



Town of Port Hedland

MINUTES

OF THE

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

HELD ON

TUESDAY, 24 APRIL 2007

AT 5.32 PM

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

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*Chris Adams
Chief Executive Officer*

OUR COMMITMENT

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

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ITEM 1 OPENING OF MEETING**1.1 Opening**

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

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

Mayor S R Martin
Cr A A Carter
Cr G J Daccache
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	6
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2.2 Apologies

Nil.

2.3 Approved Leave of Absence

Cr G D Bussell

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS - ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held
Wednesday 28 March 2007.**

Nil

**3.2 Questions from Members at Ordinary Council Meeting held
Wednesday 28 March 2007**

Nil.

3.3 Questions from Public at Special Council Meeting held Wednesday 2 April 2007.

Nil

3.4 Questions from Members at Special Council Meeting held Wednesday 2 April 2007

Nil.

ITEM 4 PUBLIC TIME

4.1 Public Questions

5:33 pm Mayor opened Public Question Time.

4.1.1 Mrs Denise Durrant

Why was Edgar Street particularly picked out to have the installation of kerbing, as it's a historical street? I have received lots of complaints, and have two letters of objection and a signed petition objecting to the new kerbing being installed, so is there a way we can get rid of it?

Mayor advised that approximately two (2) years ago or longer, the decision was made by the Port Hedland Enhancement Scheme (PHES) to upgrade Wedge and Edgar Streets.

The Pilbara Development Commission (PDC) engaged planner/architects to develop a concept plan, which was presented to interested members of the community at 'open nights' organised by the PDC. Resident and business operators from downtown Port Hedland and the West End were invited to come along to those nights and provide feedback on the plans.

At that time changes were made to the plans, including the nibs, which were passed by the working group at that particular time.

The PDC had difficulty getting contractors to undertake the works, hence Council advertised by way of tender to have the works done. The tender(s) received were way above the budget amount for the works, hence Council decided to undertake the work in-house.

Can something be done, such as leaving the planned trees, and yet remove the kerbing?

Mayor advised that Council is able to accept the petition to be presented, which can be reviewed by Council. Council will make a decision in relation to the petition.

4.1.2 Mr Harvey King

In relation to consultation with the West End Group, I do not recall any plans being tabled at all; additionally, is it correct that the recently installed bus shelter on Richardson Street, which now has survey pegs in the vicinity for the new enhancement works, will effectively mean the removal of the shelter?

Mayor advised that the shelter on Richardson Street, at the end of Edgar Street was installed only approximately six (6) weeks ago, is now to be moved as a result of the enhancement works being undertaken.

4.1.3 Miss Kelly Howlett

In regards to Agenda Item 11.2.2.4 Proposed Adoption of Pretty Pool Revised Development Plan and Associated Town Planning Scheme Amendment; and the Officer's Recommendation point c) in regards to the Shorebird Management Plan 0 avifauna survey; is Council able to provide any detail as tot the scientific basis at to why surveying will only be taking place in September?

Mayor advised this question will be taken on notice.

Is there any chance that the scope can b e expended for later in the year to survey permanent/settled bird populations and the end of the wet season to determine usage after wet periods?

Chief Executive Officer advised that Agenda Item 11.2.2.4 Proposed Adoption of Pretty Pool Revised Development Plan and Associated Town Planning Scheme Amendment to be considered by Council would initiate an amendment to Council's Town Planning Scheme, which would include seeking feedback from the community by way of advertising the proposed amendment.

Subject to comments received during the advertising period, the expansion of the scope of the Shorebird Management Plan could be included.

4.1.4 Mr Aidan Chamberlain

In relation to a planning application made to Council for the development of 5 units at 35 Morgans Street, every effort was made to give Council adequate time to assess the application which was submitted to Council on 4 April 2007, and verbal advice was received that the application would be presented to Council tonight for consideration, however it appears no attempt was made as I was notified this morning that the application won't be presented as it has been set aside on account of other priorities; what is Council doing to progress planning/

development applications, as I am also awaiting planning applications for an addition six (6) homes planned to be built in South Hedland?

Director Regulatory and Community Services advised that 'setting aside work' to address other priorities is not the case. Of the last 30 working days, staff has lost 25% productive time through post cyclone works, Annual Leave and Easter Public Holidays. Planners currently have an inordinate load of work with the South Hedland New Living Program and Council's Land Use Master Planning process.

Councillors will note the lack of reports being presented to Council tonight, and a number of measures are in place to remedy this situation. If Councillors feel there is a need to hold an extraordinary meeting prior to next month's Ordinary Meeting, to address a backlog of planning applications, then a number of outstanding items may be addressed.

A planning application for 20 Reynolds Place was submitted on 5 March 2007, which was not considered at Council's meeting in March due to delays caused by the cyclone, and again is not included in tonight's agenda; can Council give priority consideration to hold an extraordinary meeting to consider planning applications, to clear the back log in order to have residences built before next year's cyclone season, etc., and to alleviate plans being set back a further month?

Mayor advised that Council is seeking the services of additional planning staff.

Chief Executive Officer advised that a Special Meeting of Council is tentatively being set for Wednesday 9 May 2007, in an effort to catch up on the back log of planning applications which required Council's consideration.

In relation to my application for 20 Reynolds Place, it is 10 days short of the 60-day period in which applications are to be considered by; if this is not considered within that timeframe is it deemed refused?

Chief Executive Officer explained that planning and development applications are required to be considered within 60 days, otherwise an application is deemed as refused by the State Administrative Tribunal (SAT). In such cases, an applicant can then appeal to the State Administrative Tribunal, which is a lengthy process. The Applicant is in their right to pursue this at SAT, but the more expedient process is likely to have the matter considered at the next available Council Meeting.

4.1.5 Mr Chris Whalley

Mayor read aloud the following questions received from Mr Whalley:

Could the Council state how much money has been collected for the Cyclone George Relief Fund?

Chief Executive Officer advised that at the last Cyclone George Relief Fund Committee Meeting, the amount of banked contributions was approximately \$340,000. A total of approximately \$500,000 has been pledged.

Does Council know when the roofs of damaged houses are going to be replaced?

Chief Executive Officer advised it is the replacement of damaged house roofs of private residences is the responsibility of individual owners.

Have any arborists arrived in Town to assess tree damage? If so, what conclusions have been made?

Director Engineering Services advised that Aussie Tree Services from Geraldton commenced assessing trees immediately after Easter. Some trees have been saved, other are deemed unsafe or not likely to survive are being removed or replaced.

I'd like to help initiate a major tree-planting program for the Town can this be done?

Chief Executive Officer advised that the Cyclone George Relief Fund Committee has set aside for a major tree planting program, and interested community groups are welcome to contribute and participate.

4.1.6 Mr John Creighton

Mayor read aloud the following question received from Mr Creighton:

"Prior to the cut-off date in March I submitted a development application. This DA followed the advice and recommendations of Council officers with whom I had consulted regularly during the process.

It involves adding a carport to the existing house, and building two additional homes on the large block, therefore not being able to be dealt with under 'delegated authority'. Recognising the delays caused by the major cyclone on March 9, I contacted PHCC Town Planning to enquire as to the status of the DA. We were phoned back on 5 April and told that the DA complied

and was 'in order'. We were also told that it would definitely be addressed at the Council Meeting on 24 April, and that approval 'would be recommended'. Today I have been informed that no further assessment of the DA has occurred, and that it has been 'set aside' in favour of other work.

As the law required that Council render a decision within 60 days of submission, which is nearing shortly in this case, I would like to know what plans Council has to deal with my DA, and those of people whose submissions have also been 'set aside'. Thank you sincerely."

Mayor advised this question relates to similar questions asked by Mr Chamberlain. A Special Meeting of Council is tentatively being set for Wednesday 9 May 2007, in an effort to catch up on the backlog of planning applications that required Council's consideration, including this matter.

5:50 pm Mayor closed Public Question Time.

4.2 Public Statements

5:50 pm Mayor opened Public Statement Time.

Nil.

5:50 pm Mayor closed Public Statement Time.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

5.1 Councillor Arnold A Carter

In relation to the legality of the hump in Wedge Street, can Council have an updated status of this?

Director Engineering Services advised that additional signage further back for approaching vehicles and line marking of the traffic-calming device on Wedge Street is being progressed, and meets and design standards of Main Roads WA.

5.2 Councillor George J Daccache

Who is responsible for the danger of cows wondering on the road between Port Hedland and Broome?

Chief Executive Officer advised that individual pastoralists are responsible for their stock wondering on Main Roads reserves.

If Main Roads or the pastoralists don't address the issue, what can Council do?

Chief Executive Officer advised that if straying stock are on a State Road, it is out of Council's jurisdiction. However, Council has authority over Local Government roads, but pastoral owners are responsible for their stock.

Can Councillors travel by air instead of car when travelling to Broome?

Chief Executive Officer advised Council may address this matter through the review of its policies.

5.3 Councillor Des R Pike

When is the Tenancy Agreement for the café at the Port Hedland International Airport to be renewed?

Director Engineering Services advised the Tenancy Agreement for the Port Hedland International Airport café is due for renewal in December 2007.

Have Council received any financial reports for the 2006/07 year from the Airport Café?

Director Engineering Services advised that financial reports are submitted to Council's finance department every month.

Can the financial reports for the Airport Café be made available to Councillors?

Director Engineering Services advised that this information is available to Councillors, subject to the information being treated as commercial in confidence.

Why is there going to be a public meeting convened on the Multi Purpose Sports Complex when there is not business plan been drawn up?

Director Engineering Services advised that the key component of Multi Purpose Sports study is the design and layout of the proposed complex.

The scale of development will be identified, including the sizing and space required. To achieve this, the study will include:

- Reviewing the existing profiles
- Developing a social profile
- Undertaking an existing and comparative review
- Undertaking community consultation with a variety of groups
- Researching into data analysis and options identification
- Looking at management planning
- Looking at concept planning
- Looking at financial viability planning

Further consultation with Council will also be required. These tasks need to be completed to enable to development of a business plan.

Chief Executive Officer advised that a Business Plan couldn't be developed until it is known what the business will consist of.

5.4 Councillor Shane F Sear

Is it possible for Council to write to the Minister and the Western Australian Local Government Association, requesting a review of the Town Planning and Development Act, in order to give Councils more power to deal with non-compliance of planning and building approvals and the Town Planning Scheme more expediently?

Chief Executive Officer advised yes. A report will be presented to Council to have clarity of what powers Council currently has and those it does not have.

5.5 Councillor Jan M Gillingham

Is the meeting regarding the Multi Purpose Sports Complex public?

Mayor confirmed yes.

Are there any future plans for the front of Australia Post in Wedge Street to be upgraded?

Mayor advised that Australia Post is privately owned, so it would depend if they were prepared to pay the costs to upgrade.

Could Council seek further information from Australia Post if upgrade works are planned in the future?

Mayor confirmed yes.

What is the status of upgrade works planned in the vicinity of K-mart and the Post Office in South Hedland, and will public consultation be undertaken?

Director Engineering Services confirmed that public consultation will be undertaken on the Throssell Street Design Concept, prior to the any works being tendered.

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

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

Cr S R Martin	Cr J M Gillingham
Cr A A Carter	Cr D R Pike
Cr G J Daccache	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 28 March 2007.****200607/258 Council Decision/Officer's Recommendation****Moved:** Cr A A Carter**Seconded:** Cr S F Sear

That the Minutes of the Ordinary Meeting of Council held on Wednesday 28 March 2007 be confirmed as a true and correct record of proceedings.

CARRIED 6/0**7.2 Confirmation of Minutes of Special Meeting of Council held
on Wednesday 2 April 2007.****200607/259 Council Decision/Officer's Recommendation****Moved:** Cr A A Carter**Seconded:** Cr S F Sear

That the Minutes of the Special Meeting of Council held on Wednesday 2 April 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**9.1 Councillor Jan G Gillingham**

Mayor and Councillors Gillingham, Daccache and Pike attended the Pilbara/Kimberley Joint Forum held in Broome on Thursday 12 and Friday 13 April 2007. Councillor Gillingham thanked Council for the opportunity to attend, and advised that gained a great deal from speakers and networking with Councillors from other Local Government Authorities throughout the whole of the State.

Councillor Gillingham also thanked Parks and Gardens staff for their efforts towards getting on top of works following Cyclone George.

**ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/
SUBMISSIONS****200607/260 Council Decision****Moved:** Cr A A Carter**Seconded:** Cr S F Sear**That Council:**

- i) accept the Petition presented by Mrs Denise Durrant, seeking the 'removal of islands and replacement of parking spaces – which is essential for businesses and presently dangerous' and accompanying letters from Mr Harvey King and Edgar Street Medical Centre; and**
- ii) the matter be referred for consideration by Council at its next available Council Meeting.**

CARRIED 6/0

- (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

200607/261 Council Decision/Officer's Recommendation

Moved: Cr S F Sear

Seconded: Cr A A Carter

That the 'Status of Council Resolutions' Report as presented to the Council's Ordinary Meeting held on 24 April 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 Presented to March CI Briefing. Valuations obtained as part of PHIA reval. Ltrs sent to hire car businesses. Report to Ord CI Mtg May 2007	May 2007
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 Information received for consideration by CI Officers 20.03.07 Report to April Ord CI Mtg.	April 2007
11.2.2.5	Prop.TPS 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 Advertising commenced.	
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 Advertised early March. One response received – further details required. Presentation to Informal Briefing May.	May 2007

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
Ordinary Meeting held 27 September 2006				
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 Advertising completed. Report to May Ord CI Mtg.	May 2007
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 Barnet 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)	
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 (Care for Hedland) and DPI approval.	May 2007
Ordinary Meeting held 22 November 2006				
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 CEO has held discussion. A further report to Council	April 2007

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
Ordinary Meeting held 13 December 2006				
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. Waiting formal response from SHOATA.	
Ordinary Meeting held 24 January 2007				
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 May Informal Briefing Session	May 2007
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.	
11.4.2.2	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. DPI response received. More info provided.	

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 st January 2007 – 31 st December 2007), and \$821,530 for Calendar Year 2 (1 st December 2008 – 31 st 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 signed by both YMCA Inc. and ToPH	üCOMPLETE
Ordinary Meeting held 28 February 2007				
11.2.1.2	Mgt of Court House Arts Centre and Cultural/Tourist Precinct	200607/195 Council Decision 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 ...	RESPONSIBLE OFFICER: Director Regulatory and Community Services Commenced discussions with PHVC – draft agreement presented to form. Ltrs sent to potential board members.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.5	Proposed Amendments to Town of Port Hedland Policy 12/001 Home Occupation	200607/200 Council Decision/Officer's Recommendation That Council: i) Commence the amendment of the Town of Port Hedland Planning Scheme No. 5. pursuant to section 75 of the <i>Planning and Development Act</i> and in accordance with the process provided by section 25 the <i>Town Planning Regulations 1967</i> ; 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 <i>Planning and Development Act</i> and <i>Town Planning Regulations 1967</i> ; 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.	RESPONSIBLE OFFICER: Planning Officer Documents submitted to EPA	
11.2.2.6	Request to Cancel Vesting of Reserve 35311 (Lot 3715) Koojarra Crescent, South Hedland	200607/201 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Planning Officer Awaiting Advice from applicant.	
11.2.2.8	Proposed Partial Road Closure of Crowe St, PH	200607/203 Council Decision/Officer's Recommendation That: i) the proposed closure of a portion of the Crowe Street road reserve be advertised in accordance with section 58 of the <i>Land Administration Act 1997</i> 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.	RESPONSIBLE OFFICER: Planning Officer Preparing advertising	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.2.1	JD Hardie Working Group - Recommendation for Future of JD Hardie Centre	200607/207 Council Decision That: i) the Youth Involvement Council (YIC) be advised that: 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.	RESPONSIBLE OFFICER: Recreation Co-ordinator Ongoing – JH Hardie WG Mtgs. MOU being developed. Fee structure to be submitted for 07/08 budget review.	
12.1.1	Proposed Airport Revaluation Exercise	200607/225 Council Decision 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.	RESPONSIBLE OFFICER: Chief Executive Officer Westralia Airports contacted. Seeking quotes.	
Ordinary Meeting held 28 March 2007				
		200607/230 Council Decision That pertaining to Item 11.3.1.2 'Road Trauma Redution Campaign' of the Minutes of Ordinary Council Meeting held 28 February 2007, Council contriutes \$250 to the Road Trauma Reduction Fund which will assist buying airtime as part of an Easter Road Safety Campaign for 2007.	RESPONSIBLE OFFICER: Director Engineering Services Committee advised. Request for payment processed.	COMPLETE
11.2.2.2	Scheme Amendment No. 9 – Rezoning lot 313 Anderson St, PH from "R 12.5/50" to "Other Public Purposes – Telecommuni cations."	200607/235 Council Decision/Officer's Recommendation That: i) the submission from FESA regarding the proposed <i>Town of Port Hedland Town Planning Scheme No. 5</i> amendment 9 be noted; ii) pursuant to section 75 of the Town Planning and Development Act 2005 (as amended), Council resolves to amend Town of Port Hedland Town Planning Scheme No.5 by: a) reclassifying the portion of Lot 313 Anderson Street Port Hedland described in attachment 2 from "Residential R 12.5/50" to "Other Purposes – Telecommunications" reserve; and b) amending the Scheme Map accordingly; and iii) the 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).	RESPONSIBLE OFFICER: Planning Officer Submitted to WAPC for consideration.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.3.1	Authoris'n & Appoint. of Ranger & Dog Regist'n Officers	200607/236 Council Decision/Officer's Recommendation That: i) staff member Kevin Fitzgerald be authorised as a Ranger/ Authorised Officer for the Town of Port Hedland pursuant to the following legislation: ... ii) the following staff members be authorised as Dog Registration Officers for the Town of Port Hedland pursuant to the Dog Act 1976: ... iii) the authorisation as a Ranger/Authorised Officer of Daniel Hendriksen, Carol-Ann Grazier, Clare Fletcher and Todd Quartermaine be cancelled; and iv) Leighah Carney, Jo Barbi, Nadia Hendriksen, Danielle Cowan, Debbie Evans, Christina Rodriguez-Logie authorisations as Dog Registration Officers be cancelled.	RESPONSIBLE OFFICER: Coordinator Ranger Services	üCOMPLETE
11.3.1.2	Tender 06/40 Supply and Delivery of One Ride-on Litter Vacuum	200607/238 Council Decision/Officer's Recommendation That; i) Council reject all tenders received for Tender 06/40 – Supply and Delivery of One Ride-on Litter Vacuum; and ii) staff seek quotes for the purchase of an All Terrain Ride-On Litter Vacuum that complies with specifications.	RESPONSIBLE OFFICER: Director Engineering Services Tenderes advised. Quotes ongoing.	May 2007
11.3.2.1	Utilisation of Equipment from the JD Hardie Centre	200607/239 Council Decision That: i) the Rainbow Holiday Club be advised: a) their request to use some sports and activity equipment from the JD Hardie Centre for the use at the planned Good Friday Festival at Centennial Park in South Hedland, to be held on 6 April, 2007 from 4pm to 6pm for nil charge be approved; and b) a bond of \$100 for equipment valued up to \$500, and a bond of \$250 for equipment valued over \$500 will be charged for the use of JD Hardie equipment, to cover any damages or losses; ii) Fees and Charges in 2007/08 for the utilisation of equipment from the JD Hardie Centre be considered by Council; and iii) a register be developed to monitor the utilisation of equipment by external organisations, by the Chief Executive Officer or his nominated representative.	RESPONSIBLE OFFICER: Recreation Programmer	üCOMPLETE
11.3.2.2	Feasibility into Proposed Multi-purpose Recreation Facility	200607/240 Council Decision/Officer's Recommendation That Council contract Paterson Group Architect to undertake the feasibility study and concept design for the proposed multi-purpose recreation facility to the value of \$21,800 (GST Exclusive) in accordance with their tender submission.	RESPONSIBLE OFFICER: Recreation Co-ordinator Being undertaken.	July 2007
11.4.1.2	Budget Timetable	200607/241 Council Decision/Officer's Recommendation That Council adopts the 2007/08 budget timetable as presented in the following table: ...	RESPONSIBLE OFFICER: Director Corporate Services	üCOMP.
11.4.1.3	Policy Amendment - 2/007 Procurement Policy	200607/243 Council Decision/Officer's Recommendation That: i) Council's current Policy 2/007 Procurement be deleted: and ii) the following Policy 2/007 Procurement Policy be adopted: ...	RESPONSIBLE OFFICER: Director Corporate Services	üCOMP.

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.1.4	Request for Partial Refund of Monies	200607/244 Council Decision That request from Ms Liz Brown for hire fees of \$190.30, being for hire of the Turf Club/Town Oval on Saturday 10 March 2007, to be refunded be approved.	RESPONSIBLE OFFICER: Manager Corporate Services	üCOMP.
11.4.1.5	Polar Aviation Lease	200607/245 Council Decision/Alternate Officer's Recommendation That Council: i) not progress the lease with Polar Aviation for another six months or until the dispute between Polar Aviation and CASA is resolved, which ever is sooner; ii) permit Polar Aviation to continue using the southern apron hanger at the Port Hedland International Airport at the agreed rental \$7,000 + GST per annum (on a pro rata basis), as a "tenant at will" until item 1 is resolved; iii) once item 1 is resolved, readvertised the proposed lease, as per section 3.58, including a proposed term of 3 years, with options for additional two lots of 3 years (3+3+3), with CPI reviews annually; and iv) have the appropriate Council staff investigate the building maintenance claims of Polar Aviation and report to estimated cost of repair to next Council meeting.	RESPONSIBLE OFFICER: Director Corporate Services Polar Aviation advised of Council decision.	üCOMPLETE
11.4.2.2	AGM Mtg of Electors held 28 February 2006	200607/247 Council Decision/Officer's Recommendation That: i) the decisions from the Annual General Meeting of Electors held on Wednesday 28 February 2006 be received and ii) Council consider a proposal to increase the fines for the offence of off road driving on Cemetery Beach and Pretty Pool be lifted to a minimum of \$500 for first offence, and \$1,000 for each repeat offence, during the turtle nesting season being from 1 October to end of April each year.	RESPONSIBLE OFFICER: Executive Assistant	üCOMPLETE
11.4.2.4	2006 LG Compliance Return	200607/248 Council Decision/Officer's Recommendation That Council adopts the findings of the 2006 Local Government Compliance Audit.	RESPONSIBLE OFFICER: Chief Executive Officer	üCOMP.
12.2.1	Expression of Interest for Port Hedland Immigration Facility	200607/249 Council Decision/Officer's Recommendation That Council: 1. Work with BHP Billiton, Fortescue Metals Group and/or other interested parties to prepare a joint Expression of Interest bid for the leasing of the Port Hedland Immigration Detention Centre; and Council's involvement in the bid be premised on the following key principals: a) the distribution of available rooms at the facility covering a range of accommodation needs including backpackers, tourists, transient workforce accommodation and others; b) the bid being of low financial risk to Council; and c) the bid being for a short-term lease of the facility only (5 years or less).	RESPONSIBLE OFFICER: Chief Executive Officer Expression of Interest completed and sent to DIMIA	üCOMPLETE
12.3.1	Alteration to SHAC Operation Hours	200607/250 Council Decision/Officer's Recommendation That: i) the YMCA Inc be advised in writing that their request to keep the South Hedland Aquatic Centre closed for the remainder of the season, due to implications from Cyclone George, is granted; ii) the Hedland Water-polo Association is notified in writing of this closure; and, iii) public notices be displayed to alert the community to this approval.	RESPONSIBLE OFFICER: Director Engineering Services	üCOMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
14.1	Proposed Deed of Settlement Between Wellard Properties and the ToPH	200607/252 Council Decision That Council authorise the signing and sealing of the Deed of Settlement between Wellard Properties and the Town of Port Hedland regarding the use and development of Lot 842 and Lot 5909 Great Northern Highway, with the following amendments: ...	RESPONSIBLE OFFICER: Chief Executive Officer	
Special Meeting held 2 April 2007				
6.1.1.1	Proposed ToPH TPS No. 5 Amend. No. 8 – Rezoning Lot 5197 (21) Harper St, PH from “R 15” to “R 30.”	200607/254 Council Decision/Officer’s Recommendation That: i) Amendment No.8 to Town Planning Scheme No.5 be adopted without modification; ... and ii) the 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	üCOMPLETE
6.1.1.3	Proposed Two Grouped Dwellings at Lot 108 (9) Morgans St, PH	200607/255 Council Decision/Officer’s Recommendation That Planning Consent be granted to NBC Aboriginal Corporation for the construction of Two Grouped Dwellings at lot 108 (9) Morgans Street Port Hedland as outlined in the Application received 2 March 2007 (Application 2007/030) and indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning Officer	üCOMPLETE
6.1.1.4	Proposed Site Office and Lunch Room at Lot 3278 Tinder St, PH (Reserve 34344) for use related to construction activities at Lot 3263	200607/256 Council Decision/Officer’s Recommendation That: i) The Minister for Education be requested to permit Broad Construction to locate the construction site facilities detailed in the application for planning approval received by Council on Monday 19 March 2007 (Application 2007/064) on Reserve 34344 pursuant to paragraph 3.3 of the Deed between the Town of Port Hedland and the Minister for Education dated 20/08/2001; and ii) The Town of Port Hedland advise the Department for Planning and Infrastructure (State Land Services) that it requests that the portion of land identified for the development of site facilities on Reserve 34344 in the application received Monday 19 March 2007 be excised from the Management Order over this Reserve; and iii) Should the Minister for Education accede to the request made under Part I of this resolution, and the Department for Planning and Infrastructure (State Land Services) accede to the request made under Part II of this resolution, that Planning Consent be granted to Broad Constructions for the construction of Temporary Site Facilities at Lot 3279 (Reserve 34344) Tinder Street Port Hedland as outlined in the Application received 19 March 2007 (Application 2007/064) and indicated on the approved plans, subject to the following conditions: ... iv) All works and requirements subject to this approval to be at no cost to Council.	RESPONSIBLE OFFICER: Planning Officer Requests sent. Awaiting advice.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP- DATE
6.1.2.1	ToPH Pilbara Family Day Care Scheme - Variation to Family Day Care Funding Agreement	200607/257 Council Decision/Officer's Recommendation That the Chief Executive Officer be authorised to accept and sign, on behalf of Council, the variations to the Funding Agreement between the Commonwealth of Australia and the Town of Port Hedland, in relation to the Pilbara Family Day Care Scheme under the Child Care Support Programme, as proposed by Department of Families, Community Services and Indigenous Affairs in January 2007.	RESPONSIBLE OFFICER: PFDC Scheme Coordinator	üCOMPLETE

11.2 REGULATORY AND COMMUNITY SERVICES**11.2.1 Director Regulatory and Community Services****11.2.1.1 *Monthly Report for March 2007 - Regulatory and Community Services (File No: ADM-091)***

Officer Lyn McAllister
Administration Officer
Regulatory Services

Date of Report 19 April 2007

Disclosure of Interest by Officer Nil

Summary

For Council's information.

Background

Regulatory and Community Services Monthly Report to Council.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment***Library and Information Services***

Monthly Statistics for the month of March 2007 reflect the impact of Cyclone George on the library service. South Hedland Library operated on limited emergency power for two weeks and as a result opening hours and numbers of items to be borrowed were reduced.

PORT HEDLAND -	
Issues & Renewals	957
Reservations	14
New Borrowers	21
Internet users	145

SOUTH HEDLAND -	
Issues & Renewals	1310
Reservations	49
New Borrowers	47
Internet users	113

Human Services

HACC Programme

HAAC Service Hours for March 2007		
Meals on Wheels	556	In Total
Day Centre Hours	678	
Day Centre Meals	109	
Domestic Assistance	91	
Personal Care	27	
Social Support	10	
Transports	232	One way trips (includes medical)
Home Maintenance	37.5	
No training this month		
No accident/incident reports		

Pilbara Family Day Care

Family Day Care utilisation for March,
 Average children in care =43
 Average EFT = 17

In-Home Care Utilisation for March
 Average children =18
 Average EFT =23

New Carer in South Hedland commenced work (Mandy Liebenburg)
 Kids Matter Project run in Hedland.
 Ten information packs given out.
 Three prospective Carers in Hedland, two in Karratha, one in Tom Price.
 New scheme starting in Hedland, North West Family Day Care Scheme.

Building Services

Building Licences Approved for First Quarter 2006/2007:

	JANUARY		FEBRUARY		MARCH		
2007	No.	\$	No.	\$	No.	\$	Total
January	18	16,087,400	29	45,022,750	20	5,777,165	\$66,887,315.00
2006	17	4,981,979	26	2,891,101	29	4,038,907	\$11,911,987.00

Difference **\$54,975,328.00**

Demolition Licences for First Quarter 2006/2007

2007		Total
JAN	1	
FEB	5	
MARCH	7	13
2006		
JAN	0	
FEB	3	
MARCH	3	6

Environmental Health Services

Following cyclone George Environmental Health Services have concentrated on mosquito control.

Council was able to secure the services of a specialist entomologist from the Department of Health who assisted council staff in the identification and treatment of mosquito breeding sites in flood prone areas around Port and South Hedland. A number of new initiatives have commenced including the supply of surface treatment insecticide to householders and the treatment of residential buildings in the South Headland Rural Estate.

Treatment of identified mosquito breeding sites has been a major undertaking, however preliminary results suggest that while there is significant mosquito breeding in and around the town sites this has been much less than would otherwise be expected.

The other major component of the cyclone recovery undertaken by the Environmental Health Services was the supervision of food storage during the post cyclone phase and where appropriate council officers oversaw the destruction of spoilt food items. Generally the standard of compliance and level of understanding by food premises proprietors was very high.

Ranger Services

Key Operational Statistics

2007	Jan-07	Feb-07	Mar-07
Dogs impounded	52	52	84
Dogs re-homed or released to owners	9	13	23
Parking infringements	32	44	9
Vehicles Impounded	2	9	1
Total Notices	43	53	23
Total Jobs attended	138	171	140

2006	Jan-06	Feb-06	Mar-06
Dogs impounded	18	54	49
Total Notices	0	0	1
Total Jobs attended	163	261	329

Arts, Recreation and Community Activities

Events and Cultural Centre

During school hours the Matt Dann Cultural Centre is used for educational purposes in relation to the "Arts" and during after school hours the facility is available for the broader community for cultural purposes and as a movie cinema.

The Venue Coordinator position has been combined with the Events Coordinator for the TOPH. At present all events run by the Town of Port Hedland are administered from the Matt Dann Cultural Centre. This means that the Town is able to utilize all equipment and Venue more effectively.

Matt Dann Cultural Centre was closed until the 8th January 2007

Month	Event	Showing	People/Bookings
Jan	Movies	13	438
	Live Show	0	0
	Australia Day	1	3000
	Bookings		5
Total		14	3443
Feb	Movies	9	874
	Live Shows	1	120
	Grand open Art Gallery - Bar, catering, sound	1	500
	Bookings		4
Total		11	1494
March	Movies	4	538
	Live Shows		
	Meetings	2	55
	Our Town Our People Event	1	2000
	Bookings		4
Total		7	2597

Cyclone George hit on March 8th and the Town was on Red Alert until March 14th. Due to the Cyclone we were unable to play a couple of movies and our advertising didn't run for this month, which in effect has affected our numbers.

Courthouse Arts Centre and Gallery

Gallery was reopened following renovations 18 January. Attendances by local residents and visitors have been drastically improved. The gardens surrounding the gallery have also proved to be popular for workshops and the like. The Courthouse and Art Gallery was closed for the month of January. Closed for refurbishment.

	February 2007	March 2007
Exhibitions held	1	1
Attendance at Exhibitions	400	200
Workshops held	1	0
Total Attendance	1000	450

200607/262 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S F Sear

That Council receives the Regulatory and Community Services Report for the month of March 2007.

CARRIED 6/0

11.2.1.2 SBS Radio Services (File No.: COM-002)

Officer Terry Sargent
Director Community and
Regulatory Services

Date of Report 18 April 2007

Disclosure of Interest by Officer Nil

Summary

To reconsider the opportunity to enable SBS radiobroadcast within the town site of Port and South Hedland. The broadcast during the day will be in diverse range of languages, and then at night revert to BBC World News.

Background

Richardson Electronics submitted a proposal to the Town of Port Hedland on the 11 October 2006, to seek funding on behalf of Council to the value of \$49,500 to install a receiver to receive SBS radio via Optus Satellite.

The matter was considered by Council at its Ordinary Meeting in November 2006, and subsequently reconsidered because technical difficulties had prevented access to the on-line survey that had been proposed.

Consultation

Richardson Electronics
SBS Broadcasting Service

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

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

Budget Implications

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

The proposal from Richardson Electronics is contingent upon Council qualifying for a grant from SBS Radio to cover the cost of the equipment. It is likely that Council would qualify if it can be demonstrated there is demand for this service within the Town of Port Hedland.

The results of an on line survey have been recorded and nine (9) additional people registered their interest in receiving SBS radio transmissions. This leaves the total registrations of interest at less than fifty, which is not enough to justify the provision of service to this area

200607/263 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr G J Daccache

That the offer from Richardson Electronics to install SBS Radio transmitting equipment for Port and South Hedland be declined as there is insufficient community support for the proposal.

CARRIED 6/0

11.2.2 Planning Services**11.2.2.1 Delegated Planning Approvals for March 2007 (File No.: 18/07/0002)**

Officer Lyn McAllister
Administration Officer
Development and
Regulatory Services

Date of Report 21 April 2007

Disclosure of Interest by Officer Nil

Summary

This item relates to the Planning Applications considered under Delegated Authority for the month of March 2007.

Background

A list of Planning Consents issued by Council's Planning Services under Delegated Authority for the month of March 2007 are attached to this report.

Consultation Nil

Statutory Implications

Town of Port Hedland Delegation Register 2007 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

200607/264 Council Decision/Officer's Recommendation

Moved: Cr D R Pike

Seconded: Cr J M Gillingham

That the Schedule of Planning Consents issued by Delegated Authority for the month of March 2007 be received.

CARRIED 6/0

ATTACHMENT TO AGENDA ITEM 11.2.1.1

Applic. No	Applic. Date	Date Determined	Description	Applicants Name	Owners Name	Address	Deleg.	Zoning
2006/190	15/12/2006	02/03/2007	GROUPED DWELLING - x 2 dwellings	David Hays Architects Pty Ltd	DEPARTMENT OF HOUSING AND WORKS	2-4 CHUNKING CRESCENT KOOMBANA 6722	Yes	Res
2006/191	15/12/2006	02/03/2007	GROUPED DWELLING - x 2 dwellings	David Hays Architects Pty Ltd	DEPARTMENT OF HOUSING AND WORKS	2 TEAL PLACE WALNUT GROVE 6722	Yes	Res
2007/007	11/01/2007	02/03/2007	GROUPED DWELLING - additional dwelling to existing house	Desert Gecko Designs	DANIELLE LEE COWAN	141 ANDERSON STREET PORT HEDLAND 6721	Yes	Res
2007/011	25/01/2007	02/03/2007	STORAGE FACILITY/DEPOT/LAYDOWN AREA - Conversion of existing caretaker's residence to storage and replacement of existing demountable office and storage with new demountable caretaker's residence	Eric Martin	DESIDERIA GOULD	4 MUNDA WAY WEDGEFIELD 6724	Yes	Ind
2007/033	12/02/2007	06/03/2007	GROUPED DWELLING - refurbishment including patio additions and fencing	John Kannis and Associates	DEPARTMENT OF HOUSING AND WORKS	1 BROWN PLACE SOUTH HEDLAND 6722	Yes	Res
2007/047	21/02/2007	01/03/2007	SHOP - minor internal alterations to Coles Supermarket and extension to condenser deck at rear of building	T&Z Pty Ltd	PERPETUAL TRUSTEES AUSTRALIA LIMITED	9-31 THROSSELL ROAD SOUTH HEDLAND 6722	Yes	Town Centre
2007/052	28/02/2007	06/03/2007	SINGLE HOUSE - shed addition	Peter Hawke	PETER DAVID HAWKE	3 BANKSIA STREET CASSIA 6722	Yes	Res
2007/056	06/03/2007	25/03/2007	Amalgamation 2 residential lots into 1 residential lot	Whelans (WA) Pty Ltd (Justin Page)	BHP BILLITON MINERALS PTY LTD	169 ANDERSON STREET PORT HEDLAND 6721	Yes	Res

6:12 pm Councillor Shane F Sear declared a financial interest in Item 11.2.2.2 'Proposed Five Grouped Dwellings at Lot 3 (17) Dempster Street, Port Hedland' in writing at the commencement of the meeting, as the applicant is a client of his business. Councillor Shane F Sear left the room.

6:12 pm Councillor George J Daccache declared a financial interest in Item 11.2.2.2 'Proposed Five Grouped Dwellings at Lot 3 (17) Dempster Street, Port Hedland' in writing at the commencement of the meeting, as the applicant is a client of his business. Councillor George J Daccache left the room.

NOTE: Councillor Arnold A Carter declared an impartiality interest in item 11.2.2.2 'Proposed Five Grouped Dwellings at Lot 3 (17) Dempster Street, Port Hedland' in writing at the commencement of the meeting, as he owns BHP Billiton shares. Councillor Carter did not leave the room, as the Department of Local Government and Regional Development have granted him an exemption to do so.

NOTE: Councillor Des R Pike declared a financial interest in Item 11.2.2.2 'Proposed Five Grouped Dwellings at Lot 3 (17) Dempster Street, Port Hedland' in writing at the commencement of the meeting, as he owns BHP Billiton shares. Councillor Pike did not leave the room, as the Department of Local Government and Regional Development have granted him an exemption to do so.

NOTE: Council did not having a quorum to consider Agenda Item 11.2.2.2 'Proposed Five Grouped Dwellings at Lot 3 (17) Dempster Street, Port Hedland'.

**11.2.2.2 Proposed Five Grouped Dwellings at Lot 3 (17)
Dempster Street Port Hedland (File No.: 130650G)**

Officer Richard Bairstow
Manager Planning

Date of Report 28 March 2007

Disclosure of Interest by Officer Nil

Summary

Council has received an application from Pilbara Constructions P/L on behalf of the owner of Lot 3 (17) Dempster Street (BHP Billiton Iron Ore Pty Ltd) to construct five two storey grouped dwellings at this address. The dwellings are to be steel-framed and steel clad.

Background

Lot 3 (17) Dempster Street consists of 3675m² and the combined strata lot areas that are the subject of this application is 2170 m² and is zoned "Residential" and Coded "R 50" in the Town of Port Hedland Town Planning Scheme No. 5.

The land is zoned "Residential" and "Grouped Dwellings" are listed as an "P" use on the Town Planning Scheme No. 5 (TPS5) zoning table.

The Notice of Delegation however requires any Grouped Dwelling developments in excess of 2 dwellings be determined by Council.

The land is currently vacant however closely abuts an existing 8 grouped dwelling site.

Consultation

Internal comments from the applications referral were as follows:

Environmental Health Services has commented on the application and these comments have been included as conditions or footnotes within the application.

Building Services have not objected to the application and advised that the applicant will require a building licence and details regarding levels and potential retaining walls are required to be shown on the Building Licence application.

No external consultation is required for this application.

Statutory Implications

Part one of the *Planning and Development Act 2005* establishes the legislative authority of the Town Planning Scheme.

The Town of Port Hedland Town Planning Scheme No. 5 zones the subject land and permits this development at Council's discretion.

As a residential development the application is subject to the requirements of the Residential Design Codes of Western Australia (R-Codes). The applicant has requested a number of variations to the Acceptable Development Criteria and therefore these variations have been assessed under the Performance Criteria and details of this assessment are contained in the Officer's comment section under the sub heading of assessment.

Policy Implications

Nil

Strategic Planning Implications**KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT****Goal 4 – Land Development Projects**

That land is being released and developed to meet the needs of a growing community.

Budget Implications

Planning application fees of \$4480 have been received and deposited into account 1006326 – Town Planning Fees, reflecting an estimated development cost of \$2 350 000

Officer's Comment*. Residential Design Codes Assessment*

The application complies with the requirements of the Residential Design Codes other than as stated as part of this report.

Setbacks:

House numbers 3, 4 and 5 setbacks to their balconies that face north don't comply with the minimum requirement of 2.3m nor the requirement for privacy screen. These variation are however not considered major given the adjoining property is a parks and recreation reserve.

Privacy Screening:

House number 5's western facing balcony is required to be screened and conditions have been imposed to ensure this.

. Other assessment issues

The application currently proposes to develop House 1 over an existing cadastral boundary. Whilst not a planning issue a condition has been imposed to ensure that prior to the submission of a Building Licence for this dwelling that the boundary is realigned.

The application is considered to be of a high standard and is consistent with the surrounding development. The application is recommended subject to the conditions and footnotes detailed within the recommendation.

Officer's Recommendation

Planning Consent be granted to Pilbara Constructions Pty Ltd, on behalf of the owners, BHP Billiton Iron Ore Pty, Ltd, for the proposed 5 Units on Lot 3 (17) Dempster Street, Port Hedland as outlined in the Application received 2 February 2007 (Application 2007/021) and indicated on the approved plans, subject to the following conditions:

GENERAL

1. 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.
2. The premises to be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction Manager Planning.

PRIOR TO SUBMISSION OF BUILDING LICENCE

3. Amended plans being submitted to and approved by the Town incorporating the following amendment:
 - a) The western end of the balcony associated with House 5 shall be screen sufficiently to comply with the requirements of Clause 3.8.1 of the Residential Design Codes of Western Australia 2002; and

all to the satisfaction Manager Planning
4. All fencing shall be installed in accordance with the Residential Design Codes and/or the Dividing Fences Act and prior to the occupation of the dwelling(s) all to the satisfaction of the Manager Planning.
5. A detailed landscaping plan (including common areas and verge) to be submitted and approved the Manager Planning. The plan 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. Verge treatments are to be in accordance with Council's Verge Treatment Policy 9/008.

6. Design levels of all proposed development are to be included on the Building Licence and to the satisfaction Manager Planning. If retaining walls are required then a Planning Consent for these may also be required to be submitted.
7. The submission of a construction management plan at the submission of a Building Licence application stage for the proposal detailing how it is proposed to manage:
 - a) The delivery of materials and equipment to the site;
 - b) The storage of materials and equipment on the site;
 - c) The parking arrangements for the contractors and subcontractors;
 - d) Impact on traffic movement;
 - e) Operation times including delivery of materials; and
 - f) Other matters likely to impact on the surrounding residents;

to the satisfaction Manager Planning.

DURING CONSTRUCTION

8. Prior to the issue of a Certificate of Occupancy for Houses 1 or 5, the cadastral boundaries shall be amended such that the houses does not cross the boundary and the part strata lots are amalgamated in to a single strata lot all to the satisfaction of the Manager Planning.
9. Prior to the commencement of any works whatsoever a Dust Management Plan shall be submitted to and approved by the Town.
10. A minimum of 13 carparking including 3 visitor bays shall be provided on site.
11. All carparking and access ways are to be provided in accordance with the Town of Port Hedland's Town Scheme requirements with the exception of disable bays with are required to be a minimum of 3.8m wide.
12. The crossovers shall be designed and constructed to the residential specifications as defined by the Town of Port Hedland's Engineering Department and to the satisfaction of the Manager Planning, before occupation of dwellings.
13. The development to be connected to the Water Corporation deep sewerage service.

USE OF DEVELOPMENT

14. The western end of the balcony associated with House 5 shall be screen sufficiently to comply with the requirements of clause 3.8.1 of the Residential Design Codes of Western Australia 2002 prior to the occupation of the dwelling and all to the satisfaction of the Manager Planning.
15. Landscaping and reticulation to be established in accordance with the approved landscaping plans prior to the development first being occupied and thereafter maintained to the satisfaction Manager Planning
16. All carparking is to be maintained on-site and no verge parking is permitted without the prior approval of the Town.

ADVICE TO DEVELOPER

17. Be advised that the dwellings with the kitchen and laundry area sharing the same space will need to be redesigned to separate these facilities.
18. A Building Licence to be issued prior to the commencement of any on site works (BS).
19. The existing site levels and design levels of all proposed development, including levels on top of the kerb at the crossover, are to be shown on the Building Licence submission.
20. This approval should not be construed that the Town will support a survey strata or green title subdivision application for the development. Assessment has been based on a 'Grouped Dwelling' containing common property. A subdivision application for Survey Strata without common property or green title subdivision will need to meet the minimum and average site areas for the dwelling type, as prescribed in the Residential Design Codes.
21. Please note for future reference that levels, contours, retaining walls, drainage and sewer lines, etc. must be shown on development plans to ensure a proper assessment can be made. Failure to provide this information may require design changes at the Building Licence stage, resulting in possible delays and inconvenience.
22. The operations to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 in respect to noise but, notwithstanding, the operations to have due regard to the health and amenity of any person in the vicinity.
23. The development must not interfere with property and effluent mains and/or effluent disposal systems (EHS).

24. The developer to take note that the area of this application may be subject to tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year cycle of flooding could affect any property below the ten (10) metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.
25. The developer is advised that any grey water or effluent re-use system to be employed in the proposed development is to be of a type approved for use by the Health Department of Western Australia and installed to the satisfaction of Council's Environmental Health Services.
26. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

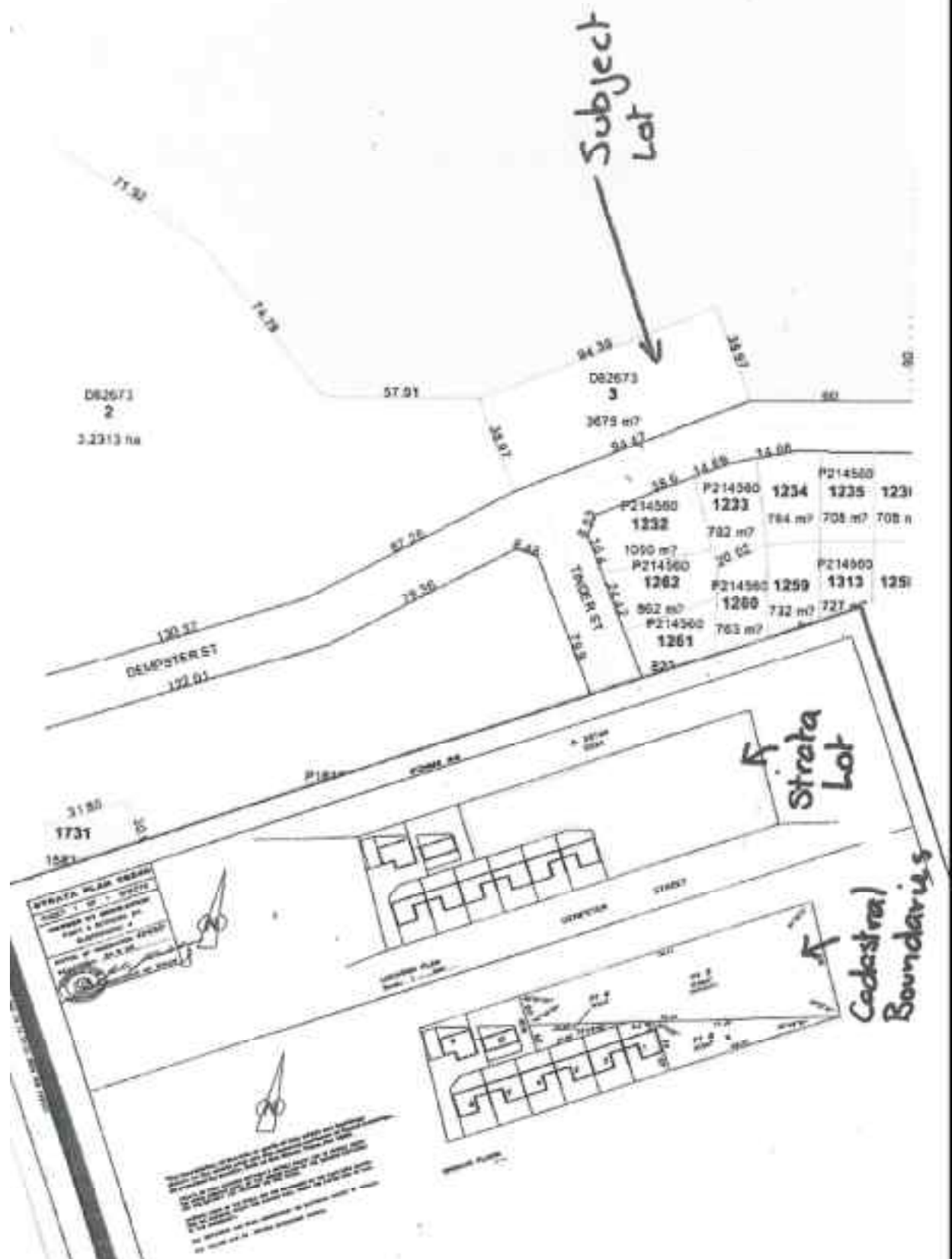
NOTE: Council did not have a quorum to consider Agenda Item 11.2.2.2 'Proposed Five Grouped Dwellings at Lot 3 (17) Dempster Street, Port Hedland'.

6:12 pm Councillors Shane F Sear and George J Daccache re-entered the room and assumed their chairs.

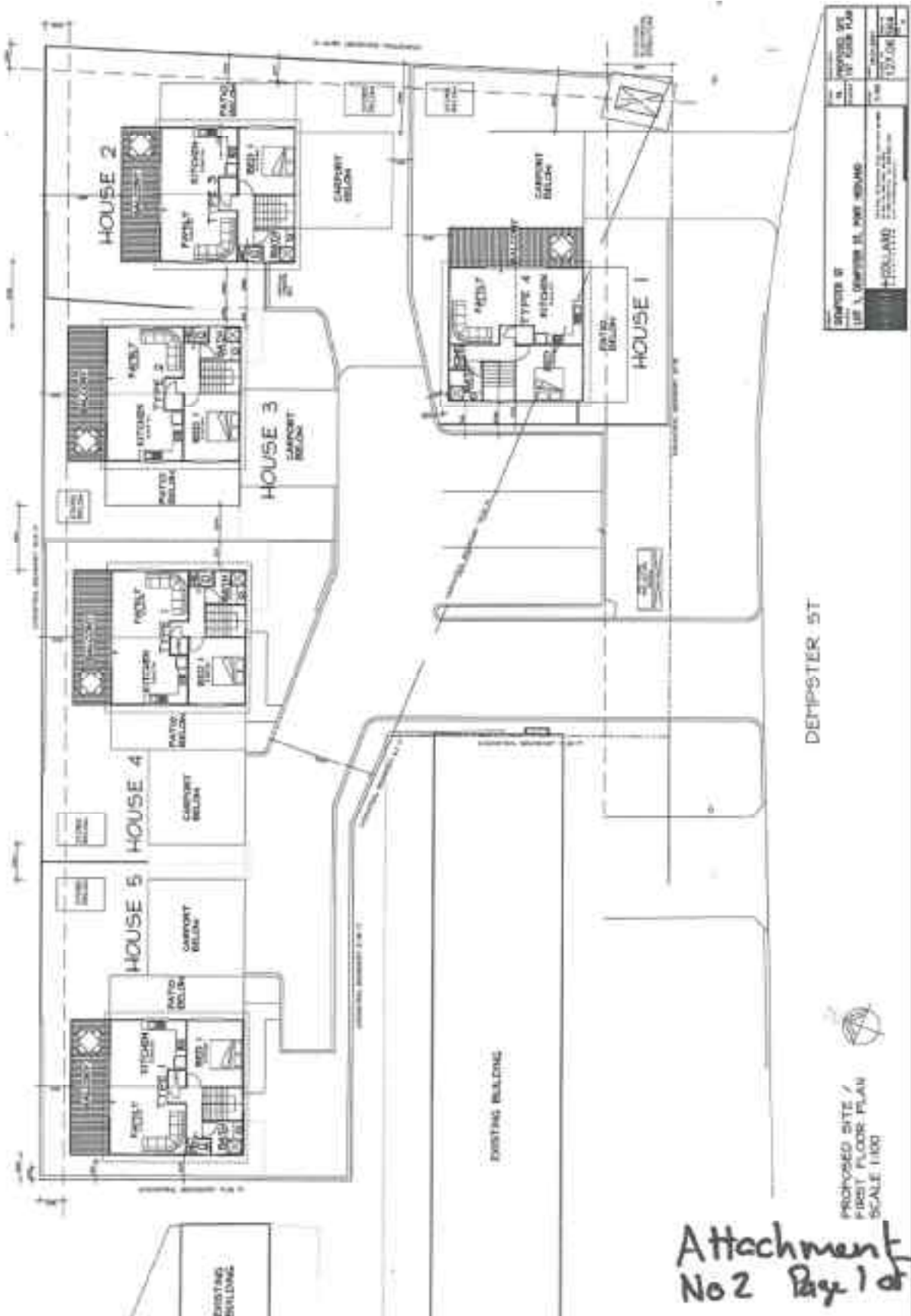
Mayor advised Councillor Shane F Sear and George J Daccache that Council did not have a quorum to consider Agenda Item 11.2.2.2 'Proposed Five Grouped Dwellings at Lot 3 (17) Dempster Street, Port Hedland'.

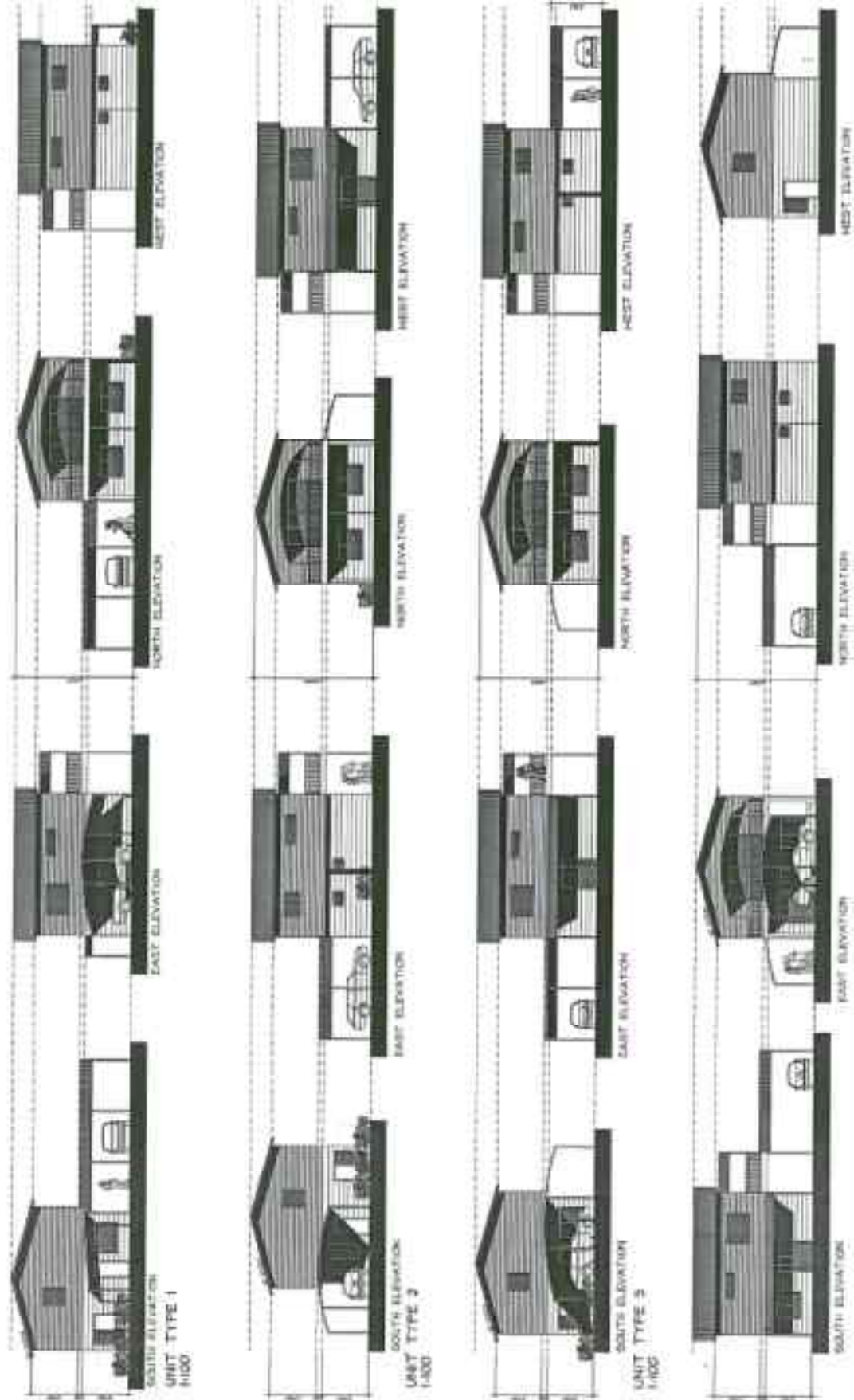
ATTACHMENT 1 TO AGENDA ITEM 11.2.2.2

Attachment 1
Page 1 of 1



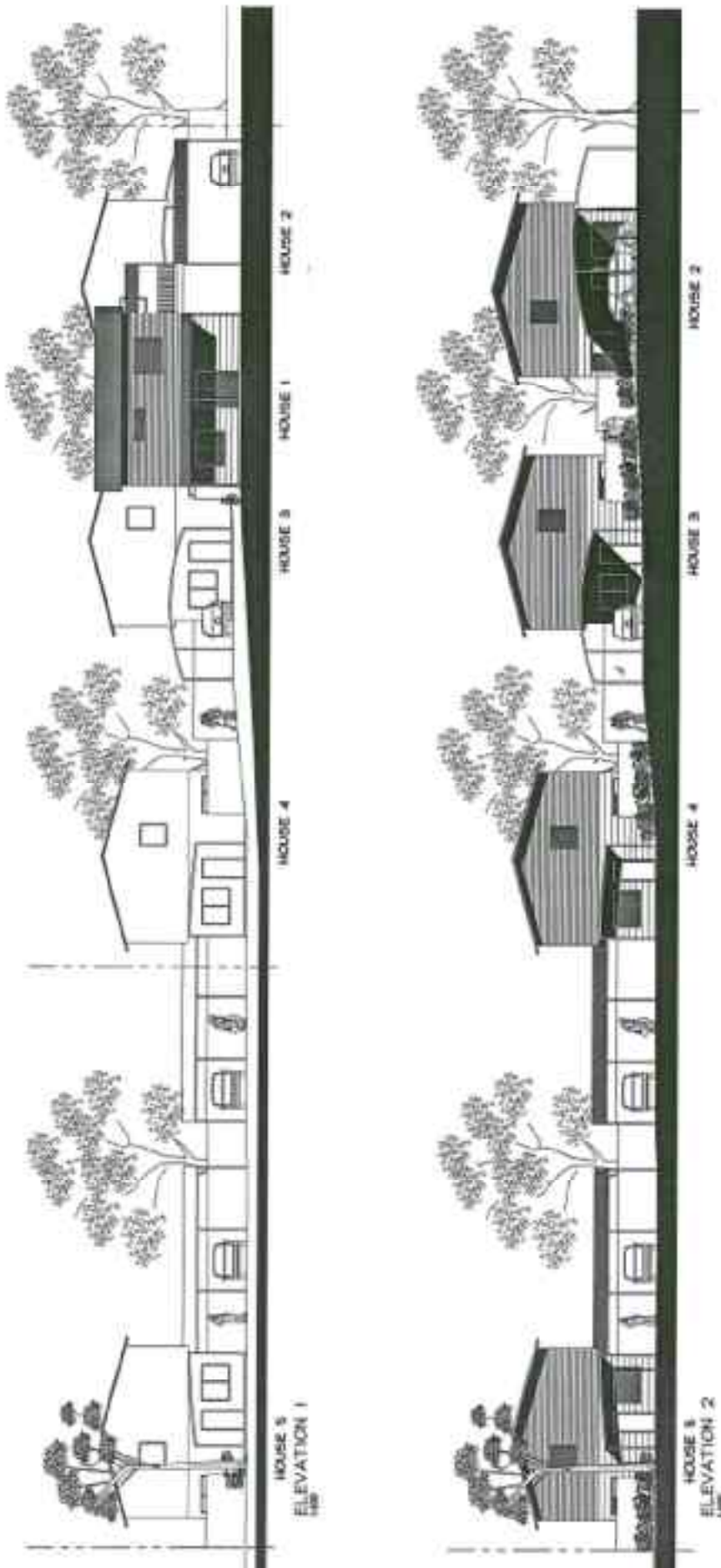
ATTACHMENT 2 TO AGENDA ITEM 11.2.2.2





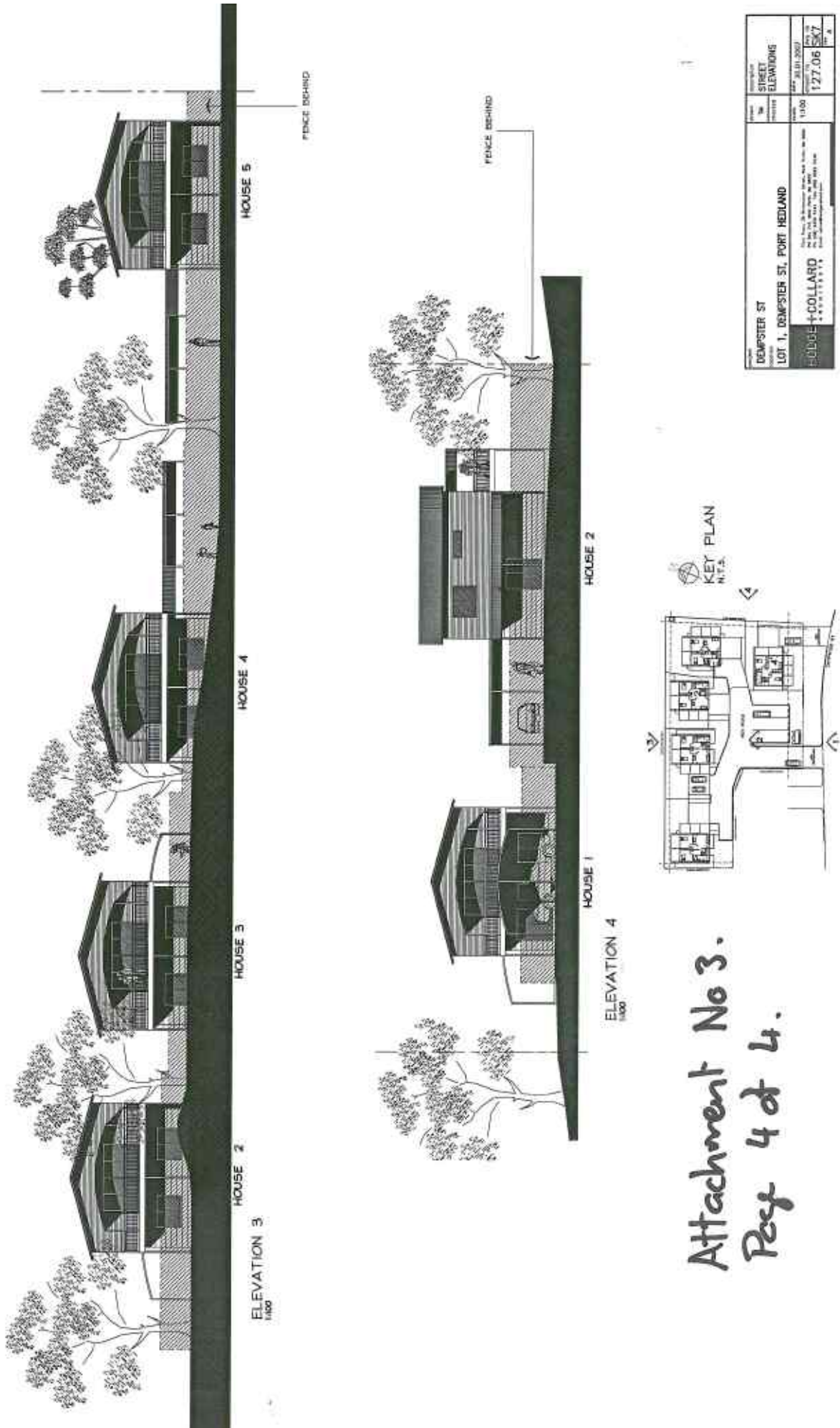
DESIGNED BY	DATE	IN	SCALE
LET 1, WARDHIP ST, PERTH KENING	12/7/06	1:100	1:100
DRAWN BY		CHECKED BY	
COLLINS		COLLINS	
127/06		127/06	

Attachment No 2.
Page 2 of 4



DESCRIPTION OF LOT 1, COMPRES OF, POST HERLAND	Lot Area 11.10	Lot Area 127.00	Lot Area 138.10
PREPARED BY P. COLLARD	DATE 11/10	DATE 12/7/06	DATE 1/1

Attachment No 2.
Page 3 of 4



DUMPSTER ST LOT 1, DUMPSTER ST, PORT REDLAND		DATE 28.01.2007
PROJECT STREET ELEVATIONS	SCALE 1:100	DATE 28.01.2007
DRAWN BY COLLARD		CHECKED BY SK7
DATE 12.06.07		SCALE 1:100

Attachment No 3.
Page 4 of 4.

11.2.2.3 **Proposed Local Planning Policy No. 9 – Residential Road Reserves (File No.: 18/01/0009)**

Officer Andrew Patterson
Planning Officer

Date of Report 14 April 2007

Disclosure of Interest by Officer Nil

Summary

In response to recent subdivision activity in South Hedland largely due to the South Hedland New Living Project, it is proposed that Council adopt a Local Planning Policy (LPP) guiding road layout and design.

Council can adopt a LPP under Part V of *The Town of Port Hedland Town Planning Scheme No. 5 (TPS 5)* for any matter related to planning and development. An adopted LPP does not bind Council to make a particular decision, however Council is to have regard to the LPP when making relevant decisions. Should there be any discrepancy between the TPS and LPP, the Scheme prevails to the extent of the discrepancy.

Background

Council's Engineering and Planning Services have engaged in dialogue with Taylor Burrell and Barnett Town Planners (TBB) who act on behalf of the Department of Housing and Works New Living Project. A significant topic of discussion has been different treatment and dimensions of new road reserves.

When roads are created through the residential subdivision process, the Western Australian Planning Commission (WAPC) uses *Policy 2.6 – Residential Road Planning and Liveable Neighbourhoods – Street Layout, Design and Traffic Management Guidelines* as part of its determining process. Within the framework of these documents is sufficient variation for Council to indicate preferred specifications of new subdivision roads.

Engineering Services have outlined their concerns regarding existing road reserve width and treatment in a site investigation report submitted to TBB. A summary of this report, along with TBB responses is summarised below.

Location of Light and Power Poles

Problem: No standard location and no consideration with regard to footpath location.

Council's Engineering Services Solution: light poles to be located on same side of road as footpath with allowance for sufficient illumination of footpath and road. Services to be located on opposite side of road to footpath were possible.

TBB Solution: All new subdivisions in South Hedland will incorporate underground power and therefore only light poles need be considered. A minimum width of 4.5 metres for the verge is considered sufficient to accommodate services.

Planning Officer's Comment: It is agreed by all parties that light poles should be installed in a standardised location. The key to establishing this position depends on the location of the footpaths relative to footpath, with this item discussed in greater detail below.

Verge Sizes

Problems:

- No verge parking in some areas, disadvantaging those residents who cannot accommodate all vehicles within lot boundary.
- Narrow verges can cause traffic hazard where vehicles obstruct roads when stopping in verge to open driveway gates

Council's Engineering Services Solution:

- Verge to be a minimum 4.5 metres wide to accommodate parking
- Major distributor roads to have wider verge to accommodate services, verge parking and footpath.

TBB Solution: It is acknowledged that a significant number of South Hedland residents have additional work vehicles parked at their homes. Making accommodation for additional parking in the road reserve is not considered good planning, and not conducive to streetscape amenity. New Living homes are being designed to accommodate additional vehicles on site and generally have provision for rear access to enable boats etc to be stored behind the building line.

Planning Officer's Comment: While it is acknowledged that some roads in South Hedland do prohibit any safe street parking due a combination of narrow verges and solid, obstructive fencing along the property boundary, the alternative of providing wider verges (min. 4.5 metres) with R Code compliant fencing in concert with a proposed Residential Street Frontage Policy requiring new houses to allow for rear access to the block will provide an adequate parking solution that maintains visual amenity.

Tree Planting

Problem: Verge tree planting needs to be considered with regard to potential interference of overhead power lines, concrete kerbing/footpaths/road pavement and underground services.

Council's Engineering Services Solution: Major distributors to accommodate tree planting on both sides of road with lower ranked roads planted on at least one side to shade footpath.

TBB Solution: Tree planting on both sides of the street is supported with tree selection considered most important. Where identified, root protectors should be installed to protect underground assets.

Planning Officer's Comment: Tree planting is proposed as a minimum design standard, with all tree selection subject to Engineering Services approval and considering potential root damage to infrastructure, maintenance (leaf litter control) and interference with overhead lighting. Root guards to be installed by the developer where required.

Footpath Construction

Problem: Some Existing verge widths do not allow for footpath construction or any pedestrian access where verge is used for parking.

Council's Engineering Services Solution: Footpaths constructed against kerb with standard width of 2 metres, reduced to 1.2 for smaller cul de sac and increased to 2.5 metres for major distributors.

TBB Solution: Road verges are proposed at a minimum width of 4.5 metres to provide for adequate footpaths. It is proposed that footpaths be constructed close to the lot boundary to ensure separation of pedestrians and vehicles.

Planning Officer's Comment: Footpath construction is a strong point of contention. The following arguments are proposed by Engineering Services for locating the footpath against the kerb:

- . Added strength to the footpath edge and kerbing leading to less breakage and maintenance costs*
- . Easier to illuminate footpath.*
- . Residents more likely to maintain portion of road reserve that abuts their property and neglect land between footpath and the road pavement.*
- . Less chance of vegetation growing into and blocking the footpath.*

TBB propose that the footpath should be located close to the lot boundary for the following reasons:

- . *Footpath edges and kerbing can be reinforced to protect edges from damage.*
- . *Verges will be landscaped with drought-resistant trees/groundcovers and maintained for two years until established*
- . *Separation of pedestrian and vehicular traffic a safer option*
- . *Two footpaths located adjacent to pavement presents a large, hard surface that acts as a heat sink and reduces visual amenity.*

Of these two options, the draft LPP recommends locating footpaths approximately 300 mm from the lot boundary for the following reasons:

- . *SHNL has committed to constructing footpaths and kerbing to a standard that protects against damage*
- . *The proposed landscaping established between the footpath and kerb will be selected and established in such a way that requires no ongoing watering. It is acknowledged that such treatment is likely to increase maintenance requirements, however the amenity benefits are deemed to outweigh this added cost.*
- . *It is considered that the benefits of increased amenity and safety outweigh the potential maintenance costs. This is in keeping with a more positive vision for new residential subdivisions in South Hedland.*

Pavement Widths

Problem: While most roads comprise a 7.4 metre pavement, smaller roads (6 metres) have created issues when combined with reduced verges being used for parking. Port Hedland has a higher proportion of larger (especially 4 WD) vehicles requiring wider road pavements.

Council's Engineering Services Comment: minimum width to be 7.6 metres for all roads.

TBB: State Policy road widths range from 5.5 – 10 metres. It is acknowledged that TPS 5 car parking dimensions are 0.6 metres wider than Western Australian standards. It is also noted however that a Landcruiser is only 120 mm wider than a Holden Commodore and the justification for a 7.6 metre pavement is not adequately supported. It is further noted that wider pavement can lead to higher vehicle speeds due to the perception of less vehicle "friction" that is a character of narrower pavements.

Planning Officer's Comment: A standard pavement width of 7.6 metres is considered excessive, an inefficient land use of potential residential land, and again, environmentally undesirable as it increases the size of the paved area which acts as a heat sink.

Narrower road widths also generally lead to slower speeds – a phenomenon often observable on local highways where dual lanes merge into one.

Rather than adopting a 7.6 metre pavement, the draft policy compromises by setting as a minimum standard the upper ranges of recommended pavement width pursuant to existing state policies.

The alternative scenarios outlined by each of the Taylor Burrell and Barnett (TBB), Council’s Engineering Services (ToPH) and WAPC policies are outlined in the following tables:

Road Reserve Width (metres)

Road Type	TBB	ToPH	WAPC
Major Distributor	17.6 -18	20	14.4 - 23
Local Access > 16 dwellings	16.2	17.6	16
Local Access < 16 dwellings	16.2	16.6	11.5 - 15
Cul de Sac < 16 Dwellings	16.2	16.6	10 - 14.5

Pavement Width (metres)

Road Type	TBB	ToPH	WAPC
Major Distributor		7.6	6 - 10
Local Access > 16 dwellings	6.2	7.6	5.5-6.3
Local Access < 16 Dwellings	6.2	7.6	5.5 - 6
Cul de Sac < 16 Dwellings	6.2	7.6	4.5 - 5

Footpath Width (metres)

Road Type	TBB	ToPH	WAPC
Major Distributor	Note 1.	2.5	2.5 min. for shared path
Local Access > 16 dwellings		2.0	
Local Access < 16 Dwellings		1.2	
Cul de Sac < 16 Dwellings		1.2	

Note 1: TBB proposes to assess footpath construction width with reference to expected traffic volume based on nearby destinations and local residential density.

Consultation

Should Council resolve to adopt Local Planning Policy No. 2 – Residential Road Reserves for the purpose of advertising, a minimum public advertising is required prior to final adoption pursuant to TPS 5, s. 5.1.4.

In addition to newspaper advertising, it is proposed that the draft policy be referred to the New Living Project and LandCorp as the two (2) major residential developers in the Town of Port Hedland.

Statutory Implications

TPS 5, Part V determines the process required to adopt a local planning policy.

It is noted that it is likely that a significant number of submissions will be received in response to advertising and that the draft policy may require significant modification prior to final adoption.

It is also noted that, subsequent to final adoption, Council may modify or cancel a policy at its discretion.

Policy Implications

Nil

Strategic Planning Implications**KEY RESULT AREA 1 – INFRASTRUCTURE**

Goal 1 - Roads, Footpaths and Drainage 'To have developed network of road, footpaths and verges that are well maintained'

Strategy 1. Implement projects that are listed in the following Council Five-Year programs:

- Footpath development program
- Resealing program
- Kerb development/replacement program
- Drainage Maintenance Program

Goal 2 - Parks & Gardens 'To have a variety of well maintained and well utilised Parks and Gardens that meets the various needs of park users'

Strategy 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.

Goal 4 – Lighting 'To have a well lit community that people feel safe to walk around during the evening hours.'

Strategy 2. Work with key stakeholders to fast track the implementation of projects listed within the Council's Walkway Lighting program and the Street Lighting upgrade programs

KEY RESULT AREA 2 – COMMUNITY PRIDE

Goal 3 – Townscape 'That the central business districts and main thoroughfares of both Port and South Hedland are attractive and well maintained.'

Strategy 3. Work closely with the Department of Housing and Works to implement the South Hedland New Living project.

Strategy 5. Provide additional shade through the installation of trees and formal shade structures in strategic locations.

KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT

Goal 4 - Land Development Projects 'That land is being released and developed to meet the needs of a growing community.'

Strategy 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.

Goal 5 - Town Planning & Building 'That long-term land use and development within the Town of Port Hedland is well planned. Council's policies, procedures and practices are assisting in the improving the visual amenity of the town.'

Strategy 6. Review all existing Town Planning Policies and develop a range of contemporary policies that are appropriate for the Town of Port Hedland.

Budget Implications

In accordance with TPS 5 s. 5.1.4, notice of this proposed LPP is to be published in a local newspaper for two consecutive weeks at Council's expense.

Officer's Comment

At the completion of the South Hedland New Living Project, it is expected that the majority of available, residential zoned land will be subdivided and developed. This is therefore an opportune time for Council to consider adopting a LPP to guide various aspects of the development process.

In adopting this LPP for advertising, Council is able to formally engage the community and developers in establishing a standard practice in road design and promoting a new vision for South Hedland that complements the South Hedland New Living Project.

At completion of the advertising period, the comments received will be presented for council consideration prior to final adoption of the proposed policy.

200607/265 Council Decision/Officer's Recommendation

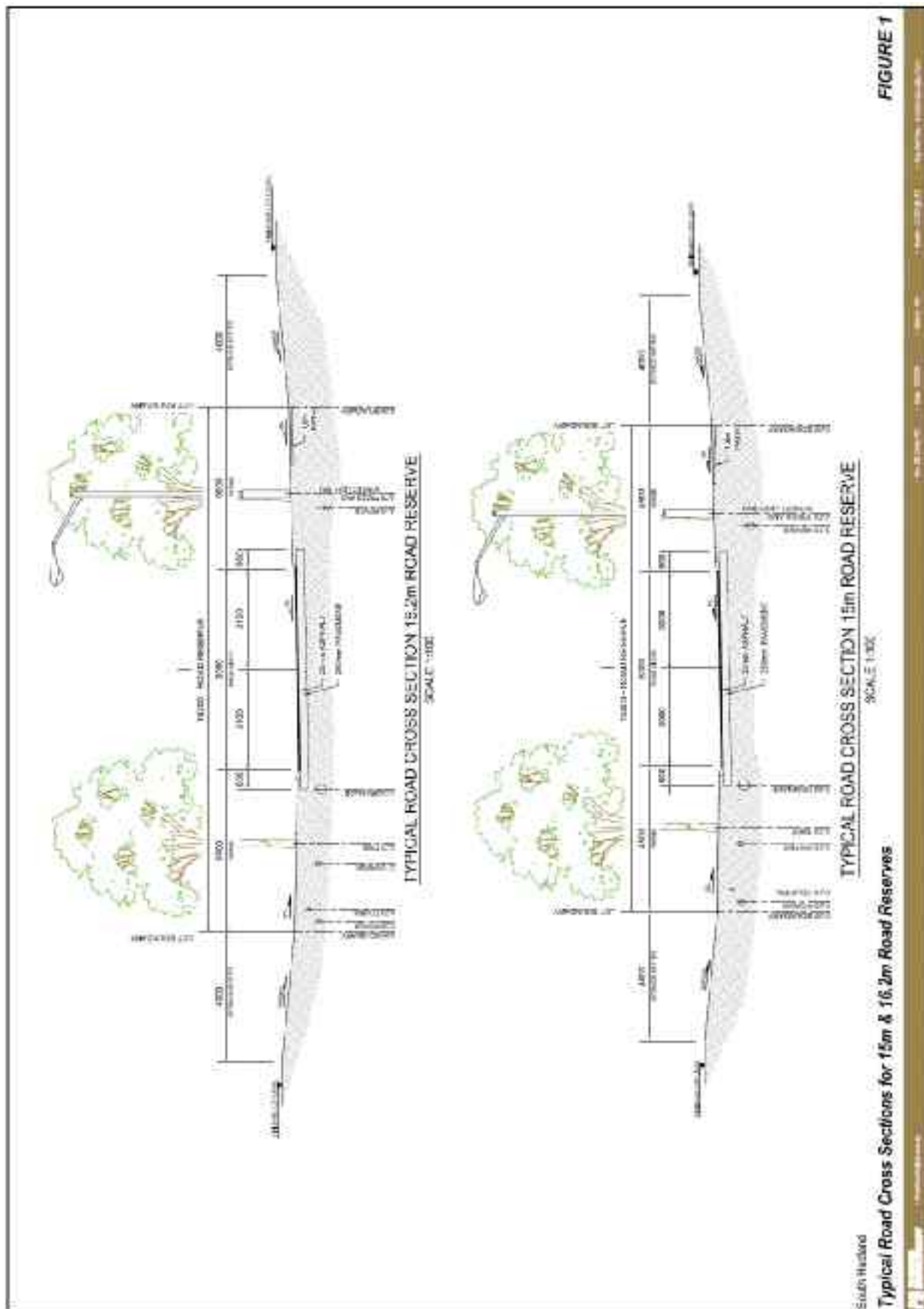
Moved: Cr A A Carter

Seconded: Cr S F Sear

That Council adopt the Draft Local Planning Policy No. 9 – Residential Road Reserves for advertising pursuant to the Town of Port Hedland Town Planning Scheme No. 5, section 5.1.

CARRIED 6/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.3



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.3



LEGEND

	12m
	14m
	15m
	16m
	17m
	20m
	Greater than 20m

ATTACHMENT 3 TO AGENDA ITEM 11.2.2.3



ATTACHMENT 4 TO AGENDA ITEM 11.2.2.3



11.2.2.4 Proposed Adoption of Pretty Pool Revised Development Plan and Associated Town Planning Scheme Amendment (File No.: 18/14/001)

Officer Andrew Patterson
Planning Officer

Date of Report 17 April 2007

Disclosure of Interest by Officer Nil

Summary

Council has received an application from Koltasz Smith Town Planners on behalf of LandCorp to adopt a Development Plan and associated Town Planning Scheme amendment to develop residential land at Pretty Pool.

Background

Council has previously considered a similar application at its Ordinary Meetings on 28 September 2005 where it resolved:

“That Council resolve to:

- a) *initiate an amendment to Town Planning Scheme No. 5 to rezone an area of land from ‘Rural’ and ‘Urban Development R20’ to ‘Urban Development’ to facilitate the subdivision and development of the land in accordance with the Revised Pretty Pool Development Plan;*
- b) *advise the applicant accordingly and request that the applicant prepare the formal amendment documentation to enable referral to the Environmental Protection Authority;*
- c) *receive the Revised Pretty Pool Development Plan for the purpose of public advertising in conjunction with the associated Town Planning Scheme No.5 Scheme Amendment;*
- d) *invite Landcorp to a meeting with Council to address the issues of*
 - . permeability/road layout;*
 - . open space window;*
 - . alienation of public land;*
 - . commercial and tourism site locations; and*
 - . management planning to reduce impacts on flatback turtle populations; and*

- e) *the final plans be returned to Council for consideration after the public consultation period and prior commencement of the project, in accordance with the Local Government Act 1995 and association regulations."*

Following referral to the Environmental Protection Agency (EPA) for assessment, significant modifications regarding coastal setbacks and other environmental factors required significant additional work on the part of the applicant before the EPA would approve the release of the amendment for advertising.

Modifications to the development plan and scheme amendment resulted in the submission of a new application considered by Council at its Ordinary Meeting on 23 August 2006 where it resolved:

"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."*

Unresolved environmental issues again delayed this application when referred to the EPA for assessment.

Following meetings with significant stakeholders, including the Town of Port Hedland, Department for Planning and Infrastructure (DPI), Department of Environment and Conservation (DoEC), EPA, Koltasz Smith and LandCorp, a general consensus is determined that this new development plan and scheme amendment sufficiently meets the requirements of the EPA to enable it to determine a level of assessment and release the amendment for advertising.

The significant modifications included in this Development Plan and proposed amendment include:

- Reduction of the development area footprint – largely in response to the WAPC Development Control Policy 6.1 – Country Coastal Planning Policy and State Planning Policy 2.6 – State Coastal Planning Policy.
- Inclusion of the requirement for the following management plans being prepared and implemented in conjunction with the Development Plan:
 - Foreshore Management Plan;
 - Turtle Management Plan;
 - Shorebird Management Plan;
 - Mosquito and Midge Management Plan;
 - Drainage and Nutrient Management Plan;
 - Mangrove Management Plan; and
 - Site Management and Remediation Action Plan.

Many of those plans have been developed and are included within the amendment recommendation.

Including these management plans in the proposed Scheme Amendment will ensure that Pretty Pool's unique characteristics are adequately protected during the development process and managed in the future to ensure development impacts remain at a sustainable level.

The Proposed Management plans will require ongoing commitments from the Town of Port Hedland in the following areas:

- Maintenance of infrastructure such as:
 - Bollards restricting beach access
 - Educational and other signage
 - Dual use paths along roads and in POS
 - Retaining walls
 - Weed control
 - Conducting education programs
 - Light spill management
 - Monitoring, control and education programs for mosquito and midges.

Should Council adopt this development plan and initiate the associated town planning scheme amendment, all development of the site will be in accordance with the development plan. When the Town of Port Hedland adopts a new town planning scheme, the development plan, including zoning and residential densities will be incorporated into the new Scheme.

Consultation

Environmental Health Services have not objected to the application and advised that the Mosquito Education Program will be the responsibility of the Town of Port Hedland, and not the Care for Hedland Group as indicated in the application.

Engineering Services have not objected to the application and requested more information regarding details of infrastructure such as signage, bollards, footpaths and fencing, and of the proposed weed management. This information is generally supplied at the submission of engineering drawings and need not be addressed at this stage of the amendment process.

Statutory Implications

Should Council initiate the proposed Scheme Amendment, the amendment and supporting documentation will be submitted to the EPA for assessment. When the EPA releases the amendment for advertising, the amendment is advertised in accordance with the *Town Planning Regulations 1967* and the *Planning and Development Act 2005* prior to Council considering any submissions and resolving whether to proceed with the amendment, with or without modification, and submitting it to the WAPC for approval.

Policy Implications

Council has adopted Pretty Pool Design Guidelines, with the intention of adopting the required elements of the Guidelines as a Local Planning Policy (LPP). The proposed amendment text, section 6.4.4 (a) (iv) will give the LPP sufficient authority for Council to formally adopt Local Planning Policy No. 8 – Pretty Pool Residential Design.

Strategic Planning Implications

KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT

Goal 4 - Land Development Projects 'That land is being released and developed to meet the needs of a growing community.'

Work with LandCorp to progressively develop Pretty Pool in a sustainable manner.

Budget Implications

A town planning scheme amendment fee of \$1000 has been received and deposited into account 1006326 – Town Planning Fees.

Officer's Comment

Council has previously supported both the Development Plan and the Scheme Amendment with this new application modifying these previous plans by reducing the development footprint and requiring that additional management plans be included as a TPS requirement.

As these modifications reduce the impact of subsequent development and ensure ongoing management particularly with regard to environmental impacts, it is recommended that this application be supported to enable progression to the referral and advertising stages.

The supporting documentation associated with the application includes information that is not accurate and appears to be the result of a “cut and paste” exercise from another report. While the inaccuracies have been recognised they do not in any way affect the determination of the application.

It is noted that Council will have the opportunity to consider this application in the context of any public submission prior to final adoption of the Amendment or Development Plan prior to adoption and submission to the WAPC.

200607/266 Council Decision/Officer’s Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J M Gillingham**That Council:**

i) Initiate a Town Planning Scheme Amendment to the *Town of Port Hedland Town Planning Scheme No. 5* by:

- a) Rezoning Lots 5876 and 5877 Counihan Crescent, and adjoining Lot 300 as depicted on the Scheme Amendment Map from “Rural” to “Urban Development” Zone;**
- b) Amend the Scheme Map Accordingly**
- c) Insert a new clause 6.6.4 to read:**

“6.4.4 Lots 5876, 5877 and 300 Counihan Crescent, Pretty Pool, in addition to the requirements of Clause 6.4, and including those of Appendix 6, the following additional provisions apply:

- a) *Land Use – shall be on the basis that:***
 - i. The residential density (R-Code) applicable for the purposes of assessing development shall be that shown on the Development Plan approved by the Town of Port Hedland and WA Planning Commission;***
 - ii. Land use permissibility shall be in accordance with the Zoning Table under Clause 3.2 for either the ‘Residential’ or ‘Town Centre’ zone as shown on the approved Development Plan;***

- iii. Council shall adopt Design Guidelines to address the detailed development of land and outline the building and approval process.*
 - iv. For the purpose of 6.4.4 a)iii. The approval process shall include the requirement to contain Council planning approval for a single residence and demonstrate compliance with the Council adopted Design Guidelines;*
 - v. Land identified as containing a 'Town Centre' designation in the Development Plan shall be developed as part of a cohesive site development for the balance R50/R60 or R60/80 areas and in accordance with approved Design Guidelines adopted under Clause 6.4.4 a)iii;*
- b) Management Plans – The following Management Plans shall be prepared and implemented in conjunction with the implementation of the Development Plan:*
- i. Foreshore Management Plan;*
 - ii. Turtle Management Plan;*
 - iii. Shorebird Management Plan;*
 - iv. Mosquito and Midge Management Plan;*
 - v. Drainage and Nutrient Management Plan;*
 - vi. Mangrove Management Plan; and*
 - vii. Site Management and Remediation Action Plan*
- c) For the purposes of 6.4.4 b)iii and vii the following shall apply:*
- i. Shorebird management Plan – an Avifauna Survey shall be undertaken during the migration period (September) to the satisfaction of the Town of Port Hedland on advice from the Department of Environment and Conservation (DEC). In the event that this survey identifies that protected an/or threatened bird species are utilizing the development site for foraging, a Shorebird Management Plan shall be prepared. The Management Plan shall be prepared to ensure proper management protection and/or relocation of specialty protected and/or threatened birds within the development area to the satisfaction of the Town of Port Hedland on advice from the DEC.*

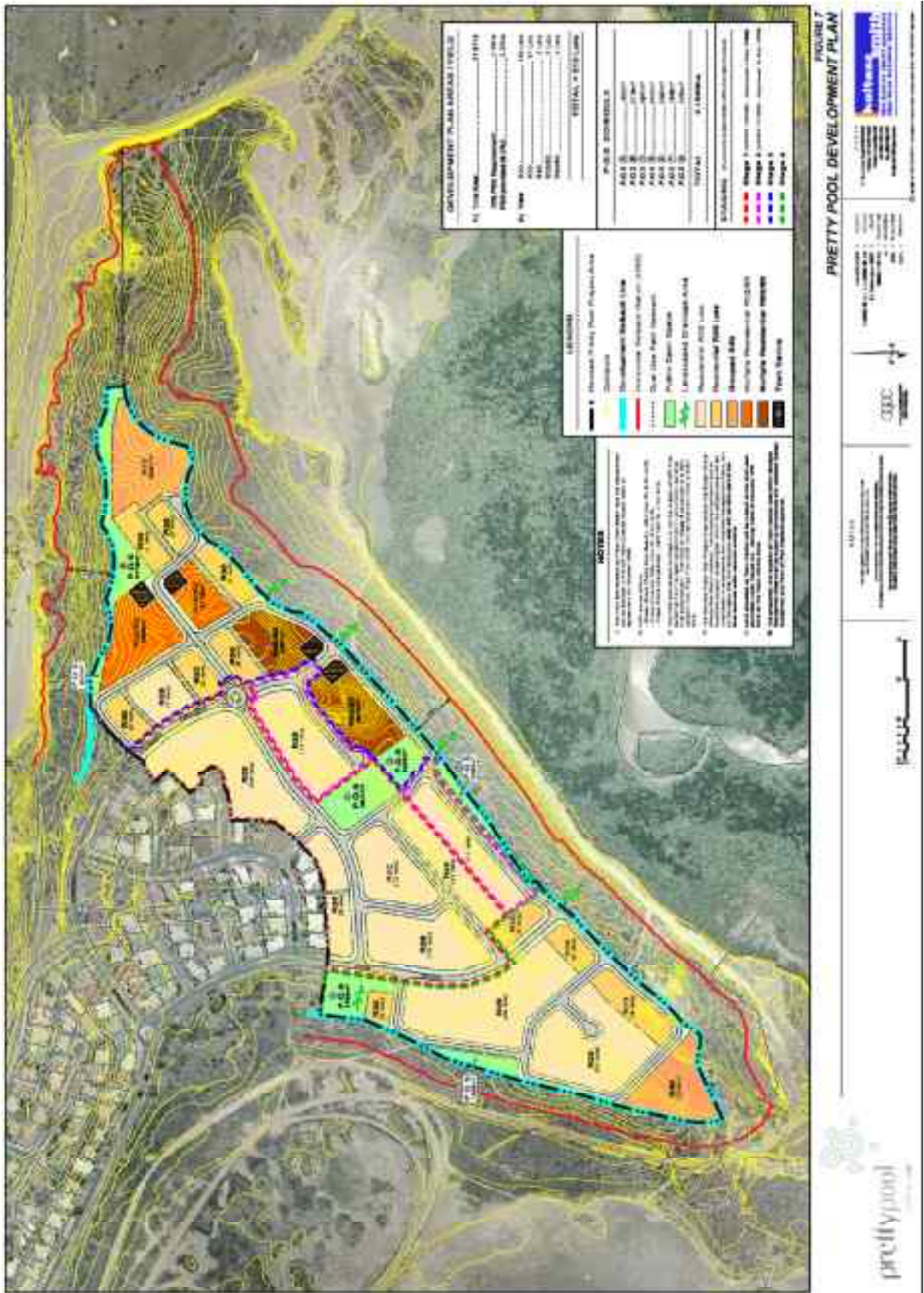
- ii. Site Management and Remediation Action Plan: Prior - to submission of an application for subdivision to the Western Australian Planning Commission (WAPC) for any area of the Development Plan identified as contaminated, a Site Management Plan and Remediation Action Plan will be prepared and implemented to the satisfaction of the Town of Port Hedland and on advice from the DEC and Department of Health. The Management Plan shall be prepared to ensure that the development site and the risks outside the site will be appropriately managed to meet the requirements of the Contaminated Sites Act 2003 and is compatible with the proposed land use.*

- ii) Adopt the Pretty Pool Revised Development Plan received 19 March 2007 for the purpose of advertising in association with the Town Planning Scheme Amendment referred to in Part I of this resolution; and**

- iii) Advise the applicant accordingly and request that the applicant prepare the formal amendment documentation to enable referral to the Environmental Protection Authority.**

CARRIED 6/0

ATTACHMENT TO AGENDA ITEM 11.2.2.4



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 17 April 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

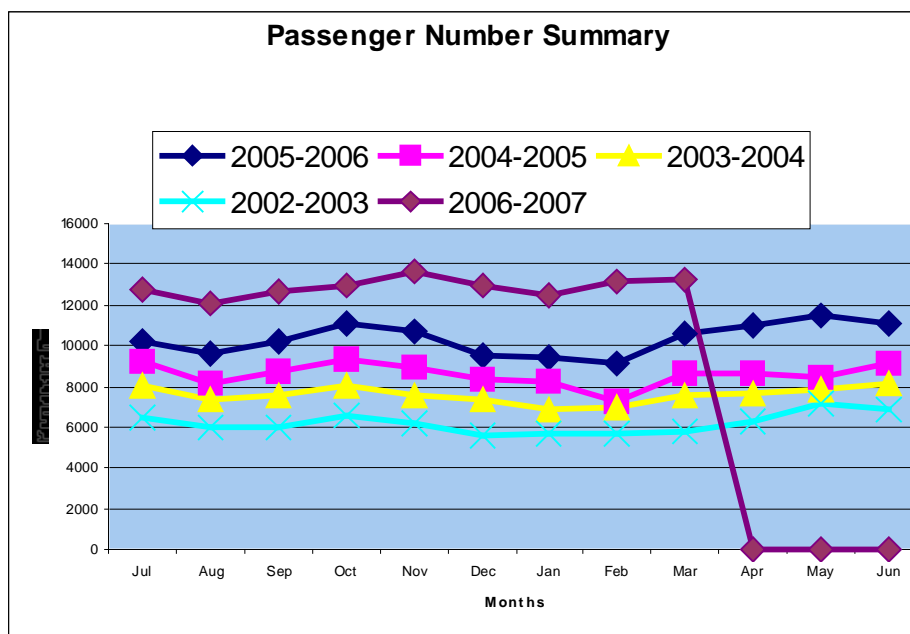
Engineering Services Works

PROJECT	STATUS
South Hedland Cemetery Upgrade	Planting of Bougainvillea & install reticulation along front fence has been completed. Limestone wall to be sealed prior to project acquittal being completed.
Playgrounds	Quotes for shade structure at Colin Matheson Oval playground have been received with further consideration required due to cost. Equal access playground has been installed at Kevin Scott Oval, with rubber softfall installation scheduled for mid April. Liberty Swing has been installed at Cemetery Beach Park with softfall installation scheduled for mid April.
Black Spot Funding	Throssell road final designs are being prepared. North Circular/Hamilton and North Circular/Murdoch final plans received and presented to Main Roads for approval of signage and line marking. Reconstruction works to commence in April.

Roads to Recovery Funding	Minor works at Buttsweld/North Circular intersection will be completed by late April.
Regional Road Group Funding	Contractors currently extending culverts on North Circular Road and Wallwork road (works ongoing with some delays due to TC George).
Footpath Construction & Maintenance	Footpath Contractors have commenced the 2 nd stage of the 06/07 footpath construction program. The bitumen footpath on Sutherland street has been removed and replaced with a concrete path.
Drainage Construction & maintenance	Ongoing maintenance following recent cyclones. Construction works have been delayed due to clean up work required.
Landfill	Landfill Compactor Unit has arrived. Shade shelter for recycling area has been ordered – expect installation mid May. Recycling hardstand area has been constructed and is in use. Currently consulting with Environmental Health Services for new Septage Pond designs.
Wedge & Edgar street Streetscape Enhancements	Carpark construction & kerbing has commenced with some delays due to cyclones. Tree planting and faux brick paving to commence mid April. Expected project completion end of May.
Ride on Litter Vacuum Tender	Tenders have been received for the Ride-On Litter Vacuum with Council resolving to reject all tenders. Staff currently investigating further options prior to purchase.
Forrest Circle Road Repairs	Flood damage has occurred due to cyclone. Engineering crews have temporarily patched the road pending availability of sealing crews.
Restricted Access Vehicles (RAV) – road trains	No applications received.
FMG Railway Construction	Railway construction and road works ongoing.
Cyclone George	Final clean up is underway with expected completion end of April (to be advertised). Road assessments have been completed, report and funding applications currently being prepared.
Wedgfield Upgrades	Reconstruction of intersections have been delayed due to cyclones – commencement end of April.
Walkway/Street Lighting Upgrades	Horizon Power have commenced works for the program and anticipate completion prior to end of financial year
Unsealed road maintenance	Crews will commence this week on unsealed road maintenance and flood damage repairs. Roads to include Yandeyarra road, Hillside-Woodstock road, Pippingarra road, Quartz Quarry road, Shoata road and others.

Airport

Regular Passenger Transport Services Passenger Information as at 31 March 2007



Bali International Service:

Passenger numbers for the service continue to be strong during the month of March. The numbers have continued through until the school holidays. The first and last weeks of the holidays have seen the introduction of a second service to Bali on the Sunday, which have been well received. Indications are that a majority of the passengers are locals taking advantage of the service.

Midnight on the 31 March 2007 saw the introduction of the new security requirements in relation to Liquids aerosols & gases (LAGS) and onboard luggage. The senior airport staff worked closely with DOTARS, the airlines and screeners in relation to the introduction, which was introduced without incident.

International Movements:

Again steady use of the aerodrome as an entry and exit point for international charter operators departing for South East Asia and Europe.

On Good Friday, QF140, a 737-800, inbound from Jakarta to Perth diverted to Port Hedland due to poor weather conditions in Perth. On board were 121 passengers plus crew. The aircraft was fully cleared here in Port Hedland by attending Customs and Quarantine Officers. Passengers were on the ground for approximately 6 hours prior to departing for Perth.

Australian Airports Association (WA Division) Conference:

On 13 April 2007 the airport hosted the AAA (WA Division) Conference at the All Seasons Hotel. The meeting was well attended by the Western Australian Airports with good representation from the regional airports.

The Chairman of the National Association, Mr John McCardle, attended the meeting as well as Mr Darren Crombie, head of aviation security at the Office of Transport Security (OTS) which provided a opportunity to raise a number of issues in relation to security issues and funding. Other Presentations were received from Customs, DPI, Commonwealth Attorney's General's Department, CASA and OTS.

The Town of Port Hedland was thanked for hosting the event and feedback provided following the meeting was that the facilities provided were excellent. The AGM is to be held in Perth in August and will coincide with a post implementation review workshop of CASR Part 139.

Recreation Services Update

General

Sporting Facilities Upgrades

Sporting Facilities Upgrades are ongoing.

Completed projects:

- Plumbing
- Tiling
- Synthetic Turf laid at cricket nets

Currently being undertaken:

- Painting
- Security and boundary fencing around major reserves
- Laying of synthetic turf on cricket pitches
- Installation of water fountains at unleased sporting reserves

To be completed:

- Electrical checks of all buildings
- Structural checks of all buildings
- Completion of water fountain installation
- Other minor items

Post – Cyclone Repairs

A maintenance and damage report has been completed and submitted to the insurance agency. All damage has been prioritised, and quotes are being sourced for repairs.

Port and South Hedland Skateparks

The skatepark tenders have closed, and are being presented as a late item to this Ordinary Council Meeting.

Feasibility Study into Proposed Multi-Purpose Sports Complex

Paterson Group Architects, together with Jill Powell and Associates are undertaking the feasibility and schematic design into this proposed complex. A timeframe has been submitted, with an estimated completion date by early July 2007.

Public forums have been arranged to be held on 30 April 2007, and all community members, Councillors and staff are invited to give their input.

Aquatic Centres

Darren Beltman, Area Manager YMCA, has resigned from his position, effective 4th May 2007. The YMCA is in the process of recruiting a new staff member to replace Darren.

Monthly meetings are undertaken with the YMCA and the Town of Port Hedland to ensure the contract and tender bid is adhered to. Copies of these minutes are available from Recreation Staff.

South Hedland Aquatic Centre

Report not received from the YMCA by their due date.

Gratwick Aquatic Centre

Report not received from the YMCA by their due date.

JD Hardie Centre

Participation levels for March

Program	Participation
Kids Club (Mon, Wed, Fri)	160
Tae Kwon Do (Tues, Thur)	186
All Sports (Wed)	96
Dancing (Wed)	46
Boxing (Mon, Wed)	46
Mixed Netball	70
Mixed Volleyball	78

Class numbers have steadily increased and programs are running with full class numbers. New programs have been finalised, and are set to commence in week one of term two. These programs include:

- Junior Dodgeball
- Team Time
- Xpression
- GR8 SK8
- Saturday Sessions
- Junior Gym

The JD Hardie Centre was utilised as an evacuation centre with the Department for Community Development (DCD) managing the Centre during this time. Handover from the Town of Port Hedland to the DCD occurred approximately 12pm the afternoon of yellow alert. The Town of Port Hedland resumed management of the Centre on Monday (following the announcement of the 'all clear'), with constant communication occurring throughout the weekend.

A Senior Dodgeball Round Robin Competition for physical activity week was conducted, with 8 teams nominating. For an initial test program, it was a great success. Due to this success, a social Round Robin Competition will be held twice per term.

Completed Events

Physical Activity Week

Physical Activity Week was relatively unsuccessful, largely due to Cyclones George and Jacob.

- The Edge Health and Fitness free classes – successful
- Presidents Breakfast – well attended and successful
- Junior Dodgeball – very successful, competition commencing Term 2 at the JD Hardie Centre
- Senior Dodgeball – successful – regular competitions to be held at the JD Hardie Centre
- Town Walk – poorly attended
- Kids v Cops Baseball Game – cancelled due to weather
- Junior Football competition – cancelled due to weather
- PAW Walk – cancelled due to weather
- Captivate disability seminars – cancelled due to weather
- Aqua Day – cancelled due to weather

Presidents Breakfast

This quarterly breakfast was well attended by a broad range of sporting associations. Topics included post-cyclone procedures, updates on the JD Hardie Centre and facility upgrades. Councillors attending this event included Cr Carter, Cr Gillingham and Cr Sear.

Upcoming Events

Working with Children Check Seminar

The Working with Children (Criminal Record Checking) Act 2004 was implemented in WA on 1 January 2006. The aim is to deter and prevent people who may harm children from obtaining positions of trust within organisations. This is a DSR initiative, with assistance from LGA's. Seminar to be conducted on 1 May 2007.

. *WAFL Game*

The organising committee has met once more in regards to this event, occurring on the 21st July 2007. Confirmation of volunteers for the event have been difficult to obtain, and will be discussed at the next meeting. Swans and Rovers Football Clubs are the hosts for this event, with the Town of Port Hedland facilitating.

. *Pilbara Recreation Association Meeting*

Representatives from the Town of Port Hedland and other shires within the Pilbara will meet on 19 April 2007, in Tom Price to discuss the Regional Recreation Plan as adopted by the Pilbara Regional Council.

200607/267 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council accepts Engineering Services Monthly Report.

CARRIED 6/0

11.3.1.2 Tender 06/42 Supply and Delivery of New Tandem Drive Tip Truck (File No.: 23/08/0030)

Officer Grant Logie
Director Engineering Services

Date of Report 13 April 2007

Disclosure of Interest by Officer Nil

Summary

This document is a summary of the tenders received for the Supply and Delivery of New Tandem Drive Tip Truck.

Background

Tenders were recently called for the supply & delivery of new tandem drive tip truck to replace the existing Town of Port Hedland vehicle involved in a road accident.

Consultation

Council's engineering staff has reviewed all the tender submissions prior to recommending Council's resolution. The specifications prepared for the tender document are based on machinery that we currently use to complete our construction and maintenance projects.

Statutory Implications

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

“3.57. Tenders for providing goods or services

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

Policy Implications

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

Strategic Planning Implications Nil

Budget Implications

General Ledger Account 1208440 Heavy Vehicles & Plant - \$190,000 as approved at Special Council Meeting held 14 March 2007. This includes \$69,700 insurance reimbursement.

Officer’s Comment

Tenders were received from two (2) tenderers as detailed in table 1 below:

Table 1:

Tenderer	Model	Price (ex. Gst)
Purcher International	Option One – Iveco PowerStar ADN10	\$214,470.00
Purcher International	Option Two – Iveco Stralis AD10	\$211,900.00
Kenworth DAF WA	DAF FAT CF85.430 6 x 4 Tip Truck	\$204,550.00

All the above prices include registration to 30 June 2007, and delivery to Town of Port Hedland Depot.

Table 2 below indicates the specifications of each truck as tendered:

Table 2:

	Iveco PowerStar ADN10	Iveco Stralis AD10	DAF FAT CF85.430
GVM / GCM	24.5 Tonne 59.0 Tonne	24.5 Tonne 59.0 Tonne	24.6 Tonne 59.0 Tonne
Engine	435 hp 1950rpm Cursor 10 6 Cylinder Turbo	435hp 1950 rpm Cursor 10 6 Cylinder Turbo	430 hp 1900 rpm XE 315 C Euro III 6 Cylinder
Transmission	12 Speed Automated	12 Speed Automated	12 Speed Semi Auto & Clutchless
Rear Axle	Meritor RT46- 160GO 20.9 Tonne Capacity Cross lock diff locks – both axles	Meritor RT46- 160GO 20.9 Tonne Capacity Cross Lock Diff Locks – Both Axles	DAF Heavy Duty Hub Reduction 23.0 Tonne Capacity Interaxle Diff Lock and Cross Locks – Both Axles
Front Axle	Iveco 5876 7.5 Tonne Capacity	Iveco 5876 7.5 Tonne Capacity	1 Beam 7.5 Tonne Capacity
Suspension (Front)	Parabolic Leaf Spring	Parabolic Leaf Spring	Parabolic with Stabiliser
Suspension (Rear)	Meritor AC-6P 6 Rod 18.0 Tonne Capacity	Meritor AC-6P 6 Rod 18.0 Tonne Capacity	DAF Trapezium Spring 6 rod
Brakes	ABS Self adjusting S Cam Air Drier Trailer Brake Controls & Connections	ABS Self adjusting S Cam Air Drier Trailer Brake Controls & Connections	ABS Full air operated Disc Front and Drum Rear Exhaust Brake and Engine brake combination

Cabin	Conventional Control Day Cab Fibreglass Bonnet 4 Point Cab Air Suspension Roof Mounted Air Conditioner Condenser Air Suspension Drivers Sear Power Windows	Forward Control Day Cab Electro-Hydraulic Cab Tilt 4 Point Cab Air Suspension Roof Mounted Air Conditioner Condenser Air Suspension Drivers Seat Power Windows	Day Cab Deluxe Trimmed Hydraulic Tilt Cab Side Extenders Air Conditioned Air Suspension Drivers Seat Fixed Passenger Electric Windows
Wheels	Michelin Tyres Spare Tyre Jack & Tools 10 Stud Steel Disc Rims	Michelin Tyres Spare Tyre Jack & Tools 10 Stud Steel Disc Rims	Michelin Tyres Steel Wheels Spare Included No Carrier
Chassis	1x 450 Litre Alloy Fuel Tank 1 x 250/200 Litre Alloy Fuel/Oil Tank	1x 450 Litre Alloy Fuel Tank 1 x 250/200 Litre Alloy Fuel/Oil Tank	Flat Topped Wheel base 4050mm Fuel 1 x 430 Litre
Delivery	20 – 24 Weeks	20 – 24 Weeks	16-18 Weeks
Warranty	Conditional 5 Years/425,000L Fuel burn Warranty	Conditional 5 Years/425,000L Fuel burn Warranty	Unconditional Engine & Driveline 36 months / 500,000km Non Driveline 12 months unlimited kms 24 Months Warranty Breakdown recovery

Tenderers also provided the following information:

Purcher International

- Optional Extras: Alternative Body Builder
- Automatic Body Safety Prop \$700.00 + GST
- Dual Pintle Hook/Ringfeeder Hitch \$1650.00 + GST

Kenworth DAF WA

- Cruise control for enhanced safety, performance and better fuel returns
- Aluminum gearbox housings reduce weight
- Servicing available locally by Westrac and K & G Mechanical

Table 3 below indicates the evaluation criteria as per tender documentation:

Price	70%
Parts and Service Availability	10%
Ability to Supply	10%
Local Supplier Preference	10%
Total	100%

Table 4 below indicates the weighting applied to Tenderers as per tender evaluation criteria:

Tenderer	Price (70%)	Service (10%)	Supply (10%)	Local (10%)	Total (100%)
Purcher (PowerStar)	65	3	5	0	73
Purcher (Stralis)	55	3	5	0	63
Kenworth DAF	70	8	6	0	84

All tendered prices exceeded the budget allocation of \$190,000. Therefore a request to approve additional expenditure is required. Kenworth received the highest weighting based on the evaluation criteria and tendered the lowest price. Council's engineering staff considers the Kenworth DAF to be the best value for money having a reputation for reliability, operator comfort and performance. If needed, replacement parts would be cheaper than those of the Iveco and any warranty repairs can be carried out locally. The DAF is also available for delivery sooner than the Iveco.

200607/268 Council Decision/Officer's Recommendation

Moved: Cr G J Daccache

Seconded: Cr S F Sear

That Tender 06/42 Supply and Delivery of New Tandem Drive Tip Truck be awarded to Kenworth DAF WA for the following:

- i) supply and delivery of Tandem Drive Tip Truck (DAF FAT CF85.430) for total price of \$204,550.00 (excluding GST); and**
- ii) additional expenditure of \$14,550.00 be approved, with the surplus funds coming from unallocated funds identified in the December 2007 budget review.**

CARRIED BY ABSOLUTE MAJORITY 6/0

11.3.2 Recreation Services

6.25 pm Councillor Stan R Martin declared a financial interest in Agenda Item 11.3.2.1 'Request to Waive Hire Fee and Lighting Costs of Marie Marland Reserve, Diamond 1', as he is the Chairman of the Board of the Pilbara Development Commission.

Councillor Stan R Martin left the room. Councillor A A Carter assumed the Chair.

6.25 pm Councillor Des R Pike declared an impartiality interest in Agenda Item 11.3.2.1 'Request to Waive Hire Fee and Lighting Costs of Marie Marland Reserve, Diamond 1', as he is a member of the Board of the Pilbara Development Commission.

Councillor Des R Pike left the room.

6.25 pm Councillor Jan M Gillingham declared an impartiality interest in Agenda Item 11.3.2.1 'Request to Waive Hire Fee and Lighting Costs of Marie Marland Reserve, Diamond 1', as she is a member of the Board of the Pilbara Development Commission.

Councillor Jan Gillingham left the room.

NOTE: Council did not have a quorum to consider Agenda Item 11.3.2.1 'Request to Waive Hire Fee and Lighting Costs of Marie Marland Reserve, Diamond 1'.

11.3.2.1 Request to Waive Hire Fee and Lighting Costs of Marie Marland Reserve, Diamond 1 (File No: 26/07/0002)

Officer Matthew Jackson
Sports and Recreation Officer

Date of Report 16 April 2007

Disclosure of Interest by Officer Nil

Summary

Council has received a request from the Pilbara Development Commission to waiver fees for the free Paul Kelly concert being held at Kevin Scott Oval in South Hedland.

Background

The Pilbara Development Commission (PDC) have verbally requested that fees be waived for hiring Kevin Scott Oval, to conduct a free concert for the community. The event is to be held on 19 May 2007 and is likely to attract a large audience from across the community.

The concert is a drug and alcohol free event and is open to people of all ages. The PDC has indicated that there is an extremely limited budget for the concert and most equipment needed to run the event has been donated. The PDC has therefore requested that Council:

- Waive the hire fees of for the use of Kevin Scott Oval, for Saturday 19 and Sunday 20 May 2007.

This request has been made with the following explanations:

- The event is of great social significance in Hedland as it will be a free community event aimed at bringing the community together.
- The event is totally free and has a very limited budget, by waiving the fees it will greatly assist the organising committee to fund the event.

Consultation

Chief Executive Officer
Director Regulatory and Community Services
Director Engineering Services
Recreation Coordinator

Statutory Implications Nil

Policy Implications

The event isn't 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 \$220.00 for hire of Kevin Scott Oval for a community event. The cost of lighting is \$20.70 per hour and if lights are used for approximately three hours on low light, this equates to \$62.10. Total cost waived would therefore be \$220 + \$62.10 = \$282.10.

Officer's Comment

The Pilbara Development Commission has arranged this concert as a free event for the community. The town hasn't had a large contingent of good musical acts recently and this event will bring a high profile Australian artist that will therefore likely attract a large number of people. If the Council were to waiver the fees then it will assist in ensuring that this event goes ahead.

Council therefore has two options:

1. Waiver the fees for the costs of hiring Kevin Scott oval, including lighting; to a maximum cost of \$282.10 or,
2. Require the Pilbara Development Commission to cover the costs of hiring Kevin Scott Oval and lighting the venue.

Officer's Recommendation

That the request from the Pilbara Development Commission to waive the hire of Kevin Scott Oval and lighting fees on 19 and 20 April 2007, for the drug and alcohol free community concert being held at Kevin Scott Oval on Saturday 19 April 2007, be approved to a maximum cost of \$282.10.

NOTE 1: Council did not have a quorum to consider Agenda Item 11.3.2.1 'Request to Waive Hire Fee and Lighting Costs of Marie Marland Reserve, Diamond 1'.

6:26 pm Councillors Stan R Martin, Jan M Gillingham and Des R Pike re-entered the room and assumed their chairs.

Deputy Mayor Arnold A Carter 11.3.2.1 'Request to Waive Hire Fee and Lighting Costs of Marie Marland Reserve, Diamond 1' advised Councillors Stan R Martin, Jan M Gillingham and Des R Pike that Council did not have a quorum to consider Agenda Item 11.3.2.1 'Request to Waive Hire Fee and Lighting Costs of Marie Marland Reserve, Diamond 1', and the matter will be addressed by staff.

ATTACHMENT TO AGENDA ITEM 11.3.2.1

Mr Matthew Jackson
Town of Port Hedland
PO Box 41
PORT HEDLAND WA 6721

Dear Matthew

REQUEST TO WAIVE BOOKING FEES FOR SOUTH HEDLAND OVAL

The Pilbara Development Commission, with the generous support of BHP Billiton Iron Ore and their partners, is bringing Australian music icon Paul Kelly and band to South Hedland for a **free community concert** on Saturday 19 May 2007 at the South Hedland oval.

The concert will be the highlight of an "Oresome Weekend" of events for the Port Hedland community. Numerous organisations are contributing to the weekend festivities which include the annual "Welcome to Hedland" night on Friday and the first Port Hedland meeting of the North West racing round on Saturday. In addition, the Cemetery Beach and Fretty Pool Parks and the ocean side of the Civic Centre will be "officially" reopened following substantial upgrades as part of the Port Hedland Enhancement Scheme. A number of activities for young children and youth are being organised to take place around the parks as part of the celebrations.

Bringing Paul Kelly to Hedland for a free community concert is no mean feat and the generous sponsorship is making it easier to achieve. In keeping with the spirit of the weekend the Commission requests the Town of Port Hedland waive any costs associated with the booking and/or hire of the South Hedland Oval.

If you require any additional information regarding the concert please do not hesitate to contact Ms Denise Green at the Commission on 08 9173 8107.

Thank you for your support in this fabulous community event and your kind consideration of this request. The Commission looks forward to a favorable response in the near future.

Yours Sincerely

Emma Wade
A/Manager, Social Development
Pilbara Development Commission

16 April 2007

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

Officer Stephen Carstairs
Manager Finance

Date of Report 16 April 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 March 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 March 2007, are the:

- Statements of Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 31 March 2007;
- Review of Transaction Activity.

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 24 April 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			
CHQ17269	17316	\$165,495.67	1	9	1	Municipal Fund	
EFT18044	18275	\$1,254,780.42	9	83	1	Municipal Fund	
PAY 010307		\$736.27	1	1	1	Municipal Fund	
PAY 130307		\$192,985.94	83	83	1	Municipal Fund	
PAY 160307		\$942.34	84	84	1	Municipal Fund	
PAY 270307		\$199,359.33	84	84	1	Municipal Fund	
	Municipal Total	\$1,814,299.97					
3001322	3001325	\$4,650.00	84	84	3	Trust Fund	
3001326	3001328	-	84	84	3	Trust Fund	
3001329	3001334	\$4,550.00	84	85	3	Trust Fund	
	Trust Total	\$9,200.00					
	TOTAL	\$1,823,499.97					

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) *wave 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

At its 26 July 2006 Meeting Council resolved to adopted item 11.4.1.6 Budget Adoption, which included Recommendation 13 as follows:

“Recommendation 13

That Council adopts the following percentage or dollar value for determining and reporting material variances as follows:

1. *10% of the Function amended budget; or*
2. *\$100,000 of the Function amended budget*

whichever is the lesser, for the following categories of revenue and expenditure:

- a. *Operating Revenue*
- b. *Operating Expenditure*
- c. *Non Operating Revenue*
- d. *Non Operating Expenditure”*

Officer’s Comment

For the purpose of explaining Material Variance (Expense/Revenue Up or Down, and see attachment Schedule 2) a three-part approach was taken:

Period Variation

Relates specifically to the value of Variance between the Budget and Actual figures for the period of the report.

Primary Reason

Identifies the primary reasons for the period Variance. As the report is aimed at the higher level analysis, minor contributing factors are not reported.

Budget Impact

Forecasts the likely \$ impact on the Amended Annual Budget position. It is important to note that figures in this part are 'indicative only' at the time of reporting, and that circumstances may subsequently change.

200607/269 Council Decision/Officer's Recommendation**Moved:** Cr S F Sear**Seconded:** Cr G J Daccache**That:**

- i) **the:**
- . **Statements of Financial Activity (represented by Schedules 2 to 14);**
 - . **Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 31 March 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 School of the Air (File No.: .../...)

Officer Matthew Scott
Director Corporate Services

Date of Report 19 April 2007

Disclosure of Interest by Officer Nil

Summary

To update Council on the progress to formalise the lease of the Old Rangers Hut at the Port Hedland International Airport with the School of the Air.

Background

At the October 2005 Ordinary Council Meeting, Council resolved the following:

200506/155 Council Decision

“That:

- i) Council advertise its intention to dispose of Building 158 (ex Air BP) as per the requirements of Section 3.58 of the Local Government Act 1995;*
- ii) if no objections are received during the advertising period, a lease agreement be entered into with Port Hedland School of the Air at the valuation rate.*
- iii) the Mayor and Chief Executive Officer be authorised to sign and execute Lease Agreement documents once it has been prepared.”*

As Council can see the actual resolution doesn't resolve the lease term, making the formalisation of the lease extremely difficult. Council may recall that this is very similar to the Polar Aviation Lease, which Council reviewed at the March Council meeting.

Subsequent to Council's decision, the building was valued at \$2,090.91 (ex GST) per annum, however this and the term of the lease (which was never resolved by Council) was never included in the advertisement, required under section 3.58, Local Government Act 1995, which deals with the disposal of Local Government property.

In discussing the matter with the School of the Air, the School is still eager to progress the lease and use the building for storage. It has been suggested that they would probably accept a five- year lease term, if the lease can be finalised.

A five-year lease is not considered excessive and will allow Council to develop the area in medium term, dependent on the outcome of the Airport Development Plans.

Consultation

Nil

Statutory Implications

Local Government Act 1995

“3.58. Disposing of property

(1) In this section -

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

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

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

(a) the highest bidder at public auction; or

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

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

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

(i) describing the property concerned;

(ii) giving details of the proposed disposition; and

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Income of \$2,090.91 (ex GST) per annum projected for the next five years.

Officer’s Comment

Similar to the Polar Aviation Lease situation presented to Council in March, the only way to correct the situation is to effectively start the process from the beginning. Given that the School of the Air have not had the use of the Old Rangers Hut at all since the initial Council Decision, it would seem unequitable that while Council sorts out the lease issue, they be denied access to the building. Council could allow them access while the lease is being finalised, as a “Tenant at Will”, as a demonstration of Council’s good will.

Officer's Recommendation

That Council:

- i) revoke its decision to lease the Old Rangers Hut to the School of the Air (Minute 200506/155);
- ii) Allow the School of the Air the use of the Old Rangers Hut as "Tenant at Will" for the next three (3) months; and
- iii) dispose of the old rangers hut at the Port Hedland International Airport to the School of the Air, by way of Lease, as per section 3.58(3), with the following requirements:-
 - a) the annual rental be \$2090.91 (ex GST) per annum, indexed annually by CPI; and
 - b) term be five (5) years, with an option of another five (5) years at Council's discretion
- iv) authorise the Mayor and Chief Executive Officer to affix the seal and sign the lease documentation, should there be no submissions received after advertising.

NOTE: to revoke the decision made in accordance with the Local Government (Administration) Regulations 1996:

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

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

3. *This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.*

Voting Requirements

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

Officer's Alternate Recommendation

That Council:

1. considers revoking the resolution 2050506/155 of Item 10.2.2.2 School of the Air Request to Lease Airport Building (File No.AIR:068) of the Ordinary Meeting of Council held on the 26 October 2005, and recorded on page 61.

"That:

- i) Council advertise its intention to dispose of Building 158 (ex Air BP) as per the requirements of Section 3.58 of the Local Government Act 1995;*
- ii) if no objections are received during the advertising period, a lease agreement be entered into with Port Hedland School of the Air at the valuation rate.*
- iii) the Mayor and Chief Executive Officer be authorised to sign and execute Lease Agreement documents once it has been prepared."*

NOTE: Mayor called for a show of hands in favour to consider the revoking of resolution 200506/155 of Item 10.2.2.2 School of the Air Request to Lease Airport Building of the Ordinary Meeting of Council held on the 26 October 2005 and recorded on page 61 of those Minutes.

The following Councillors indicated (minimum 1/3 majority) support to consider revoking resolution 200506/155 of Item 10.2.2.2 School of the Air Request to Lease Airport Building of the Ordinary Meeting of Council held on the 26 October 2005:

*Cr Stan R Martin
Cr Shane F Sear
Cr Des R Pike*

200607/270 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr S F Sear**That Council:**

- i) **revoke its decision to lease the Old Rangers Hut to the School of the Air (resolution 2050506/155 of Item 10.2.2.2 School of the Air Request to Lease Airport Building (File No.AIR:068) of the Ordinary Meeting of Council held on the 26 October 2005, and recorded on page 61);**

CARRIED BY ABSOLUTE MAJORITY 6/0

200607/271 Council Decision/Officer's Recommendation**Moved:** Cr S F Sear**Seconded:** Cr A A Carter**That Council:**

- ii) **Allow the School of the Air the use of the Old Rangers Hut as "Tenant at Will" for the next three (3) months; and**
- iii) **dispose of the old rangers hut at the Port Hedland International Airport to the School of the Air, by way of Lease, as per section 3.58(3), with the following requirements:-**
 - a) **the annual rental be \$2,090.91 (ex GST) per annum, indexed annually by CPI; and**
 - b) **term be five (5) years, with an option of another five (5) years at Council's discretion**
- iv) **authorise the Mayor and Chief Executive Officer to affix the seal and sign the lease documentation, should there be no submissions received after advertising.**

CARRIED 6/0

11.4.1.3 Requests To Refund Monies (File No.: 26/06/0005)

Officer Cheryl Crick
Manager Corporate Support

Date of Report 16 April 2007

Disclosure of Interest by Officer Nil

Summary

Council has received a request to refund fees for the hire of the Centenary Park.

Background

Rainbow Club Ministries is a non-profit Christian Group who provide entertainment in the South Hedland Shopping Centre free of charge during school holidays. The group is made up of representatives from the various Christian churches within the Hedland area.

Rainbow Club Ministries booked Centenary Park for use on Friday 6 April 2007 (Good Friday) in order to present a celebration of Easter. All monies including hire fees of \$157.50, bond of \$500.00, and a trading fee of \$140.00 were paid in advance in keeping with administrative requirements.

Bond has since been refunded leaving an amount of \$157.50 in question.

Consultation

Not applicable.

Statutory Implications Nil

Policy Implications

This situation is not specifically dealt with in Council's Community Recreation Celebrations and Events policy.

Strategic Planning Implications Nil

Budget Implications

If the request is supported Council will forego revenue of up to \$157.50 in hire fees. All other monies have been refunded.

Officer's Comment

Council should note that standard fee hires are imposed on all organisations in an attempt to recoup 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/ persons who wish to hire Council facilities.

Council has two options:

1. Refund the fees as requested resulting in a reduction of income to Council of up to \$157.50.
2. Not refund the fees.

Council currently has no policy on which provides guidance as to what qualifications are required for a partial or full refund of fees when the venue has, in fact, been used.

Refunding these fees also sets a precedent for other persons or organisations to ask for refunds after the event potentially reducing 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. A copy of the letter of request from Rainbow Club Ministries is attached.

Officer's Recommendation

That Council does not refund the amount of \$157.50 as requested by Rainbow Club Ministries, being hire fees for use of Centenary Park on Friday 6 April 2007 (Good Friday) to present a celebration of Easter.

200607/272 Council Decision

Moved: Cr S F Sear

Seconded: Cr D R Pike

That Council:

- i) **refunds the amount of \$157.50 as requested by Rainbow Club Ministries, being hire fees for use of Centenary Park on Friday 6 April 2007 (Good Friday) to present a celebration of Easter; and**
- ii) **modifies its hire feeds immediately ro refelct that hire fee charges are to be waived for all events that are:**
 - a) **FREE entry Community events for all members of the Town of Port Hedland community to attend;**
 - b) **organised and conducted by not for profit groups; and**
 - c) **do not involve the sale or consumption of alcohol.**

CARRIED BY ABSOLUTE MAJORITY 6/0

REASON: Council sought to refund all hire fees to Rainbow Club Ministries, as it was a FREE event for all members of the community.

Additionally, Council sought to waive hire fees for all community events being organised by not for profit organisations, which are FREE entry, and alcohol FREE events.

ATTACHMENT TO AGENDA ITEM 11.4.1.3

Rainbow Club

Rainbow Club Ministries
c/o Annette Peterson
26a Gratwick St
Port Hedland WA 6721
(08) 9173 3415

Town of Port Hedland
Anderson Street
Port Hedland
(080 91739300)

To Whom It May Concern,
I am writing on behalf of Rainbow Club Ministries to waiver the fees necessary to hire Centenary Park on April 6, 2007.

We are a non-profit Christian group, who provide entertainment in South Hedland Shopping Centre free of charge every holidays, with games, songs and religious education. The group is made up of dedicated Christian from various Christian churches within the Hedland area.

This Easter, as well as doing some work within the Shopping Centre, we were also hoping to offer a 'Celebration' of Easter for the children and people of Hedland. This, we hope, will entail games for children (hired from the JD Harding Centre), a free Sausage Sizzle, a water station, fruit platters, and tea and coffee stations for adults. We have also requested to hire the bouncy castle.

In Addition, we are also offering face painting, free children's activity and craft stalls as well as various non-profit Christian groups, such as T.E.A.R. Australia, to set up stalls to inform and educate people on the work they do. We also have a skit or two planned for the people.

We hope you are able to reply to our request as soon as possible.

Yours sincerely,



Annette Peterson

07/04/28
~~DCS~~ DCS *OK*
26/06/0005
OK

**11.4.1.4 Proposed Area for Transient Workforce
Accommodation Camp – Port Hedland International
Airport Land (File No.: .../...)**

Officer Matthew Scott
Director Corporate Services

Date of Report 24 April 2007

Disclosure of Interest by Officer Nil

Summary

For Council to adopt a timetable to enable the development of land at the Port Hedland International Airport to be made available for transient work force accommodation.

Background

Council is currently acutely aware of the lack of land available to accommodate transient/temporary work force required in the district to achieve the various expansion plans resulting in the current resource boom. Though Council, with both governmental and non-governmental partners, is trying to increase the supply of permanent housing within the district, the lack of affordable temporary accommodation is delaying many of these plans, as contractors simply do not have anywhere to accommodate their workforces.

In order to resolve this issue Council staff has been investigating all possible solutions. From these investigations two proposals have been identified. These being:

1. Lease (with partners) the old immigration detention centre in Cooke Point; and
2. Lease land at the airport for the development of work camps.

Option 1 is already in progress, however Council has no guarantee that it's tender will be successful. Also the proposed lease at the Detention Centre is likely to be only two (2) years, and substantial work will be required to modify the building to meet basic accommodation requirements.

With Option 2, some 400,000 m² (40 ha) has been identified as available to be developed as transient work force accommodation. The area of interest is in the North Eastern sector of the Airport, effectively between the current FMG work camp to Airport Aerials (refer to map). It is believed that this area could be developed to accommodate approximately 3,000 people, with the land being made available for development within three (3) months.

The advantages of using this land are:

1. The land is zoned Airport - Transient Workforce Accommodation, is an AA use within the Town Planning Scheme, meaning that approval can be granted without a scheme amendment.
2. The land is away from the primary residential developments (Port Hedland, South Hedland, Wedgefield), and therefore reducing conflicts with other land users.
3. The land is effectively a "green fields" site, reducing the costs of initial development.
4. Given the size of area, Council has the ability to consolidate a large proportion of transient accommodation in one area, resulting in the sharing of infrastructure and services.
5. Immediate access to the both the airport, and Port Hedland to Broome High way, reducing the resulting increased traffic issues from other major residential areas.
6. The land is fully controlled by Council, therefore Council is not dependant on outside agencies for this development to proceed,
7. The land is clear of Native title and other restrictions.
8. Council has the ability to use near by uninhabitable land (exclusion zones) to accommodate a large effluent disposal system.

Council should be advised that main roads approval would need to be sourced to allow access from the high way. The other potential problem is that the break up of the lots may constitute a subdivision, requiring ministerial approval. Advice is being sourced on this matter, however is not see this as a material impediment to the proposal.

Given that number of strengths to the proposal, it would seem logical to proceed with the proposal, particularly given the current accommodation shortages. There is however a number of issues Council need to consider before going ahead with this plan.

Initially it was thought to simply release the entire block (400,000 m²/40 ha), by way of tender, to a single developer. Though this would probably be the quickest way of opening up the land, given the interest and need for land, giving one organization sole access to a significant piece a land may create a number of issues for Council to resolve at some point in time. The creation of only one massive work camp (3,000 person camp) on the land may effectively create a monopoly in the local accommodation market and access to the camp could be restricted to certain customers able to pay a premium price.

Currently Council staff are being contacted daily by prospective developers inquiring about developing work force accommodation in the district. These enquiries include, local businesses looking to house 50-100 people, to large international accommodation providers, looking to house 1000+ people.

Given the interest and the amount of land, Council could look at dividing the land to accommodate both extremes by creating two (2) super lots (10 ha each) to meet the need of the large work camp providers, and possibly 10 smaller lots (1 ha each) to make access to the land by local contractors possible. If an organisation were to need a 400-man camp (i.e. 4 ha), they would then have the ability to bid on four (4) neighbouring smaller lots to achieve the desired result.

The type of tenure is another consideration. The proposal is simply to lease the land to developers, therefore should there be a decline in need for temporary accommodation, Council has the ability to mothball the leases at some point, until required again in the future (similar to the old BHP work camp, now the FMG work Camp). It is envisioned to offer the following tenancy terms & conditions:

- 5years and another 5 years option (at Council's discretion), for the 2 super lots (10 ha each)
- 3 years + 3 years + 3 years (again at Council's discretion), for the smaller lots
- Public Tender to establish market rentals, indexed annually with CPI.
- All improvements must be approved by TOPH in advance.
- All land/permanent improvements revert to TOPH at the end of the leases.
- All lessees contribute to the development of shared services and infrastructure (access roads, effluent disposal system etc), however TOPH retains ownership.

These terms will allow small operators shorter leases, while the large operators can meet their needs for long term return on investment. This also prohibits these camps from competing with more traditional forms of temporary accommodation providers (hotels etc) once there is a decline in the current resource/construction boom occurs.

To achieve this proposal the following timetable has been established, which may allow Council to award tenders at its Ordinary Meeting to be held in June 2007:

Step	Time required (weeks)	Completion Date
Survey Land (currently occurring)	1	27/4/07
Prepare specifications for development plan	1	27/4/07
Development plan	2	18/5/07
Review Development Plan and prepare tender document	1	25/5/07
Peg out lots on site	1.5	31/5/07
Advertise intention to tender		19/5/07
High way Access approval Main Roads	1.5	8/6/07
Advertise tender		26/5/07
Receive Tenders	2.5	13/6/07
Council approves Tenders (June OCM)		27/6/07
Engineering to commence site works (preliminary roads works/sites works)	3	30/6/07
Access to site by successful tenders		1/7/07

This timetable aims to allow access to the successful tenders by 1 July 2007, or in eleven (11) weeks time. Once the tenders have been approved, developers will be able to issue planning and building applications almost immediately, which can be approved internally as the land is zoned AA for transient work camp accommodation. If leases and building licences can be issued by middle of July, work camps could begin to be established and possibly operating by August 2007.

Obviously by rushing any development, the risk of a poor development increases. To reduce this risk it is proposed that an external consultant be utilised to develop a development plan, which then would be reviewed by Council staff and/or Councillors, and then used as the basis for the tender. Council will still be able to control all individual work camp development through the planning and building approval process. Given the location, which is away from all major town centres, any planning/building issues should however be minimised.

Adopting this project would also show the wider community that Council is taking all steps, under its control, to address the accommodation crisis in the Town, and 3,000 additional beds in the district within possibly 3-9 month timeframe would have a significant impact on the problem, without creating a long term problem in the future.

Consultation

Although no formal consultation of the proposal has occurred, many interested parties (locally, nationally and internationally) have expressed interest in locating near the airport. It is proposed to engage an appropriate development consultant to develop a Development Plan (similar to an outline development plan) to expedite the planning process.

Statutory Implications

Local Government Act 1995

“3.58. Disposing of property

(1) In this section -

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

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

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

(a) the highest bidder at public auction; or

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

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

The initial cost of the proposal will be the planning consultancy costs, expected to be in the vicinity of \$10,000-\$15,000, given the urgency of need. It is believed that this can be accommodated with the current town planning budget. There is also expected to be additional site/infrastructure costs that have not yet been calculated until the development plan is accepted, however initial estimates is \$550,000 (shared access roads & effluent disposal system), however this could be paid for by the lessees/developers. These will need to “firmed up” as more information is available. Annual revenue from the leases should generate at least \$2 per m² (current FMG Limited rental), resulting in \$800,000 pa for 40 ha, however given the demand, a public tender may force the true market value to be significantly higher.

Officer’s Comment

Council is assisting where possible to resolve the accomodation crisis in the district, however due to the lack of temporary accomodation implementing these solutions is extremely difficult and time consuming. Given the significant shortfall in available land, this proposal seems to be the only option to remedy the situation.

In doing so, Council must recognise that there are a wide range of needs from all sectors of the business community, and therefore must provide alternatives if the land area is available. Generally temporary workforce accomodation is quick to mobilise (and demobilise) once land is available and appropriate approvals given, the camp can be constructed in a very short period of time. A sudden availability of an additional 3,000 beds in town would have a significant effect on the current crisis, however if managed appropriately would not have a long term impact on the greater community.

This proposal will effectively remove transient workers away from residential areas, however they would still have the ability to access local business and services, adding to (at least in the short term) the local economy, as opposed to a ‘fly in fly out’ alternative.

By utilitising a public tender process, Council may receive a premium rental, which Council may redirect back into the local community to new infrastrucutre or services.

Though the current plans are still being developed, Council needs to be seen as fixing the problem. By adopting the Officer’s recommendation below, Council can publicly show both residents and potential developers that the immediate housing problem is being resolved, and the construction and mining sectors have some time frame of when this needed temporary accommodation may be available.

Officer’s Recommendation

That Council:

- i) authorise the CEO to develop a development plan for the release of airport land (area identified in attached map) for the development of Transient/Temporary Workforce Accommodation; and
- ii) adopts the following time table in order for a tender to be issued by the end of May 2007; and

Step	Time required (weeks)	Completion Date
Survey Land (currently occurring)	1	27/4/07
Prepare specifications for development plan	1	27/4/07
Development plan	2	18/5/07
Review Development Plan and prepare tender document	1	25/5/07
Peg out lots on site	1.5	31/5/07
Advertise intention to tender		19/5/07
High way Access approval Main Roads	1.5	8/6/07
Advertise tender		26/5/07
Receive Tenders	2.5	13/6/07
Council approves Tenders (June OCM)		27/6/07
Engineering to commence site works (preliminary roads works/sites works)	3	30/6/07
Access to site by successful tenders		1/7/07

- iii) supports the concept of:
 - a) 2 x Super lots to accommodate 1,000 people each;
 - b) 10 x Smaller lots to accommodate 100 people each;

and
- iv) in principal adopts the following mandatory lease conditions for the all land leased under this proposal:
 - a) five (5) years and another five (5) years option (at Council’s discretion), for the two (2) super lots;
 - b) three (3) years + three (3) years + three (3) years (again at Council’s discretion), for the smaller lots;
 - c) indexed annually by CPI.
 - d) all improvements must be approved by the Town of Port Hedland in advance.

- e) all land or permanent improvement reverts to Town of Port Hedland at the end of the leases.
- f) all lessees be required to contribute to the development of shared services and infrastructure (access roads, effluent system, etc), however Town of Port Hedland retains ownership.

200607/273 Council Decision

Moved: Cr S F Sear

Seconded: Cr D R Pike

That Council:

- i) authorise the Chief Executive Officer to develop a development plan for the release of airport land (area identified in attached map) for the development of Transient/Temporary Workforce Accommodation; and
- ii) adopts the following time table in order for a tender to be issued by the end of May 2007; and

Step	Time required (weeks)	Completion Date
Survey Land (currently occurring)	1	27/4/07
Prepare specifications for development plan	1	27/4/07
Development plan	2	18/5/07
Review Development Plan and prepare tender document	1	25/5/07
Peg out lots on site	1.5	31/5/07
Advertise intention to tender		19/5/07
High way Access approval Main Roads	1.5	8/6/07
Advertise tender		26/5/07
Receive Tenders	2.5	13/6/07
Council considers financial models and Tenders (June OCM)		27/6/07
Engineering to commence site works (preliminary roads works/sites works)	3	30/6/07
Access to site by successful tenders		1/7/07

- iii) supports the concept of:
 - a) 2 x Super lots to accommodate 1,000 people each;
 - b) 10 x Smaller lots to accommodate 100 people each;

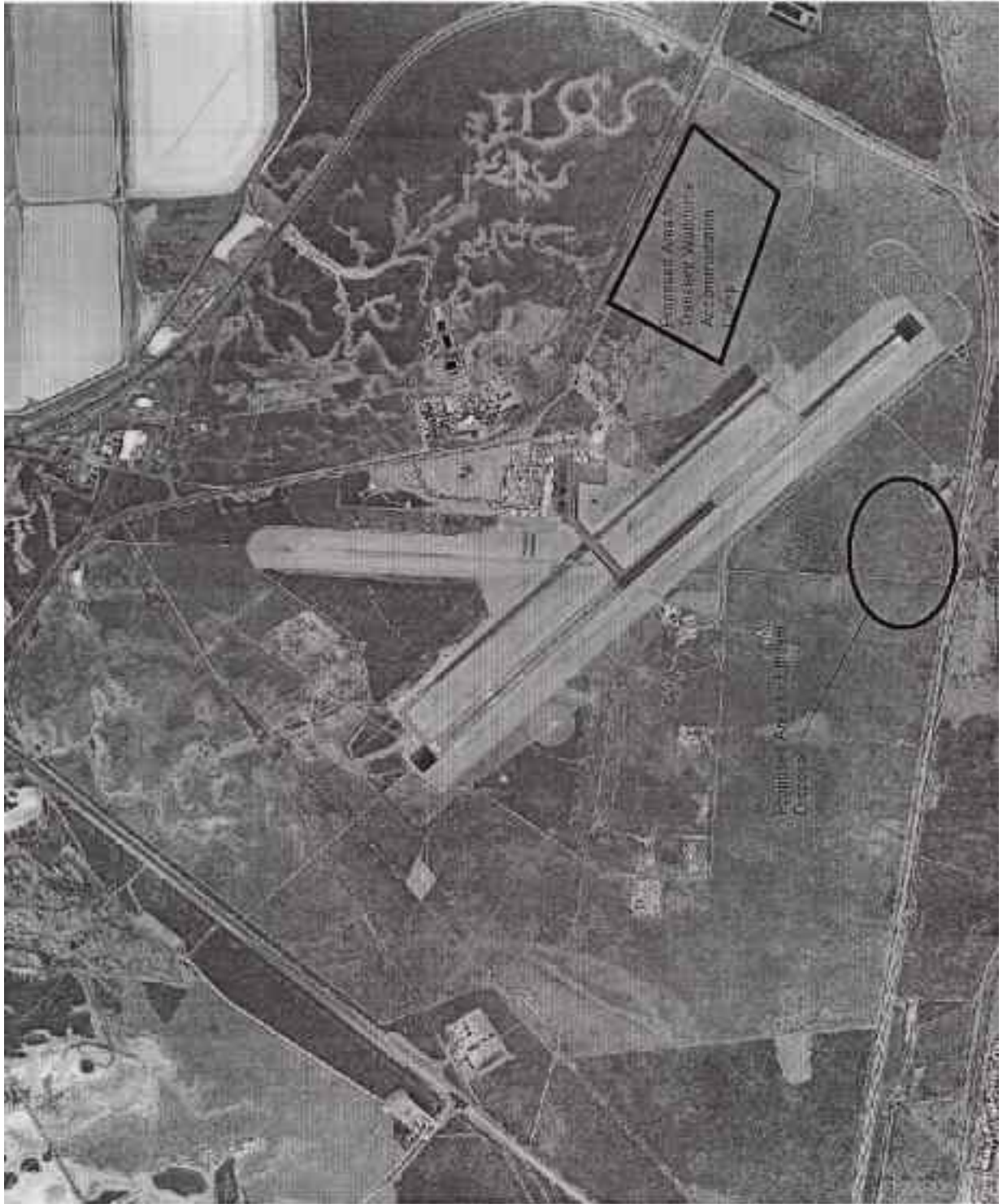
and
- iv) in principal adopts the following mandatory lease conditions for the all land leased under this proposal:
 - a) five (5) years and another five (5) years option (at Council’s discretion), for the two (2) super lots;
 - b) three (3) years + three (3) years + three (3) years (again at Council’s discretion), for the smaller lots;
 - c) indexed annually by CPI.

- d) all improvements must be approved by the Town of Port Hedland in advance.
- e) all land or permanent improvement reverts to Town of Port Hedland at the end of the leases.
- f) all lessees be required to contribute to the development of shared services and infrastructure (access roads, effluent system, etc), however Town of Port Hedland retains ownership.

CARRIED 6/0

REASON: Council amended the timetable for which Tenders to be considered to include the consideration of financial models in addition to tenders at its Ordinary Meeting to be held in June 2007.

ATTACHMENT TO AGENDA ITEM 11.4.1.4



11.4.2 Governance**11.4.2.1 Monthly Report – February 2007 (File No.: ...-...)**

Officer Gaye Stephens
Executive Assistant

Date of Report 18 April 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 West Australian
- WA Business News
- GWN
- WIN
- ABC
- Spirit Radio
- The Pilbara News
- Metropolitan TV stations 7, 9 and 10

KRA	Name of release	Date sent	Where published	Date
Infrastructure	Road Works Continue	3/1/2007	North West Telegraph, pp 7	3/14/2007
	Stage 2 Footpath Program begins	3/23/2007	NWT, pp11	3/28/2007
Community Pride	Time to get active	3/21/2007		
	Local Groups Supported with Fees Waived	3/21/2007		
	Big Weekend of Entertainment	3/27/2007	ABC Radio 603AM, 10.10am	3/30/2007
	Kids get crafty	3/27/2007		
	Figuratively Speaking	3/29/2007	ABC Radio 603AM	Date unknown
Community Development	Council supports One Night Stand	3/1/2007	NWT, pp 9 with picture	3/7/2007
	Kids get colouring for prizes	3/23/2007		
	Skate Park Project Gains Momentum	3/20/2007		
	Family day care provider for community	3/21/2007		
	Adultsiding Activities Commence for Mozzie Management	3/27/2007		
	SES to get new building	3/29/2007	ABC Radio, 603AM	29/3/07 & 30/3/07
Economic Development	Praise for Federal Government Decision	3/23/2007	NWT, pp 13	3/28/2007
	Meetings ensure Town issues are considered	3/1/2007	NWT, pp 6	3/7/2007
	Community Bank proposal gains momentum	3/1/2007	NWT, pp 9	3/21/2007
	Hedland's planning future in the spotlight again	3/16/2007	NWT, pp 20	3/21/2007
	Community Summit set for this weekend	3/27/2007		
	Five Exciting Projects Scheduled & pic	3/29/2007		
Environment	Recycling Facility Trial to Begin	3/20/2007	NWT, pp 6	3/28/2007
	Community members sought for waste management group	3/23/2007		
Governance	2007-2012 Strategic Plan Adopted	3/20/2007		
	SBS Survey Extended	3/1/2007	NWT, pp6	3/7/2007
Governance	Cyclone George Relief Fund	3/13/2007	WIN News, 6pm, lead story	3/13/2007
			ABC Radio North West 603AM	3/14/2007
			ABC Radio, Albany	3/15/2007
			ABC Radio National	3/15/2007

			ABC North West, 603AM, Nikki Morrell	3/19/2007
	Community Recovery Update	3/14/2007	Unsure	
	Community Recovery Update 2	3/15/2007	GWN, 5.30pm report	3/15/2007
	Cyclone George Relief Fund - Donations urgently needed	3/23/2007	ABC Radio 603AM	Ongoing

Australian Citizenship Ceremonies

Date	Number of Applicants
26 January 2007 – Australia Day	15
3 January 2007	1
February 2007	Nil
22 March 2007	2
Total Calendar Year to Date	18

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
TOTAL GRANTS TO BE ADVISED (4)				\$190,000.00

200607/274 Council Decision/Officer’s Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council receives Governance’s Monthly Report for March 2007.

CARRIED 6/0

- 6:50pm Councillor Arnold A Carter declared an impartiality interest in Agenda Item 11.4.2.2, as LandCorp had previously suggested his name for the Pretty Pool subdivision. Councillor Carter did not leave the room.
- 6:50pm Councillor Shane F Sear left the room.
- 6:52pm Councillor Shane F Sear re-entered the room and assumed his chair.

11.4.2.2 Street Names for Pretty Pool Subdivision (File No.: 18\14\0001)

Officer Gaye Stephens
Executive Assistant

Date of Report 20 April 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

At its Ordinary Meeting held on Wednesday 28 February 2007, Council resolved as follows:

“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.”

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 a number of listings of suggested names, being a mixture of names based on residents identified for their contribution to the development of the Port Hedland area, and names based on traditional owners names for coastal features in the area, 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

Most recently LandCorp provided Council with a revised listing of possible street names for the Pretty Pool Subdivision (Stages 1 and 2), dated 2 April 2007, which is based on natural features, as follows:

1. *Names based on Natural Features:*

- Flatback (Marine Turtle – *Natator depressus*)
- Multa (*Acacia aneura*)
- Spinifex (*Troidia* Species)

2. *Names based on the traditional owners names for coastal features in this area, which LandCorp advise have been approved by Karriyarra People.*

- Yikara – mangrove

- Yurntu – anadera (invertebrate)
- Panjya – 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

Council's Strategic Plan 2007-2012 includes the following:

KRA 4 – ECONOMIC DEVELOPMENT

Goal 4 – Land Development Projects

That land is being released and developed to meet the needs of a growing community.

Strategy 1. Work with LandCorp to progressively develop Pretty Pool in a sustainable manner.

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 street names proposed by LandCorp for the new residential development in Pretty Pool, which includes living peoples names and traditional names;

- Accept the most recent street names proposed by LandCorp (2 April 2007) for the new residential development in Pretty Pool, which includes names based on natural features, and names based on the traditional owners names for coast features in this area, and LandCorp advise these have been approved by the Karriyarra People.
- 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.

For Council to progressively develop Pretty Pool in a sustainable manner, and enable survey documents to be prepared, it is essential for Council to determine road names for the Pretty Pool Subdivision for approval by the Geographic Names Committee in a timely manner.

Officer's Recommendation

That Council accepts the most recent street names proposed by LandCorp (2 April 2007) for the new residential development in Pretty Pool, which includes names based on natural features and names based on the traditional owners names for coast features in this area, approved by the Karriyarra People as follows:

- i) names based on Natural Features:
 - a) Flatback (Marine Turtle – *Natator depressus*)
 - b) Multa (*Acacia aneura*)
 - c) Spinifex (*Troidia* Species)

and

- ii) names based on the traditional owners names for coastal features in this area, which LandCorp advise have been approved by Karriyarra People.
 - a) Yikara – mangrove
 - b) Yurntu – anadera (invertebrate)
 - c) Panjya – sand hills
 - d) Kuyuru karri – mud flats

and advises LandCorp and the Geographic Names Committee accordingly.

200607/275 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr D R Pike

That Council accepts a mixture of street names proposed by LandCorp for the new residential development in Pretty Pool, which includes names based on residents identified for their contribution to the development of the Port Hedland area, and names based on the traditional owners names for coast features in this area, approved by the Karriyarra People 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**

- 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**

and advises LandCorp and the Geographic Names Committee accordingly.

CARRIED 6/0

REASON: Council preferred to accept a mixture of street names proposed by LandCorp for the new residential development in Pretty Pool, which includes names based on residents identified for their contribution to the development of the Port Hedland area, and names based on the traditional owners names for coast features in this area.

ATTACHMENT TO AGENDA ITEM 11.4.2.3

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, celebrate and develop the Pilbara Style for community living.

To develop the 'Pilbara Style' for community living the Landscape project team propose to celebrate local community by acknowledging the local Aboriginal connection to Country.

Furthermore, public space will commemorate the present soil 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 discarded mining materials, possible artistic use of art within feature gardens and interpretive maps that celebrate local resource achievements.

To further link people to 'Country' it is proposed that Pretty Pool turns its attention towards the surrounding landscape and celebrates the fringing coastal and mangrove environments. In doing this the aim will not solely be to conserve, however to inform, protect and experience these environments.

Possible Street Names for Subdivision (Stage 1 & 2)
 Lot 5578 Counihan Crescent, Pretty Pool, Port Hedland

Names based on Natural Features

- 1. Flatback (Marine Turtle - Natator depressus)**
 Flatbacks are a medium-sized marine turtle with a relatively flat, smooth shell. The beaches within Port Hedland are currently used by Flatbacks for nesting purposes.
- 2. Mulga (Acacia aneura)**
 The Mulga is the most common and abundant wattle species in Port Hedland. A small pine-like tree; the wood was traditionally used by aboriginal people for artefacts and weapons.
- 3. Spinifex (Triodia Species)**
 Spinifex is the dominant ground cover in the Pilbara region. An important component of soil stability and fauna microhabitat, spinifex was also used by aboriginal people for multiple uses.

Names based on the traditional owners names for coastal features in this area.
Names Approved by Karriyama People.

4. Yikara - mangrove
5. Yurmtu - anadara (invertebrate)
6. Panjya - sand hills
7. Kuyuru kam - mud flats

Reserved Street Names
 to be used as alternative for later sub-stages

Names based on Natural Features

Ocean Bean (Canevalia rosea)
 A typical inhabitant of the Pilbara coastal sand dunes. This climbing vine is an important component of dune stability. Once boiled, the beans are edible.

Bossut (Coastal Limestone)
 Bossut is a formation of limestone found in coastal areas of Port Hedland. It is defined by a mixture of oolitic and skeletal limestone, and forms the majority of the bedrock beneath coastal dunes in this region.

Holocene (Geologic Era)
 The previous 10,000 years are known (in geologic terms) as the Holocene era. The existing coastal geology of Port Hedland was created within this era.

Names based on the traditional owners names for coastal features in this area.
Names Approved by Karriyama People.

Jakarli - bivalve shell
 Panany - crab
 Jipuri - oyster
 Jarpuil - mudcrab
 Nyangku - beach

Revision Notes:
 Tindia Place replaced with Spinifex Place

Street Name Plan - Pretty Pool (stages 1&2)

02 April 07

11.4.2.3 Strategic Plan 2007-2012 – 1st Quarterly Review Update Report (File No.: ...-....)

Officer Chris Adams
Chief Executive Officer

Date of Report 19 April 2007

Disclosure of Interest by Officer Nil

Summary

Council's Strategic Plan is reviewed and updated on a quarterly basis to ensure that projects are 'on-track' and to allow opportunities to reconsider and update the plan to reflect Council and community priorities.

Background

At its Ordinary Meeting held on 28 February 2007 Council adopted the 2007-2012 Town of Port Hedland Strategic Plan. The Plan identifies the six key result areas for Council's operations along with 27 Goal areas and 128 specific strategies that are planned to be implemented in the 2006 calendar year.

A review of the current status of the implementation of the 128 strategies has been undertaken (see attachment). In general progress is being made towards the implementation of the strategies listed with the plan.

Consultation

The Town's Strategic Plan was developed after significant consultation with the community to determine its priorities. The consultation included:

- Comprehensive community survey
- Request for submissions
- Advertisements and press articles
- Shopping centre display

A full review of the Strategic Plan is scheduled for the final quarter of 2007. As a result of this review strategies will be developed for the 2008 calendar year that assist Council in achieving the goals it has set for itself.

Statutory Implications

The Local Government Act requires each municipality to develop a 'Plan for the Future'. Council has determined that its plan for the future is the Town's Strategic Plan coupled with the 5yr Financial Plan.

Policy Implications

Nil

Strategic Planning Implications

The Strategic Plan is the key resource-planning document for Council. Regular reviews of the direction of the plan are necessary to ensure that Council's resources are being utilised in the most appropriate manner.

Budget Implications

The Strategic Plan is the key document that is being used to frame the Council's 5yr Financial Plan and the 2007/08 Council budget.

Officer's Comment

The Strategic Plan is the Council's most important document. It sets the direction for Councillors and staff in relation to what goals Council wants to achieve and how intends on achieving these things through the implementation of targeted strategies. To ensure that the Plan remains relevant and up-to-date, it is imperative that the Plan is regularly reviewed and updated to reflect Council and community priorities.

200607/276 Council Decision/Officer's Recommendation

Moved: Cr S F Sear

Seconded: Cr D R Pike

That Council notes the first quarter review of the 2007-2012 Town of Port Hedland Strategic Plan.

CARRIED 6/0

11.4.2.4 Rating of Aboriginal Land/Rating of Charitable Organisations

Officer Chris Adams
Chief Executive Officer

Date of Report 19 April 2006

Disclosure of Interest by Officer Nil

Summary

Report seeks Council to consideration of a contribution towards legal costs being incurred by the Shire of Derby West Kimberley pertaining to rating status of aboriginal land.

Background

In a case pertaining to the Shire of Derby West Kimberley, the State Administrative Tribunal has determined that a private business whose directors are local aboriginal people are deemed to be a charitable organisation, hence they are not liable for local government rates on the pastoral station lease that they are operating. The Shire is appealing this decision to the Supreme Court.

The issue potentially has significant implications on a state-wide basis and potentially affects local governments underpinning right to charge rates on land.

Consultation

The Shire of Derby West Kimberley has raised this matter with the West Australian Local Government Association. The Associations response has been to request that Council's consider supporting the Shire of Derby West Kimberley with their legal action.

Statutory Implications

Section 6.26(2)(g) of the Local Government Act (1995) states that land used exclusively for charitable purposes is to be considered non rateable. In the Shire of Derby West Kimberley a private aboriginal organisation that is running a pastoral station has successfully claimed that they are a charitable organisation and are hence exempt from rates.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

While the matter does not specifically pertain to the Town of Port Hedland, the ramifications of the SAT decision potentially has a significant ramification on Council's budget. If this precedent decision is upheld, Council's ability to rate several properties could be challenged.

Estimates of the legal costs that are likely to be incurred by the Shire of Derby West Kimberley in opposing the SAT decision in the Supreme Court range from \$40,000 to \$60,000.

Officer's Comment

While unusual, it is considered prudent to financially prudent to support the Shire of Derby West Kimberley's current court action as the outcome of the Supreme Court appeal potentially has significant ramifications on Town of Port Hedland.

200607/277 Council Decision/Officer's Recommendation**Moved:** Cr D R Pike**Seconded:** Cr A A Carter**That Council:**

- i) **contributes \$2,000 towards the Shire of Derby West Kimberley's legal costs pertaining to the Supreme Court action that is being taken over the State Administrative Tribunal's decision on charitable status of aboriginal businesses.**
- ii) **advise the West Australian Local Government Association that it believes that WALGA should make appeals to the Minister for Local Government on this matter and should also be contributing financially towards the legal costs.**

CARRIED 6/0

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL**12.1.1 *Tender 06/44: Construction of the Port and South Hedland Skateparks (File No.: 26/13/0003)***

Officer Bec Coxall
Recreation Coordinator

Date of Report 18 April 2007

Disclosure of Interest by Officer Nil

Summary

This report is for Council to consider submissions received for Tender 06/44 - Construction of the Port and South Hedland Skateparks.

Background

The need for upgraded skatepark facilities within the Town of Port Hedland has been identified within the Strategic Plan for the past two (2) years. At the Ordinary Council Meeting held on 22nd February 2006, it was resolved that a Working Group be responsible for considering the provision of skatepark facilities in Port Hedland. Tenders for this project were called in March 2007.

Tender 06/44 - Construction of the Port and South Hedland Skateparks closed on the 18 April 2007, and two (2) bids were received.

Tenders were received from:

- Convic Skateparks Pty Ltd (conforming)
- Hanson Construction Materials Pty Ltd (non-conforming)

Consultation

Council's Engineering staff have reviewed all received tender bids prior to the recommendation being presented to Council.

Statutory Implications

This tender was called in accordance with the Local Government Act (1995):

- “3.57. Tenders for providing goods or services.*
- 1. A local government is required to invited tenders before it enters into a contract of a prescribed kind under which another person is to supply goods and services.*
 - 2. Regulations may make provisions about tenders.”*

Policy Implications

This tender was called in accordance with Council’s Policy 2/015 Procurement Policy.

Strategic Planning Implications

Key Result Area: 3
 Goal 1: Youth and Children
 Strategy 2: Develop new Skate Ramps in Port and South Hedland.

Budget Implications

The Port and South Hedland Skateparks have been divided accordingly. All figures include GST.

Port Hedland:

Available funds: \$244,660
 Cost for construction: \$205,063

The approximate price for the supply and delivery of concrete for the Port Hedland Skatepark is \$36,760. The total project cost therefore meets budget requirements.

South Hedland:

Available funds: \$252,599
 Cost for construction: \$317,854

The approximate price for the supply and delivery of concrete for the South Hedland Skatepark is \$55,019. This project therefore exceeds the budgeted amount by approximately \$120,300.

Total cost for this project is outlined below:

	Construction	Concrete	TOTAL
Port Hedland Skatepark	\$205,063	\$36,753	\$241,816
South Hedland Skatepark	\$317,854	\$55,019	\$372,873

Officer’s Comment

Two (2) tenders bids were received for this project, however Hanson’s Construction and Materials submitted a non-conforming tender (tendered for the supply and delivery of concrete). Convic Skateparks tender bid was therefore the only conforming tender submission received.

The table below lists the evaluation criteria used to assess the tenders as per the tender documentation:

Item	Weighting
Price	50%
Experience	30%
Resources (e.g. Plant and Equipment)	10%
Local Supplier	10%
TOTAL	100%

The following matrix shows the rating of the tender submission as per the evaluation criteria.

	Price (50%)	Experience (30%)	Resources (10%)	Local Supplier (10%)	TOTAL (max 100%)
Convic Skateparks	50	30	10	0	90%

Convic Skateparks have been contracted to undertake major projects throughout Australia, and are considered to be one of the major companies in regards to the skatepark industry. They are currently contracted to undertake various projects throughout Australia.

To enable this project to proceed, an additional \$120,300 is required. It is recommended that these funds be obtained from the 06/07 budget surplus.

200607/278 Council Decision/Officer's Recommendation

Moved: Cr J M Gillingham

Seconded: Cr D R Pike

That Council:

- i) **award Tender 06/44 Construction of Port and South Hedland Skateparks to Convic Skateparks for the lump sum cost of \$522,918 including GST; and,**
- ii) **approves the additional funding amount of \$120,300 required, be allocated towards this project from the 2006/07 budget surplus.**

CARRIED BY ABSOLUTE MAJORITY 5/1

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil.

ITEM 14 CONFIDENTIAL ITEMS

200607/279 Council Decision

Moved: Cr S F Sear

Seconded: Cr G J Daccache

That the Meeting be closed to members of the public as prescribed in Section 5.23 (2) (a) of the Local Government Act 1995, to enable Council to consider Agenda Item 14.1 'Confidential Item: Rating Of Land Under State Agreements'.

CARRIED 6/0

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

"5.23. Meetings generally open to the public

...(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following - ...

(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; ..."

7:03 pm Members of the public left the room.

14.1 *Confidential Item* : Rating Of Land Under State Agreements (File No.: .../...)

200607/280 Council Decision

Moved: Cr D R Pike

Seconded: Cr S F Sear

That Standing Orders be suspended.

CARRIED 6/0

7:03 pm Mayor advised Standing Order has been suspended.

200607/281 Council Decision

Moved: Cr A A Carter

Seconded: Cr S F Sear

That Standing Orders be resumed.

CARRIED 6/0

7:14 pm Mayor advised Council that Standing Orders are resumed.

200607/282 Council Decision/Officer's Recommendation

Moved: Cr S F Sear

Seconded: Cr A A Carter

That Council:

- i) note the advice received from McLeods Barristers & Solicitors;
- ii) seek unimproved valuations from the Valuer General on all land currently affected by a State Agreement; and
- ii) the Chief Executive Officer or his nominated officer review each state agreement, and report to Council, prior to adopting the 07/08 Budget, the rating outcome of all properties affected by State Agreements.

CARRIED 6/0

200607/283 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S F Sear

That the Meeting be opened to members of the public.

CARRIED 6/0

7:15 pm There were no Members of the Public in attendance to re-enter the room.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

200607/284 Council Decision/Officer's Recommendation

Moved: Cr J M Gillingham **Seconded:** Cr S F Sear

That Council approve the following application for Leave of Absence:

- . **Councillor Des R Pike from 2 to 10 May 2007 inclusive, and then from 19 – 30 May 2007 inclusive.**

CARRIED 6/0

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 23 May 2007, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 7:20 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 23 May 2007.

CONFIRMATION:

MAYOR

DATE