the new programs. A family pass rate is also requested, to allow those with three children or more to access to Centre at a reduced rate. It is also requested that court hire be an addition to the fees and charges, as one does not currently exist.

### **Consultation**

Director Engineering  
Recreation Programmer  
Sports and Recreation Officer

### **Statutory Implications**

Section 6.19 of the Local Government Act 1995 states:

*“6.19. Local government to give notice of fees and charges  
If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of <sup>3</sup>/<sub>4</sub>  
(a) its intention to do so; and  
(b) the date from which it is proposed the fees or charges will be imposed.”*

### **Policy Implications**

Nil

### **Strategic Planning Implications**

Within Key Result Area 3 – Community Development, the goal for youth and children states that: ‘parents and young children in the Town have access to a range of facilities and services that is comparable to a metropolitan area.

**Budget Implications**

Should these fees and charges be adopted, an expected increase in revenue is expected, due to increased patronage at the JD Hardie Centre.

**Officer's Comment**

The new programs that will be offered at the JD Hardie Centre have been developed to target a broad range of community demographics.

The fees are based upon the level of supervision required, the number of hours the program is offered for and the existing fees and charges as adopted by Council.

It is also requested that new programs are offered at a free introductory rate for their initial opening. This will allow members of the community to experiment with the new programs on offer, without having to commit funds to do so.

The requested additions to the 06/07 Schedule of Fees and Charges is as follows:

Unstructured Program:	\$3.50 per child
Semi-Structured Program:	\$5.00 per child
	\$12.00 per family (3 x children)
Supervisors/Parents:	Free
Move-y Nights:	\$8.00 per child
	\$20 per family (3 x children)
Overnight Program:	\$20.00 per child
	\$50.00 per family (3 x children)
Outdoor Court Hire:	Day: \$10/court/hr
	Night: \$15/court/hr
Introduction Rate:	Free

No fee and charge has yet been established for the fitness classes, as a pricing analysis is currently being undertaken to ensure that Council does not breach any competition laws. These will be presented to Council once a fee has been established.

**200607/208 Council Decision/Officer's Recommendation****Moved:** Cr S F Sear**Seconded:** Cr D R Pike**That:**

- i) the 2006/07 Schedule of Fees and Charges be amended for the JD Hardie Centre to include (inclusive of GST):

<b>Unstructured Program:</b>	<b>\$3.50 per child</b>
<b>Semi-Structured Program:</b>	<b>\$5.00 per child</b> <b>\$12.00 per family (3 x children)</b>
<b>Supervisors/Parents:</b>	<b>Free</b>
<b>Move-y Nights:</b>	<b>\$8.00 per child</b> <b>\$20 per family (3 x children)</b>
<b>Overnight Program:</b>	<b>\$15.00 per child</b> <b>\$35.00 per family (3 x children)</b>
<b>Outdoor Court Hire:</b>	<b>Day: \$10/court/hr</b> <b>Night: \$15/court/hr</b>
<b>Introduction Rate:</b>	<b>Free</b>

effective ten 10 working days from date of advertisement;  
and

- ii) the new fees and charges be advertised for two (2) weeks prior to the implementation of the new programs, in accordance with section 6.19 of the Local Government Act 1995.

***CARRIED BY ABSOLUTE MAJORITY 6/0***

**11.3.2.3 Request for Waiver of Fees for Basketball (File No.: GOV-004)**

**Officer** Bec Coxall  
Recreation Coordinator

**Date of Report** 15 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received a letter from the Youth Involvement Council requesting that the fees for youth basketball be waived for 2007. Please refer to the letter attached.

**Background**

The Town of Port Hedland will soon be commencing the basketball program for 2007 at the JD Hardie Centre. Standard basketball seasons for the last two years have been programmed for Term 2 and Term 4, to ensure that interest in the competition remains high, and to provide intermittent sports throughout the year.

On Wednesday 7 February 2007, Recreation Staff at the Town of Port Hedland, the Youth Involvement Council (YIC) the Department of Sport and Recreation's Indigenous Sports Development Officer and various volunteers met to discuss the upcoming 2007 season.

Discussions throughout this meeting determined that a trial of an extended junior and senior basketball season would commence on 20 March 2007 and conclude on 25 September 2007, to provide members of the Town of Port Hedland community a basketball competition throughout the entire winter season. This provides a competitive season of 24 weeks of basketball, (excludes school holidays) including two (2) or three (3) weeks of finals (depending on number of teams). This competition would be organised by the JD Hardie Centre staff, including fixtures, arrangement of umpires and general program organisation.

In the past, only a senior competition has been offered, although juniors were welcome to play in the adult team. To allow for increased participation in the youth area, it is proposed that a junior competition be developed, to run in conjunction with the senior competition. This competition will precede the senior competition, and be available for 10 – 16 year olds. (Juniors will still be eligible to compete in the senior competition).

The current fees and charges for a basketball competition, according to the 2006/07 Schedule of Fees and Charges are:

Registration fee (per team) \$40.00



Team Fee (Junior)	\$17.50
Team Fee (Senior)	\$35.00

These fees include all programming for the entire competition, including the payment of umpires, the organisation of fixtures and providing trophies and medallions for the finals. Players within any structured competition offered at the JD Hardie Centre are only required to be present during their fixtured game to play their round.

**Consultation**

Director Engineering Services  
Recreation Programmer  
Sports and Recreation Officer  
Youth Involvement Council Staff  
Indigenous Sports Development Officer  
Community Volunteers from Hedland Basketball

**Statutory Implications** Nil

**Policy Implications** Nil

**Strategic Planning Implications** Nil

**Budget Implications**

The YIC have requested a full waiver for the junior fees of \$315 per team. With a 24-week season, the total cost per junior team actually equates to \$460 (Consists of 24 weekly team fees of \$17.50 per team, and an initial \$40 registration). The YIC have indicated there are between 80 and 100 youth that participate in the current competition. Assuming that this equates to 10 teams and Council chooses to waive these fees, Council will forego revenue of \$4,600.

**Officer's Comment**

For the previous two years of basketball, sponsorship has been obtained to provide a basketball competition at a reduced rate. This meant that all members of each team were required to pay a minimal fee, for the privilege of having a fully structured basketball competition provided. By requiring each team to contribute to the competition, it was basically assured that every team would have ownership within the competition, and therefore be present to participate, thus keeping the competition successful. (Continual forfeits reduce the pride and willingness of other teams to participate in structured competitions).

Current Fees and Charges of junior teams are based upon the standard number of players per team. For basketball, five are allowed on court at any one time. For the majority, there are approximately three substitutes per team.

After the initial \$40 nomination fee, this equates to less than \$2.20 per child per week for the entire competition (including paid umpires).

To ensure the integrity of the competition, it is therefore recommended that each team still contribute to this structured program. However, it is recommended that the YIC, the Indigenous Sports Development Officer and the Town of Port Hedland attempt to obtain sponsorship, to reduce these costs to each team.

As part of the new programming on offer at the JD Hardie Centre, the overhead lights at the basketball courts are to be turned on every Thursday night. This allows all members of the community to have access to the courts at a nil charge, encouraging active lifestyles, and encouraging youth to be in a safe and central location. All YIC children are welcome to use the courts for basketball during this time.

**200607/209 Council Decision/Officer's Recommendation****Moved:** Cr A A Gear**Seconded:** Cr S F Sear**That the Youth Involvement Council Inc. (YIC) be advised that:**

- i) their request for waiver of fees for the junior basketball competition be denied; and**
- ii) the Chief Executive Officer's nominated officer(s), the YIC and the Indigenous Sports Development Officer attempt to obtain funding to subsidise the competition.**

**CARRIED 4/2**

## ATTACHMENT TO AGENDA ITEM 11.3.2.3



## Youth Involvement Council

We gratefully acknowledge partial funding from State Departments of Community Development & Justice and Federal Department of Community Services, and support from the Town of Port Hedland.

8<sup>th</sup> February 2007

Town of Port Hedland  
PO Box 41  
Port Hedland  
WA 6721

Re: Waiver of fees for basketball.

The Youth Involvement Council Inc is a non profit organisation. YIC coordinated the youth "Allstars" basketball competition in 2006, working along side Combined University Centre for Rural Health and Gavin Mitchell, Indigenous Sports Development Officer. This competition ran for a period of 12 weeks from August through to November at the Lawson Street Youth Centre.

Each week we had between 80 to 100 hundred youth playing basketball and 100 spectators. The competition was aimed for children aged between 10 to 18 years. This program was a complete success and youth have been eager for the competition to start back up.

I attended the basketball meeting at the JD Hardie Centre on Wednesday the 7th of February to incorporate our youth with the newly planned basketball competition.

We were informed that the costs were going to be \$40.00 registration per team inclusive, totalling a team cost of \$315.00. As a non profit organisation YIC represents at risk and disadvantaged Indigenous Youth. For the majority of our youth and their families, this cost is unrealistic and will create huge economical and social barriers resulting in segregation within the community. The financial burden on families will not allow youth to be included in the basketball competition at the JD Hardie Centre.

As a Coordinator of the Lawson Street Youth Centre. I would like to recommend a full waiver for the \$315.00 for the duration of the competition for under 18 years old.

Kind regards,

Jean King  
Coordinator  
Lawson Street Youth Centre

Administration  
PO Box 2543,  
South Hedland WA 6722  
Ph: (08) 91401272  
Fax (08) 9172 1009  
Email: [manager@yic.com.au](mailto:manager@yic.com.au)

YAP (Youth Accommodation Program)  
Ph: (08) 91 401668, Fax (08) 9172 5594  
Email: [senior.jeaning@yic.com.au](mailto:senior.jeaning@yic.com.au)

Lawson Street Youth Centre  
Ph: (08) 9140 2637  
Fax: (08) 9172 1009  
Email: [senior.yc@yic.com.au](mailto:senior.yc@yic.com.au)

Helping Families  
Ph: (08) 9172 3623 Fax: (08) 9172 1009  
Email: [senior.mf@yic.com.au](mailto:senior.mf@yic.com.au)

**11.3.2.4 Request for Fee Waiver of Hire and Lighting Costs of Marie Marland Reserve, Diamond 1 (File No: 26/07/0002)**

**Officer** Matthew Jackson  
Sports and Recreation Officer

**Date of Report** 13 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received a request to waiver fees for the Police versus Kids baseball game being held at Marie Marland Reserve, Diamond 1 on Monday 26 March 2007.

**Background**

The WA Police and the Port Hedland Baseball Association were approached by the Sports and Recreation Officer to conduct a Police versus Kids baseball game as part of Physical Activity Week. During this game the police were planning to set up a kiosk that would raise money for the Police Legacy charity. The event would hopefully bring a good crowd and promote physical activity and a positive relationship between the town's youth, police and the public. The South Hedland Police Social Club therefore is requesting that council:

- Waive the hire fees of for the use of Marie Marland Reserve, Diamond 1, for Monday the 26<sup>th</sup> of March from 5:00pm to 8:00pm.

This request has been made with the following explanations:

- The South Hedland Police Social Club will be providing food and refreshments, with all profits going to the Police Legacy charity.
- The event is of social significance in Hedland, promoting a positive relationship between police, teenage children and the general public.

For full details of the letter sent to council please see attachment.

**Consultation**

Director Engineering Services  
Recreation Coordinator  
Related Police Personnel

**Statutory Implications** Nil

**Policy Implications**

Council Policy 6/006 'Occasional licenses and consumption of liquor on recreation reserves of council owned or managed facility'.

**Strategic Planning Implications** Nil

**Budget Implications**

If the requests are supported Council will forego revenue of up to \$142.72 for hire of Marie Marland Reserve, Diamond 1. The cost of lighting would be \$61.00 if lights were used from 6:00pm to 8:00pm.

Total cost waived is therefore \$203.72.

**Officer's Comment**

The South Hedland Police and Port Hedland Baseball Association have been asked to arrange this event as part of Physical Activity Week in Port Hedland. The Police versus Kids baseball game has been a successful social event for the community and will provide great entertainment to both the adults and youth of Port Hedland. The South Hedland Police Social Club, will be running a kiosk that will provide food and refreshments to the spectators, with the profits all going to a worthy charity.

Council therefore has two options:

1. Waive the fees for the costs of hiring Marie Marland Reserve Diamond 1, including lighting, or
2. Require the South Hedland Police Social Club to cover the costs of hiring Marie Marland Reserve, Diamond 1 and lighting the venue.

The South Hedland Police Social Club was considering applying for a liquor licence. However, according to policy number '6/006 *Occasional licenses and consumption of liquor on recreation reserves or council owned or managed facility*', point 3 states that no liquor is to be consumed at junior sports events. This point would be highlighted to the social club, before booking is approved.

**200607/210 Council Decision/Officer's Recommendation**

**Moved:** Cr A A Gear

**Seconded:** Cr D R Pike

**That Council waives the costs of hiring Marie Marland Reserve, Diamond 1 including lighting (total cost being \$203.72) for the Police versus Kids Baseball game being held at Marie Marland Reserve, Diamond 1 on Monday 26 March 2007.**

**CARRIED 6/0**

*ATTACHMENT TO AGENDA ITEM 11.2.3.4*



**WESTERN AUSTRALIA POLICE  
SOUTH HEDLAND POLICE STATION**

**SOUTH HEDLAND POLICE STATION**  
2-6 Hawke Place South Hedland  
WESTERN AUSTRALIA 6722  
Telephone: (08) 9172 1444  
Facsimile: (08)9140 1307

Your ref:  
Our ref:  
Enquiries : Don Couper

**Town of Port Hedland**

I am applying on behalf of the South Hedland Police Social Club to waive fees for the hire of Marie Marland Reserve, Diamond 1, on Monday 26<sup>th</sup> March 2007. The function to be held is a Police versus Kids baseball game.

The South Hedland Police Social Club will be providing food and refreshments including a liquor permit with all profits going to Police Legacy.

This event is of social significance in Hedland, promoting a positive relationship between police, teenage children and the general public.

Forwarded for your consideration

A handwritten signature in black ink, appearing to read 'Don Couper 7259', is written over the typed name.

Don Couper  
Senior Constable 7259  
11<sup>th</sup> February 2007.

**11.3.2.5 Triple J's One Night Stand (File No.: 26/01/0017)**

**Officer** Bec Coxall  
Recreation Coordinator

**Date of Report** 14 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

Triple J Radio Station's national annual competition the 'One Night Stand' has been released for 2007. Communities with a population of less than 20,000 have the opportunity to win a concert in their town, to be performed on Friday 20 April 2007. The competition stipulates that all entrants must have the support of their Local Council, including venue, toilets, power and overhead lighting, and Triple J will provide the band related effects such as lighting and staging, and will broadcast the show around Australia.

This concert is an all-ages, alcohol free event, and entry is free.

**Background**

In order for the entry to the Triple J One Night Stand competition to proceed, it must have full support from Council. This support therefore involves the waiving of certain fees, and the commitment to cover other costs associated with running the event should the entry be successful.

Port Hedland entered this competition in 2006, after Council resolved at a Special Meeting held on the 28<sup>th</sup> February 2006 to support the event and the associated costs. These included waiving the fees for use of the oval, bins, power, overhead lighting and the hiring and cleaning of the toilets and surrounding areas.

The estimated attendance at the Triple J One Night Stand event, should it proceed, is 5,000 – 6,000. The costs associated with running an event of this scale are detailed below.

*Venue Hire*

The proposed site for this event to occur is Kevin Scott Oval in South Hedland, with use of the attached clubrooms and toilets for the bands and associated personnel. In total, the venue will be required for four days (two days set up, event and pack up). At a hire cost of \$142.72 per day this will cost \$570.90. It is requested that Council waive these hire fees.

*Cleaning*

The area surrounding Kevin Scott Oval will be required to be cleaned for litter following the event. It is likely that this will take Council staff approximately 3 hours. Organisers of the event from council will volunteer their time to assist in this clean-up, however additional staff will be required from Parks and Gardens. It is requested that Council cover the cost of wages up to \$600 for this to occur.

*Bins*

Based on Welcome to Hedland Night, it has been estimated that 30 additional bins are required. At \$35.80 per bin the total bin hire fee will be \$1,155. It is requested that Council waive the hire fee for this aspect of the event.

*Toilets*

In total, 30 toilets will be needed. No toilets on site will be used due to the clubrooms being utilised by the band and staff only, therefore additional portable toilets will be hired. At approximately \$100 each, the total hire fee for toilets is \$3,000.

Toilets must be pumped out before they are returned. This can be done at the following approximate prices: \$115 for the truck plus \$40 per thousand litres. Assuming that each 500 litre port-a-loo is filled to capacity, the maximum amount that will be paid for pumping is \$600. The maximum payable for clearing the toilets is therefore \$715.

The total cost of hiring and emptying toilets is \$3,715. It is requested that Council cover these associated costs.

*Lighting*

Lighting will be required for a maximum of 13 hours (6pm – 7 am). The fee charged to use the overhead lights on low level is \$20.70 per hour. The total cost to hire the lights for this period is therefore \$269.10. Council currently pays all electricity for the oval during a hire period, and no-charges any overhead light costs. It is requested that Council absorb these costs. It is likely however that lights will not be required for the entire 13-hour period.

*Power*

It is estimated that the event will use no more than 596 units of power. This figure is based on the volume of power used by carnivals held at the oval. At a charge of \$0.17468 per unit (inc. GST), the total estimated cost of power is \$104.11. It is requested that Council absorb these costs.



*Insurance*

Public liability insurance will need to be provided by the Town of Port Hedland for all aspects surrounding the show (venue staff, volunteers, car park attendants etc). This has been done in the past for Town of Port Hedland events such as Australia Day and Welcome to Hedland Night. The ABC will provide public liability insurance for the event itself.

*Other*

Other costs associated with running an event of this size include advertising, media, security, parking, and ambulance attendance. Sponsorship will be sought by the organisers to cover these, and any additional funds that are not used for the One Night Stand will be donated to the Black Rock Stakes.

**Consultation**

The competition was advertised on the Triple J website and their radio station. Consultation has occurred with staff at the Town of Port Hedland who are volunteering their time to enter this competition. Staff include:

Recreation Coordinator  
Senior Engineering Technical Officer  
Sports and Recreation Officer  
Recreation Programmer  
Events Coordinator  
Senior Planning Officer  
Environmental Health Officer  
Director Engineering

**Statutory Implications** Nil

**Policy Implications** Nil

**Strategic Planning Implications**

Key Result Area 2 – Community Pride  
Goal 2 – Events  
Strategy 1. Actively support the development and operation of community events.

One of the measurements of this goal is for there to be at least six (6) community events held per annum.

**Budget Implications**

If Council approves the recommendation then the total amount of fees waived (including those costs not on-charged) will be \$2,099.11 and the total expenditure will be \$3,715. This is a total of \$5,814.11.

This figure does not include Council wages to clean the area following the event. All staff who are involved in organising the entry for this competition will volunteer their time for clean-up following the event.

**Officer's Comment**

In supporting this event, the Town of Port Hedland will gain media coverage, with national knowledge of this town and the area. It is anticipated that the benefits of Council supporting this event outweigh the costs for waiving the fees for use of the facilities at Kevin Scott Oval in South Hedland.

The aforementioned staff at the Town of Port Hedland are willing to organise all aspects of the event in accordance with the entry requirements stipulated by Triple J, and Council's support of the application will allow the entry to be submitted as part of the competition. The entry requirements include a petition for members of the community to support the event, therefore allowing in increased knowledge and ownership of the event should it occur.

It is likely that advantageous benefits to the community will occur. Tourism will increase during this time, as members from outlying communities and Shires will likely attend this event, encouraging expenditure within the town, and increased knowledge of what Port Hedland has to offer.

It needs to be note that should the Port Hedland application not be successful, the event will not proceed. For our application to be considered however, Council support is required.

**200607/211 Council Decision/Officer's Recommendation****Moved:** Cr G D Bussell**Seconded:** Cr D R Pike**That:**

- i) **the waiver of fees for:**
  - a) **use of Kevin Scott Oval for four days, at a total cost of \$570.90,**
  - b) **hire of 30 bins at a total cost of \$1,155,**
  - c) **oval lighting and power use at a total maximum cost of \$373.21;****be approved;**
  
- ii) **commitment be granted by Council to cover the costs of hiring 30 toilets for the event, at a maximum cost of \$3,715;**

- iii) allowing the staff of the Town of Port Hedland to organise the One Night Stand entry application to Triple J within working hours be endorsed by Council;
- iv) cleaning after the One Night Stand at Kevin Scott Oval, to a maximum wage amount of \$600 be waived;
- v) authorisation be granted for Town of Port Hedland public liability insurance being used for all volunteers and staff at the event; and
- vi) additional funds obtained for the One Night Stand, and not utilised for the event, be donated to the Black Rock Stakes Committee Inc.

***CARRIED BY ABSOLUTE MAJORITY 5/1***

**11.4 GOVERNANCE AND ADMINISTRATION****11.4.1 Corporate Services****11.4.1.1 *Financial Reports to Council for Period Ended 31 January 2007 (File Nos: FIN-008, FIN-014 and RAT-009)***

**Officer** Stephen Carstairs  
Manager Finance

**Date of Report** 19 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

The objective of this item is to present a summary of the financial activities of the Town to 31 January 2007, and to compare this with that budgeted for the period.

**Background****1. *Financial Statements***

Presented (see attachments) in this report for the financial period ended 31 January 2007, are the:

- . Statements of Financial Activity – see Schedules 2 to 14; and
- . Notes (1 to 9) to and forming part of the Statements of Financial Activity for the period ending 31 January 2007.

Note: 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.

**2. *Schedule of Accounts Paid***

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 28 February 2007 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 No	Fund Name	Description
From	To	Value	From	To			
CHQ17155	17221	\$546,113.13	1	15	1	Municipal Fund	Cancelled
CHQ17222	17223	\$0.00	15	15	1	Municipal Fund	
EFT17569	17810	\$1,893,276.77	15	106	1	Municipal Fund	
PAY 020107		\$184,328.97	106	106	1	Municipal Fund	
PAY 050107		\$1,294.94	106	106	1	Municipal Fund	
PAY 160107		\$207,226.38	106	106	1	Municipal Fund	
PAY 290107		\$29,438.58	106	106	1	Municipal Fund	
PAY 300107		\$180,849.55	106	106	1	Municipal Fund	
	Municipal Total	\$3,042,528.32					
	Trust Total	\$0.00			3	Trust Fund	
	<b>TOTAL</b>	<b>\$3,042,528.32</b>					

**Consultation**

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

Linda Nickoll (Accounts for Payment)  
 Paula Maguire (Sundry Debtors)

**Statutory Implications**

*Financial Statements*

Regulation 34 of the Local Government (Financial Management Regulations), states as follows:

*“34. Financial activity statement report - s. 6.4*

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:*
  - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
  - (b) budget estimates to the end of the month to which the statement relates;*
  - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*

- (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing:*
  - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
  - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
  - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown:*
  - (a) *according to nature and type classification;*
  - (b) *by program; or*
  - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be:*
  - (a) *presented to the council:*
    - (i) *at the next ordinary meeting of the council following the end of the month to which the statement relates; or*
    - (ii) *if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;*  
*and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.*

*In this regulation:*

*“committed assets” means revenue unspent but set aside under the annual budget for a specific purpose;*

*“restricted assets” has the same meaning as in AAS 27.*

Section 6.12 of the Local Government Act 1995 (Power to defer, grant discounts, waive or write off debts) states:

- “(1) Subject to subsection (2) and any other written law, a local government may –*
  - (a) *when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money;*
  - (b) *waive or grant concessions in relation to any amount of money; or*
  - (c) *write off any amount of money, which is owed to the local government.*

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

**Policy Implications**

2/003 Financial Statements – Copies for Councillors

Apart from the financial reports presented to Council as required by way of legislation, the following reports will be presented to Council:

Monthly Bank Reconciliation of the Municipal,  
Reserve and Trust Fund  
+90 day outstanding Sundry Debtors Report  
List of Accounts paid under Delegated Authority  
Register of Investments  
Rate Summary Trial Balance  
Reserve Account Balances

Quarterly Quarterly Budget Review  
Report on all Budgeted Grants of \$50,000 or more.

Irregular Financial reports will be presented to Council, as deemed necessary by the Director Corporate Services or the Manager Financial Services, or as requested by Council by resolution.

**Strategic Planning Implications** Nil

**Budget Implications** Nil

**Officer's Comment and Review of Transaction Activity**

Surplus funds (\$5,344,332) from 31 January 2007 activities and being brought forward into February 2007, is identified in Schedule 2 (see attached). As with the Operating (Surplus) for the period ending 31 December 2006 and reported to Council in January 2007, the year to date actual for 31 January 2007 (\$6,569,408) deviated appreciably (10%) from budget (\$7,272,564 and see Schedule 2).

As meaningful transaction activity deviations from Budget as at 31 December 2007 are the subject of a Budget review being reported elsewhere at this meeting, it was determined that no further review of the transaction activities to 31 January 2007 would be offered here.

**200607/212 Council Decision/Officer's Recommendation**

**Moved:** Cr S F Sear

**Seconded:** Cr G D Bussell

**That:**

- i) the:
- . **Statements of Financial Activity (represented by Schedules 2 to 14;**
  - . **Notes (1 to 9) to and forming part of the Statements of Financial Activity for the period ending 31 January 2007; and**
  - . **Review of Transaction Activity,**
- as attached and/or presented be received;
- ii) the list of Accounts paid under Delegated Authority, as presented be received.

***CARRIED 6/0***



**11.4.1.2 Audit and Finance Committee – Half Yearly Budget Review (File No.: ...-....)**

**Officer** Matthew Scott  
Director Corporate Services

**Date of Report** 22 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

For Council to consider the recommendations of the Audit and Finance Committee regarding amending the 2006/07 Annual Budget as a result of the December Mid Year Budget review.

**Background**

As the Council is aware, at the November Ordinary Meeting of Council, Council resolved

*“That:*

- i) Agenda Item 11.4.1.3 ‘September Budget Review’ lay on the table until the proposed amendments have been reviewed by the Audit and Finance Committee; and*
- ii) after the 2005/06 Annual Accounts have been audited a report on Council’s carry forward position be presented to Council’s Audit and Finance Committee by the Director Corporate Services.”*

Since this decision Council has received and adopted the Audited Financial Statements for 2005/06 and the December Budget review has been completed. This review was considered by the Audit and Finance Committee on the 14 February 2007, with the following recommendations being made (unconfirmed minutes attached):

*“That the Audit and Finance Committee recommend to Council that:*

- i) the 2006/07 Budget be amended as per the attached list, resulting in a nett budget cash surplus of \$1,723,700; and*
- ii) the surplus be allocated in the following manner:*
  - a) Staff Leave Entitlements Reserve (\$500,000): Increasing existing reserve balance to provide increased coverage for Council's leave liabilities;*

- b) *Heavy Plant (\$205,000); Purchase of a new utility (\$35,000), new 6 wheel truck (Nett cost of \$120,000) and a light maintenance truck (\$50,000);*
- c) *Plant Reserve (\$100,000): Allocation to reserve to fund future plant purchase requirements;*
- d) *Staff Housing Reserve (\$100,000): Allocation to reserve to fund future staff housing requirements;*
- e) *Civic Building/Infrastructure Reserve (\$400,000): Establishment of a new reserve for the purpose of 'Maintenance and development of all Council owned buildings and civic infrastructure'; and*
- f) *Unallocated surplus (\$418,700): To be considered at the March budget review and/or as a component of the 2007/08 Budget process."*

A summary of the initial budget amendments put forward to the Committee is as follows (detail listing attached):

Function	Original Budget	Proposed Amended Budget	Change
General Purpose Income	(11,012,420)	(11,244,920)	(232,500)
Governance	1,164,100	1,394,450	230,350
Law, Order & Public Safety	623,190	611,090	(12,100)
Health	310,300	295,800	(14,500)
Education & Welfare	322,487	686,587	364,100
Housing	626,000	616,500	(9,500)
Community Amenities	2,623,340	2,880,940	257,600
Recreation & Culture	4,658,210	4,685,290	27,080
Transport	6,044,484	7,248,984	1,204,500
Economic Services	519,100	472,900	(46,200)
Other Properties & Services	(28,500)	(162,870)	(134,370)
Total	5,850,291	7,484,751	1,634,460
Less Non Cash	(3,415,791)	(3,495,591)	(79,800)
Add Surplus B/Fwd	(2,434,500)	(5,712,860)	(3,278,360)
Cash Surplus	0	(1,723,700)	(1,723,700)

This would create an unallocated cash surplus of the \$1,723,700, which the Committee was requested to allocate. During this debate the Committee resolved to allocate the surplus as follows:

- \$500,000 – Transfer to the Staff Leave Entitlements Reserve;
- \$205,000 – Purchase a new utility, 6 wheel truck and Light Maintenance truck;
- \$100,000 – Transfer to the Plant Reserve for future plant purchases;
- \$100,000 – Transfer to the Staff Housing Reserve for future staff housing requirements;
- \$400,000 – Establish a Civic Building/Infrastructure Reserve for maintaining and developing all Council owned buildings and civic infrastructure in the future.

Effectively this leaves \$418,700 unallocated, which the Committee decided could be further reviewed at the April review. If these funds are not allocated during the year, they will be available to be carried forward into the 2007/08 financial year to offset expenditure.

### Consultation

In preparing the Budget review all management staff were consulted over a two-week process, in January 2007. Advice has been sought from the Towns Auditor, David Tomasi, as required.

### Statutory Implications

#### Local Government Act 1995

*6.8. Expenditure from municipal fund not included in annual budget*

*(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure <sup>3</sup>/<sub>4</sub>*

- (a) is incurred in a financial year before the adoption of the annual budget by the local government;*
- (b) is authorised in advance by resolution\*; or*
- (c) is authorised in advance by the mayor or president in an emergency.*

*\* Absolute majority required.*

#### Local Government (Financial Management) Regulations 2006

*“33A. Review of budget*

*(1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*

*(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*

*(3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

*\* Absolute majority required.*

*(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

**Policy Implications** Nil

**Strategic Planning Implications** Nil

**Budget Implications**

The proposed budget amendments will create a cash surplus of \$1,723,700, of which the Audit and Finance Committee have recommended to allocate \$1,305,000; with the balance, \$418,700, being retained as unallocated until the April review.

**Officer's Comment**

The December Budget review is extremely important to Council as it sets the financial stage for the remaining six months of the year. It is therefore understandable that this review has taken additional time to ensure it is a true reflection of what is likely to occur over this time frame. Council will note that there is numerous large dollar changes in almost every function, however this is primary the result of:

- 1) Significant new 06/07 projects funded from external sources; and
- 2) The additional 05/06 surplus identified in the 2005/06 Annual Financial Statements.

Details of these items can be found in recent Audit and Financial Committee minutes, which demonstrates Councils commitment to be totally transparent, when dealing with Financial Matters.

Council has a requirement to either adopt or amend the Audit and Financial Committees recommendations to ensure compliance with regulation 33A of the Local Government (Financial Management) Regulations 2006.

As Council will note in the background of this item, the Audit and Finance Committee have made a number of recommendations to allocation the remaining cash surplus (\$1,723,700). Staff supports the majority of these recommendations. The Audit and Finance Committee's recommendation to increase the leave reserve by \$500,000, is questioned as this decision seems excessive.

Council's provision for staff entitlements at 30 June 2006 was \$987,839, while the reserve balance to offset this liability was \$532,536. Increasing this reserve by \$500,000 will result in the reserve being 104% more than the provision/liability. Discussions with the Town's Auditors have indicated that generally, most Councils fund the current proportion of the provision (\$592,076), and the maximum funding percentage they have experience in other Councils is 85% of the total liability. They have suggested that over funding the reserve would be highly unusual, and have suggested that it may be appropriate to some of this increase (at least \$44,697) be allocated else where (either another reserve or unallocated surplus).

The following documents are attached:

- Detail listing of Accounts recommended for adjustment from the December Budget Review; and
- Unconfirmed Minutes of the Audit & Finance Committee, 14 February 2007.

### **Audit and Finance Committee's Recommendation**

That Council:

- i) Note the unconfirmed minutes of the Audit and Finance Committee held on the 14 February 2007; and
- ii) Amend the 2006/07 Annual Budget as per the attached list resulting in nett budget cash surplus of \$1,723,700; and
- iii) Allocate the nett budget cash surplus of \$1,723,700 in the following manner:
  - a) \$500,000 – Transfer to the Staff Leave Entitlements Reserve;
  - b) \$205,000 – Purchase a new utility, 6 wheel truck and Light Maintenance truck;
  - c) \$100,000 – Transfer to the Plant Reserve for future plant purchases;
  - d) \$100,000 – Transfer to the Staff Housing Reserve for future staff housing requirements;
  - e) \$400,000 – Establish a Civic Building/Infrastructure Reserve for maintaining and developing all Council owned buildings and civic infrastructure in the future.
  - f) \$418,700 – Retain as unallocated surplus until the April review and/or as a component of the 2007/08 Budget process.

### **200607/... Council Decision**

**Moved:** Cr S F Sear

**Seconded:** Cr J M Gillingham

That Council:

- i) Note the unconfirmed minutes of the Audit and Finance Committee held on the 14 February 2007; and
- ii) Amend the 2006/07 Annual Budget as per the attached list resulting in nett budget cash surplus of \$1,723,700; and
- iii) Allocate the nett budget cash surplus of \$1,723,700 in the following manner:
  - a) \$250,000 – Transfer to the Staff Leave Entitlements Reserve;

- b) \$205,000 – Purchase a new utility, 6 wheel truck and Light Maintenance truck;
- c) \$100,000 – Transfer to the Plant Reserve for future plant purchases;
- d) \$200,000 – Transfer to the Housing Reserve for future housing requirements;
- e) \$550,000 – Establish a Civic Building/Infrastructure Reserve for maintaining and developing all Council owned buildings and civic infrastructure in the future.
- f) \$418,700 – Retain as unallocated surplus until the April review and/or as a component of the 2007/08 Budget process.

*LOST 3/3*

6:28 pm Councillor S F Sear left the room.

### **200607/... Council Decision**

**Moved:** Cr G D Bussell

**Seconded:** Cr A A Gear

That Council:

- i) Note the unconfirmed minutes of the Audit and Finance Committee held on the 14 February 2007; and
- ii) Amend the 2006/07 Annual Budget as per the attached list resulting in nett budget cash surplus of \$1,723,700; and
- iii) Allocate the nett budget cash surplus of \$1,723,700 in the following manner:
  - a) \$250,000 – Transfer to the Staff Leave Entitlements Reserve;
  - b) \$205,000 – Purchase a new utility, 6 wheel truck and Light Maintenance truck;
  - c) \$100,000 – Transfer to the Plant Reserve for future plant purchases;
  - d) \$200,000 – Transfer to the Housing Reserve for future housing requirements;
  - e) \$500,000 – Establish a Civic Building/Infrastructure Reserve for maintaining and developing all Council owned buildings and civic infrastructure in the future.
  - f) \$418,700 – Retain as unallocated surplus until the April review and/or as a component of the 2007/08 Budget process.
  - g) \$50,000 – Transfer to Sick Leave Reserve.

*LOST 3/3*

**200607/213 Council Decision**

**Moved:** Cr S F Sear

**Seconded:** Cr G D Bussell

**That Agenda Item 11.4.1.2 'Audit and Finance Committee – Half Yearly Budget Review' be reconsidered by Council's Audit and Finance Committee, prior to future consideration by Council.**

**CARRIED 6/0**

*REASON: Council sought for further clarification of the recommended allocation of the nett budget cash surplus of \$1,723,700 to be reconsidered by the Audit and Finance Committee, prior to Council's determination of the item.*

*ATTACHMENT TO AGENDA ITEM 11.4.1.2*

<b>Account No.</b>	<b>Account Description</b>	<b>Original Budget</b>	<b>Proposed Amendment</b>	<b>Change</b>	<b>Explanation</b>
301278	Rates Incentive Prize	15,000	1,500	(13,500)	Incorrect allocation
301301	Rates Levied GRV	(8,010,050)	(8,087,050)	(77,000)	Valuation Changes between April - June
301302	Rates Levied GRV Minimum	(198,600)	(206,600)	(8,000)	Valuation Changes between April - June
301303	Rates Levied UV	(340,650)	(382,650)	(42,000)	Valuation Changes between April - June
301304	Rates Levied UV Minimum	(118,000)	(122,000)	(4,000)	Valuation Changes between April - June
302250	Grants Submissions	8,000	0	(8,000)	Not required
304380	Interest on Investments Muni	(252,000)	(332,000)	(80,000)	Increase expected
401278	Councillors Meeting Fees	56,000	49,000	(7,000)	Council has only 8 members
401282	Insurance	4,000	4,600	600	Increase Building insurance premium
401291	Technology Expenses	9,000	7,000	(2,000)	1 less Councillor & Cr Carter has a laptop
401293	Elected Members Training	5,000	0	(5,000)	Fewer WALGA attendees
402201	Salaries - F&A	379,800	389,800	10,000	Additional Casual staff for specific projects
402334	Reimburse - Legal Expenses	0	(4,250)	(4,250)	budget correction
404288	Relocation	40,000	50,000	10,000	More staff relocations than previously expected.
404335	Reimbursements - Staff Relocation	0	(2,500)	(2,500)	budget correction
405250	Computer Support	30,000	65,000	35,000	Increased need identified
405252	Telephone-Pabx Lease	7,500	5,000	(2,500)	savings identified
405254	Lease of Laptop Computers	16,000	8,000	(8,000)	Laptops returned
405255	IT Needs Study	10,000	0	(10,000)	Not required
405421	Communications	60,000	75,000	15,000	Carry over project
405422	Computer Hardware	92,500	101,500	9,000	Carry over project
405423	Computer Software	0	43,000	43,000	Carry over project
406203	Redundancies	0	157,000	157,000	Redundancy costs as per restructure
406261	Legal Expense	50,000	30,000	(20,000)	savings identified
406450	Building Improvements	80,000	100,000	20,000	Increased due to additional trades costs expected
407241	Printing & Stationery	45,000	37,000	(8,000)	savings identified
501255	Fire Insurance	800	1,200	400	Increase Building insurance premium
502277	Dog Discs	800	0	(800)	One off purchase
502280	Ammunition	500	0	(500)	Not required
502281	Animal Carcass Disposal	10,000	5,000	(5,000)	Vet providing service FOC
502326	Dog Act-Fines & Penalties	(12,000)	(17,000)	(5,000)	Additional revenue received
503340	Community Safety Contribution	0	(1,200)	(1,200)	OCP Grant for CSCPC
702243	Telstra Charges	5,600	1,100	(4,500)	Budget error
702281	Water Sampling	4,500	2,500	(2,000)	Saving
702325	Licence - Trading/Public Place	(2,000)	(3,000)	(1,000)	Additional income
702328	Licences - Sewage Apparatus Fogger Adulticide Equipment	(3,600)	(4,600)	(1,000)	Additional income
703280	Operation	15,000	5,000	(10,000)	New equipment plus fewer mossies.
703324	CLAG Reimbursements - Mosquito Control	(5,000)	(1,000)	4,000	reimbursement of costs
803231	Building Insurance	1,300	2,000	700	Increase Building insurance premium
805201	Salaries Inc Play leaders	71,500	49,000	(22,500)	Pilbara Family day review
805211	Superannuation Levy	6,400	4,450	(1,950)	Pilbara Family day review



805212	Contributory Superannuation	3,500	2,450	(1,050) Pilbara Family day review
805241	Postage & Stationery	3,000	1,500	(1,500) Pilbara Family day review
805243	Telstra Charges	5,000	2,500	(2,500) Pilbara Family day review
805255	Childcare Assistance	15,000	12,500	(2,500) Pilbara Family day review
805256	In Home Care - Benefit Payment	430,000	355,000	(75,000) Pilbara Family day review
805257	Other Insurances	500	0	(500) Pilbara Family day review
805270	Pfdcc Vehicle Operation- Lf12	3,500	2,500	(1,000) Pilbara Family day review
805283	Subscriptions	1,500	500	(1,000) Pilbara Family day review
805284	Playgroup Expenses	2,500	100	(2,400) Pilbara Family day review
805290	Depreciation on Assets	200	600	400 Pilbara Family day review
805332	Reimburse Private Vehicle Use	(1,600)	0	1,600 Pilbara Family day review
805341	Rural Travel Assistance	(1,500)	(5,000)	(3,500) Pilbara Family day review
805342	Childcare Assistance	(390,000)	(355,000)	35,000 Pilbara Family day review
805344	Child Care Benefit	0	(12,150)	(12,150) Pilbara Family day review
805350	Other Sundry Income	(500)	(100)	400 Pilbara Family day review
805351	Scheme Levy	(10,000)	(2,150)	7,850 Pilbara Family day review
805352	In Home Care Scheme Levy	(15,000)	(32,000)	(17,000) Pilbara Family day review
805356	In Home Care Benefit	(8,600)	(25,350)	(16,750) Pilbara Family day review
805392	Operating Grant	(121,700)	(69,450)	52,250 Pilbara Family day review Increase Building insurance
808231	Building - Insurance	2,500	3,900	1,400 premium
809201	Salaries	320,100	360,100	40,000 Age Care review
809211	Superannuation Guarantee Levy	28,800	30,800	2,000 Age Care review
809221	Staff Housing Rental	10,400	6,700	(3,700) Age Care review Increase Building insurance
809231	Building Insurance	2,400	3,800	1,400 premium
809271	H&Cc Vehicle Operation- Lf11	7,200	8,800	1,600 Age Care review
809274	H&Cc Maintenance Vehicle Lease	0	5,600	5,600 Age Care review
809278	Mileage	12,000	7,000	(5,000) Age Care review
809281	Telephone	1,500	6,000	4,500 Incorrect allocation
809282	HACC Building/Garden Mtc	20,000	18,000	(2,000) Age Care review
809285	Consumable Items	34,000	42,500	8,500 Age Care review
809286	Minor Equipment	5,000	2,000	(3,000) Age Care review
809331	Non Hacc Reimbursements	(33,000)	(81,500)	(48,500) Age Care review
809396	Grant - Hacc	(530,000)	(540,000)	(10,000) Additional HACC Grant
809410	Hacc House Upgrade	0	6,000	6,000 Carry over project Reduction due to Mirtanya
810250	Disability Services Plan Implement	10,000	3,000	(7,000) Maya Closure
811253	Black Rock - Community Donations	14,000	0	(14,000) Not required
811388	Grant - Lotteries Well Womens T/F from BHP - ToPH Alliance	(119,600)	0	119,600 Duplicated from 05/06 Coordinators Salary from
811390	Reserve	(270,000)	(345,000)	(75,000) reserve
811498	T/F To BHP-ToPH Alliance Reserve	12,000	412,000	400,000 05/06 alliance funding balance Increase Building insurance
812231	Building - Insurance	5,100	7,900	2,800 premium
812250	Stock for retail area	3,000	20,000	17,000 Stock increases for new Gallery
812327	Artworks Sales With Gst	(60,000)	(85,000)	(25,000) Increased sales Minor costs associated with
814201	Salary	0	9,000	9,000 Volunteer resource center Minor costs associated with
814211	Superannuation Guarantee Levy	0	1,000	1,000 Volunteer resource center
901264	14 Goode Street - Sch 7	4,300	7,500	3,200 Reallocation of Budget
901269	1 Leake Street - Sch 11	4,300	2,300	(2,000) Reallocation of Budget
901282	12 Moore St Demolition	4,300	0	(4,300) Reallocation of Budget
901283	32 Mosley Street - Sch 14	4,300	7,400	3,100 Reallocation of Budget
901324	Staff Housing Rent	(220,000)	(240,000)	(20,000) Increased based on Market

				rents
901341	Contributions - Electricity	(4,700)	(3,200)	1,500 reduction identified
901400	Purchase of Land	0	9,000	9,000 Carry over project
1002276	Classic Mobile Bin Repairs/Delivery	14,000	22,000	8,000 additional replacement bins Additional Services raised
1002323	Classic Col. Fee/Rate	(844,100)	(865,100)	(21,000) during rates
1002430	Rubbish Collection Truck	300,000	260,000	(40,000) Savings in truck price
1002499	T/F To Waste Collection Res	132,200	180,200	48,000 Reserve transfer adjusted
1003324	Charges-Replacement Bins	(19,200)	(14,200)	5,000 Reduction based on YTD actual
1004222	Rent Subsidy	3,600	0	(3,600) Not required
1004223	Power Subsidy	2,400	0	(2,400) Not required
1004224	Travel Subsidy	1,200	0	(1,200) Not required
1004225	Building Maintenance	1,500	4,000	2,500 Landfill air cond repairs Originally thought to be a
1004271	Caterpillar Track loader	0	100,000	100,000 Capital cost
1004277	External Plant Hire	50,000	170,000	120,000 Delay in receipt of new plant Additional waste delivery +
1004278	Fire Suppression Expenses	10,800	0	(10,800) Not required
1004281	Management & Business Plans	50,000	0	(50,000) Not required
1004324	Tyres	(46,400)	(65,400)	(19,000) higher income
1004328	General Tipping Fees	(950,000)	(1,560,000)	(610,000) higher income
1004441	Plant & Equipment	900,000	800,000	(100,000) Transfer of Track loader Mtce
1004410	Tip Infrastructure	100,000	150,000	50,000 Additional works required
1004499	T/F To Landfill Site Dev Res	432,900	697,400	264,500 Reserve transfer adjusted higher service level being
1005278	Litter Collection	180,000	260,000	80,000 provided
1006201	Town Planning - Salaries	154,200	168,200	14,000 Increased need identified
1006241	Other Office Expenses	1,500	2,500	1,000 Increased need identified
1006256	Refund Of Planning Fees	500	3,000	2,500 Increased need identified
1006261	Outsource Planning + Legal	10,000	45,000	35,000 Increased need identified
1006278	Municipal Inventory - Admin	0	6,500	6,500 Carry over project
1006282	Tps Review & Amendments	20,000	5,000	(15,000) Reduction identified
1006286	Corporate Membership	2,200	200	(2,000) Reduction identified
1006292	Coastal Management	1,000	3,000	2,000 Increased need identified
1006339	Planning Support - Grants Contributions Etc	0	(35,000)	(35,000) additional grants identified Budget Variation resolved by
1007323	Supp Billing Income	(5,291,256)	(4,953,056)	338,200 Council
1009331	PDC Cemetery Upgrade Grant	(119,000)	0	119,000 Correction to Budget
1009480	Sh Cemetery Upgrade Works	174,000	0	(174,000) Correction to Budget
1009481	PDC Cemetery Upgrade Grant	176,000	184,000	8,000 Carry over project Increase Building insurance
1010231	Building Insurance	700	1,100	400 premium
1010232	Cleaning	42,500	63,500	21,000 Increased need identified
1010233	Building Maintenance	8,900	11,900	3,000 Increased need identified
1010310	Upgrade Ablution Block	15,100	128,100	113,000 New Self Cleaning toilet
1102234	Building Maintenance	15,200	75,200	60,000 Increased need identified
1102245	Equipment Maintenance	16,900	0	(16,900) Not required Increase Building insurance
1103231	Building Insurance	8,300	13,000	4,700 premium
1104201	Salaries	0	94,900	94,900 JD Hardie Budget Review
1104212	Super Council Contribution	0	1,560	1,560 JD Hardie Budget Review
1104213	Staff Uniforms	0	2,450	2,450 JD Hardie Budget Review
1104211	Superannuation Guarantee Levy	0	8,540	8,540 JD Hardie Budget Review
1104216	Workers Compensation	0	1,050	1,050 JD Hardie Budget Review
1104232	Contract Cleaning	0	14,000	14,000 JD Hardie Budget Review
1104233	Ground Maintenance	0	14,950	14,950 JD Hardie Budget Review

1104231	Building Insurance	10,900	17,100	6,200	Increase Building insurance premium
1104234	Building Maintenance	0	14,000	14,000	JD Hardie Budget Review
1104236	Utility Charges	0	23,000	23,000	JD Hardie Budget Review
1104238	Operational Subsidy	240,000	87,500	(152,500)	JD Hardie Budget Review
1104263	Kiosk Purchases	0	12,000	12,000	JD Hardie Budget Review
1104237	Water Corporation Charges	0	3,300	3,300	JD Hardie Budget Review
1104243	Telstra Charges	0	2,410	2,410	JD Hardie Budget Review
1104246	Minor Equipment	0	3,000	3,000	JD Hardie Budget Review
1104247	Security	0	945	945	JD Hardie Budget Review
1104249	Advertising	0	1,400	1,400	JD Hardie Budget Review
1104254	Consumables	0	2,900	2,900	JD Hardie Budget Review
1104266	Umpire Payments	0	9,000	9,000	JD Hardie Budget Review
1104267	Recreation Programs	0	40,000	40,000	JD Hardie Budget Review
1104350	Kiosk Sales	0	(17,800)	(17,800)	JD Hardie Budget Review
1104351	Term Programs	0	(7,430)	(7,430)	JD Hardie Budget Review
1104352	Casual Hire	0	(17,200)	(17,200)	JD Hardie Budget Review
1104356	Stadium Programs	0	(52,965)	(52,965)	JD Hardie Budget Review
1104357	Holiday Programs	0	(7,630)	(7,630)	JD Hardie Budget Review
1104411	Facility Upgrade	0	300,000	300,000	JD Hardie Budget Review
1105new5	Gratwick Maintenance	0	20,000	20,000	Maintenance contingency for new contract
1105new6	SHAC Maintenance	0	20,000	20,000	Maintenance contingency for new contract
1105280	Beach & Foreshore Maintenance	184,000	84,000	(100,000)	Duplicated in budget
1105282	Beach Fence/Acc Path Repairs	4,600	9,000	4,400	Experiencing vandalism
1105283	Town Boat Ramp Maintenance	18,800	10,000	(8,800)	Lower damage levels
1105320	Reimbursement Gratwick Aquatic Centre	0	(8,000)	(8,000)	Not included in original budget
1105325	Reimbursement SHAC Aquatic Centre	0	(8,000)	(8,000)	Not included in original budget
1105new2	Port Hedland Enhancement Scheme	0	(1,295,000)	(1,295,000)	Port Hedland Enhancement funding
1105new3	Spoil Bank Masterplan	0	1,000,000	1,000,000	Port Hedland Enhancement funding
1105new4	Foreshore Park upgrades	0	255,000	255,000	Port Hedland Enhancement funding
1105new7	Port Hedland Boat Ramp (PHES)	0	40,000	40,000	PHES Project
1105new8	Turtle Board Walk	0	1,000,000	1,000,000	Turtle Project
1105new9	Grant - State Government - Turtles	0	(1,000,000)	(1,000,000)	Turtle Project
1106231	Building - Insurance	3,300	5,200	1,900	Increase Building insurance premium
1106238	Ground Maint	15,000	9,000	(6,000)	Reduction identified
1107231	Building - Insurance	6,500	10,200	3,700	Increase Building insurance premium
1107392	CSRFF Grant - SHAC	0	(21,000)	(21,000)	Not included in original budget
1107410	SHAC Upgrade	0	122,000	122,000	Carry over project
1108256	Pra Meeting Expenses	1,800	0	(1,800)	No longer required
1108263	Minor Projects	10,000	5,000	(5,000)	Reduced budget required
1108265	BHP Rec & Leisure Facility Grant	30,000	44,000	14,000	Carry over project
1108266	Rec & Youth Facility Audit	800,000	500,000	(300,000)	Transferred to JD Hardie Centre consolidation of income
1108325	Oval User Fees	(12,000)	(14,000)	(2,000)	accounts
1108340	Grant - Sustainability (Skate Park)	(170,000)	(150,000)	20,000	Skate Park Project
1108new2	Grant - Office Crime Prevention (Skate Park)	0	(20,000)	(20,000)	Skate Park Project
1108new3	Grant - Pilbara Fund (Skate Park)	0	(70,000)	(70,000)	Skate Park Project
1108new4	Grant - Port Hedland Enhancement Scheme	0	(135,000)	(135,000)	Skate Park Project

1108new5	Grant - Lotteries (Skate park)	0	(70,000)	(70,000)	Skate Park Project
1108new1	Newcrest Contribution (Skate Park)	0	(100,000)	(100,000)	Skate Park Project
1108new8	Banners in the Port (PHES)	0	5,000	5,000	PHES Project
1108411	Skate Park Facility Pt Hedland Skate Park Upgrade South	160,000	301,000	141,000	Skate park project
1108415	Hedland	200,000	310,000	110,000	Skate park project
1109240	Scout Hall Mtce Contribution	15,000	0	(15,000)	not required
1109280	Water Cannon Operations	2,000	0	(2,000)	Not required
1109324	Hire Sports grounds/Ovals Colin Matheson Oval Upgrade	(9,000)	(6,600)	2,400	Reduction identified
1109new1	(PHES) Port Hedland Enhancement	0	25,000	25,000	PHES Project
1109new2	Scheme	0	(25,000)	(25,000)	PHES Project
1110238	Building Maintenance	25,000	10,000	(15,000)	Less mtce due to upgrades
1110324	Hire Sports grounds/Ovals	(100)	(500)	(400)	minor increase higher service level being
1111275	P.H. Gardens Maintenance	239,100	269,100	30,000	provided
1111278	Reticulation Operations	120,000	160,000	40,000	Significant increase in damage
1111282	Native Plant Nursery	100,000	0	(100,000)	Not required higher service level being
1111283	S H Gardens Maintenance	229,150	259,150	30,000	provided higher service level being
1111284	Playground Equipment Maint.	10,000	20,000	10,000	provided higher service level being
1111285	Graffiti Removal	3,000	6,000	3,000	provided
1111287	Golf Course Effluent Maint.	30,000	10,000	(20,000)	Saving identified
1111new1	Turf Club Grandstand Port Hedland Enhancement	0	100,000	100,000	PHES Project
1111new2	Scheme	0	(100,000)	(100,000)	PHES Project
1111449	Park Upgrades	500,000	550,000	50,000	Additional project cost funded from previous years
1114234	Ground/Building Maintenance	30,000	40,000	10,000	Increased need identified
1114280	Effluent Pump Operations	500	6,500	6,000	More mtce require Increase Building insurance
1116231	Building-Insurance	450	700	250	premium
1116233	Building Cleaning & Materials	11,920	7,920	(4,000)	Reduction identified
1116234	Building-Maintenance	13,000	5,000	(8,000)	Reduction identified
1116235	Ground-Maintenance-Ph Library	8,200	4,000	(4,200)	Reduction identified
1116324	Internet User Charges	(600)	(2,000)	(1,400)	Reduction identified
1116392	Sponsorship - Alliance	(25,000)	0	25,000	Not required
1117213	Uniforms	1,400	2,400	1,000	Increased need identified Increase Building insurance
1117231	Building-Insurance	2,300	3,600	1,300	premium
1117238	Ground Maintenance	4,500	12,000	7,500	Increased need identified
1117250	Computer Support	4,300	0	(4,300)	Not required
1117324	Internet User Charges	(2,600)	(4,000)	(1,400)	Increase in activity identified
1117329	Colour Print P.C.	(100)	0	100	Not required
1117333	Reimbursement - Private Vehicle	0	(1,500)	(1,500)	Not included in original budget
1117393	Sponsorship - Alliance	(25,000)	0	25,000	Not required
1117412	PH Library Upgrade	13,140	11,140	(2,000)	Savings identified
1118343	Grants	(35,000)	(30,000)	5,000	Lower grant amount
1118350	Kiosk Sales	(26,000)	(36,000)	(10,000)	Higher sales Grand piano purchase (05/06)
1118421	Furniture & Equipment	0	32,000	32,000	carry over)
1118423	Minor Equipment Amortisation to MDCC Building	0	450	450	Minor adjustment
1118499	Values	17,000	0	(17,000)	Not required
1201386	Contributions - BHP	0	(445,000)	(445,000)	BHP Funding for Walkway Lighting/Wilson Street project

1201387	Pilbara Fund	(90,000)	(20,000)	70,000 Reduction in grant application
1201392	Contribution - PDC	0	(315,000)	(315,000) Wedge/Edgar Street Project
1201393	RRG MRWA Road Grant	(148,000)	(300,900)	(152,900) additional funding received
1201394	Black Spot Funding Grant	(70,800)	(53,100)	17,700 adjustment to funding identified
1201395	MRWA - Direct Grant	(95,000)	(97,400)	(2,400) Minor adjustment
1201396	Roads To Recovery	(490,000)	0	490,000 Not required
120inc2	New Living South Hedland Fund Port Hedland Enhancement	0	(45,000)	(45,000) SHNL Walkway lighting funding Port Hedland Enhancement
1201inc3	Scheme	0	(452,000)	(452,000) funding
1201446	Wedge/Edgar Street (PDC)	0	315,000	315,000 PDC Funded project
1201451	Finucane Island / Boat Ramp Road	0	32,000	32,000 Carry over project
1201453	Hamilton Road RRG	0	25,000	25,000 Carry over project
1201454	Wallwork Road RRG	62,500	61,500	(1,000) Carry over project
1201455	Anderson Street RRG Kennedy Street Footpath	0	95,000	95,000 Carry over project
1201456	Construction	0	10,000	10,000 Carry over project
1201457	Yandeyarra Road	120,000	125,000	5,000 Carry over project
1201464	Anderson Street Upgrade	49,800	549,800	500,000 BHP Funded Project
1201478	Reseals (RRG)	150,000	160,000	10,000 Increased need identified
1201479	Roads Reseal Projects - Bell Street	0	9,800	9,800 Carry over project
New R2R	R2R Program	0	354,400	354,400 Carry over project
1201new1	Hillside/Woodstock Road - RRG	0	105,000	105,000 additional RRG funding project
1201481	Walkway Lighting Nth Circular Rd East Guard Rail	180,000	155,000	(25,000) Correction to Budget
1201482	RRG	51,000	60,000	9,000 Carry over project
1201483	Nth Circular Rd East Culverts RRG	51,000	42,000	(9,000) Carry over project
1201487	Street Lighting Upgrades	0	270,000	270,000 Correction to Budget Port Hedland Enhancement
1201xx3	Sutherland Street Upgrade (PHES)	0	452,000	452,000 funding
1204332	Flood Damage Reimbursement	0	(102,700)	(102,700) grant money
1204280	Pre-Cyclone Clean Up	110,000	50,000	(60,000) Saving higher service level being
1206277	Road Shoulder Maintenance	75,000	90,000	15,000 provided
1206279	Kerb Maintenance	150,000	190,000	40,000 more work required replacement program reduces
1206280	Footpath Maintenance	150,000	110,000	(40,000) workload
1206281	Street Cleaning	183,000	210,000	27,000 Additional street sweeping unit
1206283	Street/Walkway Lights	360,000	180,000	(180,000) Operating costs only
1206387	Pilbara Fund	0	(180,000)	(180,000) Correction in Budget allocation
1206new	South Hedland New Living	0	(90,000)	(90,000) Correction in Budget allocation
1207new1	Street Sweeper Maintenance	0	100,000	100,000 Street Sweeper Op costs
1208291	Loss on Asset Disposal	101,484	197,884	96,400 Carry over project
1208396	Sale/Trade In - Veh/Plant	(196,000)	(266,900)	(70,900) Carry over project
1208new1	PDC Contribution	0	(350,000)	(350,000) Street Sweeper Street Sweeper/Replace written
1208440	Heavy Vehicles & Plant	865,000	1,349,000	484,000 off truck, +roller ordered in April
1208441	P&G - Minor Plant & Equipment	10,000	11,500	1,500 Carry over project
1208443	Light Vehicle Replacement	419,000	610,600	191,600 Carry over project
1210220	Conference & Training	16,000	10,000	(6,000) savings identified
1210222	Rent Subsidy	8,000	15,000	7,000 Increased need identified
1210261	Legal Expenses	0	2,000	2,000 Qantas lease
1210324	Landing Charges	(780,000)	(840,000)	(60,000) Higher plane numbers
1210325	Passenger Service Charges	(1,973,900)	(2,200,000)	(226,100) Higher passenger numbers Increase lease revenue
1210326	Leases And Rentals	(464,000)	(550,000)	(86,000) expected
1210352	Other Sundry Income	(1,500)	(5,000)	(3,500) Additional revenue received
1210398	T/F From Ap Capital Works Res	0	(50,000)	(50,000) Council resolution

1210440	Plant & Equipment	15,000	0	(15,000)	Not required
1210453	Airport Infrastructure	800,000	850,000	50,000	Council resolution
1210498	T/F To AP Capital Reserve	272,900	482,500	209,600	Reserve transfer adjusted
1211253	Roof Repairs	5,000	0	(5,000)	Not required
1211254	Electrical Repairs Terminal	23,000	173,000	150,000	Major electrical problems
1211257	Toilet Facility Supplies	3,000	1,000	(2,000)	Less required than expected
1211261	Sewerage Maintenance	10,000	40,000	30,000	Increased need identified
1211263	Landscaping/Gardening	5,000	20,000	15,000	Increased need identified
1211266	T-Vasis	10,000	0	(10,000)	Not required
1301231	Building Insurance	1,000	1,600		Increase Building insurance 600 premium
1302324	Licences - Building	(90,000)	(130,000)	(40,000)	Additional revenue received
1302332	Builders Rego. Board Levy	(3,200)	(10,000)	(6,800)	Additional revenue received
1402222	Rent Subsidy	17,040	0	(17,040)	Deleted
1402223	Travel/Power Subsidy	13,800	0	(13,800)	Deleted
1402224	Telephone Subsidy	180	0	(180)	Deleted
1403223	Accrued Airfares	15,600	0	(15,600)	Deleted
1403284	Vehicle Hire	3,000	0	(3,000)	Not required
1407271	ANZAC House Enhancement Expense	0	6,250	6,250	Increased need identified
1407332	Engineering Supervision Reimb	0	(20,500)	(20,500)	Supervision fee for Pretty Pool development
1407333	Reimbursement Of Claims Port Hedland Enhancement	0	(70,000)	(70,000)	Reimbursement of written off truck
1407337	Contribution	0	(22,000)	(22,000)	Grant funded project
1407338	Sale By Tender - Surplus Equipment	0	(500)	(500)	minor adjustment
1407491	Port Hedland Enhancement	0	22,000	22,000	Grant funded project
<b>Surplus BF Surplus BF</b>		<b>(2,434,500)</b>	<b>(5,712,860)</b>	<b>(3,278,360)</b>	<b>Correction based on 05/06 Audited Statement</b>
<b>Total Adjustment</b>		<b>(12,949,492)</b>	<b>(14,593,392)</b>	<b>(1,643,900)</b>	

**11.4.1.3 Requests for Fee Waiver of Gratwick Hall (File Nso.: BLD/044, 26/01/0004 and ORG-143)**

**Officer** Matthew Scott  
Director Corporate  
Services

**Date of Report** 14 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received request to waive fees.

1. Soroptimist International Port Hedland is holding a fundraising evening for International Women's Day on Thursday 8 March 2007 in Gratwick Hall. They are requesting a waiver of fees and bond for this event.
2. Rotary Club of Port Hedland is holding their Annual Rotary Charity Ball on Saturday 24 March 2007 in Gratwick Hall. They are requesting a waiver of particular fees for the set-up and pack-up of the event.

**Background***Soroptimist International Port Hedland*

The Soroptimist International Port Hedland has written to the Council requesting the waiver of both hire fees and the bond for Gratwick Hall for the evening of Thursday 8 March 2007. On this date they will be conducting a fundraiser for the International Women's Day and will be having both local and interstate performers and guest speakers. Given that this is a fundraising event, they have requested the waiver to maximise the amount of money they can potentially donate to various female related charities and health issues.

*Rotary Club of Port Hedland*

The Rotary Club of Port Hedland has written to the Council requesting the waiver of fees Gratwick Hall, access to the front foyer and the use of the Council training room, which is generally not available in the evenings, the day prior to, and the day after the event.

The Rotary Ball, which is an annual event is generally well attended by the local community and is an opportunity for Rotary to highlight its community based activities.

The request to waive fees is not only for Gratwick Hall, but includes the Civic Centre Gardens and the Council training room, and have requested access to these facilities on the day before and the day after the event to facilitate set-up and clean-up activities.

**Consultation**

Not applicable

**Statutory Implications** Nil

**Policy Implications**

Neither event is specifically mentioned in Council's Community Recreation Celebrations and Events policy.

**Strategic Planning Implications** Nil

**Budget Implications**

If the requests are supported. Council will forego revenue of up to \$2,216.50 in hire fees. The bonds equate to a further \$3,600.00. Should there be no damage to Council facilities during these events, the bond amount would be fully refundable.

The fees which the Soroptimist International Port Hedland are seeking exemption from, are:

Gratwick Hall;	
Thursday evening hire – 6:00 – 10:00pm	\$ 363.00
Bond for Non-Commercial with alcohol	\$1,000.00
Key Bond	<u>\$ 50.00</u>
TOTAL	<u>\$1,413.00</u>

The fees from which the Rotary Club are seeking exemption are:

Gratwick Hall;	
Friday hire – 8:00am – 12:00am	\$ 544.50
Saturday hire – 8:00am – 12:00am	\$ 544.50
Sunday morning hire – 8:00am – 5:00pm	\$ 302.50
Bond for Non-Commercial with alcohol	\$1,000.00
Key Bond	\$ 50.00

Civic Centre Gardens;	
Saturday hire	\$ 220.00
Bond for Non-Commercial with alcohol	\$1,000.00

Upstairs Meeting Room;	
Saturday hire (not currently allowed)	\$ 242.00
(Fees set for 8:00am – 5:00pm weekdays only At \$121.00 per day)	
Bond for Non-Commercial (no alcohol)?	<u>\$ 500.00</u>
TOTAL	<u>\$4,403.50</u>



Note: Council minutes for 22 March 2006, Item Number 11.2.1.4 indicates that Council waived the fees for both of these events in 2006.

**Officer's Comment**

Council should note that standard fee hires are charged to all organisations in an attempt to recoup the marginal costs of maintenance of the hire venue. In order for the policies and fee structure of the Town of Port Hedland to be maintained and respected a consistent approach must be taken towards all groups who wish to hire Council facilities, including not-for-profit groups and schools.

Council has two (2) options:

1. Waive the fees as requested resulting in a reduction of income to Council of \$2,216.50.
2. Not waive the fees for either the Soroptimists or the Rotary Club of Port Hedland

Council currently has no policy on which organisations should or should not get a waiver of fees. Nor does it have policy, which provides guidance as to what qualifications are required for waiver of fees.

Waiving these fees also sets a precedent for other organisations to ask for waivers for any community based activities and therefore will materially reduce the amount of income the Council will be able to generate from the hire of maintenance expensive fixed assets such as community halls and gardens.

Unlike an earlier item to Council which has recommended the waiver of sports ground fees for an event which is closely in line with Council's Strategic Plan and is directed at local youth, the participants of the International Women's Day event and the Rotary Charity Ball are better able to absorb additional costs related to venue hire. It should be noted that these costs are not overly onerous.

The following documents are attached for Council's information:

- letter of request from Soroptimist International;
- letter of request from Rotary Club Port Hedland; and
- letters of response to both Port Hedland Soroptimist International and Rotary Club Port Hedland, relating to original request to hire venues.

**Officer's Recommendation**

That:

- i) the request by the Soroptimist International Port Hedland for fees and bond charges to be waived, for a fundraising evening for International Women's Day on Thursday 8 March 2007, in Gratwick Hall be declined;
- ii) the request by the Rotary Club of Port Hedland for particular fees for the set-up and pack-up of the event be waived, for the Annual Rotary Charity Ball on Saturday 24 March 2007 in Gratwick Hall, be declined; and
- iii) the Chief Executive Officer, or his nominated officer, prepare a draft policy on waiver of fees for Council's consideration during the 2007/08 budget process.

**200607/214 Council Decision**

**Moved:** Cr S F Sear

**Seconded:** Cr G D Bussell

**That:**

- i) the request by the Soroptimist International Port Hedland for fees and bond charges to be waived, for a fundraising evening for International Women's Day on Thursday 8 March 2007, in Gratwick Hall be granted;**
- ii) the request by the Rotary Club of Port Hedland for particular fees for the set-up and pack-up of the event be waived, for the Annual Rotary Charity Ball on Saturday 24 March 2007 in Gratwick Hall, be granted; and**
- iii) the Chief Executive Officer, or his nominated officer, prepare a draft policy on waiver of fees for Council's consideration during the 2007/08 budget process.**
- iv) Council advise in writing to community groups that have previously applied to Council for fees to be waived in the past, including Soroptimist International Port Hedland and the Rotary Club of Port Hedland, that Council will be reviewing the Schedule of Fees and Charges in relation to venue hire for community groups.**

**CARRIED 6/0**

*REASON: Council determined to waive associated fees as requested for the –*

- . Soroptimist International Port Hedland fundraising evening for International Women's Day on Thursday 8 March 2007;*
- . Rotary Club of Port Hedland's Annual Charity Ball on 24 March 2007; and*

*for community groups that have previously applied to Council for fees to be waived in the past, including Soroptimist International Port Hedland and the Rotary Club of Port Hedland, to be advised in writing that Council will be reviewing the Schedule of Fees and Charges in relation to venue hire for community groups.*

*ATTACHMENT TO AGENDA ITEM 11.4.1.3*



BOOKING NO.	07/01109
OFFICER	MLS + CEO
DATE	21 FEB 2007
PHONE	26/01/0004
EXTENSION	

Hon. Treasurer  
 Karen Reynolds  
 Ph (W): 9173 3928  
 Mob: 0400 851 294

President  
 Julie Hunt  
 Ph: 9173 2739

Hon. Secretary  
 Cath Hughes  
 Ph (W): 9173 3077  
 Ph (H): 9173 3942

PO Box 238  
 PORT HEDLAND WA 6721

12<sup>th</sup> February, 2007

Dear Kaye

Soroptimist International Port Hedland plan to hold a wonderful celebration for the women of our town for International Women's Day on the evening of the 8<sup>th</sup> of March, 2007.

The ideal location for this would be Gratwick Hall, as it is hoped to make the event accessible to as many women as possible. The planned timetable of events will commence at 7pm and conclude at 10pm, thereby ensuring that working women are able to come along.

The program is going to include performers from Port Hedland as well as guest speakers, possibly from interstate. Fundraising for breast cancer, women with disabilities and other worthy causes will be actively pursued throughout the evening.

I wish to make a request to Council on behalf of Soroptimist International Port Hedland for a waiver of fees and bond for this event. We are a small service organisation dedicated to enhancing the lives of women and would welcome your support with this annual event. Council very generously supported us last year in our endeavours and we are hoping that you will again this year.

Thankyou so much for your consideration.

Warm regards,

Di Jackson  
 Second Vice President

To Chris Adams  
Chief Executive Officer  
Town of Port Hedland  
PO Box 41  
Port Hedland WA 6721

RECORD No.	06-4687
OFFICER	MCS + CEO
	21 FEB 2007
FILE No.	ORA-143
ACTION DATE	

Dear Chris,

The Rotary Club of Port Hedland would like to make application to the Town of Port Hedland for the Annual Rotary Charity Ball on 24<sup>th</sup> March 2007 as per the following:

- Waiving of fees for Gratwick Hall the day prior and after the event (24<sup>th</sup> March 2007)
- Waiving of fees for the use of the Civic Centre Gardens.
- Use of and waiving of fees for, the training room and front entrance of the building for the duration of the event.

#### Gratwick Hall Fees

We have currently booked the Hall from 6.00pm to 1.00am as we have in previous years, which will cover the duration of the event. We are aware that if we wish to use the room prior to 6.00pm on Saturday for setup and the day prior for deliveries and initial setup we will be charged for an extra booking. Following if we are unable to complete cleanup on Saturday evening and require access to the room on Sunday we will be again charged to complete the task.

As I am sure you would agree setting up for a function catering for 160 people including decorating hall and sound checks for entertainment all takes time. With the event happening on Saturday it is often difficult to get deliveries on the day and they often require delivery the day prior. Along with this the ability to set up the room the day before allows for any unforeseen circumstances to be addressed.

The use of the Hall on the Sunday in the past has usually been until 10.00am. Generally the Sunday is to collect equipment and do a once over clean of the floors.

#### Front Foyer Access

As with previous years we wish to have guests arrive through the front entrance having been greeted by the Naval and Army Cadets on the red carpet. As they enter the foyer they will see the Rotary Paraphernalia, and this year will then be escorted to the rear of the building to be issued with pre dinner drinks while the Musical ensemble entertain them. They will be held down stairs for 30 minutes prior to being invited to the main hall.

We are requesting that this access be granted, as it is an integral part of 'setting the scene' for the evening by creating a red carpet entrance. Security staff are deployed for the evening (donated by Broadsword) in the lower foyer and upstairs. These security staff

will prevent any access to front reception desk and engineering desk should we be allowed to use the front entrance.

#### Civic Centre Garden Bond Fee

We request that the fee and **Bond for the Garden area be waived** as the area is being used for a total of 45minutes and we already incur a bond on the Main Hall.

#### Training Room

We have used the video room in past years for the buffet as the foyer is too small to allow setup of food service and the display of the silent auction items. We are aware that this room is not normally available after 5pm. **We would request that this room be made available for use on the evening.**

#### Summary

To recap, The Rotary Club of Port Hedland would request that the Town of Port Hedland assist us in the following ways as they have in the past.

- Waive the Gratwick Hall fees for the Friday and Saturday Prior to the event.
- Waive the Gratwick Hall fees for the Sunday morning.
- Allow use of the Video Room for catering purposes
- Waive Civic Centre Garden Hire fees (a total of 45 minutes use)
- Allow use of front entrance (provided security in place)

Chris, in past years we have had no issues with security or damage to the building at all.

This is a charity event held by The Rotary Club of Port Hedland as a non profit organisation for the benefit of the community. We organise this event to raise money to put back into our community and would certainly appreciate the assistance of the Town of Port Hedland in the running of this event.

In closing I would like to thank the Town of Port Hedland for their consideration of this matter.

Yours sincerely  
Brad Anderson  
President  
Rotary Club of Port Hedland

Brad Anderson  
Rotary Club of Port Hedland  
PO Box 130  
PORT HEDLAND WA 6721

Cay Norman  
  
(08) 9158 9300

Dear Brad

**RE: CIVIC CENTRE BOOKING**

I am writing to advise you that Council approval is granted for your booking at the Gratwick Hall on Saturday the 24<sup>th</sup> March 2007 from 08.00am to 12.00am. The hire fee of \$544.50 has been received, thank you.

The kitchen is available for your use, however the Town of Port Hedland does not hire the Training Room outside of our normal office hours. Please advise your needs regarding extra room required and we will endeavour to find a solution for you

**Please complete the enclosed "Application to Consume Liquor on Council owned or Managed Facility" form and return as soon as possible.** If liquor (or tickets to the event) is being sold, you will also need to obtain a Liquor Permit from the Clerk of Courts once you have received written approval from Council. Also enclosed are the conditions relevant to your event

The Bond of \$1000.00 for hire of the hall is payable 14 (fourteen) days prior to the event.

The keys may be picked up from the Civic Centre reception desk on Friday afternoon 23<sup>rd</sup> March. Please note that the doors are closed at 4:00pm. You may pay the Key Bond of \$50.00 when you pick up the key, or include it with your hire Bond.

Further, please ensure that all rubbish is placed in the bins provided (please return to the pick up point after the event) and the grounds and facilities are left clean and tidy. If Council needs to be involved in any way for clean up, charges will be forwarded to you.

If you have any queries regarding the above please, do not hesitate to contact me.

Yours sincerely

Cay Norman  
Customer Service Officer  
Town of Port Hedland  
29<sup>th</sup> January 2007

Soroptimist International Port Hedland  
PO Box 238  
Port Hedland WA 6721  
Attention: Di Jackson

Cay Norman  
(08) 9158 9348

Dear Di

**RE: CIVIC CENTRE BOOKING – GRATWICK HALL**

I am writing to advise that Council approval is granted for your booking of the Gratwick Hall plus your application to consume liquor on Council owned facility on Thursday 8<sup>th</sup> March 2007 from 7:00pm to 10:00pm. I have enclosed a copy for you to take to the Clerk of Courts to obtain an Occasional Liquor Permit

Thank you for your cheque of \$363.00 for hire fees applicable to your booking. The earliest you may use the hall from is 6:00pm as there is another booking during the day, due to finish at 5:00pm. Please note, there are no trestle tables available, there are large round tables that seat around 20 people and about 200 chairs

A bond of \$1000.00 is payable 14 days prior to the event. The key bond of \$50.00 may be paid when you pick up the key during the day of your event. Please note reception hours are from 8:00am to 4:00pm.

Your letter addressed to Council requesting waive of fees has been passed on to be tabled at the next meeting, to be held on 28<sup>th</sup> February 2007.

Please find enclosed conditions relevant to your event and a checklist for your convenience. Further, please ensure that all rubbish is placed in the bins provided (please returned to the pick up point after the event) and the grounds and facilities are left clean and tidy. If Council needs to be involved in any way for clean up, charges will be forwarded to you

If you have any queries regarding the above please, do not hesitate to contact me on the above number.

Yours sincerely

Cay Norman  
Customer Service Officer  
**Town of Port Hedland**  
23 February 2007  
Enc



**11.4.2 Governance****11.4.2.1 Monthly Report – January 2007 (File No.: ...-....)**

**Officer** Gaye Stephens  
Executive Assistant

**Date of Report** 20 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

For Council's Information

**Background**

Governance monthly report to Council.

**Consultation** Nil

**Statutory Implications** Nil

**Policy Implications** Nil

**Strategic Planning Implications** Nil

**Budget Implications** Nil

**Officer's Comment*****Publicity***

Media Releases on works being undertaken towards achieving the strategies outlined in Council's Strategic Plan, were posted on Council's website, and distributed to the media, including:

- North West Telegraph
- The Western Australian
- WA Business News
- GWN
- WIN
- ABC

<b>KRA</b>	<b>Name of release</b>	<b>Date sent</b>	<b>Where published</b>	<b>Date</b>
Infrastructure	Upcoming engineering works	1/24/2007	North West Telegraph, pp 8 (with photo)	1/31/2007
Community Pride	Celebrate being Aussie	1/18/2007	North West Telegraph, pp 8	1/24/2007
			ABC Radio 603AM, Morning show, 10.20am	1/23/2007
	Overdue library books wanted	1/25/2007	North West Telegraph, pp 10	2/7/2007
	Outstanding members of the community recognised	1/29/2007	North West Telegraph, pp 6	2/7/2007
	Local sports stars recognised	1/30/2007	North West Telegraph, pp 31	2/7/2007
	Vandals attack playgrounds	2/1/2007	North West Telegraph, pp 6	2/7/2007
	Love at the movies	2/9/2007		
	Trolleys for scrap metal	2/14/2007	ABC Radio 603AM, news bulletin	2/16/2007
Community Development	Stay at home with the kids and earn	1/18/2007	North West Telegraph, pp 9	1/24/2007
			ABC Radio 603AM, spoke to Maureen Allert	
	Goodbye Mirtanya Maya	1/22/2007	North West Telegraph, pp 7 (with photo)	1/31/2007
	Term 1 program kicks off at the JD Hardie centre	1/30/2007	ABC Radio 603AM weather spotter	1/31/2007
	Family day carer congratulated	2/1/2007	North West Telegraph, pp 9 (with photo), pp 1 pointer	2/7/2007
	Children's library programs up and running again	2/6/2007		
	Sporting upgrades begin	2/14/2007		
Economic Development	Yards soon to reopen	1/18/2007	North West Telegraph, pp 10	1/24/2007
	Town shows growth	1/30/2007	North West Telegraph, pp 2	2/14/2007
	Spoil bank project develops	2/5/2007	North West Telegraph, pp 6, pp 1 pointer	2/14/2007
	Council raises issues with Premier	2/5/2007	ABC Radio - news story about detention centre	no date supplied
	Steps taken to tackle tourist accommodation crisis	2/8/2007	North West Telegraph, pp 3	2/14/2007
Environment	Energy efficient...for free!	1/17/2007	North West Telegraph, pp 3	1/24/2007
Governance	Draft strategic plan seeking your comment	1/18/2007	North West Telegraph, pp 4	1/31/2004
	Council hits airwaves	1/24/2007	North West Telegraph, pp 2	1/31/2007
	Council in a strong financial position	1/25/2007	North West Telegraph, pp 9	2/7/2007

***Australian Citizenship Ceremonies***

Date	Number of Applicants
26 January 2007 – Australia Day	15
3 January 2007	1

***Status of 2006/07 Funding Applications (Grants)***

*Grants Submitted – Waiting to be Advised of Outcome*

Funding Body	Description of Project	\$ Requested	\$ Approved	Comments
DLGRD-Recreation Boating Facilities Scheme	Finucane Island Boat Ramp Upgrade	75,000		SUBMITTED
DOTARS - Pilbara Area Consultative Committee ACC	Matt Dann Cultural Centre Entry Lighting	25,000		SUBMITTED
Lotterywest - Skate park Port Hedland	Skate park Port Hedland	70,000		SUBMITTED
Office of Crime Prevention	Walkway Lighting Upgrades	20,000		SUBMITTED
<b>TOTAL GRANTS TO BE ADVISED (4)</b>				<b>\$190,000.00</b>

*Grants Submitted – Not Approved*

Funding Body	Description of Project	\$ Requested	\$ Approved	Comments
Rio Tinto Minerals (WA) - Community	Sth Hedland Skate Park Upgrade	50,000	0	NOT APPROVED
PDC - Pilbara Fund	Footpath Construction	140,000	0	NOT APPROVED
WA Planning Commission - 2006 Coastwest Grant	Storm Surge 2006 Rehabilitation - Reinstatement of storm surge erosion to Cooke Point coast line	50,000	0	NOT APPROVED
Attorney-General's Department - Emergency Management Australia Local Grants Scheme	TOPH Storm Surge Risk Assessment Analysis	50,000	0	NOT APPROVED
Main Roads WA (MRWA) - Regional Road Group (RRG)	North Circular East Guard Road	40,000	0	FUNDS RE-SCHEDULED PENDING RRG APPROVAL
<b>TOTAL GRANTS NOT APPROVED (5)</b>				<b>\$330,000.00</b>

*Grants Submitted – Approved*

Funding Body	Description of Project	\$ Requested	\$ Approved	Comments
PDC - Pilbara Fund	Street Lighting(2006/07 \$180,000)/Pt Hedland Park Lighting (2007/08 \$180,000)	360,000	180,000	APPROVED
PDC - Pilbara Fund	South Hedland Skate Park	70,000	70,000	APPROVED
PDC - Pilbara Fund	Matt Dann Cultural Centre Entry Statement Lighting	35,000	10,000	APPROVED
PDC - Pilbara Fund	Walkway Lighting South Hedland	90,000	20,000	APPROVED
PDC - Pilbara Regional Developments Scheme	Towards the Development of the Town of Pt Hedland Land Use Master Plan Community Involvement Program (LUMP)	35,000	35,000	APPROVED
PDC - Pilbara Regional Developments Scheme	Courthouse Gallery Development. Employ full time staff dedicated to develop indigenous/non indigenous art and programs within the region	75,000	75,000	APPROVED
DLGRD - Community Facilities Grant Program	Supply & Installation of Playground Equipment	25,000	25,000	APPROVED
DAIP (Disabilities Access & Inclusion Plan) Implementation Support Grant 2006	Staff Training - improve/enhance services for people with disabilities	2,640	2,640	APPROVED
DPI - Country Pathways Grant Scheme 2006	Shared Pathway - Patton Rd Sth Hedland	50,000	50,000	APPROVED
Attorney-General's Department - Emergency Management Australia Local Grants Scheme	Total Recall - Telephone recording system - log communications during incident/emergency - Supply/installation and training	15,000	15,000	APPROVED
Office of Crime Prevention	Skate park South Hedland - Lighting	20,000	20,000	APPROVED
Main Roads WA (MRWA) - Black Spot Funding (BS)	Murdock & North Circular	6,000	6,000	COMMENCED
Main Roads WA (MRWA)- Black Spot Funding (BS)	North Circular & Hamilton	6,000	6,000	COMMENCED
Main Roads WA (MRWA)- Black Spot Funding (BS)	Throssell Road	5,700	5,700	COMMENCED
Main Roads WA (MRWA) - Road to Recovery (R2R)	Buttweld Road	330,000	330,000	COMMENCED
Main Roads WA (MRWA) - Regional Road Group (RRG)	Yandeyarra Road	83,463	83,463	COMMENCED
Main Roads WA (MRWA) - Regional Road Group (RRG)	North Circular East Culverts	28,000	28,000	COMMENCED
Main Roads WA (MRWA) - Regional Road Group (RRG)	Hillside/Woodstock Road	69,789	69,789	COMMENCED
Main Roads WA (MRWA) - Direct Grant	Wedgfield Upgrades	97,364	97,364	COMMENCED

(FESA) WA Natural Disaster Relief Arrangement (WANDRA) Eligible Disaster Claim - Tropical Cyclones	Cyclone Glenda - Storm Surge damage, Beach Access Walkway Restoration and Dune Restoration along Cook Point	75,000	75,000	COMMENCED
Lotterywest - Port Hedland Enhancement Scheme (PHES) Project Managed by Pilbara Development Commission (PDC)	Shade, seating, soft fall, fencing & play structure for redevelopment of Cemetery Beach Park	85,000	85,000	COMMENCED
Variety WA (Sponsored by Skywest) - Port Hedland Enhancement Scheme (PHES) Project Managed by Pilbara Development Commission (PDC)	Liberty Swing (for the Disabled)	25,000	25,000	COMMENCED
Department of Sport & Recreation	Thank a Volunteer Day Celebration	500	500	PROJECT COMPLETED
<b>TOTAL GRANTS APPROVED</b>				<b>\$1,314,456.00</b>
		<b>1,109,456</b>	<b>1,314,456</b>	<b>\$1,589,456 Requested 83% Received</b>

**200607/215 Council Decision/Officer’s Recommendation**

**Moved:** Cr D R Pike

**Seconded:** Cr S F Sear

**That Council receives Governance’s Monthly Report for January 2007.**

**CARRIED 6/0**

**200607/216 Council Decision/Officer’s Recommendation**

**Moved:** Cr A A Gear

**Seconded:** Cr S F Sear

**That the meeting be adjourned for the duration of the Annual General Meeting of Electors to be held, scheduled to commence at 7:30 pm.**

**CARRIED BY ABSOLUTE MAJORITY 6/0**

7:34 pm Deputy Mayor adjourned the meeting.

**200506/217 Council Decision**

**Moved:** Cr G D Bussell

**Seconded:** Cr J M Gillingham

**That the meeting be resumed.**

***CARRIED BY ABSOLUTE MAJORITY 5/0***

8:41 pm Deputy Mayor advised the meeting was resumed.

NOTE: All Members returned to the room excluding Cr A A Gear. Members of the public present in the Public Gallery were also in attendance.

**11.4.2.2 Method of Electing the Mayor (File No.: ELE-006)**

**Officer** Chris Adams  
Chief Executive Officer

**Date of Report** 8 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

At the January 2007 Ordinary Council Meeting there was a request for Council to reconsider the method of the election of the Mayor. This report summarises recent discussions undertaken by this Council on the matter.

**Background**

Since February 2004 Council has considered the issue of how the Mayor should be elected on four occasions. The decisions that have been made at the conclusion of these deliberations are listed below:

*February 2004:*

*“That Agenda Item ‘Procedure for the Election of the Position of Mayor of the Town of Port Hedland’ lay on the table.”  
MOTION CARRIED*

*December 2004:*

*“That:*

- i) the results of the referendum in regard to the method of election of the Mayor be noted; and*
- ii) the method of election be changed so that the electors elect the Mayor.” - MOTION LOST*

*“That the results of the referendum in regard to the method of election of the Mayor be noted.” - MOTION CARRIED*

*October 2005:*

Notice of Motion from Cr Bussell –

*“That Council change the method of filling the office of mayor to Sn. 2.11 (1) (a) elected by members of the district under Part IV.” - MOTION LOST*

*December 2005:*

*That Council keep the method of filling the office of Mayor as the Mayor being elected by the Councillors method (in comparison to that of the office of Mayor being elected by the electors method). - MOTION CARRIED*

## Consultation

As outlined above, Councillors have debated this matter on several occasions. It should be noted that Council's last resolution on this matter (in December 2005) was passed 7:1.

## Statutory Implications

Section 2.11(2) of the Local Government Act 1995 states that:

*“2.11. Alternative methods of filling the office of mayor or president  
... (2) A local government may change\* the method of filling the  
office of mayor or president used by the local government from  
the election by the council method to the election by the  
electors method.*

\* Special majority required.

[Section 2.11 amended by No. 49 of 2004 s. 17(1) and (2).]

It should be noted that changing the method of election back from one selected by the electors cannot simply be done by a resolution of Council. The change back to a Mayor elected by their fellow Councillors requires a poll of electors where the majority supports the proposition.

**Policy Implications** Nil

**Strategic Planning Implications** Nil

## Budget Implications

There are small additional administrative costs associated with the proposition of the electors electing the Mayor but these additional costs are not significant.

## Officer's Comment

Previous reports on this matter have indicated that there are a range of advantages and disadvantages to having the Mayor elected by the electors. These include:

### *Advantages:*

- Mayor has the support of the majority of residents
- Mayoral campaign could give some positive focus on local government.

### *Disadvantages:*

- While the mayor may have the support of the people, they do not necessarily have the support of the majority of Councillors, which potentially creates a divided Council.
- Could potentially get a Mayor with no local government experience and/or experience in dealing with the media, politicians or local issues.



**Officer's Recommendation**

That Council keeps the method of filling the office of Mayor as the Mayor being elected by the Councillors method (in comparison to that of the office of Mayor being elected by the electors method).

NOTE: SIMPLE MAJORITY REQUIRED

OR

In accordance with Section 2.11(2) of the Local Government Act 1995, Council shall change the method of filling the position of Mayor from the election by the Council method to the election by the electors method.

*NOTE: SPECIAL MAJORITY VOTE REQUIRED  
(5 OF 8 COUNCILLORS)*

**200607/218 Council Decision**

**Moved:** Cr D R Pike

**Seconded:** Cr S F Sear

**That Council keeps the method of filling the office of Mayor as the Mayor being elected by the Councillors method (in comparison to that of the office of Mayor being elected by the electors method).**

***CARRIED 4/1***

*NOTE : Cr G D Bussell requested the votes be recorded.*

*Record of Vote:*

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

NOTE: Deputy Mayor advised that he is required to declare an interest in Agenda Item 11.4.2.2 'Street Names for Pretty Pool Subdivision', which would result in Council not having a quorum to consider the item.

**11.4.2.2 Street Names for Pretty Pool Subdivision (File No.: 18\14\0001)**

**Officer** Gaye Stephens  
Executive Assistant

**Date of Report** 19 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received a proposal from LandCorp for potential street names for the Pretty Pool subdivision. Council comment is requested on the proposal, prior to consideration by MAPS/Landgate.

**Background**

Prior to the release of residential blocks for Stage 1 of the Pretty Pool land release, LandCorp had discussed potential street names for the new areas in the subdivision with traditional owners from Port Hedland. The names at that time were the aboriginal names for coast animals and features. Those potential street names proposed by LandCorp were:

Yikara – meaning Mangrove  
Jipurr – meaning Oyster  
Jarpull – meaning Mudcrab  
Nyangku – meaning Conch  
Yurutu – meaning Anadera  
Panjya – meaning Sandhills  
Kuyurakarru – meaning Mud flats  
Jakarli – meaning Baler shell  
Panany – meaning reef

Council considered the naming of streets presented by LandCorp at its Ordinary Meeting held in July 2006, as follows:

*“That Item 11.4.2.5 Street Names for Pretty Pool Subdivision lay on the table.”*

as it sought more time to consider all options. Advice from Council at that time was for street names in Pretty Pool to continue with the existing theme of street names for the locality, i.e. with streets being named after prominent local individuals or families. Since then, 95 residential blocks in the Pretty Pool area have been released, and works are well underway.

LandCorp have provided Council with an alternate listing of suggested names, being a mixture of names based on residents identified for their contribution the development of the Port Hedland

area, and names based on traditional owners names for coastal feature in the area, as follows:

A revised listing of possible street names for the Pretty Pool Subdivision (Stages 1 and 2) has been provided to Council by LandCorp as follows:

1. *Based on residents identified for their contribution to the development of the Port Hedland area:*

- Cooper – after Vincent Cooper (living)
- Dowding – after Peter Dowding (living)
- Rogers – after Lance Rogers
- Madigan – after Albert (Bert) Madigan

*(reserved Street Names to be used as alternative for later subdivision stages)*

Jardine – after Fred Jardine

Podmore – after Wally Podmore

Carter – after Arnold Carter

2. *Based on traditional owners names for coastal features in the area:*

- Yikara – meaning mangrove
- Yurntu – meaning anadera
- Panjya – meaning sand hills
- Kuyuru karri – mud flats

The Secretary of the Geographic Names Committee, has advised Council via his email dated 1 February 2007, the Committee's strong preference for names of people whose contribution has been in the past, i.e. no longer living, as follows:

*"... The Geographic Names Committee is supportive of roads being named after prominent local individuals and families, but strongly prefers that these names be of people whose contribution has been in the past, not present. There is always the potential for problems with the names of living people, but we can look back on people who are deceased with a lot more confidence.*

*The Shire's history book "Nor Wester's of the Pilbara Breed" by Jenny Hardie must include the names of many former residents of Port Hedland who have contributed to the development of the town, particularly those who have seen the town through the tough times before iron ore. We would prefer to use some of these names for the new roads rather than the [the] four nominated.*

*The Committee is very supportive of the names provided by the traditional owners.*

*Regards  
Brian Goodchild  
Secretary, Geographic Names Committee  
Landgate”*

**Consultation**

LandCorp have advised that the list of traditional names have been prepared in consultation with the Kariyarra people, and Arnold Carter provided the possible list of residents' names on behalf of the Port Hedland Historical Society.

**Statutory Implications**

The responsibility for approving street names lies with the Geographic Names Committee. The Geographic Names Committee, supported by the State Government's Department of Land Information, administers the naming of towns, suburbs and roads, plus geographical features such as hills, rivers, and lakes.

The survey documents for the Pretty Pool subdivision require approved road names before the survey can be approved.

As outlined in the Committee's 'Principles, Guidelines and Procedures' (attached) a local government authority is required to propose the names to Landgate for approval. While the selection of names is at local government discretion, however the Committee's guideline for using the names of Living Persons is as follows:

*“The names of living persons are not normally suitable for road names, and if proposed will be subject to a more rigorous selection process. The proposal must be accompanied by comprehensive biographical details including details of community involvement, and also an indication of strong community support to the proposed name.”*

Place name information is held within the GEONAMA data set, which is updated on a daily basis. Covering the entire state, the data set includes information on the position, origin, meaning and classification of a name.

**Policy Implications**

Council does not currently have a policy on the naming of streets.

**Strategic Planning Implications** Nil

**Budget Implications** Nil

**Officer's Comment**

The existing streets in the Pretty Pool area are largely named after prominent individuals or families who have lived in Port Hedland and contributed to the development of the town.

Council can choose to:

- Accept the alternate street names proposed by LandCorp for the new residential development in Pretty Pool, which includes living peoples names and traditional names;
- Advise LandCorp that the Council's preference is to continue the previous practice of naming streets in Pretty Pool after prominent individuals or families in the Port Hedland community and request them to reconsider the proposed street names and provide Council with an alternate list, using the history book 'Nor Wester of the Pilbara Breed' written by Jenny Hardie on commission by Council; or
- Advise LandCorp that the Council will determine the street names for the new streets and advise the Geographic Names Committee in due course.

**Officer's Recommendation**

For Council's consideration.

**200607/219 Council Decision**

**Moved:** Cr G D Bussell

**Seconded:** Cr J M Gillingham

**That Agenda Item 11.4.2.2 'Street Names for Pretty Pool Subdivision' lay on the table for consideration at Council's next Ordinary Meeting to be held on Wednesday 28 March 2007.**

***CARRIED 5/0***

ATTACHMENT TO AGENDA ITEM 11.4.2.2

**Development Intent**

The design philosophy behind the streetscape and public open space of LandCorp's residential subdivision Pretty Pool is to be jointly achieved by acknowledging the existing unique cultural and physical environment. From recognition of Pretty Pool's 'People and Country' there is an opportunity to promote sustainable and developable 'Pitjara Style' for community living.

To develop the 'Pitjara Style' for community living the LandCorp project team wishes to celebrate local community by acknowledging the local Aboriginal connection to Country.

Furthermore, public space will commemorate the present port and resources that have shaped Port Hedland and its community. We propose this can be achieved through a unique style of industrial art with the use of recycled painting materials, possible artistic use of one-off art feature gardens and interpretive nodes that celebrate local resource achievements.

To further link people to 'Country' it is proposed that Pretty Pool turn its attention towards the surrounding landscape and celebrate the fringing coastal and mangrove environments. In doing this the art will not solely be to celebrate, however to inform, protect and experience these environments.

**Possible Names for Subdivision**  
(stage 1 & 2)  
Lot 5876 Cornhill Crescent, Pretty Pool, Port Hedland

**Possible street names based on the residents identified for their contribution to the development of the Port Hedland area.** Names provided by Arnold Carter

1. **Cooper** - Vincent Cooper
2. **Dowding** - Peter Dowding
3. **Rogers** - Larice Rogers
4. **Madigan** - Albert (Ber) Madigan

**Reserved Street Names**  
to be used as alternative for later sub. stages

**Jardine** - Fred Jardine  
**Podmore** - Wally Podmore  
**Carter** - Arnold Carter

**Possible street names based on the traditional owners names for coastal features in this area.**  
Names Approved by Kariyarra People.

1. **Yikara** - mangrove
5. **Yurmtu** - anadera
6. **Panjya** - sand hills
7. **Kuyuru karri** - mud flats

**Reserved Street Names**  
to be used as alternative for later sub. stages

**Jakarli** - baler shell  
**Panany** - reef  
**Jipurr** - oyster  
**Jarpull** - mudcrab  
**Nyangku** - conch

**Street Name Plan - Pretty Pool (stages 1&2)**

17 November 06

pretty pool LANDCORP

**11.4.2.3 Adoption of the 2007-2012 Town of Port Hedland Strategic Plan (File No.: ADM-027)**

**Officer** Chris Adams  
Chief Executive Officer

**Date of Report** 21 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

For Council to consider formal adoption of the 2007-2012 Town of Port Hedland Strategic Plan.

**Background**

The Town of Port Hedland has undertaken research and community consultation with the Port Hedland community regarding the key priorities and directions for the Town for the upcoming five years. This information has been collated and condensed into the Draft 2007-2012 Town of Port Hedland Strategic Plan.

**Consultation**

The development of the plan has included extensive consultation and involvement of Council, staff and the general community.

*Council*

- Discussed the proposed Strategic Plan review process at its informal briefing session on 13 September 2006, which involved extensive community survey along with workshops with staff, Council and the Community. Council reviewed Community Survey.
- Attended two (2) day Strategic Planning Workshop to discuss key priorities and actions, and community feedback received.
- Involvement in community workshops held on 16 November 2006 (5:30pm in Port Hedland), and 17 November 2006 (9am in South Hedland).
- Analysis and consideration of comments received from the community regarding the Draft Strategic Plan.

*Staff*

- Two Staff Workshops (Council Depot and Civic Centre)
- Distribution of the Draft Plan to all staff for consideration and comment.
- Workshop with Directors to determine timelines and priorities for individual strategies.
- Regular updates through internal communication mechanisms.

*Community*

- Comprehensive community survey distributed to 1,500 community households which were randomly selected from the Electoral Roll, also posted on Council's website on 15 September 2006.
- Media Release 'Community Survey is Key Element of Strategic Plan' dated 15 September 2006 distributed to various mediums and posted on Council's website.
- Media Release 'Is Council Heading In the Right Direction' dated 13 November 2006 distributed to various mediums and posted on Council's website.
- Two community workshops (16 and 17 November), summarising feedback received so far, and opportunity to provide input.
- Presentations of survey findings draft plan directions to Government agencies and other interested groups.
- A copy of the draft Strategic Plan 2007-2012 was sent to attendees at workshops seeking any further feedback by 9 February 2007.
- Media Release 'Draft Strategic Plan Seeking Your Comment', dated 18 January 2007 distributed to various mediums and posted on Council's website.

**Statutory Implications**

Section 5.56 (1) of the Local Government Act states that:

"A Local Government is to plan for the future of the district"

The Strategic Plan and the Town's Five Year Financial Plan are the Town of Port Hedland's Plan for future as required under the *Local Government Act 1995*.

**Policy Implications**

Nil

**Strategic Planning Implications**

The proposed Strategic Plan will replace the Town's existing Strategic Plan, which was last reviewed at the end of 2005, and subsequently adopted by Council in January 2006. The Plan will become the key resource-planning document for Council.

**Budget Implications**

The Strategic Plan will be the primary tool used in the development of the 2007/08 budget and the Council's revised 5yr Financial Plan. The Financial Plan will indicate the resources that Council will commit towards the implementation and deliver of the plan Key Result Areas, Goals and Strategies.



**Officer's Comment**

The development and implementation of its Strategic Plan is one of the key roles and functions of a Local Government Authority. The key to ensuring that the plan remains accurate and relevant is ensuring community involvement and regularly reviewing progress towards commitments that are made in the plan.

Once adopted, it is proposed to undertake quarterly reviews of the Strategic Plan to ensure that it is being implemented appropriately and continues to reflect goals and desires of the Council and the community. A major review of the Plan will be undertaken annually with additional strategies being identified that assist Council in achieving its goals.

The attached table outlines feedback received on the Draft Strategic Plan 2007-2012.

Council needs to consider each comment on its merits, and determine if any changes need to be made to the draft based on reasoning for the suggested change and Officer's Comments provided.

**Officer's Recommendation**

That:

- i) Council adopt the 2007-2012 Town of Port Hedland Strategic Plan with the following amendments; and
- ii) quarterly reports be presented to Council indicating the status of the plan implementation and highlighting any new issues that have arisen.

**200607/220 Council Decision**

**Moved:** Cr S F Sear

**Seconded:** Cr D R Pike

That:

- i) **Council adopt the 2007-2012 Town of Port Hedland Strategic Plan with the following amendments (attached); and**
- ii) **quarterly reports be presented to Council indicating the status of the plan implementation and highlighting any new issues that have arisen.**

***CARRIED 4/1***

ATTACHMENT TO AGENDA ITEM 11.4.2.3

KRA	Goal	Strategy	Feedback Received	CEO's Comment
Infrastructure	1 – Roads, Footpaths and Drainage	5. Review existing signage within the Township and develop a clear, comprehensive approach to the management of directional, information and advertising signage on Council road reserves.	<p>This is a very specific policy for which I would see planning only providing input to an engineering driven process. Generally, Planning would develop an overall signage policy for development in general. This Policy would be support by a local law. The local law would be enforced by Building. Both of these statutory documents should follow the development of Scheme 6 and pick up on the matters not completely dealt with or prescribed by the scheme. I can't think of an example at this time. Furthermore, there are significantly more engineering controls/ regulations that would need to be observed other than those of planning. I would also see an equally important role for marketing in an overall branding of the Town consistent with the suggestions raised by staff in the initial consultation process.</p> <p>I would recommend that a Corporate Branding - including street signage etc. - be developed to give Hedland an image consistent with the direction and modernization that is currently being pursued.</p> <p>I would suggest that this is an important step in giving the Town an identity to which the community will commit, and foster. Furthermore, it will provide the opportunity for the Council to visibly take control back from the PDC and other organisations which appear to be branding the Town.</p>	<p>Recommend to change Responsibility Officer to be DRCS/DES</p> <p>Recommend no change to Strategy.</p>
		8 - Investigate and report on the feasibility and cost of piping some of the existing open drains in South Hedland. Completion Date June 07.	<p>Reword to: Investigate and report on the feasibility and cost of design alternatives (including piping and development as open spaces) of some of the existing open drains in South Hedland.</p> <p>Reason: The open space policy is suggesting several design alternatives and these should be also costed as part of the proposed goal.</p>	Recommend rewording of Strategy.
		New Strategy - Investigate and report on the design, costs and funding alternatives for the formalization of Public Access to the Finucane Island boat ramp. Completion Date: June 07	Reason: The opportunity with DPI championing the process, is there to finalize a route and address the issue.	Recommend new (broader) strategy – "Work with Port Hedland Port Authority and others to ensure that port and mining expansions at Harriot Point are undertaken in a timely manner and do not have a negative impact on the community.

*ATTACHMENT TO AGENDA ITEM 11.4.2.3*

Infrastructure	2 – Parks and Gardens	5 - Review existing maintenance levels at all parks and reserves and present costed options for alternate maintenance regimes. Completion Date: June 07	Time frame needs to be expanded possibly dependent on the Open space Policy's adoption and implications.	No change recommended.
	3 – Airport		Engage an airport property consultant to review the valuations of airport resources apart from business plan review.	Valuation process is a component of the Business Plan for the Airport. No change recommended.
Community Pride	1 - Litter	Strategy 6 - Review and report on legislative alternatives that are available to Council to improve the visual appearance of untidy properties within Town. Completion Date: September 07	I would consider this a shared responsibility between Directorates of Community & Regulatory Services and Corporate Services.  Reason: The legislative alternatives are likely to be Local Laws which are generally administered by Governance and implemented by Planning, Building, Health, Rangers etc.	A staff member is required lead the co-ordination of all directorates, then consolidate and report on alternatives available. Opportunity for officer familiarise with areas of legislation that indirectly affects work undertaken by them.
			Implement a cash-for-cans policy.	Actively support State Gov't actions re: this matter.
			Rangers to enforce policies and advise community on our intentions to prosecute.	Address in KRA 6-Goal 6 (Policy and Legislation); and KRA3-Goal6 (Comm. Safety).
Community Development	5 - Health	3 Review EH Service levels in Towns and Aboriginal Communities and develop an EH Business Plan based on risk management principles.	Calling the EH Plan a business plan is difficult as all EH services and charges are set by statute, while exploring revenue sources is important our core business is to protect public health. The development of and Aboriginal communities plan is reliant on staff resourcing and at the moment our commitment is minimal. The development of a Municipal health Plan can incorporate service levels to Aboriginal communities. Therefore I would recommend the following wording: - "Review Environmental Health service levels to the Town of Port Hedland and develop a Municipal Health Plan based on risk management principals."	Noted.  Noted.  Recommend Strategy to be reworded – "Review Environmental Health service levels to the Town of Port Hedland and develop a Municipal Health Plan based on risk management principals."

*ATTACHMENT TO AGENDA ITEM 11.4.2.3*

Community Development	5 - Health		Continue discussions relating to the lack of doctors and upgrade of equipment.	Included in KRA3-Goal5 (Health). Strategy 2 covers this issue.
			Possibility of a Hospital Annexe in Port Hedland (Detention Centre) when Hospital established in South Hedland.	Included in KRA3-Goal5 (Health). Strategy 2 covers this issue.
			Monitor copper concentrate shipments and transport to wharf.	Expand on Suggestion, i.e. "Monitor commercial and industrial activities that have potential negative impact on the community, and actively seek DoC enforcement of regulatory standards.
			Pursue the availability of Day Care Centres and implement an incentive scheme to establish same (i.e. rate Concessions).	Already included – no change recommended.
			More after school sports when assessing the future direction of the John D Hardie.	Already Included – no change recommended.
		4 - Develop a comprehensive Mosquito management program that clearly identifies the capital and recurrent expenditure that Council should expend to effectively manage the issue.	There is 2 points I would like to raise there, 1.You get what you pay for. (No issue from my part on Councils commitment thus far) 2.The amount of work undertaken is reliant on atmospheric conditions. (Rain, cyclones)  Recurrent expenditure will be addressed in the budget process. (The mossie budget will come down next year as suitable equipment has been purchased and chemical stocks re- established.)  Recommended wording :- "Review Councils Mosquito Management Plan and identify capital and recurrent expenditure in the budget process to effectively manage this issue."	Recommend rewording of Strategy – "Review Councils Mosquito Management Plan and identify capital and recurrent expenditure in the budget process to effectively manage this issue."

*ATTACHMENT TO AGENDA ITEM 11.4.2.3*

Community Development	6 - Community Safety	Strategy 2 - Undertake a from-the-street review of security levels at properties that have experienced a burglary in past 12 months and: ·Develop promotional material that encourages property owners to improve the security/safety of their property by undertaking measures that have proven to be effective. ·Develop Council planning policies that ensure that Crime Prevention Through Environment Design (CPTED) principals are considered in all new planning and building applications. Completion Date: October 07	Resourcing: Staffing etc. - This is a significant project and would need to be scoped out to assess the full implications. I would also suggest the time frame needs to be expanded given the scoping process and likely Budget implication not being able to be implemented until Aug/Sept 07.	Recommend extending deadline to December 2007.
		New Strategy Suggested	Adopt a community based emergency risk management process for the municipality of the Town of Port Hedland.	Recommend Rewording Strategy 5 to incorporate both as follows:
		Strategy 5 – Coordinate the development of response plans to natural disasters through the Local Emergency Management Committee (LEMAC)	Suggested Rewording: Coordinate the review and ongoing maintenance of effective Local Emergency Management Arrangements that document local emergency response plans in consultation with the Local Emergency Management Committee and Hazard Management Agencies (HMA's).	“Adopt a community based emergency risk management process for the Town, and coordinate the development of response plans to natural disasters through the Local Emergency Management Committee (LEMAC)”
		Current Goal Wording “That the incidence of crime has decreased and the perception of community safety within the Town of Port Hedland has increased.”	Suggested Rewording “That the perception of community safety within the Town of Port Hedland has increased.	Recommend no change, as community wants the crime rate down.
	7 - Arts & Culture	3 - Develop a unique entry statement to the Town - Completion Date: March 08	I would see this as being intimately tied to the Corporate Branding of the Town. These goals need to be linked.	Noted. Recommend no change to strategy.
			Establish a work procedure to ensure that all new upgrades in cultural arts precinct are maintained.	Component of review of resources and maintenance levels on all parks referred to in KRA1-Goal 2 (Parks & Gardens)
			Encourage schools to be more involved in printing and art work at Courthouse Arts Centre and Gallery	Agree. Recommend new strategy – “Increase programming levels at the Courthouse Arts Centre and Gallery.”

*ATTACHMENT TO AGENDA ITEM 11.4.2.3*

Economic Development	1 - Tourism	2 - Redevelop the visitor entry bays on the northern and southern roads entrances to the Town - Completion Date: February 08	I would see this as being intimately tied to the Corporate Branding of the Town. These goals need to be linked.	Noted. Recommend no change to strategy.
		3 - In conjunction with key stakeholders, identify and report on strategies that may assist in providing accommodation options for visitors during the period when accommodation is at a premium due to the construction phase of many resource projects.	I would see this being a CEO/MP split.	Recommend this strategy will involve MP, DRCS and MCED. CEO to lead review.
			Update information bays at Port and South Hedland	
	3 - Business Development	3 - Investigate the potential development of a Business Incubator within the Town. Completion Date: June 08	Agreed - however this would principally fall under the New Managers position in Economic Development. I'm most willing to be involved.	Recommend change of Responsibility Officer to be MCED
			Establish an incubator facility in Port Hedland for Home Occupation and Small Businesses.	
	4 - Land Development Projects	2 - Work with the South Hedland New Living Project to ensure that appropriate, attractive development lots are made available within South Hedland within a timely manner. Completion Date: Ongoing	Agreed - subject to following rewording- Work with the South Hedland New Living Project to ensure that sustainable development lots consistent with the principles of Council are made available within South Hedland within a timely manner.	Recommend rewording of strategy to – "Work with the South Hedland New Living Project to ensure that sustainable development lots consistent with the principles of Council are made available within South Hedland within a timely manner. "
4 - Commence the development of marina and caravan park facilities on the Port Hedland Spoil Bank. Completion Date: June 08		This goal may not be achievable without the Statutory Plans and backing of the State Government given the comments from DPI-SLS etc. I would recommend that a number of smaller goals would need to be set and achieved before this goal could be realised.	Noted. No change to strategy required, as processes are occurring to achieve this goal.	

*ATTACHMENT TO AGENDA ITEM 11.4.2.3*

	5 - Town Planning & Building	6 - Review all existing Town Planning Policies and develop a range of contemporary policies that are appropriate for the Town of Port Hedland. Completion Date: May 07	Agreed - With current resource allocation, it is expected that a review of all planning policies can realistically be expected by May 2007. With the imminent loss of the casual planning position however, it is unlikely that all required planning polices as identified will be completed with all necessary TPS amendments in this time frame.	Recommend extending Date of completion to July 2007.
		Suggested New Strategy - Develop an implementation Plan for the outcomes of the Land Use Master Plan. Completion Date: October 07	Reason: As we want this to be a working document, and given that some of the issues will require an immediate follow-up, and given the power of the steering committee, I'd suggest that an implementation plan is very important to keep everyone engaged and working to implement the Plan.	Noted. No change recommended as implementation plan is implicit in Land Use Master Plan process.
Environment	1 - Waste Management	5 - Actively pursue the relocation of the Wedgefield Tox Free facility to a location that does not have the land use conflicts that the existing facility currently presents. Completion Date: On going	I question the wording in a strategic plan "to actively pursue the relocation of the Wedgefield Tox Free facility".  I would suggest that it could be worded better to reflect the same goal without singling out a specific company. EG That Council actively seek[s] areas to re-locate hazardous and heavy industry.	Noted. Recommend no change to strategy.
	2 - Natural Resources	2 - Work with relevant community groups, individuals and agencies to review and update the Town of Port Hedland's Tree Planting Guide. Completion Date: June 07	I believe this activity should be undertaken by Council's Parks section as they have the experience, knowledge, and contacts to undertake the process. This should also relate to Goal 2 - Parks and Gardens - Point 3 - Develop a five-year verge development and street tree planting program and progressively implement the projects that are identified as being the highest priorities.	Recommend changing Responsibility Officer to Works Manager.
Governance	5 - Systems Development	1 - Develop branding and corporate style guidelines for all Council facilities, events and communications with the public to aid in the community's recognition of the services and facilities that the Town provides. - Completion Date: December 07	I would see this as being intimately tied to the Corporate Branding of the Town. These goals need to be linked.	Noted. Recommend no change to strategy.
			Council Lease Management profile.	
			Establish an Investment Policy	Council already has an investment policy. KRA6-Goal4
			Acknowledgement of Council and Councillors in their roles and achievements.	

ATTACHMENT TO AGENDA ITEM 11.4.2.3

Other suggestions:			Extractive Industry Local Law - Currently the Council has no Local Laws or Licencing procedures in place. It is likely that numerous extractive industries are currently operating with out the appropriate approvals and Council is not fulfilling its statutory role and potential Licencing fees are not being imposed and/or collected.	Noted. Issue can be covered in review of Local Laws.
			Structure Plans associated with Key Development Areas - Spoil Bank, West End, South Hedland, Airport, Cooke Point, Red Bank etc. - The airport is addressed by Goal 3 - Airport - Point 3	Currently individual projects, such as West End, South Hedland, etc. are components of Council's Strategic Plan, i.e. the Strategic Plan is driving these individual projects to achieve strategies in the Plan. Recommend no change to Draft Plan required.
			Undergrounding of power lines in South Hedland as part of the South Hedland New Living Program, and brining South Hedland in line with Port Hedland.	For Council's consideration.
			The Town of Port Hedland needs an agricultural/horticultural college, and a maritime college. These two colleges would help to broaden the economic base of the Town, plus they would create extra job opportunities for local and Pilbara people.	For Council's consideration.
			Investigation into the possible relocation of the Civic Centre to the West End or South Hedland.	Noted. Not required as is being considered as part of Land Use Master Plan Process. Recommend no change to Draft Plan.
			Open space Development Plan - Policy, Audit and Implementation process - partially covered by a number of the goals.	Noted.
			Transient workforce over flow accommodation - Could be tied with Page 17. - Goal 1 - Tourism - Point 3 - In conjunction with key stakeholders, identify and report on strategies that may assist in providing accommodation options for visitors during the period when accommodation is at a premium due to the construction phase of many resource projects.	Agreed. Strategy includes transient workforce accommodation. Recommend no change to Draft Plan.
			Plant 100,000 trees as part of the UN Environment Programs 'Billion Tree Campaign': <a href="http://www.unep.org/billiontreecampaign/">http://www.unep.org/billiontreecampaign/</a>	Tree planting and greening initiatives are heavily represented within the Draft Strategic Plan.



ATTACHMENT TO AGENDA ITEM 11.4.2.3

Other suggestions:		Win a Tidy Towns Award (a five year goal?).	Tidy Towns and a range of litter prevention initiatives are specifically mentioned within the plan. Recommend inclusion of winning an award as a Measurement/Milestone rather than a goal.
		Suggest changing this year's goal for the JD Hardie Centre to 'Complete financial feasibility study'.	Report on this matter is included in Feb 2007 agenda. Direction obtained from this discussion will set the strategic actions for the coming 18months. No change recommended at this stage.
		<p>I would also like to see an explicit goal about global warming. Some suggestions:</p> <ul style="list-style-type: none"> <li>- establish a reserve fund for global warming preparation and adaptation works.</li> <li>- prepare new and more detailed flood maps for the Town.</li> </ul>	<p>Needs to be considered in Budget process. Recommend inclusion if/when Council establish a Reserve Fund.</p> <p>Council's current flood maps are based on the 1;100 flood line, which is no longer the basis for land use planning in WA. Recommend that a strategy be included that states: Work with DPI Coastal Asset Management Branch to develop up-to-date flood map profiles for the Town.</p>

**11.4.2.4 Staff Housing Working Group Report (File No.: ...-...)**

**Officer** Chris Adams  
Chief Executive Officer

**Date of Report** 20 February 2007

**Disclosure of Interest by Officer**

Officer rents a property from Council and would benefit if upgraded housing was made available.

**Summary**

The Town's Staff Housing Working Group has met to discuss the future of staff housing and has developed recommendations for Council's consideration.

**Background**

The Staff Housing Working Group has been operating intermittently for several years. The Group's aim is develop a housing profile for Council staff that is both appropriate and affordable.

In the current employment market it is necessary for Council to provide an appropriate level of housing to attract and retain local government professionals. From time to time Council has undertaken staff housing related developments, but has not undertaken new staff works for several years.

The Group met on Monday 19 February to discuss the short, medium and long-term future of staff housing within the Town. Prior to this meeting a range of preliminary work and investigations were undertaken. This included:

- Valuations: Rental and sale valuations were obtained from a licensed valuer for each of Council's existing properties.
- Existing Conditions Assessment: A local real estate agent was engaged to determine the quality of Council's real estate stock. While detailed reports are available for each property, in summary the condition reports indicate that the vast majority of Council's staff housing stock is in a fair/average condition. The majority of issues relate to age issues, maintenance issues and lack of capital investment to make the properties more desirable.
- Options Analysis: A variety of options for development were developed and discussed.
- Nett Present Value (NPV) Analysis: Council's Finance Department undertook a NPV financial analysis of the variety of options that were presented.

The majority of the above information was presented to Council at its informal briefing session held in December 2006, and the Staff Housing Working Group considered this matter in detail at its meeting on Monday 19 February 2007.

At the Staff Housing Working Group (involving Crs Martin, Carter and Pike), the following objective was determined for the future of Council's staff housing actions.

*“Our aim with staff housing should be to ensure that we have an appropriate level and amount of housing for our staff **AND** to ensure that staff housing is structured in a manner that is more self-sustaining (i.e. not costing the ratepayers significant amounts of money).”*

After this principal was agreed to discussion ensued on the most appropriate actions to facilitate achievement of this objective. The primary actions that were agreed to include:

- Not selling any housing and continuing the current practice of renting any surplus Council staff housing on the private rental market.
- Progressively increasing the volume of housing stock with the aim of having a 'pool' of housing that covers staff housing needs and having a quantum of houses that rented by Council on the private market. This will assist in achieving a greater level of self-sustainability through increased rent income and through asset valuation growth.

The above strategy was not one of the options that was presented by staff, but was considered/recommended to be the most appropriate action by the Working Group after considering the current state of the property market and the potential return on investment. The proposal is more capital intensive 'up-front', but has the potential to return a greater level of investment return to Council through increased rental income and increasing asset value.

Detailed actions were developed for the development of the housing in accordance with the direction proposed by the Working Group. These are contained within the 'Staff Housing Working Group Recommendation' section of this report.

### **Consultation**

As outlined above, the recommended actions came from the Staff Housing Working Group after considering the information presented by Council staff, valuers and real estate agents.

**Statutory Implications**

Council is not statutorily required to provide staff housing. The acquisition and/or disposal of staff housing needs to comply with the Local Government Act and the Local Government (Functions & General) Regulations.

**Policy Implications**

Council has a detailed Staff Housing Policy (Policy 3/008) that outlines Council's and the tenant's responsibilities in relation to housing. In addition to the policy provisions, formal tenancy agreements are signed with each employee prior to occupying Council's housing.

**Strategic Planning Implications**

Council's Draft 2007-2012 Strategic Plan includes the following strategy that is directly relevant to this matter:

KRA 4: Economic Development

Goal 4: Land Projects

Strategy 6: Develop and progress implementation of the Town of Port Hedland Staff Housing Strategy with the aim of making staff housing more self-supporting

**Budget Implications**

Council does not have any budget allocation for new staff housing in the 2006/07 Budget. Any new developments will need to be considered in either the April Budget Review or as a component of the 2007/08 Council Budget.

As the proposal developed by the Staff Housing Working Group was only developed very recently, Council staff is yet to prepare a detailed financial analysis of the proposal. This will be undertaken over the coming weeks.

Whilst the financial implications of the proposal are yet to be fully worked through, it is fair to surmise the following:

*Capital:*

- The proposal is more capital intensive than other proposals. This will require funding from reserves, municipal funds or via new loans. Some of the upfront capital costs can be defrayed via sales processes once developments have been completed.
- As the quantum of stock increases, Council's asset value will increase. The fact that housing is generally an appreciating asset and has the ability to become liquid (via sale) relatively quickly; there are some positives for Council.

*Recurrent*

- The increasing stock numbers will lead to increasing rental income to Council which (potentially) offsets loan interest amounts and maintenance contribution, hence making housing more self-sustaining.

**Officer's Comment**

Whilst the quantity of staff housing owned by Council is reasonable, the quality of housing is generally below the standard that is being offered elsewhere by other Local Government Authorities. Council needs to upgrade the standard of its housing if it wants to continue to attract and retain quality staff.

The Working Group has effectively recommended that Council become a developer and owner of housing, including an owner of housing that is not used by Council staff. This proposal has the potential to make staff housing more self-sustaining, but is more capital intensive on the Council.

**Staff Housing Working Group's Recommendation**

That:

- i) in relation to Council's current Housing stock, Council will
  - a) not sell any houses and continue with the existing practice of renting out any vacant staff housing properties on the private rental market at their market rate; and
  - b) progressively increase its housing stock with the aim of having a 'pool' of housing that covers staff needs and has a quantum of houses that are available on the private market. This will assist in achieving a greater level of self-sustainability through increased rent income and through asset valuation growth.
- ii) the following staff housing development opportunities in the short/medium term be actively pursued by Council:
  - a) 18 Counihan Crescent, Pretty Pool (757m<sup>2</sup> of Freehold Land):
    - develop an executive style house on this Council owned property;
    - progress the development by developing and advertising a Design and Construct Contract for the development. This should be progressed in the short-term so that Council has accurate figures for its 2007/08 Budget; and

- . following construction of the executive style house at 8 Counihan Crescent, Pretty Pool, 85 Sutherland shall be rented on the private market;
- b) Lot 2355 Catamore Court, South Hedland (2362m2 of Freehold Land)
  - . in partnership with the Department of Housing and Works (DHW) South Hedland New Living Project, develop this site as a multi-unit site (8 units);
  - . these works should be undertaken as a component of the DHW's current Trainee Crescent works; and
  - . following the completion of the development at Lot 2355 Catamore Court, South Hedland, Council shall sell 6 of the 8 sites to assist in financing of the project with Council developing the remaining two for staff housing purposes;
- c) 12 Moore St, Port Hedland (21,678m2 of land vested in Council for Housing)
  - . pursue the development of the site as a multi-dwelling site after receipt of clear direction is obtained from the Land Use Master Plan process;
  - . commence land use planning and design to initially develop twelve (12) units on this site, with four (4) being retained for staff housing purposes, four (4) being sold on the private market and four (4) being kept for private rental by Council; and
  - . the balance of 12 Moore Street, Port Hedland be retained for potential future housing requirements; and
  - . seek freehold ownership of the land as a component of the development process;
- iii) that the indicative capital cost outlay for the project be noted by Council, as being:

Counihan Crescent, Pretty Pool	\$ 550,000
Catamore Court, South Hedland	\$ 500,000
Moore Street, Port Hedland	\$4,000,000
- and that some of the development costs are recoupable via sales and increased annual rental incomes; and
- iv) the financial implications of the proposals be considered in more detail (including using reserves, loans and municipal funds) as a component of the April Budget review and/or the 2007/08 Budget process.

**200607/221 Council Decision****Moved:** Cr D R Pike**Seconded:** Cr S F Sear**That:**

- i) in relation to Council's current Housing stock, Council will**
  - a) not sell any houses and continue with the existing practice of renting out any vacant staff housing properties on the private rental market at their market rate; and**
  - b) progressively increase its housing stock with the aim of having a 'pool' of housing that covers staff needs and has a quantum of houses that are available on the private market. This will assist in achieving a greater level of self-sustainability through increased rent income and through asset valuation growth.**
- ii) the following housing development opportunities in the short/medium term be actively pursued by Council:**
  - a) 18 Counihan Crescent, Pretty Pool (757m2 of Freehold Land):**
    - . develop an executive style house on this Council owned property;**
    - . progress the development by developing and advertising a Design and Construct Contract for the development. This should be progressed in the short-term so that Council has accurate figures for its 2007/08 Budget; and**
    - . following construction of the executive style house at 8 Counihan Crescent, Pretty Pool, 85 Sutherland shall be rented on the private market;**
  - b) Lot 2355 Catamore Court, South Hedland (2362m2 of Freehold Land)**
    - . in partnership with the Department of Housing and Works (DHW) South Hedland New Living Project, develop this site as a multi-unit site (8 units);**
    - . these works should be undertaken as a component of the DHW's current Trainee Crescent works; and**
    - . following the completion of the development at Lot 2355 Catamore Court, South Hedland, Council shall sell 6 of the 8 sites to assist in financing of the project with Council developing the remaining two for staff housing purposes;**

- c) **12 Moore St, Port Hedland (21,678m<sup>2</sup> of land vested in Council for Housing)**
- . **pursue the development of the site as a multi-dwelling site after receipt of clear direction is obtained from the Land Use Master Plan process;**
  - . **commence land use planning and design to initially develop twelve (12) units on this site, with four (4) being retained for staff housing purposes, four (4) being sold on the private market and four (4) being kept for private rental by Council; and**
  - . **the balance of 12 Moore Street, Port Hedland be retained for potential future housing requirements;**
  - . **seek freehold ownership of the land as a component of the development process; and**
  - . **progress the development by commissioning the development of a Design and Construct Contract for the development;**

- iii) **that the indicative capital cost outlay for the project be noted by Council, as being:**

<b>Counihan Crescent, Pretty Pool</b>	<b>\$ 550,000</b>
<b>Catamore Court, South Hedland</b>	<b>\$ 500,000</b>
<b>Moore Street, Port Hedland</b>	<b>\$4,000,000</b>

**and that some of the development costs are recoupable via sales and increased annual rental incomes; and**

- iv) **the financial implications of the proposals be considered in more detail (including using reserves, loans and municipal funds) as a component of the April Budget review and/or the 2007/08 Budget process.**

***CARRIED 5/0***



## ATTACHMENT TO AGENDA ITEM 11.4.2.4

## Staff Housing

### Aim

To seek some direction from Council in what options should the Housing Working Party be looking at to address the perceived issue of staff housing with Council.

### Background

#### Houses

Council currently owns or controls some 33 houses in various locations in Port and South Hedland. 30 properties are owned outright by the Town of Port Hedland, with the remaining 3 are funded properties (BHP or State government). The type of houses provided vary in size, construction and age. These houses have been acquired on an "as needs basis", with little long term planning. Maintenance of these assets has also been ad hoc, resulting in an extremely subjective process in prioritizing the general and long term maintenance of the properties. Schedule 1 list all current houses for review.

#### Land

Generally the Town of Port Hedland is not a large landowner, with much land only vested in Council, limiting development opportunities. However, the following properties could be developed to meet either short, medium or long term needs if required

- 12 Moore Street, Port Hedland (21,678 m<sup>2</sup>) (Vested)
- 2355 Catamore Court, South Hedland (2,362 m<sup>2</sup>) (Freehold)
- 18 Counihan Crescent, Pretty Pool (757 m<sup>2</sup>) (Freehold)

#### Tenants

25 properties are tenanted by Town of Port Hedland employees. Employees currently receiving staff housing range from the Chief Executive Officer to Plant Operators. This is the result of previous recruitment practices, where "specialized" staff were often given housing as part of employment packages. Rental for staff is either based on a percentage of GRV value of the property (LBA Staff) or a negotiated value (AWA). On average housing subsidized in the order of 75%, which is not unusual in the district to secure staff

Of the remaining 9 properties, three are privately rented, one is supplied to the YMCA as part of the Pool Tender, and the remaining Four are currently vacant. Two of the four vacant houses are funded properties, and cannot be rented on the private market. The remaining two vacant properties are only vacant due to recent staff structure changes.

#### Leases

Currently all staff sign a standard lease agreement on receiving their house, with general and pet bonds kept to provide some protection to Council. Currently the bonds are:

General Bond - 4 weeks rent

Pet Bond - \$100

However due to high subsidization of rents, based on GRV value, actual bonds are relatively small. For example 115 Athol Street Bond is currently:

General Bond	\$512
Pet Bond	\$100
Total	\$612

However \$612 is only 0.1224% of the current value of the property. These low bonds have actually cost council in the past, as in a lot of circumstances, damage is only discovered once a house is vacated, and it is extremely difficult to recover the difference between costs of repairs and the bond held, especially after the tenant has left the district.

Privately rented properties, have commercial leases, and are generally managed by a local real estate agent. Currently lease terms have been kept to a minimum, while long term plan for housing is developed.

### **Budget Constraints**

In the 2006/07 annual budget, Council included \$406,100 for housing upgrades as part of Council's new five year financial plan. A list of properties affected is attached. This was included to recognize the poor state of staff housing identified in recent inspections. On top of this allocation for capital upgrades, all houses were allocated \$4,300 for general maintenance, and \$15,000 for unspecified maintenance to cover any unforeseen issues. In total, Council has allocated \$541,500 to staff housing in 06/07.

This \$541,500, only represents 6% of current value of houses, and is inline with the a real estate belief that a owner should spend 5%-10% of the value of a house annually to maintain it's condition and value.

Of the \$541,500 provided in the budget to maintain the houses, \$220,000 was offset by budgeted revenue from rental income. In a recent review of the budget, it has been recommended that this be increased to \$260,000, as the market rentals have increased significantly since budget adoption.

The reasons why housing maintenance costs are high in 06/07 include:

- Council investment in maintenance/upgrades of the housing stock in the recent past has been very low. This has lead to a backlog of work required.
- Costs of maintenance has increased significantly.
- Housing stock is aging and therefore requires more work.
- Staff expectations are increasing as the quality of housing by mining companies and GEHA increases.

An independent assessment of Council housing indicated the average condition was fair/good, with many items requiring repairs.

**Valuations**

Council has had all staff houses recently valued by an independent certified Valuer, with the resulting valuations listed in schedule 1. Council should note that typically market valuations from a valuer are extremely conservative, and generally 10-15% can be added to get an accurate market value. The market rentals provided, where provided a local real estate agent, based on physical inspection of most of the properties. Given the current rental climate, these are also considered conservative.

**Identified Needs**

To ensure Council is competitive in the labour market, staff housing will always be needed to secure specialized or critical personnel. In considering who requires housing, reference should be made to the organizational hierarchy as well to specialized skills required by Local Governments. Typically management positions expect to be provided with housing in Pilbara. Based on this the initial needs would be:

**Management**

CEO	1
Directors	3
Managers	9
<b>Base needs</b>	<b>13</b>

**Specialised Roles probably requiring housing**

Planning Officer  
 Building Surveyor  
 Environmental Health Officer  
 Engineering Technical Officer  
 Recreational Co-ordinator  
 PFDS Co ordiantor  
 Senior Ranger  
 Pool Manager (Currently not required)  
 Mechanic

**Total** 9

**Minimum Houses required** 22

Specialised Officers are generally regarded as university qualified, or having special skills or experience, which are typically sourced not from the local community.

Obviously this differs from the current 25 positions currently enjoying staff housing. These other 3 positions are the result of past decisions, and most probably would not be offered housing in the future, should these positions need be replaced. Having said that, growing roles and responsibilities of Local Governments means that it is foreseeable that additional specialist officers may be required in the future.

which generally results in mix match of housing across the organizational hierarchy, creating problems when new staff with different personal needs replace old staff. Staff housing is also seen as status symbol within the organizations, and subjective allocation of housing can create organizational cultural issues (ie a junior staff member gets a "good" house, while a senior staff members gets an "average/poor" house).

Typical in private industry, housing is typically associated with position within the organizations. Should the housing not meet the employee's personal needs, generally the house is exchanged for a cash payment equal to the housing value, which the individual can use to meet their own needs. Currently the \$8,000 offered in lieu of housing is not attractive for many current staff.

An example of this could be:

Chief Executive Officer	4x2 Exec Style (ie pool, entertainment area, etc)
Directors	4x2
Managers	3x2
Non Managers (Specialised Staff)	3x2/3x1 Town House.

Based on this model, the physical houses required can be easily identified, and developed if necessary. Styles of houses can also be standardized, thus reducing any staff incurring worth to the organization by the type of housing needed.

Obviously this cannot be achieved easily, given that this model would require 6 staff losing their current houses. However through staff attrition and selective developments this could be achieved in 5-10 year time frame.

### Options

Obviously there are number of options available to solve the Town's staff housing problem. However given the limited land available for Council to develop, there seems to be three obvious options.

In attempting to quantify any options and given the time value of money the following overriding assumptions have been made.

CPI	3.0%
Building Index	10.0%
Cost of Funds	6.15%

### Option 1 – Do nothing

Though not a desired option, Council needs to consider maintaining the "Status Quo". This option does provide a baseline to compare other options. Essentially this option could project the current costs and revenue streams over a time period (ie 10 years), from which Net present Value (NPV) can be calculated. From this calculation, alternative options can be objectively compared, with options with a better NPV should be more desirable.

After considering both income and expenditure budgets for the next 5 years, a NPV of \$577,602. Effectively this equates to the investment council would need to make know to fully fund the needs of staff housing over the next 5 years.

As this option doesn't address the current expectation of staff with housing, further work is still required to resolve issue of staff recruitment and retention with the current housing stock.

### **Option 2 – Short term, sell 2 properties, develop Pretty Pool & Catemore Court**

In this option, Council would sell 2 properties (1 Craig Street & 12 Janice Street), and use these funds generated to develop 18 Counihan Crescent, Pretty Pool and develop, with the aid of the South Hedland New Living Program, 2355 Catamore Court, South Hedland. This provides higher quality housing at little cost to the ratepayers.

The reasoning for this option is as follows.

Currently Council has 2 properties vacant, with no immediate need to use. Selling 1 Craig Street & 12 Janice Street, will remove of the oldest staff houses, which are currently requiring additional costs to maintain.

18 Counihan Crescent, is currently a vacant block in a highly desirable location. It would seem a waste not to develop this block, given current land release prices. However given that many houses in Pretty Pool are of a generally high standard, this development would have to meet this standard, therefore making it ideal for an "Executive Style" house. If this house was available to the CEO, Council would achieve the benefit of high rents from 85 Sutherland Street.

2355 Catmore Court is the location of ex South Hedland Pre Primary, and had basically been left derelict for several years. With assistance from the South Hedland New Living Program, 8 Blocks could be developed on this freehold site. Once created, 6 blocks could be sold to fund the development of 2 Town Houses on the remaining land.

The benefit of this option is that Council is developing land which it has complete freehold title over. Given this, this project could be implemented in the next budget cycle. By selling 2 properties, Council will would potentially develop 3 modern houses, allowing council to either sell or privately rent another two older houses.

In calculating this proposal the following assumptions have been made:

Pretty Pool Development costs	\$550,000
Catamore Court service costs	\$55,000 per block
Catamore Construction costs	\$400,000 per 3x2 house
Sale value of excess Catamore blocks	\$130,000 per block

This produces a Net Present Value (NPV) of \$532,515 over 5 years, which equates to a \$45,087 saving when compared to option 1.

### Option 3 – Long term, option 2 + develop 12 Moore Street.

Effectively this option is similar to option 2, however 12 Moore Street is developed. It is believed that this option will take a longer timeframe due:

- The Minister for Planning is unlikely to authorize the subdivision of this land until such time the Land Use Master Plan is completed.
- 12 Moore Street is only vested with Council, limiting Council ability to privately rent or sell any excess houses. Council could purchase the land from DPI, however generally this would be at market value.
- Due to size of the Moore block, any development will take considerable longer time to finalise, as compared to solely option 2.
- Moore Street property has utility service issues (power & sewerage) that needs to be addressed prior to development. These are expensive and create issues that are not evident in Catamorc Court.

In this option 12 houses could be development, with 4 being sold, 4 being privately rented, and 4 being used for staff housing. This would allow Council to also sell 4 existing Staff Houses (? in Port Hedland, ? in South Hedland), for example

- 14 Goode Street
- 1 Brearly Street
- 1 Frisby Court
- 18 Logue Court

This option would not utilize the entire block at Moore Street, and Council could sell a 1.2078ha super lot to be developed to assist the community in the current accommodation crisis.

This proposal delivers a NPV of \$2,735,715 over 5 years. Though this is materially more than the first two proposals, council should note that this proposal would take a lot longer time frame to generate rental income and maintenance savings than only five years.

In calculating this NPV the following have been assumed

Purchase of Moore Street	\$400,000 per ha
Service costs	\$55,000 per lot (12 lots)
Constructions costs	\$400,000 per house
Management & consulting	\$270,000
Sale of Super Lot	\$600,000 for 1.2078ha

### Summary

From these three examples, Council can easily see that Option 2 would be the preferred option, as:

- ✓ Council can develop stylish modern houses on freehold land owned by Council

- ✓ Create additional 6 blocks for private developed in South Hedland, taking advantage of the South Hedland New Living Project.
- ✓ Reduced actual cost to ratepayers, compared to the "do nothing" option.
- ✓ Small investment, equating to reduced long term risk as compared to option 3
- ✓ Achievable in the short term and current financial constraints.

Obviously any decision of Council needs proper consideration, given the long-term nature of any housing decision and the large initial capital investment due to the nature of housing development and construction

### **Direction Requested**

Council has created a Housing Working group to look at the current issue of Staff Housing. Though ultimately this working committee will provide Council with a number of recommendations in the future. The Working committee probably needs some direction in exploring various options. Principally the direction sort in:

1. Should staff housing be self funding/financing, or be it be seen as cost of employing staff?
2. Should Council become a developer of housing for it's own and community needs, assuming the underlining risks involved?
3. What is an appropriate standard of housing for staff to use?
4. Should excess houses be sold or privately rented?
5. Is this an opportunity for Council to lead the community in type housing options available in Port Hedland?

### **Attachments**

List of Council Houses

Condition Report of Council Houses

5 Year Capital Maintenance Program

NPV Calculations for Options 1, 2 & 3

Address	Location	Bed x		Tenant	Value	Annual Rentals			Weekly Rental			Annual Rate of Return		
		Bath	Style			Current Rental	GRV	Market Rental	Current Rental	GRV	Market Rental	Current Rental	GRV	Market Rental
Airport Residence 12	Port Hedland	3x1	fibro	RO	150,000	5,044	12,610	18,200	97	243	350	3%	8%	12%
115 Athol Street	Port Hedland	4x2	steel	DCS	500,000	6,656	16,640	39,000	128	320	750	1%	3%	8%
1 Craig Street	Port Hedland	3x1	brick	MEH	450,000	5,616	14,040	31,200	108	270	600	1%	3%	7%
29A Gratwick Street	Port Hedland	4x2	steel	MPS	325,000	5,096	12,740	39,000	98	245	750	2%	4%	12%
29B Gratwick Street	Port Hedland	4x2	steel	MCS	325,000	5,096	12,740	39,000	98	245	750	2%	4%	12%
57A Lukis Street	Port Hedland	4x2	steel	MFS	350,000	4,992	12,480	49,400	96	240	950	1%	4%	14%
57B Lukis Street	Port Hedland	4x2	steel	MBS	350,000	4,992	12,480	49,400	96	240	950	1%	4%	14%
11A McGregor Street	Port Hedland	3x1	brick	Ranger	180,000	5,356	13,390	26,000	103	258	500	3%	7%	14%
11B McGregor Street	Port Hedland	2x1	brick	BS	180,000	5,356	13,390	26,000	103	258	500	3%	7%	14%
32 Moseley Street	Port Hedland	3x1	brick	MD	480,000	5,408	13,520	28,600	104	260	550	1%	3%	6%
26 Robinson Street	Port Hedland	4x2	steel	DES	500,000	6,656	16,640	41,600	128	320	800	1%	3%	8%
82 Sutherland Street	Port Hedland	4x2	brick	DRCS	550,000	7,384	18,460	65,000	142	355	1,250	1%	3%	12%
85 Sutherland Street	Port Hedland	4x2	brick	CEO	550,000	8,112	20,280	65,000	156	390	1,250	1%	4%	12%
18 Logue Court,	South Hedland	3x1	brick	BMO	303,333	4,160		18,200	80	0	350	1%	0%	6%
8A Ashburton Court	South Hedland	3x2	brick	EHO	240,000	5,044	12,610	33,800	97	243	650	2%	5%	14%
8B Ashburton Court	South Hedland	4x2	brick	MLS	240,000	5,044	12,610	41,600	97	243	800	2%	5%	17%
1 Frisby Court	South Hedland	3x1	brick	Plant Op	220,000	4,056	-	15,600	78	0	300	2%	0%	7%
4 Janice Way	South Hedland	4x1	brick	Mech	175,000	3,588	8,944	26,000	69	172	500	2%	5%	15%
4B Kabbarli Loop	South Hedland	3x2	steel	RC	280,000	5,096	12,740	26,000	98	245	500	2%	5%	9%
14 Koolama Crescent	South Hedland	3x2	brick	SRC	280,000	5,304	13,260	18,200	102	255	350	2%	5%	7%
3 Mitchie Crescent	South Hedland	3x1	brick	SRO	220,000	3,952	9,880	15,600	76	190	300	2%	4%	7%
1/13 Wangara Crescent	South Hedland	3x1	brick	Rec Off	180,000	3,016	7,523	18,200	58	145	350	2%	4%	10%
2/13 Wangara Crescent	South Hedland	3x2	brick	ETO	180,000	3,016	7,523	18,200	58	145	350	2%	4%	10%
3/13 Wangara Crescent	South Hedland	3x2	brick	PO	180,000	3,016	7,523	18,200	58	145	350	2%	4%	10%
1 Leake Street	South Hedland	3x1	brick	YMCA	180,000	-	-	18,200	0	0	350	0%	0%	10%
12 Janice Way	South Hedland	3x1	brick	vacant	175,000	-	8,528	26,000	0	164	500	0%	5%	15%
Airport Residence 10	Port Hedland	4x2	steel	vacant	290,000	-	12,610	18,200	0	243	350	0%	4%	6%
96 Sutherland Street	Port Hedland	4x2	fibro	Private	450,000	31,200	13,780	41,600	600	265	800	7%	3%	9%
14 Goode Street	Port Hedland	3x1	brick	Private	530,000	49,400	16,380	31,200	950	315	600	9%	3%	6%
1 Brearley Street	Port Hedland	3x1	brick	private	300,000	33,800	11,960	33,800	650	230	650	11%	4%	11%
					<b>9,313,333</b>	<b>235,456</b>	<b>345,281</b>	<b>936,000</b>	<b>4,528</b>	<b>6,640</b>	<b>18,000</b>	<b>3%</b>	<b>4%</b>	<b>10%</b>



**Funded Properties**

10 Driver Way,	South Hedland	3x1	Vacant	3,796	9,464
6 Janice Way	South Hedland	3x1	Vacant	4,056	10,088
7 Mauger Place,	South Hedland		PFDC	3,588	8,944

**11.4.2.5 Funding Agreement for Full Time Staff Member at Courthouse Arts Centre and Gallery - Pilbara Regional Development Scheme (Round 1 2006/07) (File No.: GRT-042)**

<b>Officer</b>	Gaye Stephens Executive Assistant
<b>Date of Report</b>	22 February 2007
<b>Disclosure of Interest by Officer</b>	Nil

**Summary**

To progress the successful Pilbara Regional Development Scheme Funding Application for funding to employ a full time staff member at the Courthouse Arts Centre and Gallery, dedicated to the development of both Indigenous and Non-Indigenous art and programming within the Port Hedland and surrounding area.

**Background**

As a result of successful funding (\$75,000) from the Pilbara Regional Development Scheme, Council is in a position to employ a full time staff member at the Courthouse Arts Centre and Gallery, who will be dedicated to the development of both Indigenous and Non-Indigenous art and programming.

**Officer's Comment**

A Financial Assistance Agreements (FAA) for Pilbara Regional Development Scheme Funding to assist financially towards the costs of employing a full time staff member at the Courthouse Arts Centre and Gallery, requires the Town of Port Hedland Common Seal to be affixed and to be signed by the Mayor and Chief Executive Officer.

<b>Statutory Implications</b>	Nil
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<b>Policy Implications</b>	Nil
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**Strategic Planning Implications**

**Budget Implications**

The amount of \$75,000 funding available from the Pilbara Regional Development Scheme will contribute to the costs employing a full time staff member at the Courthouse Arts Centre and Gallery.

**200607/222 Council Decision/Officer's Recommendation****Moved:** Cr S F Sear**Seconded:** Cr G D Bussell**That:**

- i) approval be granted for the Deputy Mayor and Chief Executive Officer to sign and duly affix the Town of Port Hedland Common Seal to the Pilbara Regional Development Scheme's Financial Assistance Agreement (FAA) for financial contribution of \$75,000, towards the employment of a full time staff member at the Courthouse Arts Centre and Gallery, who will be dedicated to the development of both Indigenous and Non-Indigenous art and programming within Port Hedland and the surrounding area.
- ii) a tax invoice be raised for \$75,000, plus \$7,500 GST, to the Pilbara Development Commission.

***CARRIED 5/0***

**11.4.2.6 Port Hedland Dust Supression Program - Pilbara Development Commission Funding Agreement (File No.: 08/02/0001)**

**Officer** Gaye Stephens  
Executive Assistant

**Date of Report** 22 February 2007

**Disclosure of Interest by Officer** Nill

**Summary**

To progress the successful funding agreement with the Pilbara Development Commission for Port Hedland Dust Supression Program.

**Background**

As a result of successful funding (\$350,000) from the Pilbara Development Commission for Port Hdland's Dust Supression Program, Council is receiving funding towards:

- the purchase of a Green Machine Street Sweeper (\$152,250 funding);
- the maintenance of the Green Machine Street Sweeper during its operation life of four (4) years (\$100,000 funding);
- the purchase of an All Terrain Litter Vacuum (\$97,750 funding).

**Officer's Comment**

A Financial Assistance Agreements (FAA) for funding to assist financially towards the costs of implementing Port Hedland's Dust Supression Program requires the Town of Port Hedland Common Seal to be affixed and to be signed by the Mayor and Chief Executive Officer.

**Statutory Implications** Nil

**Policy Implications** Nil

**Strategic Planning Implications**

**Budget Implications**

The amount of \$350,000 funding available from the Pilbara Development Commission will contribute to the costs of implementing the Port Hedland Dust Supression Program.

Council is receiving funding towards:

- the purchase of a Green Machine Street Sweeper (\$152,250 funding);
- the maintenance of the Green Machine Street Sweeper during its operation life of four (4) years (\$100,000 funding) as follows:
  - \$15,000 – 2006/07
  - \$15,000 – 2007/08
  - \$20,000 – 2008/09
  - \$50,000 – 2009/10
- the purchase of an All Terrain Litter Vacuum (\$97,750 funding).

**200607/223 Council Decision/Officer's Recommendation****Moved:** Cr D R Pike**Seconded:** Cr S F Sear**That:**

- i) approval be granted for the Deputy Mayor and Chief Executive Officer to sign and duly affix the Town of Port Hedland Common Seal to the Pilbara Development Commission's Financial Assistance Agreement (FAA) for financial contribution of \$350,000, towards the Port Hedland Dust Abatement Program, to be expended as follows:
  - a) \$152,250 towards the purchase of a Green Machine Street Sweeper;
  - b) \$100,000 towards the maintenance of the Green Machine Street Sweeper during its operation life of four (4) years as follows:
    - \$15,000 – 2006/07;
    - \$15,000 – 2007/08;
    - \$20,000 – 2008/09;
    - \$50,000 – 2009/10; and
  - c) \$97,750 towards the purchase of an All Terrain Litter Vacuum.
- ii) a tax invoice be raised for \$265,000, plus \$26,500 GST being for:
  - a) purchase of a Green Machine Street Sweeper (\$152,250, plus GST);
  - b) purchase of an All Terrain Litter Vacuum (\$97,750, plus GST); and
  - c) Installment 1 (2006/07) for first year of maintenance allowance for Green Machine Street Sweeper unit (operational life of 4 years);

- ii) a tax invoice be raised for remaining three (3) annual installment payments of maintenance allowance for Green Machine Street Sweeper unit, as follows:
  - a) Installment 2 (2007/08) being \$15,000 plus GST, for second year of maintenance allowance for Green Machine Street Sweeper unit (operational life of 4 years);
  - b) Installment 3 (2008/09) being \$20,000 plus GST for the third year of maintenance allowance for Green Machine Street Sweeper unit (operational life of 4 years); and
  - c) Installment 4 (2009/10) being \$50,000 plus GST for the fourth (final) year of maintenance allowance for Green Machine Street Sweeper unit (operational life of 4 years).

***CARRIED 5/0***

**11.4.2.7 Qantas Lease at Port Hedland International Airport  
(File No.: 05/05/011)**

**Officer** Chris Adams  
Chief Executive Officer

**Date of Report** 22 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

After protracted negotiations, a lease agreement has been reached with Qantas for the lease of Port Hedland International Airport terminal space. In the view of officers, the lease documentation addresses all of the issues that Council has previously raised and should now be signed and sealed by the Council.

**Background***History*

Qantas has been occupying space at the Port Hedland International Airport without a formally signed lease for nearly five (5) years. Whilst there is no formal lease documentation, Council's legal advice is that a legally binding agreement exists. Over the past 4.5 years, Council has had several attempts to clear this matter. The issue has never been satisfactorily resolved.

Council's most recent deliberations on this matter were in September 2006 where Council resolved the following:

*"That:*

- i) Council's lawyers write to Qantas advising that the Town of Port Hedland is willing to sign and seal a lease document for the use of the Port Hedland International Airport for the period from 1 July 2002 – 30 June 2007 (with a potential five year extension) subject to the lease documentation including a rent review provision whereby rental is set at market rental from 1 July 2007 subject to:
  - a) a rent valuation review to be carried out on a bi-annual basis with Consumer Price Index (CPI) applicable yearly; and*
  - b) a valuation to be determined by an independent valuer selected by Council;**
- ii) assuming that Qantas agrees with the above, the Mayor and Chief Executive Officer be authorised to sign and seal the lease documentation."*

While that resolution indicated that the Chief Executive Officer and Mayor had the authority to sign the lease, at the January 2007 meeting Council subsequently requested that the document be re-presented to Council prior to formal endorsement by the Mayor and Chief Executive Officer.

### *Issues*

The issues of rental reviews and valuations have been addressed in the lease documentation and Qantas has signed the documents. The issues have been dealt with in the following manner:

- Rental Reviews: Market rent reviews will be undertaken bi-annually with revised market rents becoming effective on 1 July 2007, 1 July 2009 and 1 July 2011. CPI rent increased will be payable in the intervening years.
- Valuations: The method of valuation for the market valuation is detailed in a series of clauses within the lease. Summarising the proposed process for determining market rental is:
  - Within 3 months of the Market rent review date (i.e. 1 April 2007) Council is to advise Qantas of the proposed new Market Rental Amount.
  - Qantas has the right to dispute the rental amount by notifying Council within 28 days of being served notice of the new rental amount. Failure to meet the 28-day deadline constitutes acceptance of the rental amount.
  - Qantas can suggest an alternate rental amount to Council, which Council can accept or reject.
  - If agreement cannot be reached, a valuer nominated by the Australian Property Institute (WA Division) will determine the market rental amount. The determination of the rental amount by this valuer shall be binding on the parties.

A full copy of the lease document has been separately circulated to Councillors for their perusal.

### **Consultation**

Council has considered this matter in several reports and briefing sessions on the issue. Council has also had legal advice and legal briefings on the matter.

### **Statutory Implications**

The leasing of the space needs to be undertaken in accordance with Section 3.58 of Local Government Act.

### **Policy Implications**

Nil



**Strategic Planning Implications**

Strategy 3 of Council's Airport Goal in the Draft 2007-2012 Strategic Plan has the following statement that is relevant to this matter:

*"Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising and any other means."*

**Budget Implications**

Since 2002 Qantas has been paying annual lease payments of \$36,736.20. With the significant increase in passenger loads and landings at the Port Hedland International Airport, it is highly likely that the market rental amount is currently significantly more than this amount.

**Officer's Comment**

This issue has been long outstanding, with significant debate on the most appropriate manner to resolve it. The draft lease agreement that has been reached meets Council's needs/wants and is accepted by Qantas, and is therefore recommended for endorsement.

**Officer's Recommendation**

That Council authorise the signing and sealing of the lease document between Qantas Airways Limited and the Town of Port Hedland for Part of the Port Hedland Airport Terminal and Baggage Facilities.

**200607/224 Council Decision**

**Moved:** Cr S F Sear

**Seconded:** Cr D R Pike

**That Council:**

- i) authorises the signing and sealing of the lease document between Qantas Airways Limited and the Town of Port Hedland for Part of the Port Hedland Airport Terminal and Baggage Facilities; and**
- ii) issues a tax invoice be raised against Qantas for the outstanding total of Consumer Price Index (CPI) as from 30 June 2002.**

**CARRIED 5/0**

*REASON: Council also sought for a tax invoice to be raised against Qantas for outstanding CPI charges since 30 June 2002.*

**ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL****12.1 Governance****12.1.1 *Proposed Airport Revaluation Exercise (File No.: ...- ...)***

**Officer** Chris Adams  
Chief Executive Officer

**Date of Report** 28 February 2007

**Disclosure of Interest by Officer** Nil

**Summary**

At the request of the Deputy Mayor, a late item has been prepared on a proposal to engage a consultant to value the assets and commercial value of the Port Hedland International Airport.

**Background***Current Status*

Council owns and operates the Port Hedland International Airport on a freehold basis. The airport has been developed as a key business area of Council and continually operates at a surplus. Current practice is to return any operating surpluses that are generated to the Airport Reserve Fund for capital investments/upgrades that are undertaken at a future date. As at 30 June 2006 the Airport Reserve had a balance of slightly over \$1million with the 2006/07 Budget anticipating further additions to the reserve – despite significant capitals works being undertaken.

Council's Asset Register currently values the Airport assets at a written down value of \$105.8million. This valuation is based on historical costing with straight line depreciation occurring over a 50 year period. Our records indicate that there has been no asset revaluation undertaken at the Airport.

The Airport valuation was reviewed by our Auditor, David Tomasi, as a component of the 2005/06 Audit Process. The Airport was specifically reviewed as changes to the International Financial Reporting Standards (particularly to do with intangible assets such as Goodwill) needed to be reconsidered. The Auditors opinion is that the \$105.8million valuation is a fair and reasonable valuation for the purpose of audit, but have indicated in recent discussions that undertaking a full commercial revaluation of airport assets is a prudent exercise.

The airport currently has a budget operating revenue of approximately \$3.61million and an operation expenditure (including maintenance) of \$1.91m. The revenue for the airport is currently derived from three main sources:

- Landing Charges (approx 24% of income)
- Passenger Service Charges (approx 61% of income)
- Leases and Rentals (approx 14% of income)

The Airport has significant trading activities with a range of leases and commercial operations being undertaken within the facility. The basis of valuation for the leases held by commercial operators varies dependant on the process used to determine valuation at the time of leasing the space (i.e. via formal valuation or via public tender).

#### *Revaluation Rationale*

##### *Return on Investment*

While the Airport does not currently cost the ratepayers of the Town anything to operate, it currently provides little return to ratepayers. An argument could be put that the airport should be treated as an income-generating asset for the community. Under this scenario the airport would be treated much like a bank investment that generates income in the form of interest. In the instance of the airport, the investment is the assets owned by Council and the interest is the potential level of return that the Council (and therefore the community) receives in return on that asset. If Council were to go down this path it is necessary to determine an accurate value of the asset worth so that an appropriate rate of return could be determined.

While the above sounds attractive, Council does need to be careful to ensure that any activity that it takes in this regard is compliant with the Major Trading Activities provisions of the Local Government Act and are not determined to be anti-competitive by the ACCC and/or breach the Trade Practices Act. Further investigation on these requirements is necessary prior to progressing with this proposal, but gathering an updated commercial valuation of the asset value and business value is prudent whether Council elects to go down this path or not.

##### *Lease Returns/Development Opportunity*

Council is in the process of negotiating a number of proposed new leases with various commercial operators at the airport. There is also an opportunity to lease some of the vast tracts of airport land to commercial operators that can operate businesses that are compatible with airport operations. Obtaining up-to-date lease and vacant land valuations will assist in these negotiations.

While these valuations will assist, it needs to be noted that the Local Government Act requires that valuations for disposal of land (including disposal via leasehold) need to be undertaken within six months of the lease determination, therefore undertaking valuations at this point in time will not negate the need to undertake further valuation activity in six months time should further leases/sales be considered by the Council.

### **Consultation**

The Deputy Mayor had discussions with various airport operators regarding this proposal during the national Airport Operators Conference in Queensland.

Council's Chief Executive Officer has held discussions with the Chief Executive Officer of the Shire of Roebourne regarding this matter to determine how the Karratha airport finances are structured to achieve return on asset in a manner that complies with legislative requirements.

### **Statutory Implications**

While the acquiring of valuations has no specific statutory implications, the use of this information to alter existing operating practices at the Airport needs to be carefully considered ensure that any future actions comply with the Local Government Act, Trade Practices Act and anti-competitive requirements of the ACCC.

### **Policy Implications**

Nil

### **Strategic Planning Implications**

The following strategies from the Airport Goal within the Draft 2007-2012 Strategic Plan are relevant to this matter:

- Strategy 2: Develop a comprehensive Master Plan for the development of the Port Hedland International Airport as the precursor to determining long-term development and management alternatives for the facility.
- Strategy 3: Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising and any other means.

The acquisition of up-to-date valuations will assist in achieving these strategies.

**Budget Implications**

There is currently no specific budget line item available within the 2006/07 Budget for the revaluation of assets and/or the valuation of the business of the airport. At this stage, the costs of undertaking such a valuation are unknown. It is suggested that quotations of the valuation service be called for, with Council considering the costs and any potential budget amendments required once formal quotations have been received.

**Officer's Comment**

It is clear that Council needs to determine the long-term plan for the development and management of the Port Hedland International Airport. Determining an accurate asset and business valuation will assist in achieving this and is prudent management of one of Council's most significant assets.

**Officer's Recommendation**

That:

- i) quotations be called from qualified, experienced airport valuers to undertake a commercial valuation of the land, assets and business operations at the Port Hedland International Airport; and
- ii) a further report be considered by Council after quotations have been received, to enable Council to consider the budget implications of the proposed revaluation exercise.

**200607/225 Council Decision**

**Moved:** Cr G D Bussell

**Seconded:** Cr J M Gillingham

**That:**

- i) **quotations be called from qualified, experienced airport valuers to undertake a commercial valuation of the land, assets and business operations at the Port Hedland International Airport; and**
- ii) **up to \$50,000 be allocated from PHIA Reserve Fund to undertake a commercial valuation of the land, assets and business operations at the PHIA by a qualified, experience valuer.**

***CARRIED BY ABSOLUTE MAJORITY 5/0***

*REASON: In addition to the Officer's Recommendation, Council allocated \$50,000 from the Port Hedland International's Airport*

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

13.1 *Councillor Grant D Bussell***Moved:** Cr G D Bussell**Seconded:**

That Council advise Homeswest that all proposed developments must meet the requirements of the Town Planning Scheme, and they should consult with us as soon as possible as we are keen to get some land and houses on the market quickly, etc.

**Officers Comment**

Council has entered into a Memorandum of Understanding with the Department of Housing and Works (DHW) regarding the South Hedland New Living Project (SHNL). The SHNL project is aiming to revitalise the South Hedland area through a combination of housing rejuvenation, new land release, along with the development social infrastructure and social support structures. The project has commenced, particularly the refurbishment plan and land release plans with 90 new lots expected on the market in the very near future, and a further 210 lots projected by June 2008.

From a planning perspective the major issue with the SHNL is ensuring that we use this investment to achieve the best outcomes for South Hedland. The requirement to meet the provisions of the Town Planning Scheme (TPS) is a 'given' and is fully understood by DHW.

To ensure that we achieve the best outcome we need co-ordination of effort on planning works that are currently being undertaken. The SHNL program has recently produced a Master Plan for the program that is currently out for community comment. It is imperative that the final version of this document reflects the desires and aspirations of the community and Council, as works that are undertaken now as a component of the SHNL project are unlikely to be reversible.

It is critical that the substantial strategic land use planning processes that have been undertaken as part of the Land Use Master Plan and the SNHL Master Plan processes closely align. To achieve this, it is suggested that Council write to DHW requesting a planning session with Council and the LUMP Coordinating Group to discuss options for the development of the final SHNL Master Plan.

**200607/226 Council Decision**

**Moved:** Cr G D Bussell

**Seconded:** Cr S F Sear

**That: Council write to the Department of Housing and Works requesting a planning session with Council and the Land Use Master Plan Coordinating Group to co-ordinate the development of the final South Hedland New Living Master Plan, with Council's Land Use Master Planning Process.**

***CARRIED 5/0***

**ITEM 14 CONFIDENTIAL ITEMS**

Nil.

**ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE**

**200607/227 Council Decision**

**Moved:** Cr S F Sear

**Seconded:** Cr J M Gillingham

**That the following applications for Leave of Absence:**

- . **Councillor Jan Gillingham, from 11 to 15 March 2007 inclusive;**
- . **Councillor Grant Bussell from 20 March 2007 to 31 April 2007 inclusive; and**
- . **Councillor Des Pike from 20 to 27 March 2007 inclusive**

**be approved.**

***CARRIED 5/0***

**ITEM 16 CLOSURE**

**16.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 28 March 2007, commencing at 5.30 pm.

**16.2 Closure**

There being no further business, the Chairman declared the meeting closed at 9:00 pm.

**Declaration of Confirmation of Minutes**

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 28 March 2007.

CONFIRMATION:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE