



Town of Port Hedland

MINUTES

OF THE

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

HELD ON

WEDNESDAY 26 MARCH 2008

AT 5.32 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.....	7
ITEM 4	PUBLIC TIME	8
4.1	PUBLIC QUESTIONS	8
4.1.1	Mr Chris Whalley.....	8
4.1.2	Mr Wayne Ness	8
4.1.3	Ms Sonja Gobel	8
4.1.4	Ms Diana Herbert.....	9
4.1.5	Ms Donna Stain	9
4.2	PUBLIC STATEMENTS.....	9
ITEM 5	QUESTIONS FROM MEMBERS WITHOUT NOTICE	9
5.1	Councillor Jan Gillingham.....	9
5.2	Councillor Kelly Howlett.....	10
5.3	Councillor George Daccache.....	11
5.4	Councillor Jan Ford.....	11
ITEM 6	DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING	13
ITEM 7	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	13
ITEM 8	ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION.....	13
ITEM 9	REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION	14
9.1	Councillor Arthur Gear.....	14
9.2	Councillor Steve Coates.....	14
ITEM 10	PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS .	14
ITEM 11	REPORTS OF OFFICERS.....	15
11.1	GOVERNANCE.....	15
11.1.1	Status of Council Decisions (File No.: 13/06/0001)	15
11.2	REGULATORY AND COMMUNITY SERVICES	35
11.2.1	DIRECTOR REGULATORY AND COMMUNITY SERVICES.....	35
11.2.1.1	Monthly Report - Regulatory and Community Services (File No: ADM-091)	35
11.2.1.2	Delegated Planning & Building Approvals for February 2008 (File No.: 18/07/0002 & 07/02/0003)	43
11.2.1.3	Courthouse Arts Centre and Gallery Management... (File AGR- 070).....	48
11.2.2	PLANNING SERVICES.....	52

11.2.2.1	<i>Proposed Three Grouped Dwellings at Lot 2278 (26) Mauger Place South Hedland (File No.: 110920G).....</i>	52
11.2.2.2	<i>Proposed Four Grouped Dwellings at Lot 2731 (19) Kennedy Street South Hedland (File No.: 111610G).....</i>	59
11.2.2.3	<i>Proposed Private Recreation (Paintball) at Lot 2 Forrest Location 126 Port Hedland (File No.: 129011G).....</i>	67
11.2.2.4	<i>Proposed Temporary Builders' Yard at Lot 5001 Styles Road Port Hedland (File No.: 18/14/0001)</i>	73
11.2.2.5	<i>Proposed 10 Grouped Dwelling Development at Lot 3684 Masters Way, South Hedland (File No.: 114410G).....</i>	83
11.2.2.6	<i>Proposed 4 Grouped Dwelling Development at Lot 203 & 204 (18-20) Somerset Crescent, South Hedland (File No.: 106954G).....</i>	91
11.2.2.7	<i>Proposed Advertising of the South Hedland Town Centre Development Plan (File No.: 18/12/0010)</i>	99
11.2.2.8	<i>Proposed Renovation of Existing Hotel at Lot 1 (2-4) Anderson Street Port Hedland (Esplanade Hotel) (File No.: 120880G).....</i>	117
11.3	ENGINEERING SERVICES	133
11.3.1	DIRECTOR ENGINEERING SERVICES	133
11.3.1.1	<i>Monthly Report – Engineering Services (File No.: 13/04/0001)</i>	133
11.3.1.2	<i>Tender 06/64 : Supply and Delivery of One (1) Track Excavator and Attachments (File No....)</i>	145
11.3.1.3	<i>Waste Management Facility; Cyclone George Refuse (File No.31:04/0001).....</i>	153
11.3.1.4	<i>Community Bus Management (File No....).....</i>	160
11.3.2	TECHNICAL SERVICES.....	172
11.3.2.1	<i>Tender 06/61 Design and Construction of Playground Shade Structures (File No.: 21/07/0002).....</i>	172
11.3.3	RECREATION SERVICES.....	176
11.3.3.1	<i>Addition to Fees and Charges for the Gratwick Aquatic Centre Gym (File No.: 26/04/0005).....</i>	176
11.3.4	PORT HEDLAND INTERNATIONAL AIRPORT.....	180
11.3.4.1	<i>Tender 06-Upgrade Boundary Fencing: Port Hedland International Airport (File No.: 05/09/0010)</i>	180
11.4	GOVERNANCE AND ADMINISTRATION.....	185
11.4.1	CORPORATE SERVICES	185
11.4.1.1	<i>Financial Reports to Council for Period Ended 31 January 2008 (File Nos: FIN-008, FIN-014 and RAT-009).....</i>	185
11.4.1.2	<i>Financial Reports to Council for Period Ended 29 February 2008 (File Nos: FIN-008, FIN-014 and RAT-009).....</i>	191
11.4.1.3	<i>December Budget Review (File No.: ...)</i>	197
11.4.1.4	<i>Investment Policy (File No.: ...)</i>	213
11.4.1.5	<i>Local Law Review (File No.: ...)</i>	222
11.4.1.6	<i>Replacement of Stolen Domestic Rubbish Bins (File No.: ...)</i>	225
11.4.1.7	<i>Extension of Lease Area : Royal Flying Doctor's Service: Port Hedland International Airport (File No.: 05/05/0044 V1).....</i>	229
11.4.2	GOVERNANCE	232
11.4.2.1	<i>2007 Compliance Audit Return (File No.: ...).....</i>	232
ITEM 12	LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL....	236
ITEM 13	MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN	236
ITEM 14	CONFIDENTIAL ITEMS.....	236
ITEM 15	APPLICATIONS FOR LEAVE OF ABSENCE.....	236
ITEM 16	CLOSURE.....	236
16.1	DATE OF NEXT MEETING.....	236

16.2 CLOSURE 236

ITEM 1 OPENING OF MEETING**1.1 Opening**

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

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

Cr A A Carter (Deputy Mayor)

Cr G D Bussell

Cr S J Coates

Cr G J Daccache

Cr J E Ford

Cr A A Gear

(from 5:33 pm)

Cr J M Gillingham

Cr K A Howlett

Mr Terry Dodds

Director Engineering Services

Mr Matthew Scott

Directory Corporate Services Mr

Terry Sargent

Director Regulatory and

Community Services

Ms Gaye Stephens

Executive Assistant

Members of Public

8

Members of the Media

Nil

2.2 Apologies

Mayor S R Martin

2.3 Approved Leave of Absence

Nil.

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held
Wednesday 27 February 2008**

Nil.

**3.2 Questions from Elected Members at Ordinary Council Meeting
held Wednesday 27 February 2008**

Nil.

ITEM 4 PUBLIC TIME**4.1 Public Questions**

5:33 pm Councillor Arthur Gear entered the room and assumed his chair.

5:33 pm Deputy Mayor opened Public Question Time.

4.1.1 Mr Chris Whalley

NOTE: Mr Whalley thanked the Town of Port Hedland for quickly cleaning up rubbish and repairing the damaged sections of fencing, which was caused by vandals at the South Hedland Skate Park over the weekend.

Mr Whalley did not ask a question.

4.1.2 Mr Wayne Ness

NOTE: Mr Wayne Ness made a statement to clarify the position of the Black Rock Stakes Inc. Committee in relation to the Black Rock Stakes event, and recent correspondence being forwarded to some Councillors. After much discussion by the Committee it was determined that this year's event would be the last run of the Black Rock Stakes. The Black Rock Stakes will continue in a charity like association, but there won't be a race as such. Mr Ness also overviewed why the Committee has made that decision, including being unable to find a replacement Co-ordinator, road rules, insurances, etc.

Deputy Mayor Arnold Carter advised that although there have been various discussions between various parties relating to the future of the Black Rock Stakes, the matter has not be considered by Council. Deputy Mayor added it would be a shame to see such a historical event come to a sudden end.

4.1.3 Ms Sonja Gobel

NOTE: Ms Sonja Gobel stated that in relation to the running of the Final Black Rock Stakes event, and correspondence being distributed in regards to Council possibly having someone to co-ordinate the event, or organising the event themselves; that the Committee should have been kept informed at all times from the first instance that discussion were held, not three months down the track.

The Committee wishes to continue the Black Rock Stakes as a legacy, perhaps doing scholarships, fundraising, or similar. With restrictions in relations to traffic, the event has been very lucky to run for as long as it has.

The Committee wishes the final Black Rocks Stake run to be successful and an even for the community and everyone who has

ever been involved in the Black Rock Stakes to celebrate its success over 38 years.

Ms Sonja Gobel did not ask a question.

4.1.4 Ms Diana Herbert

As the Co-ordinator of Pilbara and Kimberly Care in South Hedland which provide respite services to people with disabilities and aged people, and have recently lost use of the Respite House which was provided by BHP Billiton due to the housing shortage; can Council explain what is happening with the Mirtanya Maya facility? Is there any way that Pilbara and Kimberly Care could utilise it?

Deputy Mayor Arnold Carter advised that at this present time, Mirtanya Maya is the subject of legal discussions and is unable to provide much information on the premises as a result of that.

Deputy Mayor suggested that Ms Diana Herbert submit her question and outlining Pilbara and Kimberley Care's requirements for use of the facility in writing to Council, to ensure that this information may be considered by Council at the time it considers matters relating to the Mirtanya Maya facility.

4.1.5 Ms Donna Stain

NOTE: Ms Donna Stain made a statement relating to her experience in providing respite services to indigenous, non-indigenous and aged people, and that there is a great need for respite services throughout the community. Mirtanya Maya is a great facility for such services.

Why can't this community have a respite facility to meet the needs of the community?

Deputy Mayor advised he is sure these are the same feelings of Council.

5:40 pm Deputy Mayor closed Public Question Time.

4.2 Public Statements

5:40 pm Deputy Mayor opened Public Statement Time.

Nil.

5:40 pm Deputy Mayor closed Public Statement Time.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

5.1 Councillor Jan Gillingham

We have a lot of blitzes by the WA Police from time to time, and I am just a little bit worried that possibly when we have such blitzes that the police stations are not being manned all the time; can Council contact the WA Police and authority and advise that we really need more residential police in the Town as these police blitzes are a wonderful thing, but obviously more of a police presence is really needed?

Deputy Mayor Arnold Carter advised Councillor Gillingham's request would be taken on board.

5.2 Councillor Kelly Howlett

At the last Ordinary February 27th Council meeting, I requested that a report be done for Council consideration on the options to sell and make available mulch to the local community. Why has this not taken place?

Director Engineering Services this work was due to start on the 17th of this month, but due to other operational issues it has been delayed. Director Engineering Services advised he will need to get back to Council with this advice.

Can a report be presented to Council for its consideration of this matter at its Ordinary Meeting to be held in April?

Director Engineering Services confirmed yes.

At the last Ordinary February 27th Council meeting, I requested that a report of options available for fast-tracking the development of a cinema/entertainment complex in South Hedland happen; it is recorded in the minutes as happening this March meeting, why has this not happened?

Director Community and Regulatory Services advised that he understood this matter was being addressed by the Chief Executive Officer, who is away.

Can this also be included on the Agenda for Council's consideration at its Ordinary Meeting to be held in April?

Director Community and Regulatory Services confirmed yes.

Deputy Mayor sought clarification as to whether Councillor Howlett was meaning a new cinema/entertainment complex, or the one previously considered by Council.

Councillor Howlett explained the request is for a report on all options, so would include current site and possible future sites as well.

During the recent Clean Up Australia Day activities I was appalled of the current situation at the 3 Mile community; currently at the 3 Mile community how often is bin collection performed?

Director Engineering Services advised that bin collection is carried out at the 3 Mile community one day each week, the same service as provided to the Town.

Currently at the 3 Mile community how often are the streets and footpaths swept?

Director Engineering Services advised this question will be taken on notice.

Councillor Arthur Gear clarified the 3 Mile Community is a reserve managed by the Department of Housing and Works.

Is a meeting able to be convened between the Town's Chief Executive Officer, senior Department of Indigenous Affairs representatives, Department of Housing and Works and representatives from the 3 Mile community to address some of the issues that are currently being experienced there?

Director Community and Regulatory Services advised that there have been meetings held recently between Council's Manager Environmental Health Services and Department of Indigenous Affairs and community members, with the aim of maintaining cleaner conditions there. A clean up was organised by the Department approximately one month to six weeks ago, of which a number of skip bins full of rubbish were taken from the community. The Community is the responsibility of the Department of Indigenous Affairs and the Department of Housing and Works. Council also meets regularly with them also.

Councillor Howlett clarified that the skip bins were arranged by herself, though Pilbara Waste, as part of the Clean Up Australia Day activities, however a meeting is necessary to address the conditions there.

Deputy Mayor Arnold Carter advised he could see no reason why this meeting could not occur.

5.3 Councillor George Daccache

Could all Councillors receive a copy of the emails referring to the Black Rock Stakes?

Deputy Mayor confirmed yes.

5.4 Councillor Jan Ford

In relation to the Mirtanya Maya facility, although Council is not permitted to comment on the matter, it is noted that the situation is very similar to the Commonwealth owned detention centre; as accommodation of all kinds is very short, can Council work with these

groups with the aim to have the Mirtanya Maya facility being used by such groups in the short-term while other decisions are being considered?

Deputy Mayor advised that he didn't think Council could do this at this stage.

Director Regulatory and Community Services clarified that the Mirtanya Maya Hostel is the subject of an Agreement with the Commonwealth Government. That Agreement is currently prevents Council of disposing of it, which in legal terms means selling, leasing or giving control of it to another person. Although Council no longer uses it for the purpose of aged care and accommodation Council is not legally able to dispose of it in any way.

The Town is currently engaged in discussions with the State Government who are seeking to access the property for medical staff housing. But there is currently the legal problem of how this can be done without breaching Council's Agreement with the Commonwealth, which has the potential to cost Council hundreds of thousands of dollars if it is breached.

The Chief Executive Office was recently involved in meetings with the Commonwealth's Department of Health and Aging seeking to resolve the matter.

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

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

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

NOTE: Councillor A A Gear did not declare to have given due consideration to all matters contained in the Business Paper presented before the meeting.

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

**7.1 Confirmation of Minutes of Ordinary Meeting of Council held on
Wednesday 27 February 2008**

200708/095 Council Decision/Officer's Recommendation

Moved: Cr K A Howlett

Seconded: Cr G J Daccache

That the Minutes of the Ordinary Meeting of Council held on Wednesday 27 February 2008 be confirmed as a true and correct record of proceedings, with the following amendment:

- . **Item 5.4 Councillor Kelly A Howlett (page 8) include "NOTE: Councillor Howlett read aloud an email she received from Helen Richards relating to possible solutions to litter problems to improve the Town" prior to first paragraph.**

CARRIED 8/1

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

Nil.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION**9.1 *Councillor Arthur Gear***

Councillor Gear advised Council that resource material from the Local Government Manager's Association's (LGMA) Functional Communities: Local Government and Discrete Indigenous Communities Conference that he and Councillor Daccache attended in December 2007 are now able to be viewed by Councillors.

9.2 *Councillor Steve Coates*

Councillor Steve Coates advised that on behalf of Mayor Stan Martin he will be attending a reception by the Captain, Commander Ganesh Navarantnam RMN of the Royal Malaysian Navy ship, KD DRI INDERAPURA due to scheduled to arrive in Port Hedland later this week. He will also be hosting a visit by the Captain to Council on Friday.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS

Nil.

ITEM 11 REPORTS OF OFFICERS**11.1 Governance****11.1.1 Status of Council Decisions (File No.: 13/06/0001)**

Officer Gaye Stephens
Executive Assistant

Date of Report 5 March 2008

Disclosure of Interest by Officer Nil

Summary

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

Background

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

Officers Comments

- This report outlines the status of decision from previous Council meetings.

Statutory Implications

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

“2.7. *The role of the council*

(1) *The council -*

- (a) *directs and controls the local government's affairs; and*
(b) *is responsible for the performance of the local government's functions.*

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

- (a) *oversee the allocation of the local government's finances and resources; and*
(b) *determine the local government's policies.”*

Policy Implications

Nil

Strategic Planning Implications

KRA 6 – Governance

Goal 6 – Systems Development

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

Budget Implications

Nil

200708/096 Council Decision/Officer's Recommendation

Moved: Cr G J Daccache

Seconded: Cr J E Ford

That the 'Status of Council Resolutions' Report as presented to the Council's Ordinary Meeting held on 26 March 2008 be received.

CARRIED 8/0

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
Ordinary Council 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 Works commenced. Est. completion June 08	June 2008
Special Council Meeting held 30 May 2007				
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. Waiting on information from applicant.	COMPLETE
Ordinary Meeting held 27 June 2007				

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
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 Welding complete & asbestos removed. Signage ordered. Quotes sources for mesh cover to windows. Ongoing.	
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. Advertised Dec.	
Ordinary Meeting held 26 September 2007				
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 Advertising closes 7.01.08	
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 app. Still being processed.	Works est. completion – April 2008

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
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 Alternative design solution found. Quote received within budget. Works commenced.	April 2008
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 nearing completion – await. Further info from Security provider & equipment suppliers for screening equip. Business Plan advertised. April Briefing Session.	
12.1.1	Sponsorship Request : Asst. 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 reimbursed to Wangka Maya.	COMPLETED
Special Meeting held 16 October 2007				

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
6.1.1.1	Prop. Adoption of Scheme Amend. from “Res. R12.5/30, Other Public Purp, Other Public Purp – Cemetery, Parks & Rec. & Local Road” to “Res R12.5/50” & “Other Public Purp – Comm Purp”	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 EPA requested more info. Ltr of response sent 04.12.07. Awaiting response from EPA.	
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	Est Completion – March 2008
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. COM P- DATE
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 Elec. Tender ongoing. Prelim. works commenced. Connell Wagner engaged for QA and Compliance. Ongoing.	June 2008
Ordinary Meeting held 28 November 2007				
11.2.2.7	Proposed Final Adoption of the TPS No. 5 Amend't No. 11	200708/083 Council Decision/Officer's Recommendation 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; ...	RESPONSIBLE OFFICER: Planning Officer Completed part 3 ii and iii of resolution.	
11.3.2.1	Proposed Multi Purpose Recreation Centre	200708/090 Council Decision/Officer's Recommendation 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; & iv) The Finucane Island Club be invited to have a representative on the Working Group.	RESPONSIBLE OFFICER: Manager Recreation Services Tender doc Complete. Awaiting Comment	
11.4.1.2	Lease for the Port Hedland Youth and Family Centre	200708/092 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Director Corporate Services Awaiting valuation report.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
11.4.1.3	Amendment to Reserves and Foreshore Local Law	200708/093 Council Decision/Officer's Recommendation That Council: 1) recinds Council's Decision 200607/367, ... 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 1 st May and 31 August of each year, and \$200 during the period of 1 st October of each year and 30 April of each year."	RESPONSIBLE OFFICER: Director Corporate Services Advertised. Report to April.	
12.1.1	Tender 06/60 Lease and Operation of the Airport Bar and Café PHIA	200708/099 Council Decision/Officer's Recommendation That Council: i) operates the Airport Café operations for a trial period until 30 th 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 ... 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.	RESPONSIBLE OFFICER: Director Engineering Services Ongoing. Report to OCM April.	30 June 2008
Ordinary Meeting held 12 December 2007				
11.2.2.2	Proposed Barge Access Jetty at Lot 250 Oyster Point (Reserve 30909)	200708/105 Council Decision/Amended Officer's Recommendation That: i) Council request the Honourable Minister for Lands to modify the Management Order for Lot 250 (Reserve 30909) to include the additional use of "Harbour Facility" to the approved uses of the Reserve; and ii) Planning Consent be granted to Thyssen Krupp for the construction of HARBOUR INSTALLATION – Barge Unloading Facility at Lot 250 (Reserve 30909) as outlined in the Application received 5 November 2007 (Application 2007/312) and indicated on the approved plans, subject to the following conditions: ...	RESPONSIBLE OFFICER: Planning Officer	üCOMPLETE
11.2.2.3	Proposed 169 Additional Rooms at Lot 2 (15) Dempster St, PH	200708/106 Council Decision That Planning Consent be granted to Auzcorp Pty Ltd for the construction of RESIDENTIAL BUILDING – 49 residential and ancillary buildings at Lot 2 (15) Dempster Street Port Hedland as outlined in the Application received 21 November 2007 (Application 2007/336) and indicated on the approved plans, subject to the following conditions: ...	RESPONSIBLE OFFICER: Planning Officer	üCOMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
11.2.2.4	Proposed SUBDIVIS. – Creation of 117 Lots – Lot 3818 Pell St, SH	200708/107 Council Decision/Officer's Recommendation That Council: 1. Advises responsible Government agencies and departments that the Town is concerned about the proposed allocation of lots, as it is contrary to Council's current 'salt and pepper' approach which has been largely adopted by the New Living Project and Pretty Pool development, and may create enclaves within the subdivision which is considered undesirable from a Council and Community perspective. 2. 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. 3. SUPPORTS the subdivision application for the creation of 117 lots on Lot 3818 Pell Road, South Hedland, subject to the following conditions and footnotes: ...	RESPONSIBLE OFFICER: Manager Planning	
11.2.2.5	Final Adoption of the Land Use Master Plan (Local Planning Strategy) for the ToPH	200708/108 Council Decision/Officer's Recommendation That Council: 1. adopts the Land Use Master Plan as its Local Planning Strategy pursuant to Regulation 12B(3b) of the Town Planning Regulations 1967; 2. requests the Western Australian Planning Commission to adopt the Land Use Master Plan as the Town of Port Hedland's Local Planning Strategy pursuant to Regulation 12B(3b) of the Town Planning Regulations 1967; 3. requests the Chief Executive Officer to: ...	RESPONSIBLE OFFICER: Manager Planning Referred DEC	
11.3.1.2	Port Hedland Port Access Corridor Review	200708/112 Council Decision That: i) Council notes the Port Hedland Access Corridor Review Report as submitted by the Main Roads Western Australia dated November 2007; and ii) MainRoads WA be advised that Council looks forward to working with MainRoads to further develop road transport corridor concepts with a view to determining both short and long-term solutions for the road transport network within the Town of Port Hedland.	RESPONSIBLE OFFICER: Director Engineering Services Ongoing.	
11.4.1.3	Transient Workforce Accommodation for Pilbara Meta Maya	200708/116 Council Decision/Officer's Recommendation That Council: i) supports in principle the Pilbara Meta Maya proposal to build a Transient Workforce Accommodation Camp at the Port Hedland International Airport (Lot 2444); and ii) considers the proposal from Pilbara Meta Maya further, once Council has received a report that details the estimated costs of the Airport Transient Workforce Accommodation camp from the Chief Executive Officer or his nominated officer.	RESPONSIBLE OFFICER: Director Corporate Services Pilbara Meta Maya to be invited to tender.	üCOMPLETE/ SUPERSEDED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
12.2.1	Reconsider. Item: 11.2.2.9 'Prop. USE NOT LISTED – Incidental Additional Storage to Exist. "Shop" Lot 724(150) Anderson St PH' pres. to Nov Ord. Mtg	200708/122 Council Decision That Council rescinds the following Council Decision 2000708/085 from its Ordinary Meeting held on 28 November 2007, as follows: ... 200708/123 Council Decision 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.	RESPONSIBLE OFFICER: Chief Executive Officer	
Ordinary Meeting held 23 January 2008				
11.2.2.2	Prop 3 Grouped Dwellings at Lot 1747 McPherson St, PH	200708/129 Council Decision/Officer's Recommendation That Planning Consent be granted to Define Creations for the construction of GROUPED DWELLINGS – 3 Grouped Dwellings at Lot 1747 (48) McPherson Street Port Hedland as outlined in the Application received 20 November 2007 (Application 2007/343) and indicated on the approved plans, subject to the following conditions: ...	RESPONSIBLE OFFICER: Planning Assistant	ü COMPLETE
11.2.2.3	Request for Comment on the Atlas Iron Pardoo DSO Project PER	200708/130 Council Decision/Officer's Recommendation That Council advise the Environmental Protection Authority that: 1. Council objects to the environmental, safety and amenity cost that increased level of heavy road haulage that this and other future mining ventures will impose on the Town of Port Hedland; ...	RESPONSIBLE OFFICER: Planning Officer	ü COMP.
11.2.2.4	Prop Office, Weighbridge, C'taker's Dwel. Equip. Shed, Bore Water Tanks & Site Works Lot 842 GNH, PH	200708/131 Council Decision That: i) the Planning Application from Process Minerals International Pty Ltd for the construction of a STORAGE FACILITY/DEPOT/LAYDOWN FACILITY – Stage 1 and 2, at Lot 842 Great Northern Highway Port Hedland as outlined in the Application received 9 November 2007 (Applications 2007/368 and 2007/369), be REFUSED as: ...	RESPONSIBLE OFFICER: Planning Officer	ü COMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
11.2.2.5	Prop Final Adoption of TPS5 Amend. 14 & Endorsement of the PP Dev Plan	200708/132 Council Decision/Officer's Modified Resolution That: i) the Town of Port Hedland Town Planning Scheme No. 5 Amendment No. 14 be adopted with the following modifications: ...	RESPONSIBLE OFFICER: Planning Officer	ü COMPLETE
11.2.2.6	Prop Six G'pd Dwel. Lot 5938 (4-6) Souey Cr, SH	200708/133 Council Decision/Officer's Recommendation That Planning Consent be granted to Seacrest Homes on behalf of Majicyl Pty Ltd for the construction of GROUPED DWELLINGS – 6 x Grouped Dwellings at Lot 5938 (4-6) Souey Court South Hedland as outlined in the Application received 8 November 2007 (Application 2007/324) and indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Planning Assistant	ü COMP.
11.2.2.7	Prop 72 Lot Subd'n at Lot 300 Styles Rd & 8 Lot Subd'n of Lot 5003 Counihan Cr,	200708/134 Council Decision/Officer's Recommendation That Council advises the Western Australian Planning Commission that it does not object to the proposed subdivisions dated 2 January 2008 (Application No. 136594) and 10 January 2008 (application 136649) subject to: ...	RESPONSIBLE OFFICER: Planning Officer	ü COMPLETE
11.2.2.8	Prop Street Names for Subd'n at Lot 2943 Demarchi Rd,	200708/135 Council Decision That Council: i) advises the Geographic Names Committee that it requests that the following names be assigned to the subdivision of Lot 2943 Demarchi Road South Hedland in accordance with the attached diagrams: ...	RESPONSIBLE OFFICER: Planning Assistant	ü COMP.
11.2.2.9	Prop Readoption of TPS 5 Amend. 11 : Lot 501 Byass St, SH	200708/136 Council Decision That: i) Council direct the Chief Executive Officer, or his nominated representative, to negotiate with the applicant to construct up to 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; ...	RESPONSIBLE OFFICER: Planning Officer	
11.2.2.10	Prop Final Adop. of TPS5 Amend. 15 – Lot 406 Acton St, PH	200708/137 Council Decision That: i) the Town of Port Hedland's Town Planning Scheme Amendment No.15 to Town Planning Scheme No.5 be adopted without modification; ...	RESPONSIBLE OFFICER: Manager Planning	ü COMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
11.2.2.11	Prop Bulk Earthworks Associated With Prop. Subd'n of Land at Pretty Pool	200708/138 Council Decision/Officer's Recommendation That subject to approval of Town Planning Scheme No. 5 Amendment No 14 being approved, and outstanding native title issues being resolved, Planning Consent be granted to LandCorp on behalf of the Department for Planning and Infrastructure (State Land Services) for USE NOT LISTED – Bulk Earthworks at Lot 300, Styles Road and adjacent unallocated Crown land as outlined in the Application received 7 December 2007 (Application No. 2007/359) and indicated on the approved plans, subject to the following conditions: ...	RESPONSIBLE OFFICER: Manager Planning Planning Officer	ü COMPLETE
11.3.1.2	Approval Sought for PRC's Pilbara Reg. Waste Mgt Plan	200708/140 Council Decision/Officer's Recommendation That Council endorse the Regional Waste Management Plan and consider undertaking specific initiative listed within the plan through normal business operations and as a component of the 2008/09 budget process.	RESPONSIBLE OFFICER: Director Engineering Services & PRC Executive Officer Ongoing.	
11.3.1.3	Street Lighting Expenditure	200708/141 Council Decision/Officer's Recommendation That Council set aside the provisions in Council's Procurement Policy 2/007 and authorise street lighting upgrade projects to be undertaken by Horizon Power in accordance with the Local Government (Functions and General) Regulations 1996 part 11 (2) (f).	RESPONSIBLE OFFICER: Manager Technical Services PO raised for Horizon Power. Work commenced.	June 2008
11.3.1.4	Equipment Replacement - Waste Mgt Facility	200708/142 Council Decision/Officer's Recommendation That Council request tenders for the replacement of the Caterpillar 963B TTL with a '30 tonne class' Hydraulic Excavator and attachments.	RESPONSIBLE OFFICER: Director Engineering Services Report to OCM March.	üCOMPLETE/ S'SCEDED
11.3.1.5	Water Licensing and Services: Economics & Industry Standing Committee	200708/143 Council Decision/Officer's Recommendation That Council advises the Pilbara Regional Council in writing that it support of the Regional submission to the Economics and Industry Standing Committee regarding the introduction of any water levy, and problems in relation to: ...	RESPONSIBLE OFFICER: Director Engineering Services	üCOMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
11.3.2.1	Tender 06/59: Supply & Instal. of Baseball Back Net Structure at Marie Marland Res. D 1	200708/144 Council Decision That: i) Council rejects all tender submissions received for Tender 06/59 Supply and Installation of Baseball Back Net Structure at Marie Marland Reserve Diamond One; ii) Council authorises the Chief Executive Officer or his nominated representative to negotiate with all contractors to determine the most advantageous price for Council to complete this project at a total budget not exceeding \$77,460; and iii) engineering specifications for supply and installation of Baseball Back Net Structure at Marie Marland Reserve Diamond One be supplied by Council prior to seeking quotes.	RESPONSIBLE OFFICER: Sport and Recreation Officer Engineered design received. Quotes being sought.	
11.3.2.2	Responsible Service of Alcohol Training for Sporting Groups	200708/145 Council Decision That Agenda Item 11.3.2.2 'Responsible Service of Alcohol Training for Sporting Groups' lay on the table pending further clarification.	RESPONSIBLE OFFICER: Manager Recreation Services Item Approved.	üCOMPLETE
11.3.2.3	Tropical Cyclone George Relief Fund App. - Gratwick Shade Structure	200708/146 Council Decision/Officer's Recommendation That Council approves the payment of \$14,503.50 (inc GST) to replace the shade structure at Gratwick Aquatic Centre from surplus funds that are indentified in the mid year budget revision.	RESPONSIBLE OFFICER: Sport and Recreation Officer Confirming works.	
11.4.2.1	Glass Reduction Strategies	200708/148 Council Decision That Agenda Item 11.4.2.1 'Glass Reduction Strategies' lay on the table to enable further discussion on the matter by Councillors.	RESPONSIBLE OFFICER: Chief Executive Officer	üCOMP./ S'SCEDED
11.4.2.2	Council Submission to Review of Liquor Restrictions	200708/151 Council Decision That Council writes to the Director of Liquor Licensing to: i) advise of Council's support in principle of liquor restrictions in the Town of Port Hedland aimed to reduce alcohol related harm, but not necessarily the variety of liquor restrictions currently in place; and ii) request the Director of Liquor Licensing to meet with the PUBLIC to discuss an appropriate mix of restrictions, and actively seek community input to the current review process being undertaken of Liquor Restrictions in the Town.	RESPONSIBLE OFFICER: Chief Executive Officer	üCOMPLETE
11.4.2.3	Aboriginal Advisory WG	200708/152 Council Decision That Council establishes an Aboriginal Affairs Working Group and appoints elected member representation as follows: ...	RESPONSIBLE OFFICER: Executive Asst	üCOMP.

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
12.1	HOTEL and MOTEL - Redev. of Tavern H/Motel Incl. 59 Add. Accom Units & Add/ Upg. Carpark. Lot 5159 (16-20) Throssell St	200708/155 Council Decision/Officer's Recommendation That Council: 1) Grants Planning Consent for the redevelopment of HOTEL and MOTEL – redevelopment of the Last Chance Tavern and addition of 59 Unit Accommodation Rooms comprising 1 bedroom accommodation units & 1 x caretakers residence at Lot 5159 Throssell Road South Hedland in accordance with the approved plans and subject to the following conditions: ...	RESPONSIBLE OFFICER: Manager Planning	üCOMPLETE
12.2	Land Release and Development	200708/156 Council Decision/Officer's Recommendation That Council: 1) notes the current state of land release and development projects within the Town; 2) works closely with Department of Planning and Infrastructure and other stakeholders to develop the Port Hedland Public Land Rationalisation Plan in a timely manner; and 3) considers the employment of a Land Development Manager at its next budget review.	RESPONSIBLE OFFICER: Chief Executive Officer Ongoing.	üCOMPLETE
12.3	Staff Housing WG – Items Requiring Council Resolution	200708/157 Council Decision/Officer's/Working Group's Recommendation That: 1) in relation to Catamore Court: ... 2) in relation to Moore Street: 3) in relation to Morgans Street: ...	RESPONSIBLE OFFICER: Chief Executive Officer	üCOMP.
12.4	JD Hardie Centre Concept Design Brief	200708/158 Council Decision/Officer's Recommendation That Council: i) endorse the Draft Concept Design Brief for the JD Hardie Centre Youth Precinct; and, ii) contract South Hedland New Living to commence design and business planning for the Youth Precinct Planning Stage, in consultation with the JD Hardie Working Group and various stakeholders, using \$49,995 (excl. GST) from the BHP Sustainability Fund.	RESPONSIBLE OFFICER: Manager Recreation Services MCED. Comemnced.	
12.5	Lease of Part Reserve 31462 to the Port Hedland Turf Club	200708/160 Council Decision/Officer's Recommendation That: a) Council agrees to dispose of the property on part reserve 31462 by way of lease to the Port Hedland Turf Club as per section 3.58 (3) (private treaty) with the following conditions: ... b) Council permits the Port Hedland Turf Club access to proposed lease area prior to the lease being executed to commence primarily site works, subject on receiving the appropriate planning and building approval and at no cost to Council, to prepare for the 2008 racing season. c) should no lease agreement be executed by all relevant parties within 12 months that all improvements made to the lease area be removed at no cost to Council.	RESPONSIBLE OFFICER: Director Corporate Services Awaiting survey by PHTC	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
12.6	Town Entry Statement – Artwork Tender	200708/161 Council Decision That Council: i) amend the budget to reflect an increase in revenue and expenditure to permit the construction of “Town Entry Statement” at a cost of \$205,000 at no net increase in cost to Council; ii) invites Tenders to - ... iii) establishes an independent advisory committee to provide advice on the submissions received; and advertise the committee seeking interested member/s of the community to participate in the group; iv) invites ... to participate in that independent advisory committee.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	üCOMPLETE
12.7	Prop. 31 Lot Subd. of Lots 3830, 1399 & 2469 Moore St, PH	200708/162 Council Decision/Officer’s Recommendation That Council advise the Western Australian Planning Commission that it supports the subdivision of lots 3830, 1399 and 2469 Moore Street Port Hedland (WAPC Application No. 136648) subject to: ...	RESPONSIBLE OFFICER: Chief Executive Officer	
14.1.1	Mirtanya Maya Aged Care Facility: Dispute With C’wealth DHA	200708/163 Council Decision/Officer’s Recommendation That Council takes no further action on the Commonwealth Governments request for partial repayment of the 1995 Mirtanya Maya Capital Grant until: i) meetings to discuss this issue have been held between the Federal Department of Health and Ageing, WA Country Health Service and the Town of Port Hedland; and ii) a formal response has been received from the Hon. Nicola Roxon, Federal Minister for Health on this issue.	RESPONSIBLE OFFICER: Chief Executive Officer	üCOMPLETE
Ordinary Meeting held 28 February 2008				
10.1		200708/167 Council Decision That the following petition: “I would like to see recycling of glass, aluminium and plastics commenced in Port (and South) Hedland.” be noted and the Mayor respond to Ms Lisa Norman who submitted the signed petition on behalf of Council advising that Council agrees in principle.	RESPONSIBLE OFFICER: Executive Assistant	
11.2.1.2	Request to Incorporate Lots 5211, 5212 and 5214-5222 to Res37971 – Drivers Rest Area, GNH	200708/069 Council Decision That Council: i) supports Mr Edward’s request and seeks to have Lots 5211, 5212, and 5214 - 5222 inclusive, included within Reserve 37971; and ii) advises Mr Edwards that any use at, or development on the subject land will require an approval from Council.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	üCOMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
11.2.2.2	App. for Retrospective Planning Appr. for Private Rec. – Ablution Facility at Lot 1 (Res 8214) McGregor St, PH	200708/071 Council Decision/Officer's Recommendation That Council authorises the Chief Executive Officer to sign the planning application for PRIVATE RECREATION – Ablution facilities as received 19 November 2007 (Application 2007/342) and authorises Council's planning service to deal with the application under delegated authority, <i>subject to</i> suitable repairs and upgrade works being undertaken at the Port Hedland Turf Club's expense, to ensure the building meets the standards recommended by Council's Sports Facilities Audit 2006.	RESPONSIBLE OFFICER: Planning Officer	
11.2.2.3	Prop. Amend. to the TPS. 5 – Catamore Crt, SH	200708/072 Council Decision/Officer's Recommendation That: i) pursuant to section 75 of the Planning and Development Act 2005 (as amended), Council resolves to amend the <i>Town of Port Hedland Town Planning Scheme No. 5</i> by: ... and ii) the proposed amendment be numbered Amendment No. 18 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> .	RESPONSIBLE OFFICER: Planning Officer Submitted to EPA	
11.2.2.4	Town of Port Hedland Park Improvement Plan	200708/073 Council Decision/Officer's Recommendation That Council: 1. adopts the Parks Improvement Plan Policy without modification. 2. a Public Notice of the Parks Improvement Plan Policy be advertised in the local newspaper and a copy of the Policy be forwarded to the Western Australian Planning Commission.	RESPONSIBLE OFFICER: Manager Planning Processing	
11.2.2.5	Prop. Amend. TPSNo. 5 – Home Occupations	200708/074 Council Decision/Officer's Recommendation That Council: 1. advises the Western Australian Planning Commission that it does not wish to proceed with the Town of Port Hedland Town Planning Scheme No. 5 Amendment No. 13; 2. pursuant to section 75 of the Planning and Development Act 2005 (as amended), Council resolves to amend the <i>Town of Port Hedland Town Planning Scheme No. 5</i> by: ... 3. inserting the following use classes in the TPS 5 zoning table: 4. amend the zoning table to change the use class "Office" to an "~" use in a Residential zone; 5. inserting the following clause into TPS 5 section 4.1.3: "4.1.3 Unless otherwise referred to the planning approval of Council is not required for the following development of land: ... and 6. the proposed amendment be numbered Amendment No. 17 of Town of Port Hedland Town Planning Scheme No. 5 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> .	RESPONSIBLE OFFICER: Planning Officer Submitted to EPA	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
11.2.2.6	Prop. Advert. of the South Hedland Town Centre Dev Plan	200708/075 Council Decision That Council defers the advertising of the South Hedland Town Centre Plan, until an Informal Briefing of Council can be held with LandCorp and Ms Ruth Durack, Director of the Urban Design Centre to discuss options.	RESPONSIBLE OFFICER: Manager Planning Item to OCM March.	üCOMP./ S SUCCEEDED
11.3.2.1	Resp. Serv. of Alcohol Training for Sporting Gps - Amend. Policy 6/006	200708/077 Council Decision/Officer's Recommendation That Council amends Policy 6/006 'Occasional Licences and Consumption of Liquor on a Recreation Reserve or Council Owned or Managed Facilities' with the following change to Clause 11: "11. Council will provide in-kind support for liquor licensing training (i.e. venue hire, catering, etc.) by a relevant body, on a minimum of two occasions each year. Council will only consider approving requests for the sale of alcohol when the applicant has undertaken the Liquor Licensing training."	RESPONSIBLE OFFICER: Manager Recreation Services	üCOMPLETE
11.3.2.2	Club Development Officer Proposal	200708/078 Council Decision That: i) a grant application to the Department of Sport and Recreation for \$150,000 over the next three years as part of the Club Development Officer Scheme not be submitted at this time; and ii) the request for \$169,898 for 2008 – 2010 for the employment of a Club Development Officer, subject to applying for and receiving \$150,000 grant funding from the Department of Sport and Recreation, be considered by Council as part of its 2008/09 budget process.	RESPONSIBLE OFFICER: Manager Recreation Services Pending CI Budget	üCOMPLETE
11.3.3.1	Port Hedland International Airport: Airport Working Group	200708/079 Council Decision That Council: i) notes that quotes are being sought from appropriately qualified consultants for the Airport Strategic Master Plan development; ii) advertises for tenders for the lease and development of Transient Workforce Accommodation at the Port Hedland International Airport site, in accordance with Section 3.58 of the Local Government Act 1995; and iii) proponents be requested to develop a plan for a transient workforce accommodation facility for up to maximum of 1,200 beds.	RESPONSIBLE OFFICER: Airport Manager and Director Engineering Services Brief sent to consult. for quote. Submissions close March.	June 2008
11.4.1.2	Audit and Finance Committee	200708/081 Council Decision/Officer's Recommendation That Council adopts and includes the 2006/07 Financial Statements and Associated Notes, and Audit Report in the 2006/07 Annual Report.	RESPONSIBLE OFFICER: Director Corporate Services	üCOMP.
11.4.1.3	2006/07 Annual Report	200708/082 Council Decision/Officer's Recommendation That Council: i) adopts the 2006/07 Annual Report as presented; ii) advertises the 2006/07 Annual Report and Annual Meeting of Electors giving at least 14 days' local public notice in accordance with Section 5.29 of the Local Government Act; and iii) hold the Annual Meeting of Electors on the 26 March 2008, Commencing at 7:30 pm at the Port Hedland Civic Centre.	RESPONSIBLE OFFICER: Director Corporate Services AGM 270308	üCOMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
11.4.1.4	Request to Write Off Debtors	200708/083 Council Decision/Officer's Recommendation That Council write-off the following debts and apply the write-off to the Provision of Doubtful Debts: i) Ramirez Contracting; ii) Russell Graeme Thomas iii) Peter Murray Edwards	RESPONSIBLE OFFICER: Accounts Officer	üCOMP.
11.4.1.5	Request to Write Off Rates, Bin Charges & Interest Incorrectly Levied on 3 Schillaman St Wedgefield	200708/084 Council Decision That the request to write off the total of \$5,485.53 being Rates and related accrued interest charges issued to the Water Corporation in error for Assessment A402510 at 3 Schillaman Street, Wedgefield for the 2006/2007 and 2007/2008 rating periods, lay on the table pending clarification/legal advice in relation to the lease of the property.	RESPONSIBLE OFFICER: Senior Rates Officer Noted.	
11.4.1.6	Request to Write Off Rates and Interest in Arrears on Mining Tenement M45/1037	200708/085 Council Decision/Officer's Recommendation That Council approves to write off the total of \$473.70. Mining Tenement Rated lease Rates and related accrued interest charges issued to Raymond William in error for Mining Tenement M45/1037 (Assessment A803295 at M45/1037) for the 2006/2007 rating period.	RESPONSIBLE OFFICER: Senior Rates Officer	üCOMPLETE
11.4.1.7	Request to apply Owner/ Occupier Rebate on SUPP Charge & to Write-off Legal Fees on Property 107Anderson St, PH	200708/086 Council Decision/Officer's Recommendation That Council: i) approves the Owner/Occupier rebate for the amount of \$2,200.98, being for the service charge of Underground Power on the account of Trevor John Watson (Assessment A128300 at 107 Anderson Street Port Hedland); and ii) rejects Mr Watson's request to waive legal fees (totalling \$257.93) accrued.	RESPONSIBLE OFFICER: Senior Rates Officer	üCOMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
11.4.2.1	Glass Reduction Strategies	<p>200708/087 Council Decision/Officer's Recommendation</p> <p>That Council:</p> <ul style="list-style-type: none"> i) raises the issue of container deposit legislation at the next Pilbara Regional Council (PRC) meeting seeking consent from Council to develop a concerted, co-ordinated lobbying campaign with other interested groups on the introduction of container deposit legislation within Western Australia; ii) actively promotes \$5 per bag rubbish collected as a fundraising initiative to local schools and community groups; iii) undertakes and support a concerted community litter education campaign beginning on Clean Up Australia Day, with other local stakeholders, around identified target litter streams staged throughout the course of 2008; iv) investigates and implements methods for localised public space/event collection of cans and glass in Port and South Hedland (i.e. can cages and glass bins, differing colours clearly labeled that potentially can be emptied, etc. by school/community groups for fundraising purposes) v) reviews current litter laws and investigate ways in which they may be broadcast and enforced more effectively; vi) writes to WA Police detailing measures to address litter issues locally and seek their support during identified campaign periods to enforce littering laws; and vii) raises the issue of potential voluntary restrictions on sale of glass with licensees at the next Port Hedland Liquor Accord meeting with a further report on this matter be presented to Council after these discussions have been held. 	RESPONSIBLE OFFICER: Chief Executive Officer Ongoing.	
11.4.2.2	Tropical Cyclone George Relief Fund Application for Cooke Point Recreational Club	<p>200708/088 Council Decision/Officer's Recommendation</p> <p>That Council approve a grant of \$20,000 to the Cooke Point Recreation Club from the Cyclone George Relief fund to partially fund repairs to fencing (\$24,600), brick wall reinstatement (\$6,240) and replacement of carpark light pole (\$3,800).</p>	RESPONSIBLE OFFICER: Chief Executive Officer	
12.1.1	Proposed Scheme Amend..No. 17 – "Local Road Reserve" and "Other Purposes Infrastructure Reserve" to "Industry"	<p>200708/089 Council Decision/Officer's Recommendation</p> <p>That Council:</p> <ul style="list-style-type: none"> i) Initiate a Scheme amendment to the Town of Port Hedland Town Planning Scheme No 5 to rezone Lots 6047, 6048 & 6049 Bell Street, Port Hedland, from "Local Road Reserve" and "Other Purposes – Infrastructure Reserve" to "Industry" Zone, as outlined in the application received 4 February 2008. i) Advises the applicant: ... 	RESPONSIBLE OFFICER: Manager Planning Processing	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COM P- DATE
12.2.1	Request for Fee Waiver of Gratwick Hall – Annual Charity Rotary Ball	200708/090 Council Decision/Officer's Recommendation That Council: i) permits The Rotary Club of Port Hedland to utilise the Upstairs Meeting Room and the Civic Centre's front entrance on the evening of the Annual Rotary Charity Ball being held on Saturday 19 April 2008; and ii) advises the Club that its request of Council to waive its Schedule of Fees and Charges totalling \$1,188.75 as follows: ... be approved.	RESPONSIBLE OFFICER: Director Corporate Services	üCOMPLETE
12.2.2	Request to Waiver Part Bin Charge for Address 2/9 Masters Way SH	200708/093 Council Decision That: i) Mr Bone's request to reduce his bin replacement charge from \$200 to \$143 on assessment A152352 for 2/9 Masters Way South Hedland be approved; ii) a report be presented to Council to review its Policy 13/010 Application for Bin Replacement Charges'; and iii) formally advise local Real Estate Agencies to be advised of current bin replacement charges.	RESPONSIBLE OFFICER: Senior Rates Officer	üCOMPLETE

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 Nellie Mackay
Executive Assistant
Community and
Regulatory Services

Date of Report 14 March 2008

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

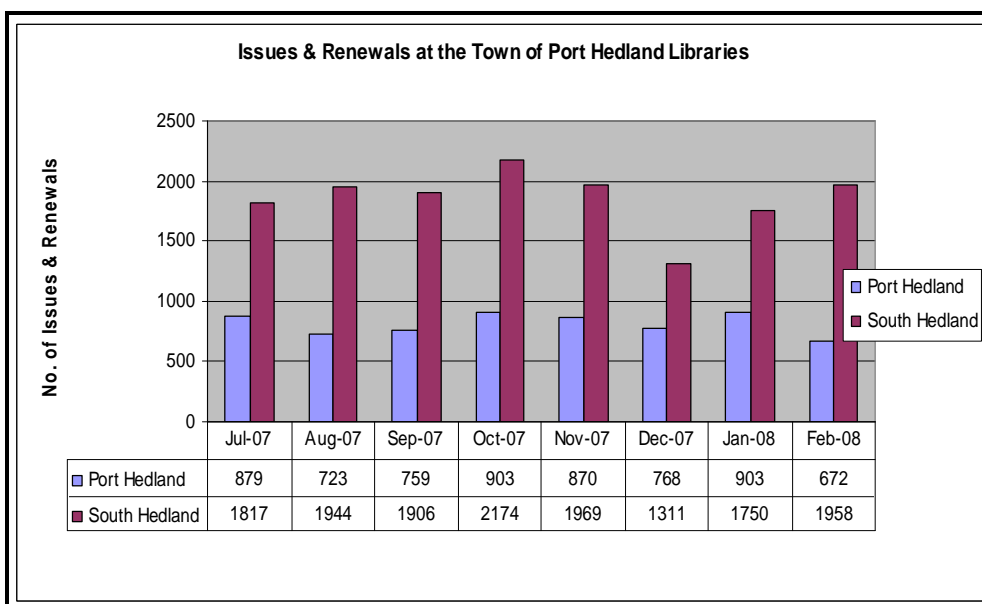
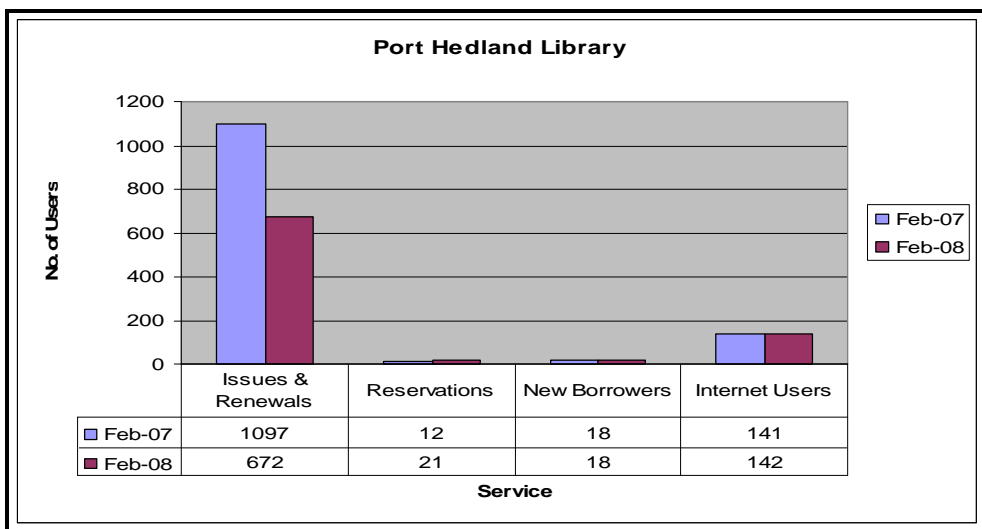
Strategic Planning Implications Nil

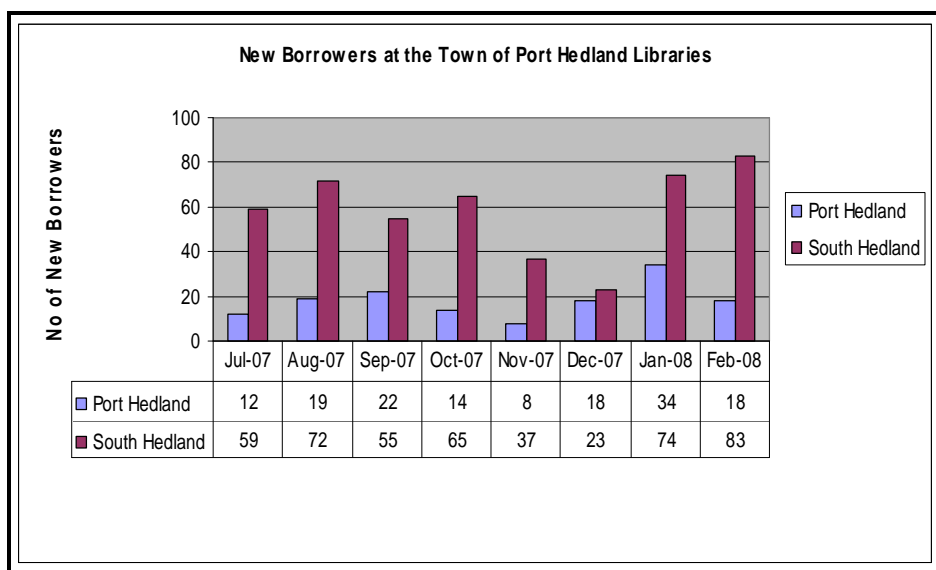
Budget Implications Nil

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

Port Hedland Library	Aug 2007	Sept 2007	Oct 2007	Nov 2007	Dec 2007	Jan 2008	Feb 2008
Issues and Renewals	723	759	903	870	768	903	672
Reservations	19	14	17	12	14	7	21
New Borrowers	19	22	14	8	18	34	18
Internet Users	133	105	135	176	111	143	142

South Hedland Library	Aug 2007	Sept 2007	Oct 2007	Nov 2007	Dec 2007	Jan 2008	Feb 2008
Issues and Renewals	1944	1906	2174	1969	1311	1750	1958
Reservations	77	90	115	60	54	51	66
New Borrowers	72	55	65	37	23	74	83
Internet Users	416	349	445	415	297	398	491





Library events program for 2008 commenced with Library Lovers Day on 14 February with borrowers invited to have a blind date with a book. This created media interest with a short segment on GWN news and an article in the North West Telegraph. Councillors Bussell, Coates, Ford and Gillingham participated in the event.

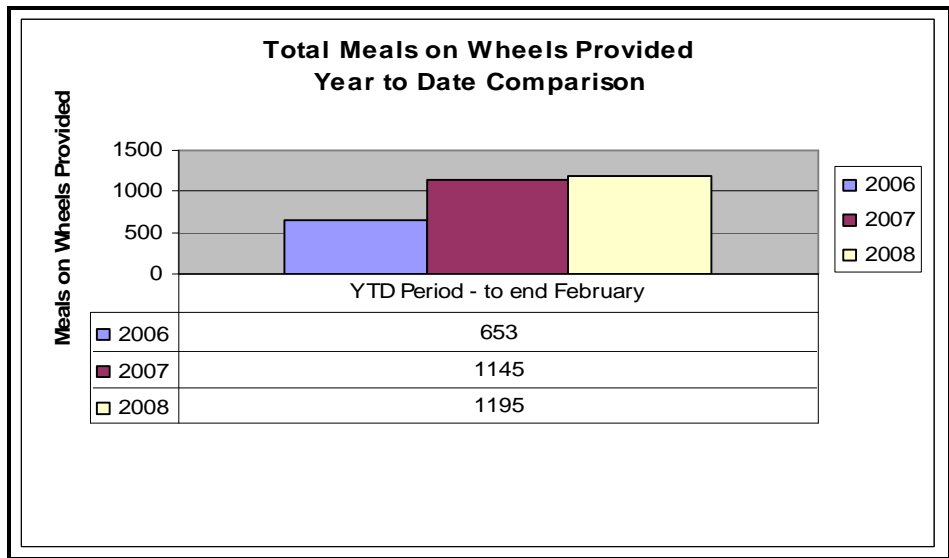
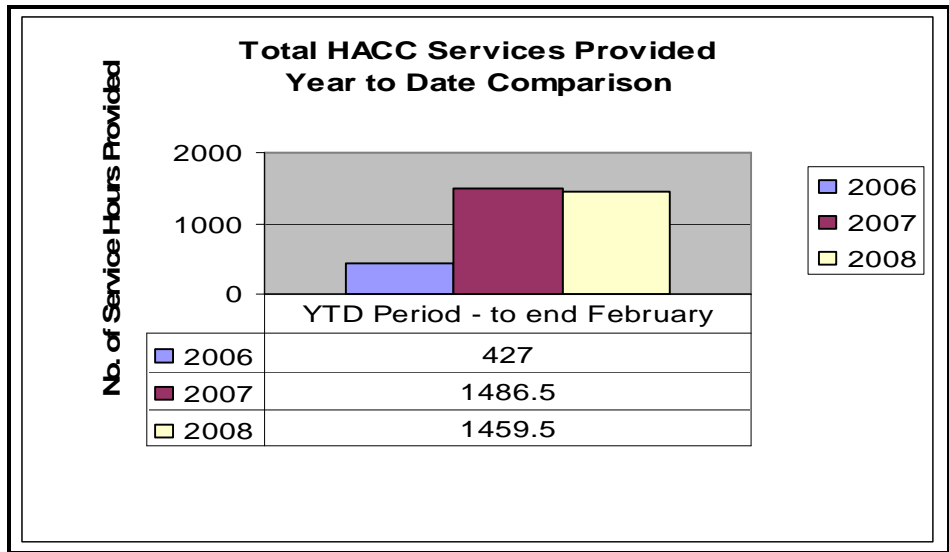
Preparations are almost complete for further events in March. *Babies Need Books* session at South Hedland Library on 18 March for parents of 0-2 year olds.

The Sunday Times Big Book Club featured author Liz Byrski will visit South Hedland Library on 26 March to present a *Conversation with the Author* session.

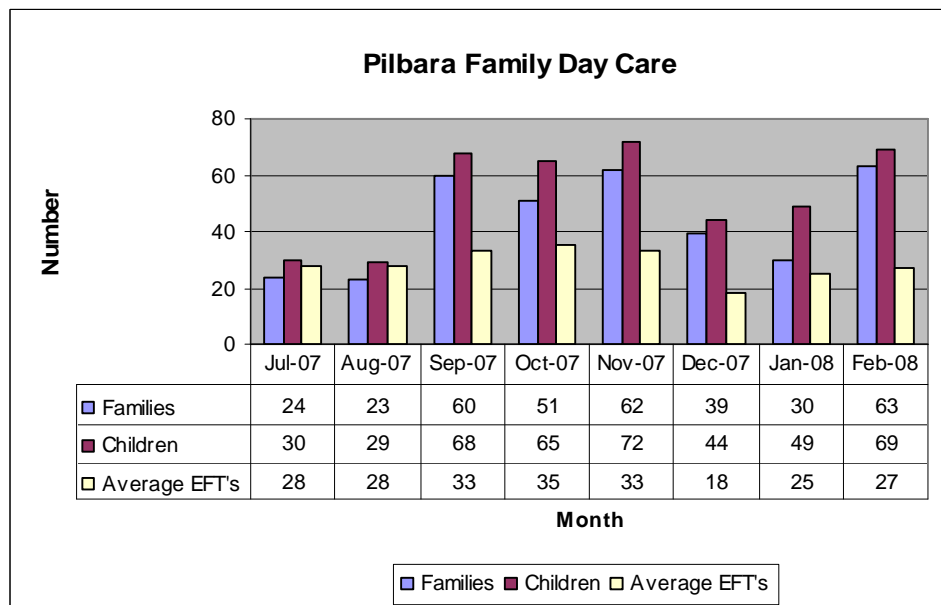
Human Services

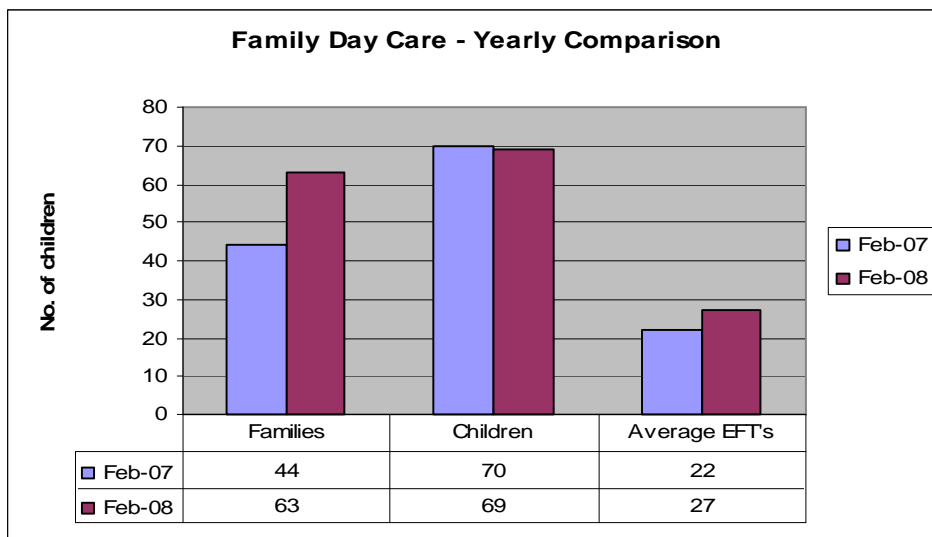
HACC Programme

HACC Service Hours for February 2008	
Meals On Wheels	575
Day Centre Attendance (hours)	732
Day Centre Meals	116
Domestic Assistance (hours)	87
Personal Care (hours)	13
Social Support (hours)	11
Transport (one way)	225
Home Maintenance (hours)	36
Total HACC service provided (hours)	879
Total HACC service provided (hours) YTD	1459.5
Assessment	2
Accidents/Incidents	1



Pilbara Family Day Care



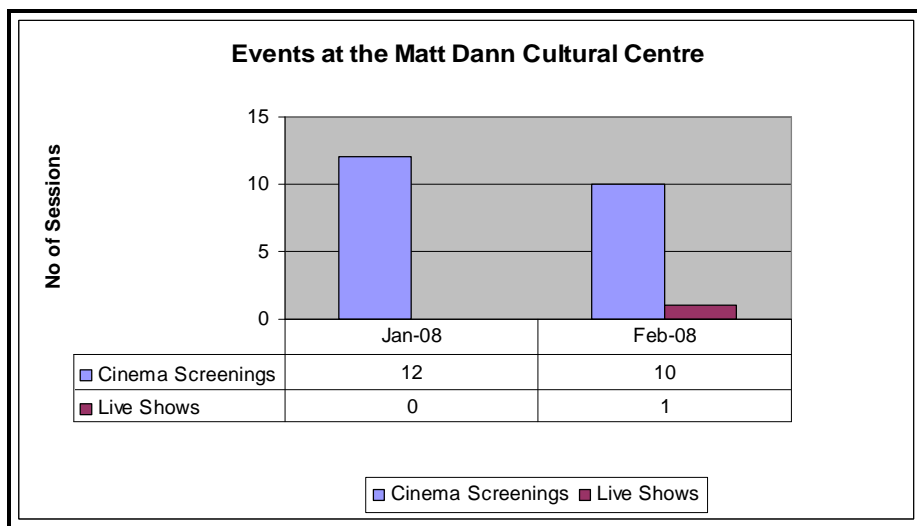


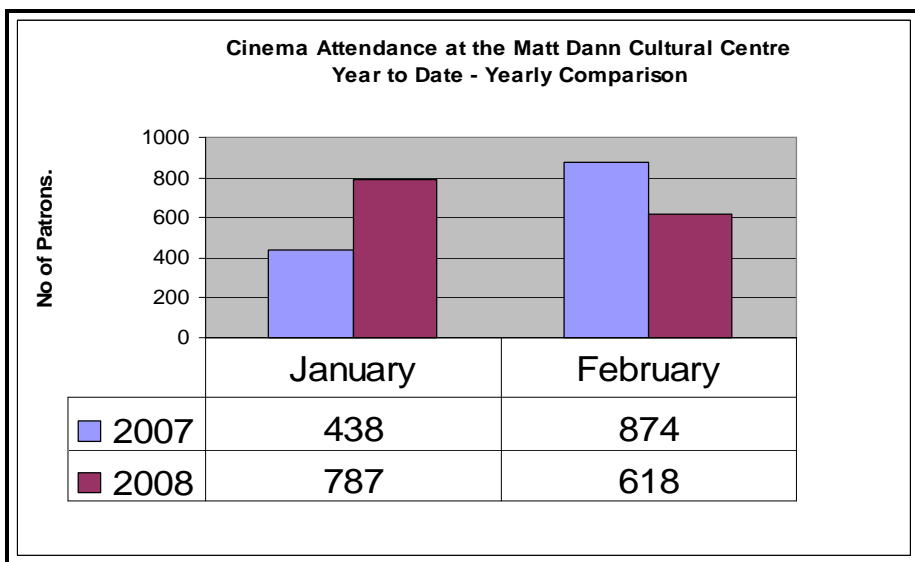
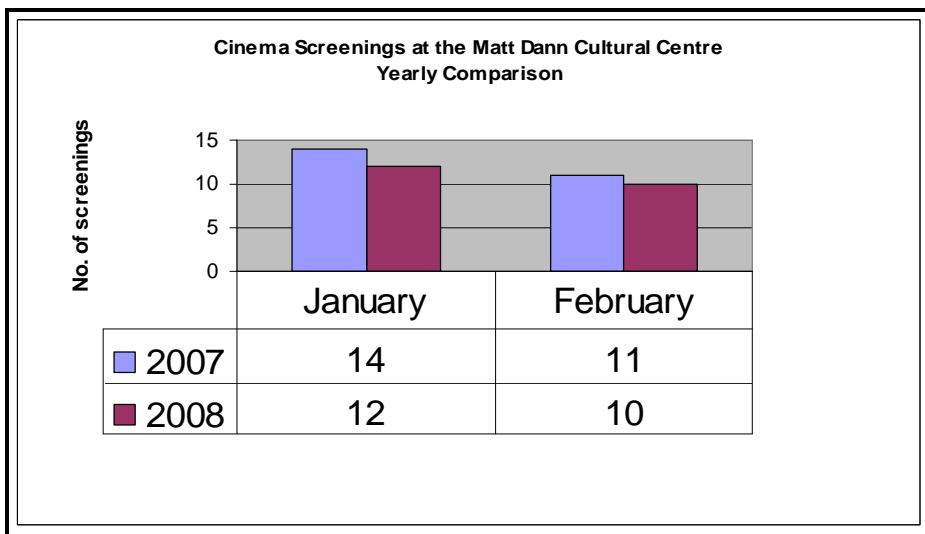
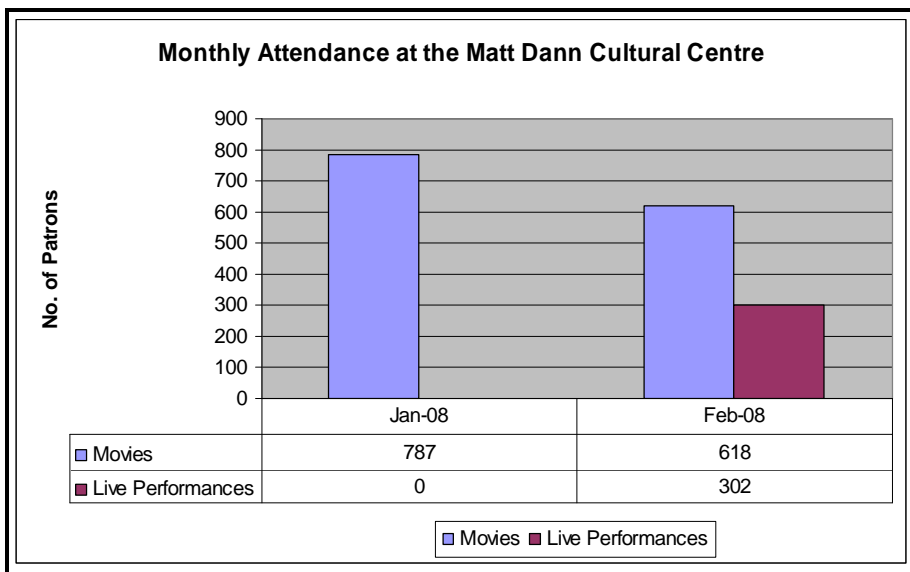
Status of Licensed Carers

- Current: 2 in South Hedland; 1 in Wickham; 4 in Karratha; 4 in Newman; 1 in Tom Price and 1 in Paraburdoo
- In process of Licensing: 1 in Karratha; 1 in Tom Price; 1 in Port Hedland and 1 in Newman

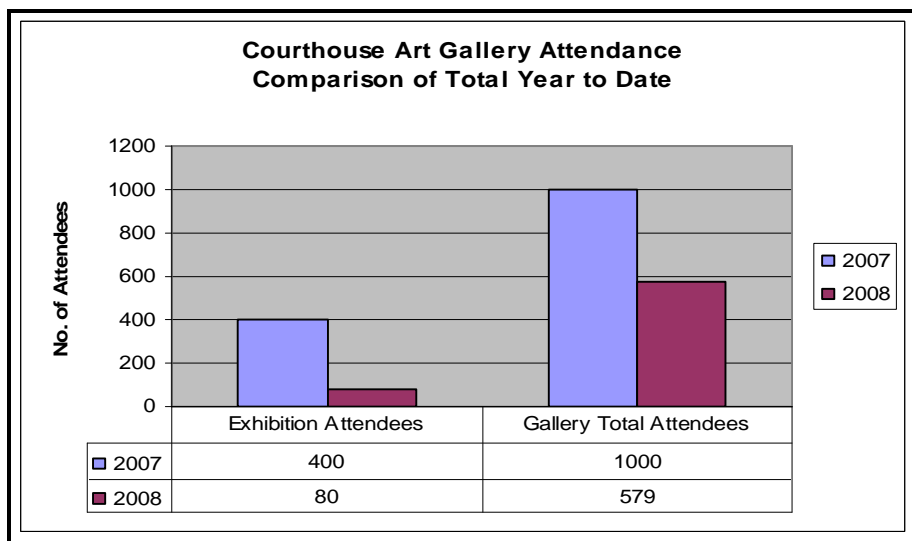
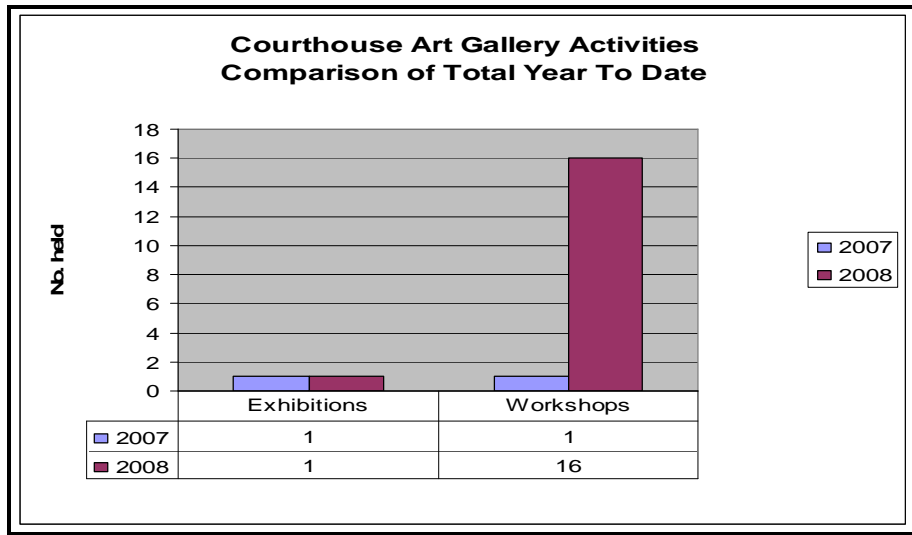
All carers now back at work and numbers are on the rise again.

Matt Dann Cultural Centre



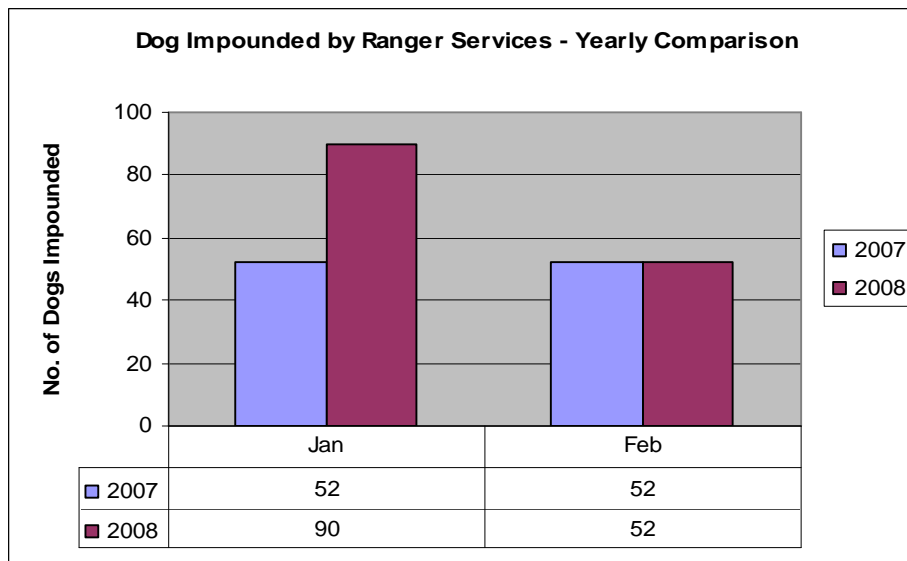


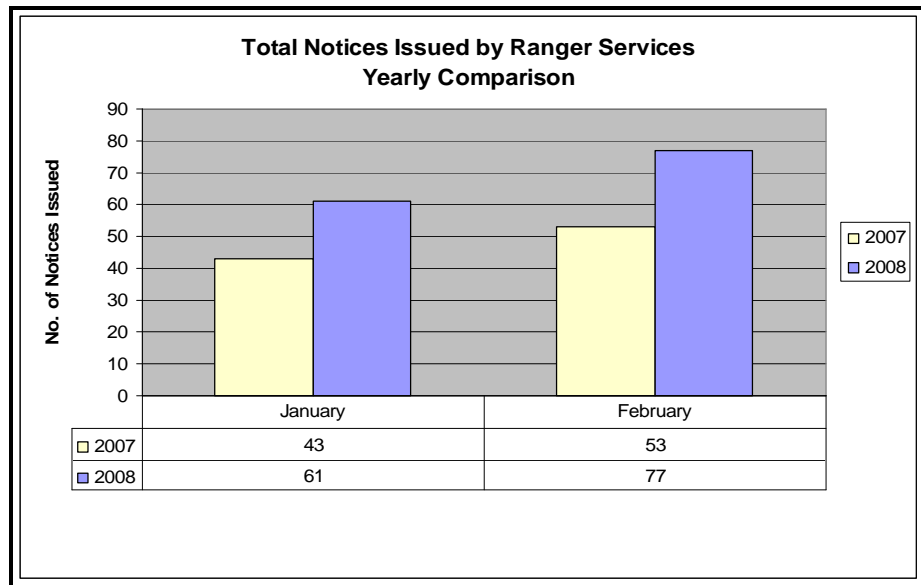
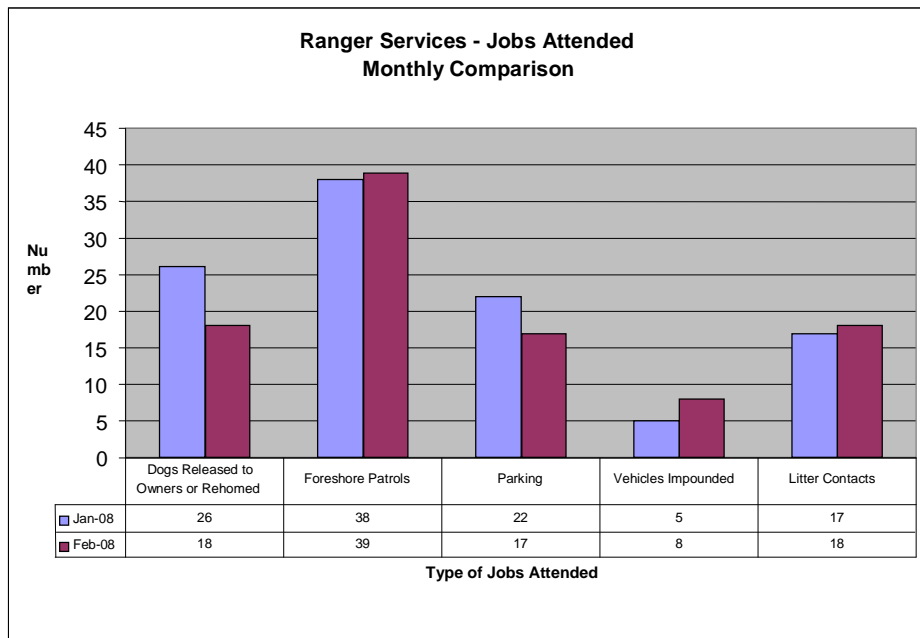
Courthouse Arts Centre and Gallery



Environmental Health Services

Ranger Services





200708/097 Council Decision/Officer's Recommendation

Moved: Cr G D Bussell

Seconded: Cr A A Gear

That Council receives the Regulatory and Community Services Report for March 2008.

CARRIED 8/0

11.2.1.2 Delegated Planning & Building Approvals for February 2008 (File No.: 18/07/0002 & 07/02/0003)

Officer Nellie Mackay
Executive Assistant
Community & Regulatory
Services

Date of Report 14 March 2008

Disclosure of Interest by Officer Nil

Summary

This item relates to the Planning and Building Applications considered under Delegated Authority for the month of February 2008.

Background

A listing of Planning and Building Consents issued by Council's Planning and Building Services under Delegated Authority for the month of February 2008 are attached to this report.

Consultation Nil

Statutory Implications

Town of Port Hedland Delegation Register 2005 outlines the limitations of delegated authority and requires a list of approvals made under it to be provided to Council. This report is prepared to ensure Council is advised of the details of applications, which have been dealt with under delegated authority.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment Nil

Officer's Recommendation

That the Schedule of Planning and Building Consents issued by Delegated Authority for the month of February 2008 be received.

**200708/098 Council Decision/ Alternate Officer's
Recommendation**

Moved: Cr A A Gear

Seconded: Cr J E Ford

That :

i) the schedule of planning and building consents issued by delegated authority for the month of February 2008 be received, and

ii) the Town of Port Hedland Delegation Register be amended such that delegation number 40 (Town Planning Scheme No. 5) Clause No. 5. Grouped Dwellings read:

“The Director Community and Regulatory Services may approve or refuse all applications for grouped dwelling developments within the “Residential” zones comprising up to ten (10) grouped dwelling units.”

CARRIED 8/0

DELEGATED PLANNING APPROVALS FOR FEBRUARY 2008

Application Number	Application Date	Date Determined	Description	Applicants Name	Owners Name	Address	Zoning
2007/056	06/03/2007	05/02/2008	Amalgamation 2 Residential Lots into 1 Residential Lot	Whelans (WA) Pty Ltd (Justin Page)	BHP BILLITON MINERALS PTY LTD	169 ANDERSON STREET PORT HEDLAND	RESIDENTIAL R12.5/30
2007/301	24/10/2007	27/02/2008	GROUPED DWELLING - Relocation of Transportable Dwelling x 2 (as per amended plan 18/1/08)	AG & SG SHILLING BUILDERS	LORRAINE JOY BUTSON	83 ATHOL STREET PORT HEDLAND	RESIDENTIAL R25
2007/360	10/12/2007	21/02/2008	PUBLIC RECREATION - POS Development Shade Shelters Pretty Pool	Frogmat Environmental	CROWN		
2007/364	13/12/2007	08/02/2008	SINGLE HOUSE - Shed Addition, R-Codes Variation - Wall and Roof Height	MIHAI RUSU	MIHAI RUSU	4 PEDLAR STREET SOUTH HEDLAND	RESIDENTIAL R20
2007/366	13/12/2007	21/02/2008	GROUP DWELLING X 4 - Reynolds Place	Trend Developments Pty Ltd	TREND DEVELOPMENTS PTY LTD	3 REYNOLDS PLACE SOUTH HEDLAND	RESIDENTIAL R20
2008/9	03/01/2008	11/02/2008	HOTEL - Rear Alfresco Bar	ANDRASTE HOLDINGS PTY LTD	ANDRASTE HOLDINGS PTY LTD	25 THE ESPLANADE PORT HEDLAND	TOWN CENTRE
2008/10	03/01/2008	25/02/2008	STORAGE FACILITY/DEPOT/LAYDOWN AREA - Bulk Storage Shed 100mx30mx10m	WA Shed Commercial Pty Ltd	COCKBURN CEMENT LIMITED	12 PEAWAH STREET WEDGEFIELD	INDUSTRIAL
2008/41	16/01/2008	25/02/2008	INDUSTRY GENERAL - 20 x 20 shed and transportable amenities building	KINGSMILL ENTERPRISES	ILLAWON PTY LTD	13-15 TRIG STREET WEDGEFIELD	INDUSTRIAL
Total Number of Delegated Approvals - 18							

DELEGATED BUILDING APPROVALS FOR FEBRUARY 2008

BUILDING LICENCES					
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value	Floor area m ²
71186	26.02.2008	SOUTH HEDLAND	Shed	\$8,000	
71188	17.02.2008	WEDGEFIELD	Temporary Workshop - Class 8	\$60,000	112
71230	14.02.2008	SOUTH HEDLAND	Garage/Shed	\$8,000	43
71226	17.02.2008	PORT HEDLAND	Carport & Store	\$18,330	43
71241	17.02.2008	PORT HEDLAND	Dwelling - double storey	\$600,000	426
71245	28.02.2008	WEDGEFIELD	Patio	\$12,500	54
71255	17.02.2008	WEDGEFIELD	Storage Building- Class 7b	\$40,000	90
71269	17.02.2008	PORT HEDLAND	Shed	\$19,000	36
71270	12.02.2008	SOUTH HEDLAND	Shed	\$19,700	57
71271	17.02.2008	WEDGEFIELD	Factory Building - Class 8	\$340,000	1047
71289	06.02.2008	SOUTH HEDLAND	Replacement Of Existing Patio	\$18,000	95
71298	01.02.2008	VIA PORT HEDLAND	Switch Room	\$396,621	80
71313	21.02.2008	PORT HEDLAND	Dwelling	\$500,000	475
75043	17.02.2008	PORT HEDLAND	Swimming Pool - B/G F/G	\$30,000	
80001	25.02.2008	PORT HEDLAND	Dwelling	\$600,000	350
71300	15.02.2008	PORT HEDLAND	Dwelling	\$418,635	294
71312	19.02.2008	PORT HEDLAND	Dwelling	\$418,635	342
71310	18.02.2008	PORT HEDLAND	Dwelling	\$418,635	342
71311	18.02.2008	PORT HEDLAND	Dwelling	\$418,635	342
71309	18.02.2008	PORT HEDLAND	Dwelling	\$693,478	500
71308	18.02.2008	PORT HEDLAND	Dwelling	\$693,478	500
71307	17.02.2008	PORT HEDLAND	Dwelling	\$693,474	501
71306	17.02.2008	PORT HEDLAND	Dwelling	\$693,478	508
71305	17.02.2008	PORT HEDLAND	Dwelling	\$693,478	508
71304	17.02.2008	PORT HEDLAND	Dwelling	\$693,478	508
71303	17.02.2008	PORT HEDLAND	Dwelling	\$693,478	500
71302	15.02.2008	PORT HEDLAND	Dwelling	\$693,474	500
71301	15.02.2008	PORT HEDLAND	Dwelling	\$693,478	380
71299	14.02.2008	PORT HEDLAND	Dwelling	\$693,474	380
TOTAL ESTIMATED CONSTRUCTION VALUE				\$11,279,459	

DEMOLITION LICENCES			
Licence Number	Approval Date	Locality	Description of Work
83001	25.02.2008	PORT HEDLAND	Demolition of Whole Building
83002	25.02.2008	SOUTH HEDLAND	Demolition of Whole of Building

SUMMARY OF LICENCES ISSUED				
Number of Licences	Licence Type	Estimated Construction Value	Floor area m²	Av cost /sq m
2	Demolitions			
17	Dwellings	\$10,309,308	7356	\$1,401
8	Class 10	\$133,530		
4	Commercial	\$836,621	1329	\$630
0	Strata Title			
0	Signs			
31		\$11,279,459		

**11.2.1.3 Courthouse Arts Centre and Gallery Management...
(File AGR- 070)**

Officer Terry Sargent
Director Regulatory and
Community Services

Date of Report 19 March 2008

Disclosure of Interest by Officer Nil

Summary

To consider a proposal to terminate the Deed of Agreement between Pilbara Arts Craft Design Aboriginal Corporation (PACDAC) and Town of Port Hedland concerning the management of the Courthouse Art Gallery.

Background

In adopting Council's Strategic Plan in February 2007 Council committed to establishing an independent board of management to oversee the West End Cultural Precinct that was created with refurbishment of the Courthouse Arts Centre and Gallery and the Port Hedland Visitor Centre. In August Council further proceeded along this course of action with appointment of Consultants (FORM) to prepare the operations and management structure for a transition to an independent board of management.

The previous refurbishment of the Gallery and upgrading of the grounds, occurred in limited consultation with the then known members of PACDAC.

Even though PACDAC is a joint owner of the property, the upgrading proceeded without its formal agreement on the understanding that PACDAC has ceased to function as an incorporated body and was to be wound up. The joint venture agreement does not entitle Council to seek a contribution from PACDAC for the upgrade as it was not a party to the decision, but neither can PACDAC claim an entitlement to the capital gain resulting from the improvement.

PACDAC is joint owner of the property and a joint venture partner in the agreement, which prescribes the management of the gallery and responsibility for operating losses or profits. For much, if not all, of the life of the joint venture, the gallery has been managed by Council appointed staff with input from the partners. The responsibility for operating losses has not yet been fully and accurately distributed between the partners. To date (excluding cost of capital upgrade) accumulated operating losses are thought to be in the order of \$660,000.00. PACDAC has contributed \$27,764.43 as requested for utility costs.

No legal advice has been sought yet to determine precisely how much of the accrued losses can be recovered from the joint venture partner but on the face of it the losses are to be shared on a 50/50 basis leaving PACDAC liable for losses exceeding \$300,000.

PACDAC no longer receives funding as it did when the Joint Venture Agreement (JVA) was established and it is unlikely that it has the capacity to contribute significantly towards the operating losses. It is possible under the agreement for such losses to be contributed from the partner's capital (i.e. share in the property).

Consultation

Council received legal advice, which clarified the process for terminating the Joint Venture in November 2007, but to date attempts have been made to discuss the matter with the PACDAC Committee rather than initiating legal action.

Preliminary discussions have been held with the committee now assuming responsibility for PACDAC in which the failure of the JVA was discussed. The committee indicated a preference to resume the operation of the gallery under terms, which in Council officers opinion, are unsustainable.

Statutory Implications

There are no statutory implications for Council in the recommended course of action.

Policy Implications

Nil

Strategic Planning Implications

KRA 3 – Community Development

Goal 7 – Arts and Culture: That the Town be recognised as a location where arts and culture is promoted and quality art work is produced.

Strategy 1. - Complete the redevelopment of the Courthouse Art Gallery precinct including the development of a board of Management to operate Council funded facilities within the precinct.

Budget Implications

There are no budget implications anticipated from the recommended course of action.

Officer's Comment

The Joint Venture agreement has not been operating as it was originally drafted for a good number of years now and it is certainly not consistent with Councils plans for the west End Cultural Precinct.

While the JVA provided a facility for an office and studio space for PACDAC it is not ideally located because many of the aboriginal artists live in South Hedland and cannot easily access the facility. Furthermore the development of high quality gallery space within the Cultural Precinct will ultimately provide a retail outlet as aboriginal artists develop their businesses, but is not suitable for a workshop space, and further developmental work is required before there is a viable aboriginal arts industry to use the facility.

It is critical that the interests of PACDAC, as joint owner of the property, and the needs of the aboriginal artists within the community are respected and nothing should be done which works against those interests. The Joint Venture Agreement does not however provide an economically sustainable model and needs to be dissolved in order to move forward.

Termination of the JVA will allow progress towards the cultural precinct management model endorsed by Council and should result in a situation where progress can be made towards establishing conveniently located work spaces and facilities for the development of local aboriginal artists in a way that is not possible under the current agreement.

Termination of the Joint Venture can be commenced by one partner advising of their intent to do so, an agreement between the joint venture parties, or by serving notice of default.

There have been defaults that could trigger dissolution, but it will be much better to mutually agree to the terms of a termination and dissolution of the agreement.

Attachments**Nil****Officer's Recommendation**

That Council:

- i) seeks to reach agreement with Pilbara Arts Craft and Design Aboriginal Corporation (PACDAC) to terminate and dissolve the Pilbara Arts Craft and Design Aboriginal Corporation And Town Of Port Hedland Joint Venture Deed, dated 23 November 2000; and
- ii) if no such agreement can be reached within a month Council will reconsider this matter at its Ordinary Meeting in May 2008

200708/099 Council Decision**Moved:** Cr G D Bussell**Seconded:** Cr J E Ford**That Council:**

- i) **request the Chief Executive Officer and Councillors Gillingham and Ford meet with Pilbara Arts Craft and Design Aboriginal Corporation (PACDAC) and FORM to review the existing agreement, seeking an amicable resolution for the management of the Courthouse Arts Centre and Gallery facility, with a view to interim measures and the long term future;**
- ii) **a copy of legal advice received in relation to the Joint Venture Agreement, and the existing agreement be circulated to Council; and**
- iii) **a report on the matter be presented to Council at its Ordinary Council Meeting in May 2008.**

CARRIED 6/2

REASON – Council felt it would be premature to terminate the Joint Venture Agreement with Pilbara Arts Craft and Design Aboriginal Corporation (PACDAC), and seeks to reach an amicable outcome for all parties involved.

6:37pm

Councillor Arthur Gear declared a financial interest in Agenda Item 11.2.2.1 'Proposed Three Grouped Dwellings at Lot 2278 (26) Mauger Place South Hedland' as the company that he works for owns a house in Mauger Place, South Hedland.

Councillor Arthur Gear left the room.

11.2.2 Planning Services**11.2.2.1 Proposed Three Grouped Dwellings at Lot 2278 (26) Mauger Place South Hedland (File No.: 110920G)**

Officer Andrew Patterson
Planning Officer

Date of Report 11 March 2008

Disclosure of Interest by Officer Nil

Summary

Council has received an application for planning approval from Franco Corozzi Architects on behalf of the Department of Housing and Works for the construction of three grouped dwellings at Lot 2278 (26) Mauger Place South Hedland.

This item is referred for Council consideration as Delegated Officers do not have the authority to determine applications for greater than two grouped dwellings.

Background

The subject land comprises 1378 m² and is zoned "Residential R 20" in the *Town of Port Hedland Town Planning Scheme No. 5* (TPS 5).

This application complies with all relevant sections of the *Residential Design Codes of Western Australia* and TPS 5.

The submitted site plan for this development shows a stay wire supporting overhead power lines. An advice note is included in the Officer's Recommendation advising the developer that this infrastructure requires relocating in accordance with Horizon Power specifications.

Units 2 and 3 currently show gas bottles and verandah posts located at the rear of the carports and a condition is included in the Officer's Recommendation requiring that these be shifted, and that the adjacent fence be replaced with suitable gates to allow for vehicular access to the rear of the dwelling. This requirement is now standard practice where possible in the Town of Port Hedland to allow for the parking of additional vehicles behind the building line.

The boundary fencing for units 1 and 2 are each shown as 1800 mm solid fencing, and a condition is included in the Officer's recommendation requiring that all fencing within six metres of the front setback be visually permeable where greater than 1200 mm above natural ground level.

Consultation

Health Services have not objected to the application subject to consideration of noise and dust generation and the dwellings being connected to reticulated mains sewerage.

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

Statutory Implications

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

Policy Implications

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

Strategic Planning Implications

Key Result Area 4

Goal 4

Strategy 2 – Work with the South Hedland New Living Project to ensure that sustainable development lots consistent with the principles of Council are made available within South Hedland within a timely manner.

Budget Implications

Planning fees of \$1901.80 have been received with this application and deposited into account 1006326 – Town Planning Fees, reflecting an estimated development cost of \$806 000.

Officer's Comment

This is a relatively simple development application that generally complies with all statutory and policy requirements. Minor modifications are included to the submitted plans to better achieve good planning outcomes and improve both the function of the dwellings, and improve the visual amenity from the street.

It is the Officer's recommendation that this application be approved, subject to standard condition.

Attachments

1. Location Plan
2. Site Plan

200708/100 Council Decision/Officer's Recommendation**Moved:** Cr G J Daccache**Seconded:** Cr K A Howlett

That Planning Consent be granted to Franco Carozzi Architects for the construction of GROUPED DWELLINGS – 3 Grouped Dwellings at Lot 2278 (26) Mauger Place South Hedland as outlined in the Application received 3 January 2008 (Application 2008/15) 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 approved dwellings are to be constructed in accordance with the stamped plans, incorporating the following changes:**
 - a. The Gas Bottles for units 2 and 3 are to be relocated to allow for vehicular access to the rear of the dwellings;**
 - b. The relevant verandah posts for units 2 and 3 are to be relocated to allow for vehicular access to the rear of the dwellings; and**
 - c. The fence at the rear of the carports for units 2 and 3 are to be replaced with gates that allow for vehicular access to the rear of the building**
- 3. 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. The developer is to ensure that all crossovers are constructed at right angles to the street.**
- 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. The developer is advised that all dividing fencing within six (6) metres of the front boundary is also to be visually permeable where greater than 1.2 metres above natural ground level.**
- 5. All stormwater shall be collected and disposed of to the specification of Council's Engineering Services to the satisfaction of the Manager Planning.**

6. The development to be connected to the Water Corporation deep sewerage service.
7. All dust and sand to be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Planning.

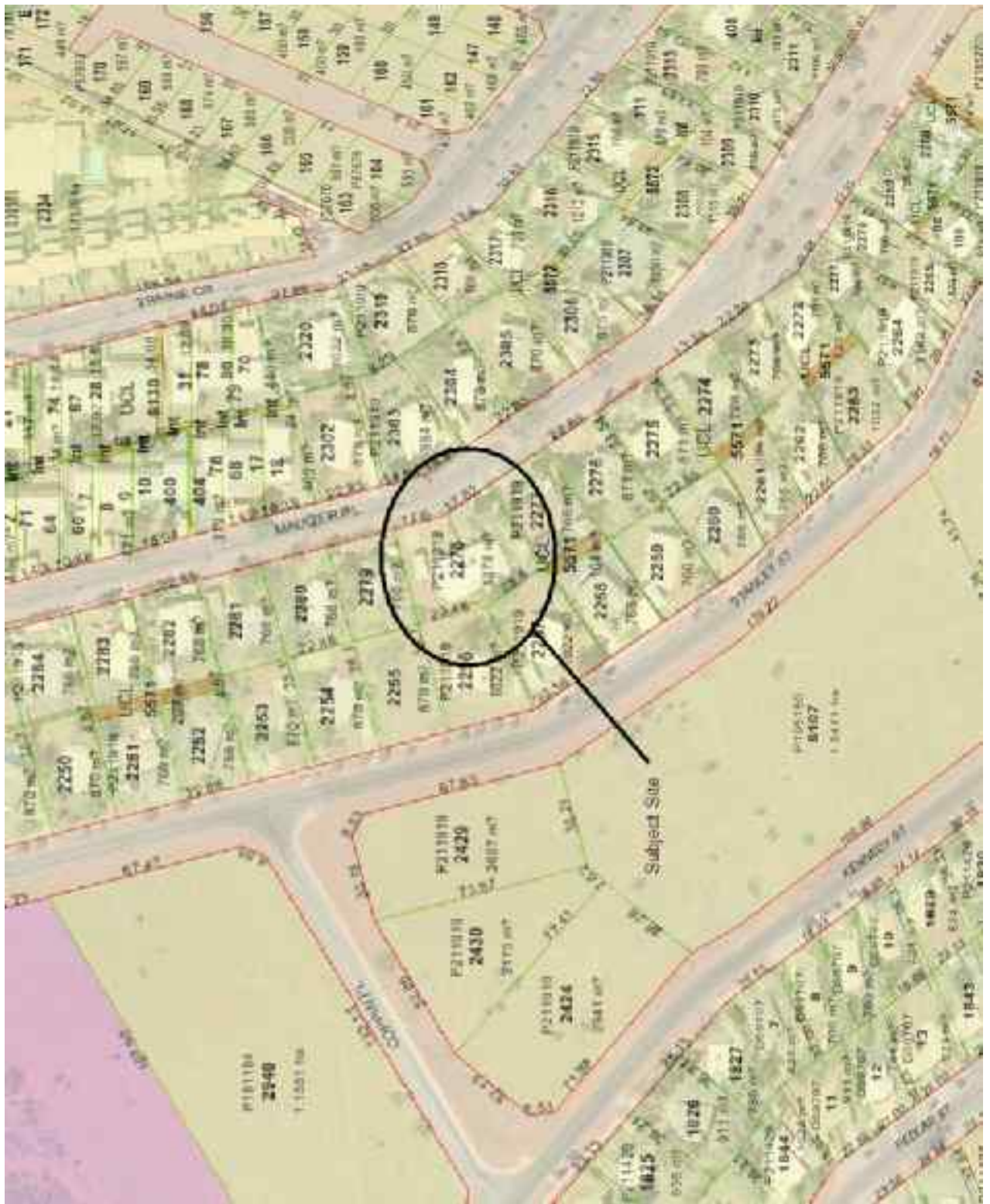
ADVICE TO DEVELOPER

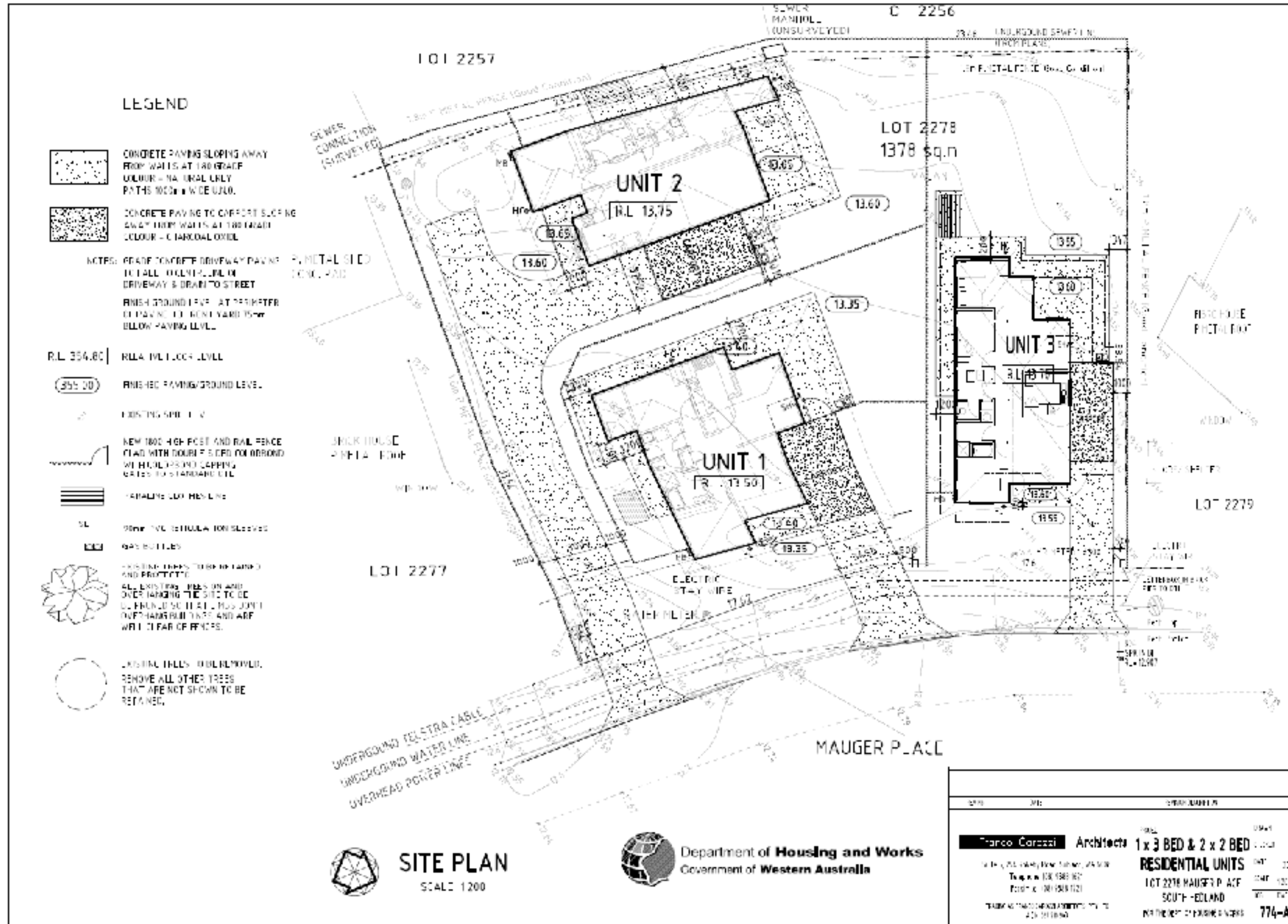
8. You are advised that this is a Planning Approval only and the Developer is responsible for complying with all relevant building, health and engineering requirements.
9. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.
10. It should not be construed from this approval that the Town will support a survey strata or green title subdivision application for this lot.
11. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
12. The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding.

CARRIED 6/1

6:41pm Councillor Arthur Gear re-entered the room and assumed his chair. Deputy Mayor advised Councillor Gear of Council's decision.

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.1





**11.2.2.2 Proposed Four Grouped Dwellings at Lot 2731 (19)
Kennedy Street South Hedland (File No.: 111610G)**

Officer Andrew Patterson
Planning Officer

Date of Report 12 March 2008

Disclosure of Interest by Officer Nil

Summary

Council has received an application for planning approval from Franco Corozzi Architects on behalf of the Department of Housing and Works for the construction of four grouped dwellings at Lot 2731 (19) Kennedy Street South Hedland.

This item is referred for Council consideration as Delegated Officers do not have the authority to determine applications for greater than two grouped dwellings.

Background

The subject land comprises 1856 m² and is zoned "Residential R 20" in the *Town of Port Hedland Town Planning Scheme No. 5* (TPS 5).

This application complies with all relevant sections of the *Residential Design Codes of Western Australia* and TPS 5.

The carports of units 1 and 4 present an opportunity to provide vehicular access to the rear of these dwelling, if the gas bottles and verandah posts currently located at the rear of the carports are relocated, and the gates widened to allow increased accessibility. An appropriate condition is included in the Officer's Recommendation that will achieve these outcomes.

The boundary fencing for each of these dwellings is shown at 1800 mm along the side boundaries to the front boundary. A condition is included in the Officer's Recommendation to ensure that all fencing within six metres of the front boundary remains visually permeable where higher than 1200 mm above natural ground level.

Consultation

Health Services have not objected to the application subject to consideration of noise and dust generation and the dwellings being connected to reticulated mains sewerage.

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

Statutory Implications

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

Policy Implications

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

Strategic Planning Implications

Key Result Area 4
Goal 4
Strategy 2 – Work with the South Hedland New Living Project to ensure that sustainable development lots consistent with the principles of Council are made available within South Hedland within a timely manner.

Budget Implications

Planning fees of \$2,377 have been received with this application and deposited into account 1006326 – Town Planning Fees, reflecting an estimated development cost of \$1,070,000.

Officer's Comment

This application presents a relatively basic housing design, however the architect is restricted by a sewer easement crossing the rear of the land and shown on the site plan. Within this particular site restriction, the applicant is deemed to have presented a simple but appropriate proposal.

Attachments

1. Location Plan
2. Site Plan

200708/101 Council Decision/Officer's Recommendation

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

That Planning Consent be granted to Franco Carozzi Architects for the construction of GROUPED DWELLINGS – 4 Grouped Dwellings at Lot 2731 (19) Kennedy Street South Hedland, as outlined in the Application received 3 January 2008 (Application 2008/14) 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 approved dwellings are to be constructed in accordance with the stamped plans, incorporating the following changes:
 - a. The Gas Bottles for units 1 and 4 are to be relocated to allow for vehicular access to the rear of the dwellings;
 - b. The relevant verandah posts at the rear of the carports for units 1 and 4 are to be relocated to allow for vehicular access to the rear of the dwellings; and
 - c. The fence at the rear of the carports for units 1 and 4 are to be replaced with gates that allow for vehicular access to the rear of the building
3. 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.
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. The developer is to ensure that all dividing fencing within six (6) metres of the front boundary is also to be visually permeable where greater than 1.2 metres above natural ground level.
5. All stormwater shall be collected and disposed of to the specification of Council's Engineering Services to the satisfaction of the Manager Planning.
6. The development to be connected to the Water Corporation deep sewerage service.
7. All dust and sand to be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Planning.

ADVICE TO DEVELOPER

8. 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.

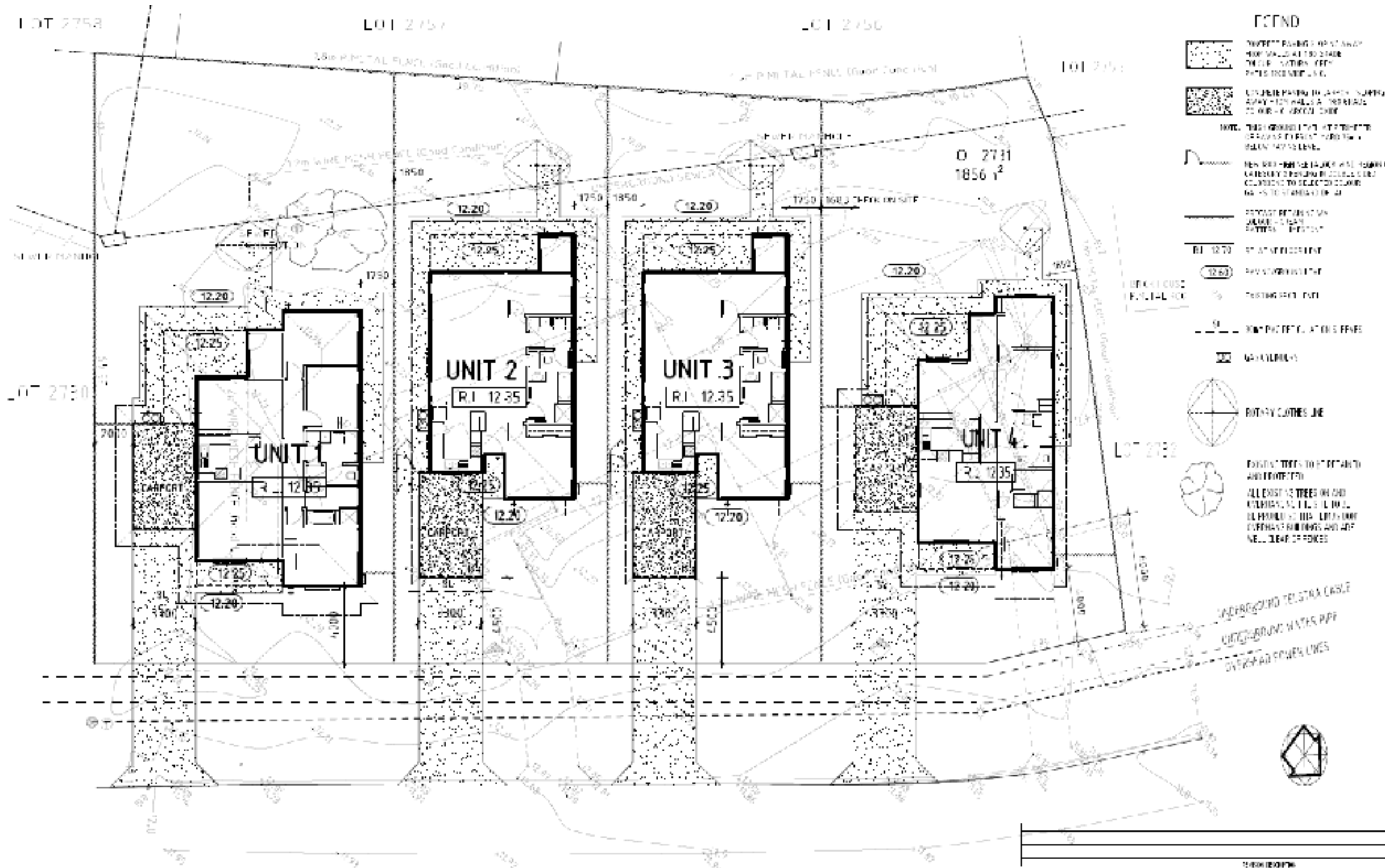
9. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.
10. It should not be construed from this approval that the Town will support a survey strata or green title subdivision application for this lot.
11. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
12. 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 7/1

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.2



ATTACHMENT 1 TO AGENDA ITEM 11.2.2.2



SITE PLAN SCALE 1:200



KENNEDY STREET

Francis Carozzi Architects 54 & 56 Fawcett Road, South Perth WA 6150 Telephone: (08) 9388 1021 Fax: (08) 9388 1021 Website: www.fcarozzi.com.au		Project: 2x3 & 2x2 BEDROOM RESIDENTIAL UNITS Location: LOT 2731 (151) KENNEDY ST SOUTH ISLAND Project No: T73-A01-A	Date: 27/03/08 Drawn: [Name] Checked: [Name] Approved: [Name]
--	--	--	--

11.2.2.3 Proposed Private Recreation (Paintball) at Lot 2 Forrest Location 126 Port Hedland (File No.: 129011G)

Officer Andrew Patterson
Planning Officer

Date of Report 11 March 2008

Disclosure of Interest by Officer Nil

Summary

Council has received an application from Paintball Eruption Pty Ltd to set up a paintball business at lot 2 Forrest Location 126.

This application is referred for Council consideration, as Council has previously indicated an interest in planning applications within the vicinity.

Background

The subject land consists of 30.058 hectares and is zoned "Rural" in the *Town of Port Hedland Town Planning Scheme No. 5 (TPS 5)*. "Private Recreation" is listed as an "AA" use on the TPS 5 zoning table, meaning that approval is at Council's discretion.

The applicant proposes to operate a recreational business, providing a paintball venue on rural land. The only structures to be located on the land are two sea containers for storage purposes, and two transportable toilets. Each playing field is to be surrounded with netting a minimum 2 metres in height that is impenetrable by a paint ball. The minimum buffer width around the playing fields is proposed at 25 metres.

The Western Australian Police Service regulates the operation of paintball operators through provisions of the Firearms Act, with each business and location to be appropriately licensed. The South Hedland Police Service has advised that these applicants have submitted the appropriate application to the Firearms Branch, and this application will be assessed and determined in due course.

While not stated in the supporting documentation for this application, it is anticipated that this business will operate at similar times to other outdoor team sports in the town. As a recreational pursuit, it is therefore not anticipated that regular fixtures will be established during normal business hours.

The subject land is located in the vicinity of the Tjalku Wara Community, however as all residential activity is now limited to the east side of Beebingarra Creek, and as this activity is unlikely to adversely affect the amenity of the remaining residents, no consultation has been undertaken with this Community.

Noise is unlikely to exceed current levels produced by the transport depot currently located on the land and is regulated by the *Environmental Protection (Noise) Regulations 1997*. The applicant has not included the installation of any lighting for potential night games and an appropriate condition is included in the Officer's Recommendation controlling any light projected beyond the lot boundary.

Consultation

Environmental Health Services have not objected to the application and advised that temporary toilet facilities are suitable for use only for a maximum of six (6) months, after which time permanent facilities are to be installed.

Statutory Implications

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

Paintball operations are regulated by the Western Australian Police Service through the *Firearms Act 1973*.

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 3

Goal 1

Strategy 6 – Work with key youth stakeholders to ensure that a range of events/functions are available for local youth including recreation, leisure, adventure and art/craft activities.

Budget Implications

Application fees of \$117 have been deposited into account 1006326 – Town Planning Fees, reflecting an estimated development cost of \$20 000.00.

Officer's Comment

The Town of Port Hedland has received a number of inquiries regarding the potential establishment of a paintball facility. This is the first applicant to submit an application, with the previous inquiries supposed to have failed in the attempt to locate appropriate land for such an endeavour.

From a planning perspective, this application is considered to be in an appropriate site as it combines adequate space and buffer zones from other uses within a relatively close distance to a customer base.

Council has previously expressed concern regarding the ad hoc industrial development occurring at lot 2 Forrest Location 126 as this land is zoned "Rural" and not suited for such intense industrial uses. Should this business enterprise succeed long-term, this is considered a more appropriate use for this land and act as a further deterrent for additional industrial development of the land.

The major potential management issues related to this application relate to site access and the potential for noise and light to cause amenity issues for nearby landowners. Relevant statutory controls, coupled with appropriate planning conditions are deemed to ensure potential negative impacts will be controlled for this development.

Should this business prove successful, it is anticipated that additional structures may be required, including but not limited to permanent storage and ablution facilities. Should this occur, additional approval will be required to ensure the standard and siting of these structures is appropriate for the land.

Attachments

Location Plan
Site Plan

200708/102 Council Decision/Officer's Recommendation

Moved: Cr A A Gear

Seconded: Cr S J Coates

That Planning Consent be granted to Paintball Eruption Pty Ltd for the construction of PRIVATE RECREATION - Paintball at Lot 2 Forrest Location 126 Port Hedland as outlined in the Application received 30 January 2008 (Application 2008/26) and indicated on the approved plans, subject to the following conditions:

GENERAL

- i) 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.**

- ii) Prior to commencing operations, or any site works whatsoever, the applicant is to submit and have approved by the Manager Planning a site plan of the approved use accurately describing the location of this use and proposed access route (with reference to condition 4 of this approval).
- iii) The developer is to adequately shield the approved sea containers from view from the Great Northern Highway to the satisfaction of the Manager Planning.
- iv) The applicant is to ensure that no light is to project beyond the lot boundary in such a way that causes nuisance to traffic or nearby residents;
- v) The applicant is to ensure that all access to the site is via Drovers Rest Road only.
- vi) Should the business remain in operation six (6) months from the date of this approval, the developer is to install approved ablution facilities to the specification of the Manager Environmental Health. Should the business not be in operation after six (6) months from this permit, all improvements are to be removed and the land made good to the satisfaction of the Manager Planning.

ADVICE NOTES

- vii) 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.
- viii) Any signage erected in association with this use is to be installed in accordance with Council's Signs Hoardings and Bill Postings Local Law.
- ix) The business operator is advised that the proposed use is regulated by the Western Australian Police Service and that the operator is responsible for acquiring, maintaining and operating in accordance with all relevant permits and licences.
- x) Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED 8/0

ATTACHMENT TO AGENDA ITEM 11.2.2.3



6:43 pm Councillor George Daccache declared a financial interest in Agenda Item 11.2.2.4 'Proposed Temporary Builders' Yard at Lot 5001 Styles Road Port Hedland' as he owns BHP Billiton shares and is a BHP Billiton employee.

Councillor George Daccache left the room.

6:43 pm Councillor Steve Coates declared a financial interest in Agenda Item 11.2.2.4 'Proposed Temporary Builders' Yard at Lot 5001 Styles Road Port Hedland' as he owns BHP Billiton shares and is a BHP Billiton employee.

Councillor Steve Coates left the room.

6:43 pm Councillor Arnold Carter declared a financial interest in Agenda Item 11.2.2.4 'Proposed Temporary Builders' Yard at Lot 5001 Styles Road Port Hedland' as he owns BHP Billiton shares.

Councillor Arnold Carter left the room.

200708/103 Council Decision/Officer's Recommendation

Moved: Cr G D Bussell

Seconded: Cr K A Howlett

That Councillor Arthur Gear be appointed the presiding officer for Council to consider Agenda Item 11.2.2.4 "Proposed Temporary Builders' Yard at Lot 5001 Styles Road Port Hedland, in accordance with Section 5.6 of the Local Government Act 1985.

CARRIED 5/0

**11.2.2.4 Proposed Temporary Builders' Yard at Lot 5001
Styles Road Port Hedland (File No.: 18/14/0001)**

Officer Andrew Patterson
Planning Officer

Date of Report 12 March 2008

Disclosure of Interest by Officer Nil

Summary

Council has received an application from Pilbara Constructions on behalf of the landowner of lot 5001 Styles Road Port Hedland (LandCorp), for the construction of a temporary builders' yard. The proposed development is to facilitate the construction of dwellings at the new Pretty Pool subdivision.

The proposed use does not accurately fit any use class definition in the Town of Port Hedland Town Planning Scheme No. 5 (TPS 5) and this application is therefore assessed as a "Use Not Listed – Temporary Builders' Yard."

This item is presented for Council consideration, as delegated officers do not have the authority to determine applications for planning approval where the proposed use is not defined by the Scheme.

Background

The subject land comprises 9.3408 hectares and is zoned "Residential Development R 20" in TPS 5. The proposed development is limited to a 20m x 50m section of this lot adjacent to the Dowding Street road reserve.

The development consists of:

1. 1800 mm link mesh perimeter fence
2. 3 x sea containers for storage purposes
3. One 6m x 3m amenities block
4. One 6m x 3m crib room/site office
5. Laydown area sealed with compacted "cracker dust"

Council considered a similar application at its Ordinary Meeting on 22 November 2006 where planning approval was granted to Pilbara Construction for a builders' yard at lot 1331 (21) Tinder Street Port Hedland. This approval was limited to 31 December 2007, however the developer has requested an extension of this approval until July 2008 due to delays in obtaining materials and labour. This application for an extension to the planning approval is anticipated to be presented to Council for consideration at its April Ordinary Meeting.

No time limit for this development is proposed by the applicant, however LandCorp has provided access to this land subject to the following provisions:

1. No additional land clearing or vegetation removed.
2. The facility be available for a period of approximately 18 months.
3. All power and water connection, disconnection and ongoing charges to be at Pilbara Constructions cost.
4. On completion of the project the area is to be returned to it's original condition.
5. Facility to be appropriately fenced and secured.
6. No objection received from the adjoining residents.
7. If lighting is to be provided, it should be done in such a way that it has no impact on turtles (i.e. direction, duration and type – sodium vapour preferred).
8. Any other conditions imposed by the Town of Port Hedland.

No lighting is shown on the submitted plans, and as the land is currently subject to a scheme amendment that includes the provision of as yet incomplete management plans, it is proposed that no lighting be permitted for this development.

There are currently no residents in this area, and no significant impact is likely from this development, as the surrounding land will all soon be affected by significant building activity.

Consultation

Engineering Services have not objected to this application subject to:

1. The applicant providing additional details regarding access of this site to Dowding Way; and
2. Any damage to infrastructure, including but not limited to path, kerbing, road pavement or drainage to be reinstated to the satisfaction of Council's Engineering Services.

Environmental Health Services have not objected to the application subject to the ablution facility being connected to the reticulated mains sewer.

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

In accordance with sections 3.2.6 and 4.3.3 of TPS 5, landowners have been advised of this application, with any objections to be tabled at the March Ordinary Meeting.

Statutory Implications

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

It is noted that Council has adopted and submitted to the Western Australian Planning Commission a scheme amendment to rezone this land to "Residential Development."

Policy Implications**Nil****Strategic Planning Implications**

Key Result Area 4

Goal 4

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

Budget Implications

Planning fees of \$287.50 have been received with this application and deposited into account 1006326 – Town Planning Fees, reflecting an estimated development cost of \$125,000.

Officer's Comment

It is understood that Pilbara Constructions is contracted to undertake the residential construction of BHP Billiton housing and that this builders' yard is to facilitate this process. BHP Billiton has been allocated 18 lots in the adjacent Pretty Pool subdivision. It is unknown whether Pilbara Constructions is contracted to construct other dwellings in addition to BHP requirements.

As a major construction stakeholder in this area, it is considered reasonable for the applicant to seek to centralise administrative facilities with a delivery and storage area both as an economical use of available land, and as an effective method of securing materials and equipment.

The subject land is already appropriately zoned for residential development, and it is anticipated that this site will be the subject of further subdivision. This subdivision potential, coupled with the landowner's time-limited approval to use the site are considered strong arguments that this use is unlikely to become a permanent land use at the completion of the residential construction at Pretty Pool. To reinforce this as a temporary use, appropriate conditions are included in the Officer's recommendation to ensure all infrastructure is removed within an appropriate timeframe.

Should Council resolve to support this application, it would not be unreasonable to expect the other major landowner in this subdivision, FMG, to make a similar proposal. To make such a proposal however, a similar land tenure deal would be required with LandCorp to access suitable land. As there are only two major, individual landowners in this subdivision, it is not anticipated that

other individual developers would apply for, or even require a similar development to this application.

Attachments

1. Location Plan
2. Location Plan Detail
3. Site Plan

Officer's Recommendation**200708/104 Council Decision/Officer's Recommendation**

Moved: Cr J E Ford

Seconded: Cr J M Gillingham

That:

- i) **Planning Consent be granted to Pilbara Constructions for the construction of USE NOT LISTED – Temporary Builders' Yard at Lot 5001 Styles Road Port Hedland as outlined in the Application received 18 February 2008 (Application 2008/81) and indicated on the approved plans, subject to the following conditions:**

GENERAL

1. **This approval is limited to a period ending 31/09/2009, at which time this development is to be removed from the site and the land made good to the satisfaction of the Manager Planning.**
2. **The applicant is to ensure that no light spills outside the Temporary Builders' Yard at any time.**
3. **All vehicle crossings to be designed and constructed to the specification of Council's Engineering Services, to the satisfaction of the Manager Planning.**
4. **Prior to commencing any site works, that applicant is to submit and have approved by the Manager Planning Services a traffic management plan for the approved site.**
5. **All buildings to be set back six (6) metres from the front boundary.**
6. **The proposed development shall be connected to reticulated mains sewer.**

7. All dust and sand to be contained on site with the use of suitable dust suppression techniques, to the satisfaction of the Manager Planning.
8. Air conditioner units to be located so as not to create a noise nuisance to bedroom areas of nearby dwellings.
9. Prior to commencing use of the site, the applicant is to submit a traffic management plan detailing the number and type of traffic movements expected on the site and all site access points, to the satisfaction of the Manager Planning.
10. The premises to be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of Council.
11. This approval does not permit residential habitation within the Temporary Builder's Yard at any time.
12. No retail or wholesale trade to be permitted from the premises or site.
13. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999, to the satisfaction of the Manager Planning.

ADVICE TO DEVELOPER

14. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.
15. 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.

16. Approval from the Water Corporation is required prior to the establishment of any land use, which involves the storage, or use of any chemical, petroleum or other substance or any process that is capable of producing any waste or discharge.

- ii) Council advise any applicant for a similar proposal that it is only prepared to consider these proposals where the applicant is contracted to construct a minimum of fifteen (15) dwellings in any given subdivision.**

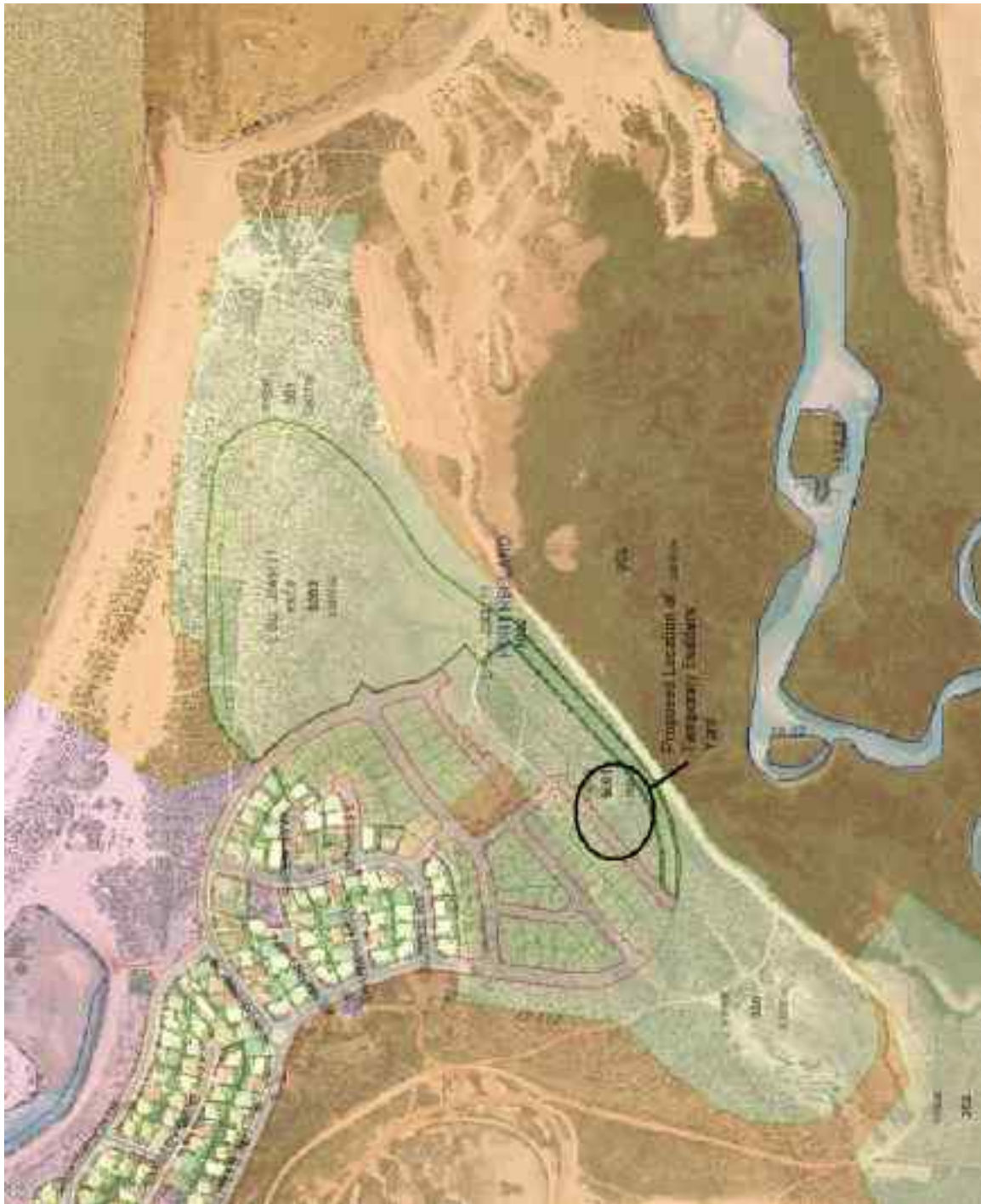
CARRIED 5/0

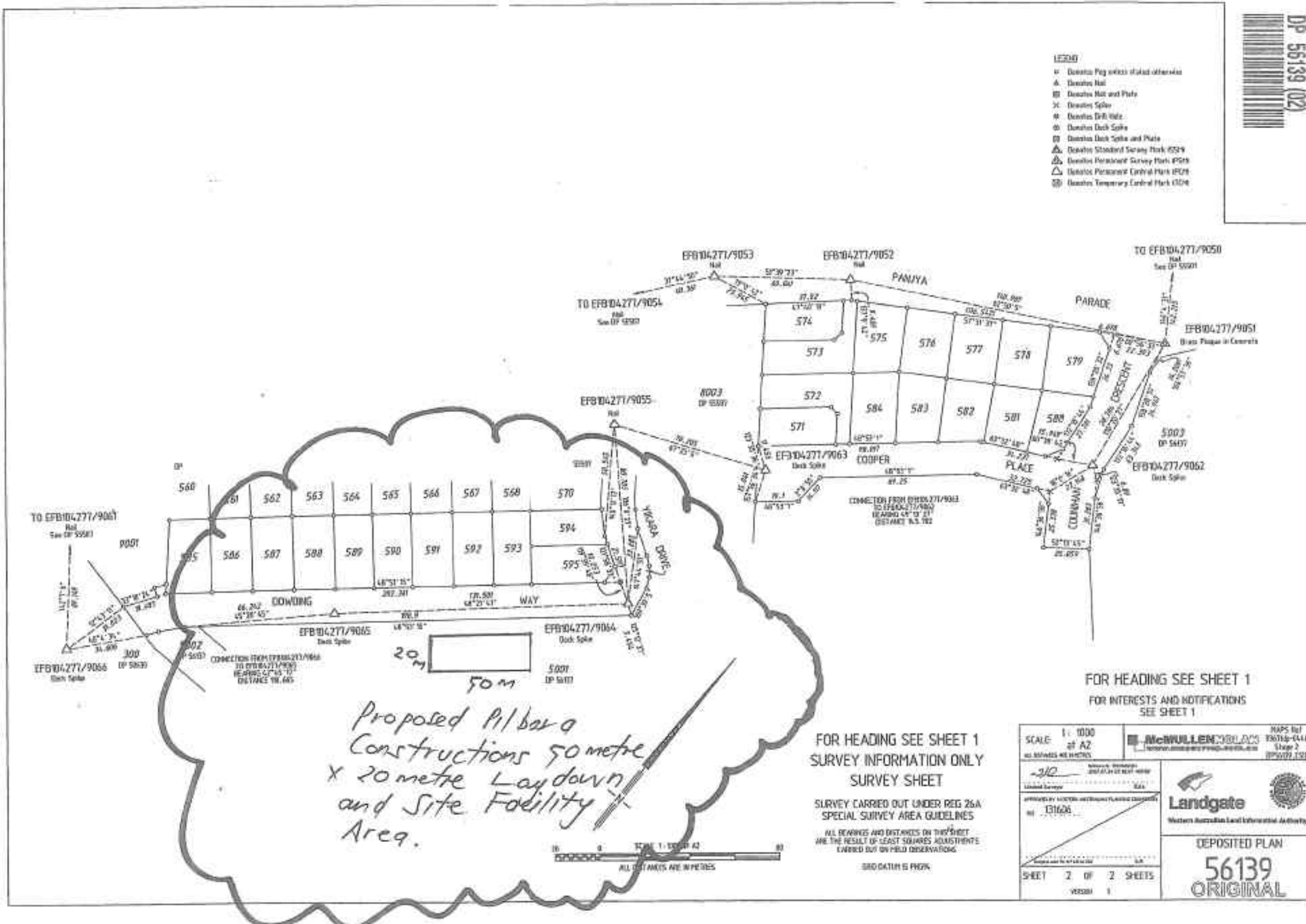
6:48 pm Deputy Mayor Arnold Carter and Councillors Steve Coates and George Daccache re-entered the room and assumed their chair.

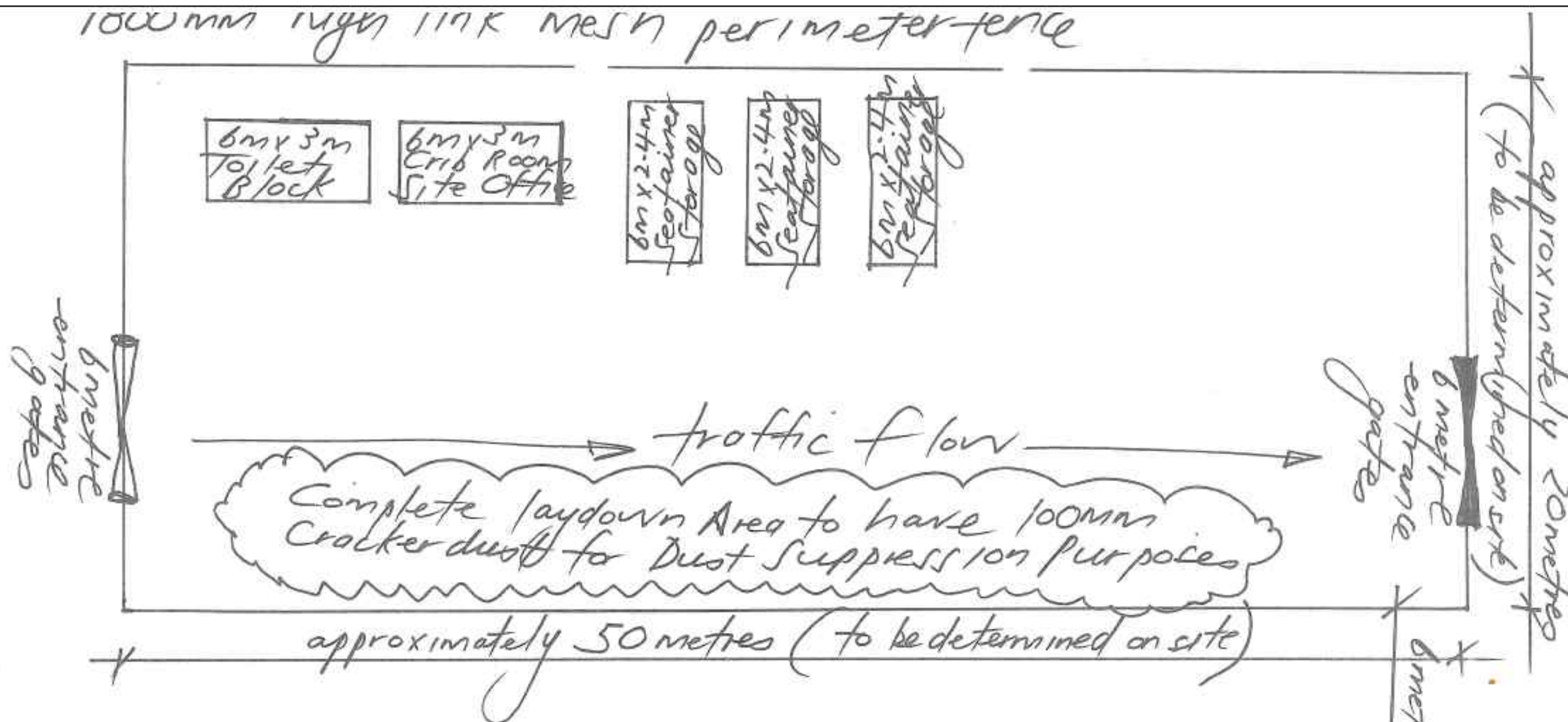
Councillor Arthur Gear advised Councillors Carter, Coates and Daccache of Council's decision.

Deputy Mayor Arnold Carter resumed the role of presiding officer.

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.4







Downing Way

Proposed Laydown and Site Facility Area
 for Pilbara Constructions Pty Ltd
 at Lot 300 Pretty Pool Port Hedland
 Scale 1:20

11.2.2.5 Proposed 10 Grouped Dwelling Development at Lot 3684 Masters Way, South Hedland (File No.: 114410G)

Officer Richard Bairstow
Manager Planning

Date of Report 10 March 2008

Disclosure of Interest by Officer Nil

Summary

An application has been submitted by Jonathon Turnbull on behalf of Masters Way Homes Pty Ltd, for a 10 Grouped Dwelling Development on Lot 3684 Masters Way, South Hedland.

The application is referred to Council, as the Notice of Delegation required that all Planning Consent Applications in excess of 2 dwellings require a Council determination.

Background**Site**

The site is zoned "Residential", and "Grouped Dwellings" are listed as an "AA" use on the Town Planning Scheme No. 5 (TPS5) zoning table. This land was previously used as a Single House.

The lot has a density code of R30 and an area of 3366m², which allows up to 11 dwellings to be constructed on the lot subject to compliance with other statutory requirements.

Proposal

The proposal is for 10 Grouped Dwellings (See Attachment No. 1).

Assessment

The application has been assessed in accordance with the requirements of the R-Codes and other statutory requirements. The following compliance issues have been identified and, where appropriate, the applicant has provided a justification.

3.3.1 – Buildings set back from the Boundary - Minimum setback distance between major openings – Units 3 & 4, 5 & 6, 7 & 8, 8 & 9 and 9 & rear boundary. The minimum distance should be 3m whereas the plans show 2m or, in the case of the rear boundary, 1m rather than 1.5m. A condition has been included to deal with this issue.

3.4.2 – Outdoor Living Areas – at least 2/3 of the required area without permanent roof cover. The application exceeds this coverage however this variation is supported given the sun exposure and desire by individuals to have covered areas.

3.6.1 – Excavation or Fill – The applicant wishes to fill the lot up to 1m above natural ground level and this is not considered appropriate. A condition has been included to deal with this issue.

In summary, the applicant has already undertaken design changes at the request of the Planning Department and the proposal is considered to represent a good planning outcome from a streetscape perspective and general development.

Consultation

No external consultation was required for this application.

Internal referral comments have been addressed by the imposition of conditions and / or footnotes where appropriate.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

An assessment of the Town's Strategic Plan 2007 – 2012, as adopted by Council at its Ordinary Meeting held on the 28 February 2007, has no implications for this application.

Budget Implications

An application fee of \$4231 representing a development cost of \$2.1 million dollars, was paid to the Town Planning Fees Account (1006326) on 25 January 2008.

Attachments

1. Location Plan
2. Site Plan

Officer's Comment

This is a relatively simple development application that generally complies with statutory and policy requirements. Minor modifications are included to the submitted plans to better achieve good planning outcomes, and improve both the function of the dwellings and the visual amenity from the street.

The recommendation contains other conditions that are considered standard conditions for a development of this nature. The application is recommended for approval subject to those conditions contained within the recommendation.

200708/105 Council Decision/Officer's Recommendation

Moved: Cr G J Daccache

Seconded: Cr J E Ford

That Council GRANTS Planning Consent to the applicant Jonathon Turnbull on behalf of the owners Masters Way Homes Pty Ltd, for the proposed 10 GROUPED DWELLINGS on Lot 3684 Masters Way, South Hedland, as outlined in the Application received 25 January 2008 (Application 2008/28) and indicated on the approved plans, subject to the following conditions:

- 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. Prior to the submission of a Building Licence, amended plans being submitted to, and approved by, the Town, incorporating the following amendments**
 - a. Setbacks between dwellings and boundaries to be increased to be compliant with the requirements of the R-Codes;**
 - b. Site levels being amended to not result in retaining wall requirements which are less than 500mm on any given boundary;**

to the satisfaction of the Manager Planning.
- 3. 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.**
- 4. Visitor bays are to be appropriately marked as such and retained for such use at all times.**

5. A detailed landscaping plan (including common areas) to be submitted to and approved by, the Manager Planning within 30 days of the dwellings being occupied. The plan to include location, species, and planting details, with reference to Council's list of Recommended Low-Maintenance Tree and Shrub Species for General Landscaping included in Council Policy 10/001.
6. 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 of the Manager Planning.
7. All stormwater shall be collected and disposed of in a manner acceptable to the Manager Planning.
8. The driveways and crossover shall be designed and constructed to residential specifications, and to the satisfaction of the Manager Planning, before occupation of dwellings.
9. All dust and sand to be contained on-site with the use of suitable dust suppression techniques to the satisfaction of the Manager Planning.
10. 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).
11. The development shall be connected to reticulated mains sewer.

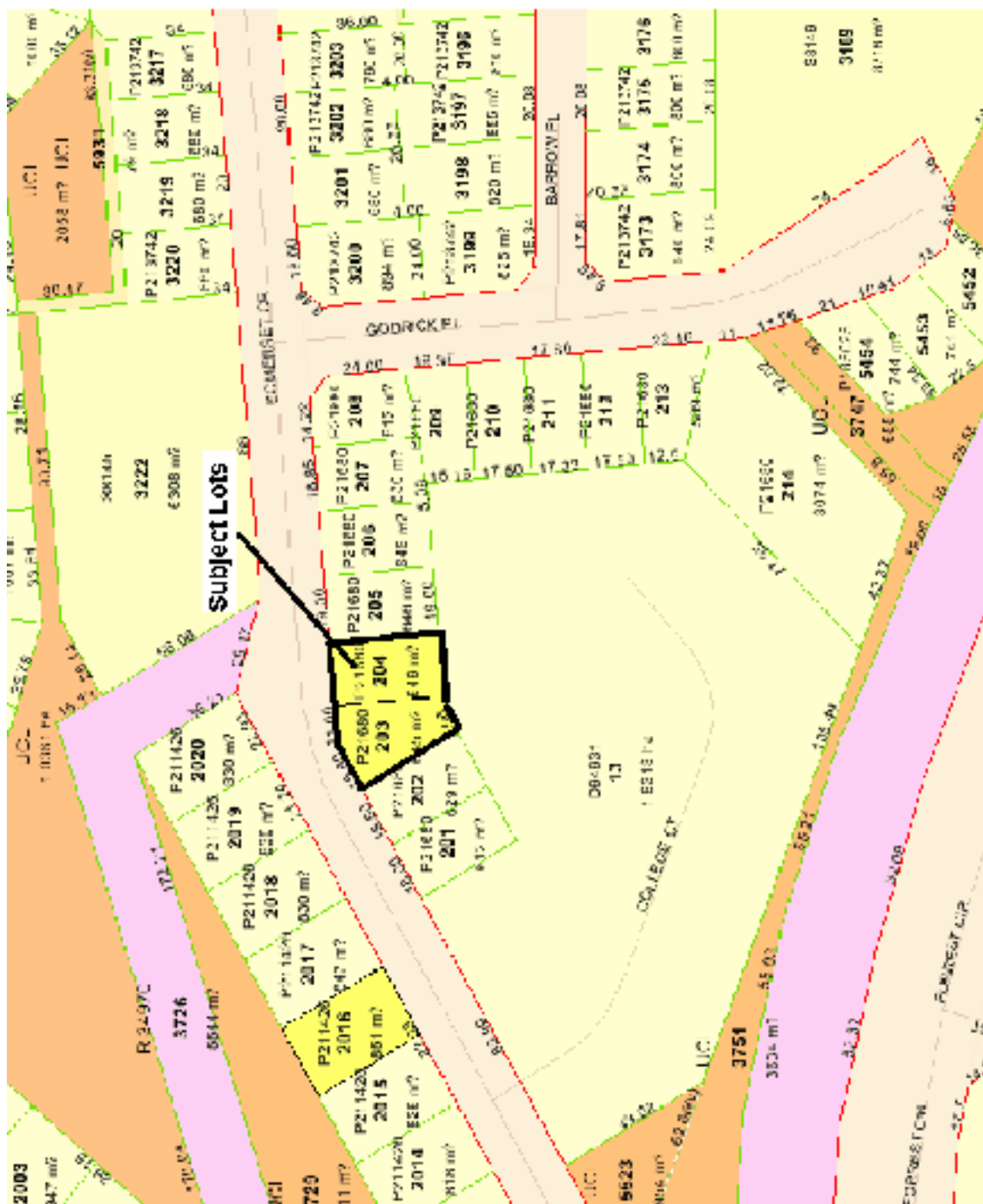
FOOTNOTES:

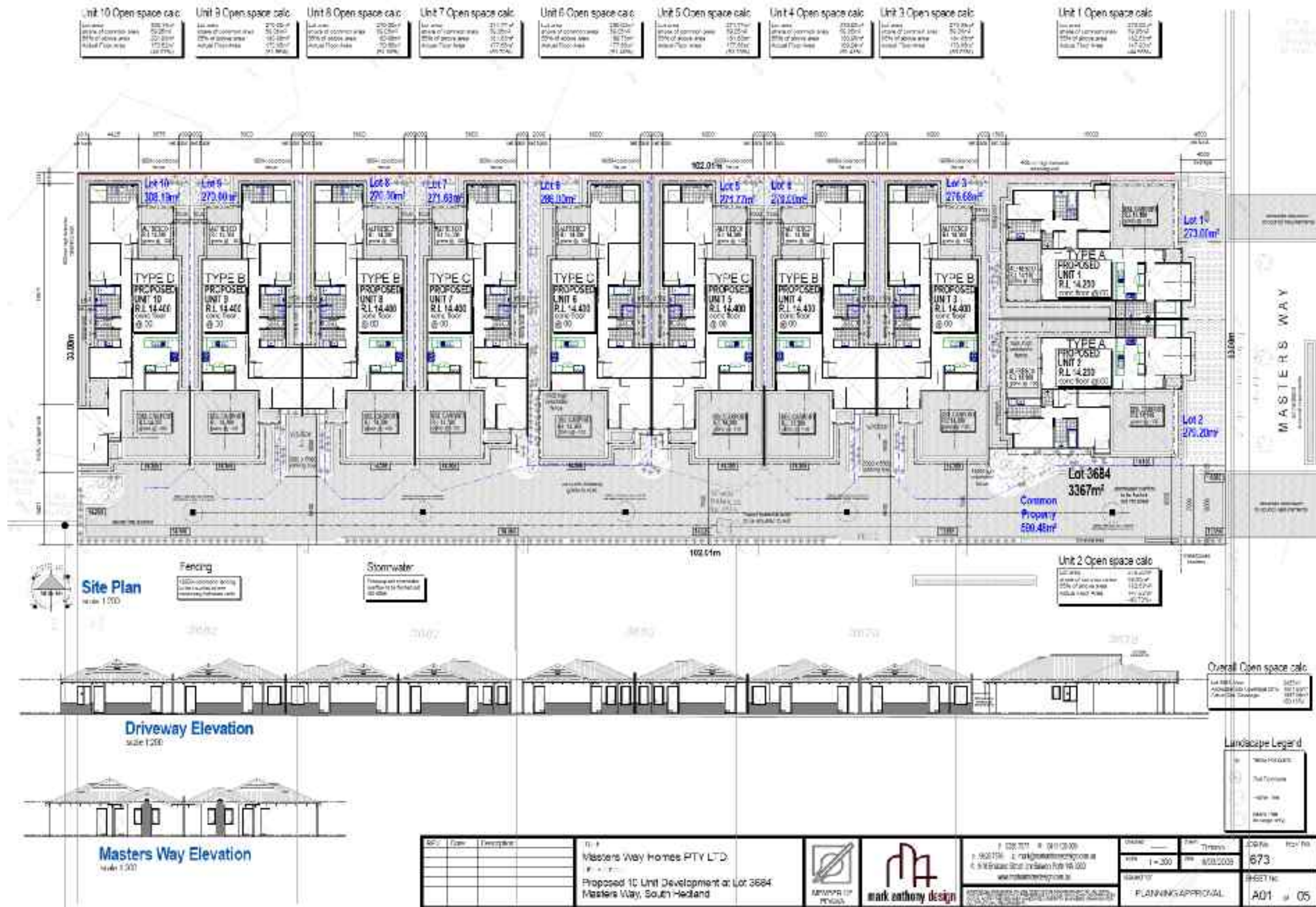
1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.
2. This approval should not be construed that the Town will support a survey strata or green title subdivision application for the development. Assessment has been based on a 'Grouped Dwelling' containing common property. A subdivision application for Survey Strata without common property or green title subdivision will need to meet the minimum and average site areas for the dwelling type, as prescribed in the Residential Design Codes.

3. You are advised that drawings submitted for a Building Licence are to be properly drawn and signed by a practising structural engineer.
4. In relation to conditions 7 and 8, please contact the Town's Engineering Technical Officer – 9173 9350 for further details.
5. 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.
6. You are advised that plans submitted for a Building Licence must show the full width of the verge and any street furniture, traffic islands, statutory services, road gullies and crossovers on the opposite side of the road.
7. 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.
8. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times including but not limited to, the construction and operational phases.
9. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED 7/1

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.5





11.2.2.6 Proposed 4 Grouped Dwelling Development at Lot 203 & 204 (18-20) Somerset Crescent, South Hedland (File No.: 106954G)

Officer Richard Bairstow
Manager Planning

Date of Report 10 March 2008

Disclosure of Interest by Officer Nil

Summary

An application has been submitted by Nicholas Dissanayake for a 4 Grouped Dwelling Development on Lot 203 & 204 (18-20) Somerset Crescent, South Hedland.

The application is referred to Council, as the Notice of Delegation required that all Planning Consent Applications in excess of 2 dwellings require a Council determination.

Background

Site

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

The lot has a density code of R50 and an area of 1291m², which allows up to 7 dwellings to be constructed on the lot subject to compliance with other statutory requirements.

Proposal

The proposal is for 4 Grouped Dwellings (See Attachment No. 1).

Assessment

The application has been assessed in accordance with the requirements of the R-Codes and other statutory requirements. The following compliance issues have been identified.

1. *Open Space Requirements – R Codes 3.4.2 – 4m minimum courtyard dimension.*

Unit 18A has a dimension of 3.8m rather than the required 4m, however the courtyard is over 17m in length, and therefore considered to be in excess of what is required.

2. *Privacy Requirements – R Codes 3.8.1*

It is acknowledged that in certain instances the proposal does not meet the required set backs for views onto the adjoining property. To lessen the direct line of sight within the cone of vision (typified in R-Codes 3.8), highline horizontal windows (with a sill height of 1600mm) have been installed, and the rooms have been orientated for maximum privacy within the lot. Please refer to the notes on drawing 849-a-2 in regards to the window detail.

In summary, the applicant has already undertaken design changes at the request of the Planning Department, and the proposal is considered to represent a good planning outcome from a streetscape perspective and general development.

Consultation

No external consultation was required for this application.

Internal referral comments have been addressed by the imposition of conditions and/or footnotes where appropriate.

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

An assessment of the Town's Strategic Plan 2007 – 2012, as adopted by Council at its Ordinary Meeting held on the 28 February 2007, has no implications for this application and the application has no implications for the Strategic Plan.

Budget Implications

An application fee of \$2611 representing a total estimated value of \$1.2M was paid to the Town Planning Fees Account (1006326) on 18 January 2008.

Attachments

1. Location Plan
2. Site Plan
3. Somerset Crescent Elevation

Officer's Comment

This is a relatively simple development application that generally complies with all statutory and policy requirements. Minor modifications are included to the submitted plans to better achieve good planning outcomes' and improve both the function of the dwellings and the visual amenity from the street. The recommendation contains other conditions that are considered standard conditions for a development of this nature. The application is recommended for approval subject to those conditions contained within the recommendation.

200708/106 Council Decision/Officer's Recommendation**Moved:** Cr S J Coates**Seconded:** Cr J E Ford

That Council GRANTS Planning Consent to the applicant Nicholas Dissanayake for the proposed 4 GROUPED DWELLINGS on Lots 203 and 204 (18 - 20) Somerset Crescent, South Hedland, as outlined in the Application received 18 January 2008 (Application 2008/35) and indicated on the approved plans, subject to the following conditions:

- 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. Prior to the submission of a Building Licence, amended plans being submitted to, and approved by, the Town, incorporating an amendment to the reversing area /carparking area associated with unit 18A (to allow vehicles to enter the street in a forward gear), all to the satisfaction of the Manager Planning.**
- 3. 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.**
- 4. Landscaping and reticulation to be established prior to the development first being occupied, and thereafter maintained, to the satisfaction of the Manager Planning.**
- 5. All stormwater shall be collected and disposed of in a manner acceptable to the Manager Planning.**
- 6. The driveways and crossover shall be designed and constructed to residential specifications, and to the satisfaction of the Manager Planning, before occupation of dwellings.**

7. All dust and sand to be contained on-site with the use of suitable dust suppression techniques, to the satisfaction of the Manager Planning.
8. 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).
9. The development shall be connected to reticulated mains sewer.

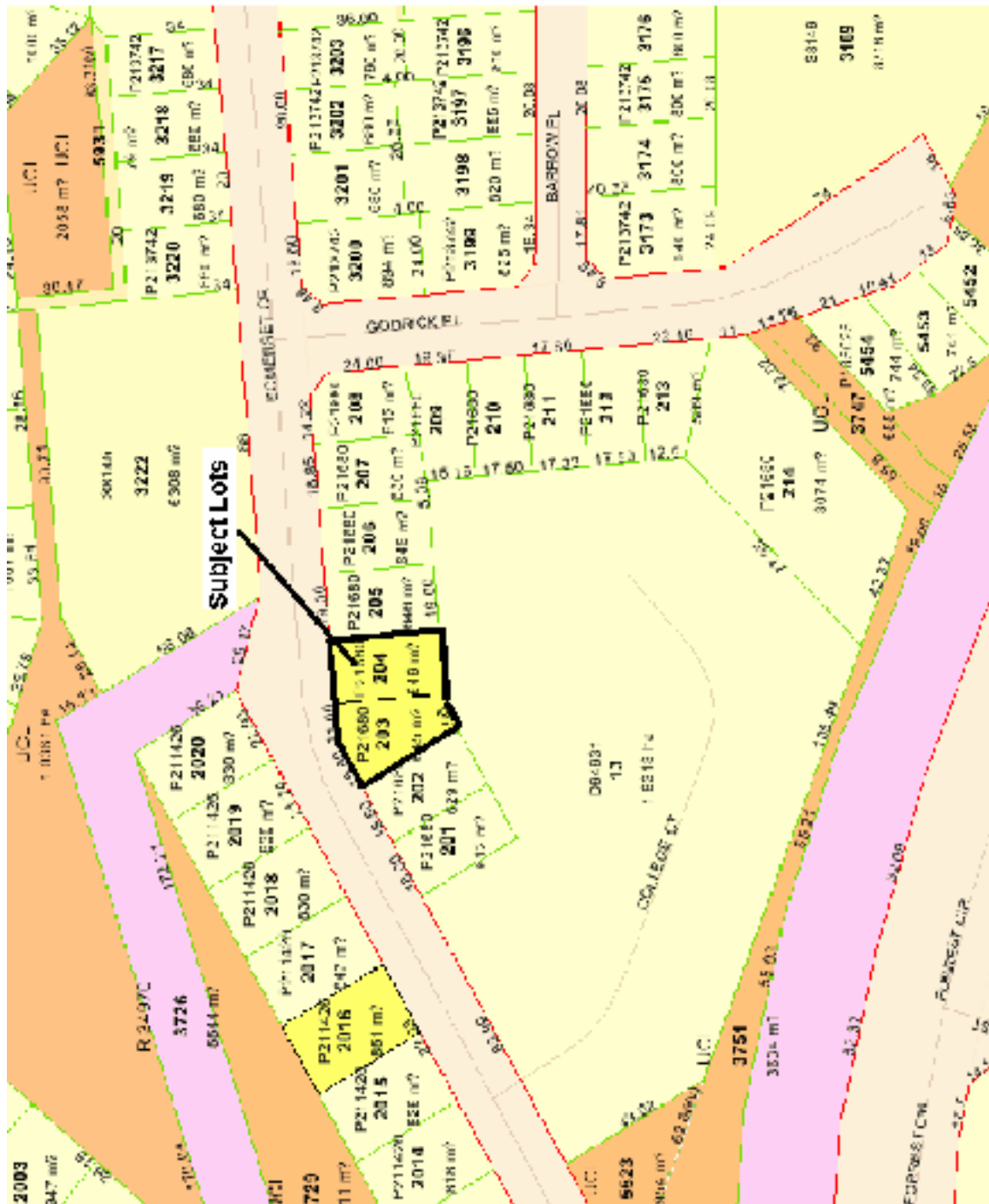
FOOTNOTES:

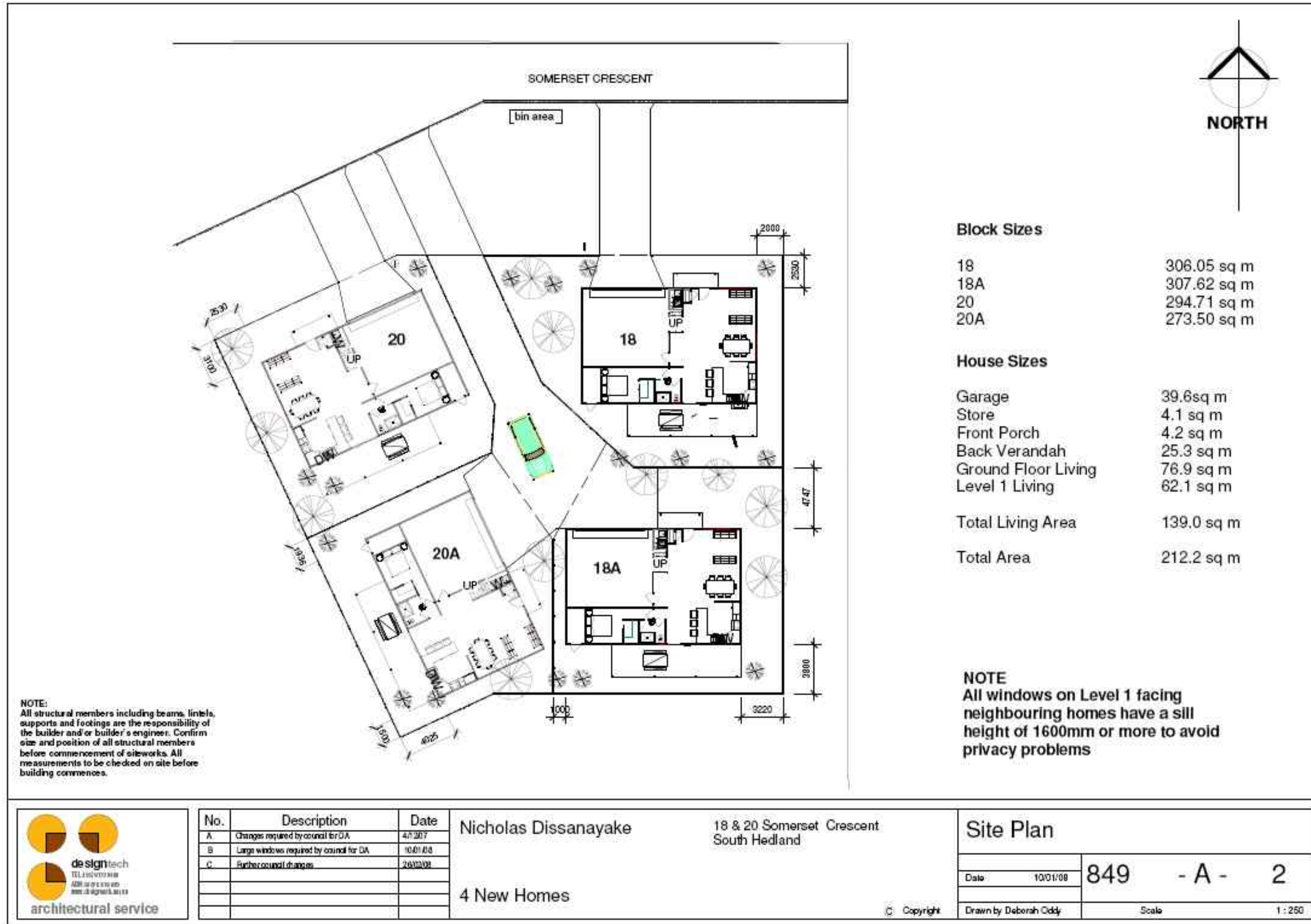
1. You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health, and engineering requirements.
2. The applicant is advised that the use of highlight windows to bedrooms is discouraged, and should these need to be changed to full height windows for any reasons whatsoever, that a separate planning approval and neighbours comments will be required if the setbacks are less than those required by the Residential Design Codes.
3. This approval should not be construed that the Town will support a survey strata or green title subdivision application for the development. Assessment has been based on a 'Grouped Dwelling' containing common property. A subdivision application for Survey Strata without common property or green title subdivision will need to meet the minimum and average site areas for the dwelling type, as prescribed in the Residential Design Codes.
3. You are advised that drawings submitted for a Building Licence are to be properly drawn and signed by a practising structural engineer.
4. In relation to conditions 5 and 6, please contact the Town's Technical Officer – 9173 9350 for further details.
5. 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.

6. You are advised that plans submitted for a Building Licence must show the full width of the verge and any street furniture, traffic islands, statutory services, road gullies and crossovers on the opposite side of the road.
7. 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.
8. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times including, but not limited to, the construction and operational phases.
10. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.6







NOTE:
All structural members including beams, lintels, supports and footings are the responsibility of the builder and/or builder's engineer. Confirm size and position of all structural members before commencement of site works. All measurements to be checked on site before building commences.



No.	Description	Date
A	Changes required by council for DA	4/7/2007
B	Large windows required by council for DA	10/01/08
C	Further council changes	26/02/08

Nicholas Dissanayake

18 & 20 Somerset Crescent
South Hedland

4 New Homes

Cover Sheet

Date	10/01/08	849	- A -	1
Drawn by	Deborah Oddy	Scale	1:1	

© Copyright

11.2.2.7 Proposed Advertising of the South Hedland Town Centre Development Plan (File No.: 18/12/0010)

Officer Richard Bairstow
Manager Planning

Date of Report 15 February 2008

Disclosure of Interest by Officer Nil

Summary

A Master Plan incorporating a Development Plan for the South Hedland Town Centre (SHTC) has been submitted by Koltasz Smith Town Planners for adoption by Council, for the purposes of advertising in accordance with the requirements of Town Planning Scheme No. 5 (TPS5).

Background

Council considered this matter at its Ordinary Meeting held on 27 February 2008, and resolved as follows:

“That Council defers the advertising of the South Hedland Town Centre Plan, until an Informal Briefing of Council can be held with LandCorp and Ms Ruth Durack, Director of the Urban Design Centre to discuss options.”

Ms Ruth Durack attended Council’s Informal Briefing Session held on Monday 17 March 2008 to address Council as requested.

Development Area

The Development Plan covers approximately 100 hectares of land within the designated ‘Development Plan Area – South Hedland Town Centre’ (See Attachment). Approximately 72 hectares is zoned ‘Town Centre’ and the remaining 28 hectares is zoned ‘Rural’ under TPS5.

History

Over the years several attempts have been made to develop a Development Plan for the South Hedland Town Centre. A search of Council’s records indicates that in 1996 a Development Plan by Feilman Planning Consultants was believed to have been endorsed by Council. It is evident however that the Plan was not adhered to, with numerous developments compromising its structure.

In early 2002, Land Vision completed a plan that was never adopted and Taylor Burrell Barnett were appointed, but never engaged, to develop a plan.

Most recently, and in response to the recommendations of the Land Use Master Plan, the Hon. Minister for Planning and Infrastructure directed LandCorp, in conjunction with the Town of Port Hedland, to commission a Development Plan as the precursor to encouraging significant public and private investment in the revitalisation process of the SHTC.

The South Hedland Town Centre Development Plan (SHTCDP) incorporates two components:

- The Master Plan, which is a comprehensive plan to guide the long-term physical development of a particular area; and
- The Development Plan, which is the statutory map and written text, which formalises the Plan.

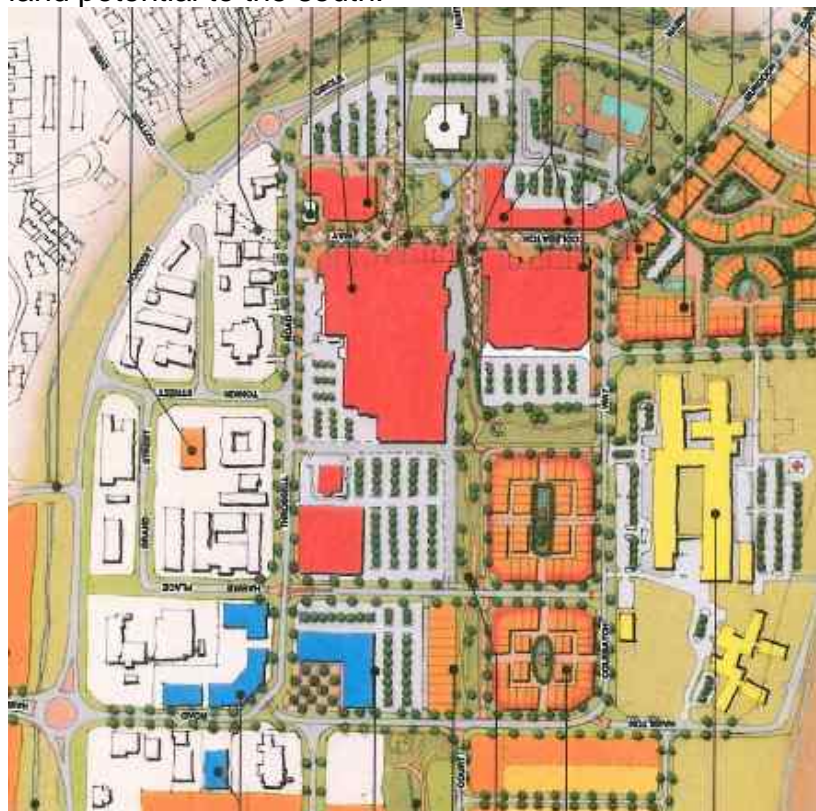
For the purposes of this report all documentation will be referred to as the Development Plan.

Development Plan – Options

The South Hedland Town Centre Development Plan (SHTCDP) provides five options as a result of the investigation, assessment and consultation process. A summary of these follows:

1. Option 1: “Colebatch Way”

The Colebatch Way option assumes that the SHTC revitalisation hub would take place along Colebatch Way, drawing on the established Throssell Road, and taking advantage of the vacant land potential to the south.



2. *Option 2: "Throssell Road"*

The Throssell Road option envisages redevelopment along this road to "reactivate" the street at a pedestrian level to the extent that it would evolve into a more enclosed, shop front based "Main Street".

3. *Option 3: "Tonkin Street"*

The Tonkin Street option assumes a new "north-south" link could be created which draws on the existing access used from Forrest Circle into Tonkin Street.

4. *Option 4: "Hamilton Road"*

The Hamilton Road option was included as it is recognised as the main regional entry to the SHTC. The Land Use Master Plan recognises this as part of the proposed realignment of Wallwork Road.

5. *Option 5: "Rason Court"*

The Rason Court Option provides a new east-west focus centrally within the SHTC, and without the existing pattern of car dominated development along Throssell Road.

Following the review and discussion of the five options with the Town, LandCorp and key stakeholders, including community groups and Macquarie Bank, Option 1 – Colebatch Way was considered the most likely to succeed. This option has been used as the basis for drafting a Development Plan layout.

Colebatch Way Development Plan – Design Principles

The applicant advised that the following design principles were applied in the preparation of the preparation of the SHTCDP.

General Principles

- More seamless connections to the suburban and natural surroundings;
- Improved walkability within and to the town centre core;
- A rich and diverse set of public areas, both active streetscapes and walkways;
- A strong mix of residential, retail, and offices;
- Places for recreation activity in civic spaces and new open space areas;
- Housing choice for a variety of incomes and ages;

Community Principles

- High degree of legibility building on the existing street network

- High levels of passive surveillance of public areas through buildings addressing the street;
- Recognition of the existing linkages to the landscape;
- Strengthening of the medical precinct by promoting mixed use development on the ground floor and apartments above areas adjacent to the hospital;
- Increased residential densities close to the Town Centre encouraging pedestrian movement;
- Lower residential densities interfacing with the existing landscape to the west;

Commercial Principles

- Main street design incorporating a compact Town Square (Centennial Park);
- Specialty shops fronting Colebatch Way creating a continuous active street front (no blank walls);
- Recognising the importance of the corner of Throssell Street and Colebatch Way, and the activation of the corner through commercial fronts
- Public Open Space
- Incorporation of Centennial Park within a revitalised Town Square; and
- Landscaped improvement of the exterior drainage swale surrounding the Town Centre into a usable open space and to improve pedestrian access.

Colebatch Way Development Plan – Key Elements

- Main Street

The key element of the Colebatch Way Plan is the revitalisation of the SHTC by the creation of a “Main Street” as the activity heart. This will be accomplished by realigning and reconstructing the street pavement together with widened footpaths, extensive use of shading and street trees to create lively walkways, and places to stop and spend time.

- Main Street Built Form
- Residential and Mixed Use Development
 - Southern End of Colebatch Way
 - North of Regional Hospital
 - West of Hamilton Road
- Commercial Development
- Other Infill Development Opportunities
 - Regional Hospital
 - Department of Housing and Works
 - Cinemas/Restaurant Development
 - The South Hotel
 - Throssell Road, Skate Park and Forrest Circle landscaping

- Movement Networks
 - Pedestrian and Cyclist Movements
 - Vehicle Movements
 - Central Park and Landscaping

Consultation

The applicant has undertaken consultation as part of the investigation and planning process (See Part 5.3 and Appendix 4 of the SHTCDP). This report recommends that Council formalise this process in accordance with the statutory requirements of the Town Planning Scheme No. 5 (TPS5).

The TPS5 requires that Development Plans be advertised in accordance with the requirements of sub clauses 4.3.3 and 4.3.4 which state:

“4.3.3 Where the Council is required or decides to give notice of an application for planning approval the Council shall:

- (a) determine a submission period of not less than 14 days which is appropriate to the potential impact of the development and takes into account calendar events which may detract from the effective advertising of the proposal or the preparation of submissions,*
- (b) determine the level of notice required as one or more of the following:*
 - (i) serving notice of the proposed development, adequately describing and illustrating the proposal, on the owners and occupiers as likely to be affected by the granting of planning approval, stating that submissions may be made to the Council within the submission period,*
 - (ii) publishing notice of the proposed development, adequately describing and illustrating the proposal, in a local newspaper circulating in the Scheme area stating that submissions may be made to the Council within the submission period, which may be 14 days or longer as determined by Council pursuant to subclause 4.3.3 (a), and*
 - (iii) erecting a sign or signs displaying notice of the proposed development, adequately describing and illustrating the proposal, in a conspicuous position on the land for the duration of the submission period,*
- (c) give notice of the proposed development in accordance with its determination pursuant to subclause 4.3.3 (b).*

4.3.4 The Council may require that further plans, sketches, scale models, photographs or other similar aids to explain the proposal, are deposited at the offices of the Council for viewing during normal office hours for the duration of the submission period. All costs associated with the advertising and display of a proposed development shall be borne by the applicant.”

Statutory Implications

Clause 5.2 Development Plans of TPS5 provides Council the opportunity to prepare or require others prior to prepare a development plan prior to considering a subdivision or development proposal. It also outlines the procedure and requirements for development plan submissions.

More specifically, the requirement for a development plan is dealt with by subclause 5.2.1 (a) of TPS5, with the subject land identified in Appendix 5 as the “South Hedland Town Centre”.

Policy Implications

The South Hedland Town Centre Development Plan, upon endorsement, is required to be included in the ToPH Local Planning Policy Manual as a policy statement.

Strategic Planning Implications

KRA 4 – Economic Development,
Goal 5 – Town Planning & Building
Strategy 2. Work closely with the State Government and Resource Companies to ensure that key projects/action identified with the Land use Master Plan are acted upon in a timely manner

Budget Implications

This report will result in no implications for the budget as all advertising costs are borne by the applicant.

Officer’s Comment

The SHTCDP is an important step in the revitalization of South Hedland. The Town of Port Hedland’s Land Use Master Plan identifies the South Hedland Town Centre as a priority development opportunity, with the key objectives of:

- Establishing the town centre as the “heart”, or community focus, of South Hedland, including a variety of land uses that will serve all of Port Hedland, and generate public activity throughout the day and at night;
- Introducing a mix of new housing types suitable for tourists, short-term workers and permanent residents who choose to live in a more vibrant, urban environment;

- Integrating the new hospital into the town centre area and providing locations for related medical services and convenient housing options for hospital staff; and
- Improving the quality and diversity of retail services in Port Hedland, in a setting that adds opportunities for social interaction and entertainment to the shopping experience.

In recognition of the Land Use Master Plan, and her professional knowledge and experience, Ruth Durack of the Urban Design Centre (UDC) was asked to act on behalf of the Town and provide a review and recommendations on the Draft development plan. The latest plan is considered to have addressed a number of UDC's original recommendations. However at short notice (Plan has only been with Council for a little under 2 weeks) the UDC has provided the following assessment:

"The revisions that have been made to this latest version are a major improvement on the preliminary version and I think the project team did a great job in making substantial changes in such a short time frame. There are several remaining issues, however, which I think warrant further consideration before the plan is published for public comment. These include:

- . *The two intersections on Hamilton Street which have been designed for continuous traffic flow from north to east, rather than simple, three- or four-way intersections. In the "urban" environment that this town centre is attempting to achieve, the street system should be, as far as possible, a simple, interconnected network of streets that distributes traffic evenly throughout the area and slows traffic speeds through a series of intersections on all streets. Creating an exaggerated hierarchy of "major" and "minor" traffic routes — as proposed in the concept plan — only serves to concentrate traffic volumes and increase traffic speed on specific streets which then become greater barriers to pedestrian movement.*
- . *Reducing the scale of the park on Colebatch Way is a major improvement, but failing to extend Rason Court to the existing bridge across the drainage channel on the east seems a missed opportunity for another connection between the town centre and existing neighbourhoods. Making Rason Court a "normal" street, will also provide better access for the hotel site on the south side of the square, improve surveillance of the public space (especially at night), strengthen connections between Colebatch Way and parking locations on the west, and add future flexibility to the movement network of the Town Centre.*

- . *Similarly, the east—west pedestrian connection through the Town Centre to South West Creek would be strengthened as an interesting walk through a developed corridor rather than a wide, unsheltered open space—the landscape development and maintenance of which becomes a significant obligation for the Town of Port Hedland. Making this section of the east—west axis a street also provides for better surveillance of the walkway, extends the movement system grid, and sets up future development opportunities.*

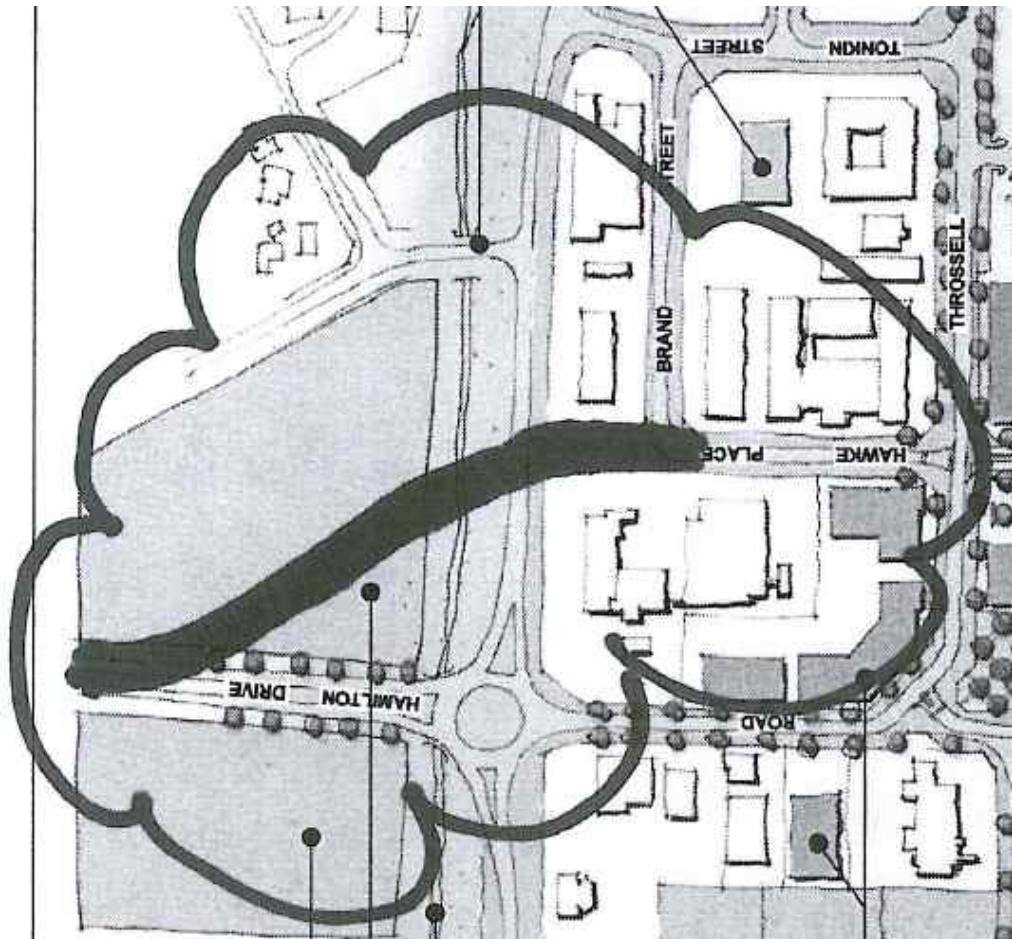
- . *In the north—south direction, extension of Hawke Place to Colebatch Way in front of the hospital is an important improvement to the permeability of the area. The suggested new street just west of the Shopping Centre, however, is another such connection that could also be very easily extended—through State owned, undeveloped land—to the front entry to the hospital.”*

The UDC has requested the opportunity to discuss these comments with the Town and the consultant team.

In addition to UDC's comments, a planning assessment of the Development Plan has raised the following matters which are recommended to be investigated and determined whether appropriate or not:

1. Realignment of Hamilton Road to join with Hawke Place;
2. Connect Cottier Drive with Colebatch Way;
3. Develop Throssell into a “Main Street” between Hawk Place and Colebatch Way;
4. Connect Rason Court to a realigned Hunt Street; and
5. Realignment of Hamilton Road right the way round the back of the SHTC, TAFE and Club Hamilton to link with Collier Drive, south of the hospital site.

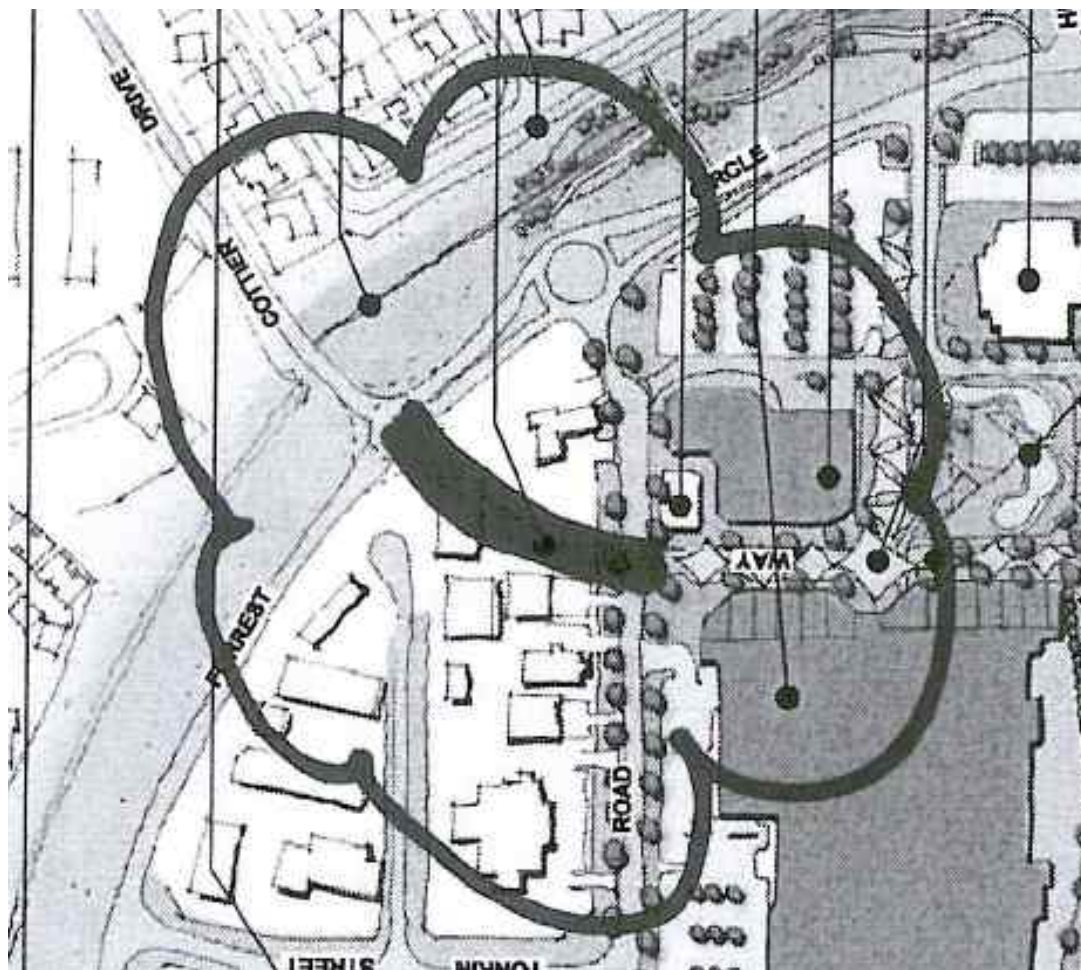
The following points are provided in support of each design element changes outlined above:

1. *Realignment of Hamilton Road to join with Hawke Place***Advantages**

- Capitalises on what could be considered as an entry to a civic precinct, with the new upgraded Police Station, Court House and MRWA building; and
- Reduces the length of Throssell Road that would be required to be activated if considered as a “Main Street” opportunity.

Disadvantages

- Requires relocation of Tennis/Bowling Club (could be included with the new recreation facility); and
- Capital costs in its development.

Connect Cottier Drive with Colebatch Way

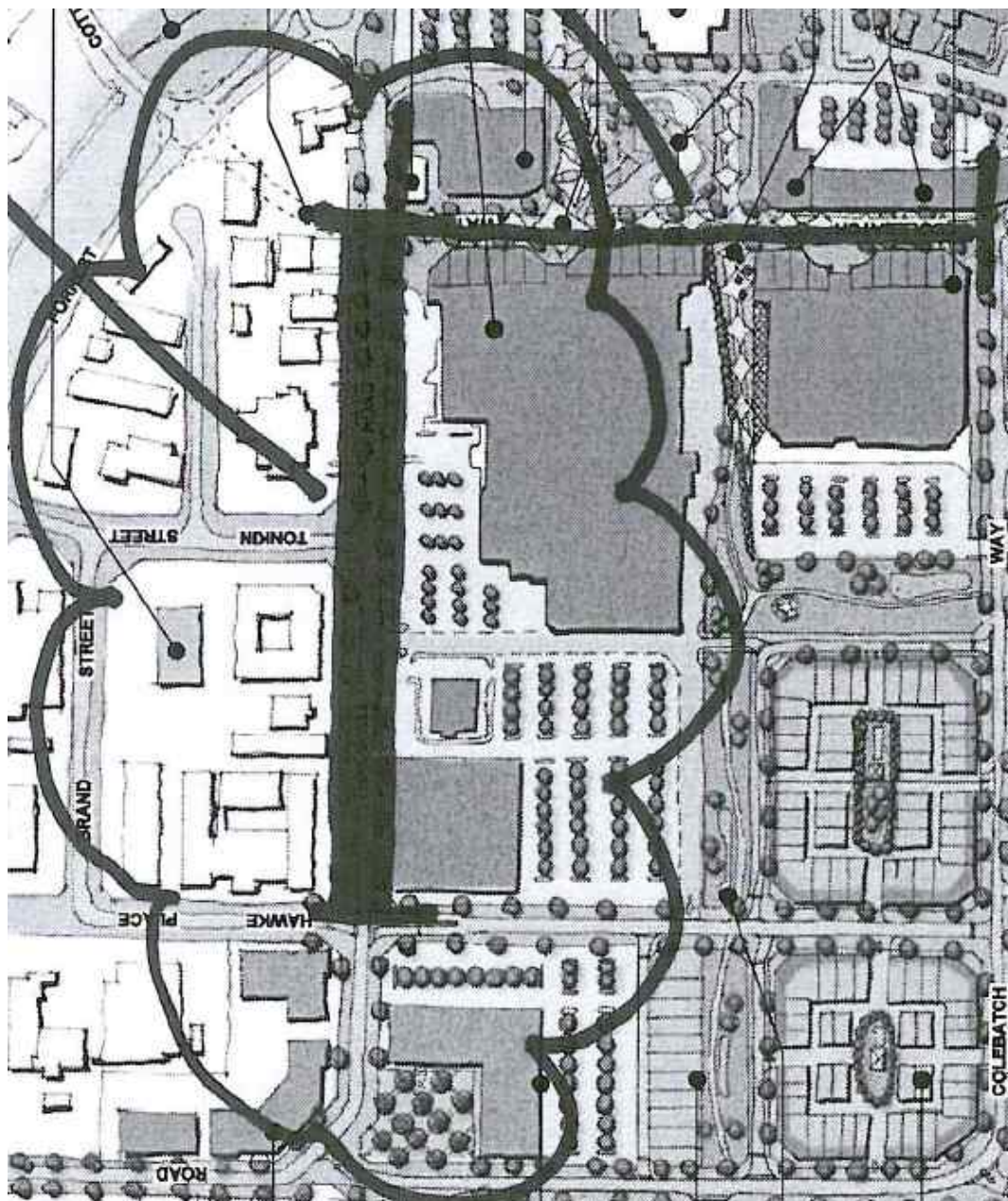
Advantages

- Creates an appropriate and desirable north-east entry to the SHTC;
- Could be made feasible by developer contributions and/or land swaps;
- Reduces the length of Throssell Road which would be required to be activated if Considered as a “Main Street” opportunity; and
- Creates excellent access to the existing car park in Colebatch Way and Centenary Park, which currently provides the most appropriate site for Community Events such as the “Welcome to Hedland Night”.

Disadvantages

- Would require the removal of one of the new budget hotel buildings;
- Capital costs in its development

3. *Develop Throssell into a "Main Street" between Hawke Place and Colebatch Way*



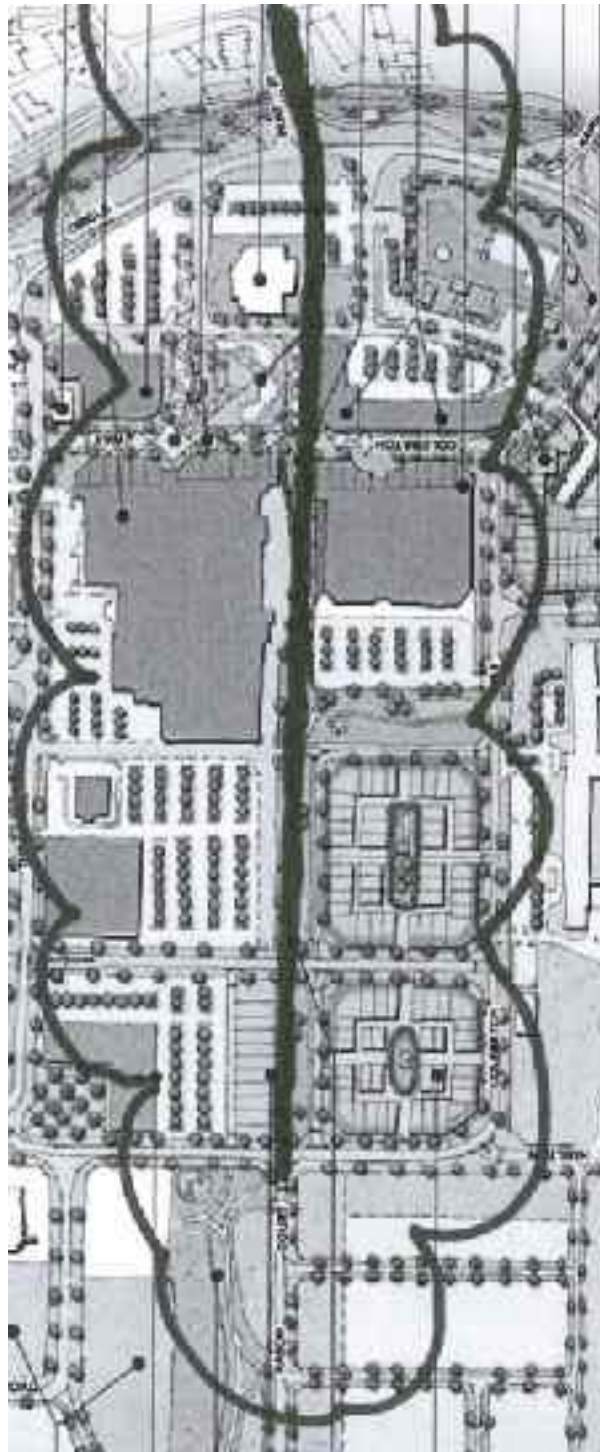
Advantages

- Creates a "Main Street" in the main street;
- With the inclusion of points 1 and 2 the Throssell "Main Street" will be of a similar length to that recommended in the Colebatch Way option;
- Removes the reliance on one landowner to be the instigator/initiator of the revitalisation process. This has already commenced in Throssell with the development of the South Hotel, which is an ideal "Main Street" anchor; and
- Allows the shopping centre the opportunity to redevelop without the constraints of the existing building.

Disadvantages

- Not all land owners may commit to the process; and
- Not all existing developments are ready for redevelopment;

4. *Connect Rason Court to a Realigned Hunt Street*



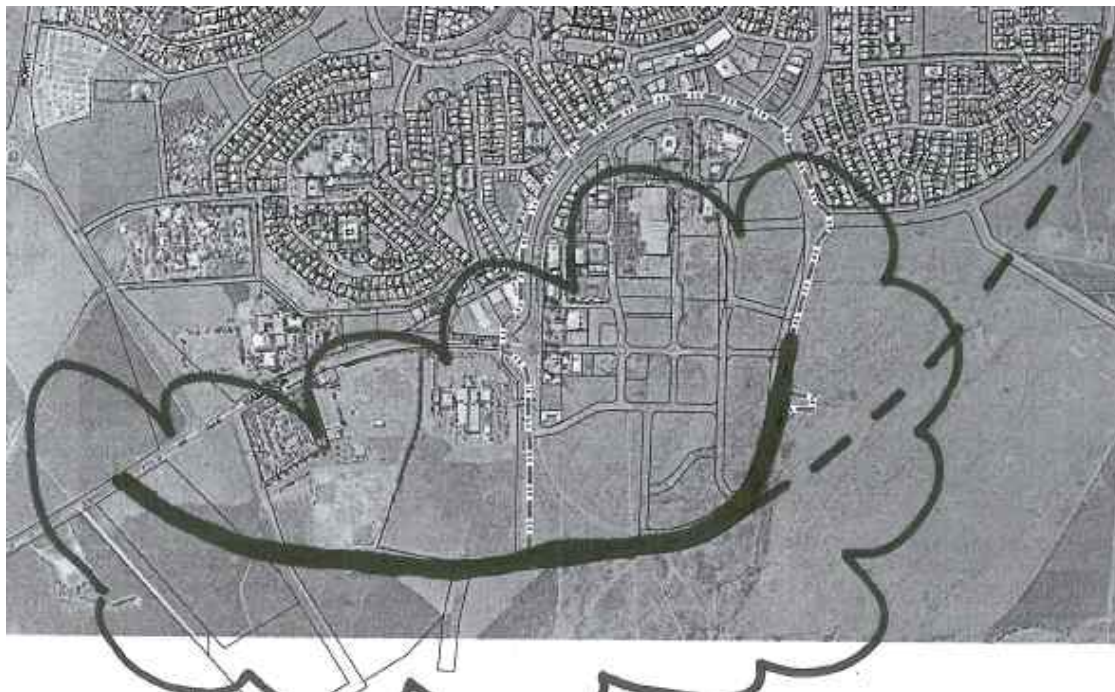
Advantages

- Creates excellent east west vehicular and pedestrian permeability; and
- Addresses existing parking problems in Hunt Street;

Disadvantages

- Capital costs in its development

5. *Realignment of Hamilton Road right the way round the back of the SHTC, TAFE and Club Hamilton to link with Collier Drive, south of the hospital site*



Advantages

- Recognises the importance of Hamilton as the connection road to SHTC whilst also providing access to the new recreation facility, TAFE, Hospital, creating a flood levee to South Creek and a western edge to the South Hedland Town Centre;
- Enables the division between the South Hedland High School and TAFE to be greatly diminished; and
- Links can be made with Throssell Road, Rason Court and Colebatch Way for the east west permeability.

Disadvantages

- Significant capital costs in its development

In consideration of the advantages and disadvantages of the five (5) options, whilst the applicant is only requesting the Council to endorse the Plan for public advertising, a concern exists regarding this request. A general planning principle is that only plans that are considered to be satisfactory to the Council should be advertised.

Given the concerns raised, and the potential impact on the design, Council has four options:

1. Endorse the current plan for advertising;
2. Endorse the current plan for advertising and incorporate the changes as part of the submissions process;
3. Defer advertising to allow the concerns raised to be addressed by the applicant; or
4. Endorse the current plan, subject to the concerns raised within this report being addressed, and, if required, amendments to the plan being made prior to the plan being released for public comment.

As outlined in the Consultation section of this report Council is only required to advertise the SHTCDP for a minimum period of 14-days, however given the complex nature of the plan and the long-term ramifications for the South Hedland Town Centre it is recommended that a minimum period of 30-days is provided to allow submissions to be lodged by all including relevant Government Agencies. The officer's recommendation has been prepared to reflect this advertising period and documentation referrals.

Attachments

Development Plan Area – South Hedland Town Centre

Officer's Recommendation

That Council:

- i) endorses the South Hedland Town Centre Plan for advertising in accordance with subclause 5.2.8, 4.3.3 and 4.3.4 of Town Planning Scheme No. 5, requires the South Hedland Development Plan to be advertised in accordance with the following requirements:
 - a) the submission period shall be 30 days from the date of this decision;
 - b) the applicant in consultation with the Chief Executive Officer or nominated representative shall conduct a public meeting/workshop with invitations being extended to all land owners, shop owners and members of the general public and government or private agencies. As a

- key component of the public meeting/workshop the following design alternatives shall be highlighted:
- . realignment of Hamilton Road to join with Hawke Place;
 - . connect Cottier Drive with Colebatch Way;
 - . develop Throssell into a "Main Street" between Hawke Place and Colebatch Way;
 - . connect Rason Court to a realigned Hunt Street; and
 - . realignment of Hamilton Road right the way round the back of the SHTC, TAFE and Club Hamilton to link with Collier Drive, south of the hospital site;
- c) the referral of the Development Plan and supporting documentation to relevant government agencies for comment with a request that any comments be received within the designated advertising period or it will be considered that the agency has no comment; and
- d) any additional consultation methods that the Chief Executive Officer or his nominated representative may consider relevant to the advertising of this plan; and
- ii) at the conclusion of the advertising period the South Hedland Town Centre Development is referred back to Council for final adoption and initiation of required Scheme Amendments.

200708/107 Council Decision**Moved:** Cr G D Bussell**Seconded:** Cr J E Ford**That Council:**

- i) **endorses the South Hedland Town Centre Plan for advertising in accordance with subclause 5.2.8, 4.3.3 and 4.3.4 of Town Planning Scheme No. 5, requires the South Hedland Development Plan to be advertised in accordance with the following requirements:**
- a) **the submission period shall be 30 days from the date of this decision;**
- b) **the applicant in consultation with the Chief Executive Officer or nominated representative shall conduct a public meeting/workshop with invitations being extended to all land owners, shop owners and members of the general public and government or private agencies. As a key component of the public meeting/workshop the following design alternatives shall be highlighted:**
- . **realignment of Hamilton Road to join with Hawke Place;**
 - . **connect Cottier Drive with Colebatch Way;**

- . develop Throssell into a “Main Street” between Hawke Place and Colebatch Way;
- . connect Rason Court to a realigned Hunt Street;
- . realignment of Hamilton Road right the way round the back of the SHTC, TAFE and Club Hamilton to link with Collier Drive, south of the hospital site;
- . proposed closure and realignment of public thoroughfare (footpath) from Daylesford Street to Colebatch Way;
- . proposed closure of Forrest Circle before Collier Drive;
- . preferred alignment of proposed neighbourhood connector from Hedditch Street to Forrest Circle;
- . whether existing flexible ‘Town Centre zoning’ should be retained for Town Centre as in Wedge Street, or eight separate zonings be introduced;
- . whether adequate land is reserved for Community Purposes, particularly along what could be formal civic precinct of Hamilton Roads, including proposed location of South Hedland library should existing location be rezoned for ‘Hotle’;
- . whether a preferred location for the Town Hall should be considered, and where that should be;
- . straightening up central East-West open space strip to open views to west (and sunset);
- . maintaining Forrest Circle as relatively high speed ‘regional connector’;
- . local access roads around proposed town square and surveillance of town square at night time;
- . breaking Forrest Circle with extension of Cottier Avenue in a new street east of Colebatch, connecting through to the entry to the hospital parking lot;
- . breaking up the southern part of the new housing opposite the hospital into blocks more in scale with existing Koombana neighbourhood blocks;
- . connecting north-south streets through the town centre with housing on both sides; and
- . opening the town centre to the west and the creek vs. closing it off with an elevated road to flood proof the area;

- c) the referral of the Development Plan and supporting documentation to relevant government agencies for comment with a request that any comments be received within the designated advertising period or it will be considered that the agency has no comment; and
 - d) any additional consultation methods that the Chief Executive Officer or his nominated representative may consider relevant to the advertising of this plan; and
- ii) at the conclusion of the advertising period the South Hedland Town Centre Development is referred back to Council for final adoption and initiation of required Scheme Amendments.
 - iii) LandCorp engage a specialist hydrologist such as Jim Davies and Associates to complete a flood inundation study for the area as strongly recommended by the consulting engineer; and
 - iv) ensure all public consultation documents are printed in at least 12 point font; and
 - v) undertake Council presence and display at South Hedland Shopping Centre.

CARRIED 8/0

REASON: Council sought to include additional alternatives to be highlighted at the public workshop, and provide a display at the South Hedland Shopping Centre.

ATTACHMENT TO AGENDA ITEM 11.2.2.7



11.2.2.8 Proposed Renovation of Existing Hotel at Lot 1 (2-4) Anderson Street Port Hedland (Esplanade Hotel) (File No.: 120880G)

Officer Andrew Patterson
Planning Officer

Date of Report 14 March 2008

Disclosure of Interest by Officer Nil

Summary

Council has received an application from Anderson Building Pty Ltd on behalf of Bloomoon Pty Ltd for the renovation of the existing buildings at lot 1 (2-4) Anderson Street, being the Esplanade Hotel.

This item is referred for Council consideration as the subject buildings are listed in the *Town of Port Hedland Municipal Inventory of Heritage Places* (MHI).

Background

Section 6.10.9 of the *Town of Port Hedland Town Planning Scheme No. 5* (TPS 5) requires Council to consider all matters that affect an entry on the Heritage Inventory.

The purpose of this application is to seek approval for predominantly internal modifications to the subject building. The difficulty in assessing this application however is that there are no extant building plans available to compare to this proposal. While there may be extensive anecdotal evidence indicating previous uses, layouts, designs and colour schemes for this building, little solid evidence is available for any comprehensive comparison.

As identified in the MHI entry for this building, the authenticity of the place is listed as "low," indicating that significant alterations to the building fabric have already occurred and that it is already significantly different to the original 1904 structure.

As noted on the attached site plan, this application affects only the main hotel building and does not seek to modify the other accommodation units located on the site. The owner has identified that additional building works, including the replacement of transportable accommodation units will be addressed as later stages of this development.

The existing accommodation units currently located on the site provide a total of 59 rooms, with the renovated main building to provide an additional 41 rooms. In addition to the accommodation modifications, the applicant proposes to open a public restaurant.

The car parking requirements are calculated as:

Scheme Requirement		No. of Bays
1 bay per room	100 rooms	100
1 bay per 5 rooms (visitor)	100 rooms	20
1 bay per staff member		5
Total		125

This calculation does not include any allocation for additional bays for the restaurant component of the development, as a restaurant is included in the TPS 5 as a component of a hotel.

As the applicant has not demonstrated any car parking bays on site, relevant conditions and advice notes are included in the Officer's Recommendation to allow for the negotiation of the formalised use of adjacent public parking areas for this development.

This application complies with all other relevant TPS 5 requirements.

Other Matters

The following matters arise out of the presentation made by the applicant relating to the ultimate development of the site and are included for Council to consider the wider context of this application, however these issues do not directly impact this application.

At Council's briefing session on 17 March 2008, the applicant presented a development plan for the entire site, with this plan including the proposed development of Reserve 28860 (lot 942) that is vested in the Town of Port Hedland for the purpose of "Drainage." Engineering Services has conducted preliminary site inspections of this land, with these investigations suggesting that there are no underground drains or large spoon drains integral to the surrounding stormwater drainage system.

Subject to more intensive investigation, there appears to be an opportunity to dispose of this drainage reserve then, with this disposal allowing this applicant to purchase the land and develop in accordance with the preliminary designs presented at Council's March 2008 briefing session.

Since the closure of the Esplanade Hotel as a commercial licensed establishment, the public car park located at Reserve 30258 (lot 1619 Wedge Street) is generally underutilised. Given the proposed increase in the residential capacity of the Esplanade Hotel as ultimately proposed by the applicant, there is the potential to utilise this facility for the required car parking allocation for the increased residential component for the site.

This formalised use may be negotiated with the applicant through the existing Policy 12/002 – Off Site Car Parking Policy.

One final administrative matter that may also be addressed at this time is the gazettal of that portion of The Esplanade currently included in Reserve 30258 as a local road reserve.

Consultation

Environmental Health Services have not objected to this application and advised:

1. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times;
2. It is a requirement under the Town of Port Hedland Eating House Local Laws that all food premises be licensed prior to beginning operations
3. 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
4. Proposed W.C. to be connected to the existing septic system by a licensed plumber
5. The development is to comply with the Health (Public Buildings) Regulations 1992

Building Services have not objected to the application and advised that an application for a building licence has been received.

Statutory Implications

The *Town of Port Hedland Town Planning Scheme No. 5* zones the land "Town Centre," and requires that modifications to heritage-listed buildings be determined by Council.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Planning fees of \$1,150 have been deposited into account 1006326 – Town Planning Fees, reflecting a development cost of \$500,000.

Officer's Comment

As a heritage site, this collection of buildings tells a unique and extraordinary story of the development of Port Hedland. After existing as a hotel establishment for more than 100 years, this building has been purchased by a transport company for use as an accommodation facility, mainly for its own workforce.

One of the most outstanding feature of this fundamental change of use from a public licensed drinking establishment, to a predominantly private accommodation use – although it is noted that the plans include a small public bar and restaurant, is that this occurred with little or no public opposition.

A municipal heritage inventory is a means of telling the story of a settlement through its buildings and places. The story that this development condenses far better than any other place in the Town of Port Hedland, is the incredibly inflated value of accommodation, over the traditionally highly valued drinking establishment in the north west of Australia.

Attachments

1. Location Plan
2. Site plan
3. Elevations

Officer's Recommendation

That:

- i) Planning Consent be granted to Anderson Building Pty Ltd for the renovation and refurbishment of a HOTEL at Lot 1 (2-4) Anderson Street Port Hedland as outlined in the Application received 4 February 2008 (Application 200853) and indicated on the approved plans, subject to the following conditions:

GENERAL

- a) This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
- b) Prior to the commencement of works, the applicant is to demonstrate that this development either provides on the subject lot, or has the potential to gain legal access to, a minimum of 125 car-parking bays.
- c) Prior to the occupation of the subject building, the applicant is to complete any legal or other requirements for gaining access to off-site car parking bays all to the satisfaction of the Manager Planning.
- d) This approval allows for a maximum of 100 hotel rooms of which a minimum of 20% is to remain available to the travelling public.

- e) Prior to the occupation of the subject building, the landowner is to prepare a notification under section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:
- 1) The Western Australian Department of Health has advised in a preliminary investigation that it does not support medium density residential development in this area due to a potential causal link between the dust generated by nearby ore mining processes and port facilities, and increased likelihood of respiratory health impacts;
 - 2) Seniors, children, and persons with existing heart or lung disease appear to be at an elevated risk of dust-related health impacts;

Should additional information be required in regard part '1' or '2', the prospective landowners should contact the Western Australian Department of Health.

- f) A Rubbish Collection Strategy/Management Plan shall be submitted to and approved by the Town prior to the commencement of works. The strategy/plan shall consider service vehicle manoeuvring on the internal roads of the development if required. Any alterations to the approved plans required as a result of the strategy/plan shall be incorporated into the building licence plans. The approved strategy/plan shall be implemented to the satisfaction of the Manager Planning.
- g) All stormwater shall be collected and disposed of to the specification of Council's Engineering Services to the satisfaction of the Manager Planning.
- h) Where any structural changes are made to the building fabric in accordance with this approval, the developer is to photograph and document such changes prior and post development. Such documentation is to be submitted to the Town of Port Hedland.

ADVICE TO DEVELOPER

- i) 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.

- j) With regard to Condition “e” and “f”, the applicant is advised that the Town of Port Hedland is prepared to negotiate a cash in lieu of on-site parking bays, or a similar negotiated arrangement to the specification of the Director Regulatory and Community Services to the satisfaction of the Manager Planning.
 - k) 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.
 - l) The development is to comply with the Health (Public Buildings) Regulations 1992.
 - m) Be advised that the food premises may be required to be connected to a grease trap prior to effluent entering the disposal system.
 - n) The applicant is advised that the construction and use of the proposed premises is required to comply with the Health (Food Hygiene) Regulations 1993;
 - o) Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
 - p) 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.
- ii) Council authorises the Director Regulatory and Community Services to negotiate a cash-in-lieu agreement with the applicant to facilitate the use of the car park at Reserve 30258 (Lot 1619 Wedge Street), or any other appropriate public land, by the applicant in relation to the development of lot 1 The Esplanade; and
 - iii) Council request the Honourable Minister for Lands to cancel the vesting for Reserve 28660, subject to:

- a) The inclusion of Reserve 28660 into lot 1 (2-4) Anderson Street and subsequent development having no demonstrated detrimental impact on the public drainage system; or
- b) The owner of lot 1 (2-4) Anderson Street undertaking such works to ameliorate any impact on the public drainage system to the satisfaction of the Director Engineering Services.

Council Decision**Moved:** Cr G D Bussell**Seconded:** Cr A A Gear

That Planning Consent be granted to Anderson Building Pty Ltd for the renovation and refurbishment of a HOTEL at Lot 1 (2-4) Anderson Street Port Hedland as outlined in the Application received 4 February 2008 (Application 200853) and indicated on the approved plans, subject to the following conditions:

GENERAL

- a) This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.
- b) Prior to the commencement of works, the applicant is to demonstrate that this development either provides on the subject lot, or has the potential to gain legal access to, a minimum of 125 car-parking bays.
- c) Prior to the occupation of the subject building, the applicant is to complete any legal or other requirements for gaining access to off-site car parking bays all to the satisfaction of the Manager Planning.
- d) This approval allows for a maximum of 100 hotel rooms of which a minimum of 20% is to remain available to the travelling public.
- e) Prior to the occupation of the subject building, the landowner is to prepare a notification under section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:
 - 1) The Western Australian Department of Health has advised in a preliminary investigation that it does not support medium density residential development in this area due to a potential causal link between the dust generated by nearby ore mining

processes and port facilities, and increased likelihood of respiratory health impacts;

- 2) Seniors, children, and persons with existing heart or lung disease appear to be at an elevated risk of dust-related health impacts;

Should additional information be required in regard part '1' or '2', the prospective landowners should contact the Western Australian Department of Health.

- f) A Rubbish Collection Strategy/Management Plan shall be submitted to and approved by the Town prior to the commencement of works. The strategy/plan shall consider service vehicle manoeuvring on the internal roads of the development if required. Any alterations to the approved plans required as a result of the strategy/plan shall be incorporated into the building licence plans. The approved strategy/plan shall be implemented to the satisfaction of the Manager Planning.
- g) All stormwater shall be collected and disposed of to the specification of Council's Engineering Services to the satisfaction of the Manager Planning.
- h) Where any structural changes are made to the building fabric in accordance with this approval, the developer is to photograph and document such changes prior and post development. Such documentation is to be submitted to the Town of Port Hedland.

ADVICE TO DEVELOPER

- i) 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.
- j) With regard to Condition "e" and "f", the applicant is advised that the Town of Port Hedland is prepared to negotiate on the issues of car parking and Reserve 28660, to the specification of the Director Regulatory and Community Services and to the satisfaction of the Manager Planning; and that a Heritage Management Plan be submitted to Council, should the proponent wish to resume this option. The plan is to include the possibility of retaining a public bar, verandahs and the engagement of a heritage management consultant.
- k) 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.

- l) The development is to comply with the Health (Public Buildings) Regulations 1992.
- m) Be advised that the food premises may be required to be connected to a grease trap prior to effluent entering the disposal system.
- n) The applicant is advised that the construction and use of the proposed premises is required to comply with the Health (Food Hygiene) Regulations 1993;
- o) Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
- p) 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.

LOST 4/5

200708/108 Council Decision/Officer's Recommendation**Moved:** Cr J E Ford**Seconded:** Cr G J Daccache**That:**

- i) **Planning Consent be granted to Anderson Building Pty Ltd for the renovation and refurbishment of a HOTEL at Lot 1 (2-4) Anderson Street Port Hedland as outlined in the Application received 4 February 2008 (Application 200853) and indicated on the approved plans, subject to the following conditions:**

GENERAL

- a) **This approval to remain valid for a period of twenty-four (24) months if development is commenced within twelve (12) months, otherwise this approval to remain valid for twelve (12) months only.**
- b) **Prior to the commencement of works, the applicant is to demonstrate that this development either provides on the subject lot, or has the potential to gain legal access to, a minimum of 125 car-parking bays.**
- c) **Prior to the occupation of the subject building, the applicant is to complete any legal or other requirements for gaining access to off-site car parking bays all to the satisfaction of the Manager Planning.**
- d) **This approval allows for a maximum of 100 hotel rooms of which a minimum of 20% is to remain available to the travelling public.**
- e) **Prior to the occupation of the subject building, the landowner is to prepare a notification under section 70A of the Transfer of Land Act 1893, in a form acceptable to the Town, to be lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot. This notification is to be sufficient to alert prospective landowners or occupiers that:**
- 1) **The Western Australian Department of Health has advised in a preliminary investigation that it does not support medium density residential development in this area due to a potential causal link between the dust generated by nearby ore mining processes and port facilities, and increased likelihood of respiratory health impacts;**

- 2) Seniors, children, and persons with existing heart or lung disease appear to be at an elevated risk of dust-related health impacts;

Should additional information be required in regard part '1' or '2', the prospective landowners should contact the Western Australian Department of Health.

- f) A Rubbish Collection Strategy/Management Plan shall be submitted to and approved by the Town prior to the commencement of works. The strategy/plan shall consider service vehicle manoeuvring on the internal roads of the development if required. Any alterations to the approved plans required as a result of the strategy/plan shall be incorporated into the building licence plans. The approved strategy/plan shall be implemented to the satisfaction of the Manager Planning.
- g) All stormwater shall be collected and disposed of to the specification of Council's Engineering Services to the satisfaction of the Manager Planning.
- h) Where any structural changes are made to the building fabric in accordance with this approval, the developer is to photograph and document such changes prior and post development. Such documentation is to be submitted to the Town of Port Hedland.

ADVICE TO DEVELOPER

- i) 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.
- j) With regard to Condition "e" and "f", the applicant is advised that the Town of Port Hedland is prepared to negotiate a cash in lieu of on-site parking bays, or a similar negotiated arrangement to the specification of the Director Regulatory and Community Services to the satisfaction of the Manager Planning.
- k) 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.

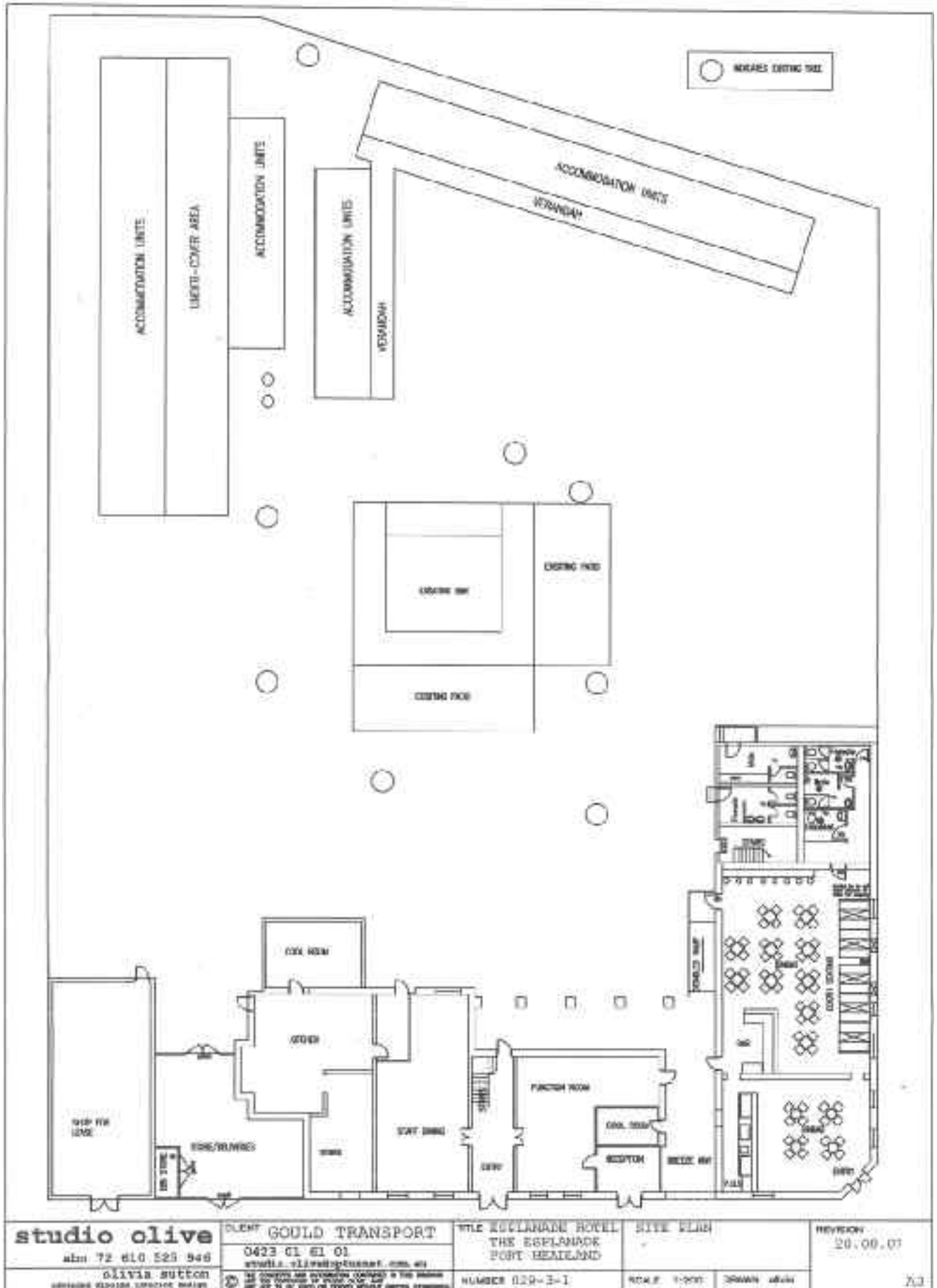
- l) The development is to comply with the Health (Public Buildings) Regulations 1992.**
 - m) Be advised that the food premises may be required to be connected to a grease trap prior to effluent entering the disposal system.**
 - n) The applicant is advised that the construction and use of the proposed premises is required to comply with the Health (Food Hygiene) Regulations 1993;**
 - o) Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.**
 - p) 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.**
- ii) Council authorises the Director Regulatory and Community Services to negotiate a cash-in-lieu agreement with the applicant to facilitate the use of the car park at Reserve 30258 (Lot 1619 Wedge Street), or any other appropriate public land, by the applicant in relation to the development of lot 1 The Esplanade; and**
 - iii) Council request the Honourable Minister for Lands to cancel the vesting for Reserve 28660, subject to:**
 - a) The inclusion of Reserve 28660 into lot 1 (2-4) Anderson Street and subsequent development having no demonstrated detrimental impact on the public drainage system; or**
 - b) The owner of lot 1 (2-4) Anderson Street undertaking such works to ameliorate any impact on the public drainage system to the satisfaction of the Director Engineering Services.**

CARRIED 5/3

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.8



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.8



ATTACHMENT 3 TO AGENDA ITEM 11.2.2.8

ANDERSON STREET FACADE

THE ESPERANDE FACADE

studio olive aka: 78 ELO 525 946 OLIVER M. ELLIOTT ARCHITECTURAL ARCHITECTS 0423 01 51 01 studio_olive@optusnet.com.au C:\STUDIO\PROJECTS\2007\	SCALE	1:300	DRAWN		BY	DATE	REVISIT	SUBJECT GOLD TRANSCENT THE ESPERANDE HOTEL PORT HEATH AND STAGE 2 ELEVATORS REINSTATE BALCONY + VERANDA	NUMBER 029-3-16 REVISION 20.11.07 A3
			BALCONY	DATE					

200708/109 Council Decision/Officer's Recommendation

Moved: Cr G D Bussell

Seconded: Cr J E Ford

That the meeting be adjourned for to enable the Annual General Meeting of Electors to commence at 7:30pm.

CARRIED 8/0

7:27 pm Deputy Mayor adjourned the meeting.

200708/109 Council Decision/Officer's Recommendation

Moved: Cr G J Daccache

Seconded: Cr J M Gillingham

That the meeting be resumed.

CARRIED 8/0

8:35 pm Deputy Mayor resumed the meeting.

The following elected members were present at the recommencement of the Ordinary Council Meeting at 8:35pm:

Deputy Mayor Arnold Carter

Cr G D Bussell

Cr S J Coates

Cr G J Daccache

Cr J E Ford

Cr A A Gear

Cr J M Gillingham

Cr K A Howlett.

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 11 March 2008

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 – Footpath poured from Hamilton Roundabout to Hawke Place – contractors are currently moving old light poles and installing new light poles on Southern Side of roadway. Work will continue regardless of the light pole removals. Completion date dependent on external service providers: likely 6/08. Difficulty with re-engaging contractors due to Horizon Power stalling works. Re-commencement after Easter.

Landfill	Damage sustained to bomag compactor due to vandalism – claim with Insurers. Tender submissions closed on 13 th March 2008 for replacement for the track loader; see separate report.
Wedgefield Upgrades R2R	Culvert extension at intersections and Asphaltting of Intersections to be carried out during next contractor visit after cyclone season.
Road Safety Audit	Road Safety Audit for South Hedland, Port Hedland and Wedgefield has been forwarded to Main Roads.
Shade sails	Shade sails at Pretty Pool and Cemetery Beach Parks - training for EWP needs to be completed before Shade sails can be removed. Investigating wire rope pulley system for long-term ease of use. Not commenced due to time constraints.
Heavy Plant Equipment	Heavy Plant Equipment – 6 Wheel Tip Truck, Community bus and Tool Cat with attachments delivered.
West End Greening	Bulk Earthworks and removal of contaminated soil nearly complete. Contract with contractor has proved troublesome, continuing to work through issues in relation to perceived versus required scope of works.
Unsealed Roads	Pippingarra Road being graded and re-sheeted in areas work complete by Mid March.
Skate Park	McGregor street Skate Park –Installation of synthetic grass to concrete ring beam completed.

Parks & Gardens

PROJECT	STATUS
Garden Maintenance	Garden Maintenance crews are continuing with programmed works
Park Maintenance	Park maintenance crews are maintaining park programme on a fortnight basis. (This information will be used to help create an in-depth asset management plan for all of council's parks.)
Sportsground Maintenance	Lawn Doctor has completed aeration-levelling. Investigation into alternative water supply/filtering for Col Matheson Oval commenced. Poison being used to remove Crows foot weed off Colin Matheson Oval.

Training	Staff continued with the 'Growing and Propagating Native Plants' training. Safety Awareness training Friday 14 th March, Chainsaw Training 19 th -20 th March 2008, First Aid Training 9-10 April 2008.
Litter Crew	Only working Monday – Friday no weekend cleanup until further advised: budget constraints.
Re-Use Water	Trialling of Eco Care Activator and Eco Care booster to reduce odour around South Hedland Oval. Water Corp and FMG assisting with implementation. (Report by DES to April Council Meeting) Staff investigation completed on how Broome manage their re-use systems.

Technical Services/Projects

PROJECT	STATUS
Playground development	Installation of playground equipment at Kevin Scott Oval and Colin Matheson Oval scheduled to commence end of March/early April. Tender for design and construction of playground shade structures closed 5 th March – refer to item this meeting.
Turtle Boardwalk	Council has sent a second follow up letter to Dept of Environment and Conservation regarding the approval of a clearing permit to commence works on the Turtle Interpretive Boardwalk. The application was submitted in August 2007. It is anticipated that approval will be granted by the end of March.
Sutherland Street Nodes	Tender 06/63 Construction of Sutherland street Verge Nodes has been advertised and is due to close on 9 th April. Technical Services has submitted a funding application to Dept of Local Government and Regional Development to develop additional nodes along the east section of Sutherland street. This will be presented to Council during the normal 08/09 budget request process.

South Hedland New Living subdivision developments	SHNL has received approval to modify the scope of works on new subdivision developments to remove the specification for red asphalt at intersections and replace with standard black asphalt. This was granted due to availability of materials, maintenance constraints and heat tolerances.
Boulevard Tree Planting	Council has received initial cost estimates of \$419,000 for the Boulevard Tree Planting project along Cottier drive. The project budget is \$250,000. Project scope will be reduced to planting along ½ the length of Cottier drive as stage 1, with further planting to be budgeted in 08/09
Verge tree planting	Council has received a good response from the promotion of the availability of verge trees. Street trees are being ordered and residents will be advised when they are available. Staff have produced an application form to streamline process.
Port Hedland Boat Ramp wash down bay	The Water Corporation has advised Tech Services that a boat wash down area at the Port Hedland boat ramp would require a roofed structure, bunding/kerbing, oil separation trap and connection to sewer network. Current budget does not allow for this expenditure. Further environmental considerations to be investigated before proceeding.

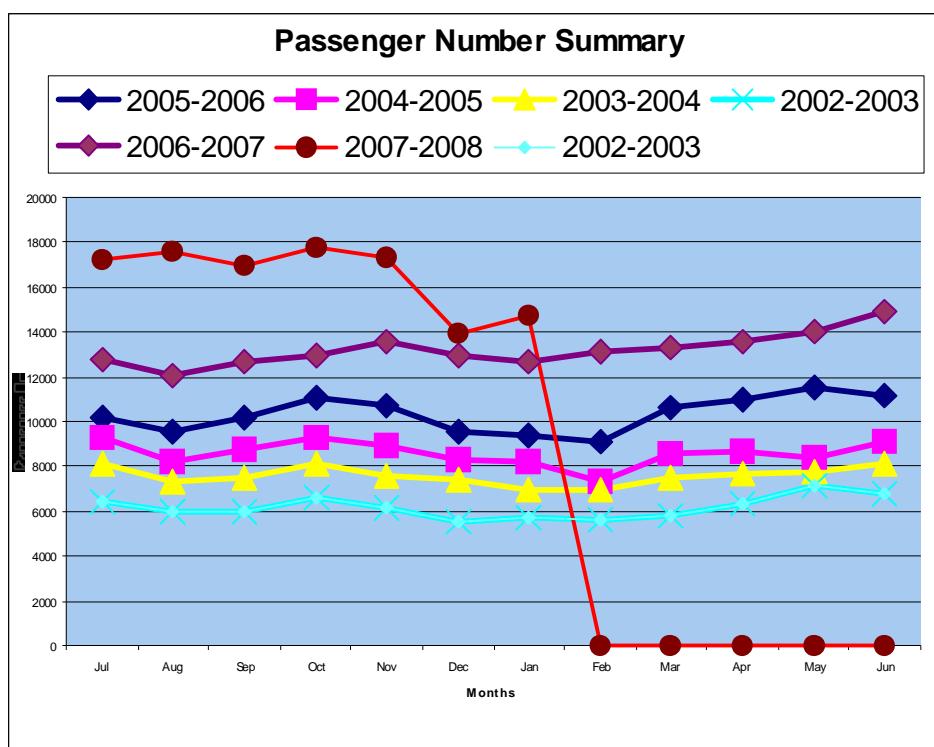
Port Hedland International Airport

PROJECT	STATUS
Sewerage Upgrade	Project reviewed. Quote obtained and works proposal with contractor being finalised. Works expected to commence March, finish date prior to 26 th .
Apron Lighting Upgrade	Suppliers of Stage 1 equipment contacted to provide quotes on equipment. Works to be undertaken at end of cyclone season.
Precision Approach Path Indicator Installation (Lighting)	Ongoing. Works to be undertaken at end of current cyclone season.

Front Reserve Drainage	Works at airport entrance completed. Works from service road to Air BP to be completed when engineering crew back to full levels at completion of leave. Manager Works to liaise with Main Roads regarding culvert across highway.
Master Plan	Tender closes 30 th March.
Airport Revaluation	Consultant has offered to speak to explain answers to any questions. Formal Report to Council.
Runway End Safety Area Extensions	Ongoing. Works to be undertaken at end of cyclone season. Geotechnical tests being carried out prior to pavement design.
4 Lot development	Refer to sewerage upgrade works.
Boundary Fencing	Tender closed, see separate item.
Air conditioning	Ongoing.
TWA	Lease and part contract received from solicitor, currently being advertised

Passenger Numbers

Passenger Numbers for month ending January 2008. At time of writing Skywest figures not available.



Recreation Services*Projects 2007/08*

PROJECT	STATUS
Multi-Purpose Sports Feasibility Study	Completed.
Recreation Facility Design	Tender documentation being clarified. Advertisements to be placed this month.
Port Hedland Skatepark	Completed.
South Hedland Skatepark	Completed.
Town Cycle Plan	Community consultation undertaken. Draft plan to be presented to Council Briefing in April 2008, in anticipation of adoption at the April OCM.
JD Hardie Centre Facility Upgrade	Works commenced. All painting completed. Additional capital purchased being constructed including flooring and dividing nets.
Gratwick Aquatic Centre Gym	Strength equipment has arrived, with cardiovascular equipment received in Perth. Fees and Charges presented at the March OCM.
Aquatic Centre Lighting Audit	Report received on all aspect bar earthing. Contractors have indicated that report will be received by Council officers shortly. Indicative costs will be used as part of a proposed five-year upgrade plan.
McGregor Street Carpark	Completed.
Recreation Reserves Redevelopment	Recreation Reserve Redevelopment Master Plan commenced. Concept plans have been issued to key stakeholders of the related reserves, with feedback requested. A brief item will be presented to the April Informal briefing with regards to the draft concepts prior to continued work on the final designs.
Colin Matheson Oval Redevelopment	Additional works are being scheduled for the reserve to ensure its integrity, with research being undertaken for permanent turf improvements. Currently investigating alternative water supply and new filtering system to alleviate continual water supply problems, and sprinkler blockages. Turf maintenance in accordance with report has commenced.

Sports Facility Upgrade Program	All components commenced. Shade structures at various reserves have been purchased and are currently being installed. Shared structures currently being constructed off-site, with first shed to be completed March 2008. Kevin Scott Oval viewing area has commenced.
Recreation Upgrades	All recreation upgrades are near complete, with the Diamond 1 back net and the Hawks demolition the remaining two items. An independent engineering report is being developed for the Hawks Clubrooms, with recommendations on the future of the shed to be determined by Council. Engineering designs have been received for the baseball back net, and quotes are now being sourced.
Walk It Hedland	Funding has been received from both Healthways and BHP Billiton to promote walking and active lifestyles within the community. This is a joint project with Pilbara Population Health.

Events

EVENT	STATUS
Port and South Hedland Skatepark Grand Openings	South Hedland Skatepark was officially opened to the public on February 21 st . Port Hedland Skatepark Grand Opening was initially postponed due to poor weather conditions, and was re-scheduled for February 15 th . Both Grand Opening's contained competitions, professional skater demonstrations, official presentations and carnival activities.
Presidents Breakfast	A Presidents Breakfast is being held on Wednesday 19th March for all community groups within Hedland. The Department of Sport and Recreation is assisting in funding the event, with agenda items to include the future recreational developments within the Town.

Physical Activity Week	An initiative of the Town of Port Hedland, events are scheduled to encourage members from within the community to lead active and healthy lifestyles. Events scheduled include a Club’s Conference, Pool Open Day, Coaching Accreditation Course (Athletics WA), school visits by elite athletes, Strap and Wrap Course, Lights On (at the JD Hardie Centre), Primary School Disco, the Edge Open Day and the BHP Billiton Iron Ore Mini Olympics.
------------------------	--

Facility Report

No vandalism of recreation buildings has been reported this month.

Education/Training/Certifications

NAME	REPORT
Senior First Aid	Kasey Wehr (Trainee Sports and Recreation Officer) and Cassy Woodruff (Casual Duty Manager) attended and obtained their Senior First Aid qualifications.
Certificate III – Fitness	Kimmy Cooper (Recreation Assistant, JD Hardie Centre), commenced a Certificate III in fitness this month. Full certification is expected to take approximately 6 months

Other

Post – Cyclone Repairs

Remaining items:

- Diamond 1 Backnet – engineered designs received, with quotes being sourced
- Gratwick Aquatic Centre shade – funds have been obtained from the insurers and municipal funds. Timeframes are now being sourced from contractors

Staff Movements

Nicole Roukens has commenced as the Sports and Recreation Officer, replacing Matt Jackson. Nicole completed a Bachelor of Science in Exercise and Health Science in 2006, and has worked at both the Department of Sport and Recreation and the Premier's Physical Activity Task Force.

Aquatic Centres

The monthly reports in full from the YMCA can be obtained by contacting the Manager Recreation Services.

South Hedland Aquatic Centre

The Town of Port Hedland and the YMCA are currently compiling necessary information with regards to an alleged spinal injury in February 2006. Staff for both organisations have met with insurance and legal representatives.

YMCA Update

“South Hedland Aquatic Centre started term 1 with all user groups back in full swing...”

“The YMCA Aquatic Ed classes commenced on the 5th Feb. 110 people enrolled from infants to adults. Flippa Ball, a new program was introduced into our term structure...”

“A bronze medallion course was held on the 2nd Feb primarily attended by staff completing their re-quals.

“Attendance figures for the month were 3186 although this is significantly down on the projected target of 6,294 of the 15 categories 10 were above the previous month’s figures.

“Financially the centre is \$11,228 in deficit for the month and \$25,444 for YTD the budget will be monitored very closely over the coming months.

“One induction was held for a lifeguard position and a duty manager, lifeguard and swim teacher were flown in from interstate to assist with our staffing levels.

“The pool was closed on two occasions for short periods due to lightning...”

Financials

Month	Actual	Budget	Variance
Income	13,451	21,357	7,906
Expenditure	56,709	53,387	(3,322)
Net	(43,258)	(32,030)	(11,228)

Year to date	Actual	Budget	Variance
Income	26,762	37,483	(10,721)
Expenditure	122,179	107,456	(14,723)
Net	(95,417)	(69,973)	(25,444)

Attendances

	Swim	Aqua/Ed	School	Aqua	Prog.	Misc.	TOTAL
Jan	1590	158	0	0	0	1791	3539
Feb	834	261	55	0	23	2,011	3,186
TOTAL	2424	419	55	0	23	3802	6725

Gratwick Aquatic Centre

YMCA Update

“Staff shortages continue to heavily impact the operation of both aquatic centres. The ability to meet the required staffing levels proved to be somewhat of a challenge, as the majority of YMCA staff are students who returned to school and university to continue their studies. To assist with these shortages, a staff member from Perth was flown to Port Hedland for the best part of two weeks. Two additional staff from Victoria arrived later in the month to assist for a further 8-10 weeks...”

“Aquatic Education continues to be the most popular program offered by the YMCA, with classes filling within the first two weeks after opening enrolments. In addition to both Infant and School Aged programs, Gratwick was able to offer a specialised Adult Squad which comprises of a Learn-to-Swim component along with Stroke Correction for those who want to perfect their stroke technique.

“Gratwick hosted an Aqua Aerobics Instructor Course which saw three participants succeed with their training, to commence instructing classes. Aqua Aerobics classes had been temporarily postponed early in February due to instructor availability, and were resumed the week following the course...”

Financials

Month	Actual	Budget	Variance
Income	13,540	29,601	(16,061)
Expenditure	45,830	57,621	11,791
Net	(32,290)	(28,020)	(4,270)

Year to date	Actual	Budget	Variance
Income	32,610	51,116	(18,506)
Expenditure	96,567	112,995	16,428
Net	(63,957)	(61,879)	(2,078)

Attendances

	Swim	F/ Room	Aqua/ Ed	School	Aqua	Prog.	Misc.	TOTAL
Jan	3421	43	221	0	61	331	783	4860
Feb	1,364	112	422	0	0	0	1,474	3,372
TOTAL	4785	155	643	0	61	331	2257	8232

JD Hardie Centre

Promotion

Promotion carried out for the month of February consisted of the following:

- Pamphlet distribution around Port and South Hedland Primary Schools for new programs
- Email to all JD Hardie Centre contacts advising of the New 2008 Term 1 Program
- Add in the North West Telegraph advising that the JD Hardie Centre would be closed for renovations

Programs

All Programs commenced in the month of February with numbers for all programs starting very strong. In line with our endeavour to commence additional programs each term, Little Athletics, Junior Netball and Junior Cricket all commenced this term. Junior Dodgeball is being offered to all patrons at a reduced rate thanks to a community grant from South Hedland New Living.

Facility Hire

The Following Facility Hire took place at the JD Hardie Centre in February:

- Tae Kwon Do (Regular Weekly Booking)
- Barret Castings (Booking for auditions)

Attendances

Term Programs	Jul	Aug	Sep	Oct	Nov	Dec	Feb
Kids Club	53	177	159	121	105	62	179
Jr Dodgeball	47	38	77	29	35	32	63
Jr Gym	23	25	20	0	0	0	0
All Sports 'til Dec 07 Jr Cricket from Jan 08	20	55	43	22	33	35	28
Little Athletics	0	0	0	0	0	0	100
GR8 SK8 til Jun 07 Jr Netball Jan 08	13	0	0	0	0	0	48
Boxing	82	109	38	72	80	28	25
Jr Indoor Footy		37	37	14	32	10	65
Jr Indoor Soccer				12	40	5	53
Jr Indoor Basketball				12	12	5	39
Sports Comp.							
Netball Participants	15	315	385	282	197	0	474
Volleyball Participants	30	210	228	138	170	0	280
Social Soccer	23	35	96	70	125	0	70???
Basketball Participants	135	252	294	34	0	0	0

Badminton	10	14	0	0	0	0	0
Miscellaneous							
Birthday Parties (2)	45	35	36	37	37	35	28
Facility Hire	910	912	885	955	1140	3600	333
Holiday Program	315	0	0	374	0	270	0
Dodgeball Competition	0	0	0	50	0	0	0
Disco		0	196	0	0	0	0
Gym Visits (5)		14	50	51	43	5	18
Total	1721	2228	2544	2273	2046	4087	1803

Attachments**Nil****200708/110 Council Decision/Officer's Recommendation****Moved:** Cr G J Daccache**Seconded:** Cr A A Gear**That Council receives the Engineering Services Monthly Report for March 2008.*****CARRIED 8/0***

11.3.1.2 Tender 06/64 : Supply and Delivery of One (1) Track Excavator and Attachments (File No....)

Officer Terry Dodds
Director Engineering Services

Date of Report 15 March 2008

Disclosure of Interest by Officer Nil

Summary

Report seeks Council consideration of Tenders that have been received for the proposed purchase of a new 30T excavator for the Town's Landfill facility.

Background

Council was advised in November that Council's Caterpillar 963B Track Type Loader (TTL) was overdue for replacement. Investigations were undertaken as to how the TTL should be replaced and by what machine. A report to the Ordinary Council Meeting in January recommended a course of action, which would endeavour not only to replace the TTL, but also enhance our ability to meet obligations of the Pilbara Regional Waste Management Plan and the Department of Environment and Conservation (DEC) proposed 'Towards Zero Waste Plan'.

At this meeting Council resolved as follows:

"That Council request tenders for the replacement of the Caterpillar 963B TTL with a '30 tonne class' Hydraulic Excavator and attachments."

Tenders were called with tenders closing on 13 March 2008.

Assessment Criteria

In advertising for a machine the following criteria (weightings) were stipulated:

1. Local Parts

As Port Hedland is in a remote situation geographically, the ability to source parts quickly without relying on freight services, which sometimes do not deliver in the most opportune time, was given a 'weight' of 10%.

If our machine is used (remotely) in waste management operations in the other three Pilbara Council member areas the ability to source parts effectively will be even more important.

The ToPH already own machines which very regularly are 'parked up' due to the ToPH relying on poorly backed local agents with little stock at hand, as was the case recently with our other excavator.

2. *Local Service*

Council employs one (1) mechanic (Senior Mechanic) to maintain all of our plant, implement and truck fleet. The demand for quality plant and diesel fitters/mechanics is very high within the mining belt we operate in at present. Our ability to attract staff is somewhat diminished due to the accommodation issue and salary rates offered elsewhere. Any machine purchased with the ability to be supported externally, if required, adds to our capacity without stretching internal resources.

In addition, by purchasing a machine backed by a nationally supported franchise enables the Town to have our machine serviced and supported in our neighbouring councils, when working in other waste management applications, without huge travel costs either by the ToPH staff or local sub-agents.

The weighting was adopted as follows:

- 20% for local dealer supported service capability, and
- 10% for 'local agent' supported service capability, and
- 0% for neither.

3. *Warranty*

Warranty was given a weighting of 10%

4. *One Source*

The excavator was specified to have three main attachments: pulverizer, grab and rock breaker. Obviously, there is less administrative, maintenance, warranty and service issues when dealing with one supplier than four.

Additionally, as the performance of the machine is totally dependent on the correct matching of the attachments, having the company that builds attachments that match their machine capability from the on set is considered an advantage.

The 'one-stop-shop' was given a weighting of 10%.

5. *Local Supplier*

Local sales, service and supply was given a weighting of the usual 5%.

6. *Price*

Price was allocated a weighting of 45%.

Tenders Received

See following spreadsheet.

Consultation

Works Manager
Senior Mechanic
Chief Executive Officer
Director Corporate Services

Statutory Implications

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

“3.57. Tenders for providing goods or services

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

Waste Avoidance & Resource Recovery Levy Act 2007: WASTE 2020 policy Document, 'Towards Zero Waste'.

Policy Implications

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

As the proposed replacement machine differs to the current arrangement and the replacement strategy, Council approval is sought.

Strategic Planning Implications

KEY RESULT AREA 5 – ENVIRONMENT

Goal 1 – Waste Management

That the Town of Port Hedland is managing waste at a level commensurate with Best Practice for Local Governments of similar size and nature.

Strategy 1. Progressively develop the South Hedland Landfill Facility in accordance with the Landfill Strategic Plan.

Strategy 2. In conjunction with other Pilbara Regional Council, undertake the Pilbara Regional Waste Management Strategy with a particular focus on opportunities for the development of sustainable reuse and/or recycling of waste materials.

Strategy 3. Support the development of independent proposals that reduce the level of waste to landfill.

Measurements

- A comprehensive, sustainable reuse and recycling service is operating from Council's refuse facility.
- 30% less waste is being buried at the Landfill site with an aim of meeting Zero Waste to Landfill by 2020 Strategy.

Significant works have been undertaken at the Council Tip to improve the user-friendliness and environmental compliance of the service.

Budget Implications

Tender prices for the excavator varied between \$460,000 and \$995,000. In the report to Council's Ordinary Meeting in January the Officer estimated the cost at \$600,000.

Funds have not been allocated in the 2007/08 budget for this purchase. Purchasing the machine (and attachments) will require transferring money from the Waste Management Reserve into Operating Expenditure. There are currently ample funds available, with a current balance of \$2.3M in Council's Waste Collection Reserve.

Currently, the existing TTL is broken down, requiring the hire of an external machine to complete its functions. It was anticipated earlier in the year, and reported in January, to purchase the replacement machine in the 08/09 financial year. This is now not good economic sense, the sooner a replacement is sought, the less council will spend on external service provision.

(Timeline: Adopt recommendation 01/08, advertise tender 02/08, review tenders/report to Council 03/08, order 03/08, delivery 07/08)

Officer's Comment

There were two tenders that stood out within the selection criteria, being from Westrac and Komatsu. Both companies offered machines and attachments of market leading quality which were very well matched to our application from operational, service and logistical perspectives.

There was a substantial price difference between the two packages, which tilted the weighing factors towards Komatsu.

While not part of the selection criteria, both leading tenders offer a system of machine monitoring via satellite. These systems monitor all hydraulic load and engine management systems whilst the machine is operational. In the event of a sensor showing Komatsu or Caterpillar's Operational Center's the machine is being misused, has been overloaded or is operating outside of design or maintenance parameters a call is made to the owner. In extreme scenarios, the machine is turned off by the manufacturer (via satellite), potentially saving tens of thousands of dollars in maintenance costs.

Additionally, as the unit monitors machine operation 'modes' and location, cost benefit analysis of function versus return from income (recycling) can be calculated. This will be a valuable tool in helping to calculate profitable areas using real-time objective analysis, not an opinion.

In Komatsu's case this function costs less than \$1,000 to initiate and less than \$800 per year to maintain. As Council has many different operators on Council plant, of different skill levels, it is considered a very worthwhile investment.

The expected price to replace the existing TTL with another TTL was between \$600,000, as reported to Council last year. By using the alternative, more suitable machine as agreed in January, there is net saving of approximately \$50,000.

(See following tender summary table.)

Total Scores	Machine	1. Local Parts	2. Service	3.Warranty	4.One source	5. Local supplier	6.Price	Total
Westrac Caterpillar	Caterpillar 330D	10	20	10	10	5	27	82
Komatsu	Komatsu PC300LC-8	10	20	10	0	5	41	86
Digrite	Kobelco SK350LC	0	0	5	5	0	34	44
CJD Equipment	Volvo EC330CLC	0	0	4	0	0	45	49
	Volvo EC290CLC	0	0	4	0	0	N/C	4
Earthwest	Hyundai R360LC-7A*	0	10	9	0	0	N/C(5)	19
	Hyundai R290LC-7	0	10	9	0	0	N/C (Note 1)	19
Hitachi	Hitachi ZX330-3	0	10	5	0	0	37	52
BT Equipment	Sumitomo SH300-5	0	10	3	0	0	N/C (Note 1)	13
	Sumitomo SH330-5	0	10	3	0	0	34	47

Notes (High=best)

1. Machine size, would not have affected recommendation.

5. Contractual error: priced small machine, quoted larger machine; would not have affected recommendation.

Price Only	Price	Trade	Changeover	Attachments	Total	No trade disc	Adjusted	\$Weighting
Westrac Caterpillar	481448	55000	426448	348991	775439		775439	27
Komatsu	546334	N/A (2)	546334	INC	546334	40000	506334	41(3)
Digrite	419293	N/A (2)	419293	236500	655793	40000	615793	34(3)
CJD Equipment	391600	44000	347660	163677	511337	11000(4)+40000	460337	45
Earthwest	N/C							
Hitachi	396000	N/A (2)	396000	206800	602800	40000	562800	37 (3)
BT Equipment	401500	93500	308000	297660	605660		605660	34

Notes (continued)

2. No trade

3. Assume trade value TTL of \$40K: the Komatsu, Hitaci and Kobelco excavator net c/o is adjusted.

4. No trade discount of \$11K.

200708/111 Council Decision/Officer's Recommendation**Moved:** Cr J M Gillingham**Seconded:** Cr J E Ford**That Council:**

- i) award the Tender 06/64 : Supply and Delivery of One (1) [30 tonne] Track Excavator and Attachments to Komatsu Australia Ltd for the tendered amount of \$546,334,
- ii) authorise the Chief Executive Officer or his nominated officer to negotiate installation of a satellite tracking system; and
- iii) transfer an amount of \$550,000 from the Waste Management Reserve to Operating Account.

CARRIED BY ABSOLUTE MAJORITY 7/1

ATTACHMENT TO AGENDA ITEM 11.3.1.2



**11.3.1.3 Waste Management Facility; Cyclone George Refuse
(File No.31:04/0001)**

Officer Terry Dodds
Director Engineering Services

Date of Report 18 January 2008

Disclosure of Interest by Officer Nil

Summary

The sheer volume and speed in green waste which material was deposited after cyclone George, and the collection method/s during the cleanup, has mixed foreign materials with green waste.

Previous attempts to mulch this material proved unsuccessful with machinery not coping with foreign objects. The Town incurred mobilisation/demobilisation costs, and the contractor incurred plant repair costs.

Background

During the Cyclone George cleanup less emphasis was made on sorting, than was placed on the speed of the cleanup operations. This was exacerbated due to the town relying on help, and the good intentions of, external providers at the time. As a result, significant amounts of steel, wire rope, wire, twine and other machine-destroying material was inadvertently mixed in the green waste.

Since then the Town sought the services of a private contractor to mulch the waste. This proved to be unsuccessful with the contractor damaging their machine, the Town incurred mobilization and demobilization costs and very little mulch being produced.

Consultation

Works Manager
Coordinator Ranger Services

Statutory Implications

As a prescribed, classified refused disposal facility, the South Hedland Refuse Disposal Facility is required to comply with the Department of Environment and Conservation License conditions. The DEC conditions do not preclude burning of green waste.

Waste Avoidance & Resource Recovery Levy Act 2007: WASTE 2020 policy Document, 'Towards Zero Waste'.

Policy Implications

While no formal policy exists on this matter, at its Ordinary Meeting held in May 2006, Council resolved the following:

“That Council resolve to ban burning off green waste and identify alternative methods of waste management.”

Strategic Planning Implications**KEY RESULT AREA 5 – ENVIRONMENT****Goal 1 – Waste Management**

That the Town of Port Hedland is managing waste at a level commensurate with Best Practice for Local Governments of similar size and nature.

Strategy 1. Progressively develop the South Hedland Landfill Facility in accordance with the Landfill Strategic Plan.

Strategy 2. In conjunction with other Pilbara Regional Council, undertake the Pilbara Regional Waste Management Strategy with a particular focus on opportunities for the development of sustainable reuse and/or recycling of waste materials.

Strategy 3. Support the development of independent proposals that reduce the level of waste to landfill.

Measurements

- A comprehensive, sustainable reuse and recycling service is operating from Council's refuse facility.
- 30% less waste is being buried at the Landfill site with an aim of meeting Zero Waste to Landfill by 2020 Strategy.

Significant works have been undertaken at the Council Tip to improve the user-friendliness and environmental compliance of the service.

Budget Implications

Council has \$30,000 in its 2007/08 budget, allocated for mulcher management and operations.

Officer's Comment

The volume of green waste at the Refuse Disposal Facility is Significant. Council has several potential options to progress this matter.

Option 1. Bury

To bury this extremely voluminous amount of waste is cost prohibitive. The sheer number of pieces of plant and weeks it would take to complete the work is not a justifiable option. To reduce the life expectancy of the WMF by taking up so much volume would also be a huge cost, not representative in today's dollars, but represented as a un-wanted legacy passed onto future residents.

There are other issues; such as the fact that vegetable matter does not compact easily, which may increase the risk of spontaneous combustion with water ingress.

Should the Town have an underground fire, the environmental and financial costs would be much more significant as our control is reduced.

Option 2. Do Nothing

To do nothing is a risk in itself, as there have been many lightning strikes around the facility and break-ins into the facility. An un-controlled burn is not safe.

Option 3. Mulch

The sheer volume of green waste that has been stockpiled makes it very time and machinery intensive and costly to mulch the material.

Additionally, if the Town were to find a contractor keen to complete works as per the original attempt, contractors are likely to include a clause in the contract to cover potential loss and damage.

The material is now so dry, if mulching were attempted; this is a very high risk of an un-controlled fire. The risk is much greater than with a lightning strike or break-in, as if it caused damage to persons or property it would be construed as a ToPH project, not something outside of our reasonable control. There is also the risk to the staff and machinery at site.

Option 4. Controlled Burn-Off

From a Waste Management Facility life expectancy, cost and risk viewpoint this is the most suitable option. It has been done with success in the past, has a reasonably fixed cost and is able to have risk mitigated, as proven.

Officer's Recommendation

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

- “10. Revoking or changing decisions made at Council or Committee meetings – s5.25(e)*
- 1. If a decision has been made at a council or committee meeting then any motion to revoke or change the decision must be supported –*
 - (a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover; or*
 - (b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover*
 - 2. If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made –*
 - (a) In the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority;*
 - (b) In any other case, by an absolute majority.*
 - 3. This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.*

Voting Requirements

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

Officer's Recommendation

- ii) authorises Council Officer's to utilise the \$30,000 of 2007/08 budget funds allocated for mulcher operations/maintenance to safely mulch as much green waste as is possible within the given budget parameters;
- iii) authorises the one-off controlled burning of green waste collected as a result of Cyclone George; and
- iv) continues to work with the Pilbara Regional Council to identify more environmentally sustainable methods of green waste management in 2008/09 and beyond.

Alternate Officer's Recommendation

That Council:

- i) authorises Council Officer's to utilise the \$30,000 of 2007/08 budget funds allocated for mulcher operations/maintenance to safely mulch as much green waste as is possible within the given budget parameters;
- ii) authorises the one-off controlled burning of green waste collected as a result of Cyclone George; and
- iii) continues to work with the Pilbara Regional Council to identify more environmentally sustainable methods of green waste management in 2008/09 and beyond.
- iv) prohibits any future burning of green waste at the landfill facility unless resolved by Council in advance.

NOTE: Deputy Mayor called for a show of hands in favour to consider the revoking of resolution 200506/438 of Item 13.1 "That Council resolve to ban burning off green waste and identify alternative methods of waste management." of the Ordinary Meeting of Council held on the 24 May 2006 and recorded on page 156 of those Minutes.

The following Councillors showed their support in favour of considering the revocation of resolution 200506/438:

- Deputy Mayor Arnold Carter
- Councillor Steve Coates
- Councillor George Daccache
- Councillor Jan Gillingham

200708/112 Council Decision/Officer's Recommendation

Moved: Cr A A Gear

Seconded: Cr G J Daccache

That Council revokes resolution 200506/438 of Item 13.1 of the Ordinary Meeting of Council held on the 24 May 2006 and recorded on page 156 of those Minutes, as follows:

"That Council resolve to ban burning off green waste and identify alternative methods of waste management."

CARRIED BY ABSOLUTE MAJORITY 6/2

200708/... Council Decision**Moved:** Cr J E Ford**Seconded:** Cr G D Bussell

That Council:

- i) authorises Council Officer's to utilise the \$30,000 of 2007/08 budget funds allocated for mulcher operations/maintenance to safely mulch as much green waste as is possible within the given budget parameters;
- ii) continues to work with the Pilbara Regional Council to identify more environmentally sustainable methods of green waste management in 2008/09 and beyond; and
- iii) a report be developed on options of supplying mulch to the Port Hedland Community.

*LOST 3/5***200708/113 Council Decision****Moved:** Cr A A Gear**Seconded:** Cr S Coates

That:

- i) **Council authorises Council Officer's to utilise the \$30,000 of 2007/08 budget funds allocated for mulcher operations/maintenance to safely mulch as much green waste as is possible within the given budget parameters;**
- ii) **Council authorises the one-off controlled burning of green waste;**
- iii) **Council continues to work with the Pilbara Regional Council to identify more environmentally sustainable methods of green waste management in 2008/09 and beyond;**
- iv) **Council prohibits any additional future burning of green waste at the landfill facility unless resolved by Council in advance;**
- v) **a report be developed on options of supplying mulch to the Port Hedland Community, to be presented to Council's Ordinary Council Meeting to be held in April 2007; and**
- vi) **the Port Hedland Community be fully informed of the burn prior to the activity occurring.**

CARRIED 5/3

REASON: Council:

- . sought to ensure the community would be fully informed prior to the burn occurring;*
- . resolved that any future burning of green waste would only occur with Council's approval in advance; and*
- . requested a report to its April Ordinary Council Meeting providing options of supplying mulch to the Port Hedland Community.*

11.3.1.4 Community Bus Management (File No...)

Officer Terry Dodds
Director Engineering Services

Date of Report 18 January 2008

Disclosure of Interest by Officer Nil

Summary

BHP Billiton and the Town of Port Hedland have recently purchased a bus for community use, under the Sustainability Agreement.

Background*History*

The original Community Bus was purchased with the assistance of the Lotteries Commission in January 2000 for use by community groups. Whilst the bus was used with moderate success, the management and maintenance of the vehicle proved to be difficult. Early in 2003 Council agreed to allow the Port Hedland Visitor Centre to use the bus on the condition that all expenses were met.

This was a difficult process to manage to ensure the bus was maintained in a suitable manner. The Visitor Centre declined usage for a number of reasons and the bus was parked at the Council Depot where it rapidly deteriorated.

At that time all possible interested not-for-profit community bodies were advised of Council's consideration of putting this bus to good use with the condition that the interested organisation will take full responsibility of all associated costs and procedures. Most organisations were unable to commit to such a proposal, beneficial as it may be, due to financial and manpower limitations. A previous staff recommendation to dispose of the Community Bus was considered by Council at its Ordinary Meeting held on 17 December 2004. Council resolved as follows:

“That the intent to dispose by donation the community bus to Pilbara Job Futures, subject to incorporation documentation being provided and on the condition that the bus is made available to other community organisations on request at reasonable hire rates, be advertised.”

In accordance with Council's decision and Section 3.58 of the Local Government Act 1995, Disposal of Property, Local Government (Functions and General) Regulations 1996 Section 30 (3) the intent to dispose of the Community Bus was advertised in the 'West Australian' and the 'North West Telegraph' newspapers on 21 February 2004, and 18 February, respectively.

The period to lodge objections expired on 6 March 2004, and no objections were received. Staff recommended that the disposal of the Town of Port Hedland Community Bus to Pilbara Job Futures, subject to incorporation documentation being provided and on the condition that the bus is made available to other community organisations on request at reasonable hire rates, be approved. Council resolved the matter lay on the table.

In April 2004 Council resolved to lease the bus at a peppercorn rate to Pilbara Job Futures. It is not clear whether Pilbara Job Futures ever executed the lease.

New Bus Operation

Since then BHP Billiton and the Town of Port Hedland, as part of the Sustainability Project, have jointly purchased a new bus for not-for-profit community use.

Some two months ago the DES started seeking expressions of interest from vehicle rental companies with the aim of a company taking over the hiring of the bus on behalf of the ToPH, and receiving a fee for same.

There has been no interest, or at best, only token interest in the proposal, as the logistics and financial operations behind the operation are not very profitable or aren't easily adapted to their IT hiring systems.

Consultation

Chief Executive Officer
Works Manager
Senior Mechanic

Statutory Implications

Section 6.19 of the Local Government act 1995 states:

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

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

The vehicle will need 3G Insurance, which is a special insurance for hire vehicles, and is required to be registered as a 'Hire-Drive' vehicle. At the immediate time of writing this information was not available to the writer, nor were the budget implications.

Budget Car and Truck Rental (Perth) currently hire buses of similar size for \$180 per day up to 100km, then a further \$0.27 per kilometer with insurance extra.

A more easily administered arrangement would be a rate of say \$150 flag fall then \$0.25 per kilometer after the first 100km.

The projected loss of this venture is unknown as it will be dependent on the number of hires. Council will have to monitor and adjust funds accordingly.

Officer's Comment

As an interim measure, similar to the approach taken with the Airport Café, the ToPH must facilitate the bus hire until when, or indeed if, a commercial agreement can be entered into with a suitable service provider.

Council has previously used a Rental Agreement (attached), which states the fees and charges for various acts and omissions of hire.

- Staff seek to raise all rates for labour to current maximum *standard* and *after hours* pay rates, ensuring the hirer of the bus compensates the ToPH for all costs: reference; Item 4 (p).
- Raise bond to \$1,000 to allow for:
 - Professional cleaning costs:
 - Inside \$350
 - Outside \$350
 - Inside and outside \$700
 - Damage to the bus (additional costs will be invoiced to the hiring organisation)

There will undoubtedly be initial teething problems with the bus hire, as our history shows, which is endemic in most not-for-profit volunteer ventures. We need to overcome these and continue to seek the best outcome for all stakeholders, remembering we are here to provide support to the community, as per our strategic plan.

Officer's Recommendation

That Council:

- i) manage the operation of the new community bus 'in house' for the 2008 calendar year;
- ii) review the options for management/operations of the community bus in early 2009;
- iii) set the fees and charges for the hire of the community bus as follows:

Item	Fee	GST	TOTAL
Bond	\$909.09	\$90.91	\$1,000
Hire per day (or part there-of)	\$136.36	\$13.64	\$150
Rate per kilometre (first 100 kilometres free)	\$0.23	\$0.02	\$0.25

- iv) advertise the new fees and charges for two (2) weeks prior to the implementation of the hire of the community bus in accordance with section 6.19 of the Local Government Act 1995.

200708/114 Council Decision**Moved:** Cr G J Daccache**Seconded:** Cr J E Ford**That Council:**

- i) manage the operation of the new community bus 'in house' for the 2008 calendar year;
- ii) review the options for management/operations of the community bus in early 2009;
- iii) set the fees and charges for the hire of the community bus as follows:

Item	Fee	GST	TOTAL
Bond	\$909.09	\$90.91	\$1,000
Hire per day (or part there-of)	\$136.36	\$13.64	\$150
Rate per kilometre (first 100 kilometres free)	\$0.23	\$0.02	\$0.25

- iv) advertise the new fees and charges for two (2) weeks prior to the implementation of the hire of the community bus in accordance with section 6.19 of the Local Government Act 1995.
- v) ensures first preference for hiring of the community bus is given to community and sporting groups.

CARRIED BY ABSOLUTE MAJORITY 8/0

REASON: Council prefers community and sporting groups have first preference to hire the community bus.

ATTACHMENT TO AGENDA ITEM 11.3.1.4

**TOWN OF PORT HEDLAND
TERMS AND CONDITIONS OF RENTAL AGREEMENT
20 SEATER BUS**

1. INTERPRETATION

The Rental Agreement between the Town of Port Hedland (ToPH) and Renter made on the date set out as shown on the Rental Document comprises:

- (a) These terms and conditions handed to Renter with the Rental Document signed by Renter; and the Rental Document.
- (b) In this Rental Agreement:
 - "Authorised Driver" means an additional driver who signs the additional drivers form on rental document
 - "Rental Period" means the period commencing on the date shown on the Rental Document and ending on the date as shown on the Rental Document;
 - "Vehicle" means the vehicle described on the Rental Document and includes all parts and components of the vehicle including tyres, spares tools etc.

2. RENTAL OF VEHICLE

- (a) The Vehicle is available to rent to all not for profit, incorporated community based organizations, schools, religious groups and government departments.
- (b) Council delegates to the Chief Executive Officer the authority to determine bus rental to organizations other than the above.
- (c) Renter accepts the duties of a bailee in relation to the Vehicle.
- (d) The renter accepts that the vehicle must not be used as a "fee for service" public bus service and used only for the purposes stated in the rental agreement.

3. DRIVER

Renter agrees and declares that:

- (a) Unless ToPH has otherwise agreed in writing, only the Authorised Driver will drive the vehicle;
- (b) The Authorised Driver hold a current and valid B Class Western Australia Driver's Licence; and
- (c) Renter has correctly set out Driver's particulars on the Rental Document.

4. DRIVING THE VEHICLE

Renter agrees that, the Authorised Driver will:

- (a) Not allow the Vehicle to be used for any illegal purpose, race, contest or performance test of any kind;

- (b) Not allow the Vehicle to be used to tow or push anything or carry more passengers or load than that for which it was built;
 - (c) Not be under the influence of alcohol, drugs or have a blood alcohol content that exceeds the legal limit in the state or territory in which the Vehicle is driven;
 - (d) Not refuse or fail to take any blood analysis or breath test requested by the police;
 - (e) Not allow the Vehicle to be used to carry passengers or goods for payment of any kind;
 - (f) Not abuse or misuse the Vehicle, and maintain all engine oils and engine coolant levels to the manufacturers' specifications;
 - (g) Not use the Vehicle when it is damaged or unsafe;
 - (h) Not drive the Vehicle on beaches or through streams, dams, rivers or flood waters;
 - (i) Only use the Vehicle on a road which is properly formed and constructed as a sealed, metalled or gravel road;
 - (j) Keep the Vehicle locked and the keys under personal control at all times;
 - (k) Not use the Vehicle to transport property except in compliance with all necessary approvals, permits, licences and government requirements (to be obtained at the Renters' cost) and in accordance with the Vehicle manufacturer's and ToPH's recommendations;
 - (l) Not drive the Vehicle outside of Western Australia without the ToP.H's written consent
 - (m) Not with ToPH's prior written consent use the Vehicle to carry any inflammable substance which has a flash point under 22.8`c or any other explosive or corrosive substance;
 - (n) Not use the Vehicle in contravention of any traffic act or road safety act in force in Western Australia, or for any illegal purpose;
 - (o) External emergency exit to be locked upon exiting vehicle.
 - (p) If the emergency exit is activated, the vehicle will be disabled. If this occurs contact 0417 991 834. Charges will be incurred by the hirer to remedy this fault. The charges are as followed:
Business Hours 1 hr \$80.00 plus GST
After Hours 3 hr \$240.00 plus GST
- 4.1 Renter is liable for any unauthorised repairs to the Vehicle and for all parking and traffic violations in respect of the Vehicle during the rental period. ToPH will not reimburse Renter for authorised repairs to Vehicle, if applicable, without receipts.
- 4.2 Renter must comply with any applicable seat belt and child restraint laws, and warrant that any restraints fitted so comply.

5. RETURN OF VEHICLE

- 5.1 Renter must return the Vehicle to ToPH:
- (a) At the place, date and time shown on the Rental Document;
 - (b) In the same condition as it was at the commencement of the rental period, fair wear and tear excepted. (see attached cleaning sheet)
 - (c) The vehicle must be returned with a full tank of fuel.
- 5.2 If Renter returns the Vehicle to a location other than that shown on the Rental Document, a "one way fee" may be applicable and is payable by Renter on termination of the Rental Period.
- 5.3 When Renter returns the Vehicle to the Depot, and it is not open for business, the Rental Period continues until that time the vehicle is returned to the depot.
- 5.4 If Renter returns the Vehicle on a date or at a time or both other than that shown on the Rental Document the Rental Document is breached.
- 5.5 ToPH may terminate this Rental Agreement and reposses or demand the return of the Vehicle without notice if ToPH suspects that Renter has breached the terms and conditions of the Rental Agreement or if it is likely that damage or injury may occur or if its use will contribute to an industrial dispute. If such a termination occurs, Renter must pay ToPH all costs and charges in repossessing the Vehicle and all costs and charges incurred under this Rental Agreement.

6. INSPECTION OF VEHICLE

- 6.1 The vehicle will be inspected within 2 working days, excluding Saturdays, Sundays, Public Holidays and RDO's by a ToP.H. Senior Plant Mechanic who will provide a condition report on the vehicle.
- 6.2 Bond will not be refundable until this inspection has been undertaken.

7. FUEL

- 7.1 The rental charge includes fuel costs. Reimbursement of fuel will be made on the presentation of fuel receipts.
- 7.2 The vehicle must be returned with a full tank of fuel

8. LOSS AND DAMAGE WAIVER, DAMAGE AND LOSS OF PROPERTY

Subject to 8.2, Renter is liable:

- (a) For loss of, and all damage to the Vehicle; and
 - (b) For all damage to property of any person which is:
 - (i) Caused by an act or omission of Renter or an Authorised Driver; or
 - (ii) Arises from Renter's or Authorised Driver use of the Vehicle.
- 8.1 Renter's rates) and, where applicable, the excess shown on the Rental Document is paid by Renter for each and every incident, ToPH:
- (a) Waives Renter's liability under 8.1 in respect of damage to or loss of the Vehicle; and

- (b) Will ensure that Renter and any Authorised Driver are indemnified for their legal liability to a third party for damage to the property of that third party which is caused by Renter's or the Authorised Driver use of the Vehicle. This cover is subject to the terms and conditions of the Rental Agreement and also any Renter or Authorised Driver policy substitution clause operable at the time of any third party loss or damage.
- 8.2** Renter is always liable for and 8.2 does not cover:
- (a) The excess shown on the Rental Document if there is damage to or loss of the Vehicle or if there is damage to property of any third party.
 - (b) The cost of rectifying any tyre damage not attributed to normal wear and tear;
 - (c) The cost of repairing any damage caused deliberately or recklessly by Renter, or authorised driver of the Vehicle or any passengers carried during the Rental Period;
 - (d) The cost of repairing any damage to the Vehicle and to third party property arising as a result of a breach of any terms of the Rental Agreement or any applicable law.
 - (e) The cost of repairing overhead or roof damage caused by but limited to contact between the Vehicle and objects overhanging or obstructing the path of the Vehicle, or damage caused in any other manner;
 - (f) The cost of repairing any damage arising from the Vehicle being used as part of any articulated Vehicle;
 - (g) The cost of repairing water damage to the Vehicle or any underbody damage, and any resulting damage from that underbody damage, to the Vehicle;
 - (h) Any damage to the interior of the Vehicle regardless of the cause when no other Vehicle is involved.
- 8.3** For the purpose of 8.3, the cost of damage or repair is to be determined by ToPH in its discretion and includes:
- (a) The cost of repairs to the Vehicle or the market value of the Vehicle at the time of loss, whichever is the lesser;
 - (b) Appraisal fees;
 - (c) Towing, storage and recovery costs;
 - (d) A reasonable administrative fee determined by ToPH; and
 - (e) A per day loss of use fee based on reasonable downtime of the Vehicle.
- 8.4** ToPH is not liable to any person, and Renter indemnifies ToPH, for any loss or damage to any property stolen from the Vehicle or otherwise lost during the rental or to any property left in the Vehicle after its return to ToPH.

9. LIABILITY OF ToPH

ToPH GIVES NO WARRANTY OR CONDITION AS TO THE VEHICLE OTHER THAN ANY NON-EXCLUDABLE WARRANTY OR CONDITION IT IS REQUIRED TO GIVE. ToPH DOES NOT PURPORT BY THIS (OR ANYTHING ELSE) TO EXCLUDE, RESTRICT OR MODIFY ANY NON-EXCLUDABLE RIGHTS WHICH RENTER HAS UNDER THE TRADE PRACTICES ACT 1974 (CTH) OR ANY OTHER STATE OR TERRITORY LEGISLATION.

10. CLAIMS AND PROCEEDING

Where use of the Vehicle by Renter, and Authorised Driver or any other person results in an accident or claim, or where damage or loss is sustained to the Vehicle, Renter must ensure that Renter or any Authorised Driver or both (as the case may be):

- (a) Promptly reports such incidents to the local police as required by the traffic act or any road safety act;
- (b) Promptly reports such incidents in writing to ToPH;
- (c) Does not, without ToPH's written consent, make or give any offer, promise of payment, settlement, waiver, release, indemnity or admission of liability;
- (d) Permits ToPH or its insurer at its own cost to bring, defend, enforce or settle any legal proceeding against a third party;
- (e) Completes and furnishes to ToPH within a reasonable time any statement, information or assistance which ToPH or its insurer may reasonably require, including attending a lawyer's offices and at court to give evidence.

11. PAYMENT

On termination of the rental, Renter must pay ToPH on demand:

- (a) All charges specified on the Rental Document and all charges payable under this Rental Agreement;
- (b) All moneys payable to ToPH arising out of the use of the Vehicle by Renter or imposed on ToPH or on Renter by any governmental or other competent authority (such as speeding, parking and traffic fines); and
- (c) All moneys for which Renter is liable to ToPH under this Rental Agreement in respect of a breach of this Rental Agreement or for damage, loss or otherwise to the Vehicle.

11.1 Distance charges are measured from the Vehicle odometer.

11.2 Renter authorises ToPH to charge all moneys payable to ToPH under this Rental Agreement from the bond

11.3 Any refund due to Renter will be paid by means as determined by ToPH.

What is expected from the hirer before the return of the bus:

Vacuum	floor and seats
Wash	floor, seats, dashboard, steps, doors and doorhandles, windows, outside of bus (tyres/wheels, roof, body, lights and undercarriage)
Wipe/wash	blinds, luggage bins, boot
Refuel bus	needs to be fuelled up completely

Please do not use Armour All on the bus.

Council shall impose the cost of cleaning/refuelling after the hire, if in the opinion of Council; the bus was not cleaned/refuelled properly by those responsible for the hire.

Professional cleaning costs are as followed:

If bus is reasonably clean	\$ 60.00 + \$ 6.00 GST	inside only
If bus is reasonably clean (wash only)	\$ 100.00 + \$10.00 GST	outside only
If bus is dirty	\$ 150.00 + \$15.00 GST	inside only
If bus is dirty	\$ 150.00 + \$15.00 GST	outside only
If bus needs cleaning inside and out	\$ 300.00 + \$30.00 GST	
Cost to have the bus refuelled	\$ 40.00 + \$ 4.00 GST	

COMMUNITY BUS POST-HIRE INSPECTION LIST
Cleanliness

HIRER

DATES HIRED FROM: TO:

CONDITION	CLEANING REQUIRED	ACCEPTABLE	COMMENT
OUTSIDE			
WINDOWS			
TYRES/WHEELS			
ROOF			
BODY			
LIGHTS			
UNDERCARRIAGE			
INSIDE			
FLOORS			
UPHOLSTERY/SEATS			
WINDOWS			
WINDSCREEN			
LUGGAGE BINS			
DASHBOARD			
DOORS			
LUGGAGE AREA/BOOT			
GLOVEBOX			
HANDLES			
BLINDS			

INSPECTION DATE

INSPECTED BY

SIGNATURE

Comments:

11.3.2 Technical Services**11.3.2.1 *Tender 06/61 Design and Construction of Playground Shade Structures (File No.: 21/07/0002)***

Officer Jenella Voitkevich
Manager Technical Services

Date of Report 13th March 2008

Disclosure of Interest by Officer Nil

Summary

This report is a summary of submissions received for Tender 06/61 Design and Construction of Playground Shade Structures for the purpose of awarding the tender to the preferred contractor.

Background

Tenders were recently called for the design and construction of playground shade structures, which closed on 5 March 2008.

Council has recently upgraded the playground equipment in various locations in both Port and South Hedland to ensure compliance with currently Australian Standards. The adopted 2007/08 budget authorised expenditure on the further development of playground facilities at Colin Matheson Oval and Kevin Scott Oval. Facilities specific to Tender 06/61 include five (5) shade structures over playground equipment at Colin Matheson Oval, four (4) shade structures over playground equipment at Kevin Scott Oval and two (2) picnic setting shade structures at each location.

The scope of works as prescribed within the tender documentation is:

- Concept and final design
- Engineering certification of shade structures
- Provision of documentation for Council building and planning approvals
- Obtain all necessary statutory approvals, such as building licence
- Fabrication of shade structures
- Transportation of shade structures to construction site
- Installation/erection of shade structures

Consultation

Council staff

Statutory Implications

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

“3.57. Tenders for providing goods or services

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

Policy Implications

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

Strategic Planning Implications

KRA 1 - INFRASTRUCTURE

Goal 2 - Parks & Gardens (To have a variety of well maintained and well utilised parks and gardens that meet the various needs of park users)

Strategy 2 - Review, update and continue to progressively implement, the Town's Five-Year Playgrounds Upgrade program

Budget Implications

The adopted 2007/08 budget has an allocation of \$345,000 for Playground Development (1111446). This has been revised in the December budget review to \$520,402 to include additional funding received from BHP Billiton (pending formal approval from Council, refer Corporate Services item this meeting). The scope of works for Tender 06/61 has been allocated a budget of \$230,000 from Account 1111446. The tender document clearly states the proposed budget in section 4.2, with a requirement for tenderers to design within the budget constraints.

Officer's Comment

Although tender documentation was distributed to eight (8) organizations, submissions were only received from one (1) tenderer, Wild Terrain Designs, as detailed in Table 1 following:

Table 1 (note: priced indicated are exclusive of gst):

Tenderer	Schedule A – Colin Matheson	Schedule B – Kevin Scott	Total
Wild Terrain Designs – option 1 (Honeycomb)	\$247,378	\$200,503	\$447,881
Wild Terrain Designs – option 2 – (Wave)	\$204,104	\$166,239	\$370,343
Wild Terrain Designs – option 3 (Utilitarian)	\$139,104	\$112,239	\$251,343

Table 2 below indicates the evaluation criteria as per tender documentation:

Table 2:

Price within specified budget	Pass/Fail
Shade coverage achieved	50%
Aesthetic appeal of design	25%
Demonstrated capability	10%
Availability	10%
Local Supplier	5%
TOTAL	100%

Extract from tender documentation:

“Please note that the price component receives a Pass or Fail scoring only. Tenders shall be submitted based on the specified budget for the project. Tenders receiving a ‘Fail’ score for pricing will be deemed non-compliant and not considered for contract. Refer to section 4.2 Budget Consideration.”

As all of Wild Terrain Designs submissions exceeded the budget of \$230,000, and therefore received a ‘Fail’ score in accordance with the evaluation criteria, their tender is considered non-compliant and further assessment is not required.

Tenderers were requested to provide a concept plan indicating the proposed shade structure layout based on the current and proposed playground equipment locations. Wild Terrain Designs has not provided this information; therefore it is difficult to determine whether the proposed shade structures will fit within the parameters of the playground equipment and rubber surfacing constraints.

Wild Terrain Designs have also not submitted information regarding Builders Registration details, as required within the tender documentation.

Due to the non-compliance of the tender received it is recommended that Council staff liaise with appropriate contractors for the design and construction of playground shade structures to ensure that the project outcomes are met. This may require a review of the quantity of structures to comply with budget constraints, however initial budget investigations have indicated that this is not the case. It is likely that tenderers were discouraged by the combination of design *and* construction and it is anticipated that the separation of these two elements will attract new submissions within Council's budget constraints.

Attachments**Nil****200708/115 Council Decision/Officer's Recommendation****Moved:** Cr G D Bussell**Seconded:** Cr G J Daccache**That Council:**

- i) reject all tenders submitted for Tender 06/61 Design and Construction of Playground Shade Structures; and**
- ii) authorises the Chief Executive Officer or his nominated officer to negotiate with supplier/s for the design and/or constructions of playground structures as specified within Tender 06/61 'Design and Construction of Playground Shade Structures' within Council's existing budget provision of \$230,000.**

CARRIED 8/0

11.3.3 Recreation Services**11.3.3.1 Addition to Fees and Charges for the Gratwick Aquatic Centre Gym (File No.: 26/04/0005)**

Officer Bec Pianta
Manager Recreation Services

Date of Report 14 March 2008

Disclosure of Interest by Officer Nil

Summary

The Gratwick Aquatic Centre Gym is scheduled to be open to the public in the near future. There are currently no related Fees and Charges for use of the facility, therefore additions to the 07/08 Schedule Fees and Charges are requested.

Background

As part of the 2007/08 Recreation Budget, \$30,000 was allocated for the implementation of a gym at Gratwick Aquatic Centre. Items have since been both purchased and leased, and it is expected that the gym will soon be operational.

Additions to the current fees and charges are required to cover the new service that will be offered at the Aquatic Centre.

Consultation

Director Engineering, Terry Dodds
YMCA Area Manager, Ash Crimmins
Aquatic Advisory Committee, comprising:

- Councillor Arnold Carter
- Councillor Grant Bussell
- Community Representatives
- Town of Port Hedland staff

Statutory Implications

Section 6.19 of the Local Government Act 1995 states:

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

Policy Implications Nil

Strategic Planning Implications

KRA 3: Community Development
 Goal 2: Sports and Leisure
 Strategy 3: Identify development opportunities for the Town's Aquatic Centres that will improve patronage – especially by young people.

Budget Implications

It is anticipated that revenue will increase as an additional service will increase patronage levels at the Gratwick Aquatic Centre.

Officer's Comment

The new services that will be offered at the Gratwick Aquatic Centre gym have been developed to target a broad range of community demographics. The fees are based upon the level of supervision required, the existing fees and charges as adopted by Council and the comparison to existing gym services within the Hedland area and surrounding region. Competition law has been considered when developing these proposed fees and charges. It is important to note that membership to the Gratwick Gym also allows for entry to the pool.

The proposed fee structure is as follows:

Item	Fee	GST	TOTAL
Gym & Pool Membership: 3 months	\$272.73	\$27.27	\$300
Gym & Pool Membership: 6 months	\$409.09	\$90.91	\$450
Gym & Pool Membership: 12 months	\$709.01	\$70.91	\$675
Casual Attendance	\$10.91	\$1.09	\$ 12
Joining Fee (inc. consultation)	\$40.91	\$4.09	\$ 45
Personal Training 30 minutes	\$45.45	\$4.55	\$ 50

Officer's Recommendation

That Council:

- i) amends the 2007/08 Schedule of Fees and Charges for the Gratwick Aquatic Centre to include Gratwick Aquatic Centre Gym charges as follows:

Item	Fee	GST	TOTAL
Gym & Pool Membership: 3 months	\$272.73	\$27.27	\$300
Gym & Pool Membership: 6 months	\$409.09	\$90.91	\$450
Gym & Pool Membership: 12 months	\$709.01	\$70.91	\$675
Casual Attendance	\$10.91	\$1.09	\$ 12
Joining Fee (inc. consultation)	\$40.91	\$4.09	\$ 45
Personal Training 30 minutes	\$45.45	\$4.55	\$ 50

and

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

200708/116 Council Decision/Alternate Officer's Recommendation

Moved: Cr G D Bussell

Seconded: Cr G J Daccache

That Council:

- i) amends the 2007/08 Schedule of Fees and Charges for the Gratwick Aquatic Centre to include Gratwick Aquatic Centre Gym charges as follows:

Item	Fee	GST	TOTAL
Gym & Pool Membership: 3 months	\$272.73	\$27.27	\$300
Gym & Pool Membership: 6 months	\$454.55	\$45.45	\$500
Gym & Pool Membership: 12 months	\$772.73	\$77.27	\$850
Casual Attendance	\$ 10.91	\$ 1.09	\$ 12
Joining Fee (inc. consultation)	\$ 40.91	\$ 4.09	\$ 45
Personal Training 30 minutes	\$ 45.45	\$ 4.55	\$ 50

Item	Description
Corporate Memberships	10% reduction on individual memberships when 12 + members from one organisation sign-up simultaneously
Special: Nil Joining Fee (4 x per year)	Joining fee waived for special events (e.g. Mothers Day, Xmas)
Special: 1 month free with every 12 month membership (4 x per year)	Off-peak specials to encourage yearly memberships
Loyalty Program	Re-join for 12 months and receive a 10% discount
Special: Referral	Refer a friend who joins for 3 months and get 2 weeks free
Free weekly passes (CEO discretion)	Try-before-you-buy specials

and

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

CARRIED BY ABSOLUTE MAJORITY 8/0

11.3.4 Port Hedland International Airport**11.3.4.1 *Tender 06-Upgrade Boundary Fencing: Port Hedland International Airport (File No.: 05/09/0010)***

Officer Eleanor Whiteley
Airport Manager

Date of Report 14 March 2008

Disclosure of Interest by Officer Nil

Summary

For Council to consider submissions received for Tender 06-57 "Upgrade Boundary Fencing Port Hedland International Airport."

Background

Council called for tenders for the upgrade of the boundary fencing at Port Hedland International Airport in February 2008. Advertisements calling for tenders were placed in the North West Telegraph and the West Australian. The advertised closing date and time for Tender 06-57 was on 7 March 2008 at 2:00pm.

On 7 March 2008 at 2.00pm the tender box was opened in the presence of the Director Engineering Services, Director Corporate Services, Deputy Mayor Arnold Carter and the Airport Manager.

Tenders were received from:

- Boundaries WA
- Allworks Northwest
- Southern Wire (2 Submissions received) These are referred to as submissions 1 and 2 .

Tenderers were required to provide information in Part A relating to the Bill of Quantities for the supply and installation of the fencing and replacement gates. They were also asked to provide additional information being a price per 100m for the removal of any existing fencing and a price for the supply and installation of griplock fencing on a per100m. This additional installation information was requested for the use of any works identified whilst the crew was on site and requiring repairs. Information received from the tenderers is summarised below.

Part A

Name	Total Lump Sum Tender Price (inc GST)
Boundaries WA	\$210,940.33
Allworks Northwest	\$364,008.81
Southern Wire (Submission 1)	\$174,663.50
Southern Wire (Submission 2)	\$ 186,120.00

Additional Information

The tender also called for additional information relating to a price (per 100m) for the removal of the existing fence and for a price for the supply and installation of new grip lock fencing (per 100m). The rates provided are as follows.

Rate for the supply & Installation of new griplock fencing:

Boundaries WA	\$1772.10 inc GST
Southern Wire (Submission 1)	\$9.44 inc GST
Southern Wire (Submission 2)	\$1111.00 inc GST
Allworks Northwest	\$2832.11 inc GST

Rate for the removal of existing fencing:

Boundaries WA	\$715.00 inc GST
Southern Wire (Submission 1)	\$4.00 inc GST
Southern Wire (Submission 2)	\$440.00 inc GST
Allworks Northwest	\$201.30 inc GST

A total of approximately 12 kilometres of existing boundary fencing shall be required to be removed as part of the tender.

The following table summarises the tenders.

	Boundaries WA		Allworks NorthWest		Southern Wire (1)		Southern Wire (2)	
	\$ Ex GST	\$ Inc GST	\$ Ex GST	\$ Inc GST	\$ Ex GST	\$ Inc GST	\$ Ex GST	\$ Inc GST
Supply and Installation of approx 12 km of new fencing and gates	191763.84	210940.33	330917.10	364008.81	158785	174663.50	169200	186120.00
Removal approx 12km existing fence	78000	85800	21960	24156	436.36	480	48000	52800
TOTAL	269763.84	296740.33	352877.10	388164.81	159221.36	175143.50	217200	238920

Consultation

Nil

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

\$200,000 G/L Account 1210462 Upgrade Perimeter Fence.

Budgetary Increase of \$49,000 to \$249,000.

Increase transfer from Airport Capital Reserve Income Account 1210398 to \$535,170

Officer's Comment

Submission One from Southern Wire did not conform, as the correct documentation was not used. The documentation submitted was not the final version of the document, which was sent in error by the Airport Office, and the scope of works had changed. Additionally, the figures submitted for the fence removal and additional fencing were on a per metre basis rather than at the per 100m rate as requested. Southern Wire was contacted for further clarification in relation to their submissions. Southern Wire confirmed verbally that Submission One was incorrect and withdrew that submission. This submission was not considered further.

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

Price	70%
Experience	10%
Resources (e.g. Plant and equipment)	10%
Local Supplier	10%
Total	100%

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

	Price (70%)	Experience (10%)	Resources (10%)	Local (10%)	Total (max 100%)
Boundaries WA	56%	10%	10%	10%	86%
Allworks NorthWest	43%	10%	10%	10%	73%
Southern Wire (Submission 2)	70%	10%	10%	0%	90%

All submissions exceed the budget allocation. The Southern Wire tender of \$217,200 ex GST is the lowest conforming tender and ranks at 90% in the matrix.

Given the scale of the project and the current contracting environment within the Town the tenders received are reasonable and it is not expected that lower amounts would be tendered for the project should it be re-advertised for tender.

Of the allocated budget of \$200,000.00, \$31,000 is already expended due to required security upgrades to gates following an airside incursion.

The tender price of \$217,200 is outside the current budget allocation and taking into account funds already expended additional funding for the project of \$49,000 is required. At present airport income is greater than expected.

200708/117 Council Decision/Officer's Recommendation**Moved:** Cr G J Daccache**Seconded:** Cr J M Gillingham**That Council:**

- i) awards Tender 06/57 – Upgrade Boundary Fencing Port Hedland International Airport to Southern Wire (Submission 2) for the amount of \$238,920 (incl. GST);
- ii) increases Expenditure Account 1210462 (Upgrade perimeter fencing) be by \$49,000 to \$249,000; and
- iii) increases Income Account 1210398 (Transfer from Airport Capital Reserve) be \$49,000 to \$535,170.

CARRIED BY ABSOLUTE MAJORITY 8/0

11.4 GOVERNANCE AND ADMINISTRATION**11.4.1 Corporate Services****11.4.1.1 *Financial Reports to Council for Period Ended 31 January 2008 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Stephen Carstairs
Manager Finance

Date of Report 19 March 2008

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the financial activities of the Town to 31 January 2008, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2006/07.

Background**1. *Financial Statements***

Presented (see attachments) in this report for the financial period ended 31 January 2008, 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 January 2008;
- Review of Transaction Activity.

Note: Interest Rates for investments are selected from those provided by the following three financial institutions: National Australia Bank, BankWest, and the Australian and New Zealand Bank.

2. *Utility and Fuel Costs*

Presented in graph form (see attached), is the 2007/08 monthly water, 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 26 March 2008 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costings.

Voucher No's			Pages		Fund	Fund Name	Description	
From	To	Value	From	To	No			
CHQ17928	17996	\$375,739.32	1	19	1	Municipal Fund	Cancelled	
CHQ17925	17927	\$0			1	Municipal Fund		
EFT20714	EFT21008	\$2,098,684.29	20	126	1	Municipal Fund		
PAY 010108		\$186,344.98	1	1	1	Municipal Fund		
PAY 150108		\$219,207.67	126	126	1	Municipal Fund		
PAY 290108		\$213,524.45	126	126	1	Municipal Fund		
PAY		\$2,046.59			1	Municipal Fund		One-off Pay
PAY		\$3,159.52			1	Municipal Fund		One-off Pay
	Municipal Total	\$3,098,706.82						
3001420	3001449	\$16,460.00	126	129	3	Trust Fund		
	Trust Total	\$16,460.00						
	Sub-Total	\$3,115,166.82						
Less: One-off Pays		-\$5,206.11					Not Included in Report	
	Total	\$3,109,960.71						

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) *wave or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money,*

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

Policy Implications

2/003 Financial Statements – Copies for Councillors

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

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

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

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

Strategic Planning Implications

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 adopt 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.

It is requested that the reader note, that given the January 2008 Financial Reports were not been presented for Council's consideration at the February 2008 Ordinary Meeting of Council as required by Financial Management Regulation 34 (4), they are presented at this meeting.

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 – January 2008 Bank Reconciliations.
- Pages 1 to 47. Detailed Financial Activity by Program.
- January 2008 Accounts for Payment
- Comparison Between 2006/07:2007/08 Utility & Fuel Costs

200708/118 Council Decision/Officer's Recommendation**Moved:** Cr G J Daccache**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 January 2008; 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 January 2008 under Delegated Authority, as presented and/or attached be received.**

CARRIED 8/0

11.4.1.2 Financial Reports to Council for Period Ended 29 February 2008 (File Nos: FIN-008, FIN-014 and RAT-009)

Officer Stephen Carstairs
Manager Finance

Date of Report 19 March 2008

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 29 February 2008, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2006/07.

Background

1. *Financial Statements*

Presented (see attachments) in this report for the financial period ended 29 February 2008, 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 29 February 2008;
- Review of Transaction Activity.

Note: Interest Rates for investments are selected from those provided by the following three financial institutions: National Australia Bank, BankWest, and the Australian and New Zealand Bank.

2. *Utility and Fuel Costs*

Presented in graph form (see attached), is the 2007/08 monthly water, 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 26 March 2008 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				
CHQ17997	18060	\$54,319.15	1	11	1	Municipal Fund	Cancelled	
CHQ18047	18058	\$0			1	Municipal Fund		
EFT21009	EFT21252	\$1,535,253.70	11	85	1	Municipal Fund		
PAY 120208		\$201,600.19	85	85	1	Municipal Fund		
PAY 260208		\$213,883.96	85	85	1	Municipal Fund		
PAY		\$3,255.43			1	Municipal Fund		One-off Pay
PAY		\$1,381.53			1	Municipal Fund		One-off Pay
PAY		\$2,561.30			1	Municipal Fund		One-off Pay
	Municipal Total	\$2,012,255.26						
3001450	3001453	\$1,320.00	85	85	3	Trust Fund		
	Trust Total	\$1,320.00						
	Sub-Total	\$2,013,575.26						
Less: One-off Pays		-\$7,198.26				Not Included in Report		
	Total	\$2,006,377.00						

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 adopt 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.

It is requested that the reader note, that given the February 2008 Financial Reports were not been presented for Council's consideration at the February 2008 Ordinary Meeting of Council as required by Financial Management Regulation 34 (4), they are presented at this meeting.

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 – February 2008 Bank Reconciliations.
- Pages 1 to 47. Detailed Financial Activity by Program.
- February 2008 Accounts for Payment
- Comparison Between 2006/07:2007/08 Utility & Fuel Costs

200708/119 Council Decision/Officer's Recommendation**Moved:** Cr J E Ford**Seconded:** Cr G J Daccache**That:**

- i) the:
- . **Statements of Financial Activity (represented by Schedules 2 to 14);**
 - . **Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 29 February 2008; 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 February 2008 under Delegated Authority, as presented and/or attached be received.**

CARRIED 8/0

11.4.1.3 December Budget Review (File No.: ...)

Officer Matthew Scott
Director Corporate Services

Date of Report 17 March 2008

Disclosure of Interest by Officer Nil

Summary

For the Council to review the results of the Second Quarter Budget review and adjust the Municipal Budget accordingly.

Background

To assist Council to better manage its financial performance, quarterly budget reviews were introduced over the last 2 years. These reviews effectively monitor the ongoing financial performance of Council, and allows Council the ability to amend or flex the Annual Budget due to changes in circumstance. Council's budget is not a static document, as external/internal forces can dramatically change how Council's financial resources are deployed throughout the financial year.

The Second quarter budget review provides significant insight into the Council's financial status. Generally after six months Officers should be aware on the accuracy of their budget estimates based on solid financial data. All significant variances should be identifiable and corrective action should be taken to avoid any unnecessary financial mishaps.

A summary of the proposed changes to the Budget (with the detailed individual account changes attached) follows:

	Schedule/Function	Original Budget	September Review	December Review	\$ from Sept Review
3	General Purpose Income	(12,160,190)	(12,209,650)	(12,356,200)	(146,550)
4	Governance	2,004,850	1,981,020	1,990,250	9,230
5	Law Order & Public Safety	589,500	418,300	318,175	(100,125)
7	Health & Education	356,850	333,600	319,925	(13,675)
8	Welfare	893,150	1,231,700	923,370	(308,330)
9	Housing	894,100	807,650	890,300	82,650
10	Community Amenities	777,150	666,545	981,690	315,145
11	Recreation	6,043,130	5,541,215	5,462,900	(78,315)
12	Transport	6,895,800	6,687,160	6,648,765	(38,395)
13	Economic Development	208,050	100,000	152,575	52,575
14	Other Property and Services	(190,000)	(295,850)	(282,700)	13,150
	Less Non Cash	(3,349,800)	(3,349,800)	(3,349,800)	0
	Surplus BFWD	(2,962,590)	(1,946,730)	(1,919,700)	27,030
	Surplus CFWD	0	(34,840)	(220,450)	(185,610)

The outcome of this budget review will also be reported to the Department of Local Government, as per Regulation 33A, Local Government (financial management) regulations 1996.

Generally the Audit & Finance Committee would review the Budget Amendments, however due to a lack of a quorum on the 17 March 2008, the Committee was unable to make a formal recommendation to Council.

Consultation

During January/February all managers meet individually with the Executive Team to review their respective budgets, based on the 1 July 2007 to 31 December 2007 financial results.

Statutory Implications

Local Government (Financial Management) Regulations 1996

“33A. Review of budget

- (1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

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

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Should the Council adopt the proposed Budget amendments, Council's unallocated budgeted cash funds will become \$220,450, which Council may decide to use for additional services or remain unallocated. Informal discussions with members of the Audit & Finance Committee suggested that \$150,000 be transferred to the Public Open Space Reserve and the remaining \$70,450 remain unallocated.

Officer's Comment

Based on the proposed budget amendments, the net cash surplus will increase by \$185,610 to \$220,450 compared to the first budget review. This is a significant increase, made up of the following changes within the functions.

General Purpose Income – Revenue up by \$146,550

Principally due to increased interest revenue from reserves (\$100k) and increase in the formula local road grant (FAGS) \$46k.

Law Order Public Safety - Net cost down by \$100,125

Claim for previous years interest expense for the FESA shed loan, which wasn't claimable until the completion of the shed (\$176k). Also included is the funding and expenditure of the community safety facilitator. Rangers Salaries have increase to affect Council's direction to provide a "7 day a week" service.

Welfare – Net cost down by \$308,330

HACC service was received a significant grant increase, making the service cost neutral for Council. Reduction in the provision set aside for the over payment of Family Day Care Scheme funds which as been removed from this years grant payments (\$160k).

Housing – Net cost up by \$82,650

Essentially due to the reduction of private rental income, due for the need for these houses to be supplied to staff, and the deferment of the Catermore Street development, as per the Housing Workgroup recommendations.

Community Amenities – Net cost up by \$315,145

Principally due to payment of \$244k for Stage B of the underground power project, collected in 06/07 on behalf of Western Power, and a minor correction to the net recoverable from the waste reserve (\$75k).

Surplus BFWD changed by \$27,030

As per the Audited Financial Accounts, the Cash Surplus Brought Forward has been amend to reflect the audited accounts.

Detailed explanations have been provided for variations that exceed Council variance reporting threshold (+/-5% or \$8,000). Given that Council has previously adopted the budget to line account level in the past, Council must amend the Budget at that level also, therefore a detailed listing of the each budget adjustment is provided in the attachments.

To assist Council in recognising the effect of budget amendments, included in the attachments is a summary of the adjustments at Business Unit level.

Prior to the 08/09 Budget Adoption, Council will undertake a 3rd quarter Budget Review to prepare a forecast for inclusion into the new budget document.

Officer's Recommendation

That Council:

- i) adopts the proposed budget amendments contained with the Attachments, which will increase Council Cash Surplus Position to \$220,450;
- ii) allocates \$150,000 of the amended Cash Surplus to the Public Open Space Reserve; and
- iii) retains the remaining \$70,450 Budget Cash Surplus as Unallocated; and
- iv) reports the December Budget Amendments to Department of Local Government And Regional Development as per Reg 33A, Local Government (Financial Management) Regulations 1996.

200708/120 Council Decision/ Alternate Officer's Recommendation

Moved: Cr G J Daccache

Seconded: Cr J M Gillingham

That Council:

- i) **Adopt the proposed budget amendments contained with the Attachments, which will increase Council Cash Surplus Position to \$220,450; and**
- ii) **Allocate \$150,000 of the amended surplus to Parks & Gardens Maintenance; and**
- iii) **Retain the remaining \$70,450 Budget Cash Surplus as Unallocated; and**
- iv) **Report the December Budget Amendments to Department of Local Government and Regional Development as per Regulation 33A, Local Government (Financial Management) Regulations 1996.**

CARRIED BY ABSOLUTE MAJORITY 8/0

ATTACHMENT TO AGENDA ITEM 11.4.1.3

		Business Unit Summary - December Budget Review			
Schedule	Business Unit	Original Budget	Amended Budget	Proposed Budget	Change
3	Rates	(12,160,190)	(12,209,650)	(12,356,200)	(146,550)
3	Members	718,900	719,950	749,300	29,350
4	Financial Services	154,650	151,000	127,450	(23,550)
4	Corporate Management	50,000	(4,650)	0	4,650
4	Corporate Support	1,081,300	1,114,720	1,113,500	(1,220)
5	Fire Prevention	6,250	3,300	5,550	2,250
5	Animal Control	380,400	378,950	406,675	27,725
5	Crime Prevention	1,800	1,500	46,800	45,300
5	Other Public Safety	(5,300)	(29,300)	(29,300)	0
5	SES/FESA	206,350	63,850	(111,550)	(175,400)
7	Maternal Infant Health	21,050	21,050	21,050	0
7	Health Inspections & Admin	317,450	294,200	283,025	(11,175)
7	Pest Control	14,900	14,900	12,400	(2,500)
7	Aboriginal Environmental Health	3,450	3,450	3,450	0
8	Other Education	100	100	100	0
8	Len Taplin Day Care	6,850	6,050	6,050	0
8	Rose Nowers Day Care	2,800	3,250	3,250	0
8	Pilbara Family Day Care	58,400	56,400	(18,250)	(74,650)
8	Retirement Village	13,800	12,300	12,300	0
8	Mirtanya Maya Hostel	116,000	152,300	119,090	(33,210)
8	HACC	123,350	206,550	(10,700)	(217,250)
8	Other Welfare	137,700	140,700	144,000	3,300
8	Community & Event Services	325,950	362,100	382,800	20,700
8	Court House Gallery	108,200	291,950	284,730	(7,220)
9	Staff Housing	894,100	807,650	890,300	82,650
10	Waste Services	28,550	(156,555)	(81,510)	75,045
10	Town Planning	198,950	194,600	194,600	0
10	Underground Power	208,750	212,150	456,500	244,350
10	Cemeteries	77,100	75,900	74,100	(1,800)
10	Public Conveniences	263,800	340,450	338,000	(2,450)
11	Civic Centres	191,750	194,950	208,050	13,100
11	Port Hedland Youth and Family Centre	59,050	53,900	57,000	3,100
11	JD Hardie Centre	283,600	292,950	328,700	35,750
11	Swimming Areas	1,576,550	1,344,375	1,321,075	(23,300)
11	Recreation Admin	754,250	413,660	312,670	(100,990)
11	Sportsgrounds	866,900	882,500	554,700	(327,800)
11	Parks & Gardens	1,817,250	1,864,250	2,166,950	302,700
11	Library Services	393,280	384,830	381,205	(3,625)
11	Matt Dunn Cultural Centre	89,800	97,100	120,350	23,250
11	Television/Radio Broadcasting	10,700	12,700	12,200	(500)
12	Road Construction	2,817,500	2,932,560	2,992,180	59,620
12	Engineering Management	276,750	276,900	282,175	5,275
12	Protection of the Environment	253,500	253,500	253,500	0
12	Infrastructure Maintenance - Technical	1,728,050	1,804,400	1,825,925	21,525
12	Cyclone Response	0	(289,250)	(289,250)	0
12	Infrastructure Maintenance - Engineering	1,256,800	1,183,750	1,117,800	(65,950)
12	Road Verge Maintenance	268,800	295,000	293,000	(2,000)
12	Plant Purchases	674,400	610,300	615,300	5,000
12	Airport	(380,000)	(380,000)	(380,000)	0
12	Airport Café	0	0	(61,865)	(61,865)
13	Tourism	296,400	219,700	218,700	(1,000)
13	Building Control	(154,350)	(185,700)	(222,125)	(36,425)
13	Economic Development	66,000	66,000	156,000	90,000
14	Private Works	(15,000)	(27,000)	(37,000)	(10,000)
14	Engineering Overheads	(30,400)	(41,200)	0	41,200
14	Gross Salaries & Wages	(250)	4,750	(250)	(5,000)
14	Other Unclassified	(144,350)	(232,400)	(245,450)	(13,050)
	Subtotal	6,312,390	5,261,690	5,049,050	(212,640)
2	Surplus CFWD	(2,962,590)	(1,946,730)	(1,919,700)	27,030
	Less Non Cash	(3,349,800)	(3,349,800)	(3,349,800)	0
	Cash Surplus	0	(34,840)	(220,450)	(185,610)

		December Budget Review		
Account No.	Account Description	Amended Budget	Proposed Budget	Change Explanation
301211	Superannuation Guarantee Levy	9,700	11,500	1,800 +/- \$8,000 or +/- 5%
301212	Superannuation	4,300	3,000	(1,300) +/- \$8,000 or +/- 5%
301216	Workers Compensation Insurance	2,250	3,850	1,600 +/- \$8,000 or +/- 5%
301259	Valuation & Search Fees	10,100	17,000	6,900 +/- \$8,000 or +/- 5%
301260	Collection Fees	27,050	17,500	(9,550) Decreased due to reduced outstanding rates balance
301275	Rate Concessions	56,000	56,750	750 +/- \$8,000 or +/- 5%
301276	Rates Written Off	0	5,000	5,000 +/- \$8,000 or +/- 5%
301305	Rates Interim Levies	(135,000)	(160,000)	(25,000) Additional New properties being rated
301306	Rates Legal Charges	(20,550)	(12,000)	8,550 Decreased due to reduced outstanding rates balance
301308	Late Payment Penalty	(48,450)	(56,000)	(7,550) +/- \$8,000 or +/- 5%
301309	Instalment Interest Charge	(26,550)	(30,400)	(3,850) +/- \$8,000 or +/- 5%
301310	Instalment Administration Fee	(28,400)	(32,150)	(3,750) +/- \$8,000 or +/- 5%
301311	Instalment Arrangement Fee	(6,300)	(9,300)	(3,000) +/- \$8,000 or +/- 5%
301315	ESL - Administration Fee	(9,800)	(9,500)	300 +/- \$8,000 or +/- 5%
301322	Search Fees GST	(12,900)	(14,000)	(1,100) +/- \$8,000 or +/- 5%
302390	Grants Commission	(1,771,050)	(1,771,000)	50 +/- \$8,000 or +/- 5%
302391	Formula Local Road Grant	(531,000)	(577,100)	(46,100) based on actual grant received
304360	Interest on Investments Muni	(319,700)	(290,000)	29,700 Revised interest based on actual
304381	Interest on Investments Reserve	(200,000)	(300,000)	(100,000) Revised interest based on actual
401220	Conferences	30,000	60,000	30,000 Increased based on year to date actual
401282	Insurance	5,000	2,350	(2,650) +/- \$8,000 or +/- 5%
401288	Travelling Expenses	4,000	6,000	2,000 +/- \$8,000 or +/- 5%
402212	Superannuation	10,500	10,000	(500) +/- \$8,000 or +/- 5%
402213	Staff Uniforms/Council Purchas	0	400	400 +/- \$8,000 or +/- 5%
402216	Workers Compensation Insurance	8,300	9,850	1,550 +/- \$8,000 or +/- 5%
402217	Officers Liability Insurance	4,500	7,200	2,700 +/- \$8,000 or +/- 5%
402237	Water Corporation Charges	7,400	11,500	4,100 +/- \$8,000 or +/- 5%
402243	Telephone-Administration	34,500	40,000	5,500 +/- \$8,000 or +/- 5%
402244	Photocopier Lease	35,000	39,000	4,000 +/- \$8,000 or +/- 5%
402257	Corporate Support	12,000	22,000	10,000 Additional external services required as staff are replaced
402299	Admin Costs Distributed	(730,000)	(781,300)	(51,300) Balancing of allocation of Admin costs to business units
406211	Superannuation Guarantee Levy	64,400	63,500	(900) +/- \$8,000 or +/- 5%
406213	Staff Uniforms H.R.	0	3,000	3,000 +/- \$8,000 or +/- 5%
406215	Fringe Benefits Tax	13,200	17,100	3,900 +/- \$8,000 or +/- 5%
406216	Workers Compensation Insurance	14,800	25,050	10,250 Based on year to date actual
406243	Telephone Charges	3,000	4,000	1,000 +/- \$8,000 or +/- 5%
406299	Admin Costs Distributed	(870,550)	(883,150)	(12,600) +/- \$8,000 or +/- 5%
404201	Salaries	690,000	680,000	(10,000) +/- \$8,000 or +/- 5%
404211	Superannuation Guarantee Levy	62,100	61,200	(900) +/- \$8,000 or +/- 5%
404212	Contributory Superannuation	17,500	15,000	(2,500) +/- \$8,000 or +/- 5%
404215	Fringe Benefits Tax	2,750	6,250	3,500 +/- \$8,000 or +/- 5%
404216	Workers Compensation Insurance	17,700	29,950	12,250 Based on year to date actual
404281	Occupational Safety & Health	2,000	8,500	6,500 +/- \$8,000 or +/- 5%
404284	Organisation Employee Expenses	5,000	7,000	2,000 +/- \$8,000 or +/- 5%

Account No.	Account Description	Amended Budget	Proposed Budget	Change	Explanation
404288	Relocation	45,000	75,000	30,000	Increased based on year to date actual
404331	Training Fees Reimbursements	(900)	(7,800)	(6,900)	+/- \$8,000 or +/- 5%
404333	Printing Charges	(14,000)	(8,000)	6,000	+/- \$8,000 or +/- 5%
404335	Reimbursements - Staff Relocation	(5,000)	(7,000)	(2,000)	+/- \$8,000 or +/- 5%
405243	Telstra Charges	3,000	0	(3,000)	+/- \$8,000 or +/- 5%
405252	Telephone-Pabx Lease	3,000	1,000	(2,000)	+/- \$8,000 or +/- 5%
405421	Communications	95,000	98,500	3,500	+/- \$8,000 or +/- 5%
405422	Computer Hardware	84,500	210,000	125,500	Consolidation of Hardware/Software purchases to one account plus SynergSoft Modules (\$14k) & Asset Management Software (\$40k)
405423	Computer Software	47,500	0	(47,500)	Consolidated to Computer hardware account
407241	Printing & Stationery	40,000	43,000	3,000	+/- \$8,000 or +/- 5%
407242	Postage	20,000	18,000	(2,000)	+/- \$8,000 or +/- 5%
407289	Admin Costs Distributed	(1,216,000)	(1,332,670)	(116,670)	Balancing of allocation of Admin costs to business units
501257	Burning Programme	0	1,250	1,250	+/- \$8,000 or +/- 5%
501284	Fire Fighting Equipment	0	1,000	1,000	+/- \$8,000 or +/- 5%
502201	Salaries - Rangers	220,700	250,000	29,300	7 day ranger services being implemented
502211	Superannuation Guarantee Levy	19,800	22,500	2,700	+/- \$8,000 or +/- 5%
502215	Fringe Benefits Tax	1,400	3,150	1,750	+/- \$8,000 or +/- 5%
502216	Workers Compensation Insurance	5,250	8,900	3,650	+/- \$8,000 or +/- 5%
502249	Advertising	1,250	2,000	750	+/- \$8,000 or +/- 5%
502254	Minor Equipment	2,000	1,250	(750)	+/- \$8,000 or +/- 5%
502255	Dog Bag Dispensers	500	600	100	+/- \$8,000 or +/- 5%
502271	VEL045 - Vehicle Operation	0	7,800	7,800	+/- \$8,000 or +/- 5%
502272	PH5784 - Vehicle Operation	7,800	0	(7,800)	+/- \$8,000 or +/- 5%
502277	Dog Discs	400	675	275	+/- \$8,000 or +/- 5%
502278	Dog Poundage	2,000	4,000	2,000	+/- \$8,000 or +/- 5%
502279	Dog Pound Maintenance	4,000	0	(4,000)	+/- \$8,000 or +/- 5%
502280	Ammunition	0	350	350	+/- \$8,000 or +/- 5%
502324	Dog Registration	(20,000)	(23,500)	(3,500)	+/- \$8,000 or +/- 5%
502325	Kennel Licences	(100)	0	100	+/- \$8,000 or +/- 5%
502326	Dog Act-Fines & Penalties	(22,000)	(27,000)	(5,000)	+/- \$8,000 or +/- 5%
503201	Salaries	29,050	49,600	20,550	New Community Safety Facilitator Salaries
503211	Superannuation	0	4,450	4,450	+/- \$8,000 or +/- 5%
503280	Community Safety Working Group Exp	0	5,000	5,000	+/- \$8,000 or +/- 5%
503new1	Community Safety Projects	0	15,000	15,000	Safety programs funded from OCP funding
503331	Reimbursements Other Expenses	(1,300)	(6,000)	(4,700)	+/- \$8,000 or +/- 5%
503new2	Contribution (BHP) - Safety Facilitator	0	(20,000)	(20,000)	BHP Contribution of Community Safety Facilitator
503new3	Grant - OCP	0	75,000	75,000	OCP "Robin Hood" funding
503new4	T/F to Restricted Cash	0	98,400	98,400	Transfer of prorata Community Safety Facilitator funds to restricted cash
506217	SES Operating Expenses	85,000	98,400	13,400	Adjustment of SES/FESA Operating/Capital Grant
505318	FESA Capital Grant	(28,000)	(41,400)	(13,400)	Adjustment of SES/FESA Operating/Capital Grant
505320	Loan (L123) Interest Expense Reimbursed	0	(175,400)	(175,400)	Reimbursement of Previous Year interest payments, not available until shed built
702201	Salaries - Health Officers	194,800	175,000	(19,800)	Reduction due unfilled vacancies in Environmental health
702211	Superannuation Guarantee Levy	13,100	15,750	2,650	+/- \$8,000 or +/- 5%

Account No.	Account Description	December Budget Review		
		Amended Budget	Proposed Budget	Change Explanation
702212	Superannuation	3,750	2,750	(1,000) +/- \$8,000 or +/- 5%
702213	Staff Uniforms	0	1,150	1,150 +/- \$8,000 or +/- 5%
702215	Fringe Benefits Tax	2,700	6,150	3,450 +/- \$8,000 or +/- 5%
702216	Workers Compensation Insurance	3,150	5,325	2,175 +/- \$8,000 or +/- 5%
702262	Subscriptions	500	600	100 +/- \$8,000 or +/- 5%
702275	Ph7108 4Wd M/Cycle Operation	2,000	1,000	(1,000) +/- \$8,000 or +/- 5%
702279	Compliance - Sample Testing	500	0	(500) +/- \$8,000 or +/- 5%
702281	Water Sampling	3,000	3,500	500 +/- \$8,000 or +/- 5%
702282	Food Safe Program	1,000	500	(500) +/- \$8,000 or +/- 5%
702328	Licences - Sewage Apparatus	(5,000)	(3,000)	2,000 +/- \$8,000 or +/- 5%
702330	Reimb. - Private Works	(100)	(500)	(400) +/- \$8,000 or +/- 5%
703280	Fogger Adulicide Equipment Operation	4,000	2,000	(2,000) +/- \$8,000 or +/- 5%
703282	Mosquito Survey Supplies	1,500	1,000	(500) +/- \$8,000 or +/- 5%
805201	Salaries Inc Playleaders	77,200	69,200	(8,000) Reduction on due to fewer playleaders
805215	Fringe Benefits Tax	1,400	2,750	1,350 +/- \$8,000 or +/- 5%
805216	Workers Compensation Insurance	1,450	1,750	300 +/- \$8,000 or +/- 5%
805221	Staff Housing	0	8,000	8,000 +/- \$8,000 or +/- 5%
805new1	Office Expenses	0	500	500 +/- \$8,000 or +/- 5%
805344	Childcare Benefit	(20,000)	(32,000)	(12,000) Income expected based on correspondence from Feds
805350	Other Sundry Income	(800)	(1,600)	(800) +/- \$8,000 or +/- 5%
805351	Scheme Levy	(20,000)	(24,000)	(4,000) +/- \$8,000 or +/- 5%
805356	In Home Care Benefit	(120,000)	(180,000)	(60,000) Transfer from Provision based on year date reduction on income
808236	Western Power Charges	3,000	0	(3,000) +/- \$8,000 or +/- 5%
808237	Water Corporation Charges	5,000	4,000	(1,000) +/- \$8,000 or +/- 5%
808243	Telephone	250	540	290 +/- \$8,000 or +/- 5%
808288	Operational Subsidy/ Lotteries	37,500	0	(37,500) Correction of Clearing aged Care Reserve to correct business unit
808331	Residents Contributions	(8,000)	0	8,000 +/- \$8,000 or +/- 5%
809201	Salaries	186,500	252,000	65,500 Additional Salaries needed for the extension HACC provision
809211	Superannuation Guarantee Levy	16,750	22,700	5,950 +/- \$8,000 or +/- 5%
809212	Superannuation	750	1,900	1,150 +/- \$8,000 or +/- 5%
809213	Uniforms	400	0	(400) +/- \$8,000 or +/- 5%
809215	Fringe Benefits Tax	150	250	100 +/- \$8,000 or +/- 5%
809216	Workers Compensation Insurance	1,350	1,620	270 +/- \$8,000 or +/- 5%
809220	Training & Conferences	100	0	(100) +/- \$8,000 or +/- 5%
809236	Water Corp & ESL Charges	7,350	10,500	3,150 +/- \$8,000 or +/- 5%
809270	H&Cc Bus Operation- Hpl32	3,450	1,500	(1,950) +/- \$8,000 or +/- 5%
809271	H&Cc Vehicle Operation- Lf11	8,250	12,000	3,750 +/- \$8,000 or +/- 5%
809273	8WZ953 H&CC Trailer	750	1,500	750 +/- \$8,000 or +/- 5%
809275	Toyota Hiace Minibus-R 2912	1,800	500	(1,300) +/- \$8,000 or +/- 5%
809276	H&Cc Maint. Vehicle Operations	4,500	6,000	1,500 +/- \$8,000 or +/- 5%
809277	Ford Forte Station Wagon R 621	2,700	600	(2,100) +/- \$8,000 or +/- 5%
809278	Mileage	4,950	5,500	550 +/- \$8,000 or +/- 5%
809281	Telephone	3,000	6,000	3,000 +/- \$8,000 or +/- 5%
809282	HACC Building/Garden Mtc	8,000	18,000	10,000 Additional costs due to HACC retention 1/7/08

Account No.	Account Description	December Budget Review		
		Amended Budget	Proposed Budget	Change Explanation
809284	Common Health Games	0	180	180 +/- \$8,000 or +/- 5%
809285	Consumable Items	15,250	34,000	18,750 Additional costs due to HACC retention 1/7/08
809297	Loans Interest Repayments	23,550	27,200	3,650 +/- \$8,000 or +/- 5%
809324	Clients Contributions	(25,350)	(33,500)	(8,150) Additional income due to HACC retention 1/7/08
809325	BHP Housing Contribution	(2,500)	0	2,500 +/- \$8,000 or +/- 5%
809378	T/F from Aged Care Reserve	(37,250)	0	37,250 Correction of Clearing aged Care Reserve to correct business unit
809392	Commonhealth Games - Grants, Contributions etc.	0	(3,500)	(3,500) +/- \$8,000 or +/- 5%
809396	Grant - Hacc	(199,500)	(584,800)	(385,300) Based on 3 quarters of annual grant already received
809new1	Community Bus Grant	0	(32,500)	(32,500) Additional grant for HACC Bus
809new2	Plant & Equipment	0	60,050	60,050 HACC Bus funded from grants
810201	Salaries	0	18,350	18,350 New service funded from OCP grant
810211	Super	0	1,650	1,650 +/- \$8,000 or +/- 5%
810235	Lawson Street Youth Centre	700	1,200	500 +/- \$8,000 or +/- 5%
810new1	Leadership Program	0	30,000	30,000 New service funded from OCP grant
810new2	Strategic Plan	0	50,000	50,000 New service funded from OCP grant
810340	Grant Disability Services	(2,650)	0	2,650 +/- \$8,000 or +/- 5%
810new3	Grant - OCP 'Robin Hood'	0	(100,000)	(100,000) New OCP "robin hood" grant
810350	Youth Involvement Council	(1,350)	(1,200)	150 +/- \$8,000 or +/- 5%
810398	T/F from Reserv BHP	(160,000)	(320,000)	(160,000) Additional grant for PYFC
810412	Port Hedland Youth & family Centre Upgrade	320,000	480,000	160,000 Additional costs picked up by BHP
811215	Fringe Benefits Tax	1,400	3,150	1,750 +/- \$8,000 or +/- 5%
811216	Workers Compensation Insurance	5,750	5,450	(300) +/- \$8,000 or +/- 5%
811249	Meetings-Advertising/Promotion	6,000	3,000	(3,000) +/- \$8,000 or +/- 5%
811275	Community Leadership	2,000	0	(2,000) +/- \$8,000 or +/- 5%
811280	Community Events	120,000	150,000	30,000 Additional Events funded by additional income
811351	Youth Events Income	(40,000)	(70,000)	(30,000) Additional Events funded by additional income
811498	T/F To BHP-ToPH Alliance Reserve	4,750	29,000	24,250 Interest on Alliance reserve funds
812201	Salaries	54,100	135,500	81,400 Reallocation of Council's subsidy to expenditure account
812211	Superannuation Guarantee Levy	4,850	12,200	7,350 +/- \$8,000 or +/- 5%
812215	Fringe Benefits Tax	1,400	2,750	1,350 +/- \$8,000 or +/- 5%
812226	Artists Payments without GST	12,300	22,500	10,200 Reallocation of Council's subsidy to expenditure account
812227	Artists Payments With GST	1,500	6,000	4,500 +/- \$8,000 or +/- 5%
812232	Building Cleaning	700	2,700	2,000 +/- \$8,000 or +/- 5%
812236	Western Power Charges	500	6,000	5,500 +/- \$8,000 or +/- 5%
812237	Water Corporation Charges	0	8,900	8,900 Reallocation of Council's subsidy to expenditure account
812241	Printing And Stationery	0	600	600 +/- \$8,000 or +/- 5%
812243	Telephone	1,300	3,300	2,000 +/- \$8,000 or +/- 5%
812249	Advertising	0	800	800 +/- \$8,000 or +/- 5%
812250	Stock for retail area	18,500	50,000	31,500 Reallocation of Council's subsidy to expenditure account
812254	Other Minor Sundry Expenses	200	5,500	5,300 +/- \$8,000 or +/- 5%
812255	Subsidy - Various	118,750	0	(118,750) Reduction in subsidy to fund additional costs
812271	Subscriptions	200	230	30 +/- \$8,000 or +/- 5%
812280	Exhibitions	1,750	5,000	3,250 +/- \$8,000 or +/- 5%
812282	Workshops	500	2,000	1,500 +/- \$8,000 or +/- 5%

		December Budget Review		
Account No.	Account Description	Amended Budget	Proposed Budget	Change Explanation
812324	Rental	(200)	(500)	(300) +/- \$8,000 or +/- 5%
812327	Artworks Sales With Gst	(25,000)	(48,000)	(23,000) Additional Income due to the retention of Court House Gallery
812332	Pacdac/ Recoup Courthouse Expenses	(450)	(2,500)	(2,050) +/- \$8,000 or +/- 5%
812334	Artworks Sales Without Gst	(21,000)	(50,000)	(29,000) Additional Income due to the retention of Court House Gallery
812340	Donation	(300)	(600)	(300) +/- \$8,000 or +/- 5%
901260	18 Counihan Crescent - Sch 4	0	2,150	2,150 +/- \$8,000 or +/- 5%
901324	Staff Housing Rent	(225,000)	(180,000)	45,000 Reduction of Council properties rented on Private market (Janice & 96 Sutherland)
901396	Loan Funds	(550,000)	0	550,000 Catamore Cres Development not occurring in 07/08
901422	Catamore Cres Development	550,000	35,500	(514,500) Catamore Cres Development not occurring in 07/08
1002219	Insurance-Work. Comp/Inc.Prot.	1,100	1,050	(50) +/- \$8,000 or +/- 5%
1002271	Inter.Garbage Truck Ph667	50,000	180,000	130,000 Additional Mtce required on rubbish truck based on year to date costs
1002276	Classic Mobile Bin Repairs/Delivery	20,000	16,000	(4,000) +/- \$8,000 or +/- 5%
1002279	Replacement Mobile Garbage Bins	31,500	34,000	2,500 +/- \$8,000 or +/- 5%
1003219	Insurance-Work. Comp/Inc.Prot.	2,300	2,175	(125) +/- \$8,000 or +/- 5%
1003270	Mitsubishi Comm.Garbage-Ph5062	34,150	80,000	45,850 Additional Mtce required on rubbish truck based on year to date costs
1003323	Premium Collect Fees	(290,000)	(287,000)	3,000 +/- \$8,000 or +/- 5%
1003324	Charges-Replacement Bins	(30,000)	(35,000)	(5,000) +/- \$8,000 or +/- 5%
1004215	Fringe Benefits Tax	1,400	3,150	1,750 +/- \$8,000 or +/- 5%
1004225	Building Maintenance	5,000	3,000	(2,000) +/- \$8,000 or +/- 5%
1004235	Road,Ground,Litter Maint	16,000	20,000	4,000 +/- \$8,000 or +/- 5%
1004271	Caterpillar Trackloader	230,000	180,000	(50,000) reduction based on changes to plant at tip
1004275	Ws Vehicle Operation	250	0	(250) +/- \$8,000 or +/- 5%
1004277	External Plant Hire	140,000	185,000	45,000 Additional Hire of external plant due to break downs
1004280	Monitoring & Licencing	10,000	12,300	2,300 +/- \$8,000 or +/- 5%
1004299	Admin Costs Distributed	78,300	128,300	50,000 Adjustment to balance allocation of admin costs
1004324	Tyres	(140,000)	(150,000)	(10,000) Increase sales of used tyres from tip
1004326	Washdown	(8,000)	(8,000)	4,000 +/- \$8,000 or +/- 5%
1004388	T/F from Landfill Site Reserve	(632,660)	(692,660)	(60,000) balancing figure for waste reserve transfers
1004410	Tip Infrastructure	217,180	125,000	(92,180) reduction of proposed infrastructure upgrades
1004441	Plant & Equipment	300,000	340,000	40,000 Additional plant required to retire track loader
104new1	Furniture & Equipment (Weighbridge controls)	0	10,000	10,000 Calibration of Weigh Bridge
1004499	T/F To Landfill Site Dev Res	10,550	0	(10,550) Consolidation of Waste Reserve transfers
1005278	Litter Collection	310,000	280,600	(29,400) reduction based on year to date costs
1005324	Litter Act - Fines/ Penalties	(200)	0	200 +/- \$8,000 or +/- 5%
1006211	Superannuation Guarantee Levy	14,200	20,000	5,800 +/- \$8,000 or +/- 5%
1006212	Superannuation	3,950	5,400	1,450 +/- \$8,000 or +/- 5%
1006215	Fringe Benefits Tax	2,700	6,150	3,450 +/- \$8,000 or +/- 5%
1006216	Workers Compensation Insurance	3,300	3,900	600 +/- \$8,000 or +/- 5%
1006241	Other Office Expenses	1,500	500	(1,000) +/- \$8,000 or +/- 5%
1006249	Advertising - Town Planning	2,500	7,000	4,500 +/- \$8,000 or +/- 5%
1006256	Refund Of Planning Fees	3,000	0	(3,000) +/- \$8,000 or +/- 5%
1006259	Title Search Fees	200	400	200 +/- \$8,000 or +/- 5%
1006261	Outsource Planning + Legal	20,000	25,000	5,000 +/- \$8,000 or +/- 5%
1006278	Municipal Inventory - Admin	1,000	0	(1,000) +/- \$8,000 or +/- 5%

		December Budget Review		
Account No.	Account Description	Amended Budget	Proposed Budget	Change Explanation
1006282	Tps Review & Amendments	20,000	5,000	(15,000) TPS 6 unlikely to be commenced in 07/08
1006288	Ind. Area Strategic Project	57,500	74,750	17,250 Increase cost of Study
1006292	Coastal Management	1,000	0	(1,000) +/- \$8,000 or +/- 5%
1006339	Planning Support - Grants Contributions Etc	(57,500)	(74,750)	(17,250) Study cost increases funded by additional contributions
1007250	Underground Power (PH) - Misc Expense	0	244,350	244,350 Payment of Stage B of underground power project to Western Power (should have been carried over)
1008280	Ground Maintenance-Ph Cemetery	30,000	25,000	(5,000) +/- \$8,000 or +/- 5%
1008340	Donation For Upkeeping	(200)	0	200 +/- \$8,000 or +/- 5%
1009279	Grave Digging	10,000	13,000	3,000 +/- \$8,000 or +/- 5%
1010231	Building Insurance	2,050	2,100	50 +/- \$8,000 or +/- 5%
1010330	Reimbursement - Water	(5,000)	(3,000)	2,000 +/- \$8,000 or +/- 5%
1066325	Advertising - Fees, Reimbursements etc.	0	(4,500)	(4,500) +/- \$8,000 or +/- 5%
1102237	Water Corporation Charges	4,200	10,000	5,800 +/- \$8,000 or +/- 5%
1102245	Equipment Maintenance	4,700	6,000	1,300 +/- \$8,000 or +/- 5%
1102324	Hire Fees - Halls	(26,000)	(20,000)	6,000 +/- \$8,000 or +/- 5%
1103236	Utility Charges	2,000	5,100	3,100 +/- \$8,000 or +/- 5%
1104201	Salaries	90,000	177,000	87,000 Increase activities at JD Hardie centre
1104211	Superannuation Guarantee Levy	5,600	15,900	10,300 Increase based on Salaries increase
1104212	Super Council Contribution	0	1,000	1,000 +/- \$8,000 or +/- 5%
1104231	Building Insurance	32,150	32,200	50 +/- \$8,000 or +/- 5%
1104233	Ground Maintenance	24,000	5,000	(19,000) Reduction based on year to date actual
1104236	Utility Charges	30,000	25,000	(5,000) +/- \$8,000 or +/- 5%
1104243	Teistra Charges	3,400	2,500	(900) +/- \$8,000 or +/- 5%
1104254	Consumables	2,000	3,000	1,000 +/- \$8,000 or +/- 5%
1104263	Kiosk Purchases	18,000	23,000	5,000 +/- \$8,000 or +/- 5%
1104266	Empire Payments	27,750	15,000	(12,750) Reduction based on year to date actual
1104267	Recreation Programs	13,500	15,000	1,500 +/- \$8,000 or +/- 5%
1104331	Reimbursements	(5,000)	(15,000)	(10,000) Increased based on Year to date actual
1104350	Kiosk Sales	(32,400)	(32,000)	400 +/- \$8,000 or +/- 5%
1104351	Program Team Fees	(20,000)	(24,000)	(4,000) +/- \$8,000 or +/- 5%
1104352	Casual Hire	(17,500)	(25,000)	(7,500) +/- \$8,000 or +/- 5%
1104356	Stadium Programs	(16,650)	(30,000)	(13,350) Increased based on Year to date actual
1104357	Holiday Program	(25,200)	(23,200)	2,000 +/- \$8,000 or +/- 5%
1105234	Gratwick Maintenance	12,000	6,000	(6,000) +/- \$8,000 or +/- 5%
1105235	SHAC Maintenance	12,000	6,000	(6,000) +/- \$8,000 or +/- 5%
1105257	Gratwick Aquatic Centre Utilities	76,300	67,000	(9,300) Decrease based on year to date actual
1105280	Beach & Foreshore Maintenance	10,000	5,000	(5,000) +/- \$8,000 or +/- 5%
1105283	Town Boat Ramp Maintenance	18,000	16,000	(2,000) +/- \$8,000 or +/- 5%
1105320	Gratwick Aquatic Centre Reimbursement	(76,300)	(73,200)	3,100 +/- \$8,000 or +/- 5%
1105325	SHAC Aquatic Centre Reimbursement	(71,000)	(90,400)	(19,400) Increase based on year to date actual
1105355	Grant - Port Hedland Enhancement Scheme	(1,200,000)	(1,190,000)	10,000 +/- \$8,000 or +/- 5%
1106413	Plant & Equipment - Gratwick Pool	0	6,000	6,000 +/- \$8,000 or +/- 5%
1107238	Ground Maint	1,200	500	(700) +/- \$8,000 or +/- 5%
1107413	Plant & Equipment	0	6,000	6,000 +/- \$8,000 or +/- 5%

Account No.	Account Description	December Budget Review		
		Amended Budget	Proposed Budget	Change Explanation
1108212	Superannuation	5,000	1,600	(3,400) +/- \$8,000 or +/- 5%
1108213	Staff Uniforms	0	700	700 +/- \$8,000 or +/- 5%
1108215	Fringe Benefits Tax	1,400	3,150	1,750 +/- \$8,000 or +/- 5%
1108216	Workers Compensation Insurance	4,950	5,850	900 +/- \$8,000 or +/- 5%
1108243	Telstra Charges	1,300	800	(500) +/- \$8,000 or +/- 5%
1108265	BHP Rec & Leisure Facility Grant	11,000	11,100	100 +/- \$8,000 or +/- 5%
1108266	Rec & Youth Facility Audit	144,870	0	(144,870) Transfer to Recreation Facilities upgrade Account
1108269	Recreation Facility Design	320,000	200,000	(120,000) Reduction reduced due to changes in BHP sustainability p/ship)
1108288	Liquor Training	5,800	0	(5,800) +/- \$8,000 or +/- 5%
1108335	Grant - Pilbara Fund	(90,000)	0	90,000 Grant no longer expected
1108340	Grant - Sustainability (Skate Park)	0	(281,480)	(281,480) Additional Funding received
1108398	T/F from BHP Reserve	(544,870)	(679,870)	(135,000) Additional Funds from BHP for Playground Equipment
1108411	Skate Park Facility Pt Hedland	268,770	338,770	70,000 Increased funding from BHP (transferred from Colin Matheson Oval & McGregor Street Oval projects)
1108415	Skate Park Upgrade South Hedland	282,190	463,930	181,740 Additional works funded by sustainability grant
1108416	Sports Facility Upgrade Program	160,000	260,000	100,000 Additional funding received
1108420	Recreation Facility Upgrade	0	144,870	144,870 Transfer from Rec & Youth Audit Account
1109234	Ground Maintenance	210,000	204,200	(5,800) +/- \$8,000 or +/- 5%
1109237	Water Corporation Charges	21,600	0	(21,600) Savings based on year to date actual
1109324	Hire Sportgrounds/Ovals	(3,500)	(4,000)	(500) +/- \$8,000 or +/- 5%
1109331	Reimbursement Of Wawa Charges	(12,300)	(8,500)	3,800 +/- \$8,000 or +/- 5%
1109450	Colin Matheson Oval Upgrade (PHES)	250,000	140,000	(110,000) Budget transferred to Skatepark developments & Sports Facility Upgrades
1109451	McGregor St Oval Upgrade	180,000	50,000	(130,000) Project reduced due to reduced PDC funding
1109452	McGregor St Oval Parking	60,000	28,500	(31,500) Project complete balance transferred to Skateparks
1110234	Ground Maintenance	137,000	114,200	(22,800) Savings based on year to date actual
1110236	Western Power Charges (Lights)	34,000	16,000	(18,000) Savings based on year to date actual
1110277	Effluent Pump Facilities	38,000	29,500	(8,500) Savings based on year to date actual
1110278	Sportsground Surface Repairs	20,000	34,100	14,100 Increase based on year to date actual
1110324	Hire Sportgrounds/Ovals	(2,100)	(1,200)	900 +/- \$8,000 or +/- 5%
1110332	Lights-User Charges	(18,800)	(16,000)	2,800 +/- \$8,000 or +/- 5%
1110336	Reimbursement Water - Guides	(750)	(1,450)	(700) +/- \$8,000 or +/- 5%
1111236	Utilities Expense	150,000	250,000	100,000 Increase based on year to date actual
1111269	Ph.Golf Club (Utility Charges)	0	6,500	6,500 +/- \$8,000 or +/- 5%
1111275	P.H. Gardens Maintenance	280,000	331,100	51,100 Increased needed utilise Depot Work force
1111278	Reticulation Operations	170,000	164,200	(5,800) +/- \$8,000 or +/- 5%
1111279	School Oval Mowing	141,000	123,100	(17,900) Savings based on year to date actual
1111280	St Cecelias School Mowing	1,100	1,700	600 +/- \$8,000 or +/- 5%
1111283	S H Gardens Maintenance	270,000	304,800	34,800 Increased needed utilise Depot Work force
1111284	Playground Equipment Maint.	20,000	8,000	(12,000) Savings based on year to date actual
1111289	Weed & Pest Control	69,000	65,200	(3,800) +/- \$8,000 or +/- 5%
1111334	Reimb - Ph School Ovals Mowing	(2,400)	(1,700)	700 +/- \$8,000 or +/- 5%
1111335	Reimb - Sh Schools Oval Mowing	(141,000)	(123,100)	17,900 Reduction based on related expenditure accounts
1111336	Reimb - School Ovals Water	(2,150)	0	2,150 +/- \$8,000 or +/- 5%
1111338	Grant SHNL	(580,000)	(80,000)	500,000 Grant for park upgrades no longer expected

Account No.	Account Description	December Budget Review		
		Amended Budget	Proposed Budget	Change Explanation
1111340	Grant - DLGRD	(25,000)	(105,000)	(80,000) Additional grant to be received
1111new1	OCP Grant	0	(4,500)	(4,500) OCP Grant for Graffiti Equipment
1111new2	Plant & Equipment	0	4,500	4,500 OCP Grant for Graffiti Equipment
1111446	Playground Equipment	305,500	520,500	215,000 Increase due to additional DLGRD grant and BHP contribution
1111449	Park Upgrades	1,500,000	1,000,000	(500,000) Reduction in project to funding reduction
1114280	Effluent Pump Operations	12,900	5,000	(7,900) +/- \$8,000 or +/- 5%
1114331	Reimbursement-Lights	(1,350)	0	1,350 +/- \$8,000 or +/- 5%
1116201	Salaries	43,400	63,400	20,000 Reallocation of Library Salaries
1116211	Superannuation Guarantee Levy	3,900	5,700	1,800 +/- \$8,000 or +/- 5%
1116212	Superannuation - Contributory	1,100	3,000	1,900 +/- \$8,000 or +/- 5%
1116235	Ground-Maintenance-Ph Library	5,000	4,250	(750) +/- \$8,000 or +/- 5%
1116236	Western Power Charges	5,200	3,500	(1,700) +/- \$8,000 or +/- 5%
1116237	Water Corporation Charges	5,100	3,500	(1,600) +/- \$8,000 or +/- 5%
1116243	Telstra Charges	1,500	1,000	(500) +/- \$8,000 or +/- 5%
1116244	Photocopier - Expenses	1,550	1,000	(550) +/- \$8,000 or +/- 5%
1116324	Internet User Charges	(2,400)	(2,000)	400 +/- \$8,000 or +/- 5%
1116325	Photocopy Charges	(1,400)	(500)	900 +/- \$8,000 or +/- 5%
1117201	Salaries-Librarians & Cleaner	211,900	191,900	(20,000) Reallocation of Library Salaries
1117211	Superannuation Guarantee Levy	19,050	17,275	(1,775) +/- \$8,000 or +/- 5%
1117212	Superannuation	3,800	3,000	(800) +/- \$8,000 or +/- 5%
1117215	Fringe Benefits Tax	1,400	3,150	1,750 +/- \$8,000 or +/- 5%
1117216	Workers Compensation Insurance	4,450	5,300	850 +/- \$8,000 or +/- 5%
1117237	Water Corporation Charges	7,500	12,000	4,500 +/- \$8,000 or +/- 5%
1117238	Ground Maintenance	11,000	7,150	(3,850) +/- \$8,000 or +/- 5%
1117243	Telstra Charges	6,700	6,000	(700) +/- \$8,000 or +/- 5%
1117280	Liswa Regional Costs	10,200	9,000	(1,200) +/- \$8,000 or +/- 5%
1117282	Childrens Activities	10,200	7,200	(3,000) +/- \$8,000 or +/- 5%
1117324	Internet User Charges	(3,200)	(4,000)	(800) +/- \$8,000 or +/- 5%
1117325	Photocopy Charges	(3,000)	(3,600)	(600) +/- \$8,000 or +/- 5%
1117328	Recovery Of Cost Of Lost Books	(500)	(1,000)	(500) +/- \$8,000 or +/- 5%
1117331	Fascimile Charges	(750)	(500)	250 +/- \$8,000 or +/- 5%
1117353	Childrens Book Week Grant	(6,600)	(3,600)	3,000 +/- \$8,000 or +/- 5%
1117354	Liswa Subsidy	(26,000)	(26,800)	(800) +/- \$8,000 or +/- 5%
1117499	T/F to SH Library Reserve	200	350	150 +/- \$8,000 or +/- 5%
1118201	Staffing Costs - Wages	46,000	42,000	(4,000) +/- \$8,000 or +/- 5%
1118211	Superannuation Guarantee Levy	3,450	3,750	300 +/- \$8,000 or +/- 5%
1118215	Fringe Benefits Tax	1,400	3,150	1,750 +/- \$8,000 or +/- 5%
1118216	Workers Compensation Insurance	800	750	(50) +/- \$8,000 or +/- 5%
1118221	Staff Housing	1,100	1,050	(50) +/- \$8,000 or +/- 5%
1118263	Kiosk Purchases	20,000	28,000	8,000 +/- \$8,000 or +/- 5%
1118282	Movie Expenses	34,000	40,000	6,000 +/- \$8,000 or +/- 5%
1118326	General Hire	(6,000)	(27,250)	(21,250) Increase in income based on year to date actual
1118343	Grants	(20,000)	0	20,000 Grant no expected to be received
1118350	Kiosk Sales	(40,000)	(55,000)	(15,000) Increase in income based on year to date actual

Account No.	Account Description	December Budget Review		
		Amended Budget	Proposed Budget	Change Explanation
1118352	T/F from BHP Alliance Reserve	0	(50,000)	(50,000) Correction to Reserve transfer account
1118354	Other Minor Sundry Receipts	(8,000)	(4,000)	4,000 +/- \$8,000 or +/- 5%
1118390	T/F from BHP Alliance Reserve	(50,000)	0	50,000 Correction to Reserve transfer account
1118421	Furniture & Equipment	0	22,800	22,800 Speakers for Matt Dann - Council Decision
1118423	Minor Equipment	0	750	750 +/- \$8,000 or +/- 5%
1119280	Rebroadcasting Facilities	3,000	2,500	(500) +/- \$8,000 or +/- 5%
1201384	Port Hedland Enhancement Scheme	(352,000)	(300,000)	52,000 Reduction of PHES Grant
1201386	Contributions - BHP	0	(195,000)	(195,000) Contribution from towards Anderson Street additional works
1201394	Black Spot Funding Grant	(165,710)	(177,800)	(12,090) Additional grant received
1201410	Depot Yard Upgrade	3,560	4,550	990 +/- \$8,000 or +/- 5%
1201446	Wedge/ Edgar Street (PDC)	30,850	71,600	40,750 Increase required to complete works
1201448	Hamilton Road/North Circular Road BS	19,920	22,300	2,380 +/- \$8,000 or +/- 5%
1201449	Murdich Drive/North Circular Road BS	47,500	86,900	39,400 Increase required to complete works
1201464	Anderson Street Upgrade	510,970	656,170	145,200 Increase required to complete works
1201481	Walkway Lighting	256,610	242,600	(14,010) CFWD adjustment
1202201	Salaries	215,500	197,750	(17,750) Reallocation of Staff costs to funding housing & Vehicle requirements
1202211	Superannuation Guarantee	12,650	18,125	5,475 +/- \$8,000 or +/- 5%
1202212	Superannuation - Council	3,500	5,000	1,500 +/- \$8,000 or +/- 5%
1202216	Workers Compensation Insurance	2,950	5,000	2,050 +/- \$8,000 or +/- 5%
1202221	Staff Housing	0	14,000	14,000 Reallocation of Staff costs to funding housing requirements
1204234	Depot Building Maintenance	7,200	1,000	(6,200) +/- \$8,000 or +/- 5%
1204236	Utility Charges	0	6,200	6,200 +/- \$8,000 or +/- 5%
1204250	Engineering Standards/Roman	900	850	(50) +/- \$8,000 or +/- 5%
1204281	Roadworks signs	5,000	6,575	1,575 +/- \$8,000 or +/- 5%
1204393	Grant - Town Cycle Plan	(20,000)	0	20,000 Grant no longer expected
1206236	Utility Charges	0	15,000	15,000 Transfer from General Road Maintenance
1206276	Crossover Constn Subsidy	6,000	3,000	(3,000) +/- \$8,000 or +/- 5%
1206278	Roadworks-General Maintenance	250,000	235,000	(15,000) Transfer to new utilities account
1206279	Kerb Maintenance	223,000	210,000	(13,000) Reduction based on year to date actual
1206281	Street Cleaning	300,000	255,000	(45,000) Reduction based on year to date actual
1206286	Street Lighting - Insurance	4,950	0	(4,950) +/- \$8,000 or +/- 5%
1207280	Medians Mice	45,000	49,200	4,200 +/- \$8,000 or +/- 5%
1207282	Slashing	175,000	181,800	6,800 +/- \$8,000 or +/- 5%
1207285	Street Tree Maintenance	65,000	52,000	(13,000) Reduction based on year to date actual
1208381	Grant - PDC	0	(15,000)	(15,000) Annual Grant for dust suppression vehicle
1208396	Sale/Trade In - Vehi/Plant	(234,000)	(259,000)	(25,000) Increase in proceeds from plant sales
1208443	Light Vehicle Replacement	380,000	425,000	45,000 increase due to slight increase in prices and one vehicle not carried over
1210201	Salaries	347,800	360,000	12,200 Increase associated with increase in airport activities
1210211	Superannuation Guarantee Levy	31,300	32,400	1,100 +/- \$8,000 or +/- 5%
1210215	Finge Benefit Tax	4,000	9,000	5,000 +/- \$8,000 or +/- 5%
1210216	Workers Compensation Insurance	7,300	6,950	(350) +/- \$8,000 or +/- 5%
1210243	Telecom Charges	8,000	10,000	2,000 +/- \$8,000 or +/- 5%
1210245	Furniture Repairs/Replacement	1,000	1,200	200 +/- \$8,000 or +/- 5%
1210261	Legal Expenses	2,000	5,000	3,000 +/- \$8,000 or +/- 5%

		December Budget Review		
Account No.	Account Description	Amended Budget	Proposed Budget	Change Explanation
1210265	ASIC Card Expense	6,600	6,000	(600) +/- \$8,000 or +/- 5%
1210299	Admin/Business Costs Distributed	317,500	448,070	130,570 Balance of Admin Allocation increase
1210324	Landing Charges	(1,200,000)	(1,250,000)	(50,000) Increase based on Expected Airport Activity
1210325	Passenger Service Charges	(2,500,000)	(2,700,000)	(200,000) Increase based on Expected Airport Activity
1210326	Leases And Rentals	(700,000)	(750,000)	(50,000) Increase based on year to date actual
1210333	Reimb - Water Corp Charges	(6,000)	(5,000)	1,000 +/- \$8,000 or +/- 5%
1210392	Government Grants - RADS	(400,000)	(381,500)	18,500 reduction in grant expectation
1210398	T/F From Ap Capital Works Res	(486,170)	(476,040)	10,130 +/- \$8,000 or +/- 5%
1210440	Plant & Equipment	10,000	20,000	10,000 Additional equipment (mowers etc) required
1210463	Reseal - Runway	415,000	418,000	3,000 +/- \$8,000 or +/- 5%
1210498	T/F To AP Capital Reserve	0	90,250	90,250 balancing airport costs with the reserve
1211258	Street Lighting	0	3,500	3,500 +/- \$8,000 or +/- 5%
1211259	Fire Appliances	15,000	19,500	4,500 +/- \$8,000 or +/- 5%
1212276	Fuel & Oil	12,000	18,000	6,000 +/- \$8,000 or +/- 5%
1213211	Super Guarantee	2,479	2,480	1 +/- \$8,000 or +/- 5%
1213261	Administration	21,392	21,390	(2) +/- \$8,000 or +/- 5%
1213498	T/F to Airport reserve	61,864	0	(61,864) Surplus from airport Café not transferred to Reserve
1301324	Caravan Park Rent-Cooke Point	(25,000)	(26,000)	(1,000) +/- \$8,000 or +/- 5%
1302211	Superannuation Guarantee Levy	34,000	30,750	(3,250) +/- \$8,000 or +/- 5%
1302213	Protective Clothing	0	2,200	2,200 +/- \$8,000 or +/- 5%
1302215	Fringe Benefits Tax	2,800	6,375	3,575 +/- \$8,000 or +/- 5%
1302216	Workers Compensation Insurance	7,200	6,850	(350) +/- \$8,000 or +/- 5%
1302241	Office Expenses	1,500	1,000	(500) +/- \$8,000 or +/- 5%
1302324	Licences - Building	(260,000)	(290,000)	(30,000) Increases based on actual year to date
1302326	Licences - Stratas	(4,500)	(2,000)	2,500 +/- \$8,000 or +/- 5%
1302327	Swimming Pool Inspection Levy	(7,650)	(7,750)	(100) +/- \$8,000 or +/- 5%
1302332	Builders Rego. Board Levy	(7,500)	0	7,500 +/- \$8,000 or +/- 5%
1302341	Building Fees	(30,000)	(48,000)	(18,000) Increase based on Year to date actual
1303324	Cattle Yard Hire	0	(10,000)	(10,000) new lease not budgeted
1303497	T/F to Reserve - Newcrest	100,000	200,000	100,000 Transfer of 06/07 income to reserve
1401265	Private Works - Various	60,000	150,000	90,000 Additional Private works orders
1401324	Reimbursement - Private Works	(75,000)	(175,000)	(100,000) Increase based on additional work orders
1402206	Depot Staff Meetings	5,700	10,700	5,000 +/- \$8,000 or +/- 5%
1402213	Es Protective Clothing/Uniform	20,000	22,000	2,000 +/- \$8,000 or +/- 5%
1402215	Fringe Benefits Tax	17,100	38,950	21,850 Correction to Sept Budget Review
1402216	Workers Comp Insurance Owf	52,550	89,000	36,450 Increase based on salary/wages actual
1402226	Port Hedland Allowance-Oswf	360,000	460,000	100,000 Correction on allocation of Port Hedland allowance from jobs
1402243	Teistra Charges	7,500	3,000	(4,500) +/- \$8,000 or +/- 5%
1402244	Es Stationary & Copier Charges	1,500	1,000	(500) +/- \$8,000 or +/- 5%
1402274	Project Officers Lease Vehicle	0	3,750	3,750 +/- \$8,000 or +/- 5%
1402551	Less Alloc To Wks & Services	(1,989,850)	(2,252,000)	(262,150) Balancing Overhead recovery figure ⁴¹
1403275	Repairs & Parts	248,800	485,000	236,200 Based on 06/07 actuals
1403277	Workshop Oil, Grease & Gas	30,000	25,000	(5,000) +/- \$8,000 or +/- 5%
1403278	Tyres & Batteries	45,000	80,000	35,000 Based on 06/07 actuals

Account No.	Account Description	December Budget Review		
		Amended Budget	Proposed Budget	Change Explanation
1403285	Fuel - Diesel & Unleaded	180,000	280,000	100,000 Based on 06/07 actuals
1403350	Diesel Fuel Rebate Scheme	(10,000)	(20,000)	(10,000) Additional rebates received due to external review
1403555	Less Allocations To Works	(583,300)	(800,200)	(216,900) Balancing Overhead recovery figure
1404000	Mowers/ Edgers Op Costs	20,000	15,000	(5,000) +/- \$8,000 or +/- 5%
1404241	Stationary & Book Purchases	1,000	5,000	4,000 +/- \$8,000 or +/- 5%
1404245	Protective Equipment	2,000	3,000	1,000 +/- \$8,000 or +/- 5%
1407265	Gross Wages	5,000	0	(5,000) +/- \$8,000 or +/- 5%
1407276	Misc Expenditure Recoupable	19,200	104,200	85,000 Refund of \$85k Lotteries Grant to PDC
1407278	Monetary Risks	2,000	1,975	(25) +/- \$8,000 or +/- 5%
1407279	Public Liability Insurance	135,450	132,175	(3,275) +/- \$8,000 or +/- 5%
1407282	Vandalism Damage Unclaimable	2,600	0	(2,600) +/- \$8,000 or +/- 5%
1407333	Reimbursement Of Claims	(45,500)	(54,000)	(8,500) increase claims received year to date
1407336	Misc Expenditure Recouped	(11,350)	(100,000)	(88,650) Lotteries Grant \$85k + minor reimbursements
1407365	Sale By Tender - Surplus Equipment	(5,000)	0	5,000 +/- \$8,000 or +/- 5%
Surplus BF	Surplus BF	(1,946,730)	(1,919,700)	27,030 +/- \$8,000 or +/- 5%
	Net Adjustment			(185,610)

4

11.4.1.4 Investment Policy (File No.: ...)

Officer Matthew Scott
Director Corporate Services

Date of Report 17 March 2008

Disclosure of Interest by Officer Nil

Summary

For Council to consider a revised Investment Policy, which meets the recent recommendations made by the Department of Local Government.

Background

In February 2008 the Audit and Finance Committee resolved to recommend to Council the adoption of a new Investment policy. Subsequent to that decision and before the policy could be presented to Council in February, the Department of Local Government and Regional Development issued Local Government Operational Guideline No. 19 "Investment Policy". Given the new guideline, it was decided (with the agreement of the Committee Presiding Member, Cr Carter) to postpone raising the new investment with Council until:

- The new guidelines had been reviewed; and
- The new policy was modified to include requirements recommended by the department.

A subsequent review of the guidelines has resulted in a number of essentially commentary items being included in the proposed policy as follows:

"2/010 Council Investments

Objectives

This policy is to be used to provide direction to staff in investing Council surplus cash funds in order to maximize return to council, without increasing risk. While exercising the power to invest, consideration is to given to:

- 100% preservation of capital;
- Liquidity of Investment to meet Council's Cash flow requirements;
- A rate of return comparable to predetermined market based measurement criteria.

Legislative Requirements

This policy will be interrupted, implemented and comply with the following:

- Local Government Act 1995, Section 6.14
- The Trustee Act 1962, Part III Investment
- Local Government (Financial Management) Regulations 1996
- Australian Accounting Standards

Prudent Person Standard

All investments will be managed with the care, diligence and skill that a prudent person would exercise. Officers are to manage the investment portfolio's to safeguard the portfolios in accordance with the spirit of the investment policy, and not for speculative purposes.

Prohibited Investments

This investment policy prohibits any investments carried out for speculative purposes including:

- Derivative based instruments; and
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

It is recognised that there will be circumstances where Council may decide to invest surplus funds outside the parameters of this policy. This is permitted, if resolved by Council, and the investment is deemed to be in the interest of the local community and a business case been reviewed and approved by the Audit and Finance Committee.

Investment Funds

Council cash funds have been catergorised into the following:

Short Term

Short Term Funds are funds required for the immediate daily requirements of Council. Maximum value of this fund will be \$1,000,000, unless the daily needs require differently. Of this a maximum of \$50,000 plus the total outstanding cheques/payments and/or payroll requirements to be kept in the Municipal Cheque Account. Balance of funds to be maintained in the Business/Cash maximization Account.

Medium Term

The Maximum value of the is fund will be difference between the total Short Term Funds (see above) and the total funds required in the current financial years as prescribed in Council's Adopted Budget.

Long Term

Long Term Funds are Council surplus funds, except for short Term and Medium Term funds, which are unlikely to be needed in the current financial year. This fund contains cash funds not required in the current financial year as prescribe in Council's Adopted Budget. Investment of these funds will be made on the advice received by Investment Advisors (Advisor), licensed by the Australian Securities and Investment Commission, appointed by Council, on the recommendation of the Audit and Finance Committee. No more than 70% of Long Terms funds can be invested on the advice of a single Advisor. All advisors must be an independent person who has no actual or potential conflict of interest in relation to any investment products recommended to Council; and is free to choose the most appropriate product within the terms of this policy.

Approved Investments	Short Term	Medium Term	Long Term
State/Commonwealth Government Bonds	Yes	Yes	Yes
Interest Bearing Deposits	Yes	Yes	Yes
Bank Accepted/Endorsed Banks Bills	No	Yes	Yes
Commercial Paper	No	Yes	Yes
Bank negotiated Certificate of Deposits	No	Yes	Yes
Managed Funds	No	Yes	Yes

Risk Management Guidelines

All investments obtained must comply with three key criteria relating to:

- Limit overall credit exposure of the portfolio (Portfolio Credit Framework)
- Limit exposure to individual counterparties/institutions (Counterparty Credit Framework)
- Limits based upon maturity of securities (term to Maturity Framework)

Portfolio Credit Framework

All Council investments will have a minimum Standards and Poors (S&P) rating of AA (long term), A-1 (short term) or AAf (managed fund) depending on the nature of the investment.

Counterparty Credit Framework

No individual counterparty/institution will have more than 70% of Council total investment at any one time.

Term to Maturity Framework

All Short Term and Medium Term Funds must mature or be capable of maturing within 12 months of the initial investment

All Long Term Funds are to be invested for a minimum of 12 months and mature within 3 years of the initial investment.

Authority to Invest

All investments require the co-authorisation of the following staff:

- Chief Executive Officer
- Director, Corporate Services
- Manager Financial Services

All investments of \$1,000,000 or above also requires Mayoral approval.

Reporting/M Measurement

Council will receive a summarised report on the monthly movement of all Investments, including performance, % exposure of total portfolio, maturity date and changes in market value. A detailed report of Council's Investments will be provided to the Audit and Finance Committee for review every 6 months.

Performance benchmarks will be based on the following table:

Investment Product	Performance Benchmark
Cash	Cash Rate
Enhanced/Direct Investments	UBSWA Bank Bill
Diversified Funds (managed funds)	CPI + 2%

“

The revised policy was included in the Agenda for the Audit and Finance Committee to review at its meeting on 17 March 2008, however due to a lack of a quorum, the Committee was unable to make a formal recommendation to Council.

Consultation

The draft Policy principals have been informally discussed at a Council Briefing Session and an Audit and Financed Committee meeting.

The revised policy was be developed based on the information contained in the Local Government Operational Guideline No. 19 'Investment Policy', and the example Policy included in the guideline.

Statutory Implications

The Local Government Act 1995 states (in part):

*“2.7. The Role of council
...Without limiting subsection (1), the council is to -
...(b) determine the local government’s policies. ...”*

Policy Implications	Nil
Strategic Planning Implications	Nil
Budget Implications	Nil

Officer’s Comment

The revised policy now includes additional items, which have been recommended by the DLGRD in their operational guideline. These include:

- Legislative Requirements;
- Prudent Person Standard;
- Prohibited Investments;
- Risk Management Guidelines;
- Benchmark Criteria.

Other items not included from the example Policy provided are:

- Delegated Authority; and
- Ethics and Conflicts of Interest

These have been excluded as they are covered, either in the Delegation Register or the current Code of Conduct, and duplicating them in the policy provides no benefit.

Essentially the policy introduces 3 tiers of investments and the ability to seek professional advice for long-term investments. In all cases investments must be of a "AA" S&P rating or above, while providing Council some flexibility to invest in items outside the policy if they are of interest to the community.

The Council has the ability to approve the revised policy "as is" or modify the various threshold percentages or criteria if they seem necessary. To enact the new policy, Council will need to delete the current Policy, being Council Policy 2/014 Investment Policy

Officer's Recommendation

That Council deletes its existing Council Policy 2/014 Investment Policy; and adopts Policy 2/010 Investment Policy as follows:

"2/010 Council Investments

Objectives

This policy is to be used to provide direction to staff in investing Council surplus cash funds in order to maximize return to council, without increasing risk. While exercising the power to invest, consideration is to be given to:

- 100% preservation of capital;
- Liquidity of Investment to meet Council's Cash flow requirements;
- A rate of return comparable to predetermined market based measurement criteria.

Legislative Requirements

This policy will be implemented, and comply with the following:

- Local Government Act 1995, Section 6.14
- The Trustee Act 1962, Part III Investment
- Local Government (Financial Management) Regulations 1996
- Australian Accounting Standards

Prudent Person Standard

All investments will be managed with the care, diligence and skill that a prudent person would exercise. Officers are to manage the investment portfolio's to safeguard the portfolios in accordance with the spirit of the investment policy, and not for speculative purposes.

Prohibited Investments

This investment policy prohibits any investments carried out for speculative purposes including:

- Derivative based instruments; and

- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

It is recognised that there will be circumstances where Council may decide to invest surplus funds outside the parameters of this policy. This is permitted, if resolved by Council, and the investment is deemed to be in the interest of the local community and a business case been reviewed and approved by the Audit and Finance Committee.

Investment Funds

Council cash funds have been catergorised into the following:

Short Term

Short Term Funds are funds required for the immediate daily requirements of Council. Maximum value of this fund will be \$1,000,000, unless the daily needs require differently. Of this a maximum of \$50,000 plus the total outstanding cheques/payments and/or payroll requirements to be kept in the Municipal Cheque Account. Balance of funds to be maintained in the Business/Cash maximization Account.

Medium Term

The Maximum value of the is fund will be difference between the total Short Term Funds (see above) and the total funds required in the current financial years as prescribed in Council's Adopted Budget.

Long Term

Long Term Funds are Council surplus funds, except for short Term and Medium Term funds, which are unlikely to be needed in the current financial year. This fund contains cash funds not required in the current financial year as prescribe in Council's Adopted Budget. Investment of these funds will be made on the advice received by Investment Advisors (Advisor), licensed by the Australian Securities and Investment Commission, appointed by Council, on the recommendation of the Audit and Finance Committee. No more than 70% of Long Terms funds can be invested on the advice of a single Advisor. All advisors must be an independent person who has no actual or potential conflict of interest in relation to any investment products recommended to Council; and is free to choose the most appropriate product within the terms of this policy.

Approved Investments	Short Term	Medium Term	Long Term
State/Commonwealth Government Bonds	Yes	Yes	Yes
Interest Bearing Deposits	Yes	Yes	Yes
Bank Accepted/Endorsed Banks Bills	No	Yes	Yes
Commercial Paper	No	Yes	Yes
Bank negotiated Certificate of Deposits	No	Yes	Yes
Managed Funds	No	Yes	Yes

Risk Management Guidelines

All investments obtained must comply with three key criteria relating to:

- Limit overall credit exposure of the portfolio (Portfolio Credit Framework)
- Limit exposure to individual counterparties/institutions (Counterparty Credit Framework)
- Limits based upon maturity of securities (term to Maturity Framework)

Portfolio Credit Framework

All Council investments will have a minimum Standards and Poors (S&P) rating of AA (long term), A-1 (short term) or AAf (managed fund) depending on the nature of the investment.

Counterparty Credit Framework

No individual counterparty/institution will have more than 70% of Council total investment at any one time.

Term to Maturity Framework

All Short Term and Medium Term Funds must mature or be capable of maturing within 12 months of the initial investment

All Long Term Funds are to be invested for a minimum of 12 months and mature within 3 years of the initial investment.

Authority to Invest

All investments require the co-authorisation of the following staff:

- Chief Executive Officer
- Director, Corporate Services
- Manager Financial Services

All investments of \$1,000,000 or above also requires Mayoral approval.

Reporting/Measurement

Council will receive a summarised report on the monthly movement of all Investments, including performance, % exposure of total portfolio, maturity date and changes in market value. A detailed report of Council's Investments will be provided to the Audit and Finance Committee for review every 6 months.

Performance benchmarks will be based on the following table:

Investment Product	Performance Benchmark
Cash	Cash Rate
Enhanced/Direct Investments	UBSWA Bank Bill
Diversified Funds (managed funds)	CPI + 2%

“

200708/121 Council Decision

Moved: Cr G D Bussell

Seconded: Cr A A Gear

That Agenda Item 11.4.1.4 'Investment Policy' lay on the table to enable the policy to be explored further by the Audit and Finance Committee.

CARRIED 8/0

REASON: Council sought for the policy to be explored further by the Audit and Finance Committee.

11.4.1.5 Local Law Review (File No.: ...)

Officer Matthew Scott
Director Corporate Services

Date of Report 17 March 2008

Disclosure of Interest by Officer Nil

Summary

For Council to consider the public review of it's Local Laws.

Background

As Council is aware, it's Local Laws have not been formally reviewed for a significant number of years, and that Council is therefore not compliant with the Local Government Act, that requires all Local Laws to be reviewed every 8 years.

In June 2007, Council resolve to conduct a formal review of its Local Laws (200607/367) and as per Section 3.16 the review was advertised, with the submission period ending on the 7 September 2007 (none where received).

Council has also formed a working party to review the local laws and is in the process of amending its local laws regarding the protection of turtle nesting areas and local pundul trees.

Though the Working group is slowing working its way through the Local laws, it is expected that this review will not be concluded in the near future.

Given that there were no submissions received in the August/September advertising period, Council could resolve the maintain the current local laws (with the exception of the current modifications), and therefore become compliant with the Act, but also continue with the internal review by the working group, with recommendations being put to Council for consideration at a later date.

Consultation Nil

Statutory Implications

The Local Government Act 1995 states (in part):

“3.16. Periodic review of local laws

(1) Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to

determine whether or not it considers that it should be repealed or amended.

- (2) *The local government is to give Statewide public notice stating that $\frac{3}{4}$*
 - (a) *the local government proposes to review the local law;*
 - (b) *a copy of the local law may be inspected or obtained at any place specified in the notice; and*
 - (c) *submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
- (2a) *A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.*
- (3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*
- (4) *When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.*

** Absolute majority required. “*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer’s Comment

The Town of Port Hedland was not been compliant regarding this issue for a number of years. Given that public submissions have been requested and none were received, it seems effectively only the Council and the administration wish to continue with this review.

An internal review can continue through the Local Law Working Group, however Council does not need to remain non compliant while this continues. Council can resolve that no local laws be repealed or amended (as per Section 3.16(4)) which would effectively conclude the required “periodic review”. This would make Council compliant with the act, and provide time for the working group to properly and thoroughly review and make prudent recommendations to Council.

200708/122 Council Decision/Officer's Recommendation

Moved: Cr A A Gear

Seconded: Cr J E Ford

That Council:

- i) notes that no formal submissions were received on the review of its local laws;**
- ii) doesn't repeal or amend any local law, except where Council has commenced the process of amendment; and**
- iii) not accept any further amendments to the local laws until it has been considered and recommended by the Local Laws Working Group.**

CARRIED BY ABSOLUTE MAJORITY 8/0

11.4.1.6 Replacement of Stolen Domestic Rubbish Bins (File No.: ...)

Officer Matthew Scott
Director Corporate Services

Date of Report 17 March 2008

Disclosure of Interest by Officer Nil

Summary

For Council to consider modification to Policy 13/010 Application for Bin Replacement Charges.

Background

At its February Ordinary Meeting Council, Council requested a review of the current policy to charge residents \$200 to replace a stolen 240 litre rubbish bin. Policy 13/010 Application for Bin Replacement Charges states the following:

"13/010 APPLICATION OF BIN REPLACEMENT CHARGES

That where a bin is requested to be replaced by a person with authority to make that request, as a result of being stolen, burnt or otherwise damaged from nuisance, the replacement fee is charged.

That where a bin is requested to be replaced by a person with authority to make that request, as a result of damage attributable to the collection truck or normal wear and tear, the replacement fee is not charged.

That where an assessment is required to be made to determine whether a charge should be rendered, that assessment be conducted by a person duly authorised for the purposes of the Health Local Laws 1999."

The current charge within Council's Schedule of Fees and Charges, adopted as part of the 2007/08 Annual Budget, is \$200 (GST inclusive). To date Council has raised \$29,439 in replacement bin charges, which equates to approximately 160 stolen bins being replaced and charged. There are no records for the number of bins replaced at no charge, however Council has spent \$34,300 purchasing new & replacement bins.

Below is a comparison of table of Stolen Bin Replacement Policies within the region.

Local Government	Charge \$	When Charged
Roebourne	\$114	Any bin replaced, except damaged in collection process
Ashburton	\$120	Any bin replaced, except damaged in collection process
East Pilbara	\$114	First 2 replacements free, charged for any subsequent replacements
Broome	\$119	Any bin replaced, except damaged in collection process

At the February Ordinary Council Meeting Council resolved to reduce the charge (\$200 to \$143, as per 06/07 fees & charges) to an individual resident who had complained to Council regarding the Bin Replacement Policy.

Consultation

As presented in the background, all neighbouring Council's charge residents for replacing stolen bins. After discussing the issue with Council's insurers, it has been established that it would be uneconomical for Council to insure its domestic bins provided by Council.

Statutory Implications

The Local Government Act 1995 states (in part):

*"2.7. The Role of council
...Without limiting subsection (1), the council is to -
...(b) determine the local government's policies. ..."*

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Should Council choose to change its charging policy during the current financial year, it may need to consider refunding the charges already collected (\$29,439) this financial year.

Officer's Comment

All Council residents are supplied with at least one free 240 litre bin, depending on the number of rubbish services they receive. Council's current policy is not dissimilar to its neighbouring Councils, except for East Pilbara. The major difference is in the actual fee of \$200, which is significantly higher than any other of the sampled Councils.

In essence there are two questions Council needs to resolve in reviewing this policy, being:

1. Should residents be charged to replace a stolen bin?
2. How much is a reasonable charge?

There are valid arguments on both sides regarding the first question. Some will argue that ratepayers have no choice in the type of bin they use, nor have any control over the bin when placed on the verge for pickup. Others would counter argue saying not charging for replacement would actually motivate people to abuse the "free bin" issue, allowing residents to acquire multiple bins (and possibly multiple bin services) at Council's (and therefore the ratepayers) expense.

The strongest argument for charging for replacing bins is that it places a certain amount of responsibility on the ratepayer to look after the bin. If people know that bin replacements are free, there is little motivation for people to actually remove their bins from the verge after the rubbish pickup, knowing that if it goes missing they can simply ring up Council and get another. The likelihood of damage increases the longer the bin is left on the verge, while also decreasing the amenity of the streets, with bins left on the verge for days.

If Council accepts this argument, that charging for bin replacement motivates residents to look after their bin, then the next question is what a reasonable charge is. Based on the other Council's charges it would seem that \$200 is too much.

Council should note that some 160 ratepayers have already accepted and paid the charges associated to replace a stolen bin this year, and that only 1 person (or 0.625%) has formally complained to Council. Based on these statistics, the bin replacement policy doesn't seem to be major issue within the community. Given this situation and the similarities of the policy with other Councils, there is not a strong argument to radically change the policy.

Council has recently set a precedent by lowering the fee payable for one ratepayer. To formally amend the fee would require advertising, and therefore may motivate people to seek a refund or discount for charges already paid. It is therefore recommended that any changes to the fee be made as part of the 08/09 Budget preparations, which will commence shortly.

All ratepayers have the ability, as seen in the February Council Meeting, to appeal the application of the policy directly to Council, and have a individual discount or refund considered, based on their individual circumstances. It is strongly recommended that this process be continued on a individual basis.

9:20 pm Councillor Arthur Gear left the room.

9:21 pm Councillor Arthur Gear re-entered the room and assumed his chair.

Officer's Recommendation

That Council:

- i) does not amend policy 13/010 Application for Bin Replacement Charges; and
- ii) reviews the Fee for replacing bins in the 2008/09 Budget process.

200708/123 Council Decision

Moved: Cr G J Daccache

Seconded: Cr A A Gear

That Council:

- i) does not amend policy 13/010 Application for Bin Replacement Charges; and**
- ii) reviews the Fee for replacing bins in the 2008/09 Budget process.**
- iii) consider a 75% discount applicable to concession card holders**

CARRIED 7/1

REASON: Council wishes to consider a 75% discount, during its review of bin replacement charges as part of the 2008/09 budget process.

11.4.1.7 Extension of Lease Area : Royal Flying Doctor's Service: Port Hedland International Airport (File No.: 05/05/0044 V1)

Officer	Matthew Scott Director Corporate Services
Date of Report	17 March 2008
Disclosure of Interest by Officer	Nil

Summary

For Council to consider the request by the Royal Flying Doctor Service (RFDS) to extend their current lease area on the Northern General Aviation Apron.

Background

On 27 June 2007 the RFDS wrote to Council seeking approval to extend their current lease area on the northern general aviation area. The extension would include the apron frontage from the existing RFDS hangar and fuel bowser to Gate 10.

The extension is requested to provide adequate parking on site for RFDS staff and to construct appropriate facilities for the RFDS 4WD truck, land cruiser and caravan, which are used on the remote health routes. Currently the caravan is stored at the Airport's Mechanical Workshop.

Following a meeting with the Regional Director in early March it was indicated that the initial proposal as outlined in the letter of 27 June 2007 has been amended. The proposal is now also to incorporate the building of a hangar on the site, suitable for a single aircraft to allow for expansion of the RFDS Port Hedland based fleet in the near future.

Consultation

RFDS Western Operations

Statutory Implications

Section 3.58 (3) of the Local Government Act 1995 (as amended) with particular reference to the disposal of land, as follows:

"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**

KRA 1 Infrastructure

Goal Number 3 Airport

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

Budget Implications

Increase in Leases & Rentals to additional lease area. Current adjacent land ground rental value \$12/sqm ex GST. Area to be determined by survey.

Officer's Comment

The RFDS administration and hangar lease is located on the Northern general aviation apron near gate 10. Located ear the site is a fuel bowser used by the RFDS for refueling. The land adjacent to this fuel bowser and gate 10 is currently vacant.

The area concerned is small for aircraft hangars and it is not really appropriate for the parcel to be leased as a single lot. The location of the RFDS existing facilities and its proximity to Gate 10 (the airport emergency gate) is also of concern as the area is currently used by the RFDS and ST John's Ambulance for the transfer of patients. The introduction of a non-related operation into that area would cause safety concerns for patient transfer as there would be no separation from operations as exists currently. The RFDS would be the only operator, which airport management would allow to operate from a hangar at this location.

The existing RFDS office and hangar facility was valued as having a ground rental value of approximately \$12/sqm as part of the airport revaluation in January 2008.

The area of the lease extension would need to be confirmed by survey and an a variation to the current lease negotiated.

200708/124 Council Decision/Officer's Recommendation

Moved: Cr A A Gear

Seconded: Cr J E Ford

That Council:

- i) advises the Royal Flying Doctor Service (RFDS) that it agrees in principle to the extension of the current lease area subject to survey;**
- ii) approves that the additional lease area be incorporated into the current lease agreement between the Royal Flying Doctor Services and the Town of Port Hedland, maintaining all current terms and conditions, excepting that:**
 - a) the additional lease area be charged at a rate of \$12.276 per square metre per annum;**
- iii) the proposal to extend the lease area be advertised and submissions sought, in accordance with section 3.58 of the Local Government Act 1995, following the completion of the survey of the area:**
 - a) if no submissions are received during the submission period the Mayor and Chief Executive Officer be authorised to enter into an amended lease agreement between the Royal Flying Doctor Services and the Town of Port Hedland, and**
 - b) the Common Seal be affixed.**

CARRIED BY ABSOLUTE MAJORITY 8/0

11.4.2 Governance**11.4.2.1 2007 Compliance Audit Return (File No.: ...)**

Officer Chris Adams
Chief Executive Officer

Date of Report 15 March 2007

Disclosure of Interest by Officer Nil

Summary

The statutory compliance return for the 2007 Calendar year is presented for Council's consideration.

Background

Each year all 142 local government authorities throughout Western Australia are required to undertake a compliance audit and forward the results to the Department of Local Government and Regional Development. The process audits the level of compliance with the Local Government Act and associated regulations that is being achieved. The audit covers both major systems and minor technical matters.

The Compliance Audit is one of the tools that Council's and the Department of Local Government use to monitor how the organisation functioned throughout the previous calendar year from a legislative compliance perspective. It identifies areas of non-compliance and lists areas where additional systems development may be required to ensure improved governance.

Generally the audits are undertaken as a self-audit with the Chief Executive Officer managing the audit process. In 2005 and 2006 the Department of Local Government and Regional Development undertook the compliance audit on Council's behalf.

This years audit process was carried out by the Town's Chief Executive Officer (CEO). The CEO conducted interviews with relevant staff and sought evidence from staff that compliance with legislative requirements was obtained. The table below indicates the level of non-compliance identified over the past three years compliance audits.

	2005	2006	2007
Number Items Audited	308	276	346
Number of Non-Compliance	45	8	14
% of Non Compliance	14.6%	2.9%	4.0%

The vast majority of non-compliances were very minor or technical in nature with no significant or serious breaches identified. While the table indicates a high level of compliance, there is a concern that some items of compliance that were identified in 2006 remained throughout 2007.

Listed below are issues that have been identified.

1. Disclosure of Interest by Elected Members – Issues were identified in relation to financial disclosures, particularly in relation to BHP Billiton matters where Councillors indicated an interest on some matters but not others. Additionally there was no consistency in disclosure of impartiality interests as is required under LG Admin regulation 34C. Also, the presiding member did not always inform the persons present at the meeting the nature and content of Councillors disclosures immediately prior to the item being discussed.

It is recommended that a Department of Local Government and Regional Development (DLGRD) compliance specialist be invited to visit the Town to provide information/training to Councillors on disclosure of interest requirements.

2. Local Laws – A review of all local laws has not been undertaken within an eight (8) year cycle as is prescribed under section 3.16(1) of the LG Act. The Town's Local laws Working Group is addressing this issue.
3. Performance Reviews – Performance reviews were correctly undertaken for each individual staff on all occasions bar two. One staff members performance review was not fully completed and, while a CEO performance review was completed, it was not formally reported to Council as is required under LG Admin Reg 18D. This issue is being addressed through the current round of performance reviews.
4. Audit – The Council's audit agreement with its auditors is not compliant as the Audit contract does not include a plan for the audit. This will be addressed in the new audit tender that will be advertised shortly. Additionally the Auditors Report and Annual Report was not accepted by the 31st of December due to Auditors being late with the completion on the 2006/07 Audit
5. Tenders – The Council's tender register and process is much improved but issues remain with ensuring that the register is 100% up-to-date. Details that were missing from some tenders within the register at the time of inspection were the name of the successful tender and the amount of consideration payable. Additionally, there is some debate on the level of compliance with the requirement to include the particulars in relation the decision to call tenders. Clarification from the DLGRD is being sought on this matter.

6. Minutes – Signing of the minutes of Audit and Finance and the Ordinary Meetings of Council by the respective chairs were not 100% up-to-date. While vote numbers indicate that all members returned to meetings after they had been adjourned for a short time period, the minutes do not reflect which Councillors were in attendance after the adjournments. Both issues are noted and will be rectified.
7. Delegated Authority – Council did not successfully undertake a review of delegated authority during 2007. This is being addressed in April 2008.
8. Annual Returns – One Councillor did not complete their Annual Return by the stipulated date. Additionally, the Town's Auditors have noted that some staff and Councillors left sections of their Annual Return's blank.
9. Thoroughfare Alignments – Section 3.52(4) requires the local government to keep levels and alignments of all public thoroughfares that are within its control. Given the age and magnitude of Council's road network this is very difficult to fully comply with.

Consultation

The CEO met with relevant staff to discuss compliance matters. Advice has been sought from DLGRD on specific compliance issues.

Statutory Implications

Section 7.13(i) of the Local Government Act 1995 states that:

“Regulations may make provisions requiring local governments to carry out in the manner and form prescribed an audit of compliance with such statutory requirements as are prescribed whether those requirements are:

Of a financial nature

Under this act or another written law”

Regulation 14 of the Local Government (Audit) Regulations requires the following:

A local government is to carry a compliance audit for the period 1 January to 31 December each year.

After carrying out a compliance audit the local government is to prepare a compliance audit in a form approved by the Minister.

A compliance audit return is to be:

i) Presented to Council at a meeting of the Council

ii) Adopted by the Council

iii) Recorded in the minutes of the meeting at which it is adopted.”

Policy Implications

Nil

Strategic Planning Implications

The following Goal is included within the Governance KRA of the Strategic Plan.

“That the Town’s internal operating systems are structured in a manner that assists in providing timely accurate information to the community”

The compliance audit is a significant management tool that is used to ensure that systems and structures are operating efficiently and effectively.

Budget Implications

As the Council conducted the compliance audit ‘in-house’ no costs were incurred. Previous DLGRD conducted compliance audits have incurred airfares, accommodation and meal costs for the auditor.

Officer’s Comment

The high level of attention paid to compliance issues has resulted in a high level of compliance within the annual return. While there is room for improvement, the level of compliance similar to 2006. During 2006 the DLGRD auditor commented that the Town of Port Hedland level of compliance was at or above the level of compliance of other Council’s in Western Australia.

Attachments

Compliance Audit Return 2007

200708/125 Council Decision/Officer’s Recommendation

Moved: Cr A A Gear

Seconded: Cr J E Ford

That Council:

- i) **adopts the findings of the 2007 Local Government Compliance Audit.**
- ii) **invites the Department of Local Government and Regional Development to address Council on the issue of disclosure of interest, and other compliance related matters.**

CARRIED 8/0

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

Nil.

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil.

ITEM 14 CONFIDENTIAL ITEMS

Nil.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

200708/126 Council Decision/Officer's Recommendation

Moved: Cr G J Daccache **Seconded:** Cr S J Coates

That the following applications for Leave of Absence:

- . Councillor Arthur Gear from 27 March to 10 April 2008 inclusive;
- . Councillor Jan Gillingham from 12 to 24 April 2008 inclusive;
- . Councillor Kelly Howlett from 18 April to 4 May 2008 inclusive.

be approved.

CARRIED 8/0

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 23 April 2008, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 9:30 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 23 April 2008.

CONFIRMATION:

MAYOR

DATE