



Town of Port Hedland

MINUTES

OF THE

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

HELD ON

WEDNESDAY 23 APRIL 2008

AT 6:15 PM

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

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*Chris Adams
Chief Executive Officer*

OUR COMMITMENT

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

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ITEM 1 OPENING OF MEETING

NOTE: The Ordinary Meeting of Council was unable to commence at 5:30 pm due to a lack of quorum.

6:00 pm Deputy Mayor adjourned the commencement of the Ordinary Council Meeting for 20 minutes, in accordance with section 5.25 of the Local Government Act 1995, Regulation 8.

“8. Procedure where no quorum at council or committee meetings — s. 5.25(1)(c)

If a quorum has not been established within the 30 minutes after a council or committee meeting is due to begin then the meeting can be adjourned —

(a) in the case of a council, by the mayor or president or if the mayor or president is not present at the meeting, by the deputy mayor or deputy president; ...”

1.1 Opening

The Mayor declared the meeting open at 6:15 pm and acknowledged the traditional owners, the Kariyarra people.

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

Mayor S R Martin
Cr A A Carter
Cr G D Bussell
Cr S J Coates
Cr J E Ford

2.2 Apologies

Cr G J Daccache

2.3 Approved Leave of Absence

Cr J M Gillingham
Cr K A Howlett

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held Wednesday 26 March 2008**

Nil.

3.2 Questions from Elected Members at Ordinary Council Meeting held Wednesday 26 March 2008**3.2.1 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.

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.

ITEM 4 PUBLIC TIME**4.1 Public Questions**

6:16 pm Mayor opened Public Question Time.

4.1.1 Mr Chris Whalley

Does Council know when the actual construction work will begin on the new hospital in South Hedland?

Mayor advised he is unsure of the start date for construction [of the hospital buildings] is due to comment. He added that he suspects it is held up until the State Government announces its budget.

Chief Executive Officer advised that the Tender Assessment has been undertaken, he believes there a pricing issues being discussed.

As a member of the Port Hedland Hawks Rugby League Club, I would like to know what policy Council has regarding the 'Shed' which the Hawk's players use for every home game at Port Hedland oval?

Chief Executive Officer advised that it would be ideal to have a structural engineer's report relating to the structural integrity of the shed. Council staff are meeting with the Hawks Rugby League Club to discuss the matter.

4.1.2 Mrs Diana Herbert

Is Council:

- a) *willing to work with [Pilbara Kimberley Care] in our endeavour to offer respite care to the elderly and disabled and/or disadvantaged people of the Pilbara Area, particularly of South and Port Hedland?*
- b) *able to give a time frame of 12 – 18 months time for help to be given with a facility or premises?*
- c) *able to offer assistance with improvements to our facility that we are currently in, such as building services advice for free, for development of plans for upgrades, and financially assisting with these outcomes?*
- d) *willing to lobby State and Federal Government together with Pilbara and Kimberley Care, in an endeavour to get assistance for Pilbara and Kimberley Care?*

Mayor advised Council would require further information on assistance being sought by Pilbara and Kimberley Care.

Chief Executive Officer advised that Council's Director Regulatory and Community Services will meet with Pilbara and Kimberley Care and provide a report to Council.

6:18 pm Mayor closed Public Question Time.

4.2 Public Statements

6:18 pm Mayor opened Public Statement Time

Nil.

6:18 pm Mayor closed Public Statement Time

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

In relation to the West End Greening project works area along Wilson Street, is the painting of the water storage tank included in the scope of works? Can it be painted?

Director Engineering advised that there weren't plans for the water storage tank to be painted. He confirmed the painting of the tank will be arranged.

5.2 Councillor Grant D Bussell

Can Council receive a listing of all capital project that are in the pipeline that are estimated to be valued at over \$1 million, and include the future estimated operating costs of those projects?

Chief Executive Officer advised that these projects and costs are part of Council's financial plan, which is the 2008/09 budget process being undertaken by Council.

Director Corporate Services advised a revised budget timetable has been distributed to Councillors, which includes Councillor workshops/meetings in May that elected members will be briefed on various capital items.

Director Corporate Services added that an advertisement is placed in the North West Telegraph seeking community input to Council's 2008/09 budget process.

5.3 Councillor Steve J Coates

In relation to the verge area around the Tavern at South Hedland, is Council going to maintain the verge?

Director Engineering Services advised he is not aware of any particular maintenance schedules or agreements. He added this question will be taken on notice.

Chief Executive Officer explained that the verge area would be significantly altered through Throssell Road works being undertaken over the next few months.

Is the reticulation pulled up in Trumpet Park scheduled for repair or removal?

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

As many of the swings and play equipment at Shay Gap Park are designed for [supervised] toddler to baby ages, are there any plans in place for the installation of swings to meet the needs of older children?

Chief Executive Officer advised that \$500,000 is allocated to upgrade Shay Gap Park this financial year, with works scheduled to be completed by 30 June 2008.

Would Council consider offering incentives for ratepayers, who are responsible for maintaining their property and verge to a standard?

Chief Executive Officer advised Council may want to consider this matter in its Strategic Plan.

Would Council consider employing the services of a security company to patrol at night?

Chief Executive Officer advised this is a strategic matter that Council would need to determine.

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

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

Cr S R Martin	Cr S J Coates
Cr A A Carter	Cr J E Ford
Cr G D Bussell	

NOTE: Councillor S R Martin advised he had given due consideration to all matter contained in the Business Paper, excepting the Late Items.

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

**7.1 Confirmation of Minutes of Ordinary Meeting of Council held on
Wednesday 26 March 2008**

200708/127 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

**That the Minutes of the Ordinary Meeting of Council held on
Wednesday 26 March 2008 be confirmed as a true and correct
record of proceedings.**

CARRIED 5/0

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

Nil

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION**9.1 *Councillor Steve J Coates***

Councillor Coates provided Council with an overview of both official and non-official events associated with the visit of the of the Royal Malaysian Navy ship, KD DRI INDERAPURA, captained by Commander Ganesh Navarantnam RMN, on the weekend commencing Friday 28 March 2008. Councillor Coates thanked elected members and staff that were in attendance or assisted to ensure the weekend ran smoothly.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS

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

200708/128 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That the 'Status of Council Resolutions' Report as presented to the Council's Ordinary Meeting held on 23 April 2008 be received.

CARRIED 5/0

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP - 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
Ordinary Meeting held 27 June 2007				
11.3.1.3	Don Rhodes Mining Museum Safety Audit	200607/354 Council Decision/Officer's Recommendation That Council: i) implements the following upgrade works: a) installation of fencing around all locomotives and plant b) removal/sealing of items identified as dangerous c) installation of cracker dust around museum pieces d) installation of signage e) removal of lead based paints, including repainting of plant; to the expenditure limit set by current carried forward budget of \$29,200; and ii) pursues additional funding of \$150,000 required to carry out above recommended works.	RESPONSIBLE OFFICER: Director Engineering Services Dangerous items removed, mesh welded on openings. Signs to be installed.	
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	COMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP - DATE
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. Uncertain due to change in FGov. Direction sought from Exec. Group.	Works est. completion - April 2008
11.3.3.4	Tender 06/48 Sewerage Upgrade Port Hedland Airport	200708/030 Council Decision That Council: i) note that no tenders were received during the advertised submission period for the supply and/or installation of the sewerage upgrade infrastructure at Port Hedland International Airport; and ii) authorise the Chief Executive Officer and Airport Manager to enter negotiations with suitably qualified companies for the supply and/or installation of the sewerage upgrade infrastructure as specified in the technical specifications prepared by Connell Wagner Pty Ltd, within Council's existing budget estimate of \$200,000.	RESPONSIBLE OFFICER: Airport Manager 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. Report to CI re CBS XRay equipment .	
Special Meeting held 16 October 2007				

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP - DATE
6.1.1.1	Prop. Adoption of Scheme Amend. from “Res. R12.5/30, Other Public 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 – April 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	
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 Ongoing.	June 2008

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP - DATE
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. Awaiting determination of SA prior to negotiating.	
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 ad. April 08 – close May 08	
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.	
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.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP - DATE
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				
11.2.2.4	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	COMPLETE
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. With WAPC since Dec 07.	
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.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP - 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				
11.2.2.9	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 Refer 11.2.2.7 OCM 28.11.08	S S C E D E D
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

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP - 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.	June 2008
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.	
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: Now Manager Community and Economic Development. Commenced.	
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	
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	
Ordinary Meeting held 28 February 2008				

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP - DATE
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	
11.2.2.2	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 Ltr sent to applicant outlining requirements prior to determining DA.	
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	COMPLETE
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. COMP - DATE
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
11.4.1.5	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.	
11.4.2.1	Glass Reduction Strategies	200708/087 Council Decision/Officer's Recommendation That Council: 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.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP - DATE
11.4.2.2	Tropical Cyclone George Relief Fund Application for Cooke Point Recreational Club	200708/088 Council Decision/Officer's Recommendation 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).	RESPONSIBLE OFFICER: Chief Executive Officer	
12.1.1	Prop. Scheme Amend..No. 17 – "Local Rd Reserve" and "Other Purposes Infrastructure Reserve" to "Industry"	200708/089 Council Decision/Officer's Recommendation That Council: 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. Waiting on information from Applicant.	May 08
Ordinary Meeting held 26 March 2008				
11.2.1.2	Delegated Planning & Building Approvals for February 2008	200708/098 Council Decision/ Alternate Officer's Recommendation 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."	RESPONSIBLE OFFICER: Executive Assistant Community and Regulatory Services	
11.2.1.3	Courthouse Arts Centre and Gallery Management	200708/099 Council Decision 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.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	May

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP - DATE
11.2.2.1	Proposed Three Grouped Dwellings at Lot 2278 (26) Mauger Pl, SH	200708/100 Council Decision/Officer's Recommendation 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:	RESPONSIBLE OFFICER: Planning Officer	COMPLETE
11.2.2.2	Prop.Four Grouped Dwellings at Lot 2731 (19) Kennedy St, SH	200708/101 Council Decision/Officer's Recommendation 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:	RESPONSIBLE OFFICER: Planning Officer	COMPLETE
11.2.2.3	Prop. Private Recreation (Paintball) at Lot 2 Forrest Location 126 Port Hedland	200708/102 Council Decision/Officer's Recommendation 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:	RESPONSIBLE OFFICER: Planning Officer	COMPLETE
11.2.2.4	Proposed Temporary Builders' Yard at Lot 5001 Styles Road Port Hedland	200708/104 Council Decision/Officer's Recommendation 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: ...	RESPONSIBLE OFFICER: Planning Officer	COMPLETE
11.2.2.5	Proposed 10 Grouped Dwelling Development at Lot 3684 Masters Way, South Hedland	200708/105 Council Decision/Officer's Recommendation 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:	RESPONSIBLE OFFICER: Manager Planning	COMPLETE
11.2.2.6	Proposed 4 Grouped Dwelling Development at Lot 203 & 204 (18-20) Somerset Cres, SH	200708/106 Council Decision/Officer's Recommendation 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:	RESPONSIBLE OFFICER: Manager Planning	COMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP - DATE
11.2.2.7	Proposed Advertising of the South Hedland Town Centre Development Plan	200708/107 Council Decision 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: ... 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.	RESPONSIBLE OFFICER: Manager Planning	April 08
11.2.2.8	Proposed Renovation of Existing Hotel at Lot 1 (2-4) Anderson St, PH (Esplanade Hotel)	200708/108 Council Decision/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:	RESPONSIBLE OFFICER: Planning Officer	COMPLETE
11.3.1.2	Tender 06/64 : Supply and Delivery of One (1) Track Excavator and Attachments	200708/111 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Director Engineering Services	
11.3.1.3	Waste Management Facility; Cyclone George Refuse	200708/112 Council Decision/Officer's Recommendation 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." 200708/113 Council Decision 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.	RESPONSIBLE OFFICER: Director Engineering Services	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP - DATE
11.3.1.4	Community Bus Management	200708/114 Council Decision 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: 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.	RESPONSIBLE OFFICER: Director Engineering Services	
11.3.2.1	Tender 06/61 Design and Construction of Playground Shade Structures	200708/115 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Manager Technical Services Liaising with contractor. Works Commenced.	August 2008
11.3.3.1	Addition to Fees and Charges for the Gratwick Aquatic Centre Gym	200708/116 Council Decision/Alternate Officer's Recommendation That Council: i) amends the 2007/08 Schedule of Fees and Charges for the Gratwick Aquatic Centre Gym charges as follows: ... 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.	RESPONSIBLE OFFICER: Manager Recreation Services	COMPLETE
11.3.4.1	Tender 06-Upgrade Boundary Fencing: Port Hedland International Airport	200708/117 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Airport Manager Tender awarded. Contract docs sent to Southern Wire.	June 08
11.4.1.3	December Budget Review	200708/120 Council Decision/ Alternate Officer's Recommendation 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.	RESPONSIBLE OFFICER: Director Corporate Services	
11.4.1.4	Investment Policy	200708/121 Council Decision 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.	RESPONSIBLE OFFICER: Director Corporate Services	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP - DATE
11.4.1.5	Local Law Review	200708/122 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Director Corporate Services	
11.4.1.6	Replacement of Stolen Domestic Rubbish Bins	200708/123 Council Decision 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	RESPONSIBLE OFFICER: Director Corporate Services	
11.4.1.7	Extension of Lease Area : Royal Flying Doctor's Service: Port Hedland International Airport	200708/124 Council Decision/Officer's Recommendation 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: ... 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: ...	RESPONSIBLE OFFICER: Director Corporate Services	
11.4.2.1	2007 Compliance Audit Return	200708/125 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Chief Executive Officer Audit sent to DLGRD and invite to Jenni Law (DLGRD).	COMPLETE

11.2 REGULATORY AND COMMUNITY SERVICES

11.2.1 Director Regulatory and Community Services

11.2.1.1 *Monthly Report – Community & Regulatory Services (File No.: 13/04/0001)*

Officer Nellie Mackay
Executive Assistant
Community & Regulatory
Services

Date of Report 11 April 2008

Disclosure of Interest by Officer Nil

Summary

Report on activities within the Community and Regulatory Services directorate for Council's information.

Background

Community & Regulatory Services Monthly report to Council.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

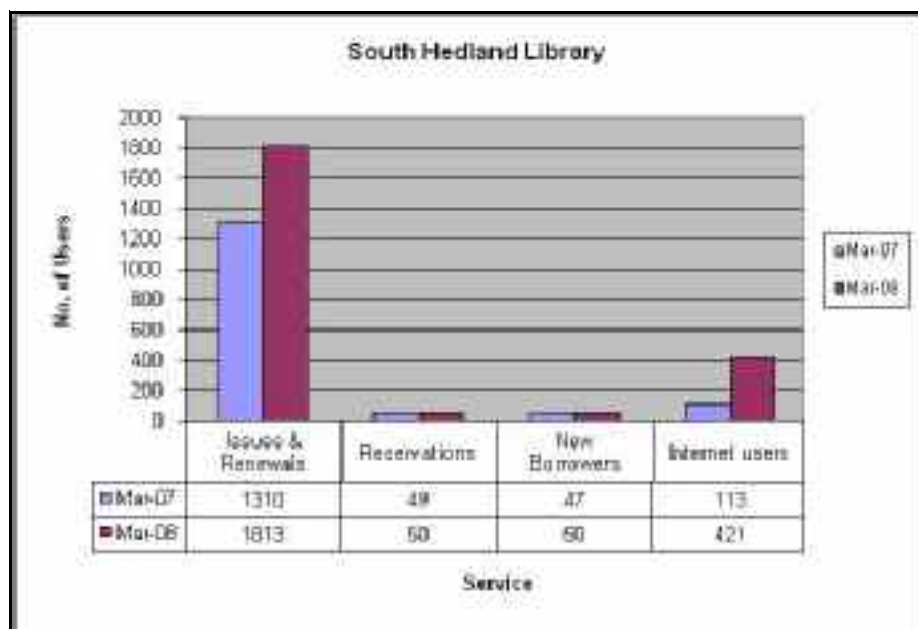
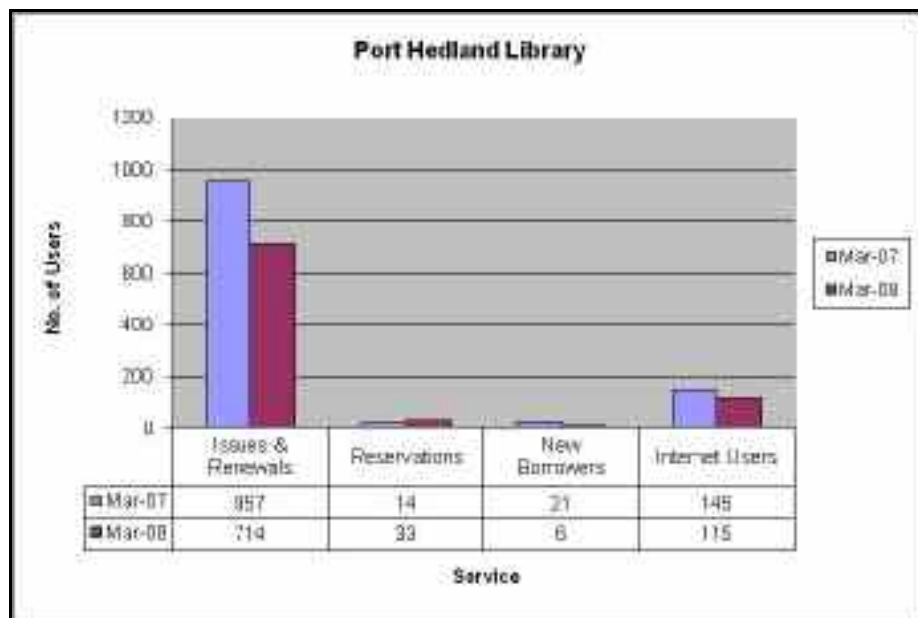
Budget Implications Nil

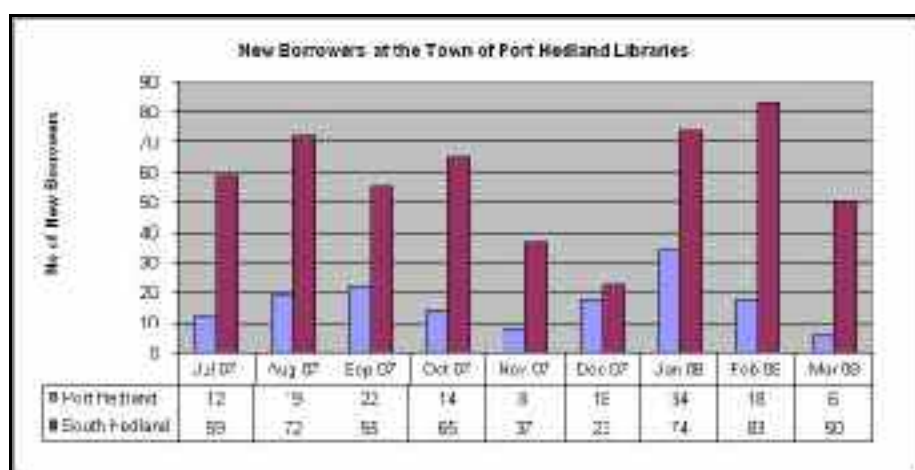
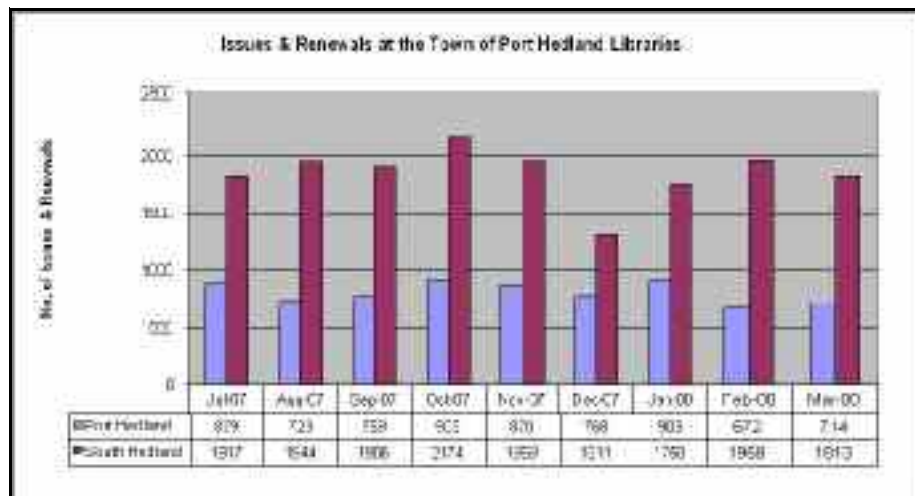
Officer's Comment Nil

Library and Information Services

Port Hedland Library	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08
Issues & Renewals	747	723	759	903	870	768	903	672	714
Reservations	21	19	14	17	12	14	7	21	33
New Borrowers	12	19	22	14	8	18	34	18	6
Internet Users	119	133	105	135	176	111	143	142	115

South Hedland Library	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08
Issues & Renewals	2054	1944	1906	2174	1969	1311	1750	1958	1813
Reservations	76	77	90	115	60	54	51	66	50
New Borrowers	59	72	55	65	37	23	74	83	50
Internet Users	363	416	349	445	415	297	398	491	421





Labour Day and Easter holiday closure is reflected in the statistics for March.

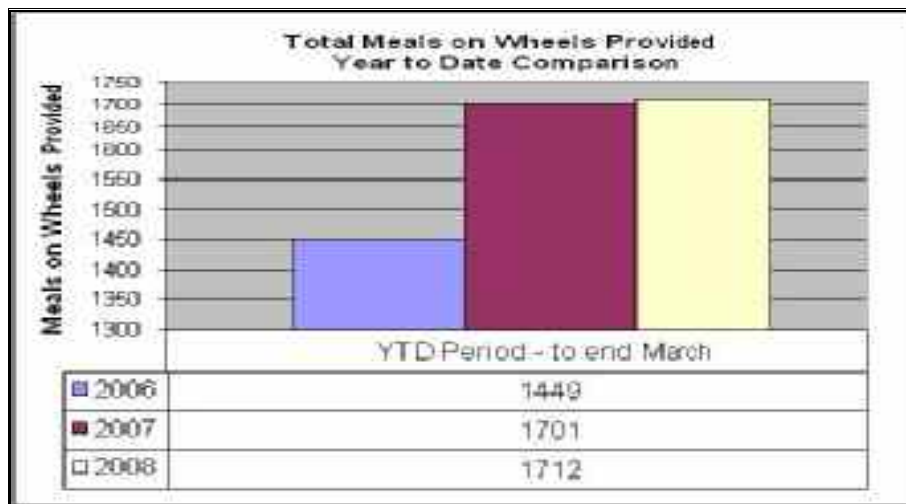
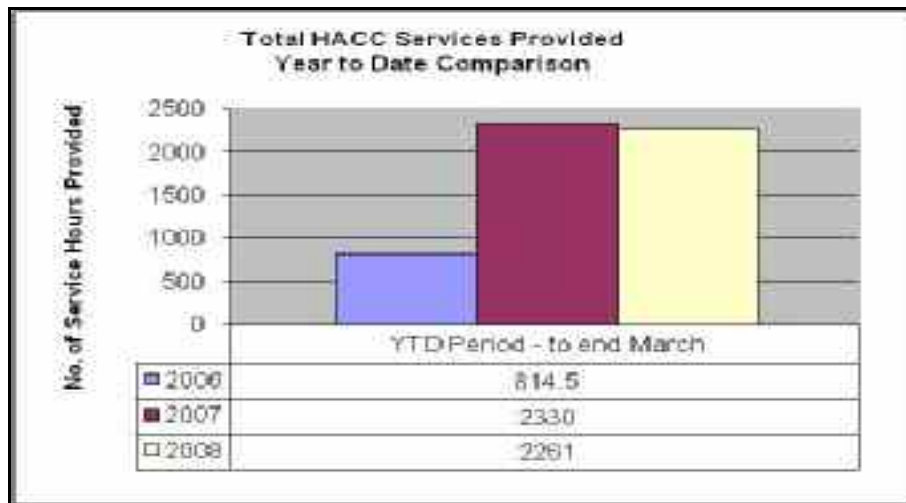
The first of the Babies Need Books sessions for parents of 0-2 year olds was held at South Hedland Library on 18 March with 10 parents and 2 babies participating. The next session will be held at Port Hedland Library in May.

A very successful Conversation with the Author session was held at South Hedland Library on 26 March. Liz Byrski, the Sunday Times Big Book Club featured author for March spoke of her life and work as a writer.

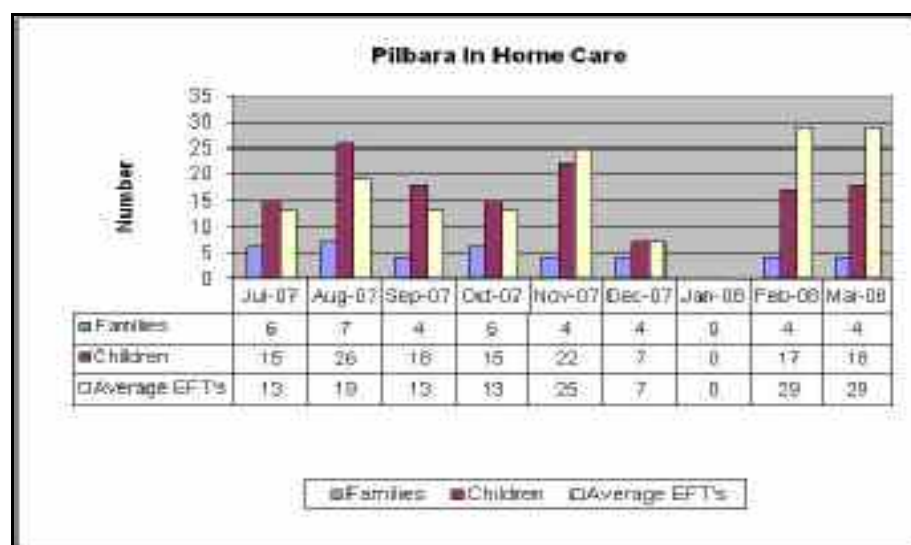
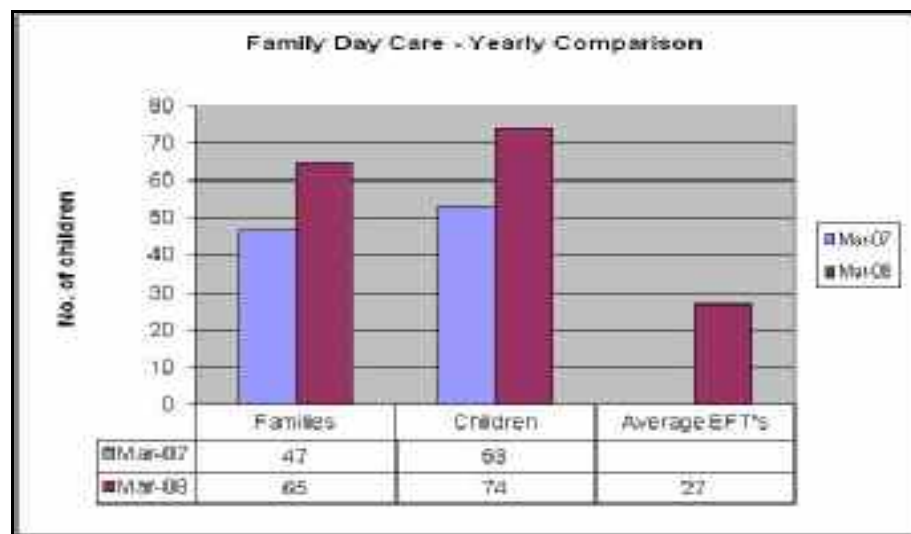
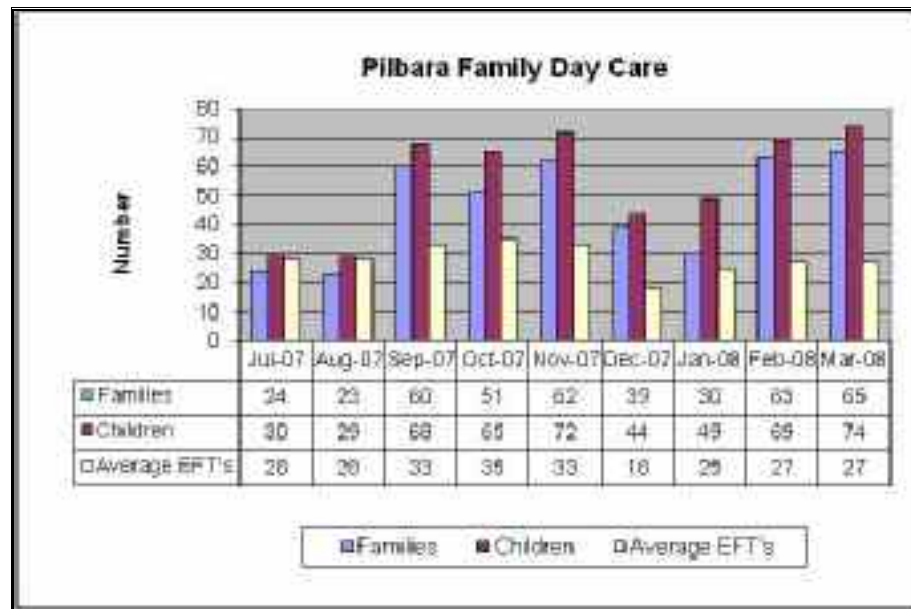
Human Services

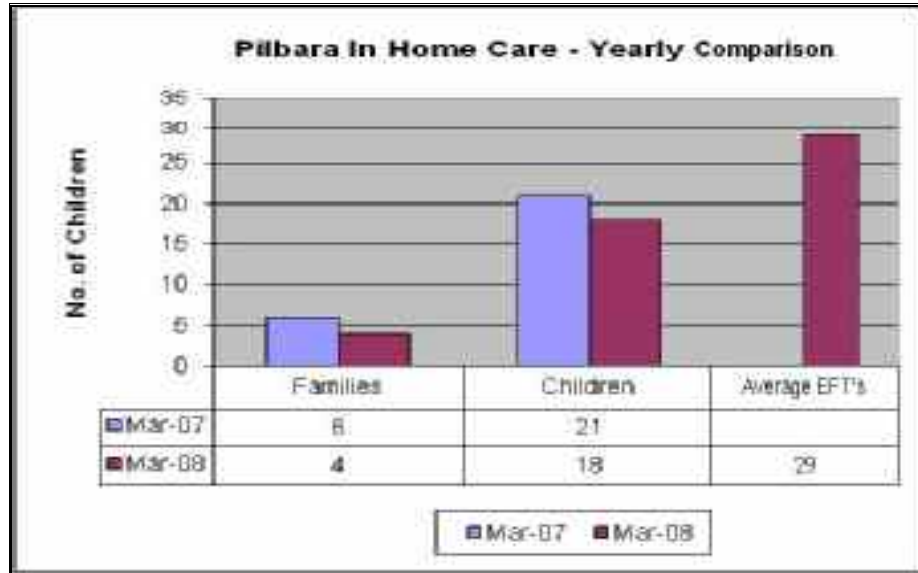
HACC Programme

HACC Service Hours for February 2008	
Meals on Wheels	517
Day Centre Attendance (Hours)	636
Day Centre Meals	102
Domestic Assistance (hours)	93
Personal Care (hours)	30.5
Social Support (hours)	18
Transport (one way)	189
Home Maintenance (hours)	24
Total HACC service provided (hours)	801.5
Total HACC service provided (hours) YTD	2261
Assessment	5
Accidents/Incidents	0

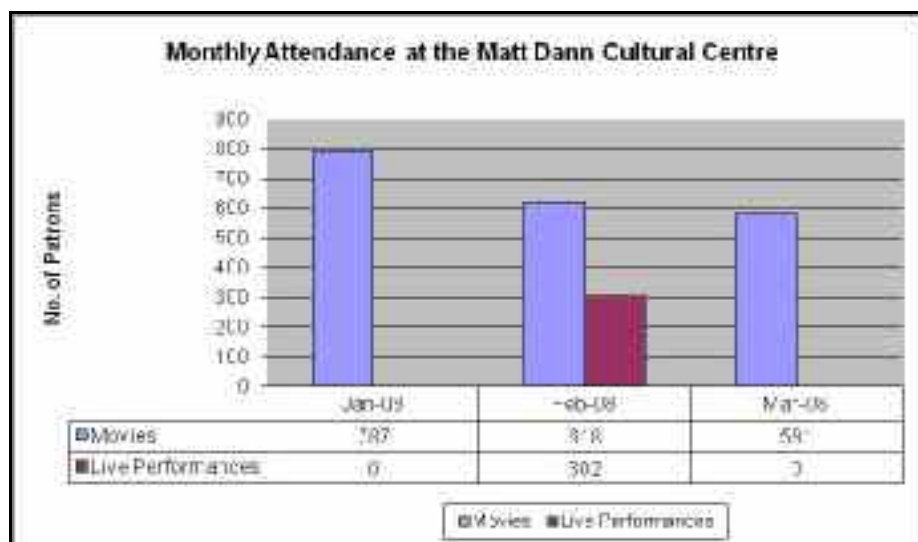


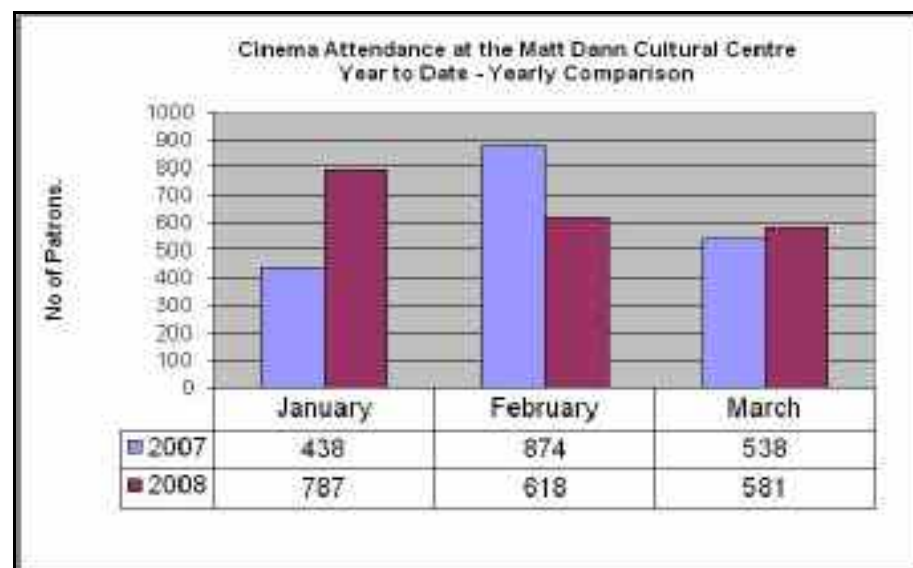
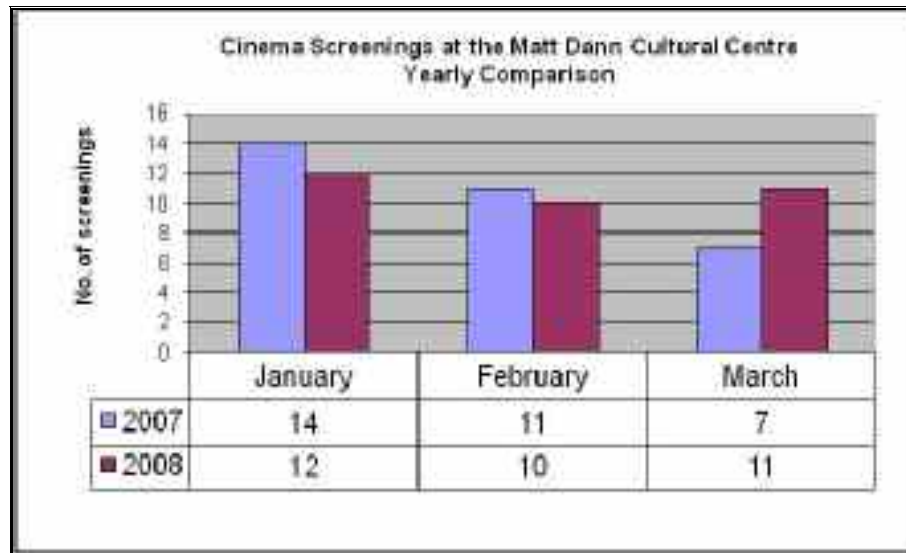
Pilbara Family Day Care



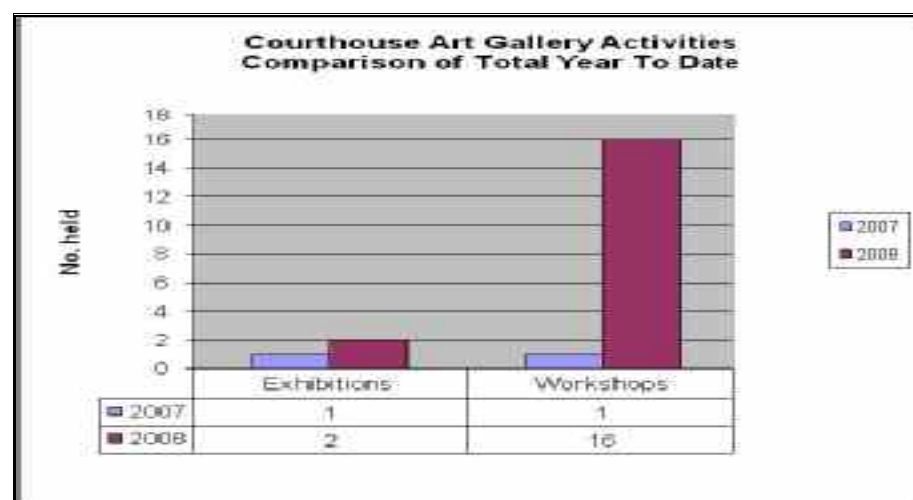


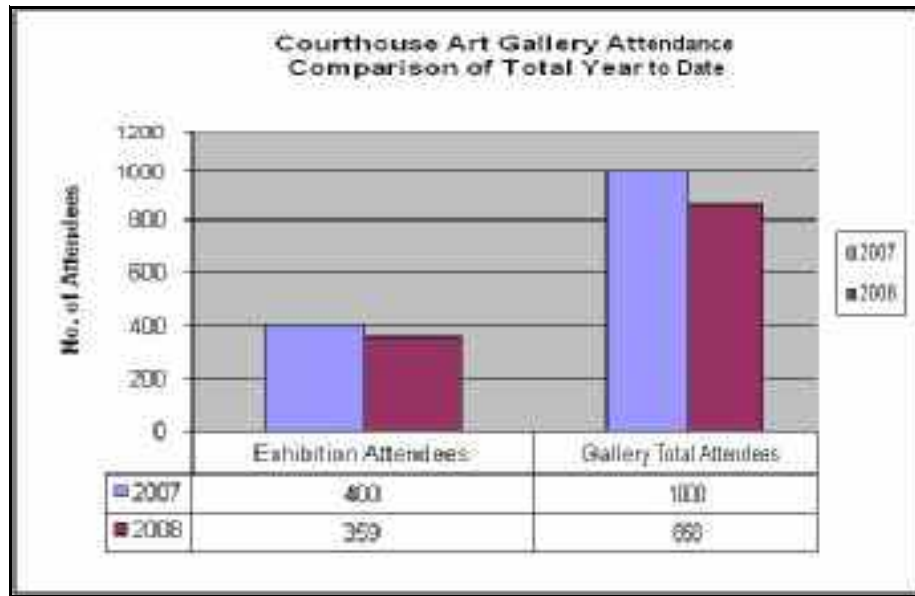
Matt Dann Cultural Centre



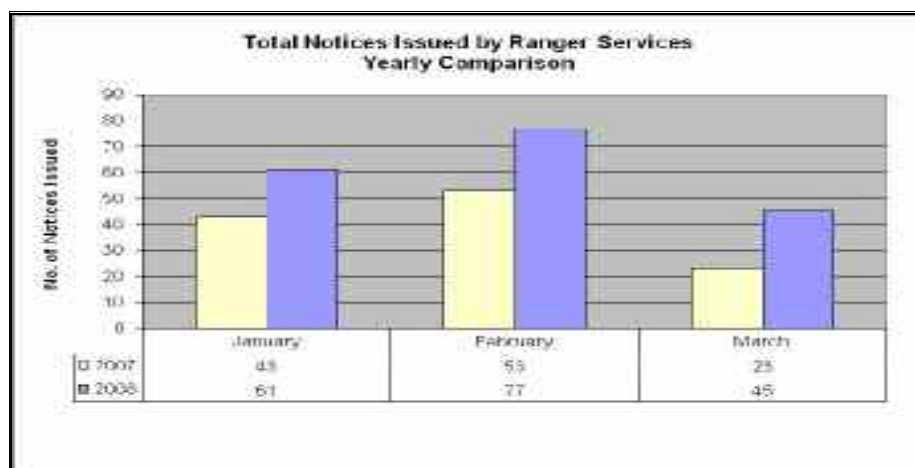
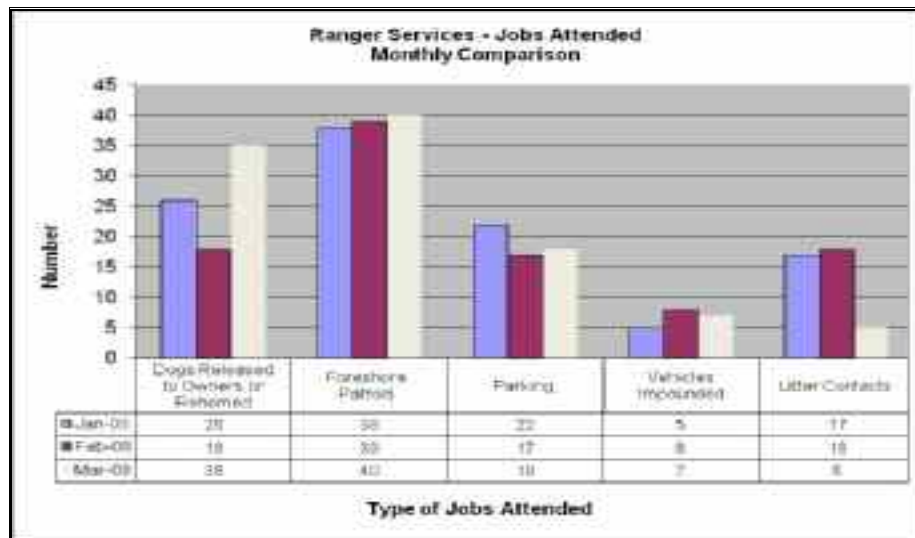


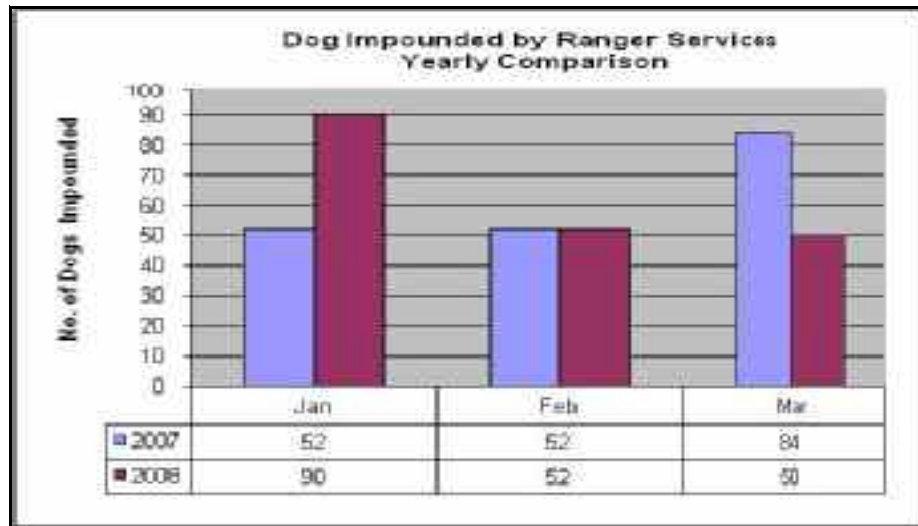
Courthouse Arts Centre and Gallery





Environmental Health Services





Officer's Recommendation

That Council receives the Community and Regulatory Services Report for 11th April 2008.

dr

JF GB 5/0

28 mdcc 18 lib

200708/129 Council Decision

Moved: Cr J E Ford

Seconded: Cr G D Bussell

That Council receives the Community and Regulatory Services Report for 11th April 2008, and the Chief Executive Officer or his nominated representative provides Council with an explanation on why the cost per service at the Matt Dann Cultural Centre is \$28, when the cost per service at the Libraries is \$18.

CARRIED 5/0

REASON: Council sought clarification on why the cost of delivery of services at the Matt Dann Cultural Centre and the Library differ.

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

Officer Nellie Mackay
Executive Assistant
Community and Regulatory
Services

Date of Report 14 March 2008

Disclosure of Interest by Officer Nil

Disclosure of Interest by Officer Nil

Summary

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

200708/130 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G D Bussell

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

CARRIED 5/0

DELEGATED PLANNING APPROVALS FOR MARCH 2008

Application Number	Application Date	Date Determined	Description	Applicants Name	Owners Name	Address
2008/33	11/02/2008	07/03/2008	SINGLE HOUSE - 4 Bedroom Single House with nil setback	Michael James Lau	MICHAEL JAMES LAU	12 TRAINE CRESCENT SOUTH HEDLAND 6722
2008/37	06/02/2008	12/03/2008	INDUSTRY GENERAL - Sea Container Addition	Aaron Lehmann - Hanson Constructions	HANSON CONSTRUCTION MATERIALS PTY LTD	7 PEAWAH STREET WEDGEFIELD 6724
2008/48	24/01/2008	12/03/2008	SINGLE HOUSE - nil setback to carport, verandah and shed	RUSS HOWE TURNER	RUSS HOWE TURNER	23 PANJYA PARADE PORT HEDLAND 6721
2008/63	10/03/2008	27/03/2008	TAKE AWAY FOOD OUTLET - Remodel of Existing Restaurant to include Cafe, Decor Upgrade, Reduction to Terrace Area and Drive Thru Feature Blade	Mc Donald's Australia Ltd C/o- Hindley & Associated P/L	PERPETUAL TRUSTEES AUSTRALIA LIMITED	9-31 THROSSELL ROAD SOUTH HEDLAND 6722
2008/65	10/03/2008	27/03/2008	INFRASTRUCTURE - Construction of Office Building - Special Lease L3116/3690	Paul Young - Mine Port Development Joint Venture	BHP BILLITON MINERALS PTY LTD	L6254 WILSON STREET (BHP PT HEDLAND SITE) PORT HEDLAND 6721
2008/66	10/03/2008	27/03/2008	INFRASTRUCTURE - Construction of Central Control Room - Special Lease L3116/3960	Damon Ford - Mine & Port Developments Joint Venture	BHP BILLITON MINERALS PTY LTD	L6254 WILSON STREET (BHP PT HEDLAND SITE) PORT HEDLAND 6721

DELEGATED BUILDING APPROVALS FOR MARCH 2008

Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value	Floor area in sq metres
71131	18.03.2008	PORT HEDLAND	Grouped Dwelling (transportable)	486600	343
71169	31.03.2008	PORT HEDLAND	Relocated Dwelling	80000	108
71210	12.03.2008	PORT HEDLAND	Shade Shelters	117750	60
71235	25.03.2008	SOUTH HEDLAND	Shed	10000	24
72007	02.03.2008	SOUTH HEDLAND	Sea Container	5000	12
80018	10.03.2008	PORT HEDLAND	Outbuilding	17500	17
80002	02.03.2008	SOUTH HEDLAND	Shed	13000	54
71313	11.03.2008	PORT HEDLAND	Single Dwelling	500000	475
85003	02.03.2008	SOUTH HEDLAND	Swimming Pool - B/G F/G	28000	
80003	02.03.2008	SOUTH HEDLAND	Shed		50
80004	02.03.2008	SOUTH HEDLAND	Patio	12500	18
85004	02.03.2008	PORT HEDLAND	Swimming Pool - SH AG		
80017	07.03.2008	WEDGEFIELD	Shed (Factory)	174900	448
85006	17.03.2008	PORT HEDLAND	Swimming Pool - B/G	13000	
80005	02.03.2008	SOUTH HEDLAND	Patio	12500	36
80006	02.03.2008	SOUTH HEDLAND	Patio	14895	26
85001	02.03.2008	PORT HEDLAND	Swimming Pool - F/G B/G	30000	
80007	02.03.2008	SOUTH HEDLAND	Shed	4000	15
80028	25.03.2008	SOUTH HEDLAND	Single Dwelling	411800	190
80019	14.03.2008	SOUTH HEDLAND	Single Dwelling	411800	190
80024	14.03.2008	SOUTH HEDLAND	Single Dwelling	411800	190
80023	14.03.2008	SOUTH HEDLAND	Single Dwelling	411800	190
80020	11.03.2008	SOUTH HEDLAND	Single Dwelling	411800	190
80025	17.03.2008	SOUTH HEDLAND	Single Dwelling	411800	190
80021	11.03.2008	SOUTH HEDLAND	Single Dwelling	411800	190
80022	12.03.2008	SOUTH HEDLAND	Single Dwelling	411800	190
80009	02.03.2008	WEDGEFIELD	Sea Container - Tie Downs	2000	

Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value	Floor area in sq metres
80029	26.03.2008	SOUTH HEDLAND	Addition & Refurbishment - McDonalds Res	165000	9
80008	02.03.2008	PORT HEDLAND	Patio	19500	
85007	18.03.2008	PORT HEDLAND	Swimming Pool - B/G	17500	
85002	02.03.2008	PORT HEDLAND AREA	B/G FG Swimming Pool	35000	
80010	02.03.2008	WEDGEFIELD	Transportable Office Crib and Ablution	50000	50
83005	02.03.2008	SOUTH HEDLAND	Whole of Building		
80032	28.03.2008	PORT HEDLAND	Outbuilding	13000	40
80011	02.03.2008	SOUTH HEDLAND	Change of use - Garage to Habitable	19105	34
85005	02.03.2008	SOUTH HEDLAND	BG FG Swimming Pool	30000	
80015	04.03.2008	PORT HEDLAND	Single Dwelling	643907	399
80014	04.03.2008	PORT HEDLAND	Single Dwelling	643907	399
80016	05.03.2008	PORT HEDLAND	Single Dwelling	643907	399
80012	02.03.2008	PORT HEDLAND	Enclosure to Existing Patio	30000	22
85009	25.03.2008	SOUTH HEDLAND	Swimming Pool - B/G	30000	
85010	25.03.2008	SOUTH HEDLAND	Swimming Pool - B/G	28000	
85008	20.03.2008	SOUTH HEDLAND	Swimming Pool - B/G	28000	
80027	20.03.2008	SOUTH HEDLAND	Shade Sail	7500	49
80030	28.03.2008	WEDGEFIELD	Office 2 x Sea Containers (Tie-Downs)	33000	36
80026	20.03.2008	PORT HEDLAND	Shed	8000	24
80033	28.03.2008	SOUTH HEDLAND	Dwelling	334715	156
71100	05.03.2008	PORT HEDLAND	Refurbishment - Entry & Plant Room	418000	
TOTAL ESTIMATED CONSTRUCTION VALUE				\$8,014,086.00	

DEMOLITION LICENCES			
Licence Number	Approval Date	Locality	Description of Work
83003	02.03.2008	PORT HEDLAND	Demolition of Whole Building & Outbuilding
83004	02.03.2008	PORT HEDLAND	1 x Demolition of Whole Building
83008	31.03.2008	PORT HEDLAND	Demolition Whole of Building
83009	31.03.2008	PORT HEDLAND	Demolition of Whole of Building
83010	31.03.2008	PORT HEDLAND	Demolition of Whole of Building
83006	28.03.2008	PORT HEDLAND	Demolition

SUMMARY OF BUILDING LICENCES ISSUED				
Number of Licences	Licence type	Estimated Construction Value	Floor Area sq metres	Av cost / sq m
7	Demolitions			
16	Dwellings	6646541	3833	\$1,734
24	Class 10	519645		
7	Commercial	847900	555	\$1,528
54		\$8,014,086.00		

11.2.1.3 **Town Entry Statement – Artwork Expression of Interest (File No.:)**

Officer Terry Sargent
Director Regulatory and
Community Services

Date of Report 13 April 2008

Disclosure of Interest by Officer Nil

Summary

At its ordinary meeting on January 23rd 2008 Council resolved to establish an independent advisory committee to provide advice on the submissions received when expressions of interest were called for the installation of an iconic artwork to form an entry statement to the town. This report presents the recommendations of that committee.

Background

In accordance with council's resolution of 23rd January, a committee was established inviting:

- a) a delegate from HARTZ;
- b) Ms Kathy Donnelly; (unavailable)
- c) the Mayor or his Deputy;
- d) Richard O'Connell
- e) Ms Lynda Dorrington;'
- f) Ms Laura Taska;
- g) Ms Ruth Durack; and
- h) Mr Chris Maher

to serve as an advisory committee, or panel to inform council's selection of a short list of preferred artists who will prepare a more detailed submission for consideration.

Council's consultants, FORM, provided advice to the artists and in conjunction with Council staff, collated the submissions and summarized the results after the ten conforming expressions of interest had been assessed.

Consultation

No additional external consultation is appropriate at this stage.

Statutory Implications

This expression of interest is 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 expression of interest is called in accordance with Council's Procurement Policy 2/015.

Strategic Planning Implications

KRA 3 Community Development
Goal 7 Arts & Culture
Strategy 3 Develop a unique entry statement to the Town

Budget Implications

The current budget provides (Account Number 1201461) for this expenditure which is funded from the BHP reserve (Account Number).

Officer's Comment

The recommendations of the advisory panel have been provided by Council's consultants, FORM.

After tabulating the recommendations of all available panel members three artists were clearly identified, and a further two were shortlisted after a count back which rated the submissions according to their position within the preferred candidates list.

Attachments

Summary of panel findings. Copies of submissions are available from the Director Regulatory and Community Services upon request.

200708/131 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council select the following five (5) artists to prepare a Marquette piece, or similar representation of their design concept, for further consideration by Council after review by the advisory committee

- 1. Jahne Rees;**
- 2. Groundplay;**
- 3. Jon Tarry;**
- 4. Phillipa O'Brien; and**
- 5. Andrew Kay.**

CARRIED 5/0

ATTACHMENT TO AGENDA ITEM 11.2.1.3

Summary of Advisory Panel Findings - Port Hedland Entry Statement Artwork						
	Arnold Carter	Ruth Durak	Lynda Dorrington	Chris Maher	David Hooper	Laura Tasker
One	Richard Apel	Bridget Norton	Andrew Kay	Jon Tarry	Fred Beel	Phillipa O'Brien
Two	Jon Tarry	Jon Tarry	Jahne Rees	Bridget Norton	Helen Makris, Randal Canning, John Todd and Zabia Chmielewski	Jahne Rees
Three	Groundplay	Phillipa O'Brien	Phillipa O'Brien	Groundplay	Jon Tarry	Andrew Kay
Four	Jahne Rees	Jahne Rees	Groundplay	Andrew Kay	Groundplay	Groundplay
Five	Dean Bowen	Groundplay	Jon Tarry	Jahne Rees	Jahne Rees	Bridgit Norton
	Artists	No of votes	Ranking	Countback - Placing *	Lowest Score preferred	
	Jon Tarry	5	3			
	Richard Apel	1	7/8/9/10			
	Groundplay	6	1/2			
	Jahne Rees	6	1/2			
	Dean Bowen	1	7/8/9/10			
	Bridgit Norton	3	4/5/6	1 + 2 + 5	8	
	Phillipa O'Brien	3	4/5/6	3 + 3 + 1	7	
	Andrew Kay	3	4/5/6	1 + 4 + 2	7	
	Fred Beel	1	7/8/9/10			
	Helen Makris et al	1	7/8/9/10			
	* Rankings given added together, lower score is preferred					

- 6:22 pm Councillor Arnold A Carter declared an impartiality interest in Agenda Item 11.[2.1.].4 'Port Hedland Visitor Centre Funding Agreement'. Councillor Carter did not leave the room.
- 6:22 pm Councillor Jan E Ford declared an impartiality interest in Agenda Item 11.[2.1.].4 'Port Hedland Visitor Centre Funding Agreement' as she is the President of the Visitor Centre Committee. Councillor Ford did not leave the room.

**11.1.2.4 Port Hedland Visitor Centre Funding Agreement ...
(File No.: 20/01/0026)**

Officer Terry Sargent
Director Regulatory and
Community Services

Date of Report 15 April 2008

Disclosure of Interest by Officers Nil

Summary

On 10th March 2008 Council received a request from the Port Hedland Visitor Centre, seeking renewal of the funding agreement that expired on 30 June 2007. A modified request has been presented with current supporting data in April 2008.

Background

In August 2004 Council entered into an agreement to fund the Port Hedland Visitor Centre (PHVC) for the amount of \$180,000 per annum for a period of three years from 1 July 2004. This arrangement replaced an annual operating subsidy of \$80,000 and was negotiated after the visitor centre was found by its auditor to be trading insolvent.

The payment of a flat rate operating grant was negotiated without any link to any reduction in operating costs and this has resulted payments exceeding the centre's operating expenditure by a substantial amount during the course of the agreement. The 2006/07 audited accounts of Port Hedland Visitor Centre shows cash and cash equivalents to the value of \$144,017.00.

It is claimed in relation to the cash balance, "...it is not felt this is a true indication of the current financial position of the [Visitor] Centre, as many proposed works were kept on hold last financial year." The audit report does in fact raise as many questions as it answers but no documents have been supplied to explain what the Visitor Centre sees as its true financial position. Current records of actual expenditure and income have been requested but at the time of writing have not been received.

It is noted that the expired agreement obliged Council to make premises at 13 Wedge Street available "on a normal tenancy basis" but the tenancy agreement did not prescribe a commercial or "normal rent". The previous tenancy agreement has also lapsed on June 30th 2007 without being renewed.

The PHVC's letter (Attachment 1.) suggests the terms of a new funding agreement that will provide for a grant of \$180,000.00 per annum from 1st July 2007. These terms are virtually the same as those of the previous agreement except that the proposed terms would oblige Council to contribute "2/3 towards annual water bill" and would commit the PHVC to provide a 5 Year Strategic Plan by 2008, in place of the previous requirement to produce a marketing plan.

The high value of the Australian dollar and the high fuel costs are discouraging international and interstate tourism and limited accommodation is further impacting on tourist numbers. Port Hedland is in a position in which it will be extremely difficult to attract tourists to town and equally difficult to accommodate them if they do come to town but neither the PHVC's letters nor budget indicate any major operational refocus to recognise the new realities of the tourism market.

The Pilbara Regional Council, in developing a draft regional tourism strategy, has commissioned a study identifying models for sound investment into tourism by Local Government. The Port Hedland Visitor Centre is not rated highly in the study (rated 4th from the four Pilbara Shires) and does not return good value for investment under the current funding agreement. See Attachment 3.

During 2007, Council endorsed the concept of establishing a West End Cultural Precinct. The Visitor Centre at 13 Wedge Street naturally forms a part of the physical precinct. The resources of the Centre, including staff, offer the opportunity to improve efficiency and continuity of service delivery of arts, heritage and visitor related services. Although this concept has been endorsed by Council and discussed with the visitor Centre, it is not recognised or addressed in the application for future funding.

The Officer's Comment of this report identifies four options for Council's consideration.

Consultation

Council staff have communicated and met with the PHVC Manager and committee members over recent months to collect the information presented.

Pilbara Regional Council's study into regional tourism has also informed this report.

Statutory Implications Nil

Policy Implications

11/001 TOURISM POLICY

"...Support the provision of a high quality visitor information service at the Port Hedland Visitor Information Centre."

Strategic Planning Implications**KEY RESULT AREA 4 – ECONOMIC DEVELOPMENT****Goal 1 – Tourism**

Strategy 5 - Work with the Pilbara Regional Council to review the role that Pilbara Council's play in tourism.

KEY RESULT AREA 3 – COMMUNITY DEVELOPMENT**Goal 7 - Arts and Culture**

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

Budget Implications

The options presented, discuss commitments to directly fund the PHVC to a maximum which exceeds \$540,000.00 over three years. (It should be noted that subsequent correspondence from the visitor's centre has sought a contribution of only \$90,000 for the current financial year.)

The level of need for this funding has not been demonstrated to the satisfaction of Council staff as (to date) staff is yet to receive a consolidated statement that includes:-

- 06/07 Actuals
- 07/08 Year to Date
- 07/08 Projections
- 08/09 Budget

This information is required to determine the trend analysis and relative need for funding for the Visitor Centre. The level of information requested is standard for a business unit of Council.

Officer's Comment

The previous management agreement was developed at a time when tourist numbers were higher than they are at present and when Council had a number of service agreements and contracts that contributed less to efficient and effective service delivery than is now required.

The expired Town of Port Hedland – Port Hedland Visitor Centre Funding Agreement is inconsistent with the type of agreement used currently in that it provided only vague definition of what was expected for an expenditure of \$180,000 per year, it provided little opportunity for oversight by Council and no provisions to address default or failure to deliver satisfactory services. It is to be hoped that all future agreements afford a much higher level of surety that the use of committed funds will be more closely aligned to Councils intention.

In considering funding options for tourism development Council needs to be mindful of the need to ensure funding is always directed towards achieving the best return from its investment.

The PRC's Regional Tourism Plan points towards the benefits of Council investing in product development (interpretive signage, viewing areas, boating facilities etc), Marketing (to develop an awareness for future visitors) and Visitor's Centres/ information services, with the level of investment in each being tailored to suit the demands of the market at the time.

It is apparent that the tourism market in Port Hedland has changed since the previous funding agreement was negotiated and it may well be appropriate to reconsider the "mix" of Council's investment between product development, marketing and direct service delivery.

In seeking to address the future funding needs of the Port Hedland Visitor Centre, Council has a number of options it should consider funding. These include:

Option 1. Negotiate a funding agreement based on the previous agreement:

This is effectively what has been proposed by the Port Hedland Visitor's Centre (PHVC). The terms of the funding agreement, as proposed by the PHVC, would commit Council to providing a direct grant of \$540,000 (plus GST) over three years. (that may be reduced to \$450,000 as indicated in the most recent correspondence from the PHVC). It would also see a contribution to water charges in the order of a further \$2,000.00.

There is no mention in the PHVC's letter of any changes to the tenancy arrangements and no provision for rental payments in the budget provided, so it is assumed the PHVC anticipates continued rent-free occupation of the visitor centre building. This amounts to an in-kind contribution of more than \$80,000.00 per year, or more than \$240,000 over 3 years.

Comment on Option 1:

While there is no suggestion that the PHVC intends to use this contribution inappropriately, the funding agreement, established more than 3 1/2 years ago, provided little opportunity for Council to be satisfied with the direction in which the funds were applied except for the very general dot point notations in the agreement, describing in one line each, the services to be provided.

While the current proposal commits the PHVC to presenting Council with a strategic plan, this is proposed for July 2008, a year after the proposed commencement of the funding period. There is no reason at all to doubt the good will and intentions of the PHVC, but the practice of committing funds to a funding agreement before finding if the recipient's strategic plan is compatible with Council's Strategic Plan, is not prudent management.

Pursuing this option also represents further opportunity costs as it effectively enshrines the status quo and limits the opportunity to reduce operating costs of the Gallery and the Visitor's Centre as identified in Council's strategic plan.

Option 2. Negotiate a performance based funding agreement to contribute to the cost of operating losses of the Port Hedland Visitor Centre:

An alternative model for delivery of services is the type of contract the Council now has for the management of the swimming pools. A performance based contract, in which funding is more closely linked to the actual cost of providing the service will prevent accumulation of Council funds beyond what is needed to deliver the required service and can be structured in a way that will provide incentives to seek funding from other sources.

Such a contract would typically have a very clear definition of the scope of works covered by the contract, require the operating budget and management plan to be approved by Council and link continued payment to performance of the required works.

Comment on Option 2:

This type of contract is more complex than the three page agreement that was drafted (presumably without legal advice) in 2004, and it needs to be properly administered, but provides a level of certainty that does not simply depend on the goodwill of the Visitors Centre management committee and staff.

Option 3. Call for expressions of interest from business interests or other service providers for provision of visitor services:

It is not unheard of for businesses to act as an agent for the delivery of visitor services on behalf of a Council. This would typically be in a smaller town than Port Hedland, but in a shrinking tourism market it may be more efficient to scale back the service delivery until such time as the market can sustain a full scale visitor centre.

This could result in services being delivered from another site, freeing the current site for alternative use or services could continue from the current site on a commercial lease.

Substantial savings could be generated from pursuing this option and a suitable service level could be maintained by an appropriate contractual arrangement.

Comment on Option 3:

While a similar service is provided by the Seafarers Centre, there is no obvious partner waiting to take up this role and the market has not been tested by way of a tender or expression of interest.

Any partnership agreement could be structured in such a way that it recognises, and allows flexibility to address Council's intention for the future of the Arts and Cultural precinct, but the length of tenure required by a commercial operator occupying the premises *may* inhibit development of the precinct.

Option 4. Operate the Port Hedland Visitor Centre until responsibility can be handed to an independent board of management for the West End Cultural Precinct:

This option would require the retention and / or acquisition of staff with expertise that Council does not directly employ at present. These could potentially be obtained by employing from the current visitor's centre staff. This would create opportunities for current visitor centre and Council staff, which don't exist at present.

As the PHVC currently receives revenue from membership subscriptions this revenue may be lost if the Council assumed direct responsibility for the services. It should be noted that the loss of revenue would be less than the income that would have been generated if Council's investment policy had been applied to cash held by the PHVC for the last financial year. It is also likely that some income could still be generated from promoting the services of the current members of the PHVC.

Comment on Option 4:

While the delivery of tourism services is not a core function of Council, assumption of the role currently conducted by the PHVC could provide some benefits. It would enable Council to more effectively and efficiently manage the development of a cultural precinct and capitalize on efficiencies that can be gained by merging the operations and premises of the Port Hedland Visitor Centre, the Courthouse Arts Centre Gallery surrounding gardens to operate in a more streamlined manner.

The cost of this option would be the loss of membership revenue (\$4,346.00 per annum) but this could be offset by the application of Council's investment policy and improvements to the financial management of the centre.

With appropriate public consultation and perhaps a bilateral agreement with the Port Hedland Historical Society, an Independent Board of Management could assume management of the whole precinct and this non-core function of Council could be devolved to one body that would manage the whole of the precinct as proposed in Council's Strategic Plan.

Attachments

Letters from Port Hedland Visitor Centre
Audit report of the Port Hedland tourist Bureau
Extract from Draft Regional tourism Strategy

Officer's Recommendation

That Council:

- i) note that the funding options for consideration are:
 - a) negotiate a funding agreement based on the previous agreement;
 - b) negotiate a performance based funding agreement to contribute to the cost of operating losses of the Port Hedland Visitor Centre;
 - c) call for expressions of interest from business interests or other service providers for provision of visitor services; and
 - d) operate the Port Hedland Visitor Centre until responsibility can be handed to an independent board of management for the West End Cultural Precinct;

and seek comment from the Port Hedland Visitor Centre on each of these options; and
- ii) continues to seek current financial statements from the Port Hedland Visitor's Centre prior to making a decision on this matter.

200708/132 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council:

- i) **negotiate a performance based funding agreement to contribute to the cost of operating losses of the Port Hedland Visitor Centre 2007/08; and**
- ii) **continues to seek current financial statements from the Port Hedland Visitor's Centre prior to making a decision on this matter.**

CARRIED 4/1

REASON: Council sought to negotiate a funding agreement based on the previous agreement; and to make a decision on the matter only after receipt and consideration of the Port Hedland Visitor Centre's current financial statements

**11.2.1.4 Sponsorship Request – Port Hedland Speedway Club
(File No.:26/02/0024)**

Officer Terry Sargent
Director Regulatory and
Community Services

Date of Report 17 April 2008

Disclosure of Interest by Officer Nil

Summary

To consider a request for a donation or sponsorship to assist the Port Hedland Speedway Club to host the Winged Thunder Tour.

Background

The Port Hedland Speedway Club have been successful in attracting the “Winged Thunder Tour” a high quality programme of more than 20 open class sprint cars including many national and state title holders.

Through its current sponsors, the club has raised \$10,200 towards the cost of the event but requires a further \$15,000 to enable the programme to go ahead.

Consultation Nil

Statutory Implications

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

Policy Implications Nil

Strategic Planning Implications

KRA 2 Community Pride
Goal 2 Events
Strategy 1 – Play an integral role in the coordination of community events via a range of strategies including where appropriate, financial support

Budget Implications

No provision has been made in Council’s budget for a donation of this magnitude but it can be provided for at the next quarterly budget review.

Officer's Comment

The ability to host quality, high profile events is important in developing and strengthening sporting and community groups.

Although no specific provision was made to sponsor the event, it is within council's capacity to provide the requested funding. It is consistent with Council's Strategic Plan and will no doubt be enjoyed by a significant part of the town's population.

The Speedway association is largely self sufficient and does not receive a lot of assistance from Council. Council does support other similar events, notably the Black Rock Stakes and the Town of Port Hedland Boodarie Bowls competition.

Attachments

Letter requesting support

200708/133 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G D Bussell

That Council:

- i) provide \$15,000 sponsorship to the Port Hedland Speedway Club to host the 'Winged Thunder Tour' on the proviso that:
 - a) the Town is recognised as a major sponsor in all promotional activities associated with the event; and**
 - b) Council receives a full financial statement/acquittal of funds at the conclusion of the event;****
- ii) make provision for the expenditure when undertaking the next quarterly budget review.**

CARRIED 5/0

ATTACHMENT TO AGENDA ITEM 11.2.1.4



Port Hedland Speedway Club Inc
P.O.Box 3091 South Hedland WA 6722

15th April 2008

Town of Port Hedland
Mayor
Attention: Mayor Stan Martin
PO Box 41
Port Hedland
WA, 6721

Re: Sponsorship / Support The Open Class Sprintcar Winged Thunder Tour

Dear Stan,

I am writing to you to request your assistance in sponsoring / supporting our speedway club in hosting a major speedway event.

The Port Hedland Speedway Club has been given the opportunity to be included in a round of the upcoming Winged Thunder Tour to be held on the long weekend of the 10th May to 2nd June 2008.

The tour would include 20+ Open class Sprintcars from around the country, including many national and state title holders, going head to head to provide a wild night of racing, the quality of which this town has not seen in almost ten years.

Also included on the night the club has secured approximately 12 - 15 360 and limited sprintcars to run as support classes to the main event.

Previously the speedway club has enjoyed great success in securing and hosting the VR Super Sedan Stampedo, on an annual basis, which has showcased some of the biggest names in speedway and entertained many of the town's residents.

This has shown the club's professionalism and commitment to our sport and the Town of Port Hedland to host events of this calibre, that are enjoyed by all involved.

In hosting events of this size we are confident of the beneficial flow on effects to the community and small business alike.

Unfortunately to secure and run an event like this takes a lot of money and manpower. This is why we request your assistance both financially and by way of volunteers, in order to bring this show to town.

Following is an estimate of costs involved.

410 Open class sprintcars	\$15 000.00
360 - Limited sprintcars	\$ 6 000.00
Advertising	\$ 3 000.00
Additional insurance	\$ 1 200.00

Via our own sponsorship means, we have been able to secure \$10,000. But due to our annual commitments to the V8 Super Sedan Stunpede, we are currently looking at a deficit of \$15,000 and we are approaching the Town of Port Hedland to seek assistance with this shortfall.

All sponsorship support would be greatly appreciated and recognised in all forms of advertising for the event and monies raised would be used exclusively to assist in the running of the night as listed above.

I look forward to your support that will hopefully ensure an exciting and successful race meeting which will benefit all parties involved.

The club apologises for the short notice in approaching you for support, and anticipates an early response in order to finalize promotional needs for this event.

Thank you for your interest.

Regards

Shawn Chappell
Event Coordinator

Any queries please don't hesitate to contact me on 0417 638 007

11.2.2 Planning Services

6:32 pm Councillor Steve J Coates declared a financial interest in Agenda Item 11.2.2.1 'Proposed Carpark in Keesing Street Road Reserve' as he is employed by BHP Billiton and owns shareholding options.

6:32 pm Councillor Arnold A Carter declared a financial interest in Agenda Item 11.2.2.1 'Proposed Carpark in Keesing Street Road Reserve' as he owns BHP Billiton shares. Councillor Carter did not leave the room as the Department of Local Government and Regional Development granted permission for him to be present to consider this item.

NOTE: Chief Executive Officer advised that as Councillors Coates and Carter have declared financial Interests in Agenda Item 11.2.2.1 'Proposed Carpark in Keesing Street Road Reserve', and Councillor Coates is required to leave the room, which would result in a lack of quorum to consider the item.

Councillors Coates and Carter did not leave the room.

NOTE: Agenda Item 11.2.2.1 'Proposed Carpark in Keesing Street Road Reserve' was not considered by Council due to a lack of quorum.

**11.2.2.1 Proposed Carpark in Keesing Street Road Reserve
(File No.: 30/14/0003)**

Officer Andrew Patterson
Planning Officer

Date of Report 8 April 2008

Disclosure of Interest by Officer Nil

Summary

Council has received an application from Pilbara Constructions to construct a car park within the Keesing Street road reserve. The application provides for a total of 26 parking bays with access from Keesing Street via the existing crossover to lot 1 Keesing Street (the Keesing Street Flats).

Background

The land subject to this application comprises local road reserve and is historically used as a car park by local residents. Notwithstanding that this is a long-term practice; it is not considered good practice to allow car parking that reverses directly onto a local road, particularly directly adjacent to a 90 degree bend. Should Council approve this application, road access would be controlled to a single point and the land formalised, sealed and landscaped into a public car park.

The Keesing Street flats are provided with a total of 64 car parking bays on site and it is unknown whether the current practice of road reserve parking is due to insufficient bays being available on site, or as these bays are more convenient, particularly with the number of vehicles observed using this area that have reversing alarms fitted.

The applicant has not requested that this proposed car parking area be reserved for the exclusive use of persons residing at or visiting the adjacent flats, and it is intended therefore that, if approved, this area be treated as a public car park. From a community perspective, this parking area will provide a convenient facility for accessing the adjacent pathway leading to the foreshore reserve.

As a public carpark however, should Council approve its construction, the Town of Port Hedland will become responsible for care and maintenance of this asset. No change of tenure or cash in lieu is proposed in association with this application and the land will therefore remain under the control of the Town of Port Hedland, including all requirements under the Parking Local Law.

Consultation

Engineering Services has not objected to this application subject to:

1. the applicant providing and implementing an approved a landscaping plan; and
2. additional detail being provided regarding the proposed beach access path.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Should Council approve this development, it may incur costs involved in maintaining the car park.

Officer's Comment

While the applicant intends the proposed car park for use by residents of the adjacent flats, this facility would provide a secure parking area for persons using the adjacent beach access point. In addition, it may provide for a more formalised overflow parking area for the Cooke Point Recreation Club on a limited basis.

Preliminary works at this site in the road reserve came to the notice of Council Officers recently with the felling of existing verge trees. As the car parking bays are proposed covering the site of these mature trees, these will need to be completely removed to accommodate this development. Should Council approve this application, it is intended to require a new landscaping strip between the parking bays and the existing footpath with a suitable standard of vegetation to replace these mature trees.

Attachments

1. Location Plan
2. Proposed car park layout

Officer's Recommendation

That Planning Consent be granted to Pilbara Constructions for the construction of a CARPARK in the road reserve adjacent to Lot 1 (1) Keesing Street Port Hedland as outlined in the application received 22 February 2008 (Application 2008/47) and indicated on the approved plans, subject to the following conditions:

- i) prior to the commencement of any works whatsoever, the developer is to submit and have approved by the Town of Port Hedland a landscaping plan for all areas marked 'Landscaping' on the approved plans;

- ii) landscaping and reticulation is to be installed and maintained by the developer to the satisfaction of the Manager Planning Services for 24 months;
- iii) the car park is to be constructed to Council's Engineering Road Design Guidelines to the satisfaction of the Manager Planning Services; and
- iv) the beach access path shown on the approved plan is to be constructed in a location determined by Council's Engineering Services.

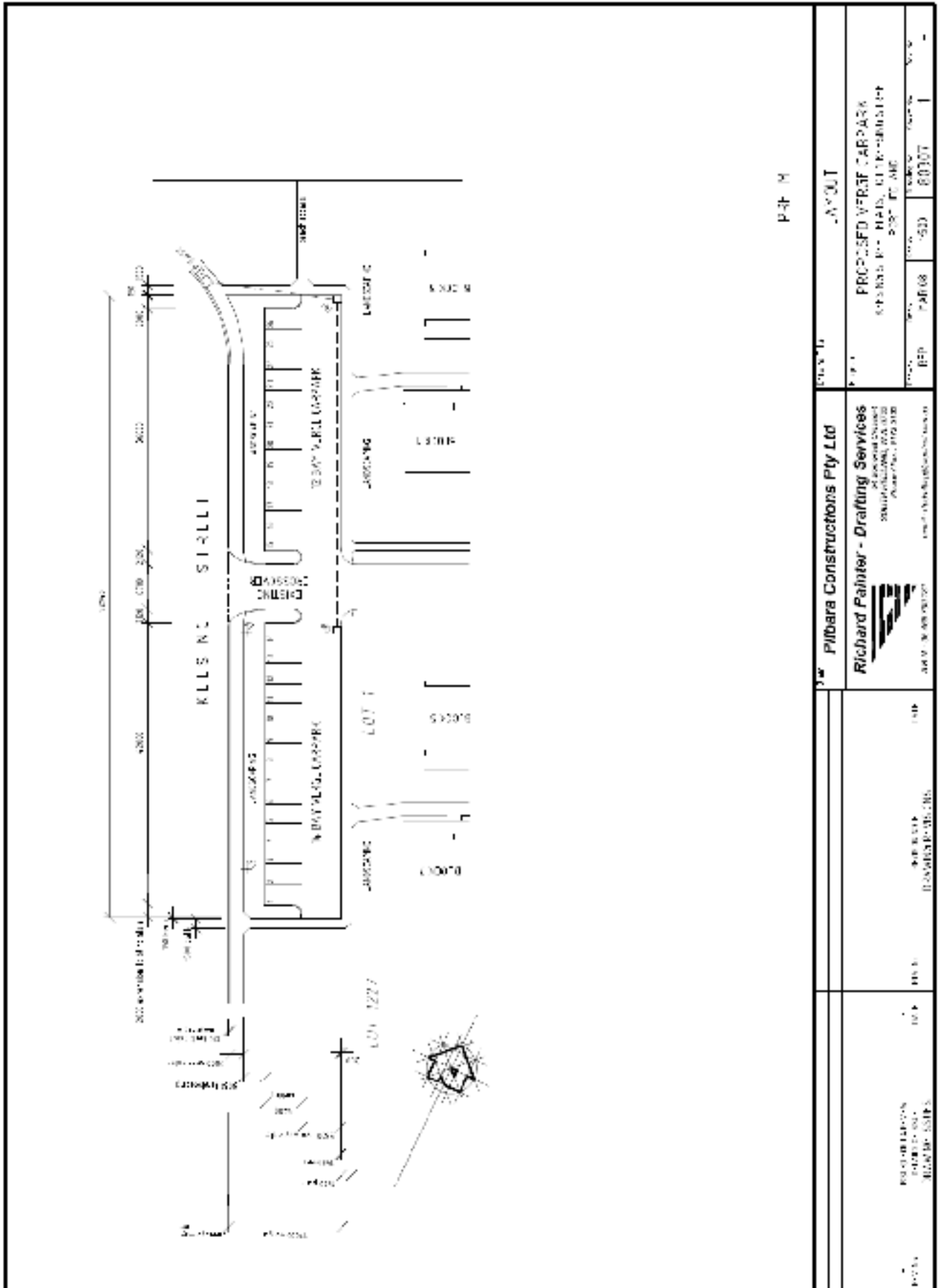
NOTE: Chief Executive Officer advised that as Councillors Coates and Carter have declared financial Interests in Agenda Item 11.2.2.1 'Proposed Carpark in Keesing Street Road Reserve', they are required to leave the room, which would result in a lack of quorum to consider the item.

Agenda Item 11.2.2.1 'Proposed Carpark in Keesing Street Road Reserve' was not considered by Council due to a lack of quorum.

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.1



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.1



P44 M

<p>PROJECT: KILLIS HILL</p>	<p>PIBARA CONSTRUCTIONS PTY LTD 25 KILLIS HILL DRIVE KILLIS HILL, TAS 7249 PH: 08 9488 0327 EMAIL: INFO@PIBARA.COM.AU</p>	<p>PROJECT: KILLIS HILL</p>	<p>PROJECT: KILLIS HILL</p>
<p>DATE: 2008-04-23</p>	<p>PROJECT: KILLIS HILL</p>	<p>PROJECT: KILLIS HILL</p>	<p>PROJECT: KILLIS HILL</p>
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<p>PROJECT: KILLIS HILL</p>	<p>PROJECT: KILLIS HILL</p>	<p>PROJECT: KILLIS HILL</p>	<p>PROJECT: KILLIS HILL</p>

6:33 pm Councillor Arnold A Carter declared a financial interest in Agenda item 11.2.2.[2] 'Request for Extension of Temporary Builder's Yard at Lot 1331 Tinder Street Port Hedland as he owns BHP Billiton shares. Councillor Carter did not leave the room.

Councillor Carter did not leave the room.

Councillor Carter withdrew his declaration after clarification was provided that BHP Billiton are clients of the applicants (Pilbara Constructions). Ownership of the land (BHP Billiton) does not affect the matter being considered.

11.2.2.2 Request for Extension of Temporary Builder's Yard at Lot 1331 (21) Tinder Street Port Hedland (File No.: 130148G)

Officer Andrew Patterson
Planning Officer

Date of Report 9 April 2008

Disclosure of Interest by Officer Nil

Summary

Council has received a request from Pilbara Constructions for the modification of a planning condition restricting the use of lot 1331 (21) Tinder Street Port Hedland as a Temporary Builder's Yard until 31 December 2008. The request is to extend the current use until July 2008.

Background

At its Ordinary Meeting on 22 November 2006, Council approved the development of a temporary builder's yard at Lot 1331 (21) Tinder Street Port Hedland, subject to conditions including:

"8. This approval is limited to a period ending 31/12/2007 at which time this development is to be removed from the site and the land made good to the satisfaction of the Manager Planning."

The developer has failed to comply with this condition, and the yard is still operating as a facility providing storage, amenity and administration facilities for construction jobs in the nearby area.

In submitting this request for an extension, the applicant has cited delays in obtaining materials and subcontract labour that have delayed the construction schedule of the 19 dwellings identified in the initial application.

Consultation

Internal consultation resulted in no objections to this application, subject to a number of imposed conditions.

As part of the original application, Council received copies of the site plan endorsed with no objection by adjacent land owners.

Statutory Implications

The Town of Port Hedland Town Planning Scheme No. 5 zones the land "Residential R 15."

Policy Implications

9/005 – Crossovers
9/007 – Roadside, Verge and Reserve Parking Policy
12/007 – Shipping And/Or Sea Container Policy

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

In considering this request, it is noted that the current use has operated on the site with no complaints from neighbouring landowners or residents. The site is generally kept in a tidy state and there is no evidence of traffic or amenity issues arising from this yard.

While difficult to determine objectively, the use of builder's yards is likely to reduce rather than increase the impact of building programs in a residential area. This is due to the concentration of facilities that would otherwise be spread to each individual site.

As the land is owned by BHP Billiton, and is located in a highly desirable residential location, it is considered unlikely that the applicant will seek to retain this current use beyond that necessary for completing the current works program.

Attachments

1. Location Plan
2. Site Plan

200708/134 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council advise Pilbara Construction that:

- i) **Condition 8 of planning approval No. 2006/129 is modified to read "This approval is limited to a period ending 31/07/2008 at which time this development is to be removed from the site and the land made good to the satisfaction of the Manager Planning."; and**
- ii) **no other planning conditions imposed by the approval granted 7 December 2006 are modified by this approval and the land is to be used strictly in accordance with this previous approval.**

CARRIED 5/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.2



11.2.2.3 Proposed Boundary Fencing at Lot 18 (32) Centennial Loop, South Hedland (File No.: 410014G)

Officer Andrew Patterson
Planning Officer

Date of Report 9 April 2008

Disclosure of Interest by Officer Nil

Summary

Council has received an application from the owner of Lot 18 (32) Centennial Loop, South Hedland to erect boundary fencing in the front setback that fails to comply with the Acceptable Development provisions of the Residential Design Codes of Western Australia 2002 (the R Codes).

This item is referred for Council consideration due to the particular interest within Council regarding the issue of visually impermeable fencing constructed within the front setbacks of residential land in the Town of Port Hedland.

Background

The applicant proposes to construct a 1500mm colourbond fence along the front boundary of Lot 18 (32) Centennial Loop South Hedland to restrict criminal access to the dwelling.

Section 3.2.5 A5 (the Acceptable Development Provision) of the R Codes states:

“Front walls and fences within the primary street setback are that are visually permeable 1.2m above natural ground level.”

The Performance Criteria component of this section states:

Front walls and fences to promote surveillance and enhance streetscape, taking account of:

- . The need to provide protection from noise and headlight glare where roads are designated as Primary or District Distributors or Integrator Arterials; or*
- . The need to provide screening where there is no alternative outdoor living area to the front setback.”*

The R Codes are State Planning Policy adopted under the Planning and Development Act 2005 and set standards for all residential development within Western Australia. Development is to be in accordance with the Acceptable Development standards, or a developer may apply to modify the standard by meeting the Performance Criteria.

This application fails to adequately address the Performance Criteria and so Council has limited ability to approve this proposal as submitted.

A site visit has been conducted in relation to this application and the following observations are noted:

1. The problematic incursions into this property that the applicant is seeking to restrict, appear to be directly related to the pedestrian access located adjacent to the subject property (see attached map);
2. The access way is not a dedicated pedestrian access way. It forms part of the road reserve and appears to primarily serve as part of the road drainage system, allowing stormwater runoff into the drainage reserve to the north of this lot;
3. The pedestrian access has previously been fenced off with an ad hoc chain-link fence that is now torn down; and
4. A more appropriate and effective solution to this identified problem would be to close the pedestrian access, thereby reducing traffic and providing a more secure environment.

In considering closing this pedestrian access, it is noted that the existing access is not part of any comprehensive pedestrian network and does not link residential areas with other activity nodes.

It is also noted that the drainage reserve identified on the attached plan will provide suitable pedestrian access when upgraded as part of the general reserve management plan.

Consultation Nil

Statutory Implications

The Residential Design Codes specifically restrict the type of fencing allowed in the front setbacks of residential land.

Policy Implications

Draft Local Planning Policy No. 3 – Residential Frontage

Strategic Planning Implications

Key Result Area 3, Goal 6

Strategy 2 - Undertake a from-the-street review of security levels at properties that have experienced a burglary in past 12 months and:

- Develop promotional material that encourages property owners to improve the security/safety of their property by undertaking measures that have proven to be effective.

- Develop Council planning policies that ensure that Crime Prevention Through Environment Design (CPTED) principals are considered in all new planning and building applications.

Budget Implications

Planning application fees of \$117.00 have been received with this application, reflecting an estimated development cost of \$10,500.

Officer's Comment

Council has limited options for approving this application as it fails to comply with State Policy, and, as identified in the body of this report, more sustainable and appropriate solutions are available.

The first solution is for Council to close the adjacent access way with appropriate fencing that will not restrict the drainage function of this portion of the road reserve.

A further development on this option would be to invite either or both of the adjoining landowners to apply to close this portion of the road reserve, amalgamating the land into these lots. Should this option be investigated, an easement would be required to protect the drainage function; however the access would be effectively closed to public traffic.

Either of these options provides the applicant with an opportunity to achieve the desired security goals without compromising adherence to the R Codes, amenity and CPTED goals.

Attachments

Location plan.

200708/135 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J E Ford**That:**

- i) Planning Consent be refused to Bran Campbell for the construction of 1.5 metre solid fencing within the front setback at Lot 18 (32) Centennial Loop South Hedland as outlined in the Application received 17 March 2008 (Application 2008/100) for the following reasons:**
 - a) the application fails to meet the Acceptable Development standard (3.2.5 A5) set by the Residential Design Codes of Western Australia 2002; and**
 - b) the applicant has failed to meet the Performance Criteria (3.2.5 P5) set by the Residential Design Codes of Western Australia 2002;**
- ii) Council advise the applicant that it is prepared to consider an application to either:**
 - a) permanently fence or otherwise close the northern extension of the Centennial Loop drainage system to Reserve 35575; or**
 - b) close the portion of the Centennial Loop road reserve located between Lots 18 and 19 with the land to be amalgamated into either or both lots.**

CARRIED 4/1

ATTACHMENT TO AGENDA ITEM 11.2.2.3



11.2.2.4 Proposal to Relinquish Reserve 34591 (Lot 5859 Schillaman Street) for use as Transport Depot (File No.: 130264G)

Officer Andrew Patterson
Planning Officer

Date of Report 15 April 2008

Disclosure of Interest by Officer Nil

Summary

Council has received a request from Doug Gould of Gould Transport for the Town of Port Hedland to relinquish Reserve 34591 (lot 5859 Schillaman Street Wedgefield).

The subject land comprises 6.3524 hectares and is zoned "Industry" in the Town of Port Hedland Town Planning Scheme No. 5 (TPS 5).

Background

Reserve 34591 is an unmanaged reserve and therefore is not the responsibility of the Town of Port Hedland. This item is presented for Council consideration as the reserve was created for a "tree and plant nursery". As such it is a potential location for the proposed native tree nursery currently under investigation as a joint initiative by the Town of Port Hedland and BHP Billiton.

As an unmanaged reserve, this land can be subject to a request from any person or organisation to the Department for Planning and Infrastructure (State Land Services) for use of the land for the purpose of the reservation.

Alternatively DPI could, either in response to a request or of its own volition, cancel the vesting or management order and offer the land for lease or sale as a freehold lot. As the land is zoned "Industry," and is of a relatively large size, it is anticipated that there is significant demand to develop the site.

Site Restrictions

As identified on the attached location plan, Reserve 34591 is located adjacent to Oil Energy's facility and in close proximity to the ESS transient workforce accommodation facility.

Odour and emissions from the Oil Energy site are likely to have an impact on any use located immediately adjacent and may restrict development to those uses that are non-labour intensive.

With regard to the nearby transient workforce accommodation, traffic management may cause issues should the reserve be developed into a high-traffic use, causing noise and traffic management issues.

As the land does not appear to have been held freehold at any time, or developed for any use, Native Title may need to be cleared prior to disposal or development of the land.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 4

Goal 4

Strategy 3 – Facilitate the release of more industrial land.

Key Result Area 5

Goal 2

Strategy 4 – Work with key stakeholders to develop a Native Tree Nursery.

Budget Implications Nil

Officer's Comment

As the Town of Port Hedland does not own or control the subject land, and as the zoning is appropriate for industrial development, Council's consideration is drawn to whether it wishes to acquire this land for a plant nursery, or some other Civic purpose.

BHPBIO are developing a business plan for the establishment of a native plant nursery, and while that plan is not yet ready for release, it is understood that the BHP representatives investigating the development of the native plant nursery are aware of this site but have not pursued it as an option in light of a number of other more suitable sites.

As there appear to be no other short or medium term requirements for this land by the Town, it is recommended that Council not oppose the investigation by other parties as to the possibility of acquiring and developing the land in accordance with TPS 5 and other statutory requirements.

The site restrictions are noted, however these potential limitations should be manageable through the standard planning approval process and need not necessarily entirely restrict development of the land.

Attachments

Location Plan

200708/136 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council advise the applicant that:

- i) Council has no need for Reserve 34591 and therefore does not object to the land being developed for Industrial purposes in accordance with all relevant legislation and policies;**
- ii) Council will not object to an application to Department for Planning and Infrastructure (State Land Services) to secure tenure over the land for industrial purposes.**

CARRIED 5/0

ATTACHMENT TO AGENDA ITEM 11.2.2.4



11.2.3 Community and Economic Development**11.2.3.1 Replacement of Matt Dann Cultural Centre Film Make-up Table and Film Projector Lens (File No.: 26/15/0001)**

Officer Julie Broad
Manager Community and
Economic Development

Date of Report 20 February 2008

Disclosure of Interest by Officer Nil

Summary

This item was withdrawn from Council's Agenda of its Ordinary Meeting held 26 March 2008. It is resubmitted to Council to consider the replacement of the film transport system ('Make-up table') at the Matt Dann Cultural Centre.

Background*Film Transport System*

The MDCC film transport system, known as a make-up table, was purchased in 1978 to join and hold the film reels and link it to the projector. It is over thirty years old and parts are no longer available should any part of the make-up table break down.

This unit is in poor condition, and if it fails the cinema services will cease until a replacement can be installed. The make-up table has been faulty on several occasions in the past few months, which affects film rotation speed and hence viewing quality. For safety reasons the faulty on/off switch has been by-passed but the unit continues to smell when in use, suggesting imminent breakdown.

The advanced technology of the new model make-up tables would save 45 minutes of time for two staff at each movie screening, as it is much more efficient in handling the film.

Based on a conservative staffing level of two staff per movie and three movies per week on average, this is a savings of \$144.00 each week, and \$7,488.00 per year.

The cost of the make-up table is \$15,268 including GST giving a return on investment from staff wages savings of less than two years.

Cinemascope Anamorphic Lens

The cinemascope anamorphic lens for the projector has worn down due to its age and deterioration of the elements of the lens. Typical lifespan of these lenses is 15 years. The MDCC optics are judged to be 15-20 years old by the condition of the materials.

Installation costs are estimated at \$2,090 including travel, accommodation and labour.

Freight has been quoted at approximately \$2,000 by TNT.

Officer's Comment

The Alliance Partnership agreement between BHP Billiton Iron Ore and Council had a small surplus of \$40,000 in the capital budget at the end of 2nd Quarter 2007/08.

The replacement of the make-up table was discussed at the Alliance Working Group meeting 19 February 2008, and the purchase of a new system from the capital budget of the Alliance funding was supported by the Committee.

Consultation

Alliance Arts, Heritage and Culture Working Party
Matt Dann Cultural Centre Coordinator and Technician
Entertainment Theatricals Pty Ltd – Suppliers
Walkington Theatre officers

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

Key Result Area 3: Community Development

Goal Number 1 Youth and Children: That parents and young people in the Town have access to a range of facilities and services that is comparable to the metropolitan area.

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

There will be no impact on Council's operating budget. The replacement make-up table will cost approximately \$15,268. The cost of replacing the cinemascope anamorphic lens is approximately \$3,000.

Total costs, including freight, technical labour, airfares and accommodation, are approximately \$22, 358.

There is an amount of \$40,000 remaining in the Alliance budget for capital items, which could be applied to the cost of the make-up table, leaving a balance of \$17,642 for further capital items at the MDCC.

Attachments

Nil

200708/137 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr S J Coates**That Council:**

- i) **purchases and installs a replacement film transport system and cinemascope anamorphic lens for the Matt Dann Cultural Centre projection room at an approximate total cost of \$22,358; and**
- ii) **applies funds from the BHP Alliance Reserve Fund to the costs of the film transport system and lens replacement.**

CARRIED 5/0

11.2.3.2 Policy Amendment for StarSearch Event (File No.: ART-011)

Officer Julie Broad
Manager Community and
Economic Development

Date of Report 17 April 2008

Disclosure of Interest by Officer Nil

Summary

For Council to consider amending its Policy 7/003 Community Cultural Celebrations and Events, to include staffing at no cost to StarSearch, in addition to use of the Matt Dann Cultural Centre and equipment at no cost.

Background

StarSearch is a major fundraising event for the Cystic Fibrosis Association of Western Australia (CFWA). The event was last held in South Hedland in 2005. It was not staged in 2006, and in 2007 it was only held in the metropolitan area.

CFWA have again approached the Town of Port Hedland to support the event in South Hedland on 15 June 2008 at the Matt Dann Cultural Centre.

Funds raised from StarSearch will assist CFWA in providing essential support services to the many families in WA who are affected by CF, the most common, life threatening genetic condition in our community (including families in Port Hedland). Over 7,000 West Australians carry the CF gene and each year one in 80 babies are born in WA with CF.

Staging StarSearch in Port Hedland will create awareness of Cystic Fibrosis as well as giving the young performers a wonderful opportunity to gain valuable experience and exposure and perhaps be selected as finalists at the Burswood Theatre in Perth.

Staff Comment

CFWA have requested support from Council through donation of the hire cost for the Matt Dann Cultural Centre and staffing of the event. The existing policy provides for use of Matt Dann Cultural Centre and equipment at no cost. Staffing costs, including front of house, ushers and technical support are charged.

The cost for hire of the facility including venue hire, PA Hire and staff costs is approximately \$2,200.

It is proposed that Council amend Policy 7/001 Culture, and Policy 7/003 “Community Celebrations and Events” to provide CFWA use of the Matt Dann Cultural Centre, equipment and staffing at no cost for StarSearch as an annual sponsorship of the event by Council.

Statutory Implications Nil

Policy Implications

Policy 7/001 Culture and Policy 7/003 Community Cultural Celebrations and Events.

Strategic Planning Implications Nil

Budget Implications

Revenue of approximately \$2200 from account 1118326 General Hire would be foregone if the facility and equipment hire and staff costs is donated and the StarSearch event proceeds; otherwise nil.

Attachments

Nil

200708/138 Council Decision/Officer’s Recommendation

Moved: Cr A A Carter **Seconded:** Cr S J Coates

That Policy 7/001 “Culture – Matt Dann Cultural Centre” and Policy 7/003 “Community Cultural Celebrations and Events” are amended to read as follows:

“COMMUNITY MUSIC

Event	Organising Agency	Council Support
StarSearch	Cystic Fibrosis Western Australia	Use of Matt Dann Cultural Centre, staffing and equipment at no cost.

to include staffing at no cost.

CARRIED BY ABSOLUTE MAJORITY 5/0

11.3 ENGINEERING SERVICES

11.3.1 Director Engineering Services

11.3.1.1 *Monthly Report – Engineering Services (File No.: 13/04/0001)*

Officer Terry Dodds
Director Engineering Services

Date of Report 11th April 2008

Disclosure of Interest by Officer Nil

Summary

For Council’s information.

Background

Engineering Services monthly report to Council.

Consultation

Engineering Services Officers

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 re-commenced after delays with Horizon Power (removing Power poles) works will progress over next 2 months
Wedgefield Upgrades R2R	Culvert extension at intersections and Asphaltting of Intersections to be carried out during next contractor visit after cyclone season. Contractor due onsite end of May, 2008. Asphaltting of Abydos Way was completed on Tuesday 8 th April, 2008.

Road Safety Audit	Road Safety Audit for South Hedland, Port Hedland and Wedgefield has been forwarded to Main Roads.
General Roads	Potholes around Port, South Hedland and Wedgefield are being repaired with the arrival of BGC Asphalt providing hot mix for repairs. Repair work completed on North Circular Roundabout.
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 – Bobcat on site and in operation. Still awaiting 6 WTruck, Compactor Truck and Bitumen Truck
West End Greening	Earthworks completed on this project. Water Tank has been installed, power to be connected. Contractor to fulfil contract.
Unsealed Roads	Hillside – Woodstock work scheduled for May, also sealing of Railway Crossing end of May and work to be commenced on Yandeyarra Road end of May. Maintenance grading of all unsealed roads around Port Hedland continuing.
Skate Park	Vandalism still a major problem around South Hedland Skate Park. Separate account number now being used to track expense.
Verges	4 Verge inspections in South Hedland carried out during March
Minor Works Requests	Received 19 Minor Works Requests in March
Crossovers	Call out to inspect 4 new crossovers
Footpath Construction	Subcontractor has completed Robinson Street upgrade, and currently working on Taylor Street and Goode Street Footpaths.
Kerbing Programming	Kerbing has been completed from Civic Centre back to Car Park Upgrade on McGregor Street. Backfilling of kerb to complete Kerb upgrade.

Waste Management Facility

PROJECT	STATUS
Rubbish Picked Up	Total Bags for March: South Hedland – 286 Port Hedland - 91
Street Sweeping	Due to recent heavy rains the Sweeper has been making safe intersections in both Port and South Hedland i.e. removal of loose sand and material.
Mulch/Green Waste	All Green waste being mulched – manually screened for noxious weeds
Sleeper Stockpile	No stacking commenced in March.
Tyre Stockpiling	Options being investigated in sharing resources within the Pilbara Regional Council's. It is envisaged that a pair of hydraulic shears and a tyre shredder will be used to reduce the volume. Further investigations will be made in selling the shredded rubber.
Concrete Recycling	Waiting on arrival of new Excavator.
Steel Recycling	CMA have their Bailing machines at Landfill – crushing and baling all steel
Pallet Munching	Options being investigated into grinding and using as moisture retention aid to public gardens and green space, such as the West End.

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	Poison being used to remove Crows foot weed off Colin Matheson Oval. Subcontractors employed to Verdi mow Colin Matheson Oval and Kevin Scott oval – total time to complete is 10 days.
Training	Staff continued with the 'Growing and Propagating Native Plants' training. First Aid Training completed 9-10 April 2008.
Litter Crew	Only working Monday – Friday no weekend cleanup until further advised: budget constraints.

Verdi Mower	Transferring of funds from Recreational services for the purchase of a Verdi Mower for Colin Matheson oval approx \$12K. Application to BHPB for additional funds not completed.
Re-Use Water	Potable water being used on Kevin Scott Oval due to odour problems with Re-Use water. All other ovals and Parks still maintaining Re-Use Water program. Letter sent to Water Corporation requesting reinstatement of re-use water ASAP. Bore application being delayed as now a hydrology study has been requested.

Technical Services / Projects

PROJECT	STATUS
Playground development	Installation of playground equipment and rubber surfacing at Kevin Scott Oval and Colin Matheson Oval has been completed. Ongoing works include footpaths, shade structures and lighting. Shade structure design consultant has visited both sites and is preparing a model to determine the most effective design of structure to achieve maximum shade coverage.
Turtle Boardwalk	Council has received the Clearing Permit from DEC which enables the project to proceed. The permit period is 3 rd May 2008 to 3 rd May 2013. Works can commence on the site investigation to determine soil type and rock location to finalise structural design prior to tendering construction.
Sutherland Street Nodes	Refer to Tender Council Item this month.
Boulevard Tree Planting	The proposed budget for street tree planting along Cottier drive was insufficient to complete the full scope of works. Scope to be revised pending consultation with Executive staff. Anticipate tender being advertised in May.

Verge Tree planting	Council has received verge tree applications for 17 lots, which are currently being processed. Five (5) applications have been declined due to requests to plant trees on property other than Council's verge area.
Port Hedland Boat Ramp Wash Down bay	Technical Officers have met on site with Water Corporation representatives to discuss the project. Council may install a tap and hose reel, in lieu of roofed structure, oil separator, sewer connection, etc, as previously advised, if the facility is NOT classified as a wash down bay. Council may classify the facility as a 'boat washing area', with excess water draining down the boat ramp. Staff is seeking comment from the Port Hedland Port Authority and Environmental Protection Authority prior to proceeding.
Lighting	Horizon Power are progressing with upgrades as per Council's street lighting and walkway lighting program, with completion expected by June 2008. Horizon Power has indicated that several areas are experiencing high amounts of vandalism, including the South Hedland Skate Park and the walkway surrounding Cassia Primary School. Horizon Power will approach Council to discuss maintenance options, as lack of resources has made repairs difficult and not within appropriate timeframes.
Light Fleet replacement	Council are waiting on the delivery of 1 vehicle to complete the 2007/08 light fleet replacement program. Redundant vehicles will be available for sale by auction in May 2008. Details will be available once auction date is confirmed.
Roman Upgrade	Cardno BSD will be in Town early May to undertake an update on Council's road inventory. This will include a condition report on all Council roads and the addition of new subdivision road details into the inventory. All 'Roman' database information is transferrable to the new asset management system when available.

Cemetery Upgrade	The funding application of \$50,000 towards this project is still in doubt due to the change in the Federal government. It is unlikely that funding will be approved prior to the end of financial year. Council staff will proceed with the Cemetery upgrade based on the original scope of works and Council's contribution of \$50,000.
Finucane Island Boat Ramp upgrade	Research found that the temporary groyne facility will not improve the siltation issues at the boat ramp and it is being removed. Maunsell consultants are now preparing designs for the boat ramp upgrade.
Foreshore Parks Lighting	Lighting has been installed at Cemetery Beach, Civic Centre and Pretty Pool park. The design accommodates both 'turtle friendly' orange lights and 'white' lights (not used during turtle nesting season). Approvals are still being finalised regarding the suitability of the 'turtle friendly' lights. Vandal guards will be installed on all lights once this is finalised.
Don Rhodes Mining Museum	Works have been completed on the removal of dangerous items (asbestos and scrap steel). Access to locomotives has been restricted by sealing doors, welding mesh over openings and removing steps. Advisory signs have been installed. Further works include fencing installation and repainting, however the current budget prevents works from commencing. To be addressed in 08/09 pending budget approval.
BHP West End projects	BHP has received approvals to commence landscaping projects along Edgar street verge, Captain Bert Madigan park and Leap park. Works are expected to be completed before the end of June 2008.

Port Hedland International Airport

PROJECT	STATUS
Sewerage Upgrade	Works to commence on site 14 April 2008
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.
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.
Master Plan	Submissions close 11 April 2008
Airport Revaluation	Completed
Runway End Safety Area Extensions	Geotechnical results received. Final design work being undertaken
4 Lot development	Refer to sewerage upgrade works.
Boundary Fencing	Tender awarded to Southern Wire March meeting. Awaiting executed contract document..
Air Conditioning	AC 3 to be replaced
TWA	Tender issued. Closes 30/4/08 at 2pm

Passenger Numbers

At the time of writing March Figures not available.



On time Performance

During the month of March there were 82 return QantasLink services to Port Hedland. 93% of departures and 91% of arrival were within 15 minutes of schedule.

There were only 3 delays greater than 30 minutes:

- QF1810 18MAR - departed 21 minutes late due to air traffic control congestion and lost a further 20 minutes due to en-route weather.
- QF1810 31MAR - 63 minutes late. Aircraft blocked on stand-off bay due to airport congestion.
- QF1811 31MAR - 67 minutes late due to late inbound aircraft as per above.

International Service

The second service on Sunday to Bali commenced operation the first weekend in April. Full flights departing 12 and 13 April.

Recreation Services*Projects 07/08*

PROJECT	STATUS
Multi-Purpose Sports Feasibility Study	Completed.
Recreation Facility Design	Tender documentation being clarified. Advertisements to be placed 19 th April.
Port Hedland Skate Park	Completed.
South Hedland Skate Park	Completed.
Town Cycle Plan	Community consultation undertaken. Draft plan presented to Council Briefing in April 2008. An additional working group meeting to be held to determine priorities, prior to presentation at the May OCM.
JD Hardie Centre Facility Upgrade	Works commenced. All painting completed. Additional capital purchased being constructed including flooring and dividing nets. Are having difficulty securing a builder to complete internal works, although further enquiries are being made.
Gratwick Aquatic Centre Gym	All gym and strength equipment has been assembled. Fees and Charges have been adopted, with no public objection. It is anticipated that the gym will commence in-line with Term 2. Hours of operation are confirmed.

Aquatic Centre Lighting Audit	Report received on all aspects except 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 Car Park	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. Designs were presented to Council in April at the informal briefing, and will now be available for public comment. Work will continue upon completion of the community consultation period.
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 – delays have been experienced. Kevin Scott Oval viewing area has commenced, with completion due next week.
Recreation Upgrades	All recreation upgrades are near completion, with the Diamond 1 back net and the Hawks demolition the remaining two items. An independent engineering report has been received 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
Presidents Breakfast	A president's breakfast was held on the 19 th March for members of community groups within Hedland. The event was sponsored by the Department of Sport (DSR) and Recreation, and speakers included the YMCA, JD Hardie Centre staff and DSR representatives.
Physical Activity Week	Initiatives of the Town of Port Hedland, events were scheduled to encourage members from within the community to lead active and healthy lifestyles. Events scheduled included a 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

Vandalism:

- South Hedland Skate Park
- Port Hedland Tennis Club
- Hedland Canine Club

Education/Training/Certifications

NAME	REPORT
Certificate III – Fitness	Kimmy Cooper (Recreation Assistant, JD Hardie Centre), is undertaking Certificate III in fitness. Full certification is expected to take approximately 6 months
Graduate Diploma – Business Administration	Bec Pianta (Manager Recreation Services) commenced her postgraduate studies at Deakin University.
Strap and Wrap	Nicole Roukens (Sports and Recreation Officer) undertook a Strap and Wrap course as part of Physical Activity Week.
Working With Children Checks	Catherine Wells has applied for a Working With Children Check to comply with current legislation. All staff required to have this certification do so.

*Other**Post – Cyclone Repairs*

Remaining items:

- Diamond 1 Back Net – engineered designs received, with quotes being sourced
- Gratwick Aquatic Centre shade – work to commence this month on repair of shade structure.

Staff Movements

Kasey Wehr has resigned as the Trainee Sports and Recreation Officer at the JD Hardie Centre to commence an apprenticeship as a Mechanical Fitter.

Two new casual staff, Catherine Wells and Amy-Jayne Ryan commenced employment at the JD Hardie Centre to assist during the school holiday program. Additional casual staff will be required at the JD Hardie Centre, and an advertisement has been placed with Hedland Senior High School.

A full-time position will be available at the JD Hardie Centre, and will be advertised next week.

Aquatic Centres

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

South Hedland Aquatic Centre

The Centre is due to close at the end of the school holidays for the Winter season. Maintenance has been scheduled to occur during this time.

YMCA Update

“South Hedland Aquatic Centre has encountered a very busy March...

“A highlight for the month was the Radio Easter Function held on the 22nd March approximately 619 people attended the event over 2 hours plenty of games and activities were held with appearances from Dooper Dog and the Easter Bunny. The centre also had an Open Day on the 29th March to tie in with Physical Activity Week events included a sausage sizzle, swim club demonstrations and mini trials a flippa ball demonstration and games which was in the lead up to the Water Polo preliminary finals. A total of 404 people attended the open day...

“The YMCA secured \$1500 in funding from DSR to help co-ordinate and run an indigenous bronze course, in liaison with Tim Turner from DIA steps are in place to conduct a training program for participants from Warralong and Hedland...

“Attendance figures for the month were 6039 although this is significantly down on the projected target of 7909 of the 15 categories 13 were above the previous month’s figures...”

“A capital works submission was completed by the end of the month and management is preparing to co-ordinate off season maintenance schedules.”

Financials

Month	Actual	Budget	Variance
Income	20,193	18,562	1,631
Expenditure	55,552	52,781	(2,771)
Net	(35,359)	(34,219)	(1,140)

Year to date	Actual	Budget	Variance
Income	46,955	56,045	(9,090)
Expenditure	177,731	160,237	(17,484)
Net	(130,776)	(104,192)	(26,584)

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
Mar	1020	532	719	11	35	3781	6098
TOTAL	3,444	951	774	11	58	7,583	12,823

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 continue to be somewhat of a challenge, as the majority of YMCA staff are students who have now returned to school and university to continue their studies. To assist with these shortages, an additional staff member from Victoria arrived early in the month to assist for a further 8-10 weeks.

“Function Room bookings were finalised in preparation for the new gym equipment which arrived early in March. Staff from Gym Care will be attending within the first few weeks of April to complete the equipment set up. New fees and charges relating to the Health Club were adopted by the Town of Port Hedland and will be advertised for two weeks in the Northwest Telegraph...”

“Gratwick hosted annual school time trials and carnivals for the first time in 12 months. Several carnivals scheduled this time last season were cancelled due to pool closure as a result of Tropical Cyclone George...”

“The Tri Club held two events throughout March, one of which was re-scheduled from February. The Olympic Triathlon, held on Saturday 15th March, was the longest distance triathlon held in the North West...”

Financials

Month	Actual	Budget	Variance
Income	\$15,316	\$28,830	(\$13,514)
Expenditure	\$49,214	\$55,184	\$5,970
Net	(\$33,898)	(\$26,354)	(\$7,544)

Year to date	Actual	Budget	Variance
Income	\$47,926	\$79,010	(\$28,940)
Expenditure	\$145,781	\$168,179	\$22,398
Net	(\$97,855)	(\$89,169)	(\$8,686)

Attendances

	Swim	F/ Room	Aqua/ Ed	School	Aqua	Prog.	Misc.	TOTAL
Jan	3,421	43	221	0	61	331	783	4,860
Feb	1,364	112	422	0	0	0	1,474	3,372
Mar	2,123	193	679	483	14	41	1,314	4,847
Dec	6,908	348	1,322	483	75	372	3,571	13,079

JD Hardie Centre

Promotion

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

- Pamphlet distribution around Port and South Hedland Primary Schools for the holiday program
- Email to all JD Hardie Centre contacts to promote programs
- Poster distribution around the Town for promotional purposes.

Programs

Sports and Term programs are increasing steadily throughout the term, as promotion through the schools increases. As the weather cools and junior sporting associations commence, it is anticipated that figures will decrease in the after-school timeslot. Social soccer has been suggested, with participants accessing the centre on Tuesday evenings. The casual boxing instructor has left Port Hedland, with no other available accredited instructor in town. The centre will therefore be available for casual training under an unsupervised program regime.

Facility Hire

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

- Tae Kwon Do (Regular Weekly Booking)
- Barrett Castings (Hall hire)

Attendances

Term Programs	Jul	Aug	Sep	Oct	Nov	Dec	Feb	Mar
Kids Club	53	177	159	121	105	62	179	212
Jr Dodgeball	47	38	77	29	35	32	63	108
Jr Gym	23	25	20	0	0	0	0	0
All Sports 'til Dec 07 Jr Cricket from Jan 08	20	55	43	22	33	35	28	27
Little Athletics	0	0	0	0	0	0	100	89
GR8 SK8 til Jun 07 Jr Netball Jan 08	13	0	0	0	0	0	48	35
Boxing	82	109	38	72	80	28	25	0
Jr Indoor Footy		37	37	14	32	10	65	42
Jr Indoor Soccer				12	40	5	53	
Jr Indoor Basketball				12	12	5	39	27
Sports Comp.								
Netball Participants	15	315	385	282	197	0	474	504
Volleyball Participants	30	210	228	138	170	0	280	280
Social Soccer	23	35	96	70	125	0	70	120
Basketball Participants	135	252	294	34	0	0	0	0
Badminton	10	14	0	0	0	0	0	0
Miscellaneous								
Birthday Parties	45	35	36	37	37	35	28	81
Facility Hire	910	912	885	955	1140	3600	333	190
Holiday Program	315	0	0	374	0	270	0	0
Dodgeball Competition	0	0	0	50	0	0	0	0
Disco		0	196	0	0	0	0	0
Gym Visits (5)		14	50	51	43	5	18	36
Total	1721	2228	2544	2273	2046	4087	1803	1751

Attachments

Nil

200708/139 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G D Bussell

That Council receives the Engineering Services Monthly Report for March 2008.

CARRIED 5/0

11.3.1.2 Green Waste Management (File No.31:08/0004)

Officer	Terry Dodds Director Engineering Services
Date of Report	15 March 2008
Disclosure of Interest by Officer	Nil

Summary

At its Ordinary Meeting of Council held on 23 January 2008, Council resolved to endorse the Regional Waste Management Plan. The Plan included undertaking specific initiatives, one being the reduction of green waste. During February's meeting Council requested investigations take place and a report be presented to Council on green waste disposal options, particularly recycling into mulch then sale to the public.

Background*Current Mulching Operations*

Staff commenced processing the green waste at the South Hedland Waste Management Facility on the 2nd of April, at the time of writing all non-contaminated green waste had been recycled into mulch. Chipping/mulching of fresh green waste is currently occurring on a regular basis at the landfill. It is intended to leave the chipping machine on site as it has been observed by staff that the public are more inclined to dump in the correct location after observing the process.

Proposed Improvements

Council's Works Manager has made a suggestion that it would be prudent to place a more permanent arrangement in place which would;

- provide shade to staff performing the work;
- provide a noise barrier between the machinery and staff;
- act as a visual advertisement to encourage the public;
- mitigate against wet conditions.

A budget submission regarding this proposal will be prepared for Council's consideration in the 2008/09 budget process.

Projects

Council is currently in the process of supplying mulch, as part of our contractual obligation, for the West End Greening Project. A very large quantity of mulch is required for this project. If Council

cannot supply this mulch from its own resources, it will continually be required to supply the much from another source.

Therefore, with such a high 'internal use' rate at present at the current rate of disposal it is unlikely that there will be large volumes of mulch available for public use in the near future.

Local Availability of Mulch

Concerns have been raised about a lack of availability of mulch locally. This is a misconception: Looby Palms advertised mulch for sale in the North West Telegraph on the 27th of March 2008.

Consultation

Works Manager
Manager Planning
Chief Executive Officer

Statutory Implications

As a prescribed, classified refuse disposal facility, the South Hedland refuse Disposal Facility is required to comply with the Department of Environment and Conservation Licence conditions.

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

Policy Implications

There are no implications to policy as Council has endorsed the Regional Waste Plan on 23rd of January 2008 which advocates the re-use of material.

Strategic Planning Implications

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*Current 2007/08 Year*

The current allocation of \$30,000, for the purpose of green waste recycling, is being used for same. There will be no implication to the current 2007/08 budget.

2008/09 Budget Proposal

A new budget item request will be submitted in relation to improvement items as mentioned in the background of this report..

The cost of future mulching will be directly attributed to the individual project.

Officer's Comment*Paper and cardboard Recycling Initiative*

There is a reasonable probability the green waste processed at the Waste Management Facility will not meet internal demand for the immediate future.

To help mitigate against this, and also improve our recycling efforts in general, it is proposed to set up a paper and cardboard store inside the shed; subject to approval by Council in the 2008/09 new budget item requests.

Although it would be uneconomic to pick up the cardboard and newspaper as per a kerb-side recycling program at this time, staff are confident Council would be able to encourage, by other ways, the public to drop off the paper at the new shed.

The paper and cardboard, mixed with green waste would be mulched together thus;

- Bulking up our supply for internal use,
- Improving our gardens capacity to hold moisture,
- Reducing waste to landfill,
- Reducing or removing the requirement to purchase mulch,
- Advocate to the public the virtues of recycling,
- Assist in meeting compliance requirements,

- Show good corporate citizenship

Attachments

Nil

200708/140 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council receives the Green Waste Management Report dated 9th April 2008.

CARRIED 5/0

11.3.2 Technical Services**11.3.2.1 Arts & Cultural Precinct – Palm Tree Report (File No.: 21/01/0032)**

Officer Jenella Voitkevich
Manager Technical Services

Date of Report 11 April 2008

Disclosure of Interest by Officer Nil

Summary

This item is a summary of a report from Arbor Centre Pty Ltd regarding the condition of the newly planted Date Palms at the Visitors Centre and Courthouse Art Gallery (Port Hedland Arts & Cultural Precinct).

Background

The Port Hedland Visitors Centre and Courthouse Art Gallery were upgraded during the 2006/07 financial year to significantly improve the cultural, heritage and tourism infrastructure of the Wedge and Edgar street area of Port Hedland. A component of the upgrade was landscaping improvements which included the planting of several large Date Palms. These were installed in January 2007. The upgrades were carried out by contractors engaged by FORM Contemporary Craft and Design Incorporated.

In January 2008 it became apparent that several of the Date Palms were suffering and their condition was deteriorating rapidly. The Arbor Centre Pty Ltd was engaged to investigate the palms and report on their findings, as summarised in this report.

Consultation

Engineering Services staff
FORM
Arbor Centre Pty Ltd
Australian Pest Management and Consultancy
Department of Agriculture and Food

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

It is likely that the recommendations of the report will require budget allocations outside the current adopted budget, however the amount is undetermined pending advice from the Department of Agriculture and Food.

Officer's Comment

The Arbor Centre report has inspected the palm condition in three (3) areas – Edgar Street, Wedge street and the Courthouse Art Gallery grounds. Inspections were carried out on 22 January 2008, with the report summarised below.

Edgar Street Date Palms

The palms located on the verge of Edgar street have been planted within the turf area. The amount of irrigation directed directly to the palm was reduced in the irrigation design as the surplus water from the turf irrigation would accommodate the palms. At the time of the inspection it appeared that the palms were experiencing water logging, however it was possible that they were suffering from a lack of water as the surrounding turf was in a dry condition. The plant response can be the same for both water logging as it is from a lack of water. This was not verified on the day of inspection.

Infestation of the Giant Termite (*mastrotermes darwinensis*) has been identified in 1 palm on Edgar Street. These termites are reputed to take advantage of stressed vegetation.

Wedge Street Date Palms

The specimens appear to be suffering from a lack of water. This has been caused by a combination of low water pressure and the geometry of the planting area. At the time of inspection it was apparent that the slope of the planted area encourages the water to disperse on to the adjacent paved area.

Courthouse Art Gallery Date Palms

All three palms appear to be in good condition.

Report Recommendations and Outcomes

1. Identify whether the root balls of the Edgar street palms are waterlogged – Park and Gardens crews carried out an inspection in early February and determined that the root balls were in good condition. They were not waterlogged or dry.

2. In the event of a lack of water to the palms located within turfed areas, remove the turf for a minimum 1m radius from the base of the palms – Parks & Gardens inspection indicates the palms are receiving an acceptable amount of water. This will be monitored for future action if required.
3. Prune off the lower whirls of fronds – some works have been undertaken however additional resources, such as training and equipment, are required to complete this.
4. Investigate ways of increasing the effectiveness of the irrigation system, particular regarding water pressure – all planting areas, including Edgar street palms, appear to be receiving the correct amount of water, therefore this recommendation will be followed up pending further investigation.
5. Do not remove the damaged palms until it is verified that the meristems are dead (this may take several months).
6. Expand the exposed soil areas surrounding the Wedge street palms and construct suitable edging to retain water and prevent run off – pavers have been removed to expose the water retention area. Budget considerations to be made for 08/09 for the design and construction of suitable edging that will not encourage litter and gathering problems as per previous planter boxes situated at the Visitors Centre.
7. Establish a suitable method of treatment and control for the termite infestation – initial enquiries undertaken, see below.
8. Monitor the irrigation system weekly during the day to ensure correct operation – Parks & Gardens crews check all reticulation weekly, plus carry out repairs as required during general maintenance work. The irrigation schedule on palms experiencing a lack of water has been altered to include an additional 20 minutes of watering during the day.
9. Explore the potential of introducing cores of moisture holding soils and other substances that could improve the moisture holding capacity of the root zone soils – not commenced.

Council's Parks and Gardens crews carry out inspections and regular maintenance to ensure that the palms and surrounding landscaping receive the appropriate amount of watering. Crews will continue to monitor and maintain the system as per normal maintenance schedules.

One of the most concerning items identified in the Arbor Centre report is the infestation of termites. Historically, the Edgar street area has been notorious for termites, which eventually led to the demolition of St Matthews Church. Prior to the installation of the palms the contractors were verbally advised to treat the area for termites. It is unclear whether this was carried out. Recent earthworks in the area, including the underground power project may have resulted in the increase in termite activities.

Contractors from Australian Pest Management & Consultancy have contacted the Department of Agriculture and Food for their expertise regarding the termite infestation. It is a concern that the termite infestation may spread to adjacent buildings, destroying the aesthetics and structural integrity of the precinct. The Department of Agriculture and Food has recommended that Council forward a letter to them formally requesting their assistance in investigating the termite infestation.

Council staff will continue to investigate and action the recommendations of the report. It should be noted that some of the actions required will be identified as expenditure requested during the 2008/09 budget preparation.

Attachments

Arbor Centre Pty Ltd report

200708/141 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council:

- i) **accept the report prepared by the Arbor Centre Pty Ltd; and**
- ii) **writes to the Department of Agriculture and Food requesting assistance regarding the termite infestation.**

CARRIED 5/0

ATTACHMENT TO AGENDA ITEM 11.3.2.1



26th January 2008

EPCAD

Attn: Justin Notley

Project: Port Headland – Visitors Centre

Subject: Date Palms

Brief: To report on the status of the Date Palms that were installed Jan 07

Findings from the site visit of 22nd January 08: -

- **Irrigation:** - The irrigation system has become problematic in some areas resulting in a lack of water being locally applied to all but the palms planted in turf (Edgar St verge) resulting in moisture stress. Ironically, there is potential for the Edgar Verge palms to be experiencing water logging (Palm response can be the same for both water logging as it is from a lack of water.



Regrettably, this was not verified on the day of inspection and needs to be as a matter of urgency. In any event, this specimen (image right) appears to have failed from a lack of water, but could possibly have failed from too much water (water logging); and where this has most likely been followed by termite infestation of the stressed palm.

***NOTE:-** The potential for water logging in this instance is due to the fact that the root balls of the palms are heavy loam. With continuous watering it is possible for the root ball soil to remain saturated despite being surrounded by free draining sand; and is why the watering regime was originally based on watering the palms every second day independently of the turf or garden irrigation. Given the watering difficulty that the grounds person was having to keep the turf areas looking acceptable, it was unwittingly assumed at the time of inspection by myself that water logging was unlikely and therefore not pursued on the day.*

Before a program of increasing the watering is implemented it is imperative that the root balls are not already waterlogged.

Reasons for the lack of water appear to be a combination of poor water pressure and the system becoming less efficient over time due to ongoing repairs, sprinkler blockages and changes, vandalism --- etc, and the fact that it is run at night (by necessity), and the actual day to day operation of the system cannot be easily observed.

- **Vandalism and blockages** are a constant problem that can go un-noticed for days or until the problem becomes obvious by way of dead patches in turf or severe decline in plants. The extreme heat of summer makes these initial years of establishment a critical phase.



- **Wedge St Palms:** - These specimens are also suffering from a lack of water. The four flood bubblers per tree are capable of supplying the volumes of water required. However, their ability to deliver water across the whole of the root zone area is hindered by a combination of low water pressure, limited areas to effectively water the palms and the constraints that apply in having water running over the adjacent walk ways and foot paths. (Refer Recommendation 4 in addressing this problem).



All six palms are experiencing water stress and would benefit from the removal of several of the older whirled fronds to help reduce transpiration rates. One specimen is in severe decline and may not recover. Immediate action is required to afford the palm it's best chance of survival. (Refer Recommendation 4 in addressing this)

- **Old Court House Palms:** - All three palms appear to be doing OK. The irrigation to these trees operates most effectively and appears to be providing the volumes and regularity of water to sustain reasonable growth through this establishment phase. It is evident that the new frond development since planting last year is only marginally stunted (which is typical for mature transplants of this species). Periodic de-fronding of the older whorls will help in reducing transpiration rates.



- **Edgar St Palms:** - All four of these verge palms are planted in turf areas where the surplus water from the turf irrigation was able to provide additional water to the palms. For this reason, only two flood bubblers were installed with each tree. Over time it appears that the turf irrigation is barely able to keep up with the water demands of the turf and the competition between the two has most likely contributed to a lack of water to the palms. However, there is potential for the local conditions to have created a water logging issue. Do not proceed with extra watering until Recommendation 1(a) has been carried out.

Both the Eastern (seen in the first image on page one) and the Western specimen (pictured right), have succumbed to either a lack of water or water logging with the resultant collapse of the meristem (Inner spear) subsequently the termites appear to be taking advantage of the situation.



- **Soils & Establishment:** - All of the palms are planted into deep sands. At the time of inspection the exposed root balls and surrounding sands did not appear to be hydrophobic. Should this change (i.e. become noticeable) for the soils surrounding any one of the palms or landscape, then treatment of the area with a wetting agent (such as "Wetta Soil") should be actioned.

In sandy soils the palms will establish a root system that is predominantly governed by moisture gradients that arise over time. In this instance it is likely to be to depths of 2m – 3m below the basal portion of the palms (although this phenomena is most likely to be dictated by the flood bubblers located at the base of each palm), and radially for 10's of meters from the main stem of the palm. This will however be subject to how the palm competes with the surrounding hard surfaces and turf and the surplus moisture that becomes available to it by way of condensation beneath hard surfaces and other irrigation. At present it would seem that the spray and dripper irrigation beyond the

palms is barely able to sustain the needs of the turf and garden plants. The radial spread of roots from the palms would therefore be shallow and sparse. Establishment of the palms under these conditions could take 3 to 5 years. Establishment meaning that the palms could withstand periods of a week or so without supplementary irrigation in their current locations during the heat of summer. Complete independence of any supplementary watering to the palms would likely take 10 or more years to establish, and in which case the heads of the palms would be comparatively smaller in frond length.

- **Termites:** - The termite observed on site has been correctly identified as the Giant Termite (*Mastrotermes darwinensis*), that is local to the region. Its population can be expected to grow if left unchecked due to the comparatively favourable conditions that have occurred with the construction of a new landscape and associated watering.

This species of termite is known to graze on the living tissue of some trees in the Northwest of WA although it seems to mainly take advantage of desiccated wood or stressed vegetation. As with most termites, they can live in harmony with the surrounding vegetation as part of the broader ecology that sustains our soil environment. None the less, it is regarded as a potentially aggressive termite whose population is best controlled around structures such as the setting we have at Port Headland.

RECOMMENDATIONS: -

1. Edgar St Verge Palms x 4: -

- (a) Verify that the root balls are not waterlogged. This can be achieved by using an Auger or digging with a spade to a depth of 700mm at approximately 1m from the trunk and then digging toward the trunk until exposing the "heavy loam" of the root ball. Liaise direct with Arbor Centre (Rob Bodenstaff – contact details available) to confirm the status of the soil moisture levels and an appropriate action plan should water logging be confirmed.
- (b) In the event of it being a lack of water issue: that the turf be removed (asap from around all four palms), for a min 1m radius from the base of each palm and the exposed area surrounded by a bund to facilitate supplementary hand water and the inner area fertilized with 200gm of NPK blue (per palm) followed by mulching with a well composted mulch. This mulched area is to be drenched fortnightly with a Seasol solution (as per label recommendations) in conjunction with a watering of 100 litres of water applied to the same area. Continue this Seasol application until the end of March 08.

- (c) In any event, prune off the lower whirls of fronds such that the lowest remaining fronds emerge at approximately 45 degrees to the vertical.
- (d) Investigate ways of being able to increase the effectiveness of the current irrigation system. In particular increasing the operating pressure (also refer to Recommendations 6 & 7 below).
- (e) Hold off removal of the sick palms until it is verified that the meristems are dead (this may take several months).

2. Old Court House Palms x 3: -

- (a) Consider providing more space around the base of each of the palms in the near future and attending to the exposed area with bunds, fertilizing, mulching and soil drenching as per Recommendation 1(b) above.
- (b) Pruning as per Recommendation 1(c) above.

3. ROW Date palms x 2: -

- (a) Remove the remaining trunk of the dead palm (and if practical, grind out the stump).
- (b) Investigate ways of being able to increase the effectiveness of the current irrigation system. In particular increasing the operating pressure (also refer to Recommendation 6 & 7 below)



4. Wedge St Palms x 6: -

- (a) Expand the exposed soil area around each of the trees by removing the existing paving and construct suitable edging such that the levels around the palms will hold water and avoid the run-off problems that currently occur. (NOTE:- Raised planters may introduce the kinds of litter and gathering problems that were an issue with the original landscape design).
- (b) Investigate ways of being able to increase the effectiveness of the current irrigation system. In particular increasing the operating pressure (also refer to Recommendations 6 & 7 below).
- (c) That the Landscape Architect be involved in the design solution(s) associated with addressing recommendation 4 (a) & (b).
- (d) Prune off the lower whirls of fronds such that the lowest remaining fronds emerge at approximately 45 degrees to the vertical.
- (e) Hold off removal of the sick palm until it is verified that the meristems is dead (this may take several months).

5. Termite Treatment:-

- (a) Establish a suitable method of control. (Although I have been involved with termite control programs using the "Sentricon" system and am advised by termite specialists that a similar baiting system (establishing and servicing aggregation chambers) would likely be the best approach, I have not been able to liaise with specialists on this matter in relation to the specifics of the Port Headland site and am unable to make recommendations on a suitable program at this time without further instruction to do so).
- (b) Engage a proficient pest controller that can submit plans on their methodology for assessment and ongoing performance appraisal.

6. Irrigation: -

- (a) Monitoring: That the system is test run weekly during the day to confirm that all sprinklers, bubblers and emitters are delivering the required volumes to meet the prescribed watering for the transplants.
- (b) Pressure: Consider the possibilities of:
 - (i) introducing manual stop valves such that existing stations can be halved.
 - (ii) Introducing a pump onto the mains to increase the operating pressure to all stations and the operating efficiency of the irrigation system.

7. Soil Moisture: -

- (a) Explore the potential of introducing cores of moisture holding soils and other substances that could significantly improve the moisture holding capacity of the root zone soils and conduct trials to verify their effectiveness in the local environment.

Should you have any queries on any of the above, please call Rob on 9381 9166

Yours Faithfully



ROB BODENSTAFF

(Principal)

11.3.2.2 Rodeo Road Construction (File No.: 28/01/0009)

Officer Jenella Voitkevich
Manager Technical Services

Date of Report 14 April 2008

Disclosure of Interest by Officer Nil

Summary

This item is for Council to consider a request received to construct the road to the Drovers Rest Rodeo, located at Lot 5213 Great Northern Highway.

Background

The Drovers Rest Rodeo is located on Lot 5213 Great Northern Highway, as per attached diagram. Access to this property and the surrounding unallocated Crown land is gained by way of a track from Great Northern highway. This track is located within Council's road reserve, however the track was not constructed by Council, is not identified in Council's road inventory and is not scheduled for construction.

The Manager of Drovers Rest Rodeo, Mr Frank Edwards, was granted lease of Lot 5213 for the purposes of establishing a rodeo and equestrian centre on the land at the Council Meeting held on 28th July 2004, subject to:

“iv) any required road construction and extension of infrastructure and utilities to be at no cost to Council.”

Mr Frank Edwards was granted approval in January 2005 to undertake roadway construction within the road reserve leading to the aforementioned property. Conditions of this approval were for Mr Edwards to liaise with Council regarding road construction specifications and liaise with Main Roads regarding approvals for the intersection with Great Northern Highway. At this time there was no commitment from Council regarding expenditure on the road construction or ongoing maintenance.

The road was constructed by Mr Edwards to an 'unformed track' status, with an unapproved access to Great Northern Highway. Following enquiries by Mr Edwards, Main Roads WA indicated that they had no objection to the intersection proposal pending a formal application being submitted which was subject to several conditions. Formal applications with the conditions addressed were not received by Main Roads WA.

Mr Edwards has since requested approval to install a gate across the road, located near the intersection with Great Northern Highway, to restrict public access in the interest of preserving the condition of the road and for the safety of the horses located on the Rodeo property. This was granted on the condition that Council takes no responsibility for the road as it would no longer be classified as a public road. This would be reviewed at a later date at such time that the surrounding properties require public access.

In February 2008 Mr Edwards requested that Council contribute to the construction of the road from Great Northern Highway to the Drivers Rest Rodeo property.

Consultation

Engineering staff
Main Roads WA

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Initial investigation has estimated the cost of road construction to be approximately \$120,000.

Officer's Comment

The Drivers Rest Rodeo is anticipated to be operational in August 2008. To allow access to the public, Mr Edwards has requested that the road to the Rodeo is constructed. This would involve road widening, formation construction, drainage and gravel sheeting.

Rodeo events will occur several times a year as organized by Mr Edwards. During times when public events are not occurring, Mr Edwards intends to restrict general public access by ensuring that the existing gate remains in place.

Council currently has several roads on its inventory that are classed as single user roads, such as station roads, that are in a similar position to the Rodeo. Some of these roads are gated to restrict public access. Council contribution to the construction, and in many instances maintenance, of these roads has been denied in the past.

Funds for road construction are only allocated to public roads within Council's road reserve. Although the intersection of the proposed road and Great Northern Highway may be classed as a public road, beyond the gate the road is identified as a private road. Council therefore has several options:

The road, whether reconstructed or not, may be added to Council's inventory and classified as private or public. This will alleviate any future concerns with the responsibility of the road. The formal naming of the road, if required, shall be addressed at a later date. It should be noted that if Council decides to approve the allocation of expenditure to the construction of the road to Drovers Rest Rodeo it will require amendment to the previous Council Resolution from 28th July 2004.

In the matter of the approvals for the intersection of the proposed road and Great Northern Highway, Council staff have been liaising with Main Roads WA. Since the intersection is located within Council's road reserve, it is Council's responsibility to ensure that the intersection is constructed appropriately and relevant approvals granted. Site inspections have indicated that there is a minimal amount of construction required to upgrade the intersection to Main Roads WA standards. This may be carried out within current budget allocations for general road works utilizing Council staff with assistance from contractors provided by Mr Edwards.

Attachments

Map indicating location of Lot 5213

200708/142 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S J Coate

That Council:

- i) **decline the request for funding for the road construction to Lot 5213 Great Northern Highway;**
- ii) **Identify the road as 'private road' on Council's road inventory; and**
- iii) **consider allocating funding for this road development as a component of its 2008/09 budget process.**

CARRIED 5/0

ATTACHMENT TO AGENDA ITEM 11.3.2.2



11.3.2.3 Amendments to Council Policy 9-008 Verge Treatments (File No.: 30/10/0006)

Officer Jenella Voitkevich
Manager Technical Services

Date of Report 11 April 2008

Disclosure of Interest by Officer Nil

Summary

For council's consideration of proposed changes to Policy 9/008 Verge Treatments.

Background

Council adopted the revised Policy 9/008 Verge Treatments at the Ordinary Council Meeting held on 31st October 2007. The major alteration to the previous policy was the inclusion of the allocation of specific street tree species to individual areas of Port and South Hedland.

The current allocation of street tree species have proven difficult to purchase at an appropriate street tree size, in the quantities required.

Consultation

Engineering staff
McNally Newton Landscape Architects, on behalf of South Hedland
New Living

Statutory Implications Nil

Policy Implications

The proposed amendments will be updated in Council Policy 9/008 Verge Treatments.

Strategic Planning Implications

Key Result Area 6 – Governance
Goal 6 - Policy & Legislation: That Council is responding to the communities needs and desires through appropriate policy and legislative responses
Strategy 1 - Progressively review all Council Policies with the aim of reviewing all policies at least once in every two years

The policy review will also impact on the following items identified in the Strategic Plan.

Key Result Area 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 3 - Develop a five-year verge development and street tree planting program and progressively implement the projects that are identified as being the highest priorities

Key Result Area 2 – Community Pride

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

Strategy 1 - Implement planned upgrade works for Throssell Rd

Strategy 2 - Work closely with the Department of Housing and Works to implement the South Hedland New Living project

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

Budget Implications

Nil

Officer's Comment

It is a requirement of the South Hedland New Living subdivision developments to provide street trees in accordance with Council's policy. The unavailability of street trees will significantly delay the completion of the subdivision works. This is the case in the Jabiru loop and Steamer avenue subdivisions, located in the Koombana area which has been allocated the Neem tree (*Azadirachta indica*). The Neem tree is currently not available in large quantities, or in the size appropriate for street trees. The Neem tree has also been allocated to Pretty Pool.

It is also proposed to amend the Policy to include further clarification of the specific areas that are eligible for street trees provided free of charge by Council. Council is also requested to consider the allocation of more trees to lots with longer verge frontages, such as within the South Hedland Rural Estate. The policy must also reflect that Council will plant the trees, as it is Council's responsibility to ensure that trees are planted in the correct location with no disturbance to underground services.

The street tree species that have been selected for the policy are currently planted at various locations within the Port Hedland townsite. The proposed amendments to street tree species selection may be reviewed once a native plant nursery has been established in Town. This will improve the availability of the native trees that were originally selected in the policy.

The following information documents the proposed amendments to the current policy (changes in bolded italics):

Proposed Amendment 1 – Clause 5.4.1

Residents may apply for free street trees by completing the Verge Street Tree Application form available from Council offices. The resident is entitled to one ~~or two to three~~ street trees according to the following Table 1. Council will supply **and plant** the trees, however it is the responsibility of the resident to water the street trees. Any other maintenance required should be referred to the Town's Parks and Gardens Services.

Table 1: Street Tree Alignment and Quantity

Lot Type	Number of Trees
Standard Lot	1
Corner Lot	1 on short side 2 on long side
Lot with boundary >70m	3

The standard alignment for a verge tree is:

- i) Central on a standard block
- ii) 5 metres from any crossovers
- iii) At least 2 metres from the road and front property boundary
- iii) 10 metres from the road truncation

There will be exceptions to **allocations and alignments** due to configurations of Lots and existing infrastructure. For further information **on alignment** please contact Engineering Services.

Proposed Amendment 2 – Clause 5.4.2

The following tree species have been allocated to each area. A plan is available from Engineering Services for clarification. Please note that incorrectly chosen or planted street trees will be removed at Council's discretion.

- Town Centre (Port & South Hedland): As per each application, in accordance with Council's preferred species list (refer Policy 10/001)
- Main dividing roads: Royal Poinciana (delonix regia)

South Hedland:

- Lawson: ~~Desert Kurrajong (Brachychiton gregorii)~~ **Pink Trumpet Tree (Tabebuia rosea 'Alba')**
- Walnut Grove: Summer Red flowering gum (Corymbia ficifolia)
- Cassia: Golden Shower (Cassia fistula)
- Koombana: ~~Neem Tree (Azadirachta indica)~~ **Pride of Bolivia/Tipu/Rosewood (Tipuana tipu)**
- Shellborough: Yellow Poinciana ~~Flame Tree~~ (Peltophorum pterocarpum)

Port Hedland

- . Cooke Point (*Thompson Street to Taylor Street*): Summer Red flowering gum (*Corymbia ficifolia*)
- . Pretty Pool: ~~Neem Tree (*Azadirachta indica*)~~ **Pride of Bolivia (*Tipuana tipu*)**
- . ~~Spinifex Hill Thompson Street to Wilson Street~~: Golden Shower (*Cassia fistula*)
- . **McGregor Street to Acton Street: Pink Trumpet Tree (*Tabebuia rosea 'Alba'*)**
- . West End (*Acton Street to The Esplanade*): Yellow Poinciana/~~Flame Tree~~ (*Peltophorum pterocarpum*)

Other

- . **Rural Areas (including South Hedland Rural Estate): Cadjeput (*Melaleuca leucadendron*)**
- . Drainage reserves and public open space: A combination of native trees to compliment any currently established trees, including Coolibahs, Desert Walnuts (Pundle) and other endemic species, plus exotic plantings as per Council's preferred species list.

Attachments

Nil

200708/143 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G D Bussell

That Council:

- i) adopt the changes in 'Proposed Amendment 1' and amends Clause 5.4.1 of Council Policy 9/008 Verge Treatments to read as follows:

“Residents may apply for free street trees by completing the Verge Street Tree Application form available from Council offices. The resident is entitled to one to three street trees according to the following Table 1. Council will supply and plant the trees, however it is the responsibility of the resident to water the street trees. Any other maintenance required should be referred to the Town's Parks and Gardens Services.

Table 1: Street Tree Alignment and Quantity

Lot Type	Number of Trees
Standard Lot	1
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The standard alignment for a verge tree is:

- i) Central on a standard block
- ii) 5 metres from any crossovers
- iii) At least 2 metres from the road and front property boundary
- iii) 10 metres from the road truncation

There will be exceptions to allocations and alignments due to configurations of Lots and existing infrastructure. For further information please contact Engineering Services.”

- ii) adopt the changes in ‘Proposed Amendment 2’ and amends Clause 5.4.2 of Council Policy 9/008 Verge Treatments to read as follows:

“The following tree species have been allocated to each area. A plan is available from Engineering Services for clarification. Please note that incorrectly chosen or planted street trees will be removed at Council’s discretion.

- . Town Centre (Port & South Hedland): As per each application, in accordance with Council’s preferred species list (refer Policy 10/001)
- . Main dividing roads: Royal Poinciana (*delonix regia*)

South Hedland:

- . Lawson: Pink Trumpet Tree (*Tabebuia rosea* ‘Alba’)
- . Walnut Grove: Summer Red flowering gum (*Corymbia ficifolia*)
- . Cassia: Golden Shower (*Cassia fistula*)
- . Koombana: Pride of Bolivia/Tipu/Rosewood (*Tipuana tipu*)
- . Shellborough: Yellow Poinciana (*Peltophorum pterocarpum*)

Port Hedland

- . Cooke Point (Thompson Street to Taylor Street): Summer Red flowering gum (*Corymbia ficifolia*)
- . Pretty Pool: Pride of Bolivia (*Tipuana tipu*)
- . Thompson Street to Wilson Street: Golden Shower (*Cassia fistula*)
- . McGregor Street to Acton Street: Pink Trumpet Tree (*Tabebuia rosea* ‘Alba’)
- . West End (Acton Street to The Esplanade): Yellow Poinciana (*Peltophorum pterocarpum*)

Other

- . Rural Areas (including South Hedland Rural Estate): Cadjeput (*Melaleuca leucadendron*)

- . **Drainage reserves and public open space: A combination of native trees to compliment any currently established trees, including Coolibahs, Desert Walnuts (Pundle) and other endemic species, plus exotic plantings as per Council's preferred species list."**

CARRIED BY ABSOLUTE MAJORITY 5/0

ATTACHMENT TO AGENDA ITEM 11.3.2.3

11.3.3 Port Hedland International Airport**11.3.3.1 Airport Bar and Café Operation – Financial and Operating Report (File No.: 30/09/0027)**

Officer Eleanor Whiteley
Airport Manager

Date of Report 10 April 2008

Disclosure of Interest by Officer Nil

Summary

For Council to consider the financial and operational report for the Airport Bar and Café as required following three months of Council operation of the service.

Background

At its November 2007 Ordinary Meeting Council resolved as follows:

“That Council:

- i) Operates the Airport café Operations for a trial period until 30th June 2008;*
- ii) A detailed financial and operational report be presented to Council after three months of Council operation of the service; ...”*

Council took over the operation of the Airport Bar and Café from 1 January 2008 and has been running the operation for a period of three months. As required by the above resolution, this agenda item has been prepared for Council's information.

The operation of the Airport Bar and Café by the Town of Port Hedland has been very successful. The Town successfully attracted experienced, capable and dedicated staff to operate the Café. The Café currently employs a full time Bar and Café Manager, two (2) part time Duty managers and five (5) casual staff. Staffing is stable with no significant turnover in staff experienced. Further casual staff are being sourced, due to changes in flight operations increasing opening times.

Following is the actual figures for the Café for the first quarter (1 January 2008- 31 March 2008).

Account	Name	Amended Annual Budget	Actual Year to 31 March 2008
	Operating Expenditure		
1213201	Salaries	122365	74544
1213211	Super Guarantee	2479	6430
1213261	Administration	21392	778
1213263	Café Purchases	65460	43724
1213264	Bar Purchases	63350	22890
1213266	Café Utilities	7240	2361
1213265	Training	2200	0
1213267	Cleaning	150	0
	Total Operating Expenditure	284636	150727
	Operating Revenue		
1213350	Café Sales	(129,300)	(97049)
1213351	Bar Sales	(217,200)	(65557)
	Total Operating Revenue	(346500)	(162606)
	Total Airport Café	(61864)	(11879)

Notes on Budget performance:

- The previous operator did not leave large stock levels and some equipment required replacement which consequently led to higher than expected start up costs.
- Staffing costs were initially higher than expected. This was due to initial training period for staff. This initially impacted on the level of profit but has since been adjusted.
- The café operations also keep a large amount of stock on hand of drinks (alcoholic & non-alcoholic) as these stocks are rapidly turned over and are essential for flight delays. The value of stock on hand is currently \$9512.
- Now that staff are trained, stock levels have been established and faulty equipment replaced the profit margin are expected to rise rapidly over the coming three months period.

The introduction of additional flights for the next quarter has an impact on the opening hours of the café. The café operates 7am-1pm Mon-Sat, 3pm-7pm Mon-Sat; 6am-8.30am and 11am-8pm Sun. The flight changes have easily been accommodated as the Town of Port Hedland is able to control the opening hours of the Café to ensure service provision to all departing passengers.

While Council has resolved to operate the café for a 6 month period to the end of June 2008, it is timely for Council to consider the future operation of the Café given that the 2008/2009 budgets are currently being considered and it would take time to undertake a tender process and comply with other regulatory processes relating to the liquor license should Council wish to pursue that course of action.

Consultation

Director Engineering Services
Manager, Finance
Director, Corporate Services

Statutory Implications Nil

Policy Implications

Procurement Policy 02/07

Strategic Planning Implications

Key Result area1 Infrastructure, Goal 3 Airport
Actively pursue the generation of income from a variety of sources at the airport including through leases, rentals, advertising and any other means.

Budget Implications

The financial performance during the first six months of operation generated a \$11,687 surplus. Airport Management is confident that the projected end of year surplus of approximately \$62,000 will be achieved through increase passenger numbers and lower staffing levels due to all staff being trained.

Council recent market valuation exercise for the Port Hedland International Airport indicated that the market rental for the café is 8.5% of turnover or \$140,400pa (whichever is greater).

Officer's Comment

Council has three options to consider in relation to the future operations of the Airport Café

- Option 1 – Continue to manage and operate the Café 'in-house' indefinitely
- Option 2 – Continue Continue to manage and operate the Café 'in-house' until more detailed financial figures are known and the future of Airport developments is known (as determined through the Airport Master)
- Option 3 – Advertise a tender for the lease of the Airport Café.

At this point in time staff recommend Option 2 as listed above as:

- We are not sure of full year operating surpluses that can be generated from the facility. At the conclusion of 2008 Council and any prospective leases will be in a position to make a more informed business decision as better financial data will be available.
- Increased flight and passenger numbers will increase profitability of the facility.
- Previous experience has demonstrated that attracting tenderers in the current market is difficult.
- Council is in the process of completion of a Strategic Master Plan for the whole airport precinct. Until the Master Plan is completed there is a degree of uncertainty, which may also impede on any potential lease. The flexibility of Council controlling the Café, and other areas, will make any transitional phase easier to administer.

Feedback received from the public and airport staff has been extremely positive since the Town of Port Hedland has taken over the operation of the Airport Bar and Café and become the Licensee for the premises. The standard of service and food provided has improved as has the general appearance of the Café.

The local WA Police are extremely happy that the Town of Port Hedland controls the licensed premises at the Airport as are the major airline operators. Qantas' expressed these views at the last Airport Security Committee in February and said that it was of benefit to the airlines that having the operator of the Airport running the licensed premises provided them comfort in knowing that Aircraft Safety and operations are foremost and that alcohol consumption at the premises would be controlled with this in mind.

The provision of a Bar and Café facility at the airport is a key service to airport users. The Town of Port Hedland through its operation of the Airport Bar and Café has increased the level of patronage and service that is provided to the travelling community.

The continued operation of the Café by the Town of Port Hedland on a permanent basis will allow for greater long term changes to be made which are of benefit to terminal operations without financial penalty to the town.

Officer's Recommendation

That Council:

- i) continue to operate the Airport Bar and Café for the remainder of the 2008 calendar year; and
- ii) consider a report at the January 2009 Council meeting that outlines the financial performance of the Airport Bar and Café for the 2008 calendar year, along with options for future management of this facility.

200708/144 Council Decision

Moved: Cr A A Carter

Seconded: Cr S J Coates

That Council:

- i) continue to operate the Airport Bar and Café for the remainder of the 2008 calendar year;**
- ii) consider a report at the January 2009 Council meeting that outlines the financial performance of the Airport Bar and Café for the 2008 calendar year, along with options for future management of this facility; and**
- iii) a detailed quarterly financial report be presented to Council.**

CARRIED 5/0

REASON: Council resolved to also receive a detailed quarterly financial report.

11.3.3.2 **Additional of Airport Café and Bar Liquor Licence (File No. AIR-083)**

Officer Eleanor Whiteley
Airport Manager

Date of Report 16 April 2008

Disclosure of Interest by Officer Nil

Summary

To change the Approved Manager for the Airport Bar and Café, and to place an additional Approved Manager on the licence, to satisfy liquor licensing requirements. Both notices require the common seal of Council to be affixed.

Background

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

“That Council:

- i) operates the Airport Café operations for a trial period until 30th June 2008;*
- ...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:*
- ...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.”*

Liquor License Issue

The Airport Bar and Café is currently operated Council, was successful in receiving a Protection Order in relation to the operation of the liquor license at the facility.

As previously advised, the Protection Order was an interim measure, which ensured the continuation of a service that would have otherwise ceased. The Licensee is the Town of Port Hedland, with the Approved Manager has been replaced.

The current two Bar and Café Managers have now completed the training required by the Department of Racing Gaming and Liquor Licensing.

A Notice of Application to Approve Manager (Form 14) is to be completed, which identifies the Town of Port Hedland As Licensee, and Bar and Café Manager's as the Primary and Secondary Manager, in accordance with Sections 68 and 100 of the Liquor Control Act 1988.

Consultation

Director Engineering Services
Department of Racing, Gaming and Liquor

Statutory Implications

The Liquor Control Act 1988 determines the regulations in relation to the sale of alcohol, specifically: Transfer of License, Protection Orders and Interim Authorisations and Special Facility Licenses. This is administered by the Department of Racing, Gaming and Liquor.

Liquor Control Regulations

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

To allow the change of the Approved Manager, and to place an additional Manager on the Liquor Licence, now requires Council approval.

It is recommended the Common Seal be affixed to the Notice of Application to Approve Manager (Form 14) and Mayor and Chief Executive Officer be authorised to sign and to execute the document on Council's behalf.

Attachments Nil

200708/145 Council Decision/Officer's Recommendation

Moved: Cr J E Ford

Seconded: Cr A A Carter

That the Common Seal be affixed to the Notice of Application to Approve Manager (Form 14) for the Port Hedland International Airport Café and Bar, and the Mayor and Chief Executive Officer be authorised to sign and to execute the document on Council's behalf.

CARRIED 5/0

11.3.3.3 Checked Baggage Screening Implementation: Port Hedland International Airport (File No.: 30/01/004)

Officer Eleanor Whiteley
Airport Manager

Date of Report 11 April 2008

Disclosure of Interest by Officer Nil

Summary

For Council to consider procurement options for Checked Baggage Screening (CBS) Explosive Detection System Screening (EDS) X-Ray equipment.

Background

In May 2007 the Federal Government announced the extension of CBS to 26 regional airports, Port Hedland being one. The CBS was to be introduced in two phases. 1 December 2007 saw the successful introduction of Explosive Trace Detection (ETD) Screening at Port Hedland. The Federal Government provided 100% funding for the purchase of the ETD equipment.

The second phase is the introduction of EDS X-ray screening of all hold luggages on 1 December 2008. Port Hedland has been allocated funding of 75% or up to \$450,000 for the purchase of the x ray machine. Where a machine is purchased for less than the allocated amount application may be made to use the remainder of the funds for costs directly associated with the installation of the machine.

Port Hedland Airport has undertaken a desktop consultancy in relation to the installation of the CBS equipment and has now received the results. The desktop consultancy, funded by the Commonwealth Government by an independent consultant, did not provide any additional information for airport management as all options presented for the configuration of any conveyor system are currently under consideration. The layouts and configurations presented involved major structural change to the terminal and affected tenanted areas. As the airport is currently under the development of a master plan, terminal alterations will be kept to a minimum and shall not affect leased areas where possible. The project for the installation of the X-ray machine and associated conveyor belts and terminal modifications shall be presented to Council as a new item in the 2008/2009 Budget. The EDS X-Ray Machine purchase is a separate issue.

The Department of Infrastructure recently advised that funding documentation is required to be forwarded to the Department at the end of April together with submissions for the use of unallocated monies for the project CBS installation.

Consultation

Shire of Kununurra, Airport Manager
Shire of Derby, Airport Manager
Shire of East Pilbara, Airport Manager
Shire of Kalgoorlie, Airport Manager
Shire of Roebourne, Airport Manager
Rapiscan Systems Pty Ltd
L3 Communications
Smiths Australia

Statutory Implications

Aviation Transport Security Act 2004 as amended.
Aviation Transport Security Regulations 2005 as amended .
(amendment to the Regulations relating to the extension of the checked baggage requirements are yet to be finalized)

Section 3.57– Tenders for providing goods or services in accordance with the Local Government (Functions and General) Regulations (as amended) specifically in reference to not having to go to tender due to the unique nature of the goods to be supplied.

*“Division 2 — Tenders for providing goods or services (s. 3.57)
[Heading inserted in Gazette 2 Feb 2007 p. 245.]*

11. Tenders to be invited for certain contracts

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless subregulation (2) states otherwise.*
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —*
- (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act;*
 - (b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA;*
 - (ba) the local government intends to enter into a contract arrangement for the supply of goods or services where —*
 - (i) the supplier is either —*
 - (I) an individual whose last employer was the local government; or*

- (II) a group, partnership or company comprising at least 75% of persons whose last employer was that local government;
- (ii) the contract —
- (I) is the first contract of that nature with that individual or group; and
- (II) is not to operate for more than 3 years;
- and
- (iii) the goods or services are —
- (I) goods or services of a type; or
- (II) (in the opinion of the local government) substantially similar to, or closely related to, goods or services of a type, that were provided by the individual (or persons) whilst employed by the local government;
- (c) within the last 6 months —
- (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications; or
- (ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;
- (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government;
- (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government;
- (ea) the goods or services are to be supplied —
- (i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and
- (ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;
- (f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or...

Policy Implications

Procurement Policy 02/07

Strategic Planning Implications Nil

Budget Implications

No Budget allocation has been made in the 07/08 Budget for the purchase of the equipment.

Account Number 1210452 Furniture and Equipment be increased by \$450,000. Account Number 1210393 Government Grant DOTARS be increased by \$336,000 to \$511,000 from \$175,000.

Nett Impact on the budget of \$0 for the purchase of the EDS Machine.

Officer's Comment

The Department of Infrastructure has recently set a deadline for the funding documentation to be supplied to them for processing. Part of the information to be provided to the Department is information relating to the type of machine that will be installed together with proof of purchase. They have also requested that submissions for proposed alternative uses of the unspent x-ray machine money on the CBS project are also required.

Various airports in Western Australia are at different stages of the procurement process and have undertaken the procurement in differing ways. Derby and Kununurra Airports have gone to tender. Kalgoorlie and Karratha airports have not proceeded with procurement at this stage. Newman airport did not go to tender through the interpretation of 3.57 (2)(f) of the Local Government Act as follows:

“(f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier;...”

There are three suppliers of the compliant type of equipment. They are Rapiscan Systems, L3 Communications and Smiths Australia. Each supplier provides a unique machine with differing technology. Initial submissions have been received from these companies for the and all three fall within the funding allocation of \$450,000 plus GST.

The Smiths Machine which the Deputy Mayor and Airport Manager viewed at the AAA Melbourne Convention in November 2007 has been purchased by Newman Airport without going to tender. Derby Airport has recently awarded the tender to Rapiscan Systems. Paraburdoo Airport (Rio Tinto) have purchased an L3 systems. Therefore maintenance synergies can be achieved with all three companies.

It should be noted that Newman and Derby airports received 100% funding for their equipment.

Baggage movement systems and conveyor belts are not part of the funding submission and application must be made to use any surplus funds on these essential parts of equipment. A new item request will be presented as part of the 2008/2009 budget process for this stage of the project.

Council has two options in this instance

- Option 1 is to proceed with a public tender with submissions from the above companies. Due to the tender process, an extension to any submission deadline will need to be requested from the Department of Infrastructure
- Option 2 for Council to proceed under clause 3.57 (2) f as per Newman and purchase the Airport's preferred machine without proceeding to tender.

A budget amendment will be required regardless of the option chosen. The Department of Infrastructure has indicated that funds are available immediately that proof of purchase is provided. The required budget amendment can be made through the April budget review meeting and is recommended at the \$450,000 funding allocation amount.

200708/146 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G D Bussell

That Council:

- i) **proceed with the procurement of CBS EDS X Ray Equipment without calling tenders in accordance with section 3.57 (2) (f) of the Local Government Act, due to the unique nature of the equipment;**
- ii) **General Ledger Account Number 1210452 Furniture and Equipment be increased by \$450,000; and**
- iii) **General Ledger Account Number 1210393 Government Grant DOTARS be increased by \$336,000 to \$511,000 from \$175,000.**

CARRIED BY ABSOLUTE MAJORITY 5/0

11.3.3.4 Qantas Airways Waiver of Fees (File No.: 30/09/0006)

Officer Eleanor Whiteley
Airport Manager

Date of Report 10 April 2008

Disclosure of Interest by Officer Nil

Summary

For Council to consider Qantas's request to waiver Passenger Service Charges and Landing Fees increases from 2006/07 rate to 2007/08 rate for the month of July.

Background

In May 2006, the Town of Port Hedland wrote to Qantas advising of Council's intention to raise airport fees and charges by CPI (4.2%) for the 2007/2008 financial year.

The 2007/2008 budget was adopted by Council with the above CPI increase on airport charges.

In July 2007 Qantas Airways Limited advised that they were unwilling to pay the increased in fees for the 2007/2008 financial year. Since that time numerous letters and meetings have been held between the Town of Port Hedland and Qantas representatives to resolve this issue.

Consultation

Chief Executive Officer

Statutory Implications

In relation to Fees and Charges, the Local Government Act states (in part):

“Subdivision 2 — Fees and charges***6.16. Imposition of fees and charges***

(1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.*

(2) A fee or charge may be imposed for the following —

(a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;

(b) supplying a service or carrying out work at the request of a person;

(c) subject to section 5.94, providing information from local government records;

- (d) *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- (e) *supplying goods;*
- (f) *such other service as may be prescribed.*
- (3) *Fees and charges are to be imposed when adopting the annual budget but may be —*
 - (a) *imposed* during a financial year; and*
 - (b) *amended* from time to time during a financial year.*

* Absolute majority required.

6.17. Setting the level of fees and charges

- (1) *In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —*
 - (a) *the cost to the local government of providing the service or goods;*
 - (b) *the importance of the service or goods to the community; and*
 - (c) *the price at which the service or goods could be provided by an alternative provider.*
- (2) *A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.*
- (3) *The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —*
 - (a) *under section 5.96;*
 - (b) *under section 6.16(2)(d); or*
 - (c) *prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*
- (4) *Regulations may —*
 - (a) *prohibit the imposition of a fee or charge in prescribed circumstances; or*
 - (b) *limit the amount of a fee or charge in prescribed circumstances.*

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 —

- (a) *its intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.*

Policy Implications

Procurement Policy 02/07

Strategic Planning Implications

Key Result area1 Infrastructure, Goal 3 Airport
Actively pursue the generation of income from a variety of sources at the airport including through leases, rentals, advertising and any other means.

Budget Implications

Account Number 1210325 Passenger Service Charges decrease by \$12,714.89 dependant on Council decision

Officer's Comment

A meeting was held in Port Hedland in February 2008. The Mayor, Deputy Mayor, Chief Executive Officer, Director Engineering Services and Airport Manager attended on behalf of the Town of Port Hedland and Qantas Airways Limited General Manager, Customer Service, Gordon McKirdy and John Bevan, WA Customer Service Manager also attended.

At that meeting Chief Executive Officer advised of Council's intention to again raise fees and charges by CPI for the 2008/2009 financial year across all of Council's fees and charges.

Following the meeting the Town of Port Hedland confirmed the issues raised at the meeting, and a written response has now been received from Qantas.

In the letter dated 4 April 2008, Qantas Airways advise that the "proposed one off CPI increase effective 1 August 2007 is accepted...". Council's fee increase was effective as of 1 July 2007. An amount of \$12,714.89 is outstanding being for the fee difference in Passenger Service Charge rate for July 2007.

Council's initial letter in May 2007 stated that the increase would be effective of 1 July. Qantas has indicated that they require three months notice of any change of fee structure. Effectively Qantas is seeking a waiver of the fee increase for July 2007. As it is a scheduled fee Council must resolve to waiver the fee as requested or not.

It should be noted that all other RPT and private operators at the airport have paid the full 2007/08 fee adopted by Council.

Additionally, Qantas in their letter refers to fee increases in 1 August 2009 and request transparency. As mentioned previously, the issue of another CPI increase for 2008/2009 was raised at the February meeting.

Attachment

Letter from Qantas Airways Limited dated 4 April 2008.

200708/147 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr S J Coates**That Council advise Qantas Airways Limited in writing that:**

- i) their request to waive \$12,714.89, being the difference between Council's adopted 2006/07 fees and charges, and Council's adopted 2007/08 fees and charges is not supported; and**
- ii) payment of the overdue debt amount of \$12,714.89 is expected within 30 days.**
- iii) Council intends to increase fees and charges for the Town of Port Hedland including Port Hedland International Airport by CPI (Perth) for the 2008/2009 budgetary cycle.**

CARRIED 5/0

ATTACHMENT TO AGENDA ITEM 11.3.3.4



4th April 2008

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

Dear Mr Adams,

Re: Port Hedland International Airport Fees and Charges

I refer to your 05 March 2008 letter. As requested during our 26 February consultation QantasLink would like to thank the Town of Port Hedland for providing aeronautical Capital and Operational cost forecasts. In a show of good faith QantasLink would like to advise that Port Hedland's proposed one off CPI increase effective 01 August, 2007 has been accepted and we would like to discuss future development and pricing prior to 01 August, 2009.

QantasLink would also like to advise that this action is not an admission that any agreement regarding the recovery of these costs was made. This is instead an act of good faith to facilitate future pricing agreements and our strong commercial relationship

In the future, to make a full commercial assessment of and to justify any pricing adjustment QantasLink requires cost transparency and agreement prior to acceptance of any proposal.

As Port Hedland has experienced tremendous passenger growth and associated windfall gains which is expected to continue QantasLink believes that prices should decrease as an airport is largely a sunk fixed asset.

Please feel free to contact me and I am looking forward to our next consultation.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Gordon McKirdy".

Gordon McKirdy
General Manager Customer Service

Cc: Ms. Jean Elverton (General Manager Procurement)
Mr. John Bevan (Manager Customer Service)

11.4 GOVERNANCE AND ADMINISTRATION**11.4.1 Corporate Services****11.4.1.1 *Financial Reports to Council for Period Ended 29 February 2008 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Victoria Newton
Senior Finance Officer

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 March 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 March 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 March 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 23 April 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		Value	Pages		Fund No.	Fund Name	Description
From	To		From	To			
CHQ18061	18103	\$76,417.35	1	10	1	Municipal Fund	
EFT21253	EFT21496	\$1,596,654.08	10	89	1	Municipal Fund	
PAY110308		\$209,658.09	89	89	1	Municipal Fund	
PAY250308		\$203,169.00	89	89	1	Municipal Fund	
PAY		\$7,495.67			1	Municipal Fund	One-off Pay
	Muni Total	\$2,093,394.19					
3001454	3001463	\$6,492.00	89	90	3	Trust Fund	
	Trust Total	\$6,492.00					
	Sub-Total	\$2,099,886.19					
	LESS: one-off pays	-\$7,495.67					Not included in report
	Total	\$2,092,390.52					

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

200708/148 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J E Ford**That:**

- i) the:
- . **Statements of Financial Activity (represented by Schedules 2 to 14);**
 - . **Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 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 5/0

11.4.1.2 **Requests to Write-off various monies on Non-rateable properties, Dead-Tenements and duplicate assessments (Assessment No's.: Various).**

Officer Brie Holland
Senior Rates Officer

Date of Report 8 April 2008

Disclosure of Interest by Officer Nil

Summary

Requesting that Council write-off of monies totaling \$3,074.51 that have been incorrectly levied onto various assessments which since have been deemed as either non-rateable, dead tenement, or duplicated.

Background

Non-Rateable

The following assessment was labeled as non-rateable, however the Emergency Service Levy (ESL) was not manually removed and as a consequence an ESL was incorrectly charged to the assessment.

Assess. No.	Levy Type	Amount	Rating Period	Why Classified as Non-Rateable?
A130668	ESL code 4	\$38.00	07/08	Parcel was non-existent, sub-divided into individual Lots.
TOTAL		\$38.00		

Dead Mining Tenements

Once a month Council receives rating updates on changes of Mining Tenements, from the Valuer General Office (VGO). The information presented on the schedules by the VGO has been extracted from the information collated by the Department of Industry and Resources (DOIR). As there is an extended time period where the Rates Department actually receives updated information, through different Governmental departments having to collate information, notification of the death of Mining Tenements can be extended across a few months, even different financial years. As a result, not only are Rates raised against the dead Mining Tenements, but penalty interest also accrues.

The following assessments are dead Mining Tenements which the Rates Department has received notification from either the VGO or the DOIR directly.

Assess. No.	Levy Type	Amount	Rating Period	Notification of Mining Tenement death?
A803329	Rates	\$600.00	06/07 – 07/08	Received notification from VGO Schedule M2007/7: Death 15.06.07.
A803329	Penalty Interest	\$14.97	06/07 – 07/08	Received notification from VGO Schedule M2007/7: Death 15.06.07.
A803330	Rates	\$600.00	06/07 – 07/08	Received notification from VGO Schedule M2007/7: Death 15.06.07.
A803330	Penalty Interest	\$14.97	06/07 – 07/08	Received notification from VGO Schedule M2007/7: Death 15.06.07.
A803431	Rates	\$372.60	06/07 – 07/08	Received notification from DIOR: Death 26.07.06.
A803431	Penalty Interest	\$71.75	06/07 – 07/08	Received notification from DIOR: Death 26.07.06.
A803448	Penalty Interest	\$59.54	07/08	Received notification from VGO schedule M2007/11: Death 20.09.07.
A803451	Penalty Interest	\$34.33	06/07	Received notification from VGO schedule M2007/11: Death 20.09.07.
TOTAL		\$1768.16		

Duplicate Assessments

In 1999 the VGO office had an upgrade in it's software package relating to it's database of Mining Tenements. As a result new references were created against pre-existing Tenements. As an unfortunate result, some rateable properties were entered into the Council's Rates database twice. The subsequent assessments listed below are duplicate assessments that have been rated in error.

Assess. No.	Levy Type	Amount	Rating Period	Duplicated from what assessment?
A803284	Rates	\$600.00	07/08	Duplicated from A801988, status not changed to non-rateable. Confirmed by DOIR consultant Peter Vielhauer.
A803284	Penalty Interest	\$14.97	07/08	Duplicated from A801988, status not changed to non-rateable. Confirmed by DOIR consultant Peter Vielhauer.
A803507	Rates	\$600.00	07/08	Duplicated from A803519. Confirmed by DOIR consultant Peter Vielhauer.
A803507	Penalty Interest	\$53.38	07/08	Duplicated from A803519. Confirmed by DOIR consultant Peter Vielhauer.
TOTAL		\$1268.35		

Consultation

Nil

Statutory Implications

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

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

The proposed write-off equates to \$3,074.51. The total includes \$2,772.60 Rates, \$38.00 ESL and \$263.91 penalty interest. Council should note that only \$2,772.60 in rates will directly affect the Council’s budget, reducing it by that exact amount.

Writing off ESL and penalty interest totaling \$301.91 will not affect the Council's budget.

Officer's Comment

The listed incorrect levies are by no means at the fault of the Ratepayers on any of the assessments listed. Due to the magnitude and frequency of property information updates in the Council's rates system, it is possible that certain information will be misrepresented in the rating system. Any department such as the Rates Department across any Council could certainly expect to find these anomalies from time to time.

This report is prepared as part of Council's Rates Department internal housekeeping in an effort to adjust expenditure to fit the Council's income, and to stop further penalties unnecessarily accruing on the listed Ratepayer's accounts.

Even though in any organisation it is not preferable to write-off any budgetary monies, Council approval to write-off the above listed rates is fair and reasonable.

Attachment

Table detailing assessment numbers, addresses and amounts to be written off.

200708/149 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr G D Bussell

That Council approves the request to write-off the incorrect levies listed on the various assessments as summarised below.

Assess. No.	Levy Type	Amount
RATES		
A803329	Rates	\$600.00
A803330	Rates	\$600.00
A803431	Rates	\$372.60
A803284	Rates	\$600.00
A803507	Rates	\$600.00
SUB TOTAL		\$2772.60
ESL		
A130668	ESL code 4	\$38.00
SUBTOTAL		\$38.00
PENALTY INTEREST		
A803329	Penalty Interest	\$14.97
A803330	Penalty Interest	\$14.97
A803431	Penalty Interest	\$71.75
A803448	Penalty Interest	\$59.54
A803451	Penalty Interest	\$34.33
A803284	Penalty Interest	\$14.97
A803507	Penalty Interest	\$53.38
SUBTOTAL		\$263.91
TOTAL		\$3074.51

CARRIED BY ABSOLUTE MAJORITY 5/0

ATTACHMENT TO AGENDA ITEM 11.4.1.2

LIST OF ASSESSMENTS AND LEVIES TO BE WRITTEN OFF				
NON-RATABLE	Address	Levy	Amount	Period
A130668	UNIT 1-8/ 2 CATAMORE COURT SOUTH HEDLAND 6722	ESL	38.00	07/08
			38.00	
DEAD TENEMENT				
A803329	P45/02534 MINING TENEMENT PORT HEDLAND AREA 6721	RATES	600.00	07/08
A803329	P45/02534 MINING TENEMENT PORT HEDLAND AREA 6721	PENALTY INTEREST	14.97	06/07
A803330	P45/02535 MINING TENEMENT PORT HEDLAND AREA 6721	RATES	600.00	06/07
A803330	P45/02535 MINING TENEMENT PORT HEDLAND AREA 6721	PENALTY INTEREST	14.97	06/07
A803431	P45/02434 MINING TENEMENT PORT HEDLAND AREA 6721	PENALTY INTEREST	71.75	06/07 - 07/08
A803431	P45/02434 MINING TENEMENT PORT HEDLAND AREA 6722	RATES	372.60	06/07 - 07/08
A803448	E45/02537 MINING TENEMENT PORT HEDLAND AREA 6721	PENALTY INTEREST	59.54	07/08
A803451	E45/02540 MINING TENEMENT PORT HEDLAND AREA 6721	PENALTY INTEREST	34.33	06/07
			1,768.16	
DUPLICATION				
A803284	LOT 0000001 PORT HEDLAND 6721	RATES	600.00	07/08
A803284	LOT 0000001 PORT HEDLAND 6721	PENALTY INTEREST	14.97	07/08
A803507	M47/561 MINING TENEMENT (YANDEYARRA) VIA PORT HEDLAND AREA 6721	RATES	600.00	07/08
A803507	M47/561 MINING TENEMENT (YANDEYARRA) VIA PORT HEDLAND AREA 6721	PENALTY INTEREST	53.38	07/08
			1,268.35	
TOTAL			3,074.51	

11.4.1.3 Reserve and Foreshore Amendment Local Law 2008

Officer Matthew Scott
Director Corporate Services

Date of Report 14 April 2008

Disclosure of Interest by Officer Nil

Summary

For Council to progress the amendment of its Reserves and Foreshore Local Law to increase the penalties for unauthorised vehicle use on the Council's Foreshores.

Background

As Council is aware at the 2007 Annual Meeting of Electors, Council was requested to increase the fines applicable for unauthorised vehicle usage on Council Foreshores during the Turtle nesting period.

Initially Council resolved to increase the fine to \$500, however after consultation with the Department of Local Government and Regional Development, Council had to revise this resolution to the statutory limit of \$200.

This final amendment was advertised on the 12 February 2008, and after the required six week advertising period, no submissions were received.

Council must now progress the adoption the Town of Port Hedland Reserves and Foreshore Amendment Local Law 2008, as per section 3.12 of the Local Government Act 1995 in order the amendment local law to be enacted.

The process for the amendment local law to be enacted is as follows:

1. Council must consider any submissions received from the initial advertising (none received), and make the Local Law as proposed (see recommendation);
2. Publish the Local Law in the Government Gazette, and send copies to the Minister and any other appropriate Minister;
3. After the Local Law was been published in the Gazette, cause a local public notice, stating the Title of the Local Law, a summary of the purpose of the local law, and where copies can be inspected (7 days notice);
4. Send a copy of the Local Law to the Standing Committee on Delegated Authority (State Parliament) for review (as per the Ministers standing directions for local laws).

Consultation

The proposed Local Law Amendment was advertised as a local public notice in the West Australian on the 12 February 2008 and copies were available for public inspection from the Port Hedland Civic Centre, Port Hedland and South Hedland Public Libraries. No public submissions were received at the end of the advertising period (25 March 2008).

The proposed "Town of Port Hedland Reserves and Foreshore Local Law 2008" has been reviewed by the Department of Local Government and Regional Development, and currently meets statutory requirements.

Statutory Implications

3.12. Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *The local government is to —*
 - (a) *give Statewide public notice stating that —*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice;*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed 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;*
 - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (3a) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*
- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*

- (6) *After the local law has been published in the Gazette the local government is to give local public notice —*
 - (a) *stating the title of the local law;*
 - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that copies of the local law may be inspected or obtained from the local government’s office.*
- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) *In this section —*
“making” in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer’s Comment

Once Council resolves to adopt the attached “Town of Port Hedland Reserves and Foreshore Amendment Local Law 2008” and the necessary advertising is achieved the fine associated with unauthorised vehicle use on Council’s foreshores will be increased to \$200 during Turtle nesting season. This therefore should achieve what was initially requested at the 2007 annual meeting of electors, and subsequent Council decisions.

Should Council decide not to adopt the proposed recommendation or attempt to “significantly” change the amendment Local Law, the process will need to commence the process again, furthering delaying the fine increase.

200708/150 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr S J Coates**That Council:**

- i) note that no submissions were received from the public notice advertised in the West Australian 12 February 2008 regarding the proposed amendment to the Town of Port Hedland Local Law (Reserves and Foreshores); and
- ii) adopt the Town of Port Hedland Reserve and Foreshore Amendment Local Law 2008, as attached; and
- iii) cause the Town of Port Hedland Reserve and Foreshore Amendment Local Law 2008 to be published in the next available "Gazette", in accordance with Section 3.12(5) of the Local Government Act 1995; and
- iv) after the Town of Port Hedland Reserve and Foreshore Amendment Local Law 2008 has been published in the Gazette, cause a local public notice of the Town of Port Hedland Reserve and Foreshore Local Law 2008, as per section 3.12(5) of the Local Government Act 1995.

CARRIED BY ABSOLUTE MAJORITY 5/0

*ATTACHMENT TO AGENDA ITEM 11.4.1.3***Local Government Act 1995****Town of Port Hedland****RESERVES AND FORESHORES AMENDMENT LOCAL LAW 2008**

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the Town of Port Hedland resolved on *23 march 2008* to make the following local law.

1. Citation

This Local Law may be cited as the *Town of Port Hedland Reserves and Foreshores Amendment Local Law 2008*.

2. Principal Local Law amended

The *Town of Port Hedland Local Law (Reserves and Foreshores)* as published in the *Government Gazette* on 8 June 1999 is referred to as the principal local law. The principal local law is amended as follows.

3. Clause 17 amended

Clause 17 is amended by inserting the following words after "\$100" –
"during the period 1st May and 30 September of each year, and \$200 during the period of 1st October and 30 April of each year."

Chris Adams

Chief Executive Officer

Cr Stan Martin

Mayor

Seal of Town of Port Hedland

11.4.2 Governance**11.4.2.1 Cinema – Development Options**

Officer Chris Adams
Chief Executive Officer

Date of Report 9 April 2008

Disclosure of Interest by Officer Nil

Summary

Item discusses options and processes for the potential development of a cinema complex in the South Hedland Central Business District.

Background

At the February 2008 Ordinary Council Meeting, Councillor Howlett requested that a report be presented at the next Council meeting regarding options for the development of a cinema complex. This report was delayed till April pending further discussions with State Land Services and LandCorp and regarding the status of the private cinema proposal and the South Hedland CBD Structure Plan.

Current Cinema Proposal

As Councillors will be aware, the community has identified the need for more youth and family facilities and activities in numerous community surveys, including the need/want of a 'proper' cinema complex. Despite the fact that Council operates a well equipped cinema complex at the Matt Dann, there is a perception that the community lacks this resource/facility. Council has been supportive of the concept of the development of a commercial cinema complex and has actively supported the proposal of Yerani Pty Ltd (Principal: Mr Peter Duggan) to develop a cinema and bowling complex on the corner of Hamilton Road and Throssell Road.

Yerani initially had issues/concerns regarding land tenure at the site but once these issues had been resolved the company sought and obtained planning approval for this development from Council in August 2007. Since that date there has been little or no progression of the development and Town Officers have been advised by State Land Services that there is now little likelihood that the proposal will progress in its current format.

South Hedland CBD Structure Plan

At its March 2008 meeting Council approved the release of the South Hedland CBD Structure Plan for public consultation. This plan sets the land use structure for the main commercial and retail area of the Town. The plan proposes that a new cinema complex be located on Rason Court, directly south of the existing shopping centre. This land is currently Crown Land that is vested in the State Health Department. Council considers the overall structure plan (including the proposed cinema location) in a separate planning report in this Agenda.

Industry Feedback

Preliminary feedback from industry representatives who have been consulted is that:

- The major cinema complex's such as Birch Carrol and Coyle and Hoyts, do not look at establishing cinemas in areas with less than a catchment area of 100,000 people
- The secondary cinema complex's such as Movie Masters (Ace) and Grand Cinemas, do not look at areas with less than a catchment area of 50,000 people.
- The smaller town cinemas in WA are generally run by family businesses.
- Successful smaller cinemas tend to operate as an "entertainment centre" with other attractions attached to the cinema (ie Ten pin bowling, arcades, cafes etc) or be part of a shopping centre to get a broader audience. Centres that operate away from the commercial precinct are invariably less successful.

Options/Process

A number of issues need to be resolved prior to the development of a cinema complex including:

- Land access/tenure
- Feasibility planning, business modeling and due diligence
- Planning and building approvals

The primary issue that Council faces at the moment should it want to pursue the development of a cinema is land availability and land tenure as currently Council owns no land in the South Hedland CBD area.

As the vast majority of land in the South Hedland CBD area is Crown Land, Council or a developer needs to obtain access to the land from the Crown via DPI State Land Services. This can be obtained through a number of mechanisms including freehold purchasing, leasehold and through vesting orders.

As the structure plan for the area is yet to be endorsed, and LandCorp is currently in the process of developing options/plans for the release of additional commercial and residential land in this area, it is highly unlikely that the DPI would lease or freehold CBD land to the Town at this point in time. The action that is most likely to achieve a positive result is continued close liaison with LandCorp regarding this proposal. LandCorp have indicated some interest in partnering with Council on this development.

Consultation

Preliminary discussions have been held with LandCorp and State Land Services representatives regarding potential options to progress a cinema proposal. Discussions have also been held with experienced proprietors from the cinema industry.

The cinema issue was also listed as a discussion item with Minister MacTiernan during her visit to Port Hedland this month.

Statutory Implications

It is proposed that the South Hedland CBD Structure Plan be adopted under Town's Planning Scheme No 5 giving it a level of statutory significance.

Policy Implications Nil

Strategic Planning Implications

The cinema project/proposal is not listed in the Town's 2007-2012 Strategic Plan but has been discussed by Councillors in workshops that have been held during the development of the proposed 2008-2013 Strategic Plan.

Budget Implications Nil

Officer's Comment

The community and Council clearly wants better quality youth and recreation facilities, including a 'proper' cinema. The development of the CBD structure plan is a step forward in the progression of this proposal as it identifies appropriate land for this development.

While the extended timeframes for the development are frustrating for Council and the community, the reality is that the most timely manner in which to progress this proposal is through the incorporation of a cinema proposal within a land use structure planning framework. This process is nearing completion and Council can now commence discussions/negotiations with the State Government lead agency on land release in the CBD area (LandCorp) regarding mechanisms to progress the development of a cinema complex.

Attachments

Nil

200708/151 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council advises LandCorp that:

- i) Council strongly supports the development of a cinema complex within the South Hedland Central Business District (CBD);**
- ii) Council is eager to work closely with LandCorp to ensure that a cinema complex is delivered in a reasonable timeframe;**
- iii) once the CBD structure plan has been completed and endorsed, the Town requests that a cinema project proposal be progressed as a matter of priority; and**
- iv) subject to usual due diligence requirements, the Town of Port Hedland may be interested in being involved a Joint Venture partnership with LandCorp and/or other partners regarding the development of this proposal.**

CARRIED 5/0

11.4.2.2 Staff Housing Plan Implementation

Officer Chris Adams
Chief Executive Officer

Date of Report 14 April 2008

Disclosure of Interest by Officer

Officer rents a house from the Town at a subsidised rate.

Summary

Council's Staff Housing Working Group met on Friday 11th of April. The group considered short and long term options for the future development of staff housing. This report outlines the forward directions proposed by the working group.

Background

Council provides subsidised housing to senior employees and individuals who have specialist skills that are not available locally. Currently 29 of Council's 150+ staff have access to Council supplied housing at a subsidised rate.

Need for Housing

Council currently 14 houses in Port Hedland, 13 in South Hedland and 2 at the Port Hedland International Airport. In addition to the Town owned stock, the Council previously had access to up to five houses provided by BHP Billiton (BHPB), and has had accommodation (including one residential property) available at the Mirtanya Maya Facility. None of these are facilities are currently available. In past years the Town has also rented properties from the private sector.

The quality of Council's housing stock has improved over the past 2-3 years with repairs and upgrades to housing stock occurring. While the upgrades have been enhanced the quality of the housing stock, an independent Real Estate inspection rated the majority of properties as being in 'average' or 'good' condition. Some of Council's South Hedland stock is in average/poor condition and is located in undesirable neighbourhoods making these houses very unattractive options for staff.

All of Council's 29 owned houses currently are tenanted by a Council staff member. While there is no immediate need for additional staff housing, there will be a need over the next 12month and Council's staff housing requirements will grow over the next five (5) years.

The key reasons for this include:

- Town growth will inevitably result in the need for more professional staff. Quality accommodation will be required to attract and retain the staff. It is anticipated that some of these staff will commence with Council within the next 6-12 months.
- It would be very difficult to replace some current staff who do not have a Council supplied house, were they to leave the Town of Port Hedland. The Town has been somewhat fortuitous in that partners of some key staff are provided with housing (mitigating the need for a Council house), and other longer term Council staff members own their own house.

Options

The Working Group considered housing development options that have previously been reported to Council along with other alternatives to address the staff housing shortfall. The options that were considered included:

1. Pretty Pool Counihan Cres House
2. Catamore Court Joint Venture with DHW
3. Moore Street Joint Venture with Landcorp
4. Morgan St development on vested land
5. Housing Policy to encourage cash-in lieu of housing
6. Additional housing at Port Hedland International Airport

The above six options have been categorised into two levels – short term and medium term.

Short Term (0-18 months):

- Pretty Pool House: This property is currently under construction and is due to be completed in August 2008. Once complete it will provide an additional house to Council.
- Morgan St Development: Council has successfully applied to change the vesting of this residentially zoned, Crown reserve from 'Playground' to 'Council and Other Essential Services Housing'. Eight unit can be developed relatively quickly on this land with only Council planning and building approvals being required.
- Housing Policy Changes – Council current staff housing policy states that Council staff who are eligible for housing but do require it are able to opt for an \$8000 cash-in-lieu contribution (taxable). Given the current housing market this alternative is not attractive and is rarely taken by staff. Options for mortgage assistance, taxation relief and/or increased allowances should be pursued.
- Airport Housing: Council owns freehold land at the airport that could potentially be developed as staff housing. The working group recommended that further investigation be undertaken on the possibility of installing up to six (6) transportable houses at the airport in the short term.

Medium Term (18 months – 3years)

- Moore St Development: Council has previously agreed to construct properties on freehold land that is being provided to it once the Moore St site has been developed and subdivided. While this proposal is still strongly supported, 'West End' Planning issues have delayed progress with implementation of this project.
- Catamore Court Development – Council owns freehold land in South Hedland that is adjacent to a DHW development site. Council has indicated an interest in progressing with a Joint venture development on this site if a suitable financial and legal instrument can be negotiated between the parties. Negotiations regarding this development are progressing with DHW due to send a revised proposal in the coming weeks.

Consultation

Council's Staff Housing Working group considers housing options/direction and makes recommendations to Council.

Statutory Implications Nil

Policy Implications

Council does not have a Staff Housing Policy.

Clause 34 of the Staff Policy and Code of Conduct states:

“Staff Housing

Prior to an employee occupying a Town owned residence, the employee and the Town of Port Hedland are to enter into a formal tenancy agreement for the period of their employment, or a lesser period as determined by the Chief Executive Officer.

The tenancy agreement will contain a condition regarding the rent payable. There shall be a condition on the Tenancy Agreement that the Agreement shall cease on termination of the tenant's contract of employment with the Town of Port Hedland or at some other time as agreed between the parties.

The form of agreement will be in accordance with the Residential Tenancies Act 1987.

The maximum number of people, including both adults and children, permitted to reside at the residence shall be specified in the tenancy agreement to a maximum of the number bedrooms plus one or the number of persons in the employee's immediate family, being his/her spouse and their children if the residence is able to support such numbers at the discretion of the Chief Executive Officer.

The tenancy agreement shall specify that only members of the employee's family, including de facto spouses and their children, are

permitted to reside in the property. Any other people wishing to reside other than those mentioned above, is restricted to 3 months in any 12 month period at the Town owned residence unless otherwise specifically approved in writing by the Chief Executive Officer on the basis of personal hardship or special circumstances.

It is a requirement of the agreement that tenants will pay a bond to the equivalent amount of four weeks rent to be paid in advance.

A pet bond of \$100.00 is applicable under this agreement to be paid in advance where applicable.

The bond will be reimbursed to the employee if the employee:

- . Leaves the premises in a clean and tidy condition as per the signed property condition report.*
- . Has had the carpets professionally cleaned and provide the Town with proof of the carpet cleaning.*
- . Made the necessary repairs to all areas of the property that has sustained damage during the tenancy agreement not associated with acceptable general wear and tear.*
- . Has replaced all light globes within the property that no longer work*
- . Has transferred the Western Power account back into the name of the Town of Port Hedland.*
- . Returned all keys to the premises to the Manager Building Services; and*
- . Has complied with all terms contained within the Residential Tenancy Agreement.*

If an employee leaves the property without complying with any of the items mentioned above, then the Town shall have a right to withhold the bond to the equivalent of the cost associated with completing any of the above items.

If the bond is not sufficient enough to reimburse the costs associated with covering the items mentioned above, then the Town under the terms of this policy shall be able to withhold the equivalent amount under the employee's termination payment to cover such expenses. This provision shall be included as an express term under the employee's contract of employment prior to commencement.

The tenants shall keep the premises in a reasonable state of cleanliness, repair and free of damage. The Manager Building Services is to be notified as soon as practicable but within 3 days of any damage to the premises.

The tenant shall not intentionally or negligently cause or permit damage to the premises.

The Town of Port Hedland is responsible for carrying out regular maintenance on the air conditioning systems, fire extinguishers and

smoke alarms and half yearly pest control treatments. Urgent repair work will be carried out as reasonably possible by the Town.

Any repairs required to be completed by the Town or by an external contractor, where such repair is required due to damage caused by the occupants and not acceptable general wear and tear or damage caused by natural occurring conditions such as weather, the employee will be liable to reimburse the Town of such expense.

Council shall pay, the water costs for all employees occupying the Town's housing as specified in their Tenancy Agreements or Contract of Employment.

The Town of Port Hedland offers an allowance of up to \$300.00 on an annual basis to tenants in council housing, to assist in establishing gardens and/or improving existing gardens. The allowance will only be payable upon an inspection of the work by the Manager Building Services and upon presentation of receipts. Claims for annuals or vegetable gardens will not be approved.

Permanent fixtures to be installed are as follows:

- . Hot water system*
- . Ceiling fans*
- . Authorised air-conditioning units (inbuilt ducted systems or wall mounted units installed and owned by Council)*
- . Floor coverings*
- . Window treatments*
- . Light fittings (except globes)*
- . TV aerial appropriate to local BHF television broadcast services*
- . Stove*

Costs associated with maintaining and replacing the permanent fixtures shall be the responsibility of the Town.

The tenants shall not affix any fixture or make any renovation, alternation or addition to the residential premises, without the prior written consent of the Chief Executive Officer.

Employees allocated staff housing shall have included in their contract of employment with Council the provision that the housing is provided as a benefit only while the employee remains employed by Town, and that on termination of employment the Tenancy Agreement shall cease.

Prior to the handing back of the premises, the tenant is responsible for ensuring the following items are carried out:

- . Organise an inspection with the Manager Building Services.*
- . Leave the premises in a clean and tidy condition as per the signed property condition report.*

- . *Have the carpets professionally cleaned at the cost to the employee and provide the Town with proof of the carpet cleaning.*
- . *The tenant is to have the Western Power account transferred back into the name of the Town of Port Hedland.*
- . *Unless otherwise specified in the agreement, the tenant is to have the phone disconnected.*
- . *Return all keys to the premises to the Manager Building Services.*

The allocation of staff housing to particular positions is at the discretion of the Chief Executive Officer.

Positions generally offered staff housing as part of the salary package are those requiring essential qualifications, experience and other position requirements that are unlikely to be met from local recruitment.

If the Council supplied house is deemed not to be suitable to the employee they may elect to receive a monetary allowance. Only under exceptional circumstances at the discretion of the Chief Executive Officer and where possible, will the Town offer alternative housing to an employee where the previously offered housing is not suitable.

Where any employee (including his/or her family/partner) currently resides in a property that is owned by the Town as part of their contract of employment, the Chief Executive Officer is authorized to offer the employee the opportunity to accept a monetary allowance in lieu of receiving subsidized housing supplied by the Town.

Where an employee agrees to forfeit their right to subsidized housing supplied by the Town, they shall be eligible to receive an allowance up to \$8000.00 per annum.

Under exceptional circumstances at the discretion of the Chief Executive Officer, the monetary allowance may be increased to a maximum of \$10,000 per annum. The exceptional circumstances may include existing location and condition of the property offered, travelling costs from the employee's new residence, relocation costs, financial impact upon the employee, costs with complying with the termination of tenancy provisions and the number of family members currently residing at the property.

Any such agreement is required to be in writing and the monetary allowance will be paid to the employee on a pro-rata basis every pay period and will be subject to PAYG Tax.

Any employee agreeing to accept a monetary allowance in lieu of subsidized housing supplied by the Town, is required to vacate the premises at a time suitably convenient to both parties once suitable alternative housing can be found.

If an existing employee is currently provided with housing as an expressed term of their contract of employment, then the Town will not be able to provide the employee with a monetary allowance in lieu of the housing unless agreement can be reached in writing.

An employee that has agreed to accept to leave the property and receive a monetary allowance in lieu shall ensure that the provisions contained within Termination of Tenancy clause above, are complied with or the appropriate penalties may apply.

Once an employee has elected to receive the monetary housing allowance in lieu of subsidised housing supplied by the town, the employee is not eligible to reverse their decision and receive the subsidised housing as opposed to the allowance unless agreed to, at the discretion of the chief executive officer.

Employees who are not entitled to receive subsidised housing shall not be eligible to receive the Housing Allowance.”

Strategic Planning Implications

The following strategy from the Town's Strategic Plan relates to this matter:

“Develop and progress implementation of the Town of Port Hedland Staff Housing Strategy with the aim of making staff housing more self-supporting.”

Budget Implications

Each of the six strategies above has its own costs associated with it. Preliminary estimates of each option are listed below:

- Pretty Pool House: Council has allocated \$600,000 for the development of this house.
- Morgan St Development: As there is no land cost the only development cost is the cost of construction. It is estimated that it would cost \$4M to build and fit out eight (8) units on the site. The Working Group suggests utilizing half of these units as Staff housing and renting half out on the private market.
- Housing Policy Options: Council may elect to increase housing subsidy in lieu of housing provision. While this increase Council's cost, this could potentially be offset through rentals in the private market.
- Airport Housing: As Council owns the land, this development involves the purchase and delivery of housing units. To date no investigations have been undertaken on the timing or cost of the development.
- Moore St: Council has previously indicated a desire to build up to six (6) dwellings on this site. The development cost will vary depending on the type and nature of buildings proposed but is likely to cost in excess of \$4M.

- **Catamore Court:** The draft proposal indicates that Council would need to contribute approximately \$1.1M to secure ten 'standard sized' residential allotments in South Hedland.

Officer's Comment

The long term goal for staff housing for the Town should be that the Council and the Town as a whole is in a position where it does not need to provide staff housing to attract and retain quality staff. This is currently not the case as industry standard within regional Western Australia is that housing is provided as a component of salary to attract and retain staff. Interesting

Attachments

Nil

**200708/152 Council Decision/ Staff Housing Working Group/
Officer's Recommendation****Officer's Recommendation****Moved:** Cr J E Ford**Seconded:** Cr A A Carter**That Council:**

- i) immediately proceeds with the tender process for the design and construction contract for the development of eight (8) units at the Morgans Street site;**
- ii) notes/signals its intent to utilize loan funds in the 2008/09 Budget to fund the Morgan Street development program (Preliminary estimate of \$4M);**
- iii) considers a report on potential modifications to the Staff Policy and Code of Conduct document at its Ordinary Council Meeting to be held in May 2008; and**
- iv) the Chief Executive Officer or his nominated officer(s), investigate options for the development of up to six (6) transportable style houses at the Port Hedland International Airport with a further report being tabled once additional information is available.**
- v) continues to pursue Joint Venture development options with the Department of Housing and Works and LandCorp regarding the Catamore Court and Moore Street development proposals respectively.**

CARRIED 5/0

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

Officer Chris Adams
Chief Executive Officer

Date of Report 17 April 2008

Disclosure of Interest by Officer Nil

Summary

Council's Strategic Plan is reviewed and updated on a quarterly basis to ensure that projects are 'on-track'. This review provides Council with the results of the outgoing Strategic Plan, prior to it endorsing the Strategic Plan 2008-2013 soon.

Background

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

A review of the current status of the implementation of the 128 strategies has been undertaken (see attachment), to ascertain the level of progress that has been made towards the implementation of the strategies listed with the plan.

Consultation

Council endorsed its Strategic Plan 2007-2012, after significant community/stakeholder consultation was undertaken including:

- A comprehensive community survey
- Requesting for submissions
- Advertisements and press articles
- Shopping centre display

A full review of the Strategic Plan has been held, whereby some ongoing strategies may be carried over, and new strategies developed that will assist Council in achieving its goals for the 2008 calendar year.

Statutory Implications

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

Policy Implications Nil

Strategic Planning Implications

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

Budget Implications

The newly drafted Strategic Plan for 2008-2013 is the key document that is being used to frame the Council's 5yr Financial Plan and the 2008/09 Council budget.

Officer's Comment

The Strategic Plan is the Council's most important document. It sets the direction for Councillors and staff in relation to the goals Council wants to achieve, and how it intends on achieving these things through the implementation of targeted strategies.

To ensure that the Plan remains current, it is essential for the document to be reviewed regularly, updated to reflect Council and community priorities.

Attachments

Strategic Plan 2007-2012 Review April 2008

200708/153 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council notes the final quarterly review of the 2007-2012 Town of Port Hedland Strategic Plan.

CARRIED 5/0

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

12.1 Environmental Health Services

12.1.1 EPA- Level of Assessment – Fortescue Metals Group Ltd (FMGL) - Publication on Environmental Protection Authority Report # 1286. Port Facility Upgrade - Anderson Point, Port Hedland, Dredging & Wharf Construction 3rd Berth - Appeal Period

Officer Darryal Eastwell
Manager Environmental
Health Service

Date of Report 18 April 2008

Disclosure of Interest by Officer Nil

Summary

On 14 April 2008 the Town received an email from the Environmental Protection Authority (EPA) advising that they have determined the level of assessment for the above project to be "Assessment on Referral Information" (ARI). They have advised that there is a 14 day period to appeal against the level of assessment as determined which expires on 28 April 2008.

FMGL propose to dredge and construct a wharf at Anderson Point being their third wharf in addition to their existing wharfs.

Background

There are six levels of assessment that can be determined by the EPA being:

1. Not assessed
2. Assessment on Referral Information (ARI) – Proposals which raise one or a small number of significant environmental factors which can be readily managed.
3. Environmental Protection Statement (EPS) – Proposals of local interest that raise a number of significant environmental factors which can be readily managed, or where a formal public review period may be unnecessary because the proponent has adequately consulted with stakeholders.
4. Public Environmental Review (PER) – Proposals of local or regional significance that raise a number of significant environmental factors.
5. Environmental Review & Management Programme (ERMP) – Proposals of state interest that raise a number of significant environmental issues.
6. Proposal Unlikely to be Environmentally Acceptable (PUEA)

As can be seen by the level of assessment determined by the EPA it is their option that the proposal will raise one or a small number of significant environmental factors which can be readily managed.

Some of key environmental & social factors are as follows:-

- a) coral & mangrove health
- b) rehabilitation
- c) noise
- d) introduced marine organisms; and
- e) dust

Consultation

The EPA has submitted a copy of the full report addressing the above factors, including advice, recommendations and conditions of approval that will go to the Minister for the Environment for approval. This report is available for Councillor perusal.

Statutory Implications

The Environmental Protection Act requires that no decision should be made to allow or action taken to implement this proposal until the Minister for the Environment has authorised implementation or otherwise.

Policy Implications Nil

Strategic Planning Implications

Any increase in Port activities will place pressure on the Towns community infrastructure.

Budget Implications Nil

Officer's Comment

While all environmental and social factors are addressed in the draft conditions of approval noise and dust are considered to have the largest possible impact on the community.

Construction noise from piling is administered under Regulation 13 of the Environmental Protection (Noise) Regulations 1997 and this process was followed during construction of the original berths. The Town did not receive any concerns from the public during the construction of the first two berths however a noise management plan will need to be submitted as part of the Regulation 13 approval process which includes complaint procedures

The EPA will request the proponent to monitor and control dust associated with the construction and operation of the Port in accordance with the Dust Management Plan prepared to the requirements of the Minister for the Environment on advice of the EPA, as stated under Ministerial Statement 690. In preparation of advice to the Minister for the Environment, the EPA expects that advice will be obtained from the Town of Port Hedland, Department of Environment and Conservation and the Department of Industry and Resources. The Town did not receive any concerns regarding dust during construction of the original two berths.

The report contains draft conditions of approval that the Minister will consider which addresses the major factors of this proposal. It is considered that the level of assessment set by the EPA seems appropriate for this proposal and no objection is raised by the officers.

200708/154 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr J E Ford

That Council advises the Environmental Protection Authority that it has no objection to the Level of Assessment set for Assessment # 1732 – Fortescue Metals Group Ltd – Port Facility Upgrade - Anderson Point, Port Hedland, Dredging and Wharf Construction –Third Berth.

CARRIED 5/0**200708/155 Council Decision/Officer's Recommendation****Moved:** Cr G D Bussell**Seconded:** Cr A A Carter

That the meeting be adjourned for five (5) minutes.

CARRIED 5/0

7:02pm Mayor advised that the meeting is adjourned for five (5) minutes.

200708/156 Council Decision/Officer's Recommendation**Moved:** Cr G D Bussell**Seconded:** Cr A A Carter

That the meeting be adjourned for five (5) minutes.

CARRIED 5/0

7:08 pm Mayor Stan Martin, Councillors Carter, Bussell, Coates and Ford reentered the room and assumed their chairs. One (1) member of the public was present in Council Chambers.

200708/157 Council Decision/Officer's Recommendation

Moved: Cr G D Bussell

Seconded: Cr A A Carter

That the meeting be adjourned for five (5) minutes.

7:08 pm Mayor advised that the meeting is resumed.

12.1.2 Environmental Protection Authority Report and Recommendations – Spinifex Ridge Molybdenum Project (Assessment) No 1657 Moly Metals Australia Pty

Officer Darryal Eastwell
Manager Environmental
Health Services

Date of Report 21 April 2008

Disclosure of Interest by Officer Nil

Summary

On 14 April 2008 the Town received an email report with recommendations from the Environmental Protection Authority (EPA) for Moly Metals Australia proposal to develop an open pit mine 50 km north east of Marble Bar (Shire of east Pilbara) and 200 km south east of Port Hedland within the boundaries of the Yarrie pastoral lease.

Moly Metals Limited propose to develop an open pit mine and process 20 million tonnes per annum (Mtpa) of ore to produce 23,000 tonnes per annum (tpa) of molybdenum concentrate and 48,000 tpa of copper concentrate.

There is a 14 day appeal period commencing from the 14th April 2008 during which the Minister for the Environment accepts appeals against the EPA's report & recommendations.

Background

Molybdenum is used as an alloying agent in steel, cast iron and super alloys to enhance hardness, strength, toughness and corrosion resistance. The ability of molybdenum to withstand extreme temperatures without significantly expanding or softening makes it useful in applications that involve intense heat.

The proposal was referred to the EPA in October 2006 and the Level of Assessment was set at Public Environmental review (PER). At this level of assessment the proposal is of local or regional significance that raise a number of significant environmental factors.

Some of key environmental factors & principles are as follows:-

- a) groundwater and subterranean fauna;
- b) surface water and drainage;
- c) terrestrial fauna management;
- d) closure & rehabilitation and
- e) amenity values.

Consultation

The EPA has submitted a copy of the full report addressing the above factors, including advice, recommendations and conditions of approval that will go to the Minister for the Environment for approval. This report is available for Councillor perusal.

Statutory Implications

The Environmental Protection Act requires that no decision should be made to allow or action taken to implement this proposal until the Minister for the Environment has authorised implementation or otherwise. Before the proposal can be implemented, it is necessary for the Minister to issue a statement that it may be implemented and an authority that final decisions may be made.

Policy Implications Nil

Strategic Planning Implications

Traffic movements to the Port.

Budget Implications Nil

Officer's Comment

The proposed mine site is located in the Shire of East Pilbara and the main effect to the Town will be the extra traffic movements to the Port which is not addressed in the report.

Separate information has been sought from Moly Metals Limited and the town has been advised as follows.

The molybdenum concentrates will be transported in drums or flexible intermediate bulk containers (bulk bags) within shipping containers. At full production, approximately 32 loaded trucks per month carrying molybdenum concentrate will travel to the designated port.

The copper concentrate will be trucked as a bulk product to Port Hedland for export shipping. At full production, approximately 40 loaded trucks per month of copper concentrate will travel to Port Hedland.

While these figures by themselves are relatively small the cumulative effect of these activities and other proposed mining activities will add to road congestion of arterial roads in the town and the Port area.

Officer's Recommendation

That Council advise the Environmental Protection Authority that while the Town of Port Hedland is supportive of Moly Mines Molybdenum Project, it remains concerned with the cumulative impact that proposals such as this one have on road congestion within the town. Until such time that road infrastructure/networks are upgraded, it is recommended that road curfews be placed on trucking movements to manage congestion at peak times.

200708/158 Council Decision**Moved:** Cr G D Bussell**Seconded:** Cr S J Coates

That Council advise the Environmental Protection Authority that the Town of Port Hedland objects the conditions set by the EPA on the Public Environmental Review (PER) for Moly Mines Molybdenum Project, on the following grounds:

- i) Council remains concerned with the cumulative impact that proposals such as this one have on road congestion within the town. Until such time that road infrastructure/networks are upgraded, it is recommended that road curfews be placed on trucking movements to manage congestion at peak times.**
- ii) As presented the PER conditions are inadequate to protect the environmental and amenity value of Coppins Gap.**

CARRIED 5/0

REASON: Council resolved to advise the Environmental Protection Authority of its objection to the condition set by the EPA, specifically seeking road curfews to be placed on trucking movements during peak times, and the protection of Coppins Gap.

12.2 Governance and Administration**12.2.1 Audit and Finance Committee – Audit Tender (File No.:)**

Officer	Matthew Scott Director Corporate Services
Date of Report	23 April 2008
Disclosure of Interest by Officer	Nil

Summary

For the Council to consider the Audit and Finance Committee's recommendation to appoint Mr David Tomasi and Mr Greg Godwin from UHY Haines Norton as Council's Auditors for the next three (3) years.

Background

Council's audit contract with UHY Haines Norton concluded after receiving the Audit Report for the 2006/07 Annual Financial Statements. Given that the Town of Port Hedland, Shire of Roebourne and the Pilbara Regional Council came out of contract at the same time, it was decided to advertise a 3 year joint Tender for the three Councils, in an attempt to capitalise on a larger economy of scale such a tender may produce.

At the close of tenders, tenders were received from:

1. UHY Haines Norton
2. WHK Howarths

The Tender selection criteria was based on the following components:

Component	Weighting
Demostrated Experience	35%
Audit Approach & Methodology	25%
Price	40%

A selection panel, representing the three Councils, consisting of:

- Director Corporate Services, TOPH, Matthew Scott
- Executive Manager Corporate Services, SOR, Mark Jones
- Executive Officer, PRC, Adrian Ellson

reviewed the tenders on the 17 April 2008, and agreed on the following overall evaluation scores.

Component	UHY Haines Norton	WHK Howarths
Demonstrated Experience	28%	24.5%
Audit Approach & Methodology	20%	20%
Price	40%	36%
Total	88%	80.5%

From a purely price perceptive the tenders quoted the following costs (ex GST) for the Town of Port Hedland for the next 3 years.

Year	UHY Haines Norton	WHK Howarths	WHK Howarths with discount*
2007/08	\$18,500	\$20,000	\$18,750
2008/09	\$19,000	\$22,000	\$20,500
2009/10	\$20,500	\$24,000	\$22,500
Total	\$58,000	\$66,000	\$61,750

*Discount only available if all 3 Councils contracted with Audit Firm.

At the Audit And Finance Committee held on the 21 April 2008, the Audit and Finance Committee resolved to recommend the appointment of the Audit Partners from UHY Haines Norton, Mr David Tomasi and Mr Greg Godwin to Council.

Consultation

As previously reported, Executive Officers from all three (3) Councils were involved in the tender development and evaluation.

Statutory Implications

Local Government Act 1995

“7.3. Appointment of auditors

(1) *A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint* a person, on the recommendation of the audit committee, to be its auditor.*

** Absolute majority required.*

(2) *The local government may appoint one or more persons as its auditor.*

(3) *The local government's auditor is to be a person who is $\frac{3}{4}$*

(a) a registered company auditor; or

(b) an approved auditor. “

Strategic Planning Implications Nil

Budget Implications

Should Council award the audit contract to UHY Haines Norton, Council will need to commit the following budgets over the next years.

Year	Minimum Budget
2007/08	\$18,500
2008/09	\$19,000
2009/10	\$20,500
Total	\$58,000

Officer's Comment

The Statutory function of the Audit and Finance Committee is to recommend the appointment of an Auditor to Council. Given that there is now effectively only 2 months remaining in the current Financial Year, it is imperative that the Council appoint a Auditor (or auditors), so to commence the interim audit process.

Both Audit tenders were closely matched in all 3 Selection Criteria however UHY Haines Norton was considered the stronger tender based on price and the additional services provided. At the conclusion of the tender evaluation the evaluation panel decided to recommend the appointment of UHY Haines Norton to each respective Audit Committee. Given that Council has previously used UHY Haines Norton, the Town of Port Hedland has an advantage, as there will not be a need for UHY Haines Norton to spend time exploring past financial history or financial management practices and processes.

200708/159 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G D Bussell

That Council:

- i) **acknowledges the Audit and Finance Committees recommendation to appoint Mr David Tomasi and Mr Greg Godwin, of UHY Haines Norton as Council's Co-auditors; and**
- ii) **appoints Mr David Tomasi and Mr Greg Godwin, of UHY Haines Norton as the Council's Co-Auditors for the next three (3) years); and**
- iii) **accepts the Audit Fees and Charges for the next three (3) successive audits as detailed in UHY Haines Norton Audit tender document G05-07/08.**

CARRIED BY ABSOLUTE MAJORITY 5/0

12.2.2 Audit and Finance Committee - Investment Policy

Officer Matthew Scott
Director Corporate Services

Date of Report 23 April 2008

Disclosure of Interest by Officer Nil

Summary

For Council to reconsider the proposed Investment Policy

Background

At the March Ordinary meeting of Council, Council resolved to:

“That the 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.”

The proposed policy was reconsidered by the Audit and Finance Committee on the 21 April 2008, and despite some minor modifications, resolved to recommend the policy to Council for adoption.

Consultation Nil

Statutory Implications

Local Government Act 1995

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

Strategic Planning Implications Nil

Budget Implications Nil

Officer’s Comment

The Audit and Finance Committee made three minor changes to the proposed policy being:

1. Under “Objectives”, the words “While exercising the power to invest consideration is to be given to:” to “The minimum requirements of the policy is:”;
2. Removal of Managed Funds from the medium term investment options; and
3. Individually detailing each investment in reporting requirements;

Apart from this minor change the Committee resolved to recommend the policy to Council for adoption.

200708/160 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr G D Bussell

That Council replaces the existing Policy 2/014 'Investment Policy' with the new Policy 2/014 'Investment Policy' recommended by the Audit and Finance Committee at its meeting held on Monday 21 April 2008, 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. The minimum requirements of this policy are:

- **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	No	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 for each individual investment. 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%

“

CARRIED BY ABSOLUTE MAJORITY 5/0

ATTACHMENT TO AGENDA ITEM 12.2.2

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:~~The minimum requirements of this policy are:

- 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 recognized 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 No	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 for each individual investment. 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%

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil

ITEM 14 CONFIDENTIAL ITEMS

Nil

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

200708/161 Council Decision

Moved: Cr G D Bussell

Seconded: Cr A A Carter

That the following Application for Leave of Absence:

. **Councillor J E Ford from 12-26 May 2008 inclusive;**

be approved.

CARRIED 5/0

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 28 May 2008, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 7:30 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 28 May 2008.

CONFIRMATION:

MAYOR

DATE