



Town of Port Hedland

MINUTES

OF THE

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

HELD ON

WEDNESDAY 28 NOVEMBER 2007

AT 5.30 PM

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

DISCLAIMER

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

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

*Chris Adams
Chief Executive Officer*

OUR COMMITMENT

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

TABLE OF CONTENTS

1.1	OPENING.....	7
ITEM 2	RECORDING OF ATTENDANCE AND APOLOGIES	7
2.1	ATTENDANCE	7
2.2	APOLOGIES.....	7
2.3	APPROVED LEAVE OF ABSENCE	7
ITEM 3	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	8
3.1.1	<i>Mr Chris Whalley</i>	8
ITEM 4	PUBLIC TIME	8
4.1	PUBLIC QUESTIONS	8
4.1.1	<i>Mr Chris Whalley</i>	8
4.2	PUBLIC STATEMENTS	8
4.2.1	<i>Ms Rosie Vrancic</i>	8
ITEM 5	QUESTIONS FROM MEMBERS WITHOUT NOTICE	9
5.1	<i>Councillor Arnold A Carter</i>	9
5.2	<i>Councillor Arthur A Gear</i>	9
5.3	<i>Councillor Jan M Gillingham</i>	10
5.4	<i>Councillor Steve J Coates</i>	10
5.5	<i>Councillor George J Daccache</i>	10
5.6	<i>Councillor Kelly A Howlett</i>	11
ITEM 6	DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING	12
ITEM 7	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	12
ITEM 8	ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION	12
ITEM 9	REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION	12
9.1	<i>Councillor Arnold A Carter</i>	12
9.2	<i>Councillor Grant D Bussell</i>	13
9.3	<i>Councillor Jan E Ford</i>	13
9.4	<i>Councillor Steve J Coates</i>	13
9.5	<i>Councillor George J Daccache</i>	13
9.6	<i>Councillor Kelly Howlett</i>	13
ITEM 10	PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS.....	14
10.1	FORTESCUE METALS GROUP LTD – PUBLIC ART	14
10.2	PILBARA REGIONAL COUNCIL UPDATE.....	14
ITEM 11	REPORTS OF OFFICERS	15
11.1	GOVERNANCE	15
11.1.1	<i>Status of Council Decisions (File No.: 13/06/0001)</i>	15

11.2	REGULATORY AND COMMUNITY SERVICES	31
11.2.1	DIRECTOR REGULATORY AND COMMUNITY SERVICES.....	31
11.2.1.1	<i>Monthly Report - Regulatory and Community Services (File No: ADM-091)</i> ...	31
11.2.1.2	<i>Proposed Factory/Workforce Accommodation for Pilbara Meta Maya (File No.: /)</i>	41
11.2.2	PLANNING SERVICES.....	46
11.2.2.1	<i>Delegated Planning Approvals October 2007 (File No.: 18/07/0002)</i>	46
11.2.2.2	<i>Proposed Final Adoption of the Town of Port Hedland Municipal Heritage Inventory (File No.: PLN - 008)</i>	53
11.2.2.3	<i>Proposed Street Names for Subdivision at Lot 3493 Steamer Avenue South Hedland (File No's: 130053G, 18/14/0004)</i>	60
11.2.2.4	<i>Proposed Construction Of New Yacht Club Facility – Port Hedland Yacht Club – Lot 5178 Sutherland Street, Port Hedland (Reserve 30768) (File No: 18/12/0012, A130354G)</i>	64
11.2.2.5	<i>Proposed Change of Use of Lot 1/36 Edgar Street (Bangars House) Port Hedland from “Office” to “Reception Centre.” (File No.: 803180G)</i>	77
11.2.2.7	<i>Proposed Final Adoption of the Town of Port Hedland Town Planning Scheme No. 5 Amendment No. 11 (File No.: 18/09/0017)</i>	88
11.2.2.8	<i>Proposed Three Grouped Dwellings at Lot 2860 (48) Bottlebrush Crescent South Hedland (File No.: 125020G)</i>	96
11.2.2.9	<i>Proposed USE NOT LISTED – Incidental Additional Storage to Existing “Shop” – Lot 724 (150) Anderson Street, Port Hedland (File No.: 120510G)</i>	102
11.2.2.10	<i>Comments on the Public Environmental Review of the Panorama Copper Zinc – CBH Sulphur Springs Pty Ltd. (File No.: 11/01/004)</i>	118
11.2.3	ENVIRONMENTAL HEALTH SERVICES SECTION	123
11.2.3.1	<i>Proposed New Environment Policy 15/002 – For Contravention of Reserves and Foreshores Local Law (File 21/01/0033)</i>	123
11.2.4	COMMUNITY AND ECONOMIC DEVELOPMENT SERVICES	126
11.2.4.1	<i>Replacement of Home and Community Care (HACC) Van (File No.: ../...)</i> ..	126
11.3	ENGINEERING SERVICES	129
11.3.1	DIRECTOR ENGINEERING SERVICES	129
11.3.1.1	<i>Monthly Report – Engineering Services (File No.: 13/04/0001)</i>	129
11.3.2	RECREATION SERVICES.....	142
11.3.2.1	<i>Proposed Multi Purpose Recreation Centre (File No.: 26/14/0001)</i>	142
11.4	GOVERNANCE AND ADMINISTRATION	147
11.4.1	CORPORATE SERVICES	147
11.4.1.1	<i>Financial Reports to Council for Period Ended 31 October 2007 (File Nos: FIN-008, FIN-014 and RAT-009)</i>	147
11.4.1.2	<i>Lease for the Port Hedland Youth and Family Centre (File No.: -)</i>	152
11.4.1.3	<i>Amendment to Reserves and Foreshore Local Law (File No.: -)</i>	155
11.4.1.4	<i>Audit and Finance Committee Recommendations - Appointment of Chair and September Quarterley Budget Review (File No.: -)</i>	160
11.4.2	GOVERNANCE	163
11.4.2.1	<i>Establishment of Cycle Plan Development, Recreation Reserves Development Plan and Airport Advisory Working Groups (File No.: ADM-070)</i>	163
11.4.2.2	<i>Financial Assistance Agreement for the Architectural Design and Construction of a Turtle Interpretative Boardwalk – Government of Western Australia (through Pilbara Development Commission) (File No.: 08/02/0009)</i>	171
ITEM 12	LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL	175
12.1	ENGINEERING SERVICES	175

12.1.1	<i>Tender 06/60 Lease and Operation of the Airport Bar and Café Port Hedland International Airport (File No: 05:09/001)</i>	175
ITEM 13	MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN	181
13.1	<i>Councillor Grant Bussell – Request for Report on Proposed Strategy/Strategies to Address the Issue of Broken Glass in South Hedland.</i>	181
ITEM 14	CONFIDENTIAL ITEMS	181
ITEM 15	APPLICATIONS FOR LEAVE OF ABSENCE	181
ITEM 16	CLOSURE	182
16.1	DATE OF NEXT MEETING	182
16.2	CLOSURE	182

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held
Wednesday 31 October 2007****3.1.1 *Mr Chris Whalley***

Further to the question I asked Council two (2) months ago, does Council know when Main Roads are going to replace the rest of cyclone damaged road signs?

Council's understanding is that Main Roads have completed the replacement of all MainRoad's signage that was damaged during Cyclone George. Some additional signage had been located in South Hedland, which was above and beyond what is deemed to be necessary. Council will replace these non-essential signs on a 'as needs' basis.

ITEM 4 PUBLIC TIME**4.1 Public Questions**

5:32 pm Mayor opened Public Question Time

4.1.1 *Mr Chris Whalley*

Can Council do something about the problem of junk main, as this problem adds to the overall litter problem around town?

Mayor advised he was unsure if Council could do something.

Director Regulatory and Community Services advised that while Council cannot stop direct distribution throughout the Town, Council could advise the direct distributors their responsibility under the Litter Act.

5:35 pm Mayor closed Public Question Time

4.2 Public Statements

5:35 pm Mayor opened Public Statement Time

4.2.1 *Ms Rosie Vrancic*

5:36 pm Mayor closed Public Statement Time

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

In relation to the Expressions of Interest being called for the design and scope of works for the Port Hedland Entry Statement, can local advertising be deferred to enable feedback from the wider community?

Director Regulatory and Community Services advised that following the closing in late January, Expressions of Interest will be short listed and concepts, designs and other suggestions presented to Council for their consideration and also community input. There isn't really a need to defer the advertising, however this can be done if Council prefers.

For the visit by the Pope to Sydney next year, there has been an allocation for 10 youths to attend from Port Hedland (non domination) as part of the Geraldton Diocese; for this purpose, is the Town of Port Hedland able to support in principal a committee has been formed in Port Hedland to raise funds to sent 10 children from Port Hedland?

Chief Executive Officer advised the Town is able to support in principle the Committee, and will work with Councillor Carter to progress this.

5.2 Councillor Arthur A Gear

Have Council's Engineering Services undertaken any visits to check Station Roads, as they are in pretty bad shape?

Chief Executive Officer advised Council's budget for maintaining Station access roads is approx. \$140,000 for 2007/08, it is the intention of Engineering Services to spend that money on the purpose intended.

Is any of the land along Kingsmill Street the property of Council, such as verges and land along the coastline?

The land along Kingsmill Street, particularly the wide verge areas are Council's land, and a proposal in the pipeline by BHP Billiton to improve the verge areas in the street will be presented to Council early next year.

Is a statue to mark the occasion when Torres Strait Islanders broke the world record for [railway] track laying being proposed?

Chief Executive Officer confirmed a briefing of this proposal was presented to Council at its informal briefing session held last week, and copies of the proposal distributed to elected members.

Was there an informal meeting of Council held on 25 November 2007?

Mayor advised a few Councillors got together.

What was the purpose of that meeting?

Mayor advised the purpose of getting together with other Councillors was to familiarise themselves with items in tonight's Agenda, and raise any questions or queries.

5.3 Councillor Jan M Gillingham

Is Council responsible for the verge area along the front of the Masonic Village in McGregor Street?

Chief Executive Officer confirmed yes.

5.4 Councillor Steve J Coates

[NOTE: Councillor Steve Coates read aloud a letter detailing stray and wild dogs roaming a attacking pet cats in a residential area received from Mr Terry Edmond.]

As much as Council's Ranger Services are currently doing, what more can Council do, such as public education etc.?

Director Regulatory and Community Services advised that impounding stray and roaming dogs is a high priority of Council's Ranger Services, and further options will be investigated to reduce such incidences.

5.5 Councillor George J Daccache

Can the silt and sand build up at Finucane Island boat ramp be removed away from the actual boat ramp area, as it is currently hard to launch boats at the ramp, when removed silt and sand quickly returns to the actual ramp from tide movement, etc.?

Chief Executive Officer advised that the Finucane Island boat ramp is currently cleared of silt and sand fortnightly; and it appears it is at its worst when spring tides are present.

Council's 2007/08 budget allocation of \$300,000 for Finucane Island boat ramp works includes raising and widening the ramp.

Does this include widening the ramp?

Chief Executive Officer confirmed yes.

5.6 Councillor Kelly A Howlett

Can advertising take place immediately to enable the community to have input into the scope of works of public art for the entry statement as it is their piece of art, as well as organisations including MainRoads, Hedland Tidy Towns Committee, etc.?

Mayor sought clarification from Director Regulatory and Community Services on the process being undertaken.

Director Regulatory and Community Services advised that following the Expression of Interest period during which artists submit their general concepts; a short list and scope of works would be presented to Council to consider.

Chief Executive Officer advised that the advertising could be undertaken to enable community input.

Can the Australian Electoral Commission be advised of the appalling situation at the weekend's Federal Election whereby interstate voters could only vote at the Civic Centre polling booth, and the long queues of absentee voters waiting to vote which resulted in many voters leaving the polling place rather than waiting to vote?

Chief Executive Officer advises he would be happy to send a letter to the Australian Electoral Commission on behalf of Council with those concerns.

Is Council able to obtain the total number and list of those voters who reside in the Town of Port Hedland, yet registered an 'absentee' vote at the weekend's Federal Election?

Mayor advised he was unsure if detailed data was available from the Australian Electoral Commission.

Chief Executive Officer advised that a request for total numbers and details of absentee votes made at within the Town of Port Hedland, from people who are residing in the Town can be made to the Australian Electoral Commission on behalf of Council.

To ensure all people residing in the Town of Port Hedland are eligible to vote locally in Local Government Elections, can an article on the importance of all residents being able to vote locally, and hence attract further funding for the Town be included in the next edition of Council's 'Town Talk'.

Mayor confirmed yes.

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 Ford
Cr A A Carter	Cr J M Gillingham
Cr G D Bussell	Cr K A Howlett
Cr S J Coates	
Cr G J Daccache	

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 31 October 2007

200708/074 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That the Minutes of the Ordinary Meeting of Council held on Wednesday 31 October 2007 be confirmed as a true and correct record of proceedings, with the following amendment:

- . **Agenda Item 11.4.2.1 'Elected Member Representation on Council's Committees and Working Groups; and External Organisations', references to "Local Emergency Management Advisory Committee" and "LEMAC" be corrected to "Local Emergency Management Committee" and "LEMC" accordingly.**

CARRIED 9/0

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

Nil.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION

9.1 *Councillor Arnold A Carter*

Councillor Carter advised he attended the Australian Airports Association's Annual General Meeting and Convention to be held in Melbourne from 11-15 November 2007. A report will be distributed to elected members.

9.2 Councillor Grant D Bussell

Councillor Bussell advised he will provide a report on his attendance at the Sister Cities Conference to elected members.

9.3 Councillor Jan E Ford

Councillor Ford advised that Councillors Steve Coates, Kelly Howlett and herself attending the Western Australian Local Government Association's (WALGA) –

1. Introduction Seminar for New Elected Members on Monday 19 November 2007. The seminar provided participants with insights into the role of Elected members and their relationship with executive staff, and also provided an introduction to key areas of competency such as planning procedures and financial reporting and governance; and
2. 'Getting Started' Elected Member Professional Development/Training Module on Tuesday 20 November 2007.

Both seminars provided familiarisation with the Local Government Act, particularly the most recent changes to the Act.

9.4 Councillor Steve J Coates

In addition to Councillor Ford's report, Councillor Coates added that the seminar and training provided information on the duties, roles and responsibilities, etc. of elected members.

9.5 Councillor George J Daccache

Councillor Daccache noted he attended the Finucane Island Club's Annual General Meeting on Sunday, which could not be held due to a lack of quorum. It is understood the meeting is rescheduled to 2 December 2007.

9.6 Councillor Kelly Howlett

Councillor Howlett added that she had attended BHP Billiton's launch of the high volume air quality monitoring system this morning and also advised Council of progress and new initiatives being explored by the Tidy Town Committee.

**ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/
SUBMISSIONS****10.1 Fortescue Metals Group Ltd – Public Art**

Jennifer Pigeon, FMG's Community Development Manager, and Fiona Slade, Senior Landscape Architect for MNLA presented FMG's proposal for provision of a sculpture by Ron Gomboc, to recognise the people who lost their lives in, and those who were impacted by, Cyclone George and to provide a signature artwork for the Hedland community.

10.2 Pilbara Regional Council Update

Adrian Ellson, Executive Officer of the Pilbara Regional Council provided Council will an updated status of current projects being undertaken by the Pilbara Regional Council.

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

Budget Implications

Nil

200708/075 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That the 'Status of Council Resolutions' Report as presented to the Council's Ordinary Meeting held on 28 October 2007 be received.

CARRIED 9/0

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
Ordinary Meeting held 23 May 2007				
11.3.1.4	Tender 06/43 West End Greening Stg 1A Landscape and Irrigation Works	200607/316 Council Decision That: i) Council Reject all tenders that were submitted for Tender 06/43 West End Greening Stage 1a Landscape and Irrigation Works ii) Officers review the designs and specifications with the aim of amending the scope of works to a level whereby the majority of the project can be delivered for the stipulated budget. iii) Council project manage the implementation of the project using subcontractors to undertake specific elements of the works that are identified in the revised scope of works. Note: Quotations for subcontracted works are to be obtained as per Council's procurement policy. iv) Council give consideration in the 2007/08 budget for a project officer for similar projects in the future.	RESPONSIBLE OFFICER: Director Engineering Services Scope of works revised. Revised plans forwarded to contractors for quoting (due 26.10.07). Works due for completion June 2008.	
Special Meeting held 30 May 2007				
6.1.1.1	Request for Reconsideration – Prop. Scheme Amend. to Rezone Lots 2116 & 2117 North Circular Rd, SH	200607/332 Council Decision That Agenda Item 6.1.1.1 'Request for Reconsideration - Proposed Scheme Amendment to Rezone Lots 2116 and 2117 North Circular Road South Hedland' pending further information/amended plans being received from developer.	RESPONSIBLE OFFICER: Director Regulatory and Community Services. Awaiting feedback from proponents. Report to October Cl. Mtg	
6.1.1.2	Proposed Adoption from "Other Public Purposes – Energy" to "Tourism" Zone	200607/333 Council Decision That Council: 1) initiate a Town Planning Scheme Amendment to the <i>Town of Port Hedland Town Planning Scheme No. 5</i> by: ... 2) advise the applicant accordingly and request that the applicant prepare the formal amendment documentation to enable referral to the Environmental Protection Authority; 3) advise LandCorp that prior to a Development Application being submitted for Lot 406 Acton Street, Port Hedland, that a Structure Plan and supporting documentation be developed, submitted and supported by the Town and its nominated Urban Design Consultant for the Special Design/Use Area as shown in Attachment 3 of this report; 4) advise the applicant of the historical significance of the Tamarind Tree and the general area that surrounds it. The Tamarind Tree appears on the Municipal Heritage Inventory and Council will require its significance to be recognised as part of any future development; and 5) advise the proponent of the environmental significance of Cemetery Beach area and indicate that any development proposal will require consideration of light sensitive design within the proposal (suitable for the turtle nesting season), and the inclusion of other environmentally sensitive design principles.	RESPONSIBLE OFFICER: Manager Planning EPA assessment received. Currently being advertised. Report to September/October Council meeting.	September/October 2007

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
------	--------------	----------------------------	-----------------------------------	----------------

Ordinary Meeting held 27 June 2007				
11.3.1.3	Don Rhodes Mining Museum Safety Audit	200607/354 Council Decision/Officer's Recommendation That Council: i) implements the following upgrade works: a) installation of fencing around all locomotives and plant b) removal/sealing of items identified as dangerous c) installation of cracker dust around museum pieces d) installation of signage e) removal of lead based paints, including repainting of plant; to the expenditure limit set by current carried forward budget of \$29,200; and ii) pursues additional funding of \$150,000 required to carry out above recommended works.	RESPONSIBLE OFFICER: Director Engineering Services. Works scheduled – pending availability of funding. Quotes being sourced	
11.4.1.9	Request for Lease Renewal – Air BP at PHIA	200607/366 Council Decision/Officer's Recommendation That Council: i) approves the disposal of land, being a portion of Port Hedland International Airport currently used by Air BP, by way of lease, by private treaty, as per s3.58(3) of the Local Government Act 1995, with the following terms; ... ii) permits the Town of Port Hedland seal be affixed and Major and Chief Executive Officer be authorised to sign the lease documentation, should no submissions be received by Council after the advertising period in accordance with section 3.58 of the Local Government Act 1995.	RESPONSIBLE OFFICER: Director Corporate Services. Valuation received. Draft lease being prepared. Advertising in December.	
11.4.1.10	Local Laws Review and Amendment	200607/367 Council Decision/Officer's Recommendation That Council: i) commences a formal review of all it's Local Laws as per Section 3.16 of the Local Government Act 1995; ii) commences the process of amending Council's Reserve and Foreshore Local Law by replacing Clause 17 with the following, as per section 3.12 of the Local Government Act 1995: "17. The modified penalty for any offence against this Local Law is \$100 during the period 1 st May and 31 August of each year, and \$500 for a first offence, and \$1,000 for a subsequent offence during the period of 1 st October of each year and 30 April of each subsequent year."; and iii) commences the process of adding Part 6, to Council's General Provisions Local Law, being, as per section 3.12 of the local government act 1995: "Part 6 Native Tree Protection 6.1 That no <i>Owenia reticulata</i> (referred to as <i>Pundul</i> or <i>Desert Walnut</i>) Tree within the district will be removed, damaged or destroyed without written authorisation from Council 6.2 A person who commits an offence against this Local Law, with regard to Part 6, shall be liable on conviction, to a maximum penalty of \$1,000 and if the offence is of a continuing nature to a daily penalty not exceeding \$100."	RESPONSIBLE OFFICER: Director Corporate Services. Advertising period complete. No submissions received. Report to Nov. Ord. Cl. Mtg.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
Ordinary Meeting held 25 July 2007				
11.2.1.2	Amendment to Delegation Register	200607/381 Council Decision That Agenda Item 11.2.1.2 'Amendment to Delegation Register' lay on table, awaiting the provision of a marked up copy being distributed to Councillors by Director Regulatory and Community Services, which highlights each of the delegations of Number 40 showing the proposed changes.	RESPONSIBLE OFFICER: Director Regulatory and Community Services Report to September CI Mtg.	September 2007
Ordinary Meeting held 22 August 2007				
11.2.1.3	Community Safety & Crime Prevention Plan 2006-2009	200607/411 Council Decision That Council: i) allocate \$50,000 towards the cost of a senior level State Government employee responsible for coordinating the implementation of the Town of Port Hedland Community Safety Crime Prevention Plan 2006 – 2009; ii) seek a matching Contribution from BHP Billiton for this position; and iii) seek State Government support to have this position filled as a matter of urgency and to request the State Government to secure ongoing funding for this position.	RESPONSIBLE OFFICER: Director Regulatory and Community Services Funds requested from BHPBIO	
Special Meeting held 5 September 2007				
6.1.1.3	Proposed Strategic Direction for Wedgefield	200708/424 Council Decision That Council: i) recommend changing the zoning of Wedgefield into a Light Industrial Area through the Land Use Master Plan; and ii) submit the following recommendations to the Land Use Master Plan Steering Committee for consideration for inclusion in the Final Plan with regard to Wedgefield Special Control Area Council believes that: ...	RESPONSIBLE OFFICER: Planning Officer	October 2007

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
6.3.1.2	Transient Workforce Accommodation - Port Hedland International Airport	200708/430 Council Decision/Officer's Recommendation That Council: i) reject all Expressions of Interest received regarding the Transient Workforce Accommodation site at the Port Hedland International Airport except for the proposal by Rio Tinto Minerals; and ii) commence immediate negotiations with Rio Tinto Minerals with the goal of providing Lots 4, 5 and 6 (as per the master plan) for the purposes of a 52 man work camp; and iii) receive a development budget from the Director, Corporate Services budget for Lots 4, 5 and 6 at the next Ordinary Meeting of Council; and iv) subject to the development budget being less or equal to total rental offered by Rio Tinto Minerals, consider formalising a lease with Rio Tinto Minerals for Lots 4, 5 and 6.	RESPONSIBLE OFFICER: Director Corporate Services Rio Tinto have withdrawn their proposal. No further action.	COMPLETED
Ordinary Meeting held 26 September 2007				
11.2.1.1	Cyclone George Relief Fund	200708/004 Council Decision/Officer's Recommendation That Council: i) endorse the Chief Executive Officer, on behalf Cyclone George Relief Fund Committee, to be granted delegated authority to make binding decisions on the expenditure of external funding obtained for the Cyclone George Relief Fund received after the 31 July 2007; and ii) the Cyclone George Relief Committee is to be disbanded; and iii) create a Reserve Account 'Cyclone Emergency Support' for the purpose of emergency relief support only.	RESPONSIBLE OFFICER: Emergency Management Officer	
11.2.1.2	All West Australians Reducing Emergencies Grants Scheme	200708/005 Council Decision/Officer's Recommendation That Council endorse funding received through the Local Grants Scheme and: i) create a Salaries and Wages Income Account for AWARE Grant Scheme funding received to the value of \$29,040; and ii) create an Salaries and Wages Expenditure Account for AWARE Grant Scheme funding to the value of \$29,040.	RESPONSIBLE OFFICER: Emergency Management Officer	
11.2.2.2	Proposed Formalisat'n of Existing Structures at Part Lot 2 of Lot 126 Great Nth'n Hwy	200708/007 Council Decision That Planning Approval be granted to Margaret Rita Buckley on behalf of ITF The Buckley Family Trust for the retrospective planning approval of a RURAL SETTLEMENT at Lot 2 Forrest Location as outlined in the Application received 8 February 2007 (Application 2007/083) and indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning Officer	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.3	Prop. Conversion of an Existing Office to a Dwelling at Lot 2 Forrest Location 126 Port Hedland	200708/008 Council Decision That Planning Approval be granted to Margaret Rita Buckley on behalf of ITF The Buckley Family Trust for the retrospective planning approval of a RURAL SETTLEMENT – conversion from Office to Dwelling at Lot 2 Forrest Location 126 as outlined in the Application received 13 August 2007 (Application 2007/206) and indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning Officer	
11.2.2.4	Proposed 5 Grouped Dwellings at Lot 200 (2) Howe St PH	200708/009 Council Decision/Officer's Recommendation That Planning Consent be granted to Define Creations for the construction of GROUPE D DWELLINGS – 5 Grouped Dwellings at Lot 200 (2) Howe Street Port Hedland as outlined in the Application received 5 July 2007 (Application 2007/160) and indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning Officer	
11.2.2.5	Endorsement of Officer's Power of Entry Onto Land as per Section 9.1(c) of TPS. 5	200708/010 Council Decision That Council authorise the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 for the following officers: ... subject to the following conditions: a) that entry be required for reasonable purpose and be carried out at a reasonable time; b) notice of one (1) week be given to the property owner prior to entry; c) this authorisation shall not be executed without prior approval of Council's Chief Executive Officer or Directors; and d) the authorisation for the right of entry to any building or land as per Section 9.1(c) of Town Planning Scheme No. 5 be reviewed annually by Council.	RESPONSIBLE OFFICER: Planning Assistant, Regulatory Services	
11.2.2.6	Reconsider'n - New Living Project Subdivision App. Lot 2943 Demarchi Rd SH	200708/011 Council Decision/Officer's Alternate Recommendation That Council: 1. under Clause 5.2.1 of Town Planning Scheme No. 5 resolves not to require the preparation of a Development Plan subject to the applicant complying with the resolution and conditions outlined in part 2 of this recommendation; and 2. supports the subdivision application for creation of 109 lots on Lot 2943 Demarchi Road, South Hedland, subject to the following conditions and footnotes: ... 3. directs the Chief Executive Officer or his nominated officer to advise the Western Planning Commission of its decisions in regard to the application for subdivision, which is the subject of this report.	RESPONSIBLE OFFICER: Manager Planning	
11.2.2.7	Prop. Ext. to the "Place of Animal Care" Dev. on Lot 3828 (14) Hedditch St, SH	200708/12 Council Decision/Officer's Recommendation That Council GRANTS Planning Consent to the Morrell Enterprises for the proposed PLACE OF ANIMAL CARE – renovation and additions to the existing clinic on Lot 3828 (14) Hedditch Street, South Hedland as outlined in the Application received 13 July 2007 (Application 2007/167) and indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Manager Planning	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.8	Prop. 8 Single Bedroom Dwellings at Lot 105 Morgans St, PH	200708/13 Council Decision/Officer's Recommendation That Planning Consent be granted Whelans (WA) Pty Ltd for the construction USE NOT LISTED – SINGLE BEDROOM DWELLINGS x 8 at Lot 105 Morgans Street Port Hedland as outlined in the Application received 29 August 2007 (Application 2007/220) and indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning Assistant	
11.2.2.9	ToPH Park Improvement Plan	200708/014 Council Decision/Officer's Recommendation That Council: 1. notes the Draft Park Improvement Plan for the Town of Port Hedland Town; 2. seeks community feedback on the draft plan by: ... 3. considers a further report regarding this matter at the October Council meeting.	RESPONSIBLE OFFICER: Manager Planning	
11.3.1.3	Cemetery Upgrade Program	200708/017 Council Decision That: i) Council approves the schedule of works based on the approved \$50,000 budget as per Table 2; and ii) Council approves the complete schedule of works based on Table 1, pending successful funding application to the Pilbara Area Consultative Committee.	RESPONSIBLE OFFICER: Manager Technical Services Funding ongoing. Works est. completion – April 2008	
11.3.1.6	Tender 06-51 Supply and Delivery of one (1) New Rear Loading Compactor	200708/020 Council Decision/Officer's Recommendation That Council award Tender 06-51 Supply and Delivery of one (1) New Rear Loading Compactor to Major Motors, for the supply of one (1) Isuzu FVY which meets 2008 Emission standards at the purchase price of \$295,770, representing best value for money.	RESPONSIBLE OFFICER: Works Manager	
11.3.1.7	Tender 06-52 Supply and Delivery of one (1) New Bitumen Truck	200708/021 Council Decision/Officer's Recommendation That Council award Tender 06-52 Supply and Delivery of one (1) New Bitumen Truck to WA Hino for the supply of one (1) Hino 300 series 816 with fully contained Bitumen Unit with a flushing system built in for easy cleaning and maintenance, for the net purchase price of \$102,612.10 excluding gst, less trade in of Council's Mitsubishi Tipper Registration PH4844 - \$26,000.	RESPONSIBLE OFFICER: Works Manager	
11.3.1.8	Tender 06-54 Supply and Delivery of one (1) New Tandem Drive Tip Truck	200708/022 Council Decision/Officer's Recommendation That Council award Tender 06-54 Supply and Delivery of one (1) New Tandem Drive Tip Truck Kenworth Daf for the supply of one (1) Tip Truck Model DAF CF85.460 for the net purchase price of \$229,327 excluding gst.	RESPONSIBLE OFFICER: Works Manager	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.1.9	Tender 06-56 Supply and Delivery of one (1) New Single Axle Tip Truck	200708/023 Council Decision/Officer's Recommendation That Council award Tender 06-54 Supply and Delivery of one (1) New Single Axle Tip Truck to WA Hino for the supply of one (1) Hino Ranger Pro 9 medium Tip Truck for the net purchase price of \$58,228 excluding gst (purchase price of \$108,228 excluding gst, less trade in of Council's Isuzu Truck Registration PH4985 for \$50,000).	RESPONSIBLE OFFICER: Works Manager	
11.3.1.10	Tender 06/53 Supply and Delivery of New Community Bus	200708/024 Council Decision/Officer's Recommendation That Tender 06/53 – Supply and Delivery of New Community Bus be awarded to Purcher International for supply of Mitsubishi Rosa Deluxe Automatic for \$113,900 less trade in of Inveco Turbo Daily 49-10 Bus -\$8,000.00, at the net cost of \$105,900 exclusive of GST.	RESPONSIBLE OFFICER: Works Manager	
11.3.2.1	Draft Multi-Purpose Recreation Centre Feasibility Study	200708/025 Council Decision/Officer's Recommendation That Council: i) note the Town of Port Hedland's receipt of the Draft Multi-Purpose Recreation Centre Feasibility Study; ii) advertise the availability of the draft report for community feedback; and iii) consider community feedback and future direction for this project at it's Ordinary Council Meeting in November.	RESPONSIBLE OFFICER: Manager Recreation Services Report to Oct. Ord. Cl. Mtg	
11.3.2.2	Marie Marland Reserve : Diamond 1 Baseball Back-netting Structure	200607/026 Council Decision That: i) in accordance with section 3.57 of the Local Government Act tenders be called for the construction of fully engineered nine (9) metre high back-netting, to be installed at Diamond 1 at Marie Marland Reserve using funds as allocated, being \$74,460; and ii) consider any shortfall through application to the Cyclone George Relief Fund.	RESPONSIBLE OFFICER: Sport and Recreation Officer Tender being developed. To be advertised next week. Est. Completion April 2008.	
11.3.3.4	Tender 06/48 Sewerage Upgrade Port Hedland Airport	200708/030 Council Decision That Council: i) note that no tenders were received during the advertised submission period for the supply and/or installation of the sewerage upgrade infrastructure at Port Hedland International Airport; and ii) authorise the Chief Executive Officer and Airport Manager to enter negotiations with suitably qualified companies for the supply and/or installation of the sewerage upgrade infrastructure as specified in the technical specifications prepared by Connell Wagner Pty Ltd, within Council's existing budget estimate of \$200,000.	RESPONSIBLE OFFICER: Airport Manager One quote received outside budget. Awaiting other companies and reviewing project..	January 2007

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.3.5	Security Screening Operations PHIA	200708/031 Council Decision/Officer's Recommendation That Council: i) advise DOTARS that the Town of Port Hedland as owner and operator of Port Hedland International Airport is planning to become the Screening Authority for Port Hedland International Airport. ii) advise Qantas, as the current Screening Authority, of the above. iii) advise DOTARS that the Town of Port Hedland is willing to participate in the desk top consultancy on the x-ray installation, and iv) a business plan be developed for the undertaking of the screening operations at Port Hedland airport and be presented to the next Council informal briefing session.	RESPONSIBLE OFFICER: Airport Manager Bus. Plan being developed. Will be presented to Council Informal Briefing Session.	December 2007
11.4.1.3	Community Bank Feasibility	200708/034 Council Decision/Officer's Recommendation That Council agrees to underwrite the Feasibility Study of the South Hedland Community Bank to a maximum value of \$18,000 should surplus funds be identified in the September Budget Review.	RESPONSIBLE OFFICER: Director Corporate Services Awaiting Comm. Bank Committee to determine when to undertake feasibility study.	COMPLETE
12.1.1	Sponsorship Request : Assistance for Travel to Toronto to Attend the ImagiNative Indigenous Film Festival	200708/037 Council Decision/Officer's Recommendation That Council donates \$1,500 to Ms Sylvia Clarke to enable her to participate in the 8 th Annual ImagineNative Indigenous Film Festival being held in Toronto in October 2007.	Letter of congratulations sent. Payment of Council contribution being reimbursed to Wangka Maya.	
Special Meeting held 16 October 2007				

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
6.1.1.1	Prop. Adoption of Scheme Amend. from “Res. R12.5/30, Other Public Purposes, Other Public Purposes – Cemetery, Parks & Recreation and Local Road” to “Res R12.5/50” Zone & “Other Public Purposes – Community Purposes”	200708/037 Council Decision/Amended Officer’s Recommendation That Council: 1) requests Koltasz Smith Town Planners to amend the application to reflect the proposed rezoning of lot 1628 from “Other Public Purposes - Cemetery” to “Community - Community”; 2) advertises the proposed closure of the Beart Street road reserve in accordance with section 58 of the Land Administration Act 1997; 3) request the Honourable Minister for Lands to close the whole of the Beart Street road reserve, subject to there being no objections to the road closure during the statutory advertising period. 4) subject to the changes being made as required by resolution 1, initiate a Town Planning Scheme Amendment to the Town of Port Hedland Town Planning Scheme No. 5 by: ... 5) advise the applicant accordingly, and request that the applicant prepare the formal amendment documentation to enable referral to the Environmental Protection Authority; 6) authorises the Chief Executive Officer to undertake such process that may be necessary to resolve any issues which may be related to the current reservation and/or vesting of lots affected by this proposal.	RESPONSIBLE OFFICER: Manager Planning	
6.1.1.2	Prop. Street Names for Subdivision at Lot 5960 Dale St and Lot 5962 Jabiru Loop SH	200708/038 Council Decision/Officer’s Recommendation That Council advise the Geographic Names Committee that it requests that the following names be assigned to the subdivision of Lot 5960 Dale Street and Lot 5962 Jabiru Loop South Hedland in accordance with the attached diagrams: i) Phalarope Way; ii) Avocet Brace; iii) Dowitcher Avenue; and iv) Stilt Link	RESPONSIBLE OFFICER: Planning Assistant	
6.1.1.3	Prop. Upgrade/ Refurb Playground Equipment – PH Yacht Club Lot 5178 Sutherland St PH	200708/039 Council Decision/Officer’s Recommendation That Planning Approval is granted for the Development Application - Port Hedland Yacht Club - Reserve 30768 playground refurbishment - new equipment at Lot 5178 Sutherland Street, Port Hedland, as outlined in the application received and indicated on the attached plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning Officer	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
6.1.1.4	Prop. Mods. to Scheme Amendment No. 14 – Pretty Pool Revised Dev. Plan and Associated TPS Amendment	200708/040 Council Decision/Officer's Recommendation That: i) pursuant to section 75 of the <i>Town Planning and Development Act 2005</i> (as amended), Council resolves to amend Town of Port Hedland Town Planning Scheme No.5 by: ii) the Mayor and Chief Executive Officer be authorised to execute three (3) copies of the amendment documents in accordance with the <i>Town Planning Regulations 1967</i> (as amended); iii) the proposed amendment be numbered Amendment No. 14 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 iv) the applicant be advised that all costs associated with advertising and preparing the amendment will be borne by the applicant.	RESPONSIBLE OFFICER: Planning Officer	
Ordinary Meeting held 31 October 2007				
11.2.1.2	Proposed Scholarship Program	200708/046 Council Decision That Council: i) commences funding an annual scholarship to cover the cost of tuition, up to an equivalent to the cost of undergraduate degree tuition fees and an annual textbook allowance of \$1,000 for qualifying high school students studying in the fields of: ... ii) the Scholarships be made available from the commencement of the 2008 academic year; iii) the Chief Executive Officer be authorised to prepare suitable terms, conditions and selection criteria; iv) authorises a panel comprising the Mayor, Deputy Mayor, Chief Executive Officer and Hedland Senior High School representative, to select the scholarship recipient each year; v) the Scholarship Program be advertised widely; and vi) evaluates the success of program after three (3) years.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	
11.2.2.2	Prop. Office Addition to Existing Transport Depot at Lot 2 Forrest Location PH	200708/048 Council Decision/Officer's Recommendation That Planning Consent be granted to Rita Buckley on behalf of the Buckley Family Trust for the construction of a STORAGE FACILITY/DEPOT/LAYDOWN AREA at Lot 2 Forrest Location 126 Port Hedland, as outlined in the Application received 13 August 2007 (Application 2007/207) and indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning Officer	
11.2.2.3	Amendment to Delegation Register	200708/049 Council Decision That Council lay Agenda Item 11.2.2.3 'Amendment to Delegation Register' on table until Councillors have received an updated copy of Delegation Register; and following a proposed workshop with Council's management staff.	RESPONSIBLE OFFICER: Manager Planning	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.3.1	The Alliance Calendar of Major Events	200708/051 Council Decision That: i) the following Calendar of Events be adopted as the Alliance Major Events Calendar for 2007-2009 ii) on the weekend closest to 22 October being Council's birthday, an Octoberfest be organised in consultation with the Port Hedland Historical Society.	RESPONSIBLE OFFICER: Manager Community and Economic Development	
11.2.3.2	The Alliance Small Grants Scheme : Rounds 4-6	200708/051 Council Decision That: i) Council approves the following grants as part of The Alliance Small Grants Scheme: Rounds 4-6: ... ii) an open letter of recommendation be prepared for Artist Di Jackson to present to potential funding bodies, for the purposes of the creation of a promotional and marketing package for the artist.	RESPONSIBLE OFFICER: Manager Community and Economic Development	
11.2.3.3	Community Safety & Crime Prev. Plan 2006-09	200708/052 Council Decision/Officer's Recommendation That Council endorses the new priority in the Community Safety & Crime Prevention Plan 2006 – 2009, of establishing an Early Childhood Development Centre in South Hedland for the whole Town of Port Hedland community.	RESPONSIBLE OFFICER: Manager Community and Economic Development	
11.2.3.4	Cyclone George Public Artwork	200708/053 Council Decision That Council: i) commissions local artist Fred Beel to create and install the artwork of 'Stylised Palm Tree Under Cyclonic Wind Conditions' in public open space in South Hedland by the first anniversary of Cyclone George on 8 March 2008; and ii) negotiates with Mr Beel to increase the work to three palm trees to better represent community standing together, with a budget of \$15,000. iii) undertakes further advertising throughout the community of funding available from Cyclone George Relief Fund.	RESPONSIBLE OFFICER: Manager Community and Economic Development	
11.2.4.1	App. of Deputy Chief Bush Fire Control Officer	200708/054 Council Decision/Officer's Recommendation That Council appoints Mr John Mathews as Deputy Chief Bush Fire Control Officer.	RESPONSIBLE OFFICER: Coordinator Ranger Services	
11.2.5.1	Tender 06 - 46 Civic Centre Air Conditioning Upgrade	200708/055 Council Decision That Council accepts the tender submitted by QAL Refrigeration Pty Ltd for the works required to upgrade the Council's Civic Centre air-conditioning system, for the amount of \$547,085 (including GST).	RESPONSIBLE OFFICER: Manager Building Services	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.1.2	Review of Policy 9/008 Verge Treatments	200708/057 Council Decision/Amended Officer's Recommendation That Council approve the replacement of existing Policy 9/008 with the new Policy 9/008 as follows:	RESPONSIBLE OFFICER: Manager Technical Services	
11.3.3.1	Tender 06/49 Electrical Services Upgrade Airport Terminal Area	200708/058 Council Decision/Officer's Recommendation That: i) Tender 06/49 for the electrical services upgrade of the Port Hedland International Airport Terminal Area be awarded to O'Donnell Griffin Pty Ltd for the amount of \$475,871 (ex GST) as recommended by Connell Wagner Pty Ltd. ii) the Mayor and Chief Executive Officer be authorised to sign the contract for the works and the Common Seal be affixed.	RESPONSIBLE OFFICER: Airport Manager	
11.3.3.2	Royal Flying Doctor Service – Landing Fees	200708/059 Council Decision That Council resolve to: i) charge the Royal Flying Doctor Service landing fees as per Council's Schedule of Fees and Charges commencing for month of August; ii) donate 100% of the income generated from RFDS landing fees to the RFDS Western Operations, for the purpose of funding donated by Council being allocated to the local Port Hedland base, through equipment purchases, infrastructure upgrades for the base, aircraft medical equipment, etc., ensuring that the donation will benefit the RFDS base at Port Hedland, in addition to funding allocations made by the RFDS organisation. iii) advise RFDS Western Operations of Council's resolution as outlined above, and the local Port Hedland branch of the RFDS be advised of this contribution from Council.	RESPONSIBLE OFFICER: Airport Manager	
11.4.1.2	Request to Waive Rates for Assess. A110230, 15 Corboys Pl, SH	200708/061 Council Decision/Officer's Recommendation That Council: i) advises Mr P Brady in writing that his request to reduce the outstanding rates on assessment A110230, of 15 Corboys Place South Hedland is declined; and ii) encourage Mr P Brady, of 15 Corboys Place SOUTH HEDLAND, to discuss his situation with Council Officers in order to determine a payment program to pay the outstanding debt by 30 June 2008.	RESPONSIBLE OFFICER: Senior Rates Officer	
11.4.1.3	Request to Write Off Interest Penalty for Late Payment of Rates	200708/062 Council Decision/Officer's Recommendation That Council decline Talison Minerals request to write off \$181.23 in penalty interest levied on the Assessments A80346G, A803407G, A803245G, A803522G, A803523G, and A803526G.	RESPONSIBLE OFFICER: Senior Rates Officer	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.1.4	Loan 124 – Underground Power, Signing & Sealing Debenture Doc.	200708/063 Council Decision/Officer's Recommendation That Council authorise the Mayor and the Chief Executive Officer to sign and seal the Debenture Agreement between the Town of Port Hedland and the Western Australian Treasury Corporation for Loan 124 – Underground Power, for \$725,000 over 5 years at and interest rate of 6.88% per annum.	RESPONSIBLE OFFICER: Senior Finance Officer	
11.4.1.5	Outstanding Rates	200708/064 Council Decision/Officer's Recommendation That Council: i) Receive the list of assessments (subject to payments received and/or arrangements entered into) that will be forwarded to Council's debt collector, as per Council Policy; and ii) Authorise Council's debt collector (Dun & Bradstreet) to take any appropriate action, including legal action, to effectively collect the Town's over due rates debt, in accordance with the Local Government Act 1995, and Council Policy.	RESPONSIBLE OFFICER: Senior Rates Officer	
11.4.1.6	PRC Asset Management Project	200708/065 Council Decision/Officer's Recommendation That Council allocates \$47,500 in the annual budget to purchase the Assetic asset management software, should sufficient funds be identified in the September Budget Review.	RESPONSIBLE OFFICER: Director Corporate Services	
11.4.2.1	Elected Members on Council's Committees WGs; and Ext. Orgs	200708/068 Council Decision/Officer's Recommendation That Council: i) nominates Council Representative(s) on its Committees as follows: ii) nominates the following Council Representative(s) on its Working Groups as follows: iii) nominates Council Representative(s) on external organisations as follows:	RESPONSIBLE OFFICER: Executive Assistant	
	Motion on Notice – Election of Mayor	200708/069 Council Decision/Officer's Recommendation In accordance with Section 2.11(2) of the Local Government Act 1995, the Council changes the method of filling the position of Mayor from the election by the Council method to the election by the electors method, effective from the October 2009 Ordinary elections.	RESPONSIBLE OFFICER: Chief Executive Officer	
14.1	Appt. of Senior Officer – Director Engineering Services	That Council: i) endorse the appointment of Mr Terrence Dodd as the Director, Engineering Services; and ii) Mr Dodds be offered a salary of \$105,000 per annum and a total package of \$154,482 per annum including superannuation, housing, private vehicle usage, uniform allowance and an annual bonus (subject to meeting KPI's).	RESPONSIBLE OFFICER: Chief Executive Officer	

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

Officer Bev Johnson
Executive Assistant –
Community and
Regulatory Services

Date of Report 14 November 2007

Disclosure of Interest by Officer Nil

Summary

Report on activities within the Regulatory and Community Services directorate 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***

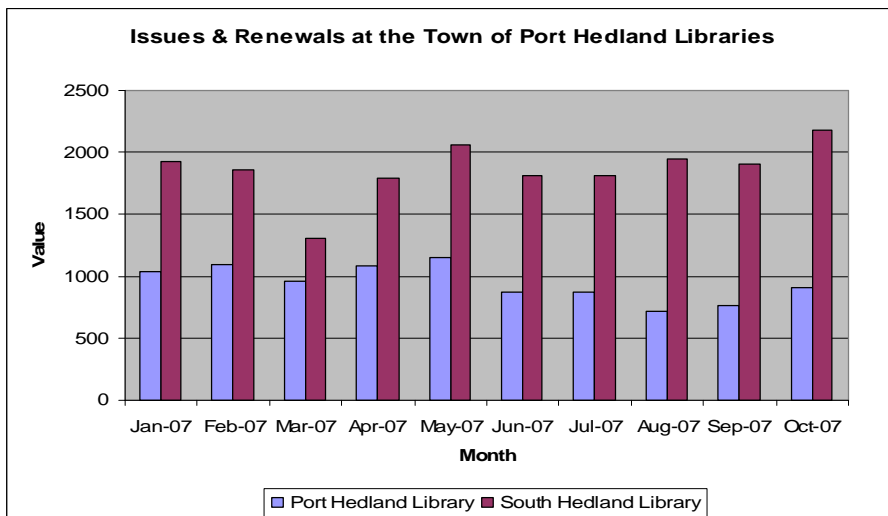
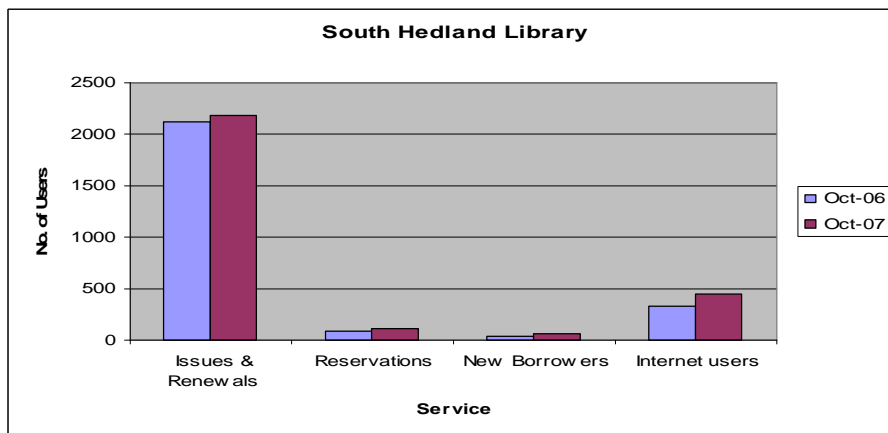
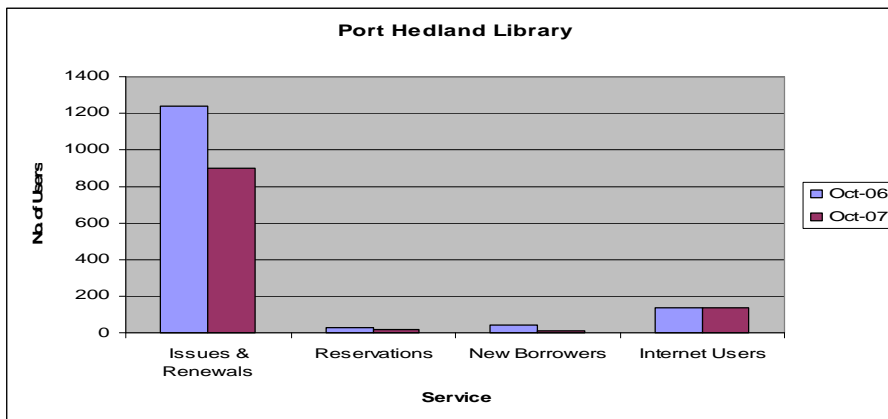
Port Hedland Library	Aug 2007	Sept 2007	Oct 2007
Issues and Renewals	723	759	903
Reservations	19	14	17
New Borrowers	19	22	14
Internet Users	133	105	135

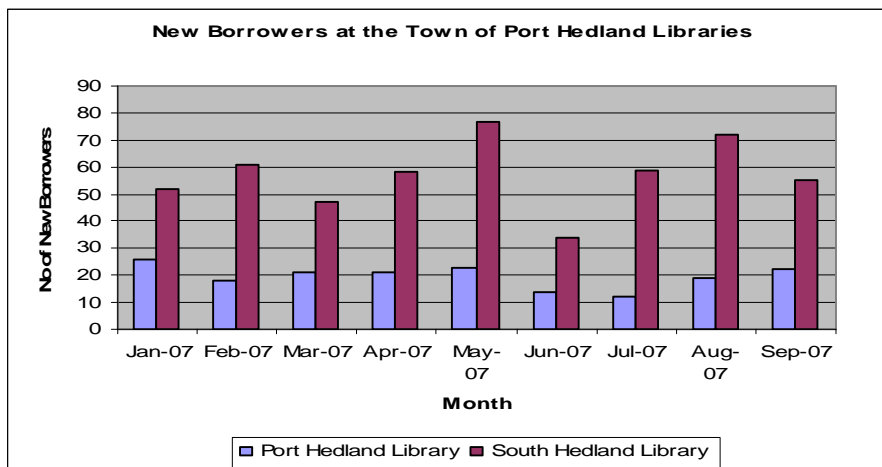
South Hedland Library	Aug 2007	Sept 2007	Oct 2007
Issues and Renewals	1944	1906	2174
Reservations	77	90	115
New Borrowers	72	55	65
Internet Users	416	349	445

Following on from last month with the introduction of Housebound Delivery Service to Karlarra House residents, a feature article is available on Town of Port Hedland website.

School holiday program was based on using recycled material. All 70 participants were delighted with the finished product.

During October a display was mounted at South Hedland Library to highlight Mental Health Week; a range of promotional material was provided by *Beyond Blue*, the Mental Health Association and Well Women's Centre.

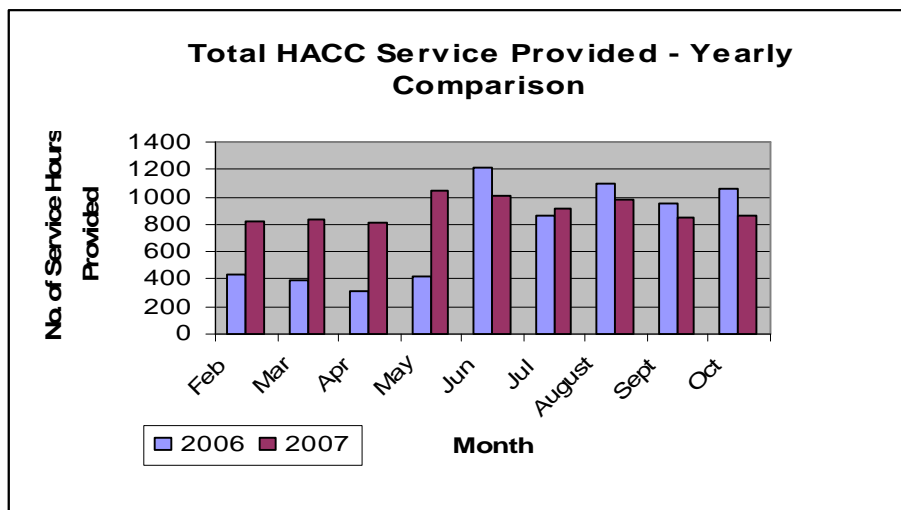


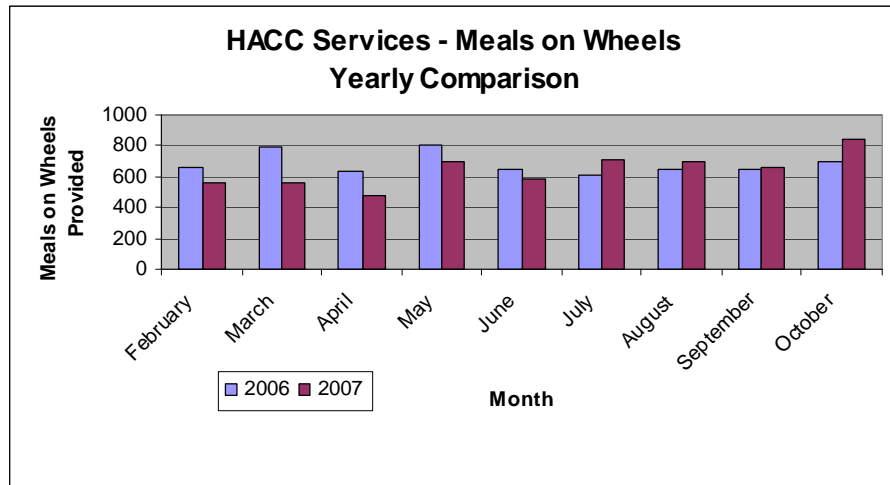


Human Services

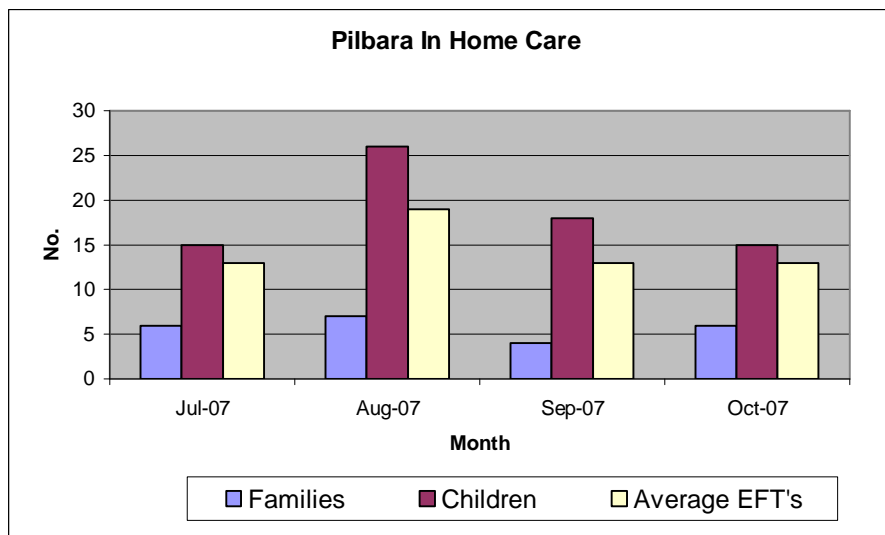
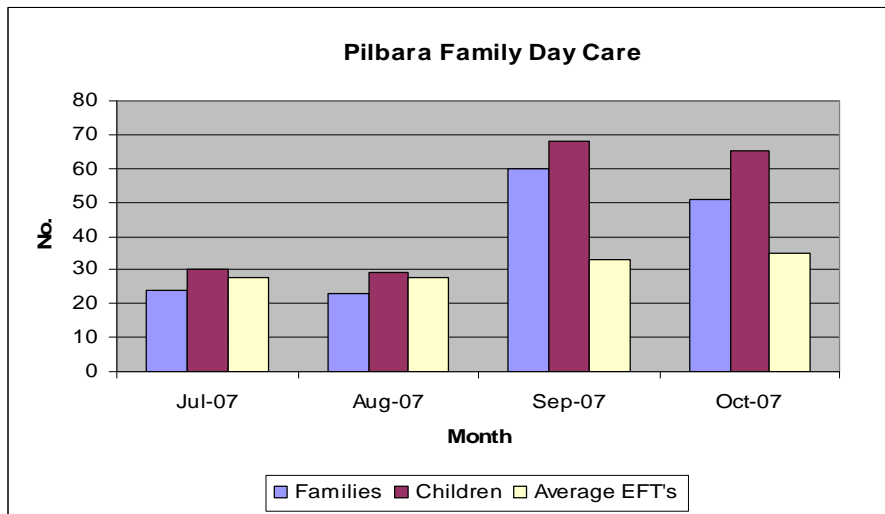
HACC Programme

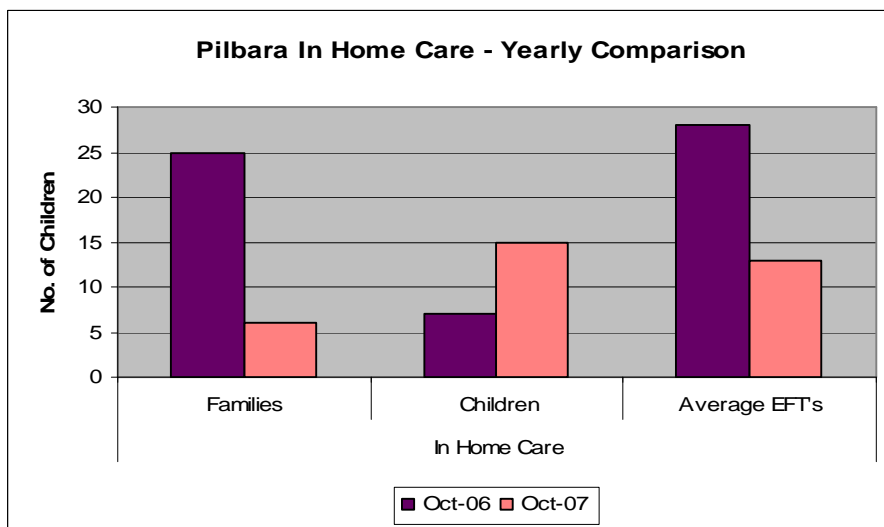
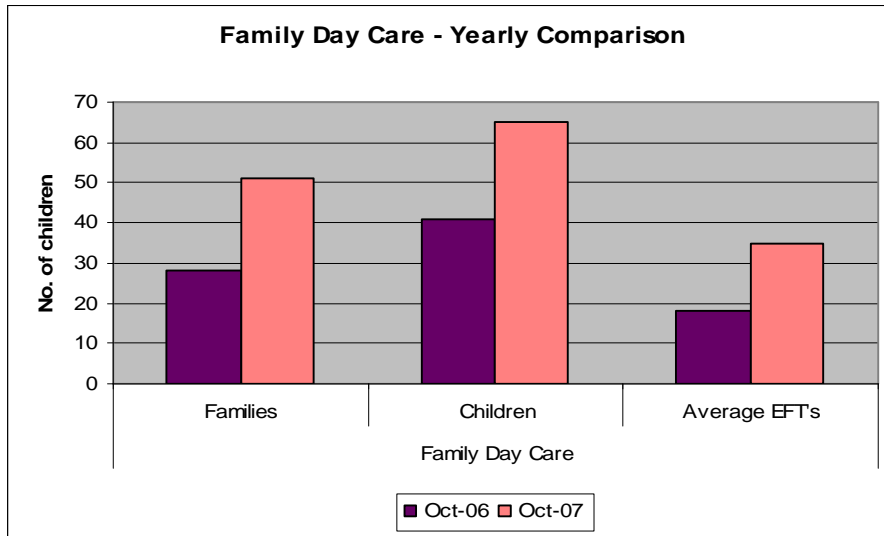
HACC Service Hours for October 2007	
Meals On Wheels	840
Day Centre Attendance (hours)	696
Day Centre Meals	88
Domestic Assistance (hours)	73
Personal Care (hours)	38
Social Support (hours)	17
Transport (one way)	190
Home Maintenance (hours)	37.5
Total HACC service provided (hours)	861.5
Total HACC service provided (hours) YTD	3614
Assessment	6





Pilbara Family Day Care

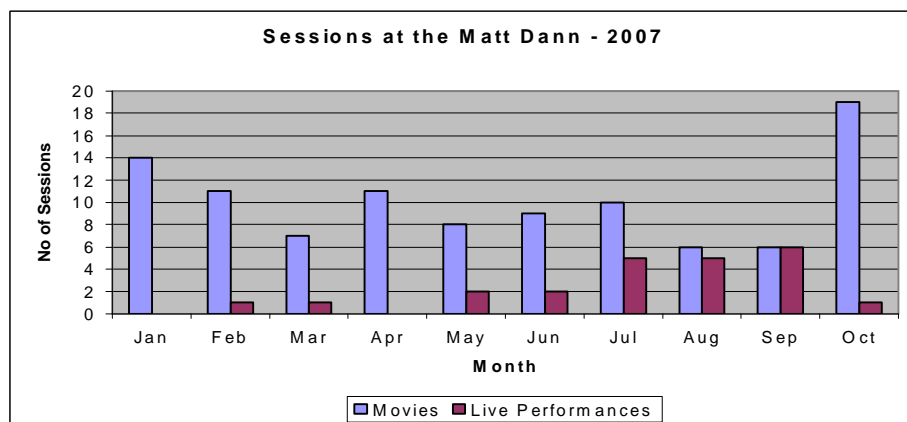
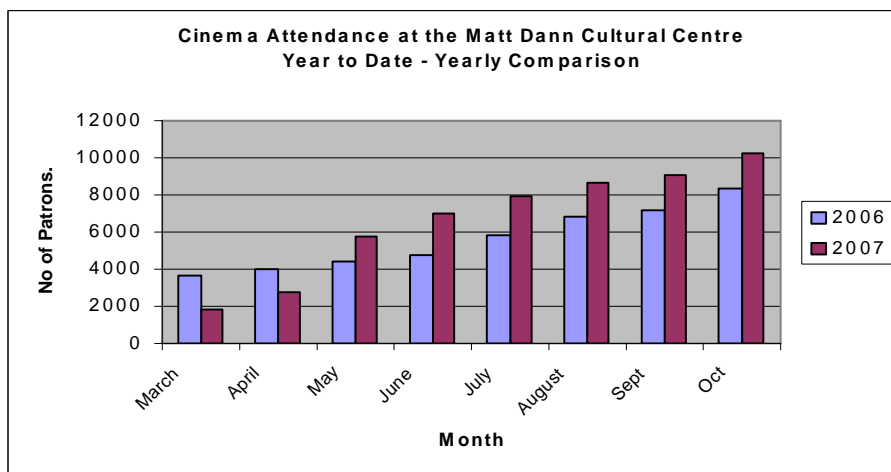
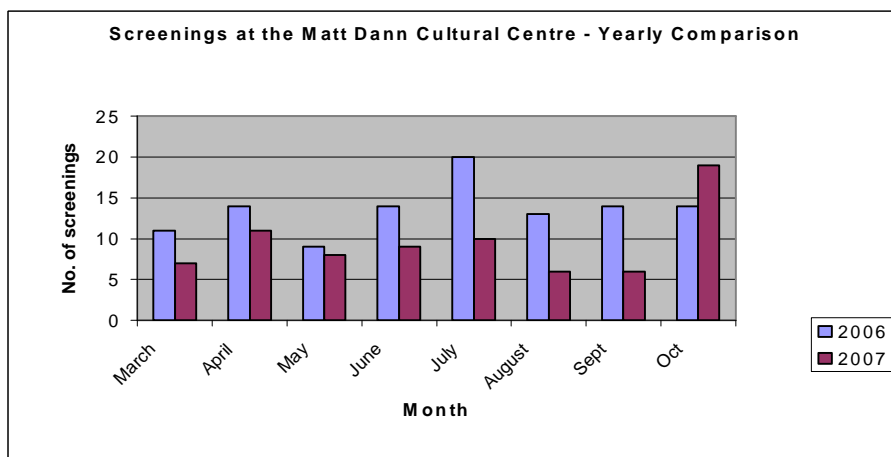
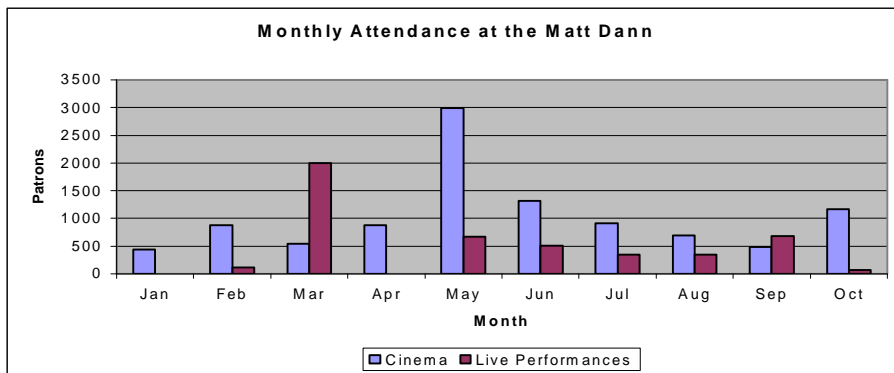




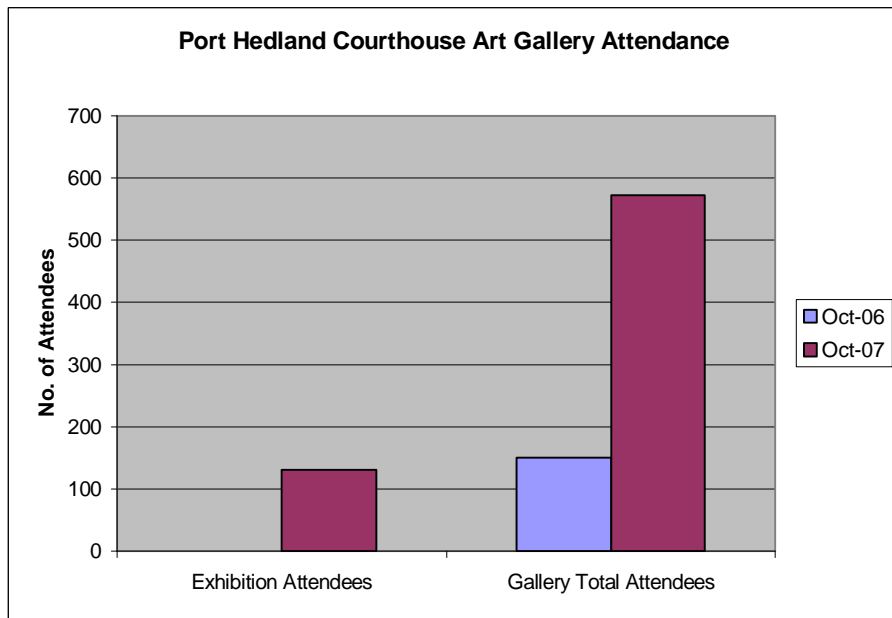
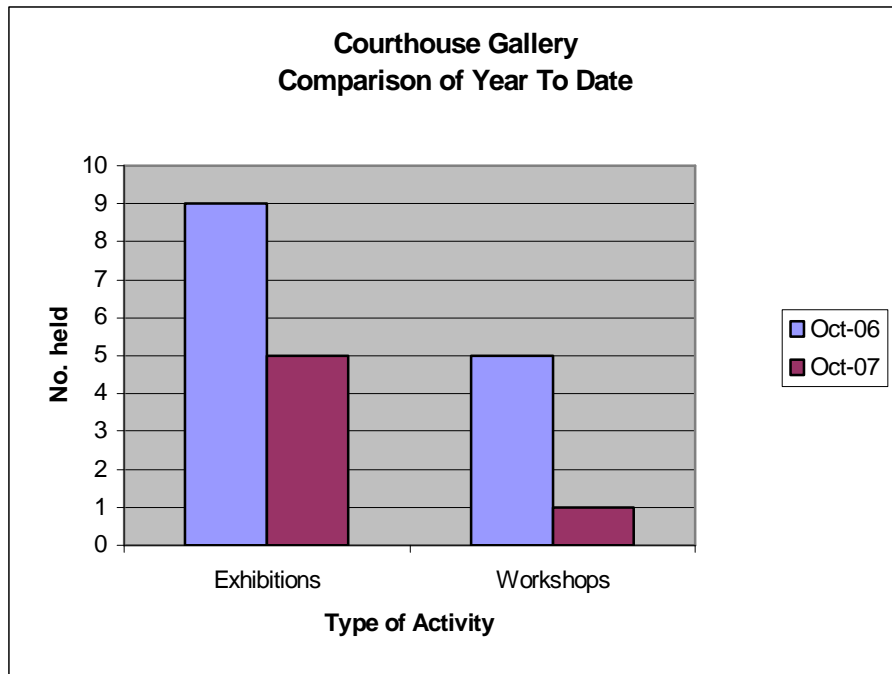
Explanatory Notes

EFT – Effective Fulltime Place - 1 place = 7 hours of care
 Funding is based on EFTs rate per EFT = \$44.00 per week
 Decline in In Home Care EFTs due to the Pilbara In-Home Care being funded for only 20 EFTs. Pilbara Family Day Care is funded for the number of EFTs used for the year.

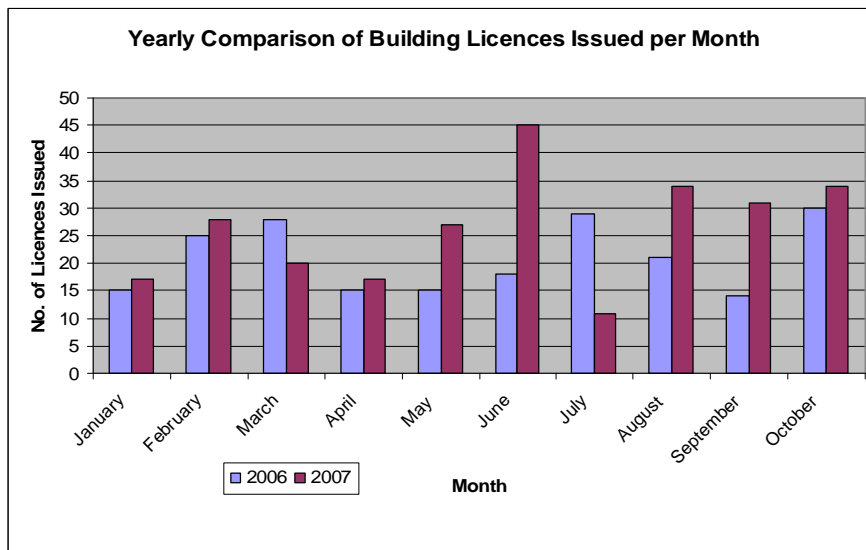
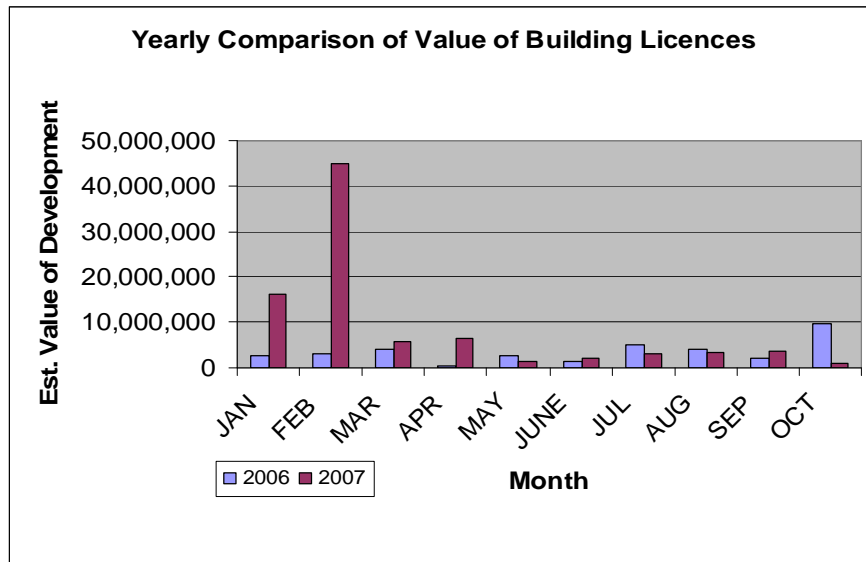
Matt Dann Cultural Centre



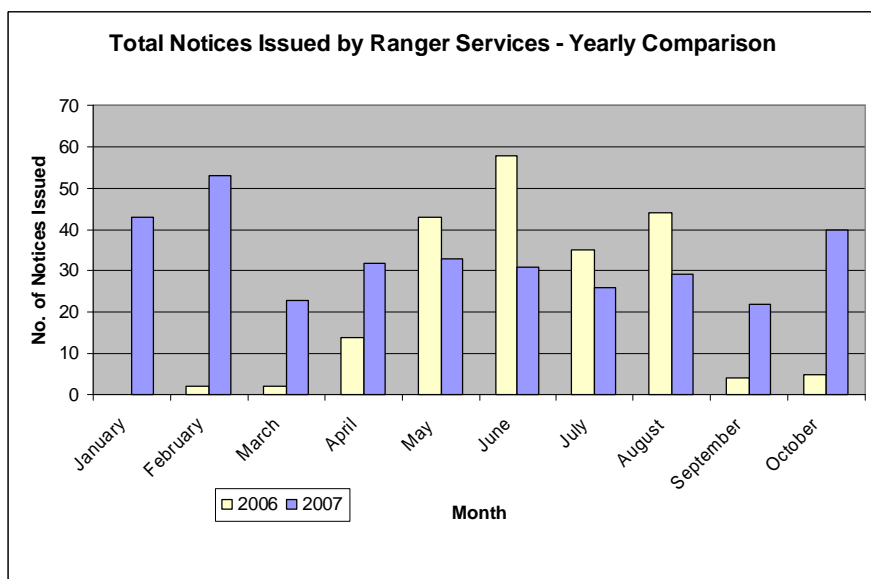
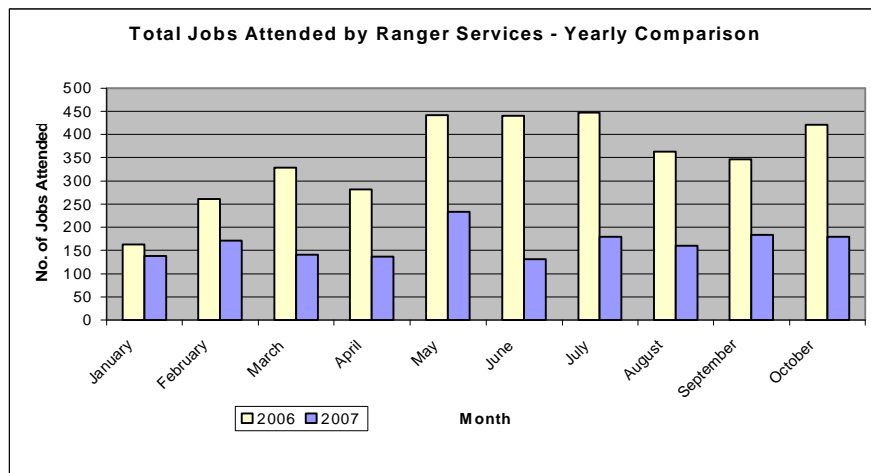
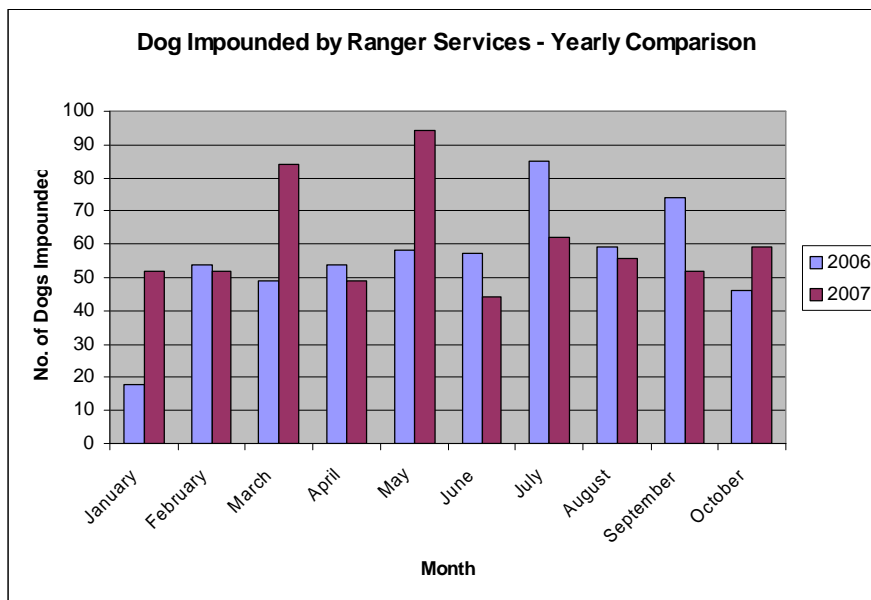
Courthouse Arts Centre and Gallery



Building Services



Ranger Services



The 2nd Microchipping & Dog Registration Day was held at the Works Depot Saturday & Sunday 3rd 4th November.

The day was organised by Councils Ranger Services in conjunction with Dr Andrew Howard of South Hedland Veterinary Hospital.
A total of 112 dogs were microchipped and 46 dogs registered which is a very pleasing result and a 40% increase on the 2006 figures.

200708/076 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr G D Bussell**That Council receives the Regulatory and Community Services Report for 14 November 2007*****CARRIED 9/0***

11.2.1.2 Proposed Factory/Workforce Accommodation for Pilbara Meta Maya (File No.: /)

Officer Terry Sargent
Director Regulatory and
Community Services

Date of Report 23 November 2007

Disclosure of Interest by Officer Nil

Summary

Council has been approached by Pilbara Meta Maya, seeking approval to construct a factory and associated accommodation to enable the employment of long term unemployed aboriginal people.

There is no provision under council's Town planning scheme which provides for such a development but before the proposal has been assessed, alternative land options have been examined to determine if there is a means by which the town can reap the benefit of this significant employment initiative.

Background

After initially requesting a meeting to discuss the possibility of locating a factory and workers village at Drover's Rest, (Reserve 41351) Pilbara Meta Maya submitted a proposal on 16th October 2007 outlining describing a proposal to construct up to 75 chalets to accommodate up to 150 people and approximately 1200 m² of factory area. Additional material for the joint venture partner providing more details of the materials involved in the process is to be supplied.

The preferred sites for such a development are the airport land (lot 2444) adjacent to the SES shed, which has been earmarked for potential transient workforce accommodation or the site at Drovers Rest (Reserve 41351). Alternative sites proposed by Council officers were not available or were unacceptable to the proponents.

Reserve 41351 is vested in the Aboriginal Lands Trust, currently occupied by Bloodwood Tree Association and zoned rural. Although it *does* permit the development of small "rural communities" the zoning does *not* permit the development of factories and industrial uses on the land. Council has recently provided retrospective approval for industrial and residential land uses in the vicinity of this land, but that was to formalize longstanding existing development and provide a basis on which future development could be controlled. It does not in any way establish a precedent for future development in the area.

Council has also resisted attempts to develop other industrial land uses in the area and it would be inconsistent with the land use master plan to do so.

Lot 2444, the airport land can reasonably be developed for use as workforce accommodation as already considered by Council, but there is no sound basis under Town Planning Scheme 5 or the Land Use Master Plan recommendations for approving the use of the land for construction of the proposed factory sheds.

Airport operations and security concerns require that any development on the surrounding land be such that vehicular and people movements are managed and litter/windblown material is eliminated. The proposed industrial building(s) will be for the manufacture of modular wall panels and other building components, which should not cause unmanageable rubbish problems but are concerns to be addressed none-the-less.

The proponents have indicated they are able to build for a short term of say 5 years to establish a sound business and then relocate to more suitable land once the business is established.

The use of land made available under a lease form council is probably the most effective mechanism for ensuring time limits are enforced.

Consultation

Broad external consultation has not been undertaken but it has been established that access to the main road will be subject to MRWA approval.

Council's Engineering Services

Issues not elsewhere addressed include:

Any extra activity which, would include expansion of existing transient workforce accommodation activities, puts added pressure on Airport operations from a safety and security perspective.

Examples include

- vehicles parking within the 3 metre gap required near fence lines.
- pedestrians shortcutting across the airport, especially airside to South Hedland.
- rubbish leading to increased risk of litter getting on to runway area. NB: The 737 class soon to operate sucks in anything within 13m of the cowling of the engine. This includes small mammals.
- birds – Possible increased risk of attracting birds thus increased risk of bird strike. Major safety concern.

Councils Planning Service:

The land is not appropriately zoned for a combined industrial and residential mixed use. (Council has no such zone, as it is not consistent with established good practice).

The proposed use is inconsistent with other decisions affecting development on along the Broome Rd entry to town.

The access to the site will be subject to MRWA approval and there is no doubt they will have some concerns about heavy vehicles entering the main road, albeit on an occasional and irregular basis.

Statutory Implications

The proposal is not consistent with the requirements of TPS 5.

Policy Implications

Nil

Strategic Planning Implications

KRA 1 Infrastructure, Goal 3 Airport
Strategy 2 - Develop a comprehensive Master Plan for the development of the Port Hedland International Airport as the precursor to determining long-term development and management alternatives for the facility.

Development of such a master plan would undoubtedly be limited by a development such as what is proposed being placed on the airport land for a period of up to 5 years

Budget Implications

Planning and Building Licence application fees are applicable to any proposed development. If granted access to airport land the proponents have indicated their desire to access land under agreement that they bear development costs making it cost neutral to Council.

Officer's Comment

The proposal from Pilbara Meta Maya to house, train and employ something in the order of 100 long term unemployed aboriginal people has the capacity to greatly impact serious social issues affecting the Town of Port Hedland, while at the same time providing a local supplier of buildings and components (wall panels and roof trusses etc).

The model proposed, involves onsite accommodation for workers and trainees involved in the industrial activities of the enterprise, which does not fit within the constraints of the current town planning scheme. Furthermore there is no available land in the town of Port Hedland available for the enterprise as proposed.

Council officers and Pilbara Meta Maya have undertaken extensive investigations of the available land and while none can be deemed suitable, the site adjacent to the Port Hedland International Airport is the only land acceptable to the applicant which Council could realistically contemplate given recent decisions of council. It is, if you will, a "least worst" option.

The decision for Council to determine is in effect, whether the detrimental impacts of the proposed development are worth the potential benefits of having the enterprise proceed in the short term.

Any development will of course be subject to planning approval and issue of all other statutory approvals

Attachments

Submission from Pilbara Meta Maya as received 16 October 2007.

Officer's Recommendation

That Council:

- i) Enters into negotiations with Pilbara Meta Maya for the lease of land on Lot -2444 for the construction of factory and residential buildings. or
- ii) Advises Pilbara Meta Maya that while it is supportive of the proposed development of a modular building component enterprise to employ, train and accommodate long term unemployed workers, Council cannot support the use of Lot 2444 or Reserve 41351 for that purpose.

200708/077 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr J E Ford**That:**

- i) **Council advises Pilbara Meta Maya that while it is supportive of the proposed development of a modular building component enterprise to employ, train and accommodate long term unemployed workers, Council cannot support the use of Lot 2444 or Reserve 41351 for that purpose.**
- ii) **the Minister for Planning and Infrastructure be requested to expedite the availability of land for light industry development; and**
- iii) **a Copy of letter from Meta Maya to Council seeking approval to construct a factory and associated accommodation to enable the employment of long term unemployed aboriginal people, be forwarded to the Minister for Planning and Infrastructure, and to the Regional Manager – Pilbara Region for LandCorp.**

CARRIED 8/1*NOTE : Cr G D Bussell requested the votes be recorded.**Record of Vote:*

FOR	AGAINST
Cr S R Martin	Cr G D Bussell
C A A Carter	
Cr S J Coates	
Cr G J Daccache	
Cr J Ford	
Cr A A Gear	
Cr J M Gillingham	
Cr K A Howlett	

6:59 pm Councillor K A Howlett left the room.

REASON: Council wanted to ensure that both LandCorp and the Minister for Planning and Infrastructure were aware of the situation.

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

Officer Bev Johnson
Executive Assistant –
Community & Regulatory
Services

Date of Report ... 2007

Disclosure of Interest by Officer Nil

Summary

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

Background

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

Consultation Nil

Statutory Implications

Town of Port Hedland Delegation Register 2006 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

Officer's Recommendation**200708/078 Council Decision/Officer's Recommendation**

Moved: Cr A A Carter

Seconded: Cr G D Bussell

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

CARRIED 8/0

ATTACHMENT TO AGENDA ITEM 11.2.2.1

App. No.	App. Date	Date Determined	Description	Applicants name.	Owners Name	Address	Deleg.	Zoning
2007/156	05/06/2007	12/10/2007	SHOP - airlock within existing entry	Ken Paterson Architects	MULTIPLEX CAPITAL LTD. PT HED BOULEVARD SHOP CENT	150 ANDERSON STREET (SHOP CENTRE) PORT HEDLAND 6721	Yes	Commercial
2007/160	24/07/2007	23/10/2007	GROUPED DWELLING & R CODE VARIATION- 5 x 3 Bedroom Dwellings/ Boundary Wall Setbacks Units 1,3 & 4	Define Creations	LASSO HOLDINGS PTY LTD	2 HOWE STREET PORT HEDLAND 6721	Yes	Residential
2007/165	31/07/2007	29/10/2007	SINGLE HOUSE - Additions & Alterations to Existing Residence - Proposed 2nd Storey, Patio, Carport & Front/Rear Verandah	Gordon Hodges - Pilbara Supervision & Consulting Services	DAVID ANDREW MERVIN WATSON	6 WEBSTER STREET PORT HEDLAND 6721	Yes	Residential
2007/209	27/07/2007	16/10/2007	RURAL SETTLEMENT - Health Clinic addition	John Silver & Co.	STRELLEY HOUSING SOCIETY INC	LOC 179 FORREST LOCATION PORT HEDLAND AREA 6721	Yes	Rural
2007/213	12/09/2007	05/10/2007	SINGLE HOUSE - R Codes Variation - Shed Addition - 8m x 8m & Exceeding 2.4m height	Jandem Pty Ltd	JANDEM PTY LTD	22 SUTHERLAND STREET PORT HEDLAND 6721	Yes	Residential
2007/215	12/09/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Carport, Shed and Patio Additions	Craig Wright	CRAIG STEPHENSON WRIGHT	14 BEROONA LOOP SOUTH HEDLAND 6722	Yes	Residential
2007/216	13/09/2007	23/10/2007	TRANSIENT WORKFORCE ACCOMMODATION - Exploration Camp	Jeff Gidman - Engenium Pty Ltd	PANDELL PTY LTD	E45/ 02330 MINING TENEMENT VIA PORT HEDLAND 6721	Yes	
2007/221	20/09/2007	29/10/2007	STORAGE FACILITY/ DEPOT/LAYDOWN AREA - 3M X 1.5M - New Ablutions & Additional Verandah (w Terry signoff)	BM & JH Arrowsmith	BRIAN MICHAEL ARROWSMITH	10-12 RIDLEY STREET WEDGEFIELD 6724	Yes	Industrial
2007/223	20/09/2007	23/10/2007	GROUPED DWELLING - Additional Dwelling	Kirkland Pty Ltd T/As Force Equipment Service & Hire	JOHN PHILIP SIDNEY RYLANCE	22 ROBINSON STREET PORT HEDLAND 6721	Yes	Residential

MINUTES : ORDINARY COUNCIL MEETING
28 NOVEMBER 2007

2007/225	20/09/2007	12/10/2007	SINGLE HOUSE - R Codes Variation - Shed Additions x 2 - 3.8m x 2.7m x 6.6m Rural Land	Junior Djiagween	ABORIGINAL LANDS TRUST	LOT 5824 MADIGAN ROAD PORT HEDLAND 6721	Yes	Rural Residential
2007/229		29/10/2007	STORAGE FACILITY-DEPOT-LAYDOWN AREA 2 X TRANSPORTABLES & SHADE SAIL	BRADFORD JOHN YOUNG	BRADFORD JOHN YOUNG	1 PEAWAH STREET WEDGEFIELD 6724	Yes	Industrial
2007/233	04/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Shed Addition 6m x 5m x 3.1m (Exceeding Height)	Andrew Singleton	ANDREW RADFORD SINGLETON	18 JUDITH WAY SOUTH HEDLAND 6722	Yes	Residential
2007/234	13/09/2007	10/10/2007	GROUPED DWELLING - 2 dwellings	Aiden Chamberlain	CLARENCE ADOLPH WHITEHEAD	LOT 5291 BROWN PLACE SOUTH HEDLAND 6722	Yes	Residential
2007/235		16/10/2007	DEVELOPMENT APPLICATION - Port Hedland Yacht Club - Reserve 30768 playground refurbishment - new equipment	EPCAD PTY LTD	TOWN OF PORT HEDLAND	LOT 5178 SUTHERLAND STREET PORT HEDLAND 6721	Yes	Zoning Not Listed
2007/239	05/10/2007	29/10/2007	SINGLE HOUSE - setback variation to shed & retaining wall addition.	David Goldman	TOWN OF PORT HEDLAND	18 COUNIHAN CRESCENT PRETTY POOL 6721	Yes	Residential
2007/240	11/09/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - verandah decking and patio	Vathjunker Contractors	DAVID JOHN ESSEX	50 KINGSMILL STREET PORT HEDLAND 6721	Yes	Residential
2007/249	03/10/2007	31/10/2007	SINGLE HOUSE - Relocation of Transportable Dwelling	IVAN YUJNOVICH	IVAN YUJNOVICH	13 MOORE STREET PORT HEDLAND 6721	Yes	Residential
2007/250	05/10/2007	31/10/2007	SINGLE HOUSE - Relocation of Transportable Dwelling	Ivan Yujnovich	IVAN YUJNOVICH	11 MOORE STREET PORT HEDLAND 6721	Yes	Residential
2007/257	14/09/2007	16/10/2007	CONSULTING ROOMS - covered walkway	JAXON CONSTRUCTION	WIRRAKA MAYA HEALTH SERVICES AB. CORP.	1-5 HAMILTON ROAD SOUTH HEDLAND 6722	Yes	Residential
2007/258	15/10/2007	25/10/2007	SINGLE HOUSE - R Codes Variation, Street Setback	Goldman Constructions Pty Ltd	TOWN OF PORT HEDLAND	18 COUNIHAN CRESCENT PRETTY POOL 6721	Yes	Residential

2007/268	23/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L125 - Report 1	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/269	23/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L110 - Report 5	Lawrence & Associates	DEPARTMENT OF HOUSING AND WORKS	28 ACACIA WAY CASSIA 6722	Yes	Residential
2007/270	23/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L150 - Report 4	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/271	23/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Lot 149 - Report 3	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/272	23/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L126 - Report 2	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/273	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L130 - Report 2	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/274	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L135 - Report 2	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/275	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Lot 138 Pundul Avenue South Hedland	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/276	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L141 - Report 2	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential

2007/277	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L144 - Report 2	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/278	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L127 - Report 1	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/279	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L129 - Report 1	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/280	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L131 - Report 1	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/281	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L136 - Report 1	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/282	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L139 - Report 1	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/283		29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L140 - Report 1	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/284	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L143 - Report 1	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/285	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/286	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L156 - Report 4	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential

2007/287	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L159 - Report 4	Lawrence & Associates	CROWN	LOT 2336 TRAI NE CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/288	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L165 - Report 4	Lawrence & Associates	CROWN	LOT 2336 TRAI NE CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/289	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L169 - Report 4	Lawrence & Associates	CROWN	LOT 2336 TRAI NE CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/290	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L170 - Report 4	Lawrence & Associates	CROWN	LOT 2336 TRAI NE CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/291	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L111 - Report 5	Lawrence & Associates	DEPARTMENT OF HOUSING AND WORKS	28 ACACIA WAY CASSIA 6722	Yes	Residential
2007/292	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - L112 - Report 5	Lawrence & Associates	DEPARTMENT OF HOUSING AND WORKS	28 ACACIA WAY CASSIA 6722	Yes	Residential
2007/293	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Proposed 33 Single Storey Dwellings - L113 - Report 5	Lawrence & Associates	DEPARTMENT OF HOUSING AND WORKS	28 ACACIA WAY CASSIA 6722	Yes	Residential
2007/294	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Lot 151 - Report 3	Lawrence & Associates	DEPARTMENT OF HOUSING AND WORKS	LOT 2336 TRAI NE CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/295	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - LOT 154 - Report 3	Lawrence & Associates	CROWN	LOT 2336 TRAI NE CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/296	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Lot 155 - Report 3	Lawrence & Associates	CROWN	LOT 2336 TRAI NE CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/297	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Lot 157 - Report 3	Lawrence & Associates	CROWN	LOT 2336 TRAI NE CRESCENT WALNUT GROVE 6722	Yes	Residential

2007/298	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Lot 160 - Report 3	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/299	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Lot 166 - Report 3	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential
2007/300	24/10/2007	29/10/2007	SINGLE HOUSE - R Codes Variation - Lot 168 - Report 3	Lawrence & Associates	CROWN	LOT 2336 TRaine CRESCENT WALNUT GROVE 6722	Yes	Residential

7:02 pm Councillor K A Howlett re-entered the room and assumed her chair.

11.2.2.2 *Proposed Final Adoption of the Town of Port Hedland Municipal Heritage Inventory (File No.: PLN - 008)*

Officer Andrew Patterson
Planning Officer

Date of Report 17 October 2007

Disclosure of Interest by Officer Nil

Summary

At its Ordinary Meeting on 24 May 2006, Council resolved to advertise the *Draft Town of Port Hedland Municipal Inventory of Heritage Places* for comment prior to adopting this document. This advertising was completed 28 June 2006 and, following submission of comments to the Consultant, compiling new information and conducting additional site visits on 24-25 May 2007, the final document is presented for final adoption.

Background

Local Governments are required to compile and maintain a register of heritage places in accordance with the *Heritage of Western Australia Act 1990* (the Act). This document is to be updated annually and reviewed every four years. The Town of Port Hedland's current Inventory is dated October 1996 and therefore requires review under the Act.

Following the advertising conducted in accordance with Council's May 2006 resolution, Council received the following schedule of submissions (Officer comment in italics):

From Trish Parker:

1. Boodarie Station entries to be modified to identify location as 15 km South of PH – *text modified;*
2. Advises that additional detail to be included in Condon townsite entry – advised that Historical Society may be able to provide photographs of the area. *The consultant was unable to visit this site to photograph, however any relevant photos may be submitted by the Historical Society for inclusion when available.*
3. Decca Communications site recommended as a new entry. *Consultant has not included this site as structure has been significantly modified from original use. If historical data regarding this site becomes available, this could be included as a new entry in the MHI.*

4. De Grey Station entry requires modification as the station is 70 km North, not 100 km North East. *Specific location is being ascertained, with this entry to be amended if required.*
5. Du Pont Ammunition Bunkers location noted as 20 km north with additional information available from local researcher. *Bunkers upgraded from cat. 3 to cat. 2, location to remain 20 km northeast; reference to additional research not available.*
6. Goldsworthy townsite recommended for inclusion. *This site is outside the ToPH boundaries and falls outside the scope of this document.*
7. Hillside Station recommended to be removed as it is outside ToPH boundaries. *Deleted.*
8. Indee Station to be included. *Included as place 53.*
9. Mundabullangana Station location to be changed to 70 km south. *Location of Mundabullangana Station to be changed to 30 km south west of Port Hedland.*
10. North West Coastal Highway entry to be updated. *No additional information is included, however should any be received, this entry could be expanded as appropriate.*
11. Shay Gap Townsite to be removed as not in ToPH. *Deleted.*
12. Strelley Homestead entry to be updated with data from local researcher. *No additional information received, however may be included as appropriate when submitted.*
13. Wallareenya Homestead details submitted to Council in 2002, site is located 70 km east of Port Hedland. *No additional data found on file; any additional information may be assessed and included when submitted.*

From Port Hedland Historical Society:

1. All MHI site owners to be notified in writing with details of the listing. *The draft MHI has been advertised on a number of occasions and for those places in private ownership, there is a generally good level of awareness. Should Council so direct, owners could be notified in writing of the listing of their property in the MHI.*
2. The following places recommended for upgrading to category 1:
 - a. Tamarind Tree: *Consultant has retained cat. 2*
 - b. Bangers House: *Consultant has retained cat. 2*
 - c. Methodist Church: *Consultant has retained at cat. 3 due to significant alterations to building fabric.*
 - d. Charlie Baymans House: *retained at cat. 2*
 - e. Harbourmaster's Dwelling: *retained at cat. 2.*

For a description of the criteria used to determine management categories, see pp 15 – 18 of the MHI text.

3. Nissan Hut to be listed separately to the RFDS building. *Both sites have separate listings (15 and 29)*
4. Recommends higher level of protection for the Pioneers and Pearlers Cemetery, particularly with regard to maintenance activities damaging the site. *Potential damage to this site is*

more appropriately addressed through assessment of ToPH maintenance regimes.

5. Malay Grave near harbour turning basin to be more clearly marked. *The precise location of the grave is unknown and further research is required to identify this site.*
6. The convent on Wedge Street is extensively modified and original character and integrity lost. *Authenticity is noted as "low" in the MHI.*
7. Sculpture Park should be protected to control further development. *Management category listed as 4, however as this park is vested in the ToPH, further protection is not considered necessary.*
8. The entire homestead including outbuildings, shearing sheds and quarters should be listed, not just the homestead itself. *MHI lists this site as "Homestead group of single storey buildings."*
9. De Grey Station recommended as cat. 1. *Extensive modifications result in cat. 3 listing.*
10. Goldsworthy Townsite to be interpreted. *Not in ToPH.*
11. Indee Station crash site to be reviewed as wreckage removed. *Site to remain on MHI as site of significant air disaster with no development restrictions due to lack of wreckage material.*
12. Recommend that the following sites be submitted to HCWA for inclusion in register:
 - a. Locke Hospital and Burial Ground: *already recommended for inclusion in HCWA Register.*
 - b. Pioneers and Pearlers Cemetery: *already recommended for inclusion in HCWA Register.*
 - c. Convent: *not recommended due to moderate integrity and low authenticity of site*
 - d. Port Hedland Railway Station: *already recommended for inclusion in HCWA Register.*
 - e. Bangers House: *not recommended due to low to moderate authenticity*

The Port Hedland Historical Society also recommends holding a community meeting, to be hosted by the Society, to encourage further input. Should Council determine to support this recommendation, it is suggested that staff resources be directed to inputting technical information to this event.

Grant Bussell:

1. Modifications to Historical Overview:
 - a. Centenary year was 1996, not 1997; Port Hedland was also the featured town at the 1996 Perth Royal Show. *Date changed as recommended.*
 - b. Nudits (sic) beach approved August 2001 east of Pretty Pool, not north. *Details modified.*
 - c. McCafferty's Greyhound only ceased the inland service to Newman with this service then subsidised by the State Govt through Integrity Coachlines. *Details modified.*

2. Additional information submitted regarding the Lock Hospital and Aboriginal burial grounds. *Details added to Inventory.*
3. Additional information submitted regarding “Charlie’s Store” entry. *Additional information included in Inventory.*
4. Additional information submitted regarding the use of the harbour by pearl luggers and an unmarked Malay grave. *Additional information summarised and included in Inventory.*
5. New site proposed – Mail stopover station. *New site included in MHI.*

Should Council adopt this Heritage Inventory, one copy is to be submitted to the Heritage Council of Western Australia in accordance with the Act, with additional copies made available throughout the Town. Recommended locations to display in inventory are the Civic Centre, public libraries, Council’s web site, and the Dalgety House Museum.

Consultation

Councillors have been advised of the final draft Inventory, with copies made available for inspection prior to the November 2007 Ordinary Meeting.

In accordance with TPS 5, section 6.10.6, all owners of sites included in the Inventory have been advised of this inclusion and invited to comment. No written submissions have been received during this advertising period.

Statutory Implications

Section 45 of the *Heritage of Western Australia Act 1990* states:

“45. Local government inventories

- (1) A local government shall compile and maintain an inventory of buildings within its district which in its opinion are, or may become, of cultural heritage significance.*
- (2) The inventory required by subsection (1) shall be compiled no later than 4 years from the commencement of this Act and shall be —*
 - (a) updated annually; and*
 - (b) reviewed every 4 years after compilation.*
- (3) A local government shall provide the Council with a copy of the inventory compiled pursuant to this section.*
- (4) A local government shall ensure that the inventory required by this section is compiled with proper public consultation.”*

Town of Port Hedland Town Planning Scheme No. 5, section 6.10 addresses the planning framework for addressing development of Heritage sites.

Policy Implications

Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

A Municipal Heritage Inventory is a living document that should be reviewed on an annual basis, responding both to the changing status of the physical environment (e.g. buildings being demolished, damaged or significantly altered), or through changing community perceptions regarding the significance of certain sites (i.e. new sites becoming significant to the Town's cultural heritage).

Included in its submission for the Draft MHI, the Port Hedland Historical Society recommended that owners of sites included in the list be provided with information regarding their property, including the implications of being included in the MHI, and advising on any potential funding for maintenance, restoration or interpretive work.

Attachments Nil

Officer's Recommendation

That Council:

1) Adopt the Town of Port Hedland Municipal Inventory of Heritage Places Review 2007 with the following place modifications:

- i) Location of Boodarie Station amended to 15 km south west of Port Hedland;
- ii) Goldsworthy townsite deleted from Inventory;
- iii) Deletion of Hillside Station entry;
- iv) Location of Mundabullangana Station changed to 30 km south west of Port Hedland;
- v) Shay Gap Townsite deleted from Inventory;
- vi) Additional information added to Lock Hospital site (place 24)
- vii) Additional information added to Charlie Souey's Store site (place 5)
- viii) Additional information added to Port of Port Hedland site regarding pearl luggers and Malay grave (place 33)
- ix) Port Hedland Rail Station site included (place 38)

and the following textual modifications:

- i) Centenary year changed to 1996
- ii) Reference to Royal Show feature changed to 1996;
- iii) Approval for nudist beach changed to 2001
- iv) Details relating to McCaffety's coach service modified

2) Submit one copy of the adopted *Town of Port Hedland Municipal Inventory of Heritage Places Review 2007* to the Heritage Council of Western Australia;

- 3) Display one (1) copy of the adopted Town of Port Hedland Municipal Inventory of Heritage Places Review 2007 at the following locations:
 - i) Civic Centre
 - ii) Port Hedland Library
 - iii) South Hedland Library
 - iv) Dalgety House Museum
 - v) Town of Port Hedland Web Site
- 4) Prior to the annual revision of the Heritage Inventory, that Council supports a public forum, to be hosted by the Port Hedland Historical Society, with technical advice and input.

200708/079 Council Decision**Moved:** Cr G D Bussell**Seconded:** Cr A A Gear**That Council:**

- 1) **Adopt the Town of Port Hedland Municipal Inventory of Heritage Places Review 2007 with the following place modifications:**
 - i) **Location of Boodarie Station amended to 15 km south west of Port Hedland;**
 - ii) **Goldsworthy townsite deleted from Inventory;**
 - iii) **Deletion of Hillside Station entry;**
 - iv) **Location of Mundabullangana Station changed to 30 km south west of Port Hedland;**
 - v) **Shay Gap Townsite deleted from Inventory;**
 - vi) **Additional information added to Lock Hospital site (place 24)**
 - vii) **Additional information added to Charlie Souey's Store site (place 5)**
 - viii) **Additional information added to Port of Port Hedland site regarding pearl luggers and Malay grave (place 33)**
 - ix) **Port Hedland Rail Station site included (place 38)**

and the following textual modifications:

 - i) **Centenary year changed to 1996**
 - ii) **Reference to Royal Show feature chaged to 1996;**
 - iii) **Approval for nudist beach changed to 2001**
 - iv) **Details relating to McCaffety's coach service modified**
- 2) **Submit one copy of the adopted *Town of Port Hedland Municipal Inventory of Heritage Places Review 2007* to the Heritage Council of Western Australia;**

- 3) **Display one (1) copy of the adopted Town of Port Hedland Municipal Inventory of Heritage Places Review 2007 at the following locations:**
 - i) **Civic Centre**
 - ii) **Port Hedland Library**
 - iii) **South Hedland Library**
 - iv) **Dalgety House Museum**
 - v) **Town of Port Hedland Web Site**
- 4) **Prior to the annual revision of the Heritage Inventory, that Council supports a public forum, to be hosted by the Port Hedland Historical Society, with technical advice and input.**
- 5) **Property owners be notified of that status of their property.**

CARRIED 9/0

REASON: Council resolved to ensure property owners affected by the Town of Port Hedland Municipal Inventory of Heritage Places Review 2007 are notified of that status of their property.

NOTE: Councillor G D Bussell advised the submission recorded in the Agenda Item as being made by him, was incorrect. Messrs Ron Morley and Vincent Lockyer made that submission as follows:

“Messrs Ron Morley and Vincent Lockyer

1. *Modifications to Historical Overview:*
 - a. *Centenary year was 1996, not 1997; Port Hedland was also the featured town at the 1996 Perth Royal Show. Date changed as recommended.*
 - b. *Nudits (sic) beach approved August 2001 east of Pretty Pool, not north. Details modified.*
 - c. *McCafferty’s Greyhound only ceased the inland service to Newman with this service then subsidised by the State Govt through Integrity Coachlines. Details modified.*
2. *Additional information submitted regarding the Lock Hospital and Aboriginal burial grounds. Details added to Inventory.*
3. *Additional information submitted regarding “Charlie’s Store” entry. Additional information included in Inventory.*
4. *Additional information submitted regarding the use of the harbour by pearl luggers and an unmarked Malay grave. Additional information summarised and included in Inventory.*
5. *New site proposed – Mail stopover station. New site included in MHI.”*

11.2.2.3 Proposed Street Names for Subdivision at Lot 3493 Steamer Avenue South Hedland (File No's: 130053G, 18/14/0004)

Officer Marion Carter
Planning Assistant

Date of Report 5 November 2007

Disclosure of Interest by Officer Nil

Summary

Council has received a request from Taylor Burrell Barnett for Council approval for proposed street names for new roads created for the subdivision of lot 3493 Steamer Avenue South Hedland.

Background

The attached maps indicate the location and proposed names of the streets servicing the new subdivision. Most of the proposed names continue a theme of early ships that serviced Port Hedland State Shipping /service vessels, or nautical theme already used in this locality.

Two of the other street names are derived from tugs currently operating from Port Hedland, and one is a now disused name from a pastoral lease. These three names are all included in Council's reserve street name list.

The following ships belonged to the Western Australian Steam Navigation Company (also known colloquially as the 'black ships') formed in 1886 and serviced the trade between Western Australian north west Ports and Singapore. Cargo destined for north west ports from Europe was delivered to Singapore from where it was transhipped to northern Australia. From northern Australian ports sheep, cattle and wool were loaded for Fremantle.

Western Australian Steam Navigation Company

- Muccan Close
- Coongan Court
- Mallina Link
- Australind Avenue
- Sultan Link
- Centaur Avenue
- Minilya Link
- Minderoo Avenue
- Saladin Way
- Kimberley Avenue
- Pilbara Loop

State Shipping Service

The State Shipping Service operated ships that served the north west ports of Western Australia. Many of those ships have already lent their names to streets in South Hedland. Several that haven't been used are suggested for the new streets to be developed in the Collier Drive Development and are listed below with brief details of the particular vessel.

- Kimberley Avenue: MV "Kimberley" built 1979, LOA 132.4m, DWT 12,780. Chartered in 1979 from Hamelet Maritime Invest. Re-delivered 20 March 1984 to Bernera Shipping of Bermuda.

The MV 'Kimberley' and MV 'Pilbara' joined the State Ships in 1980 and 1981 respectively. They were 'Multiflex' vessels each with a deadweight lifting capacity of 12,800 tonnes, had ship-board cranes able to lift up to 70 tonnes and could stow large machinery below decks. These ships also had stern ramps to permit Roll on – Roll off Operations. They were multi purpose ships and allowed the service between Western Australia and the eastern states to be expanded.

- Pilbara Loop: MV "Pilbara" built 1978, LOA 133.13m, DWT 12,760 chartered 23 September 1981.

Coongan and Mallina are both the names of tugs operating from Port Hedland.

Muccan is the name from a pastoral lease that no longer exists.

Consultation

The Geographic Names Committee has advised that the proposed street names are acceptable.

Statutory Implications

Street names are required to be selected prior to titles being issued for a new subdivision, with Council approval required by the Geographic Names Committee prior to the name allocation.

Policy Implications

Nil

Strategic Planning Implications

KRA 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.

Budget Implications Nil

Officer's Comment

If Council agrees with the names selection as proposed by the applicant it is recommended that the selection be approved and the Geographic Names Committee be advised of this decision.

However, should Council not agree with any of the selection, it should submit alternative names.

Should alternative names be selected, this is likely to delay the issue of titles and the sale and release of any of the affected lots should the Geographic Names Committee object to any alternative suggestions.

Attachments

1. Steamer Ave/Collier Drive Road Plan

200708/080 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

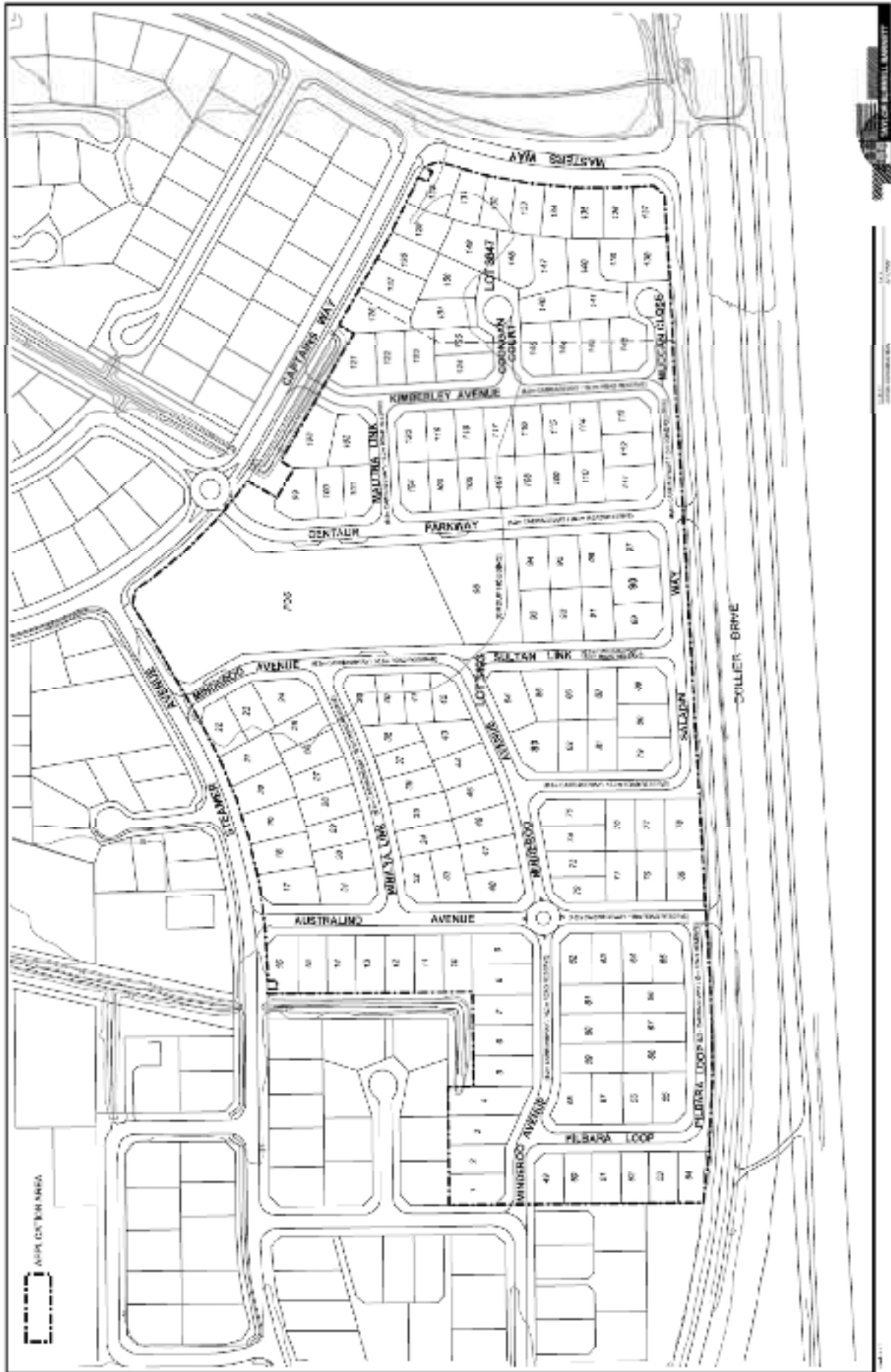
Seconded: Cr G J Daccache

That Council advise the Geographic Names Committee that it requests that the following names be assigned to the subdivision of lot 3493 Steamer Avenue South Hedland in accordance with the attached diagrams:

- i) Muccan Close
- ii) Coongan Court
- iii) Mallina Link
- iv) Australind Avenue
- v) Sultan Link
- vi) Centaur Avenue
- vii) Minilya Link
- viii) Minderoo Avenue
- ix) Saladin Way
- x) Kimberley Avenue
- xi) Pilbara Loop

CARRIED 9/0

ATTACHMENT TO AGENDA ITEM 11.2.2.3



Road Names Plan
LOT 9493 STEAMER AVENUE AND LOT 9447 CAPTAINS WAY
SOUTH HEDLAND



Scale: 1:1000
Date: 11/11/07
Author: [Name]
Checked: [Name]
Drawn: [Name]

11.2.2.4 Proposed Construction Of New Yacht Club Facility – Port Hedland Yacht Club – Lot 5178 Sutherland Street, Port Hedland (Reserve 30768) (File No: 18/12/0012, A130354G)

Officer	Richard Bairstow Manager, Planning
Date of Report	14 November 2007
Disclosure of Interest by Officer	Nil

Summary

Council has received an application from Paterson Group Architects on behalf Port Hedland Yacht Club for the construction of the new Club Facility (Club House)

Background

The Site

The land is situated on Reserve 30768 and is zoned Parks & Recreation and vested in the Town of Port Hedland. The Port Hedland Yacht Club lease the land from Council

The Proposal

The proposal is for the construction of a new two-storey building located between the current parking area and the existing entry to the yacht club. The complex includes club facilities on ground floor; function facilities upstairs, and a new Commodore's office that will enjoy panoramic views over the ocean and future marina. On completion, the existing facility will be demolished (refer Attachments 2, 3 & 4).

The building has been oriented to take full advantage of the outlook to the west and north, and to block inclement easterly winds from the grassed area and the new playground currently being installed.

Ground floor level of the facility will follow existing ground levels. However, to accommodate both the construction of the new, and retain the existing facility during construction, the line of the existing embankment to high water level will be altered slightly.

The building will be constructed using a combination of cool room panels with external metal cladding and rendered and painted walls. The roof shall be Colorbond metal deck and Bondor roof panels.

The form of the building is comprised of two simple roof forms. Over the service/kitchen areas and entry, a curved roof sweeps up from anchor blocks on the southern side of the building, terminating above the line of the bar in the function space and also incorporates the lift shaft and overrun. The balance of the building is comprised of a simple skillion roof. The entry is created as a two-storey entry court, with louvres to shield the windows over the foyer on the ground and first floor. This wall will add to the entry experience, and the louvred screen will allow the expression of glass from ground to first floor (Refer Attachments 5 & 6).

Consultation

The proposal has been referred to Council's Building, Health and Engineering Department for comment. Appropriate conditions have been imposed as requested.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

As identified under the draft Land Use Master Plan, the land is located within the proposed "Special Control Area". Plans are progressing for development of a new marina on the west side of the Spoil Bank, which will add significant attraction to the area. This current proposal is seen as part of this upgrade process.

Budget Implications

Planning fees of \$1891 have been deposited into account 1006326 – Town Planning Fees, reflecting a development cost of \$800 000.

Attachments

Attachment 1 - Aerial Site Plan
Attachment 2 - Site Plan
Attachment 3 & 4 – Details Plans
Attachment 5 & 6– Building Section & Elevation Plans

Officer's Comment

Council has previously considered the concept of the proposal within the wider frame of the redevelopment of the Spoilbank area, as identified in the *Draft Land Use Master Plan*.

The development is located on leased land on the northern side of Sutherland Street, vested in the Town. While the facility will be slightly elevated on retained land, the development will not impose on the landscape as the lot is located below the level of Sutherland Street. It is situated in front of the Regional Hospital.

The Hospital shall be relocated to South Hedland in the foreseeable future and the site redeveloped. Because of the contours of the land, the development will not adversely impinge visually on views for existing or proposed development envisaged for the southern side of Sutherland Street.

To improve the presentation to Sutherland Street, a condition has been recommended regarding the upgrade of the elevation, in particular the inclusion of windows/other architectural features to break up the bulk of the proposed curved roof.

Other conditions have been included to address the removal of the existing yacht within 3 months of the proposed yacht been completed.

This development has been advertised within the fraternity of the Yacht Club, inviting comments and/or objections from members, and the proposal has subsequently received full support from members.

The application is recommended for approval subject to those conditions detailed within the recommendation.

200708/081 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S J Coates

That Planning Approval is granted for the Development Application - Port Hedland Yacht Club - Reserve 30768 Proposed Construction Of New Yacht Club Facility at Lot 5178 Sutherland Street, Port Hedland, as outlined in the application received and indicated on the attached plans, subject to the following conditions:

- i) A sign in accordance with the attached specification being placed on site within fourteen days of the date of this approval, stating that approval has been granted; such sign to remain until the development is completed.**
- ii) This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only (PS).**
- iii) The proposed development shall be connected to reticulated mains sewer.**
- iv) Prior to the submission of a Building Licence amended plans and or information been submitted to and approved by the Town incorporating the following:**

- a) A colour pallet for the proposed building including elevations and roof. It should be noted that highly reflective colours are unlikely to be supported;
- b) Carparking being provided in numbers and designed in accordance with the requirements of Town Planning Scheme No. 5 with particular reference to Appendix 7 and 8;
- c) Disable carparking being provided in accordance with the requirements of the relevant statutory documents;
- d) The elevation to Sutherland Street being upgraded to include windows/other architectural features to break up the bulk of the proposed curved roof; and

all to the satisfaction of the Manager Planning.

- v) A detailed landscaping plan for the development site and the adjoining reserve area shall to be submitted to and approved by the Manager Planning within 3 months of the date of this approval. The plan to include species and planting details with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.
- vi) Landscaping and reticulation to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to the satisfaction of the Manager Planning.
- vii) Any roof mounted or freestanding plant or equipment such as air conditioning units to be located and/or screened so as not to be visible from beyond the boundaries of the development site.
- viii) The proponent and the contractor shall be responsible for the dust and sand drift control in accordance with Department of Environment (DoE) guidelines. Disturbed areas shall be stabilised on completion and thereafter maintained to the satisfaction of the Manager Planning.
- ix) Compaction and stabilisation of the land must be carried out for potential building sites to the satisfaction of the Manager Planning. Only clean fill shall be used on site.
- x) Installation of lighting in carparking areas and pedestrian accessways to deter theft and anti social behaviour, to the satisfaction of Manager Planning.

- xi) An overall signage strategy for the Yacht Club shall be submitted for approval to the satisfaction Manager Planning.**
- xii) All stormwater shall be retained on-site and disposed of to the specifications of the Engineering Department and to the satisfaction of the Manager Planning.**
- xiii) All storage/service areas shall be suitably screened and access doors/gates closed other than when in use to the satisfaction of Manager Planning.**
- xiv) 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:**
- xv) The delivery of materials and equipment to the site;**
 - a) The storage of materials and equipment on the site;**
 - b) The parking arrangements for the contractors and subcontractors;**
 - c) Impact on traffic movement;**
 - d) Operation times including delivery of materials; and**
 - e) Other matters likely to impact on the surrounding residents;**

to the satisfaction Manager Planning.

FOOTNOTES:

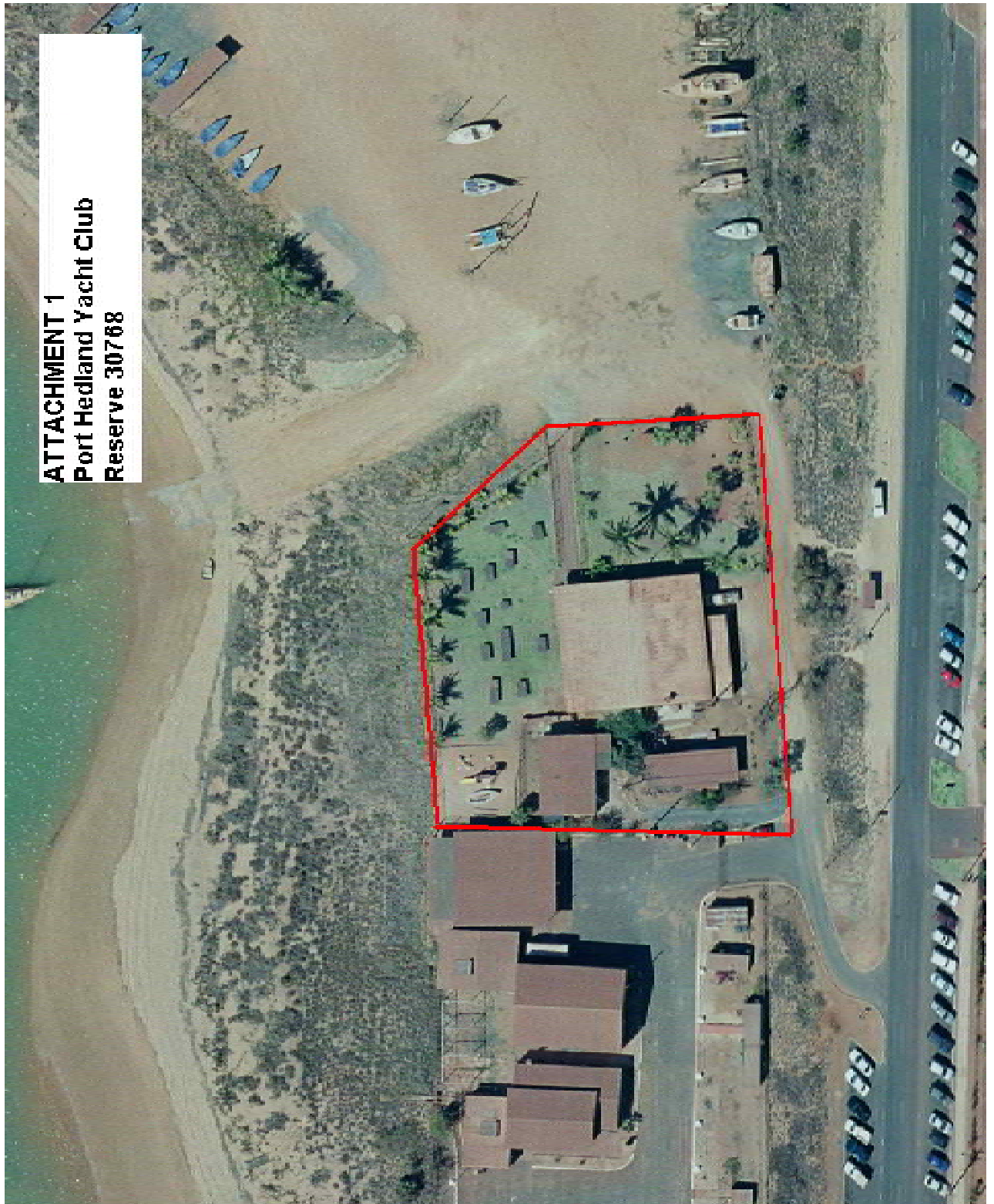
- i) You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering.**
- ii) Within 30 days of completion of the walls, Building Services are to be provided with written certification from a practising structural engineer stating that the earthworks and walls were inspected and found to be structurally adequate for the proposed development.'**
- iii) You are advised that drawings submitted for Building License are to be properly drawn, signed by a practising structural engineer and accompanied by a completed Certificate of Structural Sufficiency.**
- iv) The existing site levels of all proposed development, including levels at the top of kerb at the crossover, are to be shown on the Building License submission.**

- v) **Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Manager Planning Services.**
- vi) **Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 1999. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times. All dust and sand to be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Planning.**
- vii) **It is a requirement under the Town of Port Hedland Eating House Local Laws that all food premises be licensed prior to beginning operations**
- viii) **The applicant is advised that the construction and use of the proposed premises is required to comply with the Health (Food Hygiene) Regulations 1993;**
- ix) **Prior to the issue of a building licence, a fit out plan of all internal fixtures, finishes and fittings must be provided and approved to the specifications of Town's Environmental Health Services**
- x) **Be advised that the food premises may be required to be connected to a grease trap prior to effluent entering the disposal system.**
- xi) **The development is to comply with the Health (Public Buildings) Regulations 1992.**
- xii) **Be advised that at the building licence stage a detailed floor plan will be required to be submitted in order for Town to assess compliance with the Health (Public Buildings) Regulations 1992.**
- xiii) **The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year cycle of flooding could affect any property below the ten (10) metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building License is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.**

- xiv) Applicant is to comply with the requirements of Worksafe Western in the carrying out of any works associated with this approval.

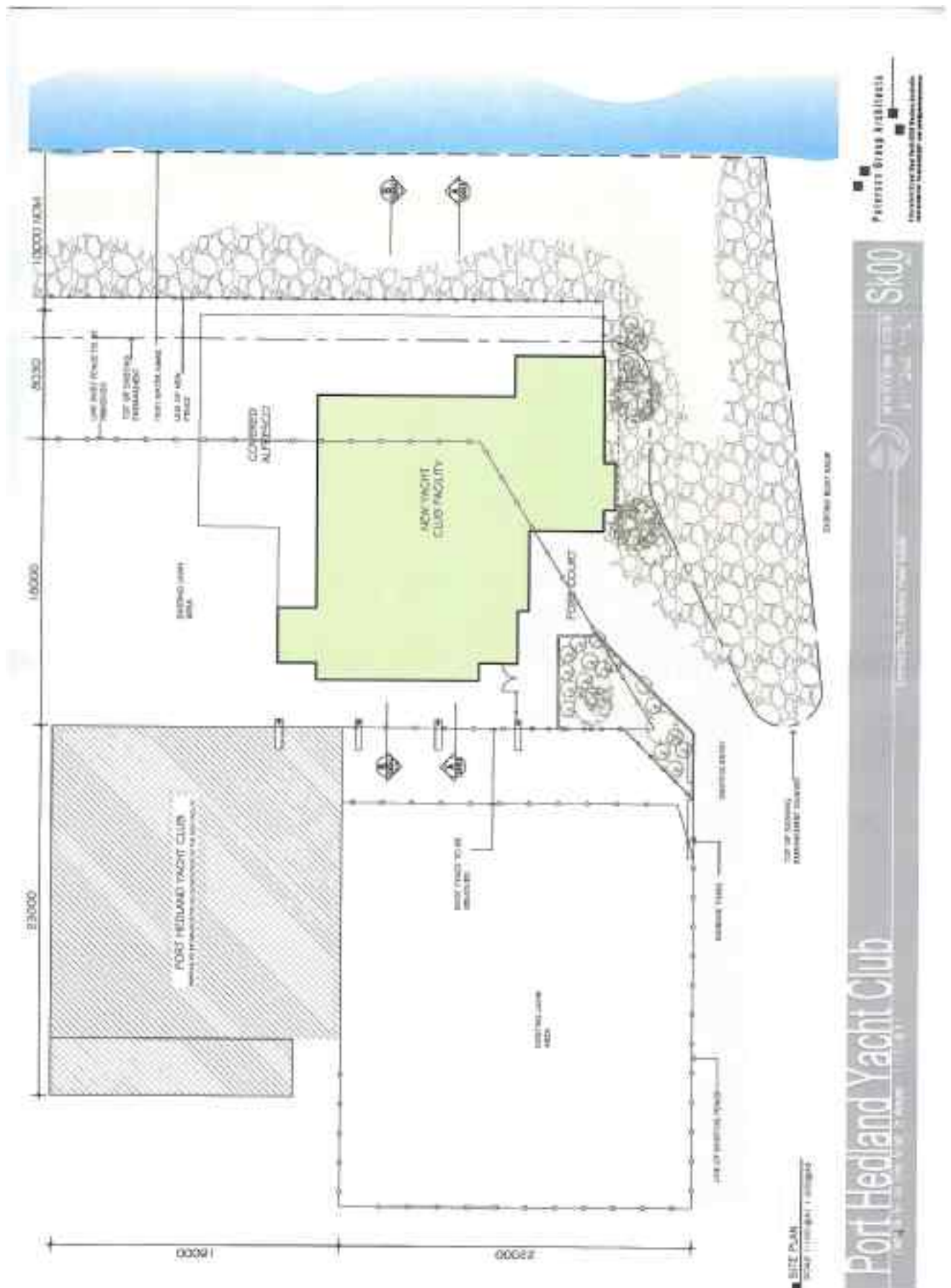
CARRIED 9/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.4

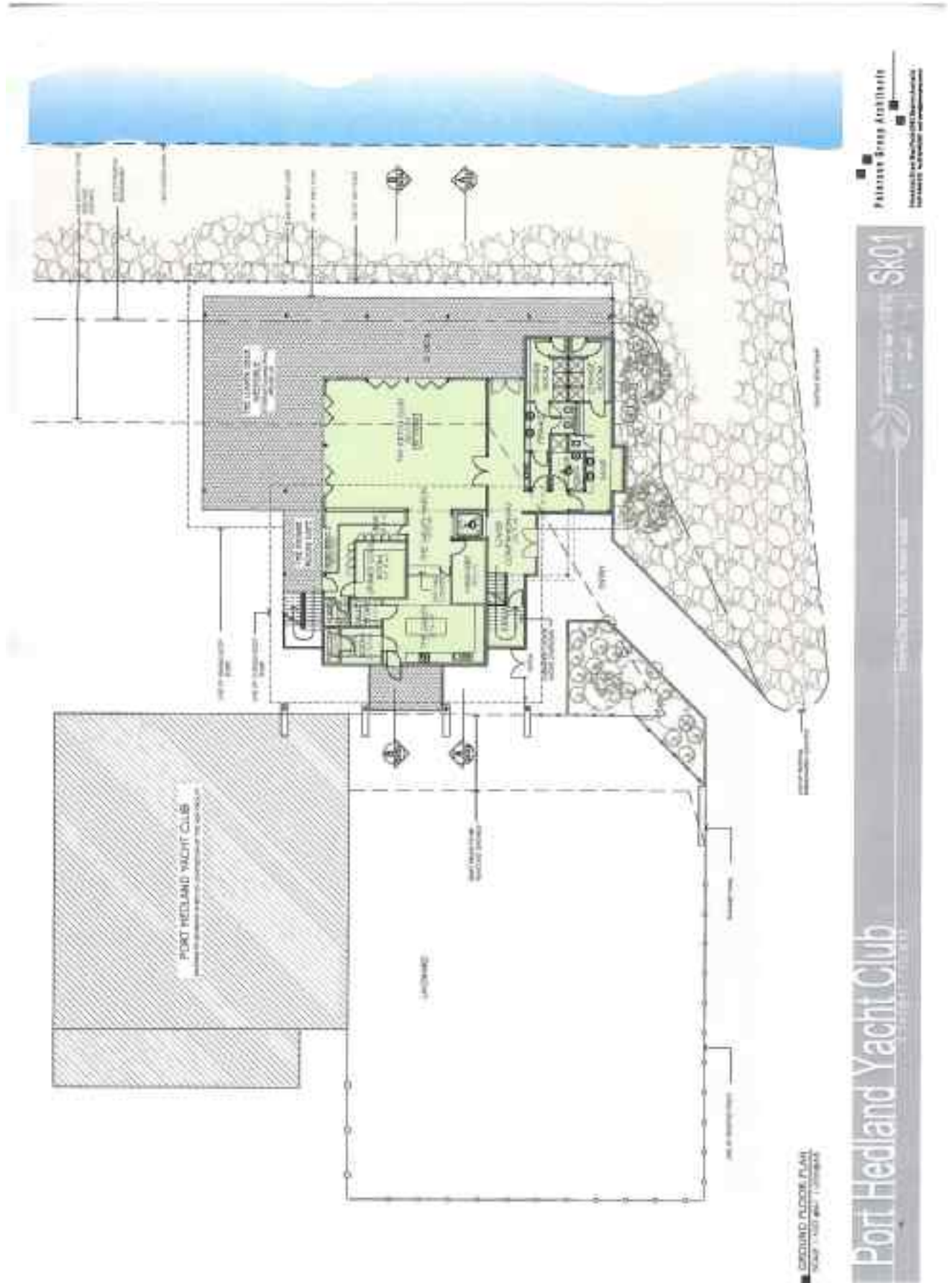


**ATTACHMENT 1
Port Hedland Yacht Club
Reserve 30768**

ATTACHMENT 2 TO AGENDA ITEM 11.2.2.4



ATTACHMENT 3 TO AGENDA ITEM 11.2.2.4



7:06 pm Councillor George J Daccache declared a financial interest in Item 11.2.2.5 'Proposed Change of Use of Lot 1/36 Edgar Street (Bangars House) Port Hedland from "Office" to "Reception Centre."' as he owns BHP Billiton shares and is employed by the company.

Councillor George J Daccache left the room.

7:08 pm Councillor Arthur A Gear left the room.

7:09 pm Councillor Steve J Coates declared a financial interest in Item 11.2.2.5 'Proposed Change of Use of Lot 1/36 Edgar Street (Bangars House) Port Hedland from "Office" to "Reception Centre."' as he is employed by BHP Billiton.

Councillor Steve J Coates left the room.

NOTE: Councillor Arnold A Carter declared a financial interest in Item 11.2.2.5 'Proposed Change of Use of Lot 1/36 Edgar Street (Bangars House) Port Hedland from "Office" to "Reception Centre."' 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.

11.2.2.5 Proposed Change of Use of Lot 1/36 Edgar Street (Bangars House) Port Hedland from "Office" to "Reception Centre." (File No.: 803180G)

Officer Andrew Patterson
Planning Officer

Date of Report 26 October 2007

Disclosure of Interest by Officer Nil

Summary

Council has received an application from Hodge and Collard Architects on behalf of the owner of lots 1 and 2 (12) Edgar Street Port Hedland, BHP Billiton, to change the use of this land from "Office" to "Reception Centre." This application requires Council approval, as the building is included in the *Town of Port Hedland Municipal Heritage Inventory* (MHI).

Background

Bangers house is listed as place number 10 in the MHI as a management category 2. A place of this category is "a place of considerable cultural heritage significance to the Town of Port Hedland that is worthy of recognition and protection," with the recommendation to "retain and conserve the place."

Prior to submitting this application, BHP Billiton Iron Ore commissioned a Heritage report for this site. This report, prepared by Ronald Bodycoat, is not included in this report but is available for viewing on request at the Civic Centre.

The applicant is proposing to modify the existing internal layout by:

1. Removing a number of internal walls to create a more open-plan visitor's area and gallery
2. Installing new stud and brick walls to modify existing kitchen and toilet areas, creating a new dining/function room and entry/reception

Externally, the applicant is proposing to:

1. Replace severely dilapidated verandas;
2. Install a disabled access ramp to the front entry (requiring the removal of some existing garden;
3. Replace stairs and fencing;
4. Landscape garden areas and replace fencing and extending footpaths; and
5. Upgrade existing workshop, seal and line mark car parking bays.

As part of the scope of works, the existing canopy over the portico entry is to be replaced and the paved entry widened to accommodate the new disabled access ramp. The Heritage Council of Western Australia (HCWA) have advised a preference for the existing portico to remain in its current state for its contribution to the streetscape. In assessing this opinion however, it is noted that period photographs of the building, both in its original location closer to the foreshore, and in its present site on Edgar Street do not show this portico, indicating that this is a recent addition with little heritage significance.

Car Parking

This application proposes a total of eight (8) car-parking bays located on the adjacent part lot 2 of lot 36 Edgar Street. TPS 5 requires the provision of one bay per 4 seats or one bay for every four persons the facility is designed to accommodate. As the proposed building modification does not easily fit this formula however, an alternative approach is required.

In addition to the eight (8) bays accommodated on site, the street frontage for this property (approximately 18 metres) allows for an additional six (6) bays. Working from the TPS 5 ratio, this would allow for a function of up to 56 persons, a sum likely to exceed the functional capacity of the building.

As eight (8) of the bays are to be provided on a separate strata lot however, an appropriate condition is included in the Officer's recommendation requiring the applicant to either create an easement on lot 2 in favour of lot 1 protecting the right to the car parking bays, or for the applicant to amalgamate the lots.

Consultation

Engineering Services have not objected to the proposal and noted that:

1. The proposed car parking bays do not meet ToPH requirements (applicant has been advised and submitted amended plans);
2. Verge treatments are to comply with Policy 9/008 – Verge Treatment Policy; and
3. Stormwater retention details are required.

Building Services have not objected to the proposal and advised that a building licence is required.

Environmental Health Services has not objected to the proposal and advised that the building is to be connected to reticulated sewer and that no food is to be sold to the public without appropriate approvals.

The Heritage Council of Western Australia has advised that it does not object to the proposal, but that its preference is for the existing portico to be retained.

Statutory Implications

TPS 5 zones that land "Town Centre" and lists "Reception Centre" as an "AA" use on the zoning table.

All applications for planning approval for places listed in the MHI require Council approval pursuant to 6.10.9.

Policy Implications

9/008 – Verge Treatment

10/001 Landscaping Policy For Industrial & Commercial Areas

Strategic Planning Implications Nil

Budget Implications

Planning application fee of \$690 has been deposited into account 1006326 – Town Planning Fees, reflecting a development cost of \$300 000.

Officer's Comment

The building subject to this application is externally in a generally dilapidated condition with significant work required merely to maintain the structure. Internally, the building is in generally poor condition, with significant modifications to the fabric removing much of the original heritage integrity. Rather, this building is now more representative of the way buildings are reused and modified to suit changing needs.

This proposal represents an opportunity to renovate a significant building in the town centre in such a way that preserves the remaining heritage value of the site and making the building a functional place contributing to life of the town centre. The significant opportunity not addressed by this application is the potential to integrate this site more closely with the adjacent Courthouse Art Gallery and gardens.

While it is acknowledged that this is a privately owned property, an appropriate condition is included in the Officer's recommendation that allows for further negotiation with relevant Council Officers to integrate the landscaping for these two sites prior to installation.

Attachments

1. Location plan and aerial photograph
2. Existing and proposed site plan

200708/082 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J M Gillingham

That Planning Consent be granted to Hodge and Collard Architects Pty Ltd for the CHANGE OF USE – OFFICE TO RECEPTION CENTRE at Lot 36 Edgar Street Port Hedland as outlined in the Application received 11 September 2007 (Application 2007/246) 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. Materials and finish of the proposed additions to match or harmonise with those of the existing building.**
- 3. No human habitation is permitted in the Reception Centre without approval of Council.**
- 4. Edge of roof sheeting to be set back at least 750mm from property boundaries.**
- 5. Prior to occupying the building, the applicant is to submit to the Town of Port Hedland either:**
 - a) an approved diagram of survey describing the amalgamation of part lots 1 and 2 of lot 36 Edgar Street Port Hedland, or**
 - b) evidence of an easement created on the title of part lot 2, in favour of part lot 1 of lot 36 Edgar Street Port Hedland securing the car parking area for the approved development.**
- 6. A detailed landscaping plan (including common areas) to be submitted and approved by the Manager Planning within 60 days of the date of this approval, with this plan including location, species and planting details. Schedule 1 of Council's "Policy 10/001 - Landscaping Policy for Industrial & Commercial Areas" contains a list of "Recommended Low-Maintenance Tree and Shrub Species for General Landscaping" for your reference.**
- 7. Landscaping and reticulation to be established in accordance with the approved detailed plans prior to the development first being occupied and thereafter maintained to the satisfaction Manager Planning.**

- 8 All stormwater shall be collected and disposed of to the specification of Council's Engineering Services to the satisfaction of the Manager Planning Services.**
- 9. Air conditioner units to be located so as not to create a noise nuisance to bedroom areas of adjoining dwellings or visible from the adjoining street, public buildings or open space.**
- 10. The verge treatment shall be designed and constructed in accordance with Council Policy 9/008 - Verge Treatment to the satisfaction of the Manager Planning, prior to occupation of the building.**
- 11. The development to be connected to the Water Corporation deep sewerage service.**
- 12. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Manager Planning.**

ADVICE TO DEVELOPER

- 1. With regard to condition 6, the applicant is requested to liaise with the Town of Port Hedland to achieve maximum integration of this site with the adjacent Courthouse Art Gallery Gardens.**
- 2. You are advised that this is a Planning Approval only and the Developer is responsible for complying with all relevant building, health and engineering requirements.**
- 3. Be advised that at the building licence stage a detailed floor plan is required to be submitted in order for Town's Environmental Health Services to assess compliance to the Town of Port Hedland Health Local Laws 1999. This plan is to include the location and construction details of the waste receptacle enclosure as required in condition 12.**
- 4. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.**

5. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year 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.

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

CARRIED 6/0

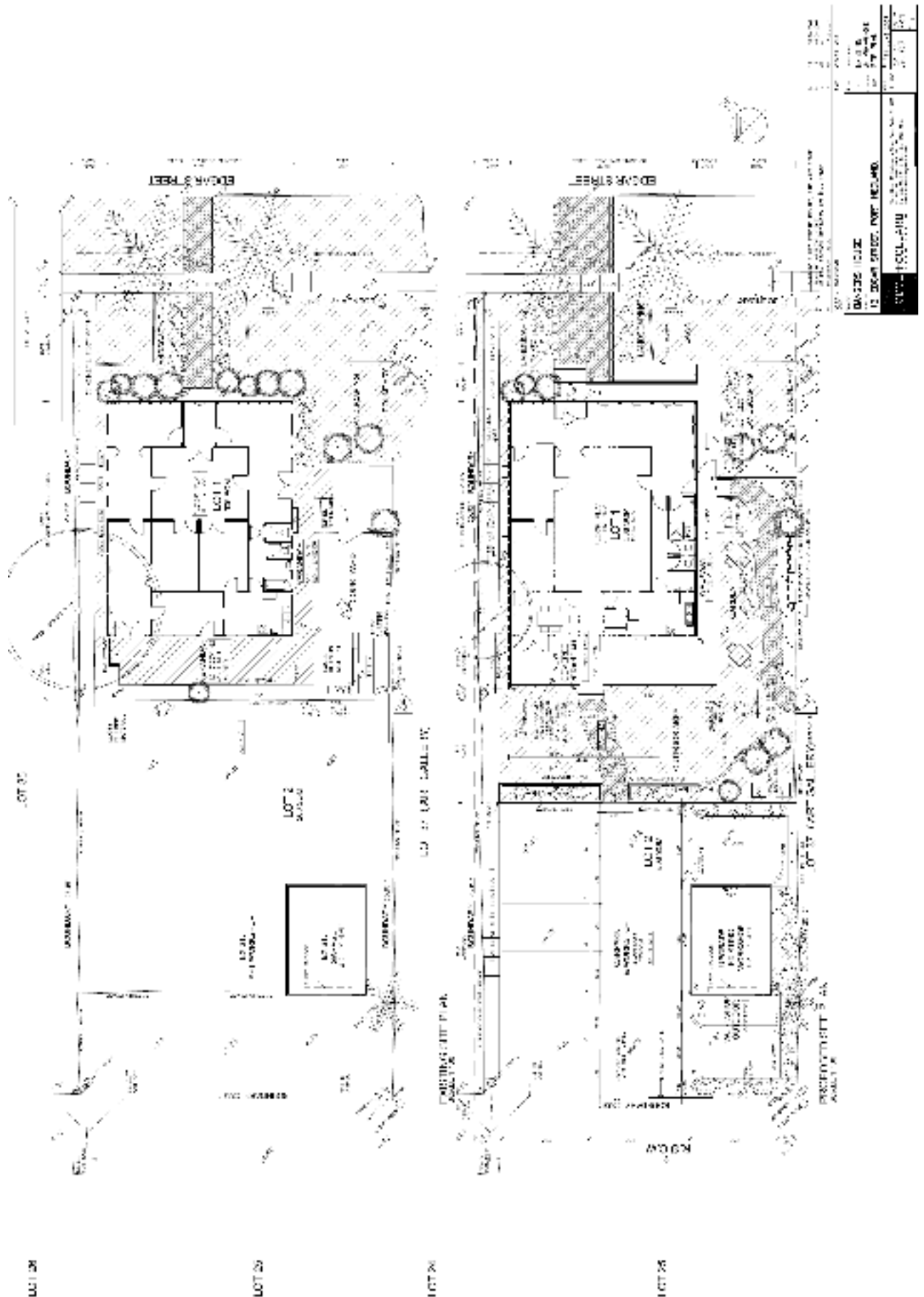
7:10 pm Councillors George J Daccache and Steve J Coates re-entered the room and assumed their chairs.

Mayor advised Councillors Daccache and Coates of Council's decision.

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.5

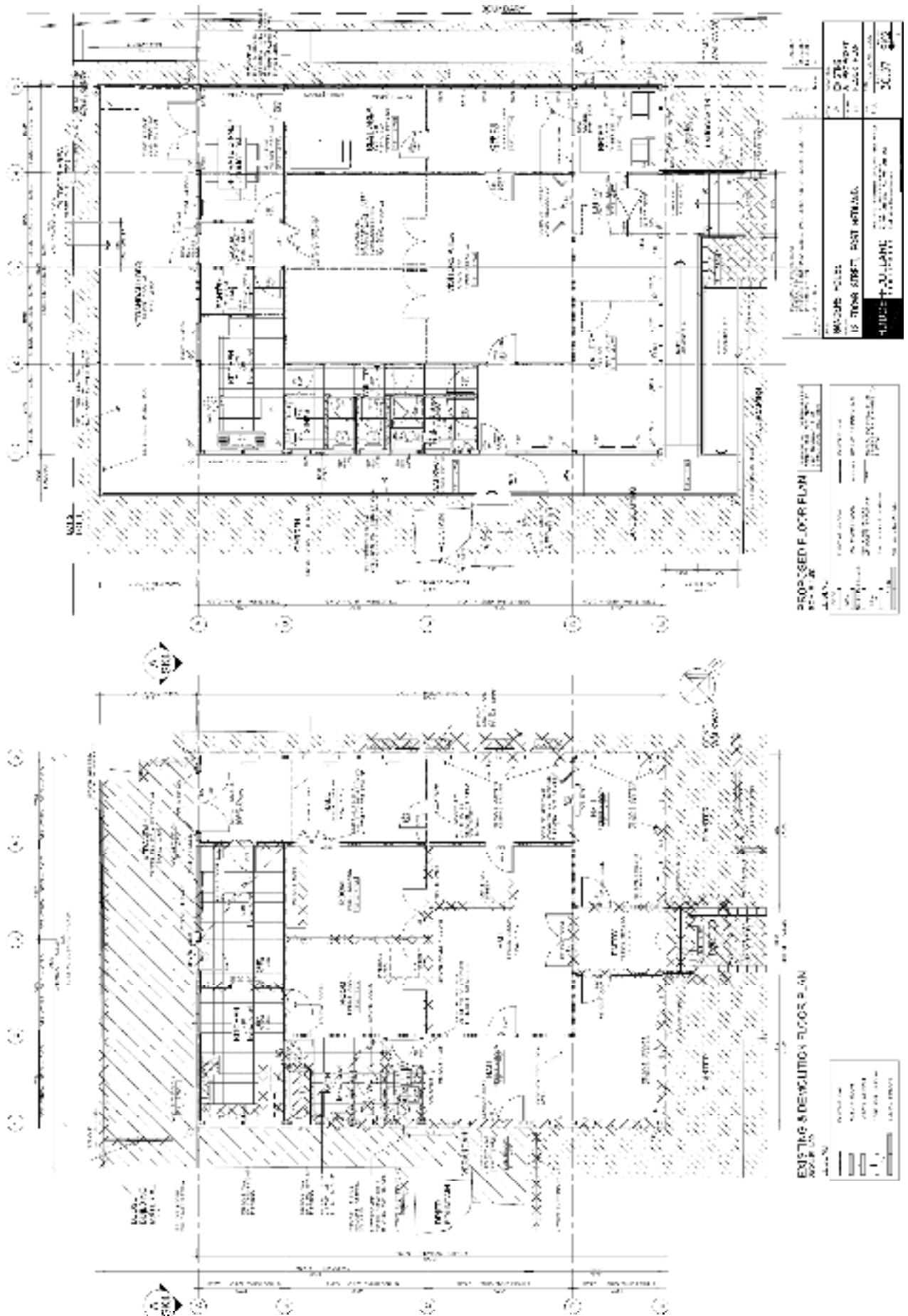


ATTACHMENT 2 TO AGENDA ITEM 11.2.2.5



DATE: 11/20/07	SCALE: 1:100
DRAWN BY: J. J. JONES	CHECKED BY: J. J. JONES
PROJECT: 11.2.2.5	DATE: 11/20/07
11.2.2.5 - 11.2.2.5	
11.2.2.5 - 11.2.2.5	
11.2.2.5 - 11.2.2.5	

ATTACHMENT 4 TO AGENDA ITEM 11.2.2.5



7:11 pm Councillor Stan R Martin declared a financial interest in the following Items:

11.2.2.7 'Proposed Final Adoption of the Town of Port Hedland Town Planning Scheme No. 5 Amendment No. 11 ' as he is tendering on works associated with the Item.

11.2.2.8 'Proposed Three Grouped Dwellings at Lot 2860 (48) Bottlebrush Crescent South Hedland' as is is doing works on the project.

11.2.2.9 'Proposed USE NOT LISTED – Incidental Additional Storage to Existing “Shop” – Lot 724 (150) Anderson Street, Port Hedland' as he is tendering on works associated with the Item.

Councillor Stan R Martin left the room.

Councillor Arnold A Carter assumed the Chair.

11.2.2.7 Proposed Final Adoption of the Town of Port Hedland Town Planning Scheme No. 5 Amendment No. 11 (File No.: 18/09/0017)

Officer Andrew Patterson
Planning Officer

Date of Report 25 October 2007

Disclosure of Interest by Officer Nil

Summary

At its Ordinary Meeting on 23 August 2007, Council initiated an amendment to the Town of Port Hedland Town Planning Scheme No. 5 to permit residential development at lot 501 and 502 Byass Street South Hedland. This item is to report on the completion of all statutory requirements regarding this amendment process and for Council to consider the amendment for final adoption.

Background

Referral of this item for Council determination has been significantly delayed due to extended negotiations with the landowner regarding the layout of the car parking bays on the subject lots, with particular attention to the maximum parking bay yield for the site.

This action was considered necessary to determine that sufficient bays could be located on site to accommodate the increased parking requirements should this additional residential load be imposed.

Council staff are now satisfied that adequate parking may be provided to comply with Scheme requirements. The number of parking bays required however is dependant on the provision of up to thirteen (13) parking bays provided in the road reserve, parallel to the northern side of Byass Street.

TPS 5, section 6.13.3 provides a developer with the option of negotiating with Council to provide cash in lieu of parking bays within lot boundaries. Any such funds resulting from these negotiations are to be used by Council to develop parking bays in public areas. Policy 12/002 – Off Site Car Parking Policy guides this process.

Should Council resolved to support both this application, and the proposed cash in lieu of parking bays, nominated staff would enter formal negotiations in accordance with TPS 5 and policy requirements to construct the required bays at the applicant's cost.

In assessing this application, it is noted that the subject land is currently not being used in accordance with valid planning approvals. The land owner initially submitted appropriate applications for planning approval for the change of use to office at a number of tenancies, and then withdrew these applications in writing on 7/10/2007, advising that the tenancies would shortly be relocated and the land returned to its approved uses.

The proposed amendment incorporates a Development Plan for the subject land that restricts residential development to the upper floor of the existing building only. This is considered a vital component to the scheme amendment, as it will not permit any residential development on the lower floor as this could lead to the gradual change in the predominant use of the land from commercial to residential.

This amendment potentially comprises a test case to assess the suitability of extending this land use mix to other "Mixed Business" zones in the Scheme area. Should this development work effectively, similar developments could be considered in other areas, however it is highly recommended that any future residential development be limited to upper floors and that the streetscape and predominant use of any lot remain predominantly commercial in nature.

With regard to amenity, when considering any subsequent development application to develop the residential component for this site, it is recommended that Council include an appropriate condition to any approval requiring the developer include a notification to the title of this lot requiring that any owner or occupier be advised of the potential for noise and/or odour amenity impacts from commercial tenancies.

Consultation

In accordance with the *Town Planning Regulations 1967*, this proposed Scheme Amendment has been advertised by the following means:

- Newspaper advertisement published in the North West Telegraph on 07/03/2007
- Written notification to surrounding landowners
- A notice at the entry to each tenancy on lots 501 and 502 Byass Street 07/03/2007 until 19/04/2007.
- Written notification to Telstra, Horizon Power and the Water Corporation.

This advertising has resulted in the following schedule of submissions:

Author	Address	Comment
Water Corporation	North West Region Regional Office	No comment or objection

Statutory Implications

The *Planning and Development Act 2005* and the *Town Planning Regulations 1967* outline the process required to amend a Town Planning Scheme.

Policy Implications

9/008 – Verge Treatment Policy
10/001 - Landscaping Policy For Industrial & Commercial Areas
12/002 – Off Site Car Parking Policy

Strategic Planning Implications Nil

Budget Implications

Should Council resolve to adopt this scheme amendment, the applicant will be liable for a fee of \$1500 in accordance with Council's adopted fees and charges.

Officer's Comment

Mixed-use development is generally considered good planning for the following reasons:

1. A blend of residential and commercial uses promotes alternating activity generators, leading to increased passive and active surveillance;
2. Car parking areas can be shared between land uses that are most active at different times, leading to a more efficient use of available space;
3. Allowing people the option of living close to their workplaces can reduce reliance on transport systems;

The subject land is zoned "Mixed Business" and allows for a mix of commercial and some industrial uses. A number of the light industry, vehicle depot, repair and washing facilities may not be compatible with the proposed residential use. It is noted that this site currently contains a motor vehicle repair facility. These uses may not be compatible due to hours of operation (e.g. car wash may operate 24 hours), odour and noise generation.

Should Council approve this amendment and any subsequent application for planning approval for residential development on this site, it is anticipated that future uses for the commercial component of the site will be limited to those that are compatible with residential development. This is therefore likely to impact the landowner, by restricting future planning approvals and potentially imposing conditions protecting residents' amenity.

Attachments

Attachment 1: Location plan and aerial photograph

Attachment 2: Development Plan

Attachment 3: Car Parking Plan

200708/083 Council Decision/Officer's Recommendation

Moved: Cr G D Bussell

Seconded: Cr G J Daccache

That:

- i) **Council direct the Chief Executive Officer, or his nominated representative, to negotiate with the applicant to construct a maximum of thirteen (13) car parking bays in the Byass Street Road reserve in accordance with Drawing No. 0707-C-004/B, pursuant to Policy 12/002;**
- ii) **Council adopt the Development Plan for Lot 501 Byass Street for "Proposed Redevelopment Upper Floor Lot 502 Byass Street, South Hedland," dated 4 October 2006;**
- iii) **The applicant be advised in writing that prior to the occupation of any residential development constructed in accordance with this Scheme Amendment that:**
 - a) **The landowner shall lodge a notification pursuant to section 70A the *Transfer of Land Act 1893* on the Certificate of Title of the development site. This notification shall alert prospective owners to the possibility that noise, odour and other impacts are likely, due to the location of the subject property within the Mixed Use Development; and**
 - b) **The landowner shall affix a notice to the inside of the main entry to all dwellings alerting prospective tenants and/or owners to the possibility that noise, odour and other impacts are likely, due to the location of the subject property within the Mixed Use Development;**

all at the owner's expense and to the satisfaction of the Manager Planning Services;

- iv) The applicant be advised in writing that prior to the occupation of any residential development constructed in accordance with this Scheme Amendment, All at the owner's expense and to the satisfaction of the Manager Planning Services;
- v) Amendment No.11 to Town Planning Scheme No.5 be adopted without modification;
- vi) The following Schedule of Submissions and recommendations be forwarded to the Western Australian Planning Commission for the Minister's consideration:

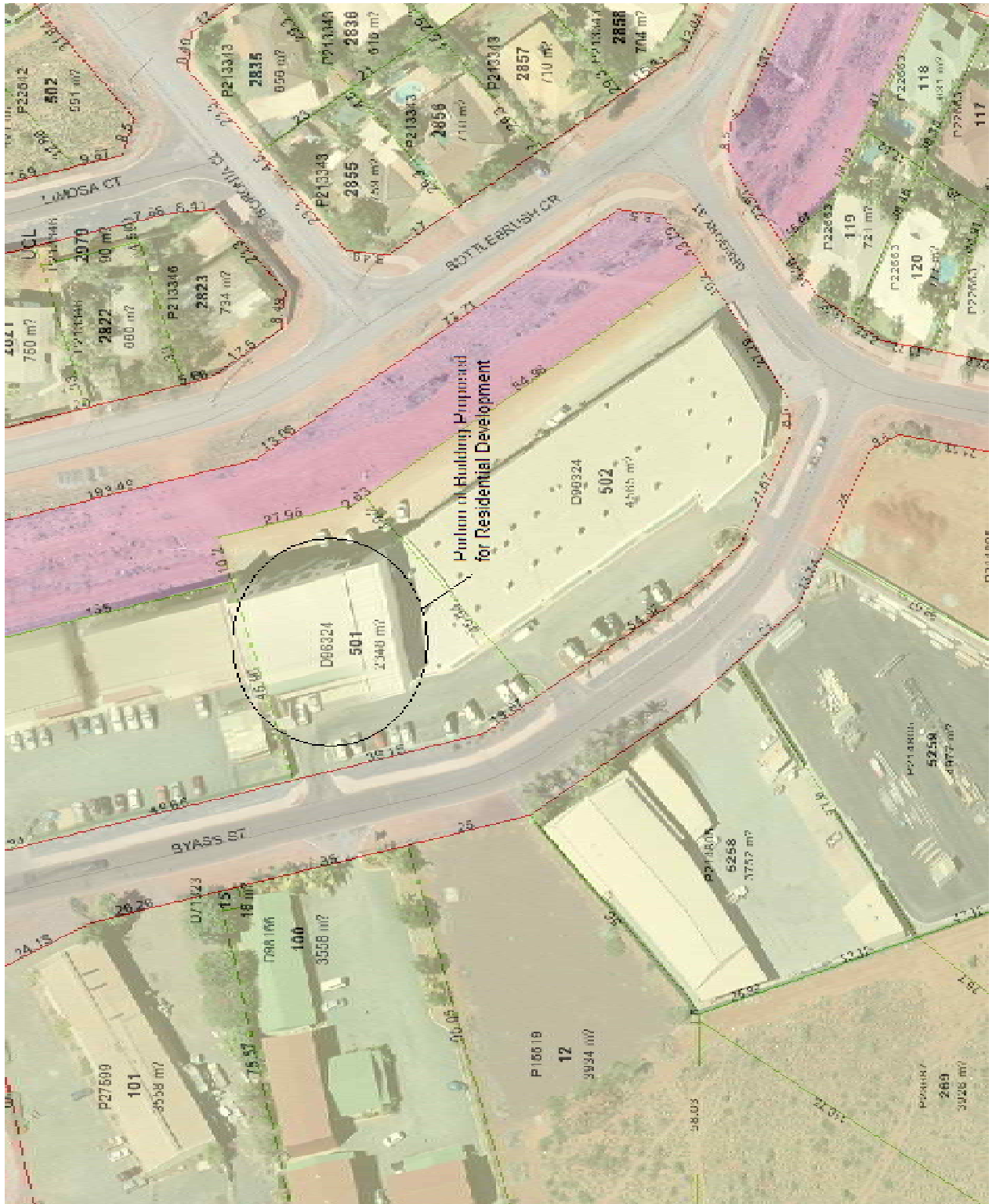
Name	Address	Submission
Water Corporation	North West Region Regional Office	No comment or objection

and

- vii) the Mayor and Chief Executive Officer be authorised to execute three (3) copies of the amendment documents in accordance with the *Town Planning Regulations 1967* (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.

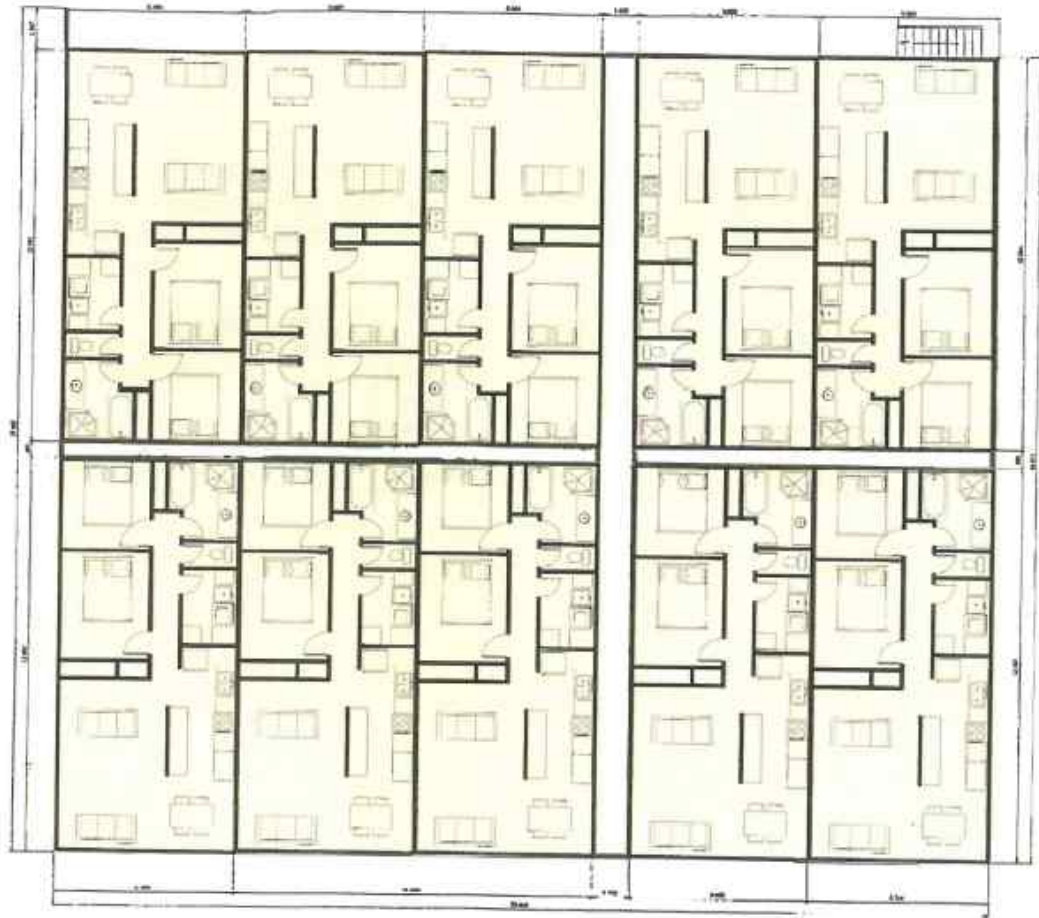
CARRIED 7/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.7



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.7

TOWN OF PORT HEDLAND
TOWN PLANNING SCHEME No.5
AMENDMENT No.11



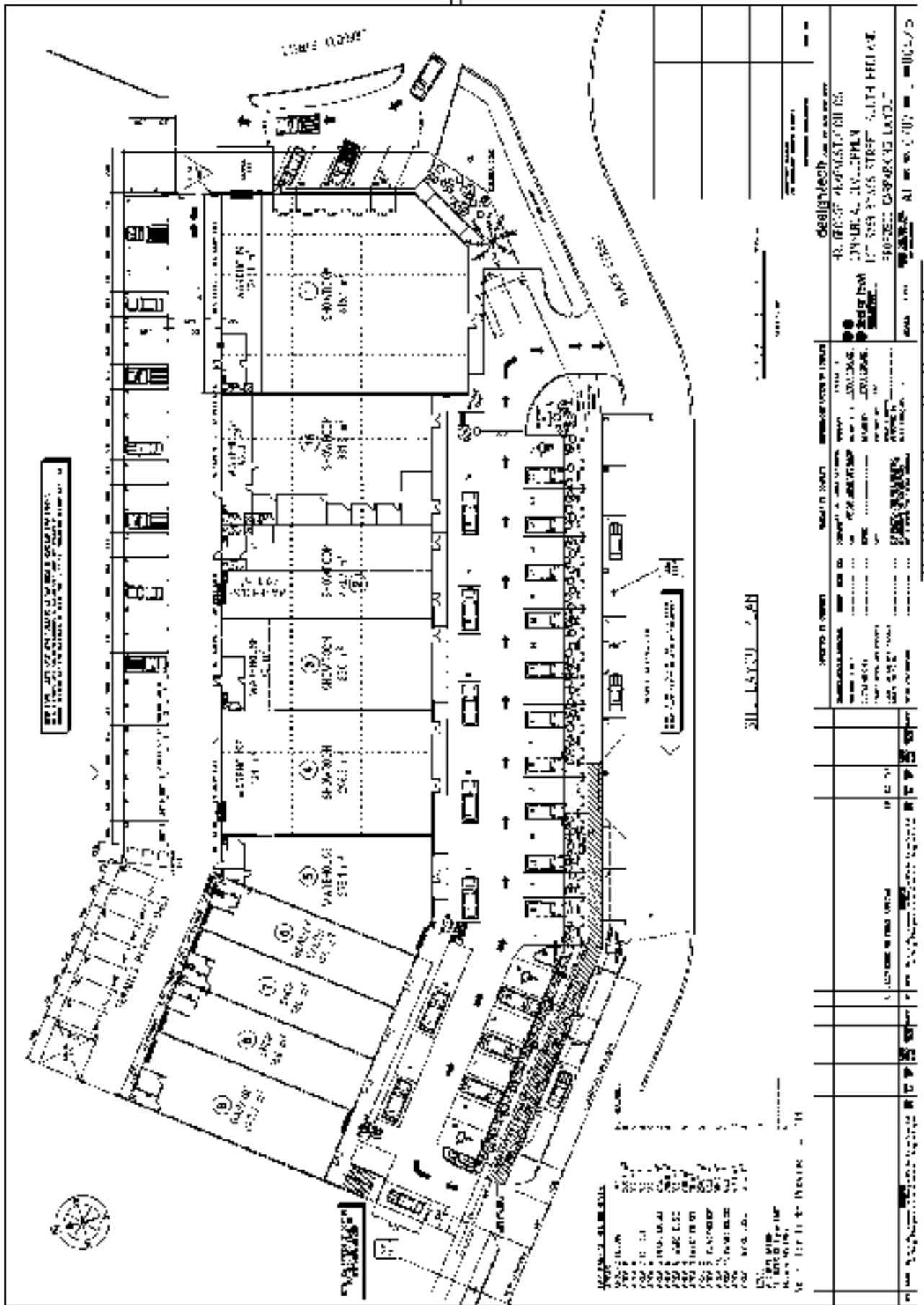
Note: Development shall be generally in accordance with this approved Development Plan and no further residential development to that shown on the Plan will be permitted. Minor modifications to the plan can be approved at the discretion of the Chief Executive Officer.

Job Number: 11025 : PH11 : SEPT 06
Sheet Name:
Scale: not to scale
Date: 04 October 2006
Drawn By: SJF
Checked by: JMC
File: j:\plan_11000\11025\drafting & design\design_060718_redevelopment.dgn
All dimensions and areas are subject to survey. This plan is subject to copyright and should not be reproduced without the permission of WHELANS.

This Development Plan was adopted by the Council of the Town of Port Hedland at its Ordinary Meeting held on:
.....
.....
Chief Executive Officer
.....
Date

**PROPOSED REDEVELOPMENT
UPPER FLOOR LOT 502
BYASS STREET, SOUTH HEDLAND**

ATTACHMENT 3 TO AGENDA ITEM 11.2.2.7



**11.2.2.8 Proposed Three Grouped Dwellings at Lot 2860 (48)
Bottlebrush Crescent South Hedland (File No.:
125020G)**

Officer	Andrew Patterson Planning Officer
Date of Report	15 November 2007
Disclosure of Interest by Officer	Nil

Summary

Council has received an application for planning approval from the owner of lot 2860, David Denham, to construct three (3) grouped dwellings on this land.

The subject land consists of 2187 m² and is zoned "Residential R 20" in the *Town of Port Hedland Town Planning Scheme No. 5* (TPS 5).

This application is submitted for Council consideration, as Delegated Officers do not have the authority to determine applications for more than two grouped dwellings.

Background

This application meets all the requirements of the Residential Design Codes of Western Australia, TPS 5 and applicable Council Policies.

Consultation

Environmental Health Services have not objected to the proposed dwellings connecting to reticulated sewerage and complying with relevant Local Health Laws.

Building Services have not objected to the application and advised that a building licence is required.

Engineering Services do not object to the application and require further demonstration of stormwater retention and compliance with Council's Crossover Policy.

Statutory Implications

The Town of Port Hedland Town Planning Scheme No. 5 zones the land "Residential R 20."

The Residential Design Codes of Western Australia regulate the design elements for residential development.

Policy Implications

9/005 – Crossovers
9/008 – Verge Treatment Policy

Strategic Planning Implications

Nil.

Budget Implications

Planning fees of \$1747 have been deposited into account 1006326 – Town Planning Fees, reflecting a development cost of \$720 000.

Officer's Comment

This application falls well within all required statutory and policy parameters. This proposed development is largely constrained by the location of service easements transversing the site, leading to an underdevelopment of the land should it be so unencumbered.

Greater than required car parking and access is provided, and the dwellings and associated outbuildings are adequately set back from all boundaries.

Attachments

1. Location plan and aerial photograph
2. Site Plan
3. Front Elevation

200708/084 Council Decision/Officer's Recommendation

Moved: Cr J E Ford

Seconded: Cr K A Howlett

That Planning Consent be granted to David Denham for the construction of GROUPED DWELLINGS – 3 Grouped Dwellings at Lot 2860 (48) Bottlebrush Crescent South Hedland as outlined in the Application received 23 October 2007 (Application 2007/306) 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 crossover shall be designed and constructed in accordance with Council Policy 9/005 - Crossovers, to the satisfaction of the Manager Planning, prior to occupation of dwellings**

3. Retaining walls are to be provided where the angle of natural repose of the soil cannot be maintained. Drawn details signed by a practicing Structural engineer, must be submitted for approval. When retaining walls in excess of 0.5 metres in height abut common boundaries, the Town must be provided with written approval of the affected landowners (where applicable).
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. The developer is to comply with Council's Health Local Laws, particularly section 2.2 that requires the separation of kitchen and laundry areas with an adequate wall and door.

ADVICE TO DEVELOPER

1. You are advised that this is a Planning Approval only and the Developer is responsible for complying with all relevant building, health and engineering requirements.
2. The existing site levels and finished floor levels of all proposed development, including levels at the top of the kerb at the crossover, are to be shown on the building licence submission.
3. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
4. It should not be construed from this approval that the Town will support a survey strata or green title subdivision application for this lot.
5. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.

CARRIED 7/0

11.2.2.9 Proposed USE NOT LISTED – Incidental Additional Storage to Existing “Shop” – Lot 724 (150) Anderson Street, Port Hedland (File No.: 120510G)

Officer	Andrew Patterson Planning Officer
Date of Report	12 November 2007
Disclosure of Interest by Officer	Nil

Summary

Council has received an application from Ken Paterson Architects on behalf of the owners of the Boulevard Shopping Centre, Werrett Property Group, for a storage-shed addition to the existing Shopping Centre.

The land comprises 1.3828 ha and is zoned “Commercial” in the Town of Port Hedland Town Planning Scheme No. 5 (TPS 5).

This application is referred for Council consideration, as the application remains generally similar to a previous application refused under delegated authority on 27 July 2007.

Background

Grounds for Previous Refusal

At its Ordinary Meeting on 27 June 2007, Council considered an application for planning approval to construct a vehicle service station at lot 5769 Anderson Street (adjacent to lot 724 – see attached map). The report for this item included the following paragraph:

“Council has also received an additional application for the construction of a storage shed in the northeast corner of the car park. While this is a separate application, it is discussed briefly in this report due to its impact on parking bay numbers. As there are a number of issues to be addressed by the applicant with regard to the storage shed, this application is not submitted for resolution and is proposed to be determined under delegated authority.”

This application was subsequently assessed and refused for the following reasons:

1. The proposed development does not present an acceptable frontage to McGregor Street, and
2. The proposed development would require the trafficking of goods across a restricted, high-volume car parking and access corridor.

In consultation with Council Planning staff, the architects for this project submitted a number of modified designs with alternative architectural features and colours. This application fails to reflect these discussions however, and comprises a basic colourbond shed. On the only elevation shown on the submitted plans, a 3 m x 3 m roller door and access door are shown to the west elevation.

With regards to point 2, the applicant has advised that access to the proposed shed would be restricted to low-volume traffic times outside normal open hours for the shopping centre.

Location

In discussion between Council staff and the applicant, the location for the proposed shed has been identified as a significant consideration. Following extensive discussion, three sites were eventually identified as potential locations for the storage shed (identified attachment 2). These sites, and an identification of the pros and cons for each are listed below:

Option	Pros	Cons
1 and 4	Close to Harvey Norman entrance, Partially shields service yard and air conditioner enclosure, Preferred site by developer	Undesirable frontage to McGregor Street, Accesses shop through high-traffic area, Restricts traffic stacking area for Chicken Treat, reduces number of parking bays in popular parking area.
2	Less impact on visual amenity, Least reduction in parking bays, Good access to Anderson Street,	Not a positive addition to streetscape, Furthest distance to Centre entrances,
3	Least visible from street Less-used car parking area Bulk would be ameliorated by new service station	Furthest access to public road

Land Use Master Plan

The draft Land Use Master Plan identifies the Boulevard Shopping Centre as an important convenience centre however also concludes that the site is inappropriate for development into a town centre.

Two of the three strategic land use options for this area also identify the potential to expand the existing Boulevard Shopping Centre to the east to aid in creating a “main street” entrance to Port Hedland with the additional potential for development on the western end of the race course. The applicant addresses these development options with a future expansion plan (attachment 3) showing expansion towards McGregor Street. It is noted however that this plan is not part of the application and this development is not guaranteed and is submitted only to demonstrate that the currently application does not preclude this strategic land use goal.

This concept plan, while demonstrating that additional commercial space can be made available facing McGregor Street, does so at the cost of creating a large “dead space” as a service yard. This design fails to comply with CPTED principles by creating a space likely to attract anti-social behaviour.

While providing no short-term solution, it is also noted that the draft Land Use Master Plan identifies land between North Circular Road and the Goldsworthy rail line for development as a Mixed Business area. As Harvey Norman is struggling within the constraints of its current location, the long term goal is to locate such showroom retailers in this new mixed business zone where there will be more adequate provision of both space and access.

Commercial Justification

In a letter accompanying this application, the applicant advises that the development of additional storage space is required to meet the requirements of Harvey Norman in their intent to remain at the Boulevard.

Retaining Harvey Norman is in turn identified as a key component to committing to \$6 to \$7 million in renovations and upgrades at the Boulevard Shopping Centre. These works including a new petrol station, new airlock, landscaping, resurfacing and marking car parking area and internal fit outs.

Consultation

Engineering Services have objected to the proposal and advised that additional detail is required regarding dimensions of proposed new traffic islands and travel paths of vehicles entering/exiting the area. Additional detail is also required indicating impact on Chicken Treat drive through and consultation with this business is recommended.

Building Services have not objected to the application and advised that a building licence is required and that the minimum boundary setback to non-fire rated construction is 3 metres.

Statutory Implications

The *Town of Port Hedland Town Planning Scheme No. 5* zones this land "Commercial"

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

The applicant has submitted planning fees of \$138, reflecting a development cost of \$60,000.

Officer's Comment

Despite extensive discussions with the applicant, this application fails to address the issues raised by Council's planning staff and disregards the options that would achieve a better quality outcome for the Town of Port Hedland.

Regardless of the appropriateness of its use, this proposed development comprises a large colourbond shed with its only redeeming amenity value that it partially shields the existing air-conditioning condensers.

As noted in the report, and by Engineering Services, this proposal has potentially significant impacts both for car parking and for access to Chicken Treat. The impacted car park is generally one of the most used due to its access to the McGregor Street access and the eastern access to the shopping centre. Due to the existing car park layout, and the width of both the bays and the access corridors this area is often congested, and approving this proposal will lead to additional congestion and shortage of parking bays in this area.

In addition, this proposal will reduce the available area for traffic stacking vehicles accessing the Chicken Treat drive through; with waiting traffic further blocking parking bay access.

While it is acknowledged that this is the most convenient location available for a storage shed servicing Harvey Norman, two other alternative sites are available to meet this need that negate the most significant issues with the proposed site. Alternatively, the applicant could utilise the proposed site, and construct a building that improves the streetscape and is more sympathetic to its immediate surrounds.

7:14 pm Councillor Arthur A Gear re-entered the room and assumed his chair.

200708/085 Council Decision/Officer's Recommendation**Moved:** Cr G D Bussell**Seconded:** Cr G J Daccache

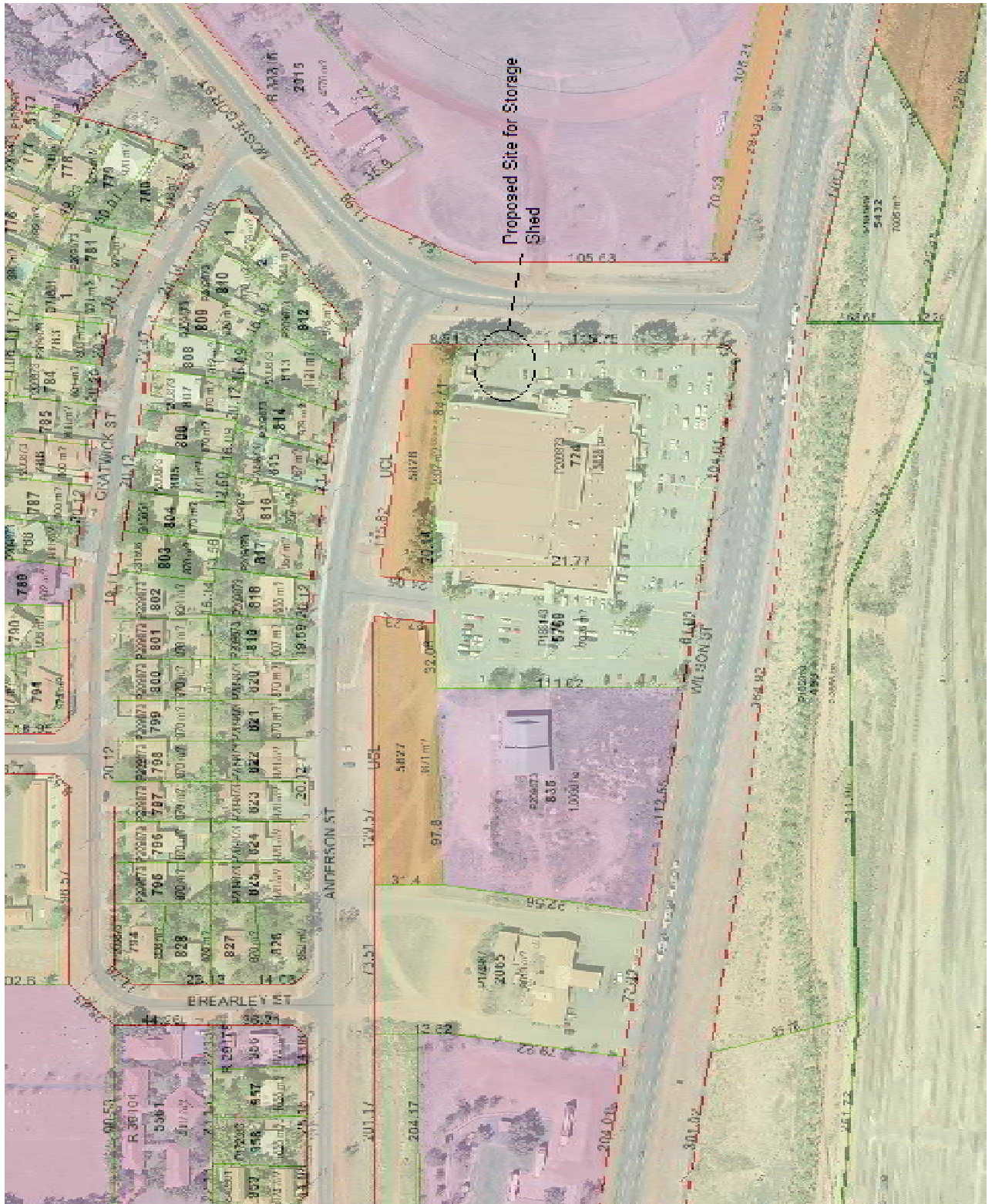
- i) **That Council refuse to grant planning approval to Ken Paterson Architects for the construction of USE NOT LISTED – Incidental Additional Storage to Existing “Shop” for the following reasons:**
- 1. The proposed development does not present an acceptable frontage to the McGregor streetscape;**
 - 2. The proposed development fails to comply with the objectives of the draft Land Use Master Plan; and**
 - 3. This development does not constitute proper and orderly planning.**
- ii) **That Council advise the applicant that it is prepared to consider an application:**
- 1) for a similar structure located so as not to significantly impact the streetscape; or**
 - 2) for a structure in this position that adequately addresses amenity and streetscape through the building design.**

CARRIED 8/0

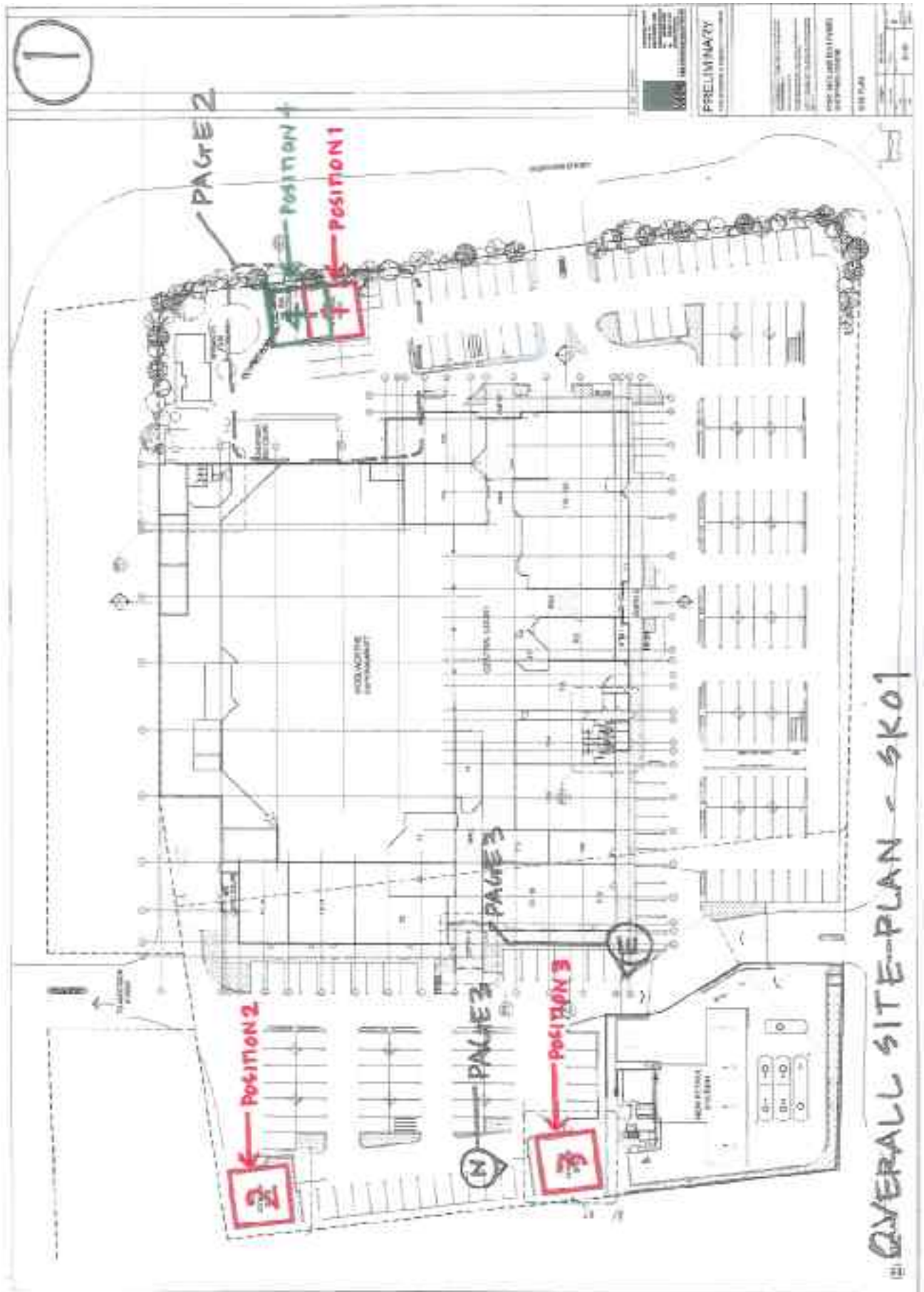
7:16 pm Councillor Stan R Martin re-entered the room and assumed the Chair.

Councillor Arnold A Carter resumed his chair, and advised Councillor Martin of Council's decisions.

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.9



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.9



ATTACHMENT 3 TO AGENDA ITEM 11.2.2.9



ATTACHMENT 4 TO AGENDA ITEM 11.2.2.9



KEN PATERSON ARCHITECTS

4 BOWMAN STREET
PO BOX 271
SOUTH BEACH 6951
WESTERN AUSTRALIA

Telephone 61 8 9367 6866

Fax 61 8 9474 1419

Email admin@kpa-architects.com

21st November 2007

The Planning Department
Town of Port Hedland
PO Box 41
PORT HEDLAND WA 6721

Attention: Mr. Richard Bairstow

Dear Richard,

**RE: PORT HEDLAND BOULEVARD SHOPPING CENTRE -
New Storage Facility**

Further to your conversation with Ben Chamaud this morning, please find attached a cost estimate prepared by a Quantity Surveyor for the above. It includes the three different proposals, as submitted to the Town of Port Hedland on 6th June 2007, 12th September 2007 and 5th October 2007, respectively. They have all been reduced to a height of 4 metres internal clearance, as requested.

The estimate for the Colorbond Custom Orb clad option is extremely high, listed in the report as \$429,000. For the fibre-cement clad options the figure is even greater. As the base figure is already so high, it becomes very difficult for the owners to justify the expenditure of additional funds on a storage facility.

We acknowledge that commercial viability is not a planning consideration; however the storage facility is a key element in the overall refurbishment of the Shopping Centre and the surrounding site. We believe that the proposed upgrades of the Shopping Centre would assist in creating a pleasant entry to the town and it would be unfortunate if these could not take place.

As discussed in depth on previous occasions, we believe that locating the storage facility in the North East corner of the site, as close to the existing sprinkler tanks as possible, is the best option. This will avoid conflict with the much anticipated Patrol Station development, existing site drainage, viability considerations and the Draft Land Use Master Plan.

Further to our previous discussions and in accordance with our most recent Development Application including the proposal for the Colorbond Custom-Orb clad option, we advise the following:-

New Landscaping

Please refer to the plans provided with our recent DA submission on 1st November 2007. These drawings show dense vegetation, both existing and new, along the boundary, with additional garden beds and new feature planting proposed along the South and West elevations of the shed and within the new traffic islands.

Please find attached a merged document including our site plan, overlaid on an aerial photo, a partial landscaping plan as prepared by the project Landscape Architect and three key view points from the street. Sight lines from each point show both new and existing vegetation obscuring the visibility of the shed.

We understand that the orange point, representing the position of a car approaching the town and preparing to turn onto McGregor Street, would be your main concern. As is evident in our plan, the shed would be almost completely hidden from sight.

Existing Bin Enclosure

At the meeting held at the Town of Port Hedland offices on Monday 22nd October 2007, it was agreed by all parties that the existing bin enclosure (currently located in place of the proposed new storage facility) has a negative visual impact. If the storage facility was to be approved the enclosure would be removed and the bins would be re-located within the service yard, hidden from public view.

Height

As mentioned above, the height of the storage facility has been reduced by 1 metre in accordance with your request. Along with dense planting, this will further decrease the possibility of the shed being visible from the street.

Materials and Colours

As outlined in our DA submission, we have matched the proposed new shed to the new paint colours of the Shopping Centre. The custom-orb profile of the shed corresponds with the existing Shopping Centre fascia, which has the same profile.

Traffic

As previously discussed, we have addressed traffic issues by locating the door of the shed as far from the Chicken Treat drive-thru as possible, while providing landscaped screening as a buffer.

As per the traffic plan attached, the cars entering the drive-thru have adequate turning space for straightening prior to reaching the loud speaker and menu

board. There is also ample queuing space for at least six cars before parking bays are blocked.

Draft Land Use Masterplan

In accordance with the Town of Port Hedland's Draft Land Use Master Plan, we have previously submitted a plan showing possible future expansion. Please find enclosed a copy of this plan. We have addressed your concerns regarding the storage facility preventing the future development of the site. This has involved calculating such details as street width, street parking, site access and pedestrian pathways, based on advice from a town planner. We believe these calculations have been generous and allow more than enough space for all elements. The result involves the straightening of McGregor Street, while the existing intersections remain in the same location.

For the reasons listed above we believe this proposal is appropriate for both the present and the future of the Town of Port Hedland. Furthermore, we believe that approval of the storage facility would be of benefit to the town. It will allow for the refurbishment of the Shopping Centre, creating a more pleasant entry statement and shopping experience for residents and tourists alike. It will also make available more retail space for the tenant, increasing the product range available to the people of the town.

We thank you for your time in dealing with this application and ask that you please consider an approval for the storage facility. If you require any further information please don't hesitate to contact us.

Kind Regards,



Libby Stevenson
Ken Paterson Architects,
on behalf of Ben Charnaud

Encl. Site Plan showing Sight Lines
 Site Plan showing Traffic Movements
 Future Expansion Concept Plan
 Storage Facility Cost Estimate



1 November 2007

Ken Paterson Architects
4 Bowman Street
South Perth WA 6151

Attention: Ms. Elizabeth Stevenson

Dear Madam

PORT HEDLAND BOULEVARD SHOPPING CENTRE

Please find attached our estimate of current construction cost for this project totalling:

Amenities upgrade	\$ 220,000	inclusive of GST
Storage shed	\$ 429,000	inclusive of GST

Costs are based on both facilities being built at the same time by the one builder.

The shed estimate allows for metalwork cladding with a Colorbond finish. If the finishes are upgraded the following additional costs will apply:

- Upgrade to 100% compressed sheet cladding with mouldings \$ 68,000 inclusive of GST
- Upgrade to compressed sheet cladding to 3000 high with mouldings, metal cladding above \$ 51,000 inclusive of GST

Please note that the storage shed does not have any internal protection barrier against the wall insulation.

Please note the exclusions.

Yours faithfully
Ralph Beattie Bosworth

A handwritten signature in black ink, appearing to read 'MC', written over a white background.

Martin Collins
Director

Ralph Beattie Bosworth Pty Ltd

ABN 50 260 502 901

Construction Cost Consultants

G:\Corresp\Rec\2007\6400-5499\64751-mc.doc

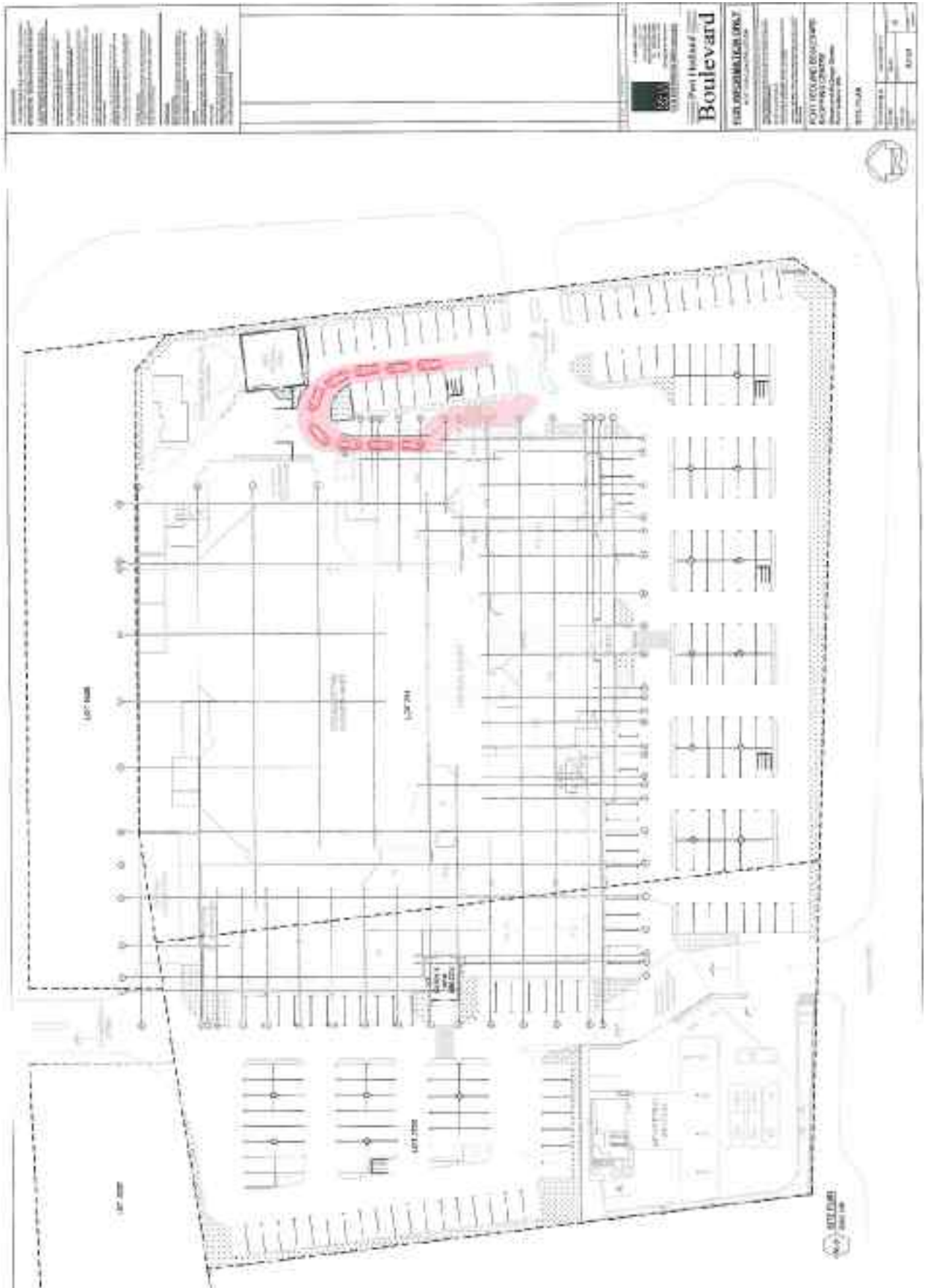
12 Kings Park Road West Perth Western Australia 6005
PO Box 456 West Perth Western Australia 6872
Telephone 08 9321 2777 Facsimile 08 9481 1783
Email info@rbb.com.au www.rbb.com.au

SUMMARYAMENITIES UPGRADE

Building works	\$ 80,000
Preliminaries and Margin	25,000
Contingency	15,000
Site loading (70%)	<u>80,000</u>
	\$ 200,000
GST	20,000
	<u><u>\$ 220,000</u></u>

STORAGE SHED

Building works	\$ 170,000
Preliminaries and Margin	35,000
Contingency	25,000
Site loading (70%)	<u>160,000</u>
	\$ 390,000
GST	39,000
	<u><u>\$ 429,000</u></u>





11.2.2.10 Comments on the Public Environmental Review of the Panorama Copper Zinc – CBH Sulphur Springs Pty Ltd. (File No.: 11/01/004)

Officer	Richard Bairstow Manager Planning
Date of Report	12 November 2007
Disclosure of Interest by Officer	Nil

Summary

The Environmental Protection Authority (EPA) has referred to the Town a copy of the draft Public Environmental Review (PER) for the Panorama Copper Zinc Project – CBH Sulphur Springs Pty Ltd (CBH), for comment.

The proposal is referred to Council as it is considered to be potentially contentious. A submission response is included as part of the recommendation.

Background

CBH proposes to develop the Panorama Project (the Project) at its Sulphur Springs copper-zinc deposit located approximately 110 km southeast of Port Hedland or 160 km by road. The mine is proposed to operate for 9 years (including 8 years of mining) and will generate two types of concentrate, one copper rich and the other zinc rich. The project is located outside the locality of Port Hedland, however it is proposed to transport and store the concentrate in the Port.

Port Hedland potential impacts

- Transport of Concentrate; and
- Storage of Concentrate

These matters have been addressed in the officer's comment and recommendation.

Consultation

The PER is available for public review for 4 weeks commencing on the 5 November 2007 and closing on the 3 December 2007. It is proposed that Council will endorse and/or amend the recommendation, which will then be forwarded to the EPA prior to the December closing date.

Statutory Implications

There are no statutory implications for Town Planning as a result of this referral.

The advertising of the proposal for public submissions is in accordance with Section 38 of the Environmental Protection Act 1986.

The proposal is being assessed under Part IV of the WA *Environmental Protection Act 1986* and the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). A bilateral agreement between the Commonwealth and WA governments accredits the State environmental impact assessment process. This means that a single assessment process will be carried out that satisfies the State and Commonwealth requirements. The PER is the document prepared for environmental assessment.

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 1 – Infrastructure

Goal Number 9 – Roads, Footpaths and Drainage

Strategy 2 – “Work with Port Hedland Port Authority and others to ensure that port and mining expansions at Harriot Point are undertaken in a timely manner and do not have a negative impact on the community.”

Budget Implications

There are no budget implications, as the Town receives no fees for responding to correspondence of this nature.

Officer’s Comment

The referral is for a development that is proposed to be located outside the locality of Port Hedland. The implications for Port Hedland are the transportation and storage of the concentrate. The PER provides the following comments:

“Transport of Concentrate

Concentrate will be transported from the Project Area to Port Hedland using road trains. Two road trains will transport concentrate from the Project site to Port Hedland, each road train doing three to four cycles on average per day. Road train carriages will be covered during transport with a tarpaulin mechanism as standard in the industry for concentrate transport where the concentrate has moisture content of 8% to 10%. This will reduce the risk of concentrate dust escaping from the vehicle and thereby avoiding exposure of residents,

particularly in the township of Port Hedland, to fugitive dust emission.

Storage of Concentrate at Port Hedland

Concentrate will be stored prior to export at a common-user facility to be constructed and operated by a private contractor at the port of Port Hedland. The construction and operation of this facility will not be the responsibility of CBH, and is not part of the proposal being assessed as part of this PER. Agreement in principle has been reached with the Port Hedland Port authority (PHPA) for an allocation of land for the common user facility. The following is provided for information only.

The storage facility to be constructed at the common-user facility will be capable of holding 30,000 t of CBH's concentrate. This will allow sufficient storage volume to accommodate shipping schedules that are estimated to be on a monthly basis. The facility will be built, owned and operated by a third party to handle concentrates from various producers and is required by PHPA to include:

- . Fully enclosed cyclone proof metal clad building.*
- . Concrete floor with impermeable liner.*
- . Dust collector to impart a negative pressure to the building during unloading and loading operations to prevent fugitive emissions.*
- . Catchment pond to collect contaminated water run-off.*

CBH will be a foundation user of the common user facility and closely involved in its design, development and operation so ensuring compliance with meeting the required standards.

Side-tipping road trains will deliver the concentrate into the enclosed tipping area for stacking into segregated storage compartments. It is envisaged that the export of the concentrate will be via feed hoppers on/to a common export conveyor belt feeding the Port's ship loading system, in line with current practice of the existing concentrate bulk handling exporters at the port.

For the purposes of fulfilling its responsibility to protect the environment of the Port, and to minimise the potential impacts on public health and safety, it is anticipated that PHPA will require that the private contractor develop a Construction Environmental Management Plan (CEMP) for the proposed multi-user storage facility. It is expected that the requirement for this CEMP will follow those identified in the 2003 Port Hedland Port authority CEMP guidelines. Additionally the

private contractor will be required to develop an Operational EMP for the management of concentrate at the facility.”

In summary the mine will generate on average an additional 16 road train movements and the additional storage of up to 7,000t in the 30,000t common user facility.

Given the level of information provided within the PER, and the reference for the need for other studies and/or reports to be completed, it is considered reasonable that the Town of Port Hedland requests that this information is provided prior to the commencement of operation.

It should be noted that the Town has no statutory powers in regard to the transport or storage of the concentrates as these fall under the Main Roads Western Australia (MRWA) for roads and the Port Hedland Port Authority (PHPA) for the storage. Therefore it has been recommended that copies of the Town's response also be forwarded to MRWA and PHPA.

Officer's Recommendation

That Council directs the Chief Executive Officer, or his nominated representative, to respond to the Environmental Protection Authorities letter dated 31 October 2007, regarding the draft Public Environmental Review (PER) of the Panorama Copper Zinc Project proposed by CBH Sulphur Springs Pty Ltd with the following comments:

- 1) The amenity and health impacts of the proposed transport method have not been addressed;
- 2) That any additional studies and/or works that may impact on the community of Port Hedland area are fully and appropriately investigated and findings discussed and reported to Town of Port Hedland for further comments; and
- 3) It has not been demonstrated that the proposed operation will not have a health and/or amenity impact on the community of Port Hedland.

200708/086 Council Decision**Moved:** Cr G D Bussell**Seconded:** Cr A A Carter

That Council directs the Chief Executive Officer, or his nominated representative, to respond to the Environmental Protection Authorities letter dated 31 October 2007, regarding the draft Public Environmental Review (PER) of the Panorama Copper Zinc Project proposed by CBH Sulphur Springs Pty Ltd with the following comments:

- 1) The amenity and health impacts of the proposed transport method have not been addressed particularly whether the tarpaulin-covered trucks adequately contain the metal concentrate;**
- 2) That any additional studies and/or works that may impact on the community of Port Hedland area are fully and appropriately investigated and findings discussed and reported to Town of Port Hedland for further comments; and**
- 3) It has not been demonstrated that the proposed operation will not have a health and/or amenity impact on the community of Port Hedland.**

CARRIED 9/0

REASON: Council resolved to include whether the tarpaulin-covered trucks will adequately contain the metal concentrate to address amenity and health impacts in its advice to the EPA, relating to the PER of the Panorama Copper Zinc Project proposed by CBH Sulphur Springs Pty Ltd.

11.2.3 Environmental Health Services Section**11.2.3.1 *Proposed New Environment Policy 15/002 – For Contravention of Reserves and Foreshores Local Law (File 21/01/0033)***

Officer Darryal Eastwell
Manager Environmental Health

Date of Report 13 November 2007

Disclosure of Interest by Officer Nil

Summary

To assist with the enforcement of off road vehicles in the reserves and foreshores it is recommended that Council adopt a new policy that rewards members of the public for providing information that leads to a successful prosecution under Council's Reserves and Foreshores Local Laws.

The Town will offer an incentive of \$500.00 to members of the public if they can provide specific details of vehicles that have been utilized illegally in our reserves and foreshores.

Background

The use of off road vehicles in our reserves and foreshores has been an issue in the Town for some time. Council is addressing this through the adoption of a tough stance in relation to Local Laws infringements with a proposal to significantly increase fines currently progressing. This proposed policy compliments this initiative.

Off road vehicles that illegally use our reserves and foreshores have the potential to disrupt turtle nesting during their breeding season, disturb members of the public who utilise the areas for recreational purposes, cause unnecessary erosion of these fragile areas and have the potential to raise noise and dust issues. As the vehicles used on foreshore reserves are not normally registered and are often difficult to identify, Council Officers are hampered in the gathering of evidence against offenders. Pursuit of offenders on the beach or foreshore has clear safety implications and statutory limitations.

Consultation

Councils Ranger Services has been liaising with the Care for Port Hedland Group and Councils Engineering section to assist in formulating methods to help exclude off road vehicle usage on reserves and foreshores in the Cooke Point, Pretty Pool and Cemetery Beach.

Statutory Implications

Control of Vehicles (Off Road Areas) Act 1978

Town of Port Hedland Local Law (Reserves and Foreshore) 1999

Policy Implications

A new Council Policy is recommended as follows:

“15/002 ENVIRONMENT – INCENTIVE SCHEME FOR BREACH OF RESERVES & FORESHORES LOCAL LAWS

To assist with the enforcement of the Reserves and Foreshores Local Laws the Town of Port Hedland will offer an incentive of \$500.00 to any member of the public who supplies information that leads to a successful prosecution of an individual who illegally entered or enters upon the Towns, reserves and foreshores in or on a vehicle. “

Strategic Planning Implications Nil

Budget Implications

Any payment would need to be sourced from the Town's legal budget, but is not likely to marginally affect Council's budget resources.

Officer's Comment

Council has no record of taking legal action against persons using off-road vehicles on a beach or foreshore. The primary reason for this seems to be the difficulty in obtaining sound evidence identifying the offenders. It is hoped that public information will lead to greater control and minimise the effects that off road vehicles have on our reserves and foreshores.

Providing a reward for information on a similar basis to the existing scheme for dealing with instances of vandalism is seen as a means of:

- a) gathering information against offenders; and
- b) making offenders aware that anyone seeing them may give evidence against them.

The following draft policy is a mechanism to encourage people to supply information, which will be otherwise impossible to obtain.

200708/087 Council Decision/Officer's Recommendation**Moved:** Cr A A Gear**Seconded:** Cr G D Bussell

That Council adopts the proposed Environmental Policy 15/002 as follows:

"15/002 ENVIRONMENT – INCENTIVE SCHEME FOR BREACH OF RESERVES & FORESHORES LOCAL LAWS

To assist with the enforcement of the Reserves and Foreshores Local Laws the Town of Port Hedland will offer an incentive of \$500.00 to any member of the public who supplies information that leads to a successful prosecution of an individual who illegally entered or enters upon the Towns, reserves and foreshores in or on a vehicle. "

CARRIED 9/0

11.2.4 Community and Economic Development Services**11.2.4.1 Replacement of Home and Community Care (HACC) Van (File No.: .../...)**

Officer Julie Broad
Manager Community and
Economic Development

Date of Report 19 November 2007

Disclosure of Interest by Officer Nil

Summary

For Council to consider the replacement of the current 1998 Home and Community Care (HACC) 8-seater wheelchair-access Van

Background

The current vehicle was purchased from Roebourne HACC in 2001 by the Town of Port Hedland HACC program.

It is a 1998 Toyota 8-seater SBV, with a wheel chair hoist installed.

There is extensive rust throughout the body of the van, and many expensive repairs have been made to the wheelchair hoist, with significant costs anticipated for ongoing repairs.

\$27,524 was received in non-recurrent growth funding in 2006/2007 from Commonwealth Department of Health & Ageing.

A trade-in price of Pilbara Motor Group was offered at \$5,000,

An application of \$32,661 for non-recurrent growth funding to complete the purchase price of the van was made to the Commonwealth in the 2007/2008 FY. The funding is advised in December each year.

Consultation

Consultation has been undertaken with HACC Coordinator, Pilbara Aged and Community Care and Pilbara Motor Company.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

The item is not specifically mentioned in Council's Strategic Plan.

However the handover of HACC services to the Health Department's WA Country Health Services (WACHS) is underway and should Council approve the purchase of the replacement van, this asset will be included in the transfer of assets as agreed between Council and WACHS, providing improved service to clients at the earliest possible time.

Budget Implications

The purchase of a replacement HACC van would be at no net cost to Council

Council has received \$27,524 in non-recurrent growth funding from Commonwealth Health & Ageing as part of the cost of replacing the current wheelchair access van. This amount is held in Account 1008093960 – HAC: Grant - HACC

A further \$32,661, being the remainder of the total purchase price, has been sought from Commonwealth Department of Health & Ageing in 2007/08 non-recurrent growth funding round.

Pilbara Motor Company has quoted a trade-in price of \$5,000 on the current van.

Officer's Comment

The current HACC van was purchased second-hand in 2001. It is now nine years old, and requires ongoing repairs to the wheelchair hoist, and rust removal work to the body of the van.

While HACC services remain auspiced under Town of Port Hedland, HACC has been able to access funding to replace the van, at no cost to Council.

This opportunity may be lost once the HACC service is handed over to WACHS, to the detriment of the Town's ageing and disabled population.

WACHS is not eligible for Commonwealth Health & Ageing grown funding. Should the bus not be purchased in December 2007, the elderly and disabled clients currently cared for by Town of Port Hedland's HACC service may be disadvantaged, as it may take considerably longer for WACHS to source funding for a replacement wheelchair capable van

200708/088 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J E Ford**That Council:**

- i) Retains the \$27,524 received for replacing the current 1998 8-seater HACC wheelchair-capable Toyota SBV in Account 1008093960 - Grant - HACC;
- ii) Awaits receipt of a further \$32,661 in non-recurrent growth funding from the Commonwealth Health and Ageing to Account 1008093960 - Grant - HACC
- iii) On receipt of this additional \$32,661 approves the trade-in of the current 1998 HACC van with Pilbara Motor Company for a new 8-seater wheelchair-hoist equipped Toyota van at no net cost to Council.

CARRIED 9/0

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

Officer Terry Dodds
Director Engineering
Services

Date of Report 19 November 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
Black Spot Funding	Throssell Road Widening continues from Hawke Place to Post Office Entrance Driveway
Roads to Recovery	Bypass Road being removed and road re-opened over new culvert
Landfill	Engineering crews will construct the new septage ponds awaiting DEP approvals.
FMG Railway Construction	Railway construction and road works ongoing.
Wedgefield Upgrades R2R	Commencing headwalls on drains and continuing with upgrades in accordance to Road Safety Audit – carried out by Connell Wagner

Anderson Street	Installation of drainage headwalls in progress
Flood Gate Pumps	Pre Cyclone Testing for Electrical and Pump Mechanical operations have been commenced with NJS Electrical and Trevelle Engineering.
Airport Drainage	Reshaping drains to allow ease of maintenance.
Road Safety Audit	Road Safety Audit for South Hedland, Port Hedland and Wedgefield has been forwarded to Main Roads.
Heavy Plant Equipment	All Heavy Equipment has been ordered – not anticipated to arrived until next year. The process of completing of investigations into options for the TTL at the Waste Management Facility has commenced.
Septage Tanks	Colin Matheson Oval and Kevin Scott Oval Septage Tanks now completed

Parks & Gardens

PROJECT	STATUS
Tree Reinstatement	Received a report on the cyclone damage to the remaining trees in town – programme will be implemented to complete works
Garden Maintenance	Garden Maintenance crews are continuing with programmed works
Park Maintenance	Park maintenance crews are maintaining park programme on a fortnight basis
Sportsground Maintenance	Lawn Doctor has been issued with Purchase Order to repair Port Hedland and South Hedland sportsgrounds
Pre-Cyclone Cleanup	No further cyclone cleanup will be undertaken
Training	Staff continued with the ‘Growing and Propagating Native Plants’ training.
Litter Crew	Only working Monday – Friday no weekend cleanup until further advised

Technical Services/Projects

PROJECT	STATUS
Fire Proof Bin Surrounds	Eight (8) fireproof bin surrounds have been ordered for installation in various parks, reserves and streets. These have been designed to minimise the risk of a fire spreading if ignited within the bin surround, are cool to touch when on fire and attractively enclose the 240L wheelie bins.

Footpath Railings	Railings located where footpaths intersect with open drains have been audited and identified for replacement or installation; quotations invited.
Drainage Construction	Stormwater drainage has been installed on Tinder Street to direct excess stormwater from Tinder/Corney intersection to the outlet on Dempster Street. Quotes are currently being sought for the installation of concrete pipes to enclose some open drains in Schillaman Street. Negotiations will occur with external stakeholder/s for potential financial contribution/s once quotes have been obtained.
Light Vehicle Replacement	Eighty percent (80%) of this year's program have been ordered, with one (1) vehicle delivered. The remainder of vehicles are pending finalisation of specifications. The vehicles will arrive progressively over the year.
Finucane Island Boat Ramp upgrade	Quotes have been received for the design work for the boat ramp upgrade, however the scope may change due to a request from BHP to construct a temporary structure adjacent to the boat ramp (refer to Planning Report)
Bus Shelter installation	Six (6) bus shelters have been ordered for installation along the public bus routes in South Hedland (delivery time approximately 6-8 weeks).
Footpath construction	Footpath construction has been completed in McDonald Street, Greene Place, Roberts Road, Godrick Place and Somerset Crescent.
Street Lighting upgrades	Orders have been forwarded to Horizon Power for the upgrade of street lighting in Bottlebrush Crescent, Paton Road, Kennedy Street, Demarchi Road and Trumpet Way, works commencing within the next month.
Playground development	Designs and quotes are being prepared for the upgrade of playground equipment and shade structures at Colin Matheson Oval and Kevin Scott Oval. A community survey has been released for comments prior to finalising designs.
West End Greening	Quotes have been received based on the revised scope of works. Estimates are in excess of the current budget; further funding has been offered to TOPH by

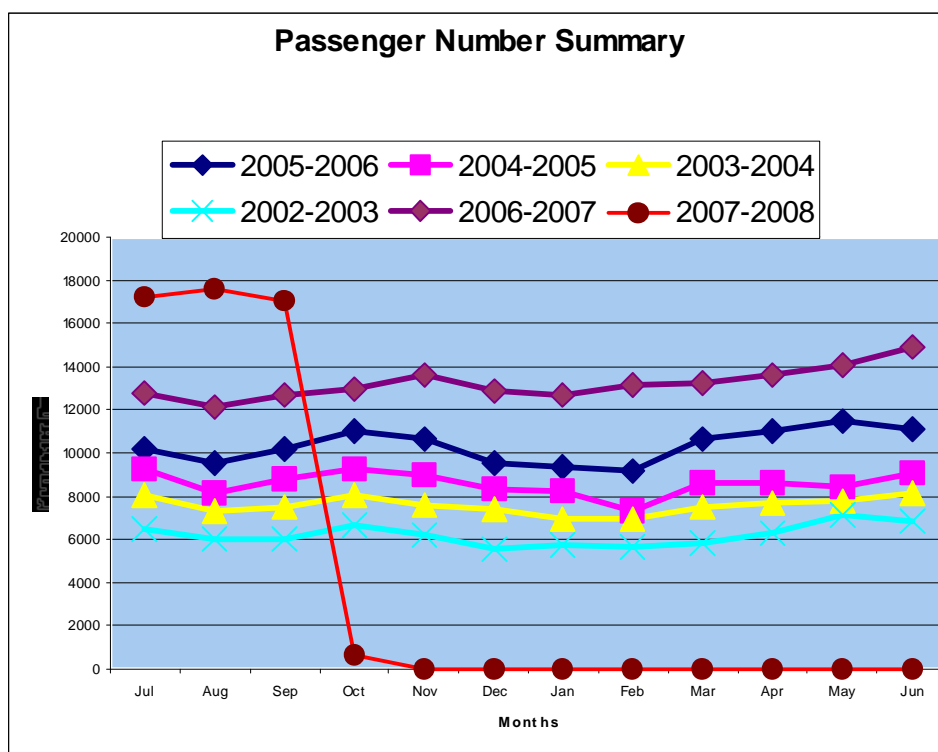
	BHPB to expedite the project.
Pilbara Fund (Hedland Revitalisation Project)	Council received formal advice; dated 14 th of November, stating our application for \$1.45 million was unsuccessful. Project affected; footpath construction, playground equipment, Throssell Road streetscape, Park Improvement Program and Boulevard tree Planting. (Recreational services also affected: Sport Facility Upgrade and McGregor Street Oval Redevelopment)
Shay Gap Park development	'Frogmat Environmental' has commenced the demolition stage of the Shay Gap Park development. This project includes new playground equipment, shade structures, BBQ facilities, footpaths and landscaping (expected completion date is end of March 08).

Port Hedland International Airport

PROJECT	STATUS
Sewerage Upgrade	Awaiting quotes from service providers
Apron Lighting Upgrade	Ongoing
PAPI Installation	All equipment received. Method of Working Plan to be developed and parties consulted as to timing of works.
Front Reserve Drainage	Works due for completion week ending 23/11/07
Master Plan	Draft nearing completion. Awaiting quotes from consultants for development feasibilities
Electrical Upgrade	Tender Awarded. Works commencement dependant on equipment delivery.
Airport Revaluation	Await final report from Valuer Due 20 November.
RESA Extensions	Ongoing
4 Lot development	Ongoing. Works pending the sewerage upgrade completion.
Boundary Fencing	Tender to be advertised shortly and to proceed to next Council Meeting

Passenger Numbers

Passenger Numbers for month ending October 2007. At time of writing Qantas October figures not available. However, by observation, the passenger movement figures have remained constant and show no signs of abating.



Airline Performance Information

The Bureau of Transport & Regional Economics (BTRE) published the following official on time performance information for September 2007 for Port Hedland. A total of 90 flights occurred (78 Qantaslink, 12 Skywest).

Airline	On time Departures	On Time Arrivals
Skywest	11 (91.7%)	9 (75.7%)
Qantaslink	68 (87.2%)	64 (82.1%)

Qantaslink advised that for the month of October 82% of aircraft arrived within 15 minutes of scheduled time. Seven delays greater than 30 minutes were experienced on the Port Hedland Perth sector, the majority being due to congestion at Perth Airport causing late arrivals to Port Hedland. Major delay occurred on 26/9/07 due to aircraft engineering faults. Three 717 aircraft in the fleet went unserviceable simultaneously.

Itinerant International Movements

Increase in long range Corporate Jet traffic with movements of several varied aircraft types.

The Antonov AN124-100 movement in November has now been finalised and arrived on Monday 5th and departed Wednesday 7th November, without incident or any runway or apron damage. Airport Staff facilitated media access to the airport site.

BALI International Service

Strong demand continues for the service. So much so that it is likely that a mid-week Port Hedland - Bali and return service will be instituted before Christmas to compliment the Saturday Port Hedland - Bali service

AAA Conference.

The Airport Manager and the Deputy Mayor attended the annual AAA conference and Technical Workshops in Melbourne on behalf of the Town of Port Hedland 11-15 November 2007

Recreation Services**General/Projects***Sporting Facilities Upgrades*

All existing recreation upgrades from 2006/07 have been completed, with the exception of the installation of rubber at the cricket nets (programmed).

The future of the *Hawks* clubrooms is currently being investigated and will be presented to Council at the Ordinary Council Meeting in December.

Remaining funds will be allocated according to the outcome of the lighting audits at each aquatic centre, the *Diamond 1* net, and the McGregor Street car park (completed).

The 07/08 financial year's Recreation Upgrade projects include:

- Shade structures at Colin Matheson Oval, Marie Marland Reserve and McGregor St Reserve;
- Spectator Seating at Kevin Scott Oval; and,
- Shared storage facilities at Marie Marland Reserve and McGregor St Reserve.

All of the aforementioned are in the process of receiving quotes for design, construction and installation.

Post – Cyclone Repairs

South Hedland Aquatic Centre Shade structure has been secured and made safe for use. The contractor is due to return to complete the works in early January. Gratwick Aquatic Centre shade structure was examined by a structural engineer last week (at the insurers request) with the report to determine the insurers decision.

The *Diamond 1* baseball back-net structure was advertised as a tender for design and construction on the 3rd of November.

Tenders close 28th of November, with recommendations being made to Council at the Ordinary Council Meeting in December.

Port and South Hedland Skate Parks

South Hedland Skate Park has reached base completion stage, with signage and fencing commenced. (A delay has occurred to the later due to vandalism, which occurred on the 17th November). Fireproof bins have been ordered, and will be installed when they arrive. Total funds remaining equates to \$59,030, with \$20,000 allocated to the installation of overhead lights. It is likely that further funds will need to be obtained to ensure all features and fixtures can be installed. These include:

- Softfall
- Entry signage
- Gazebo (shade)
- Benches
- Refuge Area
- Water Fountain
- Bike Rack
- Overhead lights

Port Hedland Skate Park is in a similar situation to South Hedland; funds remaining equate to \$49,654. Initial quotes indicate that additional funds will need to be obtained to finish this project to a high quality standard. Similar features will be installed in this skate park as what is planned for installation at South Hedland.

The Grand Opening for both Skate Parks is scheduled for 21 and 22 February 2008.

Feasibility Study into Proposed Multi-Purpose Sports Complex

Feedback has been received for the proposed multi-purpose recreation centre, and is being presented to Council at this Ordinary Council Meeting. Should Council choose to adopt the feasibility study, it is anticipated that work towards the architectural designs will take place.

JD Hardie Centre Working Group

The draft report is due to be presented to Council in December.

Town Cycle Plan

Transplan Pty Ltd has recently received the contract to develop a Town Cycle Plan for the Town. Once completed, this Plan will provide clear recommendations on the location of cycle-ways within the Town, utilising existing and future footpaths, and will correspond with the Town of Port Hedland's Public Open Space Policy. It is anticipated that the final report will be presented to Council in March 2008.

At the conclusion of the project, Council will receive:

A consolidated, costed, five-year recommendation on the future provision, and alteration to existing footpaths, of cycle-ways and footpaths in Port and South Hedland; A report recommending locations of signposted cycle-ways for pedestrians and recreational cyclists within Port and South Hedland that link parks and other recreational reserves / areas of interest in a circuit fashion; A report recommending the process, legalities, location and design of a cycle-way between Port and South Hedland; A report detailing circuit potentials in Port and South Hedland for road cyclists.

Recreation Reserve Redevelopment

ROSS Planning to develop concept plans for Colin Matheson Oval and the McGregor Street Sporting Reserves, with stakeholder consultation commencing soon. Once completed, these concept plans will provide clear direction for the development, upgrades and future of these two recreational areas, and identify the location, size, design and approximate cost of various infrastructure required to upgrade the facilities to an appropriate standard. At the conclusion of this project, the Town aims to be in a position where it can call for tenders for the detailed design development of the highest priority infrastructure works at both locations. It is anticipated that the final report will be presented to Council in March 2008.

At the conclusion of the project, it is expected that Council will receive the following deliverables:

A consolidated, costed concept plan for McGregor Street Sporting Reserve and Colin Matheson Oval, including estimated timeframes for deliverables; A report recommending the process of redevelopment, including justification of all recommendations, for both reserves; A report detailing the individual components of each reserve, including the provision of specific sporting facilities including clubrooms, change-rooms and toilet facilities, and any specialised facilities, including turf club amenities, potential child-care facilities etc; A report detailing the location of each facility, to maximise efficiency.

Lighting Audit

Work for audits at each Aquatic Centre is due to commence mid-November for the Lighting Audits. These audits will recommend current and future upgrades with regards to overhead lights and electrical points. All recommendations will adhere to the recently adopted Code of Practice for Aquatic Centres.

JD Hardie Centre Capital Upgrades

The JD Hardie Centre upgrade will commence in December this year, with funds allocated to enhance the aesthetics and usability of the Centre. The JD Hardie Centre will be closed during the Christmas period, to ensure limited impact on current users.

Facilities

The *Diamond 1* building at Marie Marland Reserve in South Hedland was broken into twice over the month, with police reports being issued. Some equipment belonging to the Port Hedland Baseball Association was stolen, however no other items were missing (damages have been repaired).

*Upcoming Events**Australia Day Sports Awards*

Nominations opened for the Australia Day Sports Awards last month. Nomination packs have been sent out to all sporting clubs/associations advising them of this year's awards and the rules for each award. All sponsors have been confirmed for the awards with the Soroptimists confirming that they will accommodate the presentation of the awards at their Australia Day breakfast. Advertisements will go in the North West Telegraph on the 21st of November, with a radio advertising campaign to run from the 26th of November to the 14th of December. Nominations close on Friday the 21st of December, with a selection panel to be assembled early in January to decide the winners of each category.

Education, Training and Certifications

The Manager Recreation Services and Manager Technical Services recently completed a Diploma in Frontline Management offered by the Pilbara TAFE.

Aquatic Centres

The YMCA has recently submitted their Business Plan for the 2008 Calendar Year as per their Management Agreement. Negotiations are to occur with the Aquatic Advisory Committee for the operations of the Centre. Outcomes will be presented to Council.

South Hedland Aquatic Centre (SHAC)

The SHAC had a delayed opening to the 2007 season due to unfavourable microbiological samples taken by Council's Environmental Health Unit, which has since been rectified.

YMCA Update

“South Hedland Aquatic Centre officially opened on the 17th October after continued delays with unsatisfactory microbiological water sampling results.

YMCA Aquatic Education and Aqua Aerobics programs began once the centre opened and have proved popular.

“Grounds maintenance schedules have continued, although Town of Port Hedland staff assisted greatly in October due to YMCA equipment breakdowns...”

October Financial Performance

Month	Actual	Budget	Variance
Income	\$14,645	\$22,463	(\$7,818)
Expenditure	\$47,419	\$53,795	(\$6,376)
Net	(\$32,774)	(\$31,332)	(\$1,442)

Year to Date	Actual	Budget	Variance
Income	\$63,443	\$92,269	(\$28,826)
Expenditure	\$394,258	\$441,312	(\$47,054)
Net	(\$330,185)	(\$349,043)	\$18,228

Attendances

Month	Swim	Aqua / Ed	School	Aqua	Program	Misc	TOTAL
Oct	1518	71	0	8	0	1456	3053

Gratwick Aquatic Centre

YMCA Update

“Attendances were slightly lower than anticipated throughout October at Gratwick. The school based Aquatic Education program will not commence throughout Term 4 due to a shortage of Instructors. As some schools missed out on lessons due to Tropical Cyclone George, Education Department staff had anticipated these to be re-scheduled throughout Term 4. At this stage, lessons will not be carried out in Term 1 either.

“Despite slightly lower than expected total attendances the centre experienced a strong financial result for the month mainly due to an increase in casual attendances, the delayed opening to South Hedland Aquatic Centre is likely to have contributed to this result.”

Lawn mowing schedules have continued every fortnight at both centres as staff are rotating through the schedule although the YMCA required the assistance of Town of Port Hedland staff in October due to equipment breakdowns.

“The shade structure which sustained damage during Tropical Cyclone George is still damaged and a response is eagerly awaited from the Insurance Company.”

October Financial Performance

Month	Actual	Budget	Variance
Income	\$30,112	\$24,806	\$5,307
Expenditure	\$55,522	\$53,773	(\$1,749)
Net	(\$25,410)	(\$28,967)	\$3,558

Year to Date	Actual	Budget	Variance
Income	\$97,514	\$124,117	(\$26,602)
Expenditure	\$405,785	\$450,026	(\$44,241)
Net	(\$308,271)	(\$325,910)	\$17,639

Attendances

Month	Swim	Aqua / Ed	School	Aqua	Program	Misc	TOTAL
Oct	5,476	252	0	38	261	719	6,737

JD Hardie Centre

Promotion:

Promotion used for the month of October was as follows:

- Distribution of Flyers for the JD Hardie Holiday Program to all Schools
- Fax out for the North West Basketball Cup
- Basketball WA Visit Flyer to all Primary Schools
- JDHC Web Page Updated
- North West Basketball Cup Nomination Emailed out
- Holiday Program Flyer on Web Page

Programs:

Current Programs:

- Jr Dodgeball
- Jr Basketball
- All Sports
- Kids Club
- Jr Indoor Footy
- Jr Indoor Soccer

Current Stadium Competitions:

- Mixed Netball
- Mixed Volleyball
- Men’s and Women’s Basketball (Concluded)
- Mixed Indoor Soccer

Attendances:

Term Program Attendances	Jul	Aug	Sep	Oct
Kids Club (Mon, Wed, Fri)	53	177	159	121
Jr Dodgeball	47	38	77	29
Jr Gym	23	25	20	0
All Sports	20	55	43	22
X-Pression	0	0	0	0
GR8 SK8	13	0	0	0
Boxing	82	109	38	72
Jr Indoor Footy		37	37	14
Jr Indoor Soccer				12
Jr Indoor Basketball				12
Sports Competitions				
Netball Teams (12)	15	315	385	282
Volleyball Teams (11)	30	210	228	138
Social Soccer	23	35	96	70
Basketball Teams	135	252	294	34
Badminton	10	14	0	0
Misc				
Birthday Parties(2)	45	35	36	37
Facility Hire	910	912	885	955
Holiday Program	315	0	0	374
Dodgeball Competition	0	0	0	50
Disco's		0	196	0
Gym Visits (7 Current Members)		14	50	51
Total	1721	2228	2544	2273

Events - North West Basketball Cup

In the lead up to the Town of Port Hedland North West Basketball Cup, Basketball WA flew two (2) representatives to Port Hedland to assist in conducting a series of Sessions with all the Schools of Port and South Hedland. All visits were facilitated through Council. A Level 0 Umpiring Clinic was conducted prior to the event, attended by approximately 20 basketball participants.

Additional Information

Attendances for the Month of October were largely due to a successful holiday program with an average of 37.5 children per day. Sports Competitions are steady, with the Women’s Basketball season coming to a close. Term and Sports Program figures are lower than standard due to holiday programs.

Facility Hire's that took place at the JD Hardie Centre this month included the following:

- Baihai Community (Youth Group)
- Tae Kwon Do (Regular Weekly Booking)
- Australian Technical College (College Forum)
- Hedland Senior High School (Regular Weekly Booking)

Attachments

Nil

200708/089 Council Decision/Officers Recommendation

Moved: Cr A A Carter

Seconded: Cr A A Gear

That Council receives the Engineering Services Monthly Report for November 2007.

CARRIED 9/0

11.3.2 Recreation Services**11.3.2.1 Proposed Multi Purpose Recreation Centre (File No.: 26/14/0001)**

Officer	Bec Pianta Manager Recreation Services
Date of Report	10 November 2007
Disclosure of Interest by Officer	Nil

Summary

As resolved by Council, the feasibility study into the proposed multi-purpose sports complex has been released for community consultation. Six (6) individual pieces of feedback were received, and are summarised below.

Background

At the Ordinary Council Meeting on the 26th September 2007, it was resolved that Council:

- “i) note the Town of Port Hedland’s receipt of the Draft Multi-Purpose Recreation Centre Feasibility Study;*
- ii) advertise the availability of the draft report for community feedback; and*
- iii) consider community feedback and future direction for this project at its Ordinary Council Meeting in November.”*

The feasibility study has since been available for question and community feedback. The following pieces of feedback were received for the Multi-Purpose Feasibility Study, and are summarised. The comments in their entirety can be seen in attachment 1 – 6 (in order of receipt).

1. Private community member, Katrina Bourne. Received via email on the 9th October 2007:
 - Recommends having panels of photovoltaic cells to convert sun to energy
 - Believes the Kindy Gym is good, but needs something for the older children that is air conditioned and can provide activity
2. Port Hedland Baseball Association. Received via email on the 21st October from the President, Bob Neville:
 - Favours the Finucane Island Recreation Club site

- Believes the restaurant facility should be built as part of stage 1 to ensure income is received immediately
 - Feels the Town of Port Hedland should manage the centre, with a contract manager employed under a Management Advisory Committee, and paid independently of Council
 - Believes the Finucane Island Club should be invited into the management options
 - Believes all profits put back into the sporting associations
 - Feels a crèche is important, however unsure of the need of a licensed child-care facility.
3. Hedland Tee-ball Association. Received via email on the 26th October 2007 from the President, Charlie Moylan:
- Would like the consideration for the inclusion of storage facilities / cages for trailers
4. The Edge Health and Fitness. Received via letter on the 29th October from the owners, Sally and Jason Alfieri:
- Concerned with the inclusion of a fitness centre within the complex due to the effect it may have on the local business
 - Supports the squash courts being integrated within the complex due to the upgrades that will be occurring at the Edge
5. Port Hedland Turf Club. Received via letter on the 30th October from the secretary Nigel Weston:
- Does not support the expenditure of \$28 million on the project
 - Does not believe the attendance figures are realistic and doesn't believe there is any substantiation of sporting bodies contributing to the projected usage
 - There is no confirmation from the various sporting bodies as to their acceptance of the proposal
 - Does not believe the Finucane Island Recreation Club site is the correct site, more on the Kevin Scott Oval area that can be utilised and is visual to all the community
 - More discussions are necessary to ensure this project is correct
 - Figures on the summary sheet are incorrect
6. Private community member, John Warburton. Received via email on the 1st November:
- Good floor plan
 - Hope the roof has at least an 18 degree pitch with no guttering and skylights
 - The squash club had increased, and therefore hopes that squash can be accommodated
 - Hopes that the complex receives funding and construction starts as soon as possible.

Consultation

The feasibility study was open for public comment for four (4) weeks, with staff indicating that they would be available to present to any committee/association should it be required. A hard copy of the draft feasibility study was available for perusal at the following locations:

- Town of Port Hedland website
- South Hedland Library
- Port Hedland Library
- Civic Centre

and was advertised via the following mediums:

- Newspaper advertisements
- Email alerts to all contacts
- Hard copy letters to all sporting associations

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

The following statements from the Town's Strategic Plan are relevant to this matter:

Key Result Area 3: Community Development

Goal 2 - Sports and Leisure

Strategy 1. Undertake a feasibility study for the development of a new multipurpose sports facility

Budget Implications

The adoption of this feasibility study will not commit Council to any additional funds, however it is envisaged that the architectural design of the centre will commence, of which funds have been allocated.

Officer's Comment

As resolved at the Ordinary Council Meeting in September 2007, the Feasibility Study into the Proposed Multi-Purpose Recreation Centre was advertised for public comment and feedback. It has also been presented to Council previously for feedback and comment.

Six written comments were received in the 4-week period, with the majority indicating their approval and ideas for suggestions and improvements. Of the six received, one opposed the continuation of this project.

As discussions for the JD Hardie Centre Youth Precinct Plan are currently in motion, and the connection between the two projects is high, it is considered important to allow this project to continue by adopting this feasibility study.

200708/090 Council Decision/Officer's Recommendation**Moved:** Cr A A Gear**Seconded:** Cr A A Carter**That:**

- i) Council notes the Draft Feasibility study into the Proposed Multi-Purpose Sports Complex;**
- ii) Council undertakes a tender process to develop architectural designs and more details/accurate cost estimates of the multi-purpose recreation centre;**
- iii) The Specifications of the architectural design process be undertaken by the Recreation Facilities Working Group; and**
- iv) The Finucane Island Club be invited to have a representative on the Working Group.**

CARRIED 9/0

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

Officer Stephen Carstairs
Manager Finance

Date of Report 23 November 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 October 2007, and to compare this with that budgeted for the period. With regard to the Town's Utility Costs and Fuel Costs, a comparison is made with 2006/07.

Background

Presented (see attachments) in this report for the financial period ended 31 October 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 October 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. *Utility Costs and Fuel Costs*

Presented in graph form (see attached), is the 2007/08 cumulative monthly water and power and fuel costs compared with 2006/07.

3. *Schedule of Accounts Paid*

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 28 November 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			
CHQ17568	17568	\$0			1	Municipal Fund	Cancelled
17693	17795	\$260,478.58	1	26	1	Municipal Fund	
EFT19970	20316	\$2,913,491.56	26	143	1	Municipal Fund	
PAY 091007		\$214,807.93	144	144	1	Municipal Fund	
PAY 250907		\$199,167.97	144	144	1	Municipal Fund	
	Municipal Total	\$3,587,945.92					
3001373	3001380	\$10,240.00	144	146	3	Trust Fund	
	Trust Total	\$10,240.00			3	Trust Fund	
	TOTAL	\$3,598,185.92					

Consultation

Nil

Statutory Implications

Financial Statements

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

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

- (1) *A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:*
 - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) *budget estimates to the end of the month to which the statement relates;*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing:*
 - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*

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

In this regulation:

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

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

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

- “(1) Subject to subsection (2) and any other written law, a local government may –*
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) waive or grant concessions in relation to any amount of money; or*
 - (c) write off any amount of money, which is owed to the local government.*
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.”*

Policy Implications

2/003 Financial Statements – Copies for Councillors

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

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

Point one of Goal 2 (Natural Resources) in Key Results Area 5 (Environment) of the Strategic Plan 2007-2012, requires that the Town's energy and water use is monitored and reported to Council.

Budget Implications

At its 25 July 2007 Ordinary Meeting Council resolved to adopted item 11.4.1.2 2007/08 Budget Adoption, which included Recommendation 12 as follows:

"Recommendation 12

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

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

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

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

Officer's Comment

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

Period Variation

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

Primary Reason

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

Budget Impact

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

Attachments

- Page 1-3 of 12. Schedule 2 being a Statement of Financial Activity
- Pages 4 to 12. Notes 3 to 9, which form part of the Statements of Financial Activity. Also Note 10 – October 2007 Bank Reconciliations.
- Pages 1 to 47. Detailed Financial Activity by Program.
- October 2007 Accounts for Payment
- Comparison Between 2006/07:2007/08 Utility and Fuel Costs.

200708/091 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J E Ford**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 October 2007; and**
 - **Review of Transaction Activity, as attached and/or presented be received;**
- ii) **graphic representation of the Town's energy, water and fuel use as attached be received; and**
- iii) **the list of Accounts paid to during October 2007 under Delegated Authority, as presented and/or attached be received.**

CARRIED 9/0

**11.4.1.2 Lease for the Port Hedland Youth and Family Centre
(File No.: -)**

Officer Matthew Scott
Director Corporate
Services

Date of Report 19 November 2007

Disclosure of Interest by Officer Nil

Summary

For Council to consider entering into a formal lease arrangement with the Port Hedland Youth and Family Centre on Part Reserve 34344 (Keesing Street) Port Hedland.

Background

The Port Hedland Youth and Family Centre (PHY&FC) has provided family and children oriented services to the residents of Port Hedland from the Keesing Street location for many years. This has been achieved without a formal lease agreement for their use of the Council owned building. Council records indicate several unsuccessful attempts of entering into a lease arrangement, however due to changes in PHY&FC committee members and Council Officers, this has never been finalised.

Given that Council has \$480,000 allocated in the 07/08 budget to upgrade the centre, it is therefore appropriate that Council enters into a formal lease agreement with the PHY&C.

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;*
- and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include*
- (a) *the names of all other parties concerned;*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

It is recommended that Council only charge a Notional Lease rental on the building to cover annual administration costs. Such a nominal amount would not have a significant impact on the Council overall budget position.

Officer's Comment

As discussed previously the PHY&FC has provided a high level of service to Port Hedland residents (especially located around Cooke Point) for many years. If these services weren't being provided then Council would need to provide them, utilizing ratepayer funds. Based on this, there seems no reason to try to extract a commercial return for the facility, for effectively a "not for profit" community organisation. In similar situations like the Royal Flying Doctors Service and the South Hedland Owners and Trainers Association, Council has only required a notional lease rental of a few hundred dollars to cover lease administration costs.

As leasing is a form of disposal under the Local Government Act, Council must either dispose of the property by way of:

1. Public tender; or
2. Public auction; or
3. Private treaty.

As it is in neither parties interest to tender or auction, obviously the private treaty process needs to followed. This will involve public advertising once a market valuation has been obtained, however it will effectively secure the facility for the PCY&FC.

Given the significant upgrades occurring at the centre, there has been discussion with committee members of potentially locating a Council officer (Pilbara Family Day Care Scheme) at the Centre during workdays. Opportunities to potentially relocate the Port Hedland Library to the site are also being considered. If one or both of these initiatives were to come to fruition, it would provide additional security and contact opportunities for the PHY&FC as the facility is currently not opened at all hours of the day. Should operational needs require the relocation of a Council officer (and associated services) and given the notional rental offered to the association, it seems reasonable it should be able to occur with no cost to Council.

200708/092 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr G D Bussell

That Council agrees to dispose of the property on part reserve 34334 by way of lease to the Port Hedland Youth and Family Centre Inc as per section 3.58 (3) (private treaty) with the following conditions:

- i) Annual Rental to be \$200.00 per annum; and**
- ii) Initial term of 3 years, with 2 options to extend the lease by 3 years (Maximum term 9 years); and**
- iii) No material change to the Council's standard facility lease conditions; and**
- iv) Annual rental review equal to any increase in "Perth" CPI, as published by the Australian Bureau of Statistics; and**
- v) Council may utilise part of the facility at no charge, provided there is not significant impact to the Port Hedland Youth and Family Centre operations.**

CARRIED 9/0

11.4.1.3 **Amendment to Reserves and Foreshore Local Law** (File No.: -)

Officer	Matthew Scott Director Corporate Services
Date of Report	23 November 2007
Disclosure of Interest by Officer	Nil

Summary

For Council to consider amending it's decision earlier this year to amend the modified penalties to prohibit vehicle use on Foreshores during Turtle breeding season.

Background

At the June Council meeting, Council resolved the following:

"200607/367 Council Decision

That Council:

- i) Commences a formal review of all it's Local Laws as per Section 3.16 of the Local Government Act 1995;*
- ii) Commences the process of amending Council's Reserve and Foreshore Local Law by replacing Clause 17 with the following, as per section 3.12 of the Local Government Act 1995:
"17. The modified penalty for any offence against this Local Law is \$100 during the period 1st May and 31 August of each year, and \$500 for a first offence, and \$1,000 for a subsequent offence during the period of 1st October of each year and 30 April of each subsequent year.";*

and

 - iii) Commences the process of adding Part 6, to Council's General Provisions Local Law, being, as per section 3.12 of the local government act 1995:
"Part 6 Native Tree Protection
6.1 That no *Owenia reticulata* (referred to as *Pundul* or *Desert Walnut*) Tree within the district will be removed, damaged or destroyed without written authorisation from Council
6.2 A person who commits an offence against this Local Law, with regard to Part 6, shall be liable on conviction, to a maximum penalty of \$1,000 and if*

the offence is of a continuing nature to a daily penalty not exceeding \$100.”

Subsequently during the advertising period to enact this amendment, Council has received advice from its lawyers, McLeod's (letter attached) that the proposed amendment is in fact unlawful. In summarising McLeod's advice, Council should note the following:

- The issue of an infringement notice is an “offence” under the Local Government Act, therefore there could never be a subsequent offence as implied in the amendment; and
- The maximum modified penalty an Council can issue an infringement notice is 10% of the penalty of specific local law; and
- The current penalty under the Foreshore and Reserve Local Law is \$2,000.

These points relate to the miscellaneous provisions of the Local Government Act 1995 (part 9), and had not been considered in the earlier advice provided to Council.

This Information was discussed with Council at the November 2007 informal briefing, and the consensus of the members present was to have this item resubmitted to Council for consideration.

In order to amend Council's decision the initial decision must be rescinded and a new resolution made. Given that amendments to both the Reserves & Foreshores Local Law and the General Provision Local Law occurred in the same notice, the amendment to the General Provision Local Law will need to be advertised again.

Consultation

Initial advertising of the proposed amendment resulted in no public submissions being received. Of the various State Government departments and agencies notified of the proposed amendment there was be several letters support of Councils intention.

Statutory Implications

Policy Implications	Nil
Strategic Planning Implications	Nil
Budget Implications	Nil

Officer's Comment

The main sections of the Local Government Act 1995, referred to by McLeod, Sections 9.17(3) and 9.21(3) are found in the Miscellaneous Provisions (part 9) section of the act which deals with the content and effect of infringement notices. This area was not referred to in advice given to Council in June, as reference was only made to part 3, Functions of Local Government, of the Local Government Act, which deal with the making and amending local laws.

Though this is, in hindsight, an obvious omission in the report presented to Council, this omission has not been picked up by the Department of Local Government when they were notified of the proposed amendment.

To correct this error, Council will need to:

1. rescind the error in minute 200607/367 (requiring 3 members to indicate support the rescission motion), as follows:

"That Council: ...

- ii) *commences the process of amending Council's Reserve and Foreshore Local Law by replacing Clause 17 with the following, as per section 3.12 of the Local Government Act 1995:*

"17. The modified penalty for any offence against this Local Law is \$100 during the period 1st May and 31 August of each year, and \$500 for a first offence, and \$1,000 for a subsequent offence during the period of 1st October of each year and 30 April of each subsequent year."; ..."

and

2. consider a new amendment to the Foreshore and Reserves Local Law modify penalty to its maximum (currently \$200, being 10% of the \$2,000 penalty), as indicated by elected members at the informal briefing session, as follows:

Once this new amendment has been passed, the advertising process of changing a local law must begin again.

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.*

NOTE: Mayor called for a show of hands in favour to consider the revoking of resolution of Item 10.1.1.1 Port Hedland Yacht Club Lease of the Ordinary Meeting of Council held on the 26 May 2004 and recorded on page 18 of those Minutes.

The following Councillors were in favour to consider the revoking part ii) (reference to the Reserve and Foreshore Local Law) of resolution of Item 11.4.1.10 'Local Laws Review and Amendment' of the Ordinary meeting of Council held on the 27 June 2007 and recoded on page 233 of those Minutes:

Councillor Grant D Bussell;
Councillor George J Daccache; and
Councillor Arthur A Gear.

200708/093 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr A A Gear**That Council:**

- 1) **recinds Council's Decision 200607/367, part ii) (reference to the Reserve and Foreshore Local Law) from its Ordinary Meeting held on 27 June 2007, as follows:**

- "ii) commences the process of amending Council's Reserve and Foreshore Local Law by replacing Clause 17 with the following, as per section 3.12 of the Local Government Act 1995:**

- "17. The modified penalty for any offence against this Local Law is \$100 during the period 1st May and 31 August of each year, and \$500 for a first offence, and \$1,000 for a subsequent offence during the period of 1st October of each year and 30 April of each subsequent year."; ..."**

- 2) **commences the process of amending Council's Reserve and Foreshore Local Law by replacing Clause 17 with the following, as per section 3.12 of the Local Government Act 1995:**

- "17. The modified penalty for any offence against this Local Law is \$100 during the period 1st May and 31 August of each year, and \$200 during the period of 1st October of each year and 30 April of each year."**

CARRIED BY ABSOLUTE MAJORITY 9/0

11.4.1.4 ***Audit and Finance Committee Recommendations - Appointment of Chair and September Quarterley Budget Review (File No.: -)***

Officer	Matthew Scott Director Corporate Services
Date of Report	23 November 2007
Disclosure of Interest by Officer	Nil

Summary

For Council to consider the outcomes and recommendations of the Audit and Finance Committee Meeting held on 21 November 2007.

Background

The Audit and Finance Committee meet on the 21 November 2007 to consider the following items:

1. appointment of a presiding member (chair) of the Committee; and
2. the September Quarterly Budget Review resulting in a \$34,840 increase to Council's cash surplus.

As Council will note from the attached minutes, the Committee appointed Cr A A Carter to be the presiding member and resolved to recommend the proposed budget amendments to Council to adopt.

The Committee also resolved to remove the unsuccessful Pilbara Fund Grant and corresponding expenditure of \$1,450,000 from the budget to reflect informal advice received by Council just prior to the meeting.

The Projects affected by this decision are listed below

Project	Budget Cost	Pilbara Fund	Revised Budget
Footpath Construction (Port Hedland)	545,000	165,000	380,000
Footpath Construction (South Hedland)	420,000	105,000	315,000
Playground Development	345,000	80,000	265,000
Throssell Rd Streetscape	450,000	150,000	300,000
Park Improvement Program	2,000,000	500,000	1,500,000
Sports Facility Upgrade Program	300,000	100,000	200,000
PHY&FC Upgrades	480,000	160,000	320,000
McGregor St Oval Redevelopment	270,000	90,000	180,000
Boulevard Tree Planting Program	350,000	100,000	250,000
Total	5,160,000	1,450,000	3,710,000

As this has zero effect on the cash surplus (reduction in income = reduction in expenditure) there was net effect to the Committee's resolution.

Consultation Nil

Statutory Implications

Local Government Act 1995

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

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

(a) is incurred in a financial year before the adoption of the annual budget by the local government;

(b) is authorised in advance by resolution; or*

(c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.”

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Should Council accept the Committee's recommendation the Budgeted Cash Surplus will increase to \$34,840. These are unallocated funds that Council could utilise in the future.

Officer's Comment

Reasons for the budget amendments, except for the change due to the Pilbara Fund, recommended by the Audit & Finance Committee are detailed within the attached minutes.

Officers have been advised of the unsuccessful Pilbara Fund Grant, and all associated projects have been put on hold until alternative plans are finalised. Attempts will also be made to seek alternative funding sources so these projects can be completed in the future.

200708/094 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr G D Bussell**That Council:**

- i) Amends the annual budget to reflect the budget adjustment recommended by the Audit & Finance Committee minutes for the 21 November 2007, resulting in an increase in the cash Surplus of \$34,840; and
- ii) Amends the budget to reflect the reduction \$1,450,000 in Pilbara fund funding and reduce the following projects accordingly:

Project	Budget Cost	Pilbara Fund	Revised Budget
Footpath Construction (Port Hedland)	545,000	165,000	380,000
Footpath Construction (South Hedland)	420,000	105,000	315,000
Playground Development	345,000	80,000	265,000
Throssell Rd Streetscape	450,000	150,000	300,000
Park Improvement Program	2,000,000	500,000	1,500,000
Sports Facility Upgrade Program	300,000	100,000	200,000
PHY&FC Upgrades	480,000	160,000	320,000
McGregor St Oval Redevelopment	270,000	90,000	180,000
Boulevard Tree Planting Program	350,000	100,000	250,000
Total	5,160,000	1,450,000	3,710,000

CARRIED 9/0

11.4.2 Governance**11.4.2.1 Establishment of Cycle Plan Development, Recreation Reserves Development Plan and Airport Advisory Working Groups (File No.: ADM-070)**

Officer Gaye Stephens
Executive Assistant

Date of Report 23 November 2007

Disclosure of Interest by Officer Nil

Summary

To establish Working Groups and nominate elected members to represent Council on those Groups.

Background

At its Ordinary Meeting held 31 October 2007, Council resolved to nominate representatives on its Audit and Finance Committee, a variety of Working Groups and external organisations. It was noted at that meeting that a report will be presented to Council's Ordinary Meeting to be held in November to consider the establishment of the following working groups:

- Airport Working Group
- Aboriginal Advisory Working Group
- Cycleway Development Group

Consultation

Chief Executive Officer
Manager Recreation Services
Director Engineering Services
Airport Manager

Statutory Implications

There is no requirement for Local Government to establish and/or operate committees of Council other than its Audit and Finance Committee.

Policy Implications Nil

Strategic Planning Implications

KRA 1 Infrastructure, Goal 3 Airport - Strategy 2 Develop a comprehensive Master Plan for the development of the Port Hedland International Airport as the precursor to determining long-term development and management alternatives for the facility.

Budget Implications

Operating committees under the requirements of the Local Government Act tends to be more time consuming and expensive for Councils to run due to the strict record keeping and administrative procedures that need to operate. The administration of these procedures is more labour intensive than less formal arrangements.

Officer's Comment*Working Groups*

A Working Group is not a formal Committee established under section 5.8 of the Local Government Act. A working group is to meet as and when required, and membership is to vary dependent on the issues to be addressed. The Officer responsible for the working group will report any outcomes and/or recommendations from working group meetings direct to Council via an Officer's Report.

While not specifically referred to in the Local Government Act, the operation of working groups, advisory groups and other similar structures is commonplace in Local Government authorities. These structures are used to allow input into discussions and debate regarding community issues in a less formal setting.

Projects Requiring Working Groups:

It is recommended the following Working Groups be established to address the needs of Council's Recreation Services current projects as follows:

1. Recreation Reserve Redevelopment Master Plan**Project Brief**

- Undertake consultation with employees of the Town of Port Hedland including Engineering, Planning and Building staff, along with community members and relevant groups and associations to determine needs and desires at both locations
- Refer to previous consultation and planning work undertaken including the Land Use Master Plan, the Recreation Facilities Audit and the Draft Public Open Space Policy (attachment 3) when considering future concept plans for the reserves
- Develop concept plans and recommendations for the process of the redevelopment of McGregor Street Sporting Reserve and Colin Matheson Oval, including preliminary designs and layout

- Develop recommendations for the conservation of the playing surfaces, and recommended upgrades to the existing reticulation
- Detail rationale and justification for the recommendations and concept plans
- Investigate all possible inclusions at each reserve to ensure future growth and expansion is covered, and all necessary and required facilities are included.
- Identify a hierarchy of development projects for the facilities. (i.e. what should be done 1st, 2nd, 3rd, etc.)
- Provide preliminary (schematic) design and cost estimates for all components of work that have been recommended.

Project Outcomes

- A consolidated, costed concept plan for McGregor Street Sporting Reserve and Colin Matheson Oval, including estimated timeframes for deliverables
- A report recommending the process of redevelopment, including justification of all recommendations, for both reserves
- A report detailing the individual components of each reserve, including the provision of specific sporting facilities including clubrooms, change rooms and toilet facilities, and any specialised facilities, including turf club amenities, potential child-care facilities etc.
- A report detailing the location of each facility, to maximise efficiency, use and aesthetics.

Recommendation: Develop a Working Group with the following terms of reference:

- To oversee and make recommendations on the direction of the Recreation Reserve Redevelopment; and,
- To make recommendations to Council on the report

2. Town Cycle Plan

Project Brief

- Make recommendations on the proposed location of cycle-paths in both Port and South Hedland, making use of current and future footpath planning, and parks upgrades.
- Make recommendations on linking existing pathways within Port and South Hedland to create loops and links for cyclists/pedestrians.
- Make recommendations on the location of new cycle-ways, or ways to expand existing ones.
- Make recommendations on the design and location of a potential cycle-way between Port and South Hedland, and detail a planned approach to achieving this.

- Make recommendations on how to utilise current roadways to create circuits and loops to encourage safe road cycling.

Project Outcomes

- A consolidated, costed, five-year recommendation on the future provision, and alteration to existing footpaths, of cycle-ways and footpaths in Port and South Hedland.
- A report recommending locations of signposted cycle-ways for pedestrians and recreational cyclists within Port and South Hedland that link parks and other recreational reserves/areas of interest in a circuit fashion.
- A report recommending the process, legalities, location and design of a cycle-way between Port and South Hedland.
- A report detailing circuit potentials in Port and South Hedland for road cyclists.

Recommendation: Develop a Working Group with the following terms of reference:

- To oversee and make recommendations on the direction of the Town Cycle Plan and the future of cycling in Hedland; and,
- To make recommendations to Council on the report

Council Requirement for Airport Working Group

On a number of previous occasions an Airport Economic Tourism and Development Committee have been formed. Council formally disbanded the last Committee at its Ordinary Meeting held in April 2006.

The development at the airport is increasing and it is appropriate that an internal Airport Working Group be formed to review operations and strategically focus the airport within the developing Town structure.

The airport is a critical part of the Town of Port Hedland's infrastructure and is a very important Council asset. Accordingly given the development that the Town has, is and will be experiencing over the coming years it is vital that the airport be strategically positioned.

Part of this is reviewing the current infrastructure and their effectiveness and to investigate what the town and the region require from the airport in the future.

Currently the Airport Management team is developing a master/strategic development plan for the airport. The Airport Working Group's would assist and provide input into the plan.

An Airport Working Group would be privy to a number of confidential and security sensitive documents and information. Accordingly it is recommended that the membership of a working group be restricted to Councilors and staff members. Input from external stakeholders would be sourced as and when required.

Officer's Recommendation

That Council establishes the following Working Groups and nominate elected member representation as follows:

i) Cycle Plan Development Working Group

Aim/Purpose

To:

- a) oversee and make recommendations on the direction of the Town Cycle Plan and the future of cycling in Hedland; and
- b) make recommendations to Council on the Cycle Plan Development report.

Tenure

The tenure of the Cycle Plan Development Working Group be until the plan has been developed or 28 March 2008 (whichever comes first).

Membership

Cr _____
Cr _____
Cr _____
Director Engineering Services
Manager Recreation Service

Delegation

Nil.

ii) Recreation Reserve Development Plan Working Group

Aim/Purpose

To:

- a) oversee and make recommendations on the direction of the Recreation Reserve Redevelopment; and
- b) make recommendations to Council on the Recreation Reserve Redevelopment report.

Tenure

The tenure of the Recreation Reserve Development Plan Working Group be until the plan has been developed or 28 March 2008 (whichever comes first).

Membership

Cr _____
Cr _____

Cr _____
Director Engineering Services
Manager Recreation Service

Delegation
Nil.

iii) Airport Working Group

Aim/Purpose
To:

- a) discuss what existing facilities the Town of Port Hedland have at the airport and their current effectiveness both from a stakeholder and operational viewpoint; and
- b) oversee and make recommendations on the development of a Masterplan for the Port Hedland International Airport.

Tenure
The tenure of the Airport Working group be until the plan has been developed or 28 March 2008 (whichever comes first).

Membership
Cr _____
Cr _____
Cr _____
Director Engineering Services
Airport Manager

Delegation
Nil.

200708/095 Council Decision

Moved: Cr A A Gear

Seconded: Cr J M Gillingham

That Council establishes the following Working Groups and nominate elected member representation as follows:

i) Cycle Plan Development Working Group

Aim/Purpose

To:

- a) oversee and make recommendations on the direction of the Town Cycle Plan and the future of cycling in Hedland; and**
- b) make recommendations to Council on the Cycle Plan Development report.**

Tenure

The tenure of the Cycle Plan Development Working Group be until the plan has been developed or 28 March 2008 (whichever comes first).

Membership

**Cr Grant Bussell
Cr Jan Ford
Cr Arthur Gear
Cr Kelly Howlett
Director Engineering Services
Manager Recreation Service**

Delegation

Nil.

ii) Recreation Reserve Development Plan Working Group

Aim/Purpose

To:

- a) oversee and make recommendations on the direction of the Recreation Reserve Redevelopment; and**
- b) make recommendations to Council on the Recreation Reserve Redevelopment report.**

Tenure

The tenure of the Recreation Reserve Development Plan Working Group be until the plan has been developed or 28 March 2008 (whichever comes first).

Membership

**Cr Arnold Carter
Cr Steve Coates
Cr George Daccache
Cr Arhtur Gear
Director Engineering Services**

Manager Recreation Service

Delegation

Nil.

iii) Airport Working Group

Aim/Purpose

To:

- a) discuss what existing facilities the Town of Port Hedland have at the airport and their current effectiveness both from a stakeholder and operational viewpoint; and**
- b) oversee and make recommendations on the development of a Masterplan for the Port Hedland International Airport.**

Tenure

The tenure of the Airport Working group be until the plan has been developed or 28 March 2008 (whichever comes first).

Membership

**Cr Grant Bussell
Cr Arnold Carter
Cr Jan Ford
Cr Arthur Gear
Cr Jan Gillingham
Cr Stan Martin
Director Engineering Services
Airport Manager**

Delegation

Nil.

CARRIED 9/0

REASON: Council nominated Councillor representatives on each of the Working Groups.

11.4.2.2 *Financial Assistance Agreement for the Architectural Design and Construction of a Turtle Interpretative Boardwalk – Government of Western Australia (through Pilbara Development Commission) (File No.: 08/02/0009)*

Officer Gaye Stephens
Executive Assistant

Date of Report 23 November 2007

Disclosure of Interest by Officer Nil

Summary

To progress receipt of Government of Western Australia, through the Pilbara Development Commission for the architectural design and construction of a Turtle Interpretative Boardwalk in Port Hedland.

Background

In correspondence received 30 October 2007, the Pilbara Development Commission (PDC) has advised the Government of Western Australia will contribute an amount of \$1,000,000 (exclusive of GST), plus \$100,000 (GST) totalling \$1,100,000 to the architectural design and construction of a Turtle Interpretative Boardwalk in Port Hedland as follows:

- \$200,000 contribution towards Stage 1 of the Turtle Interpretive Centre Project, which includes the design, specification and survey costs of the Turtle Boardwalk as well as the footpath section of the Turtle Boardwalk facility from the Civic Centre to Lukis Street along the ocean front in Port Hedland; and
- \$800,000 contribution towards the construction of the Turtle Boardwalk facility, which includes appropriate interpretative signage.

Officer's Comment

To progress the administration of the Turtle Interpretative Boardwalk, including the release of funding to Council of \$1,100,000 (exclusive of GST) plus \$100,000 (GST) totalling \$1,100,000 the PDC requires Council meet the following conditions:

- provide the PDC with a signed copy of the 'Financial Assistance Agreement' (FAA);
- provide the PDC with the following Invoices:

- Instalment 1: Invoice for \$220,000 (including GST) within 21 days of signing the FAA, subject to the Town confirming with the PDC that the Town has secured the necessary funding for the completion of the project;
- Instalment 2: Invoice for the amount of \$440,000 (including GST) payable from 1 March 2008, following written indication from the Town that the initial funds of \$200,000 have been expended in accordance with the conditions outlined in the FAA; and
- Instalment 3: Invoice for the amount of \$440,000 (including GST) payable from 1 March 2008, following written indication from the Town that the initial funds of \$200,000 have been expended in accordance with the conditions outlined in the FAA;
- agree to comply with the Environmental Protection Act, Aboriginal Heritage Act and any other relevant acts, regulations and local laws and, obtains relevant approvals prior to construction;
- all designs and specifications to be supported by the PDC;
- complying with the Building WA Capital Works Project Signage Style Guide; and
- completion of the project by December 2008, unless a suitable extension can be negotiated.

The Financial Assistance Agreement (FAA) requires the Town of Port Hedland Common Seal to be affixed and to be signed by the Mayor and Chief Executive Officer.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

The Town's current Strategic Plan includes various statements that is relevant to this matter:

Budget Implications

Income of \$1,100,000 (including GST) for the Turtle Interpretative Boardwalk Project.

200708/096 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J M Gillingham**That Council:**

- i) approval be granted for the Mayor and Chief Executive Officer to sign and duly affix the Town of Port Hedland Common Seal to the Pilbara Development Commission's Financial Assistance Agreement (FAA) for financial contribution of \$1,100,000 (including GST) for the Turtle Interpretative Boardwalk Project; and
- ii) raises the following Tax Invoices:
 - a) Instalment 1: Invoice for \$220,000 (including GST) within 21 days of signing the FAA, subject to the Town confirming with the PDC that the Town has secured the necessary funding for the completion of the project;
 - b) Instalment 2: Invoice for the amount of \$440,000 (including GST) payable from 1 March 2008, following written indication from the Town that the initial funds of \$200,000 have been expended in accordance with the conditions outlined in the FAA; and
 - c) Instalment 3: Invoice for the amount of \$440,000 (including GST) payable from 1 March 2008, following written indication from the Town that the initial funds of \$200,000 have been expended in accordance with the conditions outlined in the FAA.

CARRIED 9/0**200708/097 Council Decision****Moved:** Cr G D Bussell**Seconded:** Cr A A Carter**That the Meeting be adjourned for a five (5) minutes recess
Mayor declared a 5 min recess.*****CARRIED 9/0***

7:51 pm Mayor adjourned the meeting for five (5) minutes.

200708/098 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr J M Gillingham**That the meeting be resumed.*****CARRIED 9/0***

7:56 pm Mayor resumed the meeting.

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL**12.1 Engineering Services****12.1.1 *Tender 06/60 Lease and Operation of the Airport Bar and Café Port Hedland International Airport (File No: 05:09/001)***

Officer Terry Dodds
Director Engineering Services

Date of Report 26 November 2007

Disclosure of Interest by Officer Nil

Summary

For Council to consider

- 1) the tender submission received for Tender 06/60.
- 2) application for a Protection Order for the Airport Bar and Café.

Background

At its September Ordinary meeting Council resolved to call for tenders for the operation of the Airport Bar and Café. Tenders were advertised and the submission period closed on 16 November 2007. The only bid that was received was an internal bid submitted by the Town of Port Hedland.

The current lease expires on the 1 January 2008. The current lessee is not seeking a renewal of the contract.

There are a number of issues within the internal bid including:

- Financial information that Council has from when it last managed the airport café two years ago is largely irrelevant as costs have changed, and airport traffic has substantially increased.
- Comparing/contrasting potential operations of the Airport café with other operations in difficult as no two airports are the same.
- Cash flow details of the Airport café for the past two years was not available when the internal bid was submitted. (This information has recently been provided – subsequent to the internal bid being submitted).

Consultation

Advice from the Shire of Roebourne Airport operations and Max Landells (current lessee) was sought after close of tender. Unfortunately the latter only divulged more accurate information after the tender submission period ended.

Information obtained from both parties indicated that a highly favorable return could be obtained from operating the facility, potentially substantially more than what the internal bid indicated.

Statutory Implications

A range of statutory implications need to be considered including:

- The Liquor Control Act 1988 determines the regulations in relation to the sale of alcohol, specifically: Transfer of License, Protection Orders and Interim Authorizations and Special Facility Licenses. This is administered by the Department of Racing, Gaming and Liquor. Any potential operator will be required to access a liquor license ASAP if they are ensure continuity of delivery of this service.
- The Town of Port Hedland Delegation Register, 2007; Delegation Register 2 (Liquor – Sale and Consumption – Council Property) governed by The Local Government Act 1995 (Section 5.42) states:
“The Chief Executive Officer is delegated authority to determine applications for the sale of liquor from property under the care, control and management of the Council and to approve applications to consume liquor on property under the care, control and management of Council.”
- The Local Government Act 1995 (as amended) as per Section 3.57 - Tenders for providing goods and services:

*“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.”*
- Health (Food Hygiene) Regulations 1993.
- Town of Port Hedland Eating House Laws.

Policy Implications

Procurement Policy 2/007.

Strategic Planning Implications

KRA 1- Infrastructure, Goal 3- Airport
Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising and any other means.

Budget Implications

The initial figures included in the tender bid showed a return to the Town of Port Hedland of \$81,569 if the tender was to be operated ‘internally’ using Council staff.

The financial components of the bid were reviewed by other finance and engineering staff that were not involved with the bid preparation. This review identified a number of additions and subtractions needed to be included within the bid to ensure accuracy and compliance with National Competition Policy principals. Additionally information provided from the current lessee regarding operational costs and income subsequent to the tender closing was considered and budget forecasts were amended accordingly.

After considering the above it is estimated that the Airport café can provide a return to Council of approximately \$140,748 per annum.

Currently there is no provision in the 07/08 Budget for the Café Operations. A proposed budget adjustment is provided for Council's review:

A/c Number	A/c Description	Original Annual Budget	Amended Annual Budget
	Airport Café		
	Operating Expenditure		
1213201	Salaries	0	122,365
1213211	Super Guarantee	0	2,479
1213261	Administration	0	21,392
1213263	Café Purchases	0	65,460
1213264	Bar Purchases	0	63,350
NEW	Training		2,200
NEW	Utilities		7,240
New	Cleaning		150
	Total Operating Expenditure	0	284,636
	Operating Revenue		
1213350	Sales Café	0	(129,300)
1213351	Sales Bar	0	(217,200)
	Total Operating Revenue	0	(346,500)
	Total Airport Café	0	(61,864)
	Transfer to Airport Reserve		61864

Note: The figure differs from the projected annual surplus as it is anticipated as the figures are for 6months only.

As with all Airport operations it is planned to transfer any surplus/deficit to the Airport Reserve and therefore there is no net cost to Council.

Officer's Comment*Town of Port Hedland Operating the Café*

The successful operation of the Café is important strategically, not just as a singular item, but in the overall more holistic approach to customer service by the Town of Port Hedland in relation to airport operations.

There are a number of benefits, financial and non-financial for the Town to operate the Café, one such being the ability to control customer service levels.

In the medium-term the planning and delivery of any future alterations to the terminal area, based on requirements yet to be determined from the Airport Master Plan, will be more easily orchestrated without external lease implications. Additionally, the introduction of the 737 operations to Port Hedland is likely to cause modifications to the Departure areas of the terminal, which may affect the Café operations.

Liquor License Issue

The Airport Bar and Café is currently operated by The Australian Pearling Company. This company is the current liquor licensee for the premises. The operator has advised the Town of Port Hedland that they will not be seeking a renewal to their operation, which expires on 31 December 2007.

To allow for the continuation of the License, under which the Airport Café and Bar operates, there are number of options that may be undertaken whilst Council reviews the operation of the Café.

Firstly, to seek a transfer of the license to the Town of Port Hedland as licensee. The formal Transfer of the License could take up to eight (8) weeks. If the transfer proceedings are not completed by 1 January 2008, the bar facility would be required to be closed until the transfer was completed. An approved manager is required to be appointed.

An alternative under the Liquor Licensing Act is as the owner/ Lessor of the facility, the Town of Port Hedland applies to take out a Protection Order over the License and to meet the requirements relating to management of the Bar. A Protection Order is a means of ensuring the continuation of a service that would cease otherwise. It is an interim measure. Transfer of the license is required prior to the expiration of the Protection Order.

Council applied for and was granted a Protection Order for the operation of the Café in 2005.

Whilst Council considers the future operation of the Airport Café and Bar it is appropriate that a Protection Order be sought. It is a quicker way of ensuring the continuation of the service, until Council determines its options.

Until the Protection Order is approved, alcohol cannot be served. An approved manager is required to be appointed for the granting of a Protection Order.

200708/099 Council Decision/Officer’s Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- i) operates the Airport Café operations for a trial period until 30th June 2008;
- ii) a detailed financial and operational report be presented to Council after three months of Council operation of the service;
- iii) amends the 2007/08 budget as per the table below, resulting in no net increase in the municipal cash surplus:
- iv) apply to the Director of Liquor Licensing for a Protection Order in relation to the operation of the liquor license at the Airport Bar and Café, and

A/c Number	A/c Description	Original Annual Budget	Amended Annual Budget
	Airport Café		
	Operating Expenditure		
1213201	Salaries	0	122,365
1213211	Super Guarantee	0	2,479
1213261	Administration	0	21,392
1213263	Café Purchases	0	65,460
1213264	Bar Purchases	0	63,350
NEW	Training		2,200
NEW	Utilities		7,240
New	Cleaning		150
	Total Operating Expenditure	0	284,636
	Operating Revenue		
1213350	Sales Café	0	(129,300)
1213351	Sales Bar	0	(217,200)
	Total Operating Revenue	0	(346,500)
	Total Airport Café	0	(61,864)
	Transfer to Airport Reserve		61864

- v) the Common Seal be affixed to the Protection Order for the Airport Café and Bar, and the Mayor and Chief Executive Officer be authorised to sign and to execute the Agreement on Council's behalf.

CARRIED BY ABSOLUTE MAJORITY 9/0

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN**13.1 *Councillor Grant Bussell – Request for Report on Proposed Strategy/Strategies to Address the Issue of Broken Glass in South Hedland***

Moved: Cr Bussell

That staff prepare a report for Council proposing a strategy or strategies to address the issue of broken glass in South Hedland and specifically addressing mechanisms to place a deposit on single serve glass alcohol containers (stubbies, whether or not they are sold singly or in multiple packs), including voluntary mechanisms (through the Accord process) or mandatory mechanisms (through a local law).

Officer's Comment

Council representatives met with the Director of Liquor Licensing on 8 November 2007, as part of the Director's review of liquor restrictions in the Town of Port Hedland, and a presentation was made by Chief Executive Officer to elected members at the informal briefing session for Council on Wednesday 21 November 2007. A report of the matter of litter and/or liquor restrictions will be presented to Council at its Ordinary Meeting to be held on 12 December 2007.

200708/100 Council Decision

Moved: Cr G D Bussell

Seconded: Cr A A Gear

That staff prepare a report for Council proposing a strategy or strategies to address the issue of broken glass in South Hedland and specifically addressing mechanisms to place a deposit on single serve glass alcohol containers (stubbies, whether or not they are sold singly or in multiple packs), including voluntary mechanisms (through the Accord process) or mandatory mechanisms (through a local law).

CARRIED 9/0

ITEM 14 CONFIDENTIAL ITEMS

Nil.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 12 December 2007, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 7:59 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 12 December 2007.

CONFIRMATION:

MAYOR

DATE