



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING

OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 24 SEPTEMBER 2008

AT 5.30 PM

IN COUNCIL CHAMBERS

McGREGOR STREET, PORT HEDLAND

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*Matthew Scott
Acting Chief Executive Officer*

OUR COMMITMENT

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

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ITEM 1 OPENING OF MEETING**1.1 Opening**

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

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

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

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

Members of Public 5

Members of the Media 1

2.2 Apologies

Cr A A Gear

2.3 Approved Leave of Absence

Nil.

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

Nil.

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

Nil.

ITEM 4 PUBLIC TIME**4.1 Public Questions**

5:32 pm Mayor opened Public Question Time.

NOTE: Mayor advised of a letter received today from the South Hedland Owners and Trainers Association (SHOATA) with questions relating to Agenda Item 11.4.1.2 'Request for 100% Rate Concession for Property: Lot 5164 Shoata Road, South Hedland Leased by South Hedland Owners and Trainers Association'; which questions whether SHOATA should pay rates or not, and advised that Officer's have prepared an Alternate Officer's Recommendation for Council when it considers the item in tonight's business papers.

5:32 pm Mayor closed Public Question Time.

4.2 Public Statements

5:32 pm Mayor opened Public Statement Time.

Nil.

5:32 pm Mayor closed Public Statement Time.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE**5.1 *Councillor Grant Bussell***

In relation to the Mayor's advice that questions from members without notice are to relate to matters in tonight's Agenda, have Council's Standing Orders changed?

Mayor advised no.

Has the Pretty Pool Development Plan been advertised yet?

Chief Executive Officer advised no. The Pretty Pool Development Plan will be advertised when it has been revised based on Council's requirements in relation to public access.

Can we have an Aboriginal Affairs Working Group Meeting in Yandeyarra?

Chief Executive Officer advised yes.

What is the status of the water at Yandeyarra being contaminated with uranium?

Chief Executive Officer advised Council that advice received from the Department of Housing and Works, and the Department of Health is that the issue of elevated levels of uranium in water at Yandeyarra has been resolved

In addition to emails and Outlook Meeting Requests, could Councillors receive a courtesy phone call from staff to advise when Working Group Meetings are on?

Chief Executive Officer advised this request will be discussed at the weekly communication meeting held with the Mayor and Deputy Mayor, and a summary of that meeting will be circulated to Councillors on Friday,

Can Councillors be provided with the fuel consumption details of the 'green' truck?

Chief Executive Officer advised this matter will be discussed at the weekly communication meeting held with the Mayor and Deputy Mayor, and a summary of that meeting will be circulated to Councillors on Friday,

What is the status of solar street lighting at the Port Hedland International Airport?

Chief Executive Officer advised this matter will be discussed at the weekly communication meeting held with the Mayor and Deputy Mayor this Friday, and a summary of that meeting will be circulated to Councillors.

The release of South Hedland Town Centre Development Plan is due by Easter – what is the status of this?

Chief Executive Officer advised that the Town has engaged the services of a structural planner for the civil works designs. This is expected in the very near future.

Why is the process so slow?

Chief Executive Officer advised there is no funding allocation made by the State Government to undertake the works.

5.2 Councillor Kelly Howlett

How successful is the Cyclone Cleanup? Are residents complying with the Town's request for green material only?

Director Engineering Services estimated 99% of residents are adhering to the Town's request for green material only, by the time specified.

Is the material being used for mulching?

Director Engineering Services confirmed yes.

Can the Mayor write to the Hon. Colin Barnett, MEd MLA, Premier of Western Australia to express Council's congratulations to him on his appointment and invite him to meet with Council to discuss priorities for the Town?

Mayor confirmed yes.

Can the Mayor also write to LandCorp to congratulate them on the Wedgefield Survey, and request that a copy of the results be provided to Council?

Mayor confirmed yes.

5.3 Councillor Steve Coates

Will the petition received by Council relating to availability of Taxi bays, be considered tonight?

Chief Executive Officer advised that the petition has been included in Item 10 of tonight's Agenda, and Council is required to note the petition or make a decision.

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, excepting the late items.

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

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

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

200809/053 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 27 August 2008 be confirmed as a true and correct record of proceedings.

CARRIED 8/0

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

Mayor advised that the Chief Executive Officer, Manager Planning Services and himself presented the Land Use Master Plan (LUMP) to the Western Australian Planning Commission (WAPC) on Tuesday 23 September 2008. The Plan was received and accepted by the Commission.

Mayor added the Chairman of the Commission commended the Town on the Plan and is recommending other Councils to follow the Town of Port Hedland's lead in its planning process including consultation undertaken to develop the plan.

Mayor conveyed congratulations to all Councillors, staff and community members involved in the development of the Land Use Master Plan.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION**9.1 *Councillor Arnold Carter***

Councillor Carter attended the concert on the final day of the Pilbara Music Festival, which was a very successful event. He congratulated those members of the Committee and volunteers in organising another wonderful festival.

9.2 *Councillor Jan Gillingham*

Councillor Gillingham conveyed a message of thanks from one of the adjudicators at the Pilbara Music Festival recently; who commended the community on being so friendly and welcoming during his stay.

9.3 *Councillor Kelly Howlett*

Councillor Howlett advised Councillors that Turtle Nesting season commencing soon, and asked elected members to assist by distributing information throughout the community in relation to four-wheel vehicles not being permitted on Pretty Pool beach and Cemetery Beach; and also fox trapping that will be occurring in Pretty Pool next week.

Councillors Arnold Carter and Kelly Howlett recently accompanied the judges of the Tidy Town's competition. The Port Hedland Tidy Town's Committee is now eagerly awaiting the results of the judging and is also undertaking a litter colouring in competition.

Councillor Howlett recently attended the South Hedland Primary School's Business and Community Open Day, and the Hedland Youth Leadership Council's meeting which is developing from strength to strength.

Councillor Howlett invited elected members to the Port Hedland Visitor Centre's Annual General Meeting.

9.4 *Councillor Steve Coates*

Councillor Coates provided feedback to Council on the afternoon of multi sports event recently held at the South Hedland Bowling and Tennis Club to raise funds for the family of the late Mr Andrew McLaughlin. To date funds raised are in excess of \$50,000, of which BHP Billiton have pledged to match. A fully audited report will be included in the North West Telegraph in the coming weeks.

9.5 *Councillor Jan Ford*

Councillor Ford congratulated Councillors and the community on the acceptance of the Town's Land Use Master Plan by the Western Australian Planning Commission. Councillor Ford advised the need to keep visiting and reviewing the Land Use Master Plan which was commenced in 2006; and the Hedland Future Today Blueprint commenced in 2007.

ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS

10.1 *2008/09 Rates Incentive Draw*

Mr David Sutcliffe, Business Banking Manager of the National Australia Bank conducted the Rates Incentive Draw for those ratepayers who paid in full by the due date and entered the draw. The winners were:

- 1st Prize - Mr Michael Ziegelaar received a cheque for \$1,000 sponsored by the National Australia Bank.
- 2nd Prize – Mrs Maria Bastian won a six month membership pass which was donated by the Edge Health and Fitness Centre.
- 3rd Prize – Mr Laxmidhar Sahu won \$500 donated by the Town of Port Hedland.
- 4th Prize – Mr Douglas Livingstone won a digital camera sponsored by Harvey Norman.
- 5th Prize – Mr Yooi Keet Lum won a dinner for four at the All Seasons Hotel.

10.2 *Petition : Parking in Wedge Street Port Hedland for Taxis*

“We the undersigned, are writing to you concerning the parking in Wedge Street, Port Hedland for TAXI’s. We are requesting 2 or 3 taxi bays outside the Commonwealth and ANZ Banks and 2 set down and pick up points.

The reason being that most of our customers are Pensioners (elderly). We are losing a lot of money because if we can’t watch our customers they disappear without paying. Some drivers have been issued tickets for parking and dropping off in inappropriate areas.

We could also like Taxi bays at Coles, Boulevard and more at the Airport and that these bays be regularly policed. Please consider this application at your earliest convenience.”

200809/054 Council Decision**Moved:** Cr A A Carter**Seconded:** Cr J E Ford**That Council:**

- i) notes the following Petition received in relation to parking for Taxis:

“We the undersigned, are writing to you concerning the parking in Wedge Street, Port Hedland for TAXI’s. We are requesting 2 or 3 taxi bays outside the Commonwealth and ANZ Banks and 2 set down and pick up points.

The reason being that most of our customers are Pensioners (elderly). We are losing a lot of money because if we can’t watch our customers they disappear without paying. Some drivers have been issued tickets for parking and dropping off in inappropriate areas.

We could also like Taxi bays at Coles, Boulevard and more at the Airport and that these bays be regularly policed. Please consider this application at your earliest convenience.”

and

- ii) a report on the matter and actions being taken be presented to Council at its Ordinary Meeting to be held in October 2008.

CARRIED 8/0

The CEO
Port Hedland Shire
PORT HEDLAND 6721

TBR
13 Tms
A P
W

Dear Sir,

We the undersigned, are writing to you concerning the parking in Wedge Street Port Hedland for TAXI'S. We are requesting 2 or 3 taxi bays outside the Commonwealth and ANZ Banks and 2 set down and pick up points,

The reason being that most of our customers are Pensioners (elderly). We are loosing a lot of money because if we can't watch our customers they disappear without paying.

Some drivers have been issued ticket's for parking and dropping off in inappropriate areas.

We would also like Taxi's bays at Coles, Boulevard and more at the Airport and that these bays be regularly policed.

Please consider this application at your earliest convenience.

Carlindie Cabs
19 Lawson St
South Hedland
91401313

South Hedland Taxi's
Pinnacle St
Wedgefield
91731010

JUBICA SPOLJARIC

[Signature]

Sue BARLOW

A. Gordon

Lisa WILSON

MARIN

[Signature]

BARRY MASON

[Signature]

MARILYN 2008/3/1

[Signature]

MIT

Claudio Tolott [Signature]

ANDY ALEXANDER

[Signature]

MOHAMMAD BEZZI

[Signature]

Charles ZOCHBI

[Signature]

MITCH MILANOVIC

Milo

TODOR DANILOV

[Signature]

ITEM 11 REPORTS OF OFFICERS

11.1 Governance

11.1.1 *Status of Council Decisions (File No.: 13/06/0001)*

Officer Gaye Stephens
Executive Assistant

Date of Report 2 September 2008

Disclosure of Interest by Officer Nil

Summary

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

Background

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

Officers Comments

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

Statutory Implications

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

- “2.7. The role of the council*
- (1) The council –*
 - (a) directs and controls the local government's affairs; and*
 - (b) is responsible for the performance of the local government's functions.*
 - (2) Without limiting subsection (1), the council is to –*
 - (a) oversee the allocation of the local government's finances and resources; and*
 - (b) determine the local government's policies.”*

Policy Implications Nil

Strategic Planning Implications

KRA 6 – Governance
Goal 6 – Systems Development

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

Budget Implications

Nil

200809/055 Council Decision/ Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G D Bussell

That the 'Status of Council Resolutions' Report as presented to the Council's Ordinary Meeting held on 24 September 2008 be received.

CARRIED 8/0

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. Awaiting mulch for completion.	
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 08/09 budget appr. \$150K. Pending re: decision to relocate Museum.	Nov 2008
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. Val. received. Dft lease with BP Air. Waiting on sign off	
Ordinary Meeting held 26 September 2007				
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 July 08 OCM	S'CEDED/ COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.3.4	Tender 06/48 Sewerage Upgrade Port Hedland Airport	200708/030 Council Decision That Council: i) note that no tenders were received during the advertised submission period for the supply and/or installation of the sewerage upgrade infrastructure at Port Hedland International Airport; and ii) authorise the Chief Executive Officer and Airport Manager to enter negotiations with suitably qualified companies for the supply and/or installation of the sewerage upgrade infrastructure as specified in the technical specifications prepared by Connell Wagner Pty Ltd, within Council's existing budget estimate of \$200,000.	RESPONSIBLE OFFICER: Airport Manager	COMPLETED
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 on hold pending comp. of check'd bag. to obtain true cost recovery. DOTARS advised nformally. Formal advice (DOTARS & Qantas) pending bus. plan	
Special Meeting held 16 October 2007				
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. Pending.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
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: Chief Executive Officer Updated. To be presented to Nov Informal Briefing.	
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 due to project delays.	End of September 2008
Ordinary Meeting held 28 November 2007				
11.2.2.7	Proposed Final Adoption of the TPS No. 5 Amend't No. 11	200708/083 Council Decision/Officer's Recommendation That: i) Council direct the Chief Executive Officer, or his nominated representative, to negotiate with the applicant to construct a maximum of thirteen (13) car parking bays in the Byass Street Road reserve in accordance with Drawing No. 0707-C-004/B, pursuant to Policy 12/002; ...	RESPONSIBLE OFFICER: Planning Officer Completed part 3 ii and iii of resolution. Awaiting determination of SA prior to negotiating. Pending.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
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	S'SCEDED/ COMPLETED
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 Valuation rec'd 17.09.08. Advertising to occur and sign off.	
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 PO raised for Gazette for advertising.	S'SCEDED/ COMPLETED
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.	S'SCEDED/ COMPLETED
Ordinary Meeting held 12 December 2007				

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
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 Report to July 08 OCM	SUCCEEDED/ COMPLETED
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.	COMPLETED
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: Manager Planning	
Ordinary Meeting held 23 January 2008				
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 Report to May 08 OCM	COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
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 Infrastructure Development. 08/09 program commenced.	COMPLETED
11.3.2.1	Tender 06/59: Supply & Instal. of Baseball Back Net Structure at Marie Marland Res.	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 Report to OCM April 2008	S SUCCEEDED/ COMPLETED
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	COMPLETED
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.	COMPLETED
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 Survey received. Awaiting valuation.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
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	S'SCEDED/ COMPLE.
Ordinary Meeting held 28 February 2008				
10.1		200708/167 Council Decision That the following petition: "I would like to see recycling of glass, aluminium and plastics commenced in Port (and South) Hedland:" be noted and the Mayor respond to Ms Lisa Norman who submitted the signed petition on behalf of Council advising that Council agrees in principle.	RESPONSIBLE OFFICER: Executive Assistant	
11.2.2.2	App. for Retros.Plan. 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.	COMPLETED
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 Response pending.	
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 Response pending.	

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	COMPLETED
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.	
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	COMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
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. ii) Advises the applicant: ...	RESPONSIBLE OFFICER: Manager Planning Processing. Waiting on information from Applicant.	December 2008
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	COMPLETE
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	S/SCEDED/ COMPLETED
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	December 2008

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.1.2	Tender 06/64 : Supply and Delivery of One (1) Track Excavator & Att.	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	COMPLETE
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	COMPLETED
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	COMPLETE
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 Contractor commissioned (Wild Terrain Designs). Shade to be completed Oct 08..	October 2008

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
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.	COMPLETE
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	COMPLETE
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	S'CEDED/ COMPL.
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	S'CEDED/ COMPL.
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	COMPL.
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 Awaiting survey and valuation.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
Ordinary Meeting held 23 April 2008				
11.2.1.3	Town Entry Statement – Artwork EOI	200708/131 Council Decision/Officer’s Recommendation 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.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	S’CEDED/ COMPLETED
11.2.1.4	Port Hedland Visitor Centre Funding Agreement	200708/132 Council Decision/Officer’s Recommendation 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.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	S’CEDED.
11.2.1.4	Sponsorship Request – Port Hedland Speedway Club	200708/133 Council Decision/Officer’s Recommendation That Council: i) provide \$15,000 sponsorship to the Port Hedland Speedway Club to host the ‘Winged Thunder Tour’ on the proviso that: ... ii) make provision for the expenditure when undertaking the next quarterly budget review.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	COMPLETED
11.2.2.2	Request for Extension of Temporary Builder’s Yard at Lot 1331 (21) Tinder St, PH	200708/134 Council Decision/Officer’s Recommendation 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.	RESPONSIBLE OFFICER: Planning Officer	COMPLETED
11.2.2.3	Proposed Boundary Fencing at Lot 18 (32) Centennial Loop, SH	200708/135 Council Decision/Officer’s Recommendation 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: ... ii) Council advise the applicant that it is prepared to consider an application to either: ...	RESPONSIBLE OFFICER: Planning Officer	COMPLETED
11.2.2.4	Prop. to Relinquish Res. 34591 (Lot 5859 Schillaman St) for use as Transp. Dep.	200708/136 Council Decision/Officer’s Recommendation 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.	RESPONSIBLE OFFICER: Planning Officer	COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.3.1	Replacement of MDCC Film Make-up Table & Film Projector Lens	200708/137 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Manager Community & Economic Dev. i) installed Oct – arrives PH 28.09.08	
11.2.3.2	Policy Amendment for StarSearch Event	200708/138 Council Decision/Officer's Recommendation That Policy 7/001 "Culture – Matt Dann Cultural Centre" and Policy 7/003 "Community Cultural Celebrations and Events" are amended to read as follows: ... to include staffing at no cost.	RESPONSIBLE OFFICER: Manager Community & Economic Dev.	COMPL.
11.3.1.2	Green Waste Management	200708/140 Council Decision/Officer's Recommendation That Council receives the Green Waste Management Report dated 9th April 2008.	RESPONSIBLE OFFICER: Director Engineering Services	COMPL.
11.3.2.1	Arts & Cultural Precinct – Palm Tree Report	200708/141 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Manager Technical Services	COMPL.
11.3.3.2	Rodeo Road Construction	200708/142 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Manager Technical Services	COMPL.
11.3.2.3	Amendments to Council Policy 9-008 Verge Treatments	200708/143 Council Decision/Officer's Recommendation 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: ... 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: ...	RESPONSIBLE OFFICER: Manager Technical Services	COMPLETE
11.3.3.1	Airport Bar and Café Operation – Financial and Operating Report	200708/144 Council Decision 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.	RESPONSIBLE OFFICER: Airport Manager Ongoing. Financial report to Oct 08 OCM	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.3.2	Additional Airport Café and Bar Liquor Licence	200708/145 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Airport Manager	COMPL.
11.3.3.3	Checked Baggage Screening Implementation: PHIA	200708/146 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Airport Manager Ongoing	
11.3.3.4	Qantas Airways Waiver of Fees	200708/147 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Airport Manager	COMPLETE
11.4.1.2	Requests to Write-off various monies on Non-rateable properties, Dead-Tenements ..	200708/149 Council Decision/Officer's Recommendation That Council approves the request to write-off the incorrect levies listed on the various assessments as summarised below.	RESPONSIBLE OFFICER: Senior Rates Officer	COMPLETE
11.4.1.3	Reserve and Foreshore Amendment Local Law 2008	200708/150 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Director Corporate Services Awaiting advice from Gov. Gazette that amend. has been advertised.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.2.1	Cinema - Development Options	200708/151 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Chief Executive Officer	COMPLETE
11.4.2.2	Staff Housing Plan Imp.	200708/152 Council Decision/ Staff Housing Working Group/ Officer's Recommendation 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.	RESPONSIBLE OFFICER: Chief Executive Officer i), ii), iii) complete. iv) and v) ongoing	
11.4.2.3	Strategic Plan 2007-2012 – Final Qly Review Update Report	200708/153 Council Decision/Officer's Recommendation That Council notes the final quarterly review of the 2007-2012 Town of Port Hedland Strategic Plan.	RESPONSIBLE OFFICER: Executive Assistant	COMPLETE
12.1.1	EPA- Level of Assessment – Fortescue Metals Group Ltd (FMGL) - Port Facility Upgrade -	200708/154 Council Decision/Officer's Recommendation 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.	RESPONSIBLE OFFICER: Manager Environmental Health Services Assistant	COMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
12.1.2	EPA Report & Recom. – Spinifex Ridge Molybdenum Project Moly Metals Aust.	200708/158 Council Decision 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.	RESPONSIBLE OFFICER: Manager Environmental Health Services Assistant	COMPLETE
12.2.1	Audit and Finance Committee – Audit Tender	200708/159 Council Decision/Officer’s Recommendation 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.	RESPONSIBLE OFFICER: Director Corporate Services	COMPLETE
12.2.2	Audit and Finance Committee - Investment Policy	200708/160 Council Decision/Officer’s Recommendation 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:	RESPONSIBLE OFFICER: Director Corporate Services	COMPL.
Ordinary Meeting held 28 May 2008				
10.1	Petition – SH Town Centre Development Plan	200708/163 Council Decision That Council: i) receives the tabled petition signed by 97 residents as follows: “We, the people of Port Hedland, petition the Town Council, Landcorp, and the Minister for Planning and Infrastructure, to ensure that the footpath between Daylesford St, and the South Hedland Town Centre is kept as the most direct route from Koombana to the Towncentre, and not rerouted around the swimming pool to make way for commercial development.”; and ii) gives regards to the petition when it considers late Agenda Item 12.1.2 ‘Proposed Final Adoption of the South Hedland Town Centre Development Plan’ in tonight’s Agenda.		COMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.1.3	Prop. Office, Weighbridge, Caretaker's Dwelling, Equipment Shed, Bore Water Tanks and Site Works at Lot 842 GNH PH	200708/166 Council Decision That Planning Consent be REFUSED to Process Minerals International Pty Ltd for the construction of a STORAGE FACILITY/DEPOT/LAYDOWN FACILITY – Stage 1 and 2, and including an Incidental SINGLE HOUSE at Lot 842 Great Northern Highway Port Hedland as outlined in the Application received 9 November 2007 (Applications 2007/368 and 2007/369) and indicated on the approved plans, subject to the conditions advised Jan 2008, as follows: 1. The Town of Port Hedland does not object to the stockpiling of manganese ore on lot 842 subject to: ... 2. The applicant will landscape the street frontage to lot 842. 3. All ore stockpiles are to be relocated to land at the new bulk cargo jetty at Finucane Island when the Port Authority makes appropriate land available. 4. Should the Port Authority not make appropriate land available within 3 years, the applicant will seek an alternative acceptable stockpiling site.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	S'SCEDED/ COMPLETE
11.2.2.1	Proposed Carpark in Keesing St Road Reserve	200708/167 Council Decision/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: ...	RESPONSIBLE OFFICER: Planning Officer	COMPL.
11.2.2.2	Prop. W'house Add. Lot 105 (65) Redbank Rd, Redbank	200708/168 Council Decision/Officer's Recommendation The Chief Executive Officer or his nominated officer assess the application for Planning Consent for the construction of outbuilding from Goldman Constructions Pty Ltd, on behalf of the owners, Mr Mark Vrancic and Lisa Jones of Lot 105 (65) Redbank Road, Redbank (Application Number 2008/73) on the understanding that it is appurtenant and incidental to the residence on the Lot.	RESPONSIBLE OFFICER: Manager Planning	COMPL.
11.2.2.4	Prop. Adoption of Pretty Pool Revised Dev. Plan & Associated TPS Amendment	200708/169 Council Decision That Council: i) Initiate a Town Planning Scheme Amendment to the Town of Port Hedland Town Planning Scheme No. 5 by: ... ii) adopt the Pretty Pool Revised Development Plan received 28 April 2008 for the purpose of advertising in association with the Town Planning Scheme Amendment referred to in Part I of this resolution; iii) advise the applicant accordingly and request that the applicant prepare the formal amendment documentation to enable referral to the Environmental Protection Authority; and iv) it is Council's preference that a public thoroughfare be included between the public reserve and the development site."	RESPONSIBLE OFFICER: Manager Planning	December 2008
11.2.3.1	Authorisation of Dog Registration Officers – Dog Act 1976	200708/170 Council Decision/Officer's Recommendation That: i) the following staff members be authorised as Dog Registration Officers for the Town of Port Hedland pursuant to the Dog Act 1976: ... ii) Piers Kelly authorisation as a Dog Registration Officer be cancelled.	RESPONSIBLE OFFICER: Co-ordinator Ranger Services	COMPL.
11.2.3.2	Authorisation of Coord. of Ranger Services	200708/171 Council Decision/ Amended Officer's Recommendation That Mr Victor Birt and Mr Brendon Lions be authorised or appointed as appropriate, pursuant to the following provisions: ...	RESPONSIBLE OFFICER: Co-ordinator Ranger Services	COMPL.

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.1.2	PHIA Transient Workers Accommodation Village	200708/173 Council Decision/Officer's Recommendation That Council: i) advise the Compass Group (Australia) Pty Ltd that they are the preferred tenderer for Tender 08/01 Transient Workforce Accommodation Village; ii) authorise the Chief Executive Officer or his nominated officer to negotiate with Compass Group in relation to the areas of non-conformance; and iii) receive a further report on leasing arrangements once negotiations/discussions have progressed.	RESPONSIBLE OFFICER: Director Engineering Services i) Complete ii) Ongoing iii) Awaiting Lease	
11.3.1.3	Pilbara Regional Waste Management Plan	200708/174 Council Decision/Officer's Recommendation That: i) Council commits to providing \$25,000 per annum for four (4) years, towards the costs of engaging a Regional Waste Management Co-ordinator; and ii) the Director Engineering Services be nominated as Council's representative on the Officer to sit on the Pilbara Regional Council's Regional Waste Management Steering Group.	RESPONSIBLE OFFICER: Director Engineering Services	COMPL.
11.3.2.1	Construction of Sutherland Street Verge Nodes	200708/175 Council Decision/Officer's Recommendation That Council: i) rejects all tenders received for Tender 06/63 Construction of Sutherland Street Verge Nodes; and ii) authorises Council staff to undertake the construction of Sutherland street verge nodes utilising both Town of Port Hedland staff and various contractors in accordance with Council's procurement policy, at a cost of no greater than \$300,000 (plus gst).	RESPONSIBLE OFFICER: Manager Technical Services Programmed.	
11.3.3.1	Walk It Hedland Project	200708/176 Council Decision/Officer's Recommendation That Council: i) create an income and expenditure account for the amount of \$24,800(excl. GST) for the 'Walk It Hedland' Project; and, ii) authorises the Mayor and Chief Executive Officer to sign the Healthway's Grant Funding Agreement for the 'Walk It Hedland' Project for \$17,900 (excl gst); and the Town of Port Hedland Common Seal to be affixed.	RESPONSIBLE OFFICER: Sports & Recreation Officer	COMPL.
11.3.3.2	Recreation Reserves Redev. Community Feedback	200708/177 Council Decision That Council advises ROSS Planning that: i) with regards to Colin Matheson Oval: ... ii) the following matters with regards to McGregor Street Sporting Reserves lay on the table for further consideration by Council at its Ordinary Council Meeting to be held in July 2008: ...	RESPONSIBLE OFFICER: Manager Recreation Services	COMPL.
11.3.3.3	Tender 06/66: Design of the Multi-Purpose Recreation Centre	200708/178 Council Decision That Council: i) awards Tender 06/66: Design of the Multi-Purpose Recreation Facility to ARM for the lump sum cost of \$1,474,010, with \$200,000 utilised from this financial year; and ii) approves the additional commitment of funds for the amount of \$1,275,010 in the 2008/09 budget using BHP Billiton/Town of Port Hedland Sustainability Partnership Funds; iii) advise the designers that the Multi-Purpose Recreation Facility be located in, and facing Hamilton Road in a suitable location in that vicinity; and iv) appoint an accountant be engaged to advise some forecast operating costs.	RESPONSIBLE OFFICER: Manager Recreation Services Completed. Project underway.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.3.4	McGregor Street Reserve Toilets	200708/179 Council Decision/Officer's Recommendation That Council: i) research the security measures necessary to convert the toilets at McGregor Street Reserve into public access toilets; ii) liaise with current seasonal users of the reserve to determine their requirements; iii) convert the toilets into semi-permanent access toilets, which are to be open during the day and closed at night, using funds from the Town of Port Hedland/BHP Billiton Sports Facility Upgrade Program.	RESPONSIBLE OFFICER: Manager Recreation Services	COMPLETED
11.3.3.5	Hawks Rugby Club Rooms	200708/180 Council Decision/Officer's Recommendation That Council: i) resolves that providing alternative and temporary clubroom facilities for the users of the McGregor Street Sporting Reserves is the most appropriate action; ii) researches options for the hire or purchase of a suitable transportable building based on standard procurement policies; iii) negotiates with seasonal users of the reserve for contributions towards the installation of this temporary clubroom, and determine the provisions of Council; and, iv) undertakes a final assessment of the existing shed at the McGregor Street Reserve from a historical viewpoint to determine if the shed can be demolished or removed, and present this information to Council for a decision.	RESPONSIBLE OFFICER: Manager Recreation Services Ongoing.	
11.2.2.3	Extractive Ind. – Add.of Incidental Admin. W'shop & W'house to Lot 46 FI	200708/185 Council Decision/Officer's Recommendation That Agenda Item 11.2.2.3 'Extractive Industry – Addition of Incidental Administration, Workshop and Warehouse to lot 46 (46) Finucane Island' lay on table pending legal advice being received by Councillors, relating to the requirement for constituents of a State Agreement to apply to Council for planning and building approvals for developments on land bound by a State Agreement, prior to consideration of the matter at Council's Ordinary Council Meeting to be held in June 2008.	RESPONSIBLE OFFICER: Manager Planning Services	SUCCEEDED/ COMPL.
11.4.1.2	2008/09 Rates in the Dollar and Minimum Rates	200708/186 Council Decision/Officer's Recommendation That Council: i) adopts the following 2008/09 Rates in the Dollar and Minimum rates, and advertises in accordance with section 6.36 of the Local Government Act 1995: ... ii) applies to the Minister of Local Government and Regional Develop to approve Council in imposing a Minimum Rate for UV Mining Vacant and UV other Vacant, which will result in more that 50% of the properties in these categories being subject to minimum rate.	RESPONSIBLE OFFICER: Director Corporate Services	COMPLETE
11.4.1.3	Members Prof. Dev. & Assoc. Travel & Accom. Policy	200708/187 Council Decision That Council: i) deletes existing Council Policy 4/005 'Councilor Conference Attendance'; and ii) adopts new Policy 4/005 'Members Professional Development and Associated Travel and Accommodation' as follows: ...	RESPONSIBLE OFFICER: Director Corporate Services	COMPL.
11.4.2.1	Nomination for Pilbara Development Commission Board Membership	200708/188 Council Decision That: i) the Pilbara Development Commission and the Minister for Local Government and Regional Development be advised of Council's nominations of Councillors Grant Bussell, George Daccache and Kelly Howlett for membership of the Board of the Pilbara Development Commission; and iii) the support of the Pilbara Regional Council be sought for these nominations.	RESPONSIBLE OFFICER: Executive Assistant	COMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.2.2	LG Convention & Exhibition 2008 & Associated WALGA Professional Development for Elected Members	200708/189 Council Decision That: i) Mayor Stan R Martin, and Councillors Grant D Bussell, Steve J Coates, Arnold A Carter, George J Daccache, Jan E Ford, Arthur A Gear, Jan M Gillingham and Kelly A Howlett attend the WALGA Local Government Convention and Exhibition 2008; ii) Mayor Stan R Martin and Councillor Jan E Ford represent Council as voting delegates at the Western Australian Local Government Association’s Annual General Meeting, being held on Saturday 2 August 2008 during the Convention; and iii) Mayor Stan R Martin and Councillor Arnold A Carter attend the Pilbara Regional Council Meeting being held during the Convention.	RESPONSIBLE OFFICER: Executive Assistant	COMPLETE
11.3.2.3	Request for Fee Waiver of MDCC & CC– Women’s Conference	200708/190 Council Decision/Officer’s Recommendation That Council advises the Pilbara Development Commission that its request of Council to waive its Schedule of Fees and Charges, for the Women’s Conference to be held on 2-4 October 2008, totalling up to \$1,683.50 as follows: ... be declined.	RESPONSIBLE OFFICER: Executive Assistant	COMPLETE
11.4.2.4	Adoption of the 2008-2013 Town of Port Hedland Strategic Plan	200708/191 Council Decision That Council: i) notes the Draft the 2008-2013 Town of Port Hedland Strategic Plan to be named ‘Town Plan for the Future 2008-2013; and ii) actively seeks community feedback on the Draft Plan with all comments/suggestions that are received being tabled at Council’s Ordinary Meeting to be held on 25 June 2008 for Council’s consideration.	RESPONSIBLE OFFICER: Chief Executive Officer	S’SCEEDED/ COMPLETE
11.4.2.5	Spoilbank Development	200708/192 Council Decision/Officer’s Recommendation That Council: i) agrees to managing the process of extraction of sand from the Spoilbank by third parties; ii) advises proponents who are interested in undertaking sand extraction at the Spoilbank Reserve that, prior to undertaking any works, they are required to: ... iii) agrees to establish a Spoilbank Development Reserve with all funds that are obtained from the sale/use of spoilbank reserve being deposited to this account. Spoilbank Development Reserve funds shall be exclusively used for development projects on the Port Hedland Spoilbank Reserve.	RESPONSIBLE OFFICER: Chief Executive Officer	COMPLETE
12.1.1	Proposed Final Adoption of the SH Town Centre Development Plan	200708/195 Council Decision That Council: 1) endorses the South Hedland Town Centre Development Plan subject to the following modifications: ... 2) advises LandCorp that subject to the revised plan being received and approved by the Chief Executive Officer or his nominated representative that the Development Plan will be ...	RESPONSIBLE OFFICER: Manager Planning	December 2008

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
12.1.2	Proposed Air Quality Monitoring Station at ... Shoata Road, SH	200708/196 Council Decision/Officer's Recommendation That Council approves the application submitted by BHP Billiton for the proposed Air Quality Monitoring Station on Lot 5164 (Reserve 35915), shown on the attached approved plans and subject to the following conditions:	RESPONSIBLE OFFICER: Manager Planning	COMPLETE
12.2.1	Business Plan and Concept Design Brief - John D Hardie Centre Youth Precinct	200708/197 Council Decision/Officer's Recommendation That Council: i) accepts the revisions to the Hedland Youth Precinct Business Plan; ii) notes the proposed management models and implications for future staffing requirements in Youth Services; iii) engages an architect to develop up the design of the Hedland Youth Precinct: ... iv) considers the allocation of \$29,000 to engage an architect and quantity surveyor in the 2008/09 budget process; v) prepares Joint Management Agreements for the Youth Precinct vi) commences the process of sourcing capital funding for the redevelopment of the JD Hardie Centre into the Hedland Youth Precinct; and vii) notes that the findings of the JD Hardie Concept Youth Centre Feasibility Study.	RESPONSIBLE OFFICER: Manager Community and Economic Development i), ii), iii), iv) complete. Tenders close 22.09.08	COMPLETE
12.2.1	St Cecilia's Parish for PH Youth - Proximate Visit to Aust. of Pope Benedict XVI	200708/198 Council Decision That St Cecilia's Parish be advised in writing that Council: i) provides \$5,000 sponsorship to St Cecilia's Parish, for Port Hedland Youth to attend the proximate visit to Australia by Pope Benedict XVI in Sydney, on proviso that: ii) Councillors Arnold A Carter, Steve J Coates, George J Daccache, Arthur A Gear and Kelly A Howlett will be attending the visit to Port Hedland of the Cross and Icon on Monday 16 June 2008 at Port Hedland Racecourse.	RESPONSIBLE OFFICER: Executive Assistant	COMPLETE
12.2.2	Request for Affix Town Seal to Blank Instrument Form – Restrictive Covenant – SHNL	200708/199 Council Decision That Council approves the Chief Executive Officer and Mayor to authorise and affix the Common Seal to the Deed of Restrictive Covenant, to the provisions of Section 129B of the Transfer of Land Act, not to use or permit the use of the burdened land for vehicular access from the Burdened Land or any part thereof to Cottier Drive, Dale Street and Phalarope Way on Deposited Plan 58889.	RESPONSIBLE OFFICER: Executive Assistant	COMPLETE
12.2.3	AGM of Electors Held on 26.03.08	200708/200 Council Decision That: i) the decisions from the Annual General Meeting of Electors held on Wednesday 26 March 2008 be received; and ii) answers in writing to questions taken on notice at the Annual General Meeting of Electors held on Wednesday 26 March 2008, be provided to the individual electors prior to 30 June 2008.	RESPONSIBLE OFFICER: Executive Assistant Ltrs sent June 08.	COMPL.
12.2.4	March Budget Review	200708/202 Council Decision/Officer's Recommendation That Council approves the following adjustments, which will modify Council's Cash surplus to \$3,735,405, as per the attached adjustments.	RESPONSIBLE OFFICER: Director Corporate Services	COMPL.

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
Ordinary Meeting held 25 June 2008				
		200708/205 Council Decision That Council confirms its intent to contribute \$90,000 from its 2007/08 budget towards the Port Hedland Visitor Centre, and continues to seek current financial statements from the Port Hedland Visitor Centre for 2007/08.		COMPL.
10.1	Petition : South Hedland Rural Estate – Lot 3	200708/206 Council Decision That Council: i) receives the tabled petition signed by 7 residents as follows: “We the residents, owners and occupiers of South Hedland Rural Estate, which is zoned Rural Residential under Council’s Town Planning Scheme No. 5, strongly object to Council approving developments in the Estate, which are NOT PERMITTED in Council’s Town Planning Scheme No.5: and therefore STRONGLY URGE Council to consider the views of other residents, owners and occupier constituents of South Hedland Rural Estate by – REFUSING Planning consent for the construction of [an] extremely large shed/warehouse (25m x 14 m x 4.2 m) at Lot 3 Greenfield Street, South Hedland for the following reasons: a) the use of a shed/warehouse of that enormous size is a use that is not permitted by Council’s Town Planning Scheme No. 5 in the Rural Residential zoning area of South Hedland Rural Estate; and b) there is an existing shed (15m x 12m x 4m) on the lot for the domestic storage purposed by the owner/resident(s)/tenant(s) to utilise.”; and ii) gives regards to the petition when it considers Agenda Item 11.2.2.3 ‘Proposed Warehouse Addition to Lot 3 (9-11) Greenfields Street, South Hedland’ in tonight’s Agenda.	Ltrs to be sent.	
10.2	Petition : South Hedland Rural Estate – Lot 11	200708/207 Council Decision That Council: i) receives the tabled petition signed by 11 residents as follows: “We the residents, owners and occupiers of South Hedland Rural Estate, which is zoned Rural Residential under Council’s Town Planning Scheme No. 5, strongly object to” a) the illegal business operations, in the form of continual earthmoving operations, and the storage of a number [of] large earthmoving equipment, by Outlook Contracting at Lot 11 Greenfield Street, South Hedland Rural Estate, witnessed since the first week of May 2008; and b) the unapproved development works at Lot 11 Greenfield Street, South Hedland Rural Estate, in the form of shipping containers set on site for use by Outlook Contracting employees/contractors with concrete pads laid in front of them; and footings being prepared for the proposed construction of an extremely large shed/warehouse being 30m x 15m x 5m high, [not] approved by Council’s Town Planning Scheme No. 5; and request Council to address these matters to ensure the cessation of these activities effective immediately.” ii) the residents be advised of actions being undertaken.	Legal advice being sought – signatories to petition to be advised following outcome.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.1.3	Proposed Planning Working Group	200708/210 Council Decision/Officer's Recommendation That Council: i) schedule an additional informal briefing session every three (3) months during 2008/2009, dedicated to strategic land use issues and major development projects; and ii) review the operation of the conduct of these briefing sessions at the end of the year to determine their effectiveness and consider whether a more formal mechanism is warranted.	RESPONSIBLE OFFICER: Director Regulatory and Community Services Included in each Informal Briefing Session	COMPLETED
11.2.1.4	Dft Dust Guideline for the Dev.& Implement. of a Dust Mgt Plan	200708/211 Council Decision/Officer's Recommendation That Council: i) notes the draft Guideline for the Development and Implementation of a Dust Management Programme. ii) uses the draft document as a tool in the assessment of any Dust Management Programmes submitted by proponents seeking Council approval of their development proposals.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	COMPLETED
11.2.1.5	Sponsorship of CCTV Security System – SH	200708/213 Council Decision That Council: i) accept the sponsorship of \$200,000 excluding GST and sign the agreement to undertake the installation of Closed Circuit Television (CTV) cameras and monitoring equipment; and ii) establish a CCTV Project Implementation Working Group consisting of the following members:	RESPONSIBLE OFFICER: Director Regulatory and Community Services	COMPL.
11.2.1.6	Stevens Street Retirement Village	200708/214 Council Decision That Council: i) discuss with the current management committee of Stevens Street Retirement Village, the option of calling for expressions of interest for management of the Stevens Street Retirement Village; and ii) subject to support of the committee, call for expressions of interest for the management of the Stevens Street Retirement Village.	RESPONSIBLE OFFICER: Director Regulatory and Community Services In Progress	
11.2.1.7	Tender – Mgt of Court-house Arts Centre and Gallery	200708/215 Council Decision/Officer's Recommendation That Agenda Item 11.2.1.7 'Tender – Management of Courthouse Arts Centre and Gallery' lay on the table until after a presentation is made to Council's next Informal Briefing Session, by FORM the Courthouse Art Centre and Gallery's management in relation financials and other issues.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	S SUCCEEDED/ COMPLE.
11.2.2.1	Extractive Industry – Addition of Incidental Admin. W-shop & W'house - FI	200708/216 Council Decision That Council approves the proposed Extractive Industry – incidental administration, workshop, warehouse, and associated development addition, on Lot 46 Finucane Island via Port Hedland, as detailed within application 2008/84, and shown on the approved plans, subject to the following conditions;	RESPONSIBLE OFFICER: Director Regulatory and Community Services	COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.2	Invit. to Reconsider a Decision incl. Request for Alternative Cash-In-Lieu Option - Lot 2-2 (2-3) Hunt St, SH	200708/217 Council Decision That Council: i) pursuant to the State Administrative Tribunal Matter Number: DR 116 of 2008, Order Number 1: endorses the cash-in-lieu charge of \$2,997 per parking bay with the total amount payable in this instance for the 7 bay deficit = \$20,979; and ii) sets aside the previous refusal and substitute its new decision to approve the retrospective planning application submitted by the owners Jennifer and Rick Hardy for the Change of Use of a Showroom/Warehouse to Shop/Warehouse at Lot 2 (2/3) Hunt Street, South Hedland (Application Number 2007/186) subject to the following conditions and the appellant accepting the Council's Cash-in-lieu option. The conditions and footnotes are:	RESPONSIBLE OFFICER: Manager Planning	COMPLETED
11.2.2.3	Prop. W'house Add.to Lot 3 Greenfields Street, SH	200708/218 Council Decision/Officer's Recommendation That Council REFUSES the Planning Consent for the construction of a Warehouse from Mr Andrew Singleton of Lot 3 (9-11) Greenfield Street, South Hedland (Application Number 2008/145), for the following reasons: a) The use of a warehouse is a use that is not permitted by the Scheme in a Rural/Residential Zone. b) The lot already has a shed of 180m2 for domestic storage purposes.	RESPONSIBLE OFFICER: Manager Planning	COMPL.
11.2.2.4	Use Not Listed – Land Fill – Filling of Borrow Pit - Lot 73 Greenfield St, SH	200708/219 Council Decision/Officer's Recommendation That Planning Approval be granted to George Anagnostopoulos for the filling of the borrow pit at Lot 73 (16-26) Greenfield Street, South Hedland (Application Number 2008/118), as indicated on the approved plans, subject to the following conditions:	RESPONSIBLE OFFICER: Manager Planning	COMPLETE
11.2.3.1	FESA Review – Tropical Cyclones George and Jacob	200708/220 Council Decision That Council: i) receive and note the reports, The FESA Major Incident Review report dated November 2007 and the Tropical Cyclone George – Damage to Buildings In The Port Hedland Area” dated March 2007; ii) provides suitable advice through local media advising all building owners within the Town of Port Hedland of the need to obtain a Building Licence prior to undertaking a re-roof of their building; and iii) writes to all registered builders within the Town of Port Hedland, reminding them of the need to obtain a Building Licence prior to undertaking re-roof works; and iv) advertised the availability of a one-off payment from the Cyclone George Relief Fund, for residents to have their roofs inspected by a suitably qualified builder, or building inspector.	RESPONSIBLE OFFICER: Manager Building Services	COMPLETE
11.2.4.1	Participation in Humpback Icon Project	200708/221 Council Decision/Officer's Recommendation That Council: i) elects to adopt an unnamed whale in the Humpback Icon Project; ii) hosts a naming competition with community collaboration; iii) creates and erects signage and banners, and promotion through local media to identify Port Hedland's whale, and signal it's migration; and iv) seeks sponsorship and grant funding for promotion and celebration to co-ordinate a community event to celebrate the annual migration of the whales in July/August and October/November.	RESPONSIBLE OFFICER: Manager Community and Economic Development Whale being selected for PH now.	

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.2.1	Contract Extension – 06/21 Supply & Delivery of Readymixed Concrete	200708/223 Council Decision/Officer’s Recommendation That Council awards the extension of Contract 06/21 for Supply and Delivery of Readymixed Concrete to Hanson Construction Materials as per the following schedule of rates for the period 1 July 2008 to 30 June 2009: ...	RESPONSIBLE OFFICER: Manager Technical Services	COMPLETE
11.3.2.2	Contract Extension – 06/24 Supply and Delivery of Asphaltic Concrete	200708/224 Council Decision – En Block Resolution No. 1 That Council adopts en bloc the Officer’s Recommendations for Agenda Items 11.3.2.2 to 11.3.2.6 inclusive, as follows: . Agenda Item 11.3.2.2 ‘Contract Extension – 06/24 Supply and Delivery of Asphaltic Concrete’; . Agenda Item 11.3.2.3 ‘Contract Extension – 06/26 Construction of Extruded Concrete Kerbing’ . Agenda Item 11.3.2.4 ‘Contract Extension – 06/27 Plant Hire’ . Agenda Item 11.3.2.5 ‘Contract Extension – 06/28 Provision of Freight Services’ . Agenda Item 11.3.2.6 ‘Contract Extension – 06/33 Supply and Delivery of Aggregate and Spray Bitumen Surfacing’	RESPONSIBLE OFFICER: Manager Technical Services	COMPLETE
11.3.3.1	Policy Development : Rubbish Bin Allocation at Sporting Reserves	200708/225 Council Decision/Officer’s Recommendation That Council amends its Policy “6/008: Number of Rubbish Bins to be supplied at each Sporting Reserve to read as follows: “6/008: Number of Rubbish Bins to be supplied at each Sporting Reserve The Town of Port Hedland shall provide the number of bins as requested by individual Sporting Clubs and deemed appropriate by the CEO or his nominated officer.”	RESPONSIBLE OFFICER: Executive Assistant	COMPLETE
11.4.1.2	Public Open Space Reserve	200708/227 Council Decision/Officer’s Recommendation That Council approves the transfer of the balance (\$ 218,243.29) of the Public Open Space Reserve to the Town of Port Hedland’s Trust Account.	RESPONSIBLE OFFICER: Director Corporate Services	COMPL.
11.4.2.1	Land Use Master Plan: Proposed West End Modifications	200708/228 Council Decision That Agenda Item 11.4.2.1 ‘Land Use Master Plan: Proposed West End Modifications’ lay on the table until a meeting has been held with the West End Action Group.	RESPONSIBLE OFFICER: Chief Executive Officer	S’SCED/ COMPL.
11.4.2.2	Port Hedland Enhance. Scheme – Funding Allocations for Endorsement	200708/229 Council Decision/Officer’s Recommendation That Council endorses the Port Hedland Enhancement Scheme Steering Group’s recommended funding allocations to the Minister for the Pilbara and the President Iron Ore, BHP Billiton, as follows: i) an amount of \$119,519.17 to cover the additional costs associated with the project to upgrade the Cemetery Beach and Pretty Pool Parks and the Oceanside of the Civic Centre prescribed in item 1. ii) an amount of \$700,000 from the \$1m Spoilbank funding be redirected to enable other projects that are currently being developed on the Spoilbank to be completed as prescribed in item 2. iii) an amount of \$50,000 from the \$100,000 funding for the Old Port Hedland Cemetery project be redirected to assist with the cost of the development of the Sutherland Street Activity Nodes with the remaining \$50,000 retained to undertake some enhancement works on the road reserve outside the Cemetery boundary as prescribed in item 3. iv) any remaining Scheme funds be allocated to assist with the Sutherland Street Activity Nodes project as prescribed in item for an allocation of \$100,000 from the Scheme Fund to the Town of Port Hedland to assist with the installation of replacement and new footpaths in the Port Hedland Townsite as prescribed in item 4.	RESPONSIBLE OFFICER: Chief Executive Officer	COMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.2.3	Third Party Access to Rail Infrastructure	200708/232 Council Decision/Officer's Recommendation That Council provide the following feedback to the Pilbara Rail Access Interdepartmental Committee (PRAIC): i) The Town of Port Hedland strongly supports the sustainable growth of mining and port related activity within the Pilbara and as such supports the principals and features of Pilbara Railways (Third Party Haulage) Regime. ii) The Town believes that, to facilitate export growth, maximum utility needs to be obtained from mining related infrastructure and duplication of infrastructure should be avoided where possible; and iii) Local impacts including increased traffic congestion at level crossings, increased noise and potentially higher dust levels need to be considered when planning for additional use of existing rail infrastructure.	RESPONSIBLE OFFICER: Chief Executive Officer Ltr sent July 08	COMPLETE
11.4.2.4	Compulsory Voting in LG Elections - Council Feedback Sought by WALGA	200708/235 Council Decision That following consideration of the West Australian Local Government Association's 'Compulsory Voting in Local Government Elections' Discussion Paper, dated June 2008, Council advises WALGA of the following responses to survey questions: 1. Council support the principle of compulsory voting in Local Government elections – all other things being equal. Reason: Not Provided. Additional Comment(s) not provided. 2. Council supports the introduction of compulsory voting in Local Government elections under current electoral arrangements. Reason: Not Provided. Additional Comment(s) not provided. 3. Nil response. 4. Council would not support the introduction of optional preferential voting in Local Government elections as an alternative to proportional preferential voting. Reason: Not Provided. Additional Comment(s) not provided.	RESPONSIBLE OFFICER: Executive Assistant	COMPLETE
11.4.2.5	Elected Mem. Rep PHVC Mgt. Com.	200708/236 Council Decision/Officer's Recommendation That Council nominates Councillor Arnold Carter to replace Councillor Jan Gillingham as Council's representative on the Port Hedland Visitor Centre Management Committee.	RESPONSIBLE OFFICER: Executive Assistant	COMPL.
12.1.1	Audit and Finance Committee – Delegated Authority	200708/237 Council Decision/Officer's Recommendation That Council : i) notes the unconfirmed minutes of the Audit and Finance Committee, 19 June 2008; and ii) provides delegated authority to the Audit and Finance Committee to meet annually with the Town's Auditor(s) as required by Section 7.12A(2), Local Government Act 1995.	RESPONSIBLE OFFICER: Director Corporate Services	COMPLETE
14.1.1	Confidential Item: Remunerat'n Review – Directors	2007/08/238 Council Decision/Officer's Recommendation That Council agrees to: i) Offer a 31 month extension to Mr Matthew Scott's current employment contract with the Town of Port Hedland (current expiry date of 28/11/08) with the following total remuneration package being offered (excluding housing) ... ii) Offer a 24 month extension to Mr Terry Sargent's current employment contract with the Town of Port Hedland (current expiry date of 17/10/08) with the following remuneration package being offered (excluding housing): ... iii) Offer a 6 month extension to Mr Terry Dodd's current employment contract with the Town of Port Hedland (current expiry date of 18/11/2010) with the following total remuneration package being offered (excluding housing) ...	RESPONSIBLE OFFICER: Chief Executive Officer	COMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
14.1.2	Confidential Item: Chief Executive Officer's Performance Review	200708/240 Council Decision That: i) Council accept the review of the CEO's Performance Review without modification and commend the CEO on his very good performance over the past 12 months. ii) A small working group involving the Mayor, Deputy Mayor and Councillors Kelly A Howlett and Grant D Bussell commence the process of renegotiating a new employment contact with Mr Chris Adams, with its negotiations being bought back to Council for consideration.	RESPONSIBLE OFFICER: Mayor	COMPLETE
14.1.3	Confidential Item: Dampier Salt Rates Duplication	200708/241 Council Decision That due to the accidental duplication by Council of Dampier Salt Pty Ltd Mining Tenements AML45/00242SA (A803282) and AML45/242SA (A128920), Council: i) approve an immediate write-off of the outstanding rate balance for 2007/08 of \$59,234.14; and ii) direct the Chief Executive Officer, or his nominated officer, to negotiate with Dampier Salt on how the overpayment is to be refunded by either a cash refund or credit to subsequent rate years until fully refunded.	RESPONSIBLE OFFICER: Director Corporate Services Negotiations ongoing.	
Special Meeting held 9 July 2008				
6.1.1.1	2008/09 Budget Adoption	200708/244 Council Decision – En Block Resolution No. 1 That Council adopts en bloc the Officer's Recommendations 1 to 13 inclusive of Agenda Item 6.1.1.1 '2008/09 Budget Adoption'.	RESPONSIBLE OFFICER: Director Corporate Services	COMPL.
Ordinary Meeting held 23 July 2008				
11.2.1.3	Tender – Mgt of Courthouse Arts Centre and Gallery	200809/005 Council Decision/Officer's Recommendation That Council resolves: 1. to call tenders for the management and operation of the Courthouse Arts Centre for a period of 12 months; 2. that the tenders shall be on the basis of a fixed price tender with an operating fee of \$280,000; 3. that the selection criteria and weightings shall be – ... 4. that PACDAC be invited to have a representative on the tender evaluation panel for this tender.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	COMPLETE
11.2.1.4	Town Entry Statement – Artwork Expression of Interest	200809/006 Council Decision That the designs of all artists for the entry statement artwork be advertised for public comment for a period of two (2) weeks, and a report be presented to Council at its next Ordinary Meeting.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	COMPLETE

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.1	Single House - R-Codes Var-Outbuild. Exceeds Height & Size - Lot 51 (39) Redbank Rd	200809/007 Council Decision/ Officer's Recommendation That Planning Approval be granted for the construction of a SINGLE HOUSE and Shed addition requiring R-Codes Variation at Lot 51 (39) Redbank Road, Redbank (Application Number 2008/92), as indicated on the approved plans, subject to the following conditions: ...	RESPONSIBLE OFFICER: Manager Planning Services	COMPLETE
11.2.2.2	TP Appeal – DR 240 of 2008 – PMI Pty Ltd and ToPH – Statement of Issues – Lot 842 GNH, PH	200809/008 Council Decision/ Alternative Officer's Recommendation That Council: i) advises the State Administrative Tribunal's that the issues that it would like considered in the determination of the appeal are: ... ii) advises the State Administrative Tribunal letter that the following Councillors will attend the mediation meeting commencing 12 noon on 21 August 2008 at the Council Offices: ...	RESPONSIBLE OFFICER: Chief Executive Officer Sat 21.08.08 resolved.	COMPLETE
11.2.2.3	Industry - Light - Enclosed Abrasive Blasting & Coating Operations - Lot370 Harbour Reserve, W	200809/009 Council Decision/Officer's Recommendation That Council: 1. Approves the application submitted by Cardno on behalf of their client Total Corrosion Control and the landowner the Port Hedland Port Authority for the proposed Light Industry development on Lot 370 Harbour Reserve, Port Hedland, in accordance with the application (2008/207) approved plans, applicant's submission, and subject to the following conditions: ... 2. That the Chief Executive Officer or his nominated representative liaise with the Port Hedland Port Authority and highlight the concerns regarding the development of Port Authority Land without the necessary planning practices and/or infrastructure provisions being addressed prior to development being undertaken.	RESPONSIBLE OFFICER: Manager Planning Services	COMPLETE
11.2.3.1	TC George Relief Fund App. Uniting Church in Australia PH	That Council: i) accepts the claim from the Uniting Church Port Hedland as Cyclone George – related; and ii) approves payment of up to \$25,000 towards replacement of the damaged fencing and shed on receipt of proof of payment.	RESPONSIBLE OFFICER: Manager Community and Economic Development	COMPLETE
11.3.1.2	Green Waste Management	200809/012 Council Decision/Officer's Recommendation That Council: i) receives the Green Waste Management Report dated 15 July 2008; and ii) considers the introduction of a mulch token system as a component of its 2009/10 budget process.	RESPONSIBLE OFFICER: Director Engineering Services	COMPL.
11.3.2.1	Cemetery Upgrade Program	200809/013 Council Decision/Officer's Recommendation That Council approves the schedule of works for the Cemetery upgrade based on the 2008/09 budget of \$50,000 as per the following: ...	RESPONSIBLE OFFICER: Manager Infrastructure Development Works commenc'd	November 2008

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.3.3.1	PHIA Construction of Ramp	200809/014 Council Decision That Council i) obtains quotes to facilitate the construction of a ramp at the arrivals end of the terminal for manoeuvring trolleys between the terminal and freight facilities; and ii) subject to quotes being received for works being less than \$15,000, amends its 2008/09 budget to facilitate the works being undertaken as follows: ...	RESPONSIBLE OFFICER: Airport Manager Ongoing	
11.3.3.2	PHIA: Polar Aviation Northern Hangar	200809/015 Council Decision That Council authorises the Chief Executive Officer or his nominated officer to enter into negotiations with Polar Aviation in relation to the redevelopment of the northern hangar site, with a 15 year + 15 year option lease in accordance with the Local Government Act, and utilise the valuation received by consultants in January 2008 as a guide.	RESPONSIBLE OFFICER: Airport Manager - DCS	
11.4.1.1	2008/09 Rates Instalment Date Changes	200809/016 Council Decision/Officer's Recommendation That Council amends the 2008/09 rates instalment dates to: 1 September 2008 Payment in full or 1st instalment 3 November 2008 2nd Instalment 12 January 2009 3rd Instalment (no change) 16 March 2009 4th Instalment (no change)	RESPONSIBLE OFFICER: Director Corporate Services	COMPLETE
11.4.1.2	Standing Orders Local Law 2008	200809/017 Council Decision That Item '11.4.1.2 Standing Orders Local Law 2008' lay on the table pending further discussion and clarification with Councillors at a future informal briefing session.	RESPONSIBLE OFFICER: Director Corporate Services	S'SCEDED / COMPL.
11.4.2.1	Land Use Master Plan: Proposed West End Modifications	200809/020 Council Decision That i) Council advises the Department of Planning and Infrastructure and Western Australia Planning Commission that the Town of Port Hedland: a) endorses the proposed three tiered approach to resolving the existing land use conflicts in the West End; and b) supports the proposed modifications to the Draft Land Use Master Plan text in relation to the West End/Cemetery Beach Land Use Recommendations (as attached). ii) requests the State Government in writing, to ensure all outstanding studies are completed in a timely manner.	RESPONSIBLE OFFICER: Chief Executive Officer	COMPLETE
11.4.2.2	Adoption of the Plan for the Future	200809/021 Council Decision That Agenda Item 11.4.2.2 'Adoption of the Plan for the Future' lay on the table until the feedback tabled tonight by the Hedland Youth Leadership Council is considered by Council.	RESPONSIBLE OFFICER: Chief Executive Officer	S'SCEDED / COMPL.

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
14.1.1	Confidential Item: Mirtanya Maya Legal Issue	200809/023 Council Decision/Officer's Recommendation That Council: i) note the legal advice that has been received regarding the issues pertaining the proposed transfer of Mirtanya Maya Aged Care facility to the West Australian Country Health Service; ii) continues to pursue all legal and administrative avenues that lead towards the Federal Government waiving the requirement for the Town to repay \$827,650 of a Federal Government capital grant that was provided to the Town in 1995 to develop Mirtanya Maya; and iii) pursues a public/political strategy (lead by the Mayor and the community) that clearly demonstrates and articulates the Council's reasoning for non-repayment/waiving of the debt to the Federal Government.	RESPONSIBLE OFFICER: Chief Executive Officer Discussions ongoing.	
14.2.1	Confidential Item: PHIA Checked Baggage Screening Conv. Exp.	200809/024 Council Decision/Officer's Recommendation That Council set aside the provisions in Council's Procurement Policy 2/007 and authorise the conveyor belt installation to be undertaken by Glidepath O & M Pty Ltd in accordance with the Local Government (Functions and General) Regulations 1996 part 11 (2) (f).	RESPONSIBLE OFFICER: Director Engineering Services	COMPLETED
Special Meeting held 13 August 2008				
6.2.1.1	Conf : Adoption of Staff Collective Agreement 2008	200809/028 Council Decision/Officer's Recommendation That Council: i) adopts the Town of Port Hedland Collective Agreement 2008; and ii) agrees to back pay the Agreement to 1 July 2008	RESPONSIBLE OFFICER: Chief Executive Officer	COMPL.
6.1.1.1	Prop. to Relinquish Reserve 43881 (Lot 5873 (17) Schillaman St) For Use as Industrial	200809/030 Council Decision/Officer's Recommendation That Council advises the Department for Planning and Infrastructure – State Land Services and LandCorp that: i) Council has no requirement for Reserve 43881 (17) Lot 5873 and therefore does not object to the land being developed for Industrial purposes in accordance with the relevant legislation and policies; and ii) subject to a rezoning of the site, 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.	RESPONSIBLE OFFICER: Manager Planning	COMPLETED
Ordinary Meeting held 27 August 2008				
11.2.2.1	Prop W'house on Lot 11 Greenfields St, SH	200809/035 Council Decision/Officer's Recommendation That Council REFUSES the Planning Consent for the construction of two (2) 150m ² sheds from Outlook Contracting Pty Ltd of Lot 11 (39-41) Greenfield Street, South Hedland (Application Number 2008/275), as the use of a warehouse is a use that is not permitted by the Town Planning Scheme No. 5. in a Rural/Residential Zone.	RESPONSIBLE OFFICER: Manager Planning Services	COMPL.

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.2.2.2	SINGLE HOUSE – R Code Var.- Shed Add. Exceed. R Codes Lot 102 Redbank	200809/036 Council Decision/Officer's Recommendation That Council APPROVES the Planning Consent for the construction of an Outbuilding to a Single House from Mr Malcolm of Lot 102 Redbank Road, Redbank (Application Number 2008/290), in accordance with the submitted plans and subject to the following conditions:	RESPONSIBLE OFFICER: Manager Planning Services	COMPLETED
11.2.3.1	BHP Billiton Iron Ore (BHPBIO) Outer Harbour Dev. FI – Env. Scope for PER	200809/037 Council Decision That Council advises the Environmental Protection Authority of the need to consider the following localised environmental factors: a) public access to the Finucane Island Boat Ramp; b) traffic impacts; c) community impacts of growth proposed, including population growth, housing needs and associated impacts on government and community services; d) the need for safe passage areas in the design structure of the wharf/jetty for BHP Billiton's Iron Ore Outer Harbour Development to accommodate sailing and recreational vessels in the Public Environmental Review document; and e) social impacts on the community of the proposed growth.	RESPONSIBLE OFFICER: Manager Environmental Health Services	COMPLETED
11.2.4.1	Town Entry Statement – Artwork Expression of Interest	200809/038 Council Decision/Officer's Recommendation That Council appoints Jahne Rees to manufacture and install the entry statement artwork as specified in his submission to Council's independent advisory panel.	RESPONSIBLE OFFICER: Manager Community and Economic Development Artists advised.	February 2009
11.3.1.2	Disposal of 963B Track Type Loader	200809/040 Council Decision That Council: i) rejects the tender from Pilbara Earthmoving & Contracting for the sum of \$23,755 (including GST) to purchase the 963B Caterpillar Track Type Loader; ii) tenders be re-advertised for the disposal of the 963B Caterpillar Track Type Loader in accordance with section 3.58 of the Local Government Act 1995.	RESPONSIBLE OFFICER: Director Engineering Services Readvertised.	
11.3.1.3	Restricted Access Vehicle Appl. Boodarie Rd	200809/041 Council Decision/Officer's Recommendation That Council approves the inclusion of Boodarie Road (road number 94) on the Restricted Access Vehicle network, subject to the following conditions:	RESPONSIBLE OFFICER: Manager Infrastructure Development	COMPL.
11.4.1.2	Request to Write Off Charges on 3 Properties	200809/043 Council Decision/Officer's Recommendation That Council does not approve Mr and Mrs Russell's request to write off the Legal charges applied to Assessments A155380, A100067 & A400500.	RESPONSIBLE OFFICER: Senior Rates Officer	COMPL.

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
11.4.1.3	Housing Options	200809/044 Council Decision/Officer's Recommendation That Council endorses: i) the increase of Housing Allowance, in lieu of housing provision for Senior and specialist staff, from \$8,000 to \$12,000 per annum; and ii) the development of a policy to provide free accommodation to staff who's partners provide day care services to Town of Port Hedland staff; and iii) further investigation into the proposal of the Town of Port Hedland being guarantor of 50% of the housing deposit required for long term staff.	RESPONSIBLE OFFICER: Director Corporate Services i) Policy amended ii) & iii) in progress.	
11.4.2.1	Adoption of the Plan for the Future 2008-2013	200809/045 Council Decision That Council: i) adopts the attached 2008-2013 Town of Port Hedland: Plan for the Future, ensuring the re-inclusion of the following two (2) strategies: a) KRA 1, Goal 2 – Strategy 7. Investigate the development of a Community Vegetable Garden; and b) KRA 3, Goal 2 – Strategy 4. Explore opportunities for the development of an appropriate off-road/recreational driving area that is away from sensitive beach and dune areas; and ii) receives quarterly reports on the progress being made on the implementation of the plan.	RESPONSIBLE OFFICER: Chief Executive Officer Updated.	COMPLETE
14.3.2.2	TWA – Proposed Guidance Note for Prospective Developers	200809/048 Council Decision/Officer's Recommendation That Council endorses the attached Guidance Note for Potential Transient Workforce Accommodation (TWA) developers with the inclusion of an additional Key Principle as follows: “- Town Centre Development Focus The Town is focused on continually increasing the vibrancy and sustainability of the Town's Central Business Districts. Proponents are encouraged to demonstrate how their proposed development(s) will assist in improving the Town Centre.”	RESPONSIBLE OFFICER: Chief Executive Officer Updated	COMPLETE
11.4.2.3	Fortescue Metals Group: Community Development	200809/049 Council Decision/Officer's Recommendation That Council advises Fortescue Metals Group (FMG) and the Minister for Planning and Infrastructure that: i) the Town of Port Hedland remains very supportive of FMG's expansion plans and wants to continue to build a strong working partnership with the company to ensure that its growth leads to sustainable growth and development within the Town of Port Hedland; and ii) Council is prepared to support the FMG's proposed Community Development Plan on the proviso that: ...	RESPONSIBLE OFFICER: Chief Executive Officer	COMPLETE
12.1.1	Tender 08/03: Morgans St Housing Project	200809/050 Council Decision/Officer's Recommendation That Council: i) awards Tender 08/03 Design and Construction of Units at Lots 364 and 365, Morgans Street, Port Hedland to Pilbara Constructions for the tender price of \$3,626,265 (gst exclusive); ii) permits the Town of Port Hedland seal be affixed and Mayor and Chief Executive Officer be authorised to sign the Tender documentation, in accordance with section 3.57 of the Local Government Act 1995.	RESPONSIBLE OFFICER: Chief Executive Officer Tenderer Advised. In progress.	
12.2.1	Tender – Mgt of Court-house Arts Centre & Gallery	200809/051 Council Decision/Officer's Recommendation That Council: i) awards Tender 08/04: Management and Operation of the Courthouse Arts Centre and Gallery to FORM Contemporary Craft and Design Inc for the Total lump sum price of \$280,000 exclusive of GST; ii) the period of management being from 1 September 2008 to 31 August 2009; iii) permits the Town of Port Hedland seal be affixed and Mayor and Chief Executive Officer be authorised to sign a Management Agreement between the Town of Port Hedland and FORM Contemporary Craft and Design Inc.	RESPONSIBLE OFFICER: Director Regulatory and Community Services	COMPLETED

ITEM	REPORT TITLE	COUNCIL RESOLUTION DETAILS	ACTION TO DATE (Date – Action)	EST. COMP-DATE
12.2.2	TP Appeal – DR 240 of '08 – PMI International Pty Ltd & ToPH – Negotiated Outcome – Lot 842 GNH PH	200809/052 Council Decision/Officer's Recommendation That Council: 1. In accordance with Order 3 of the State Administrative Tribunal, and pursuant to the State Administrative Tribunal Act 2004 Clause 31(1), reconsiders the Planning Application from Process Minerals International Pty Ltd for the construction of a STORAGE FACILITY/ DEPOT/LAYDOWN FACILITY – Stage 1 and 2, including an Incidental Care Taker's Dwelling at Lot 842 Great Northern Highway, Port Hedland, and approves the application, as indicated on the attached plans, subject to the following conditions: ... 2. Directs the Chief Executive Officer, or his nominated representative, to liaise with Process Minerals International Pty Ltd to ensure that both parties comply with the requirements of the Deed of Settlement between the Town and Process Minerals International Pty Ltd.	RESPONSIBLE OFFICER: Manager Planning Services	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 19 August 2008

Disclosure of Interest by Officer **Nil**

Summary

Report on activities for the month of August 2008 within the Community and Regulatory Services directorate for Council’s information.

Background

Community and Regulatory Services Monthly report to Council.

Consultation **Nil**

Statutory Implications **Nil**

Policy Implications **Nil**

Strategic Planning Implications **Nil**

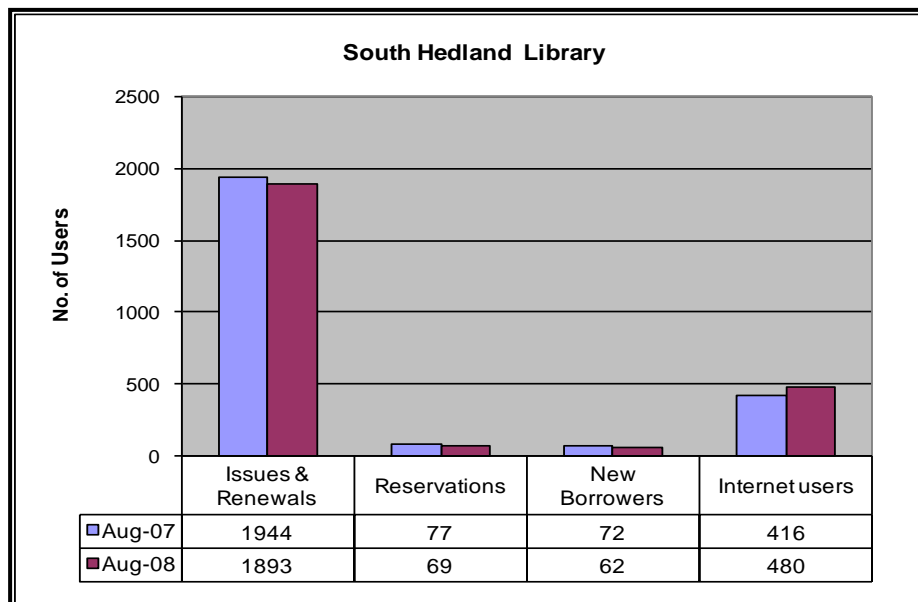
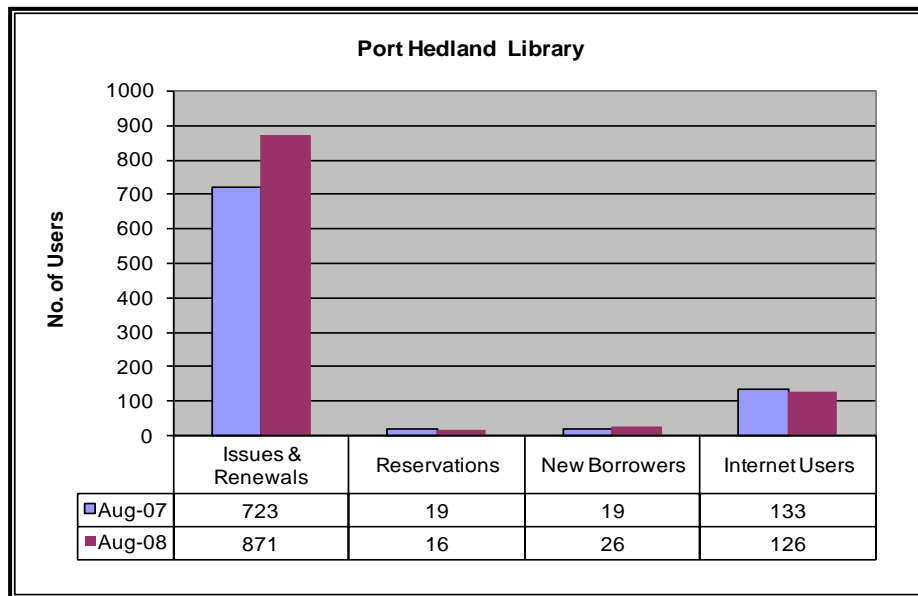
Budget Implications **Nil**

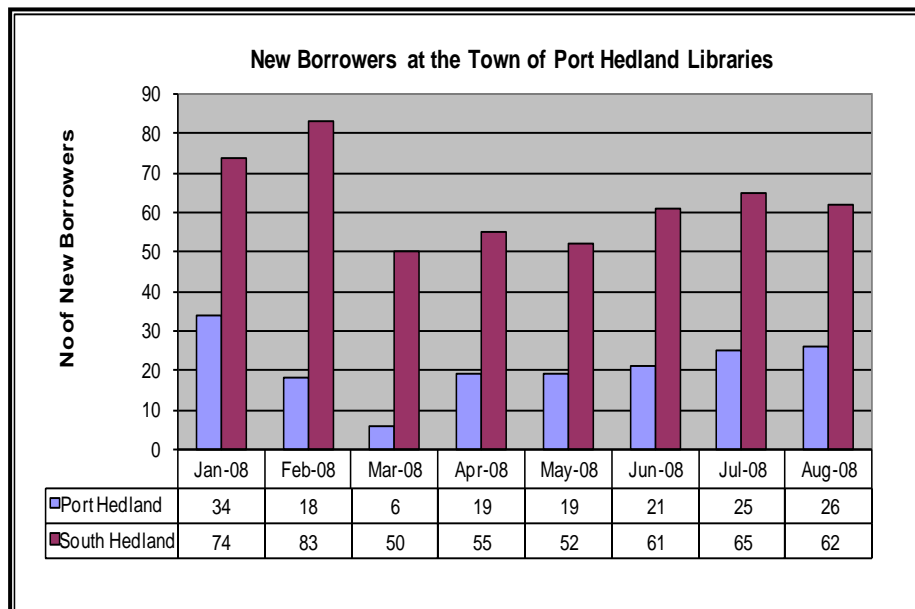
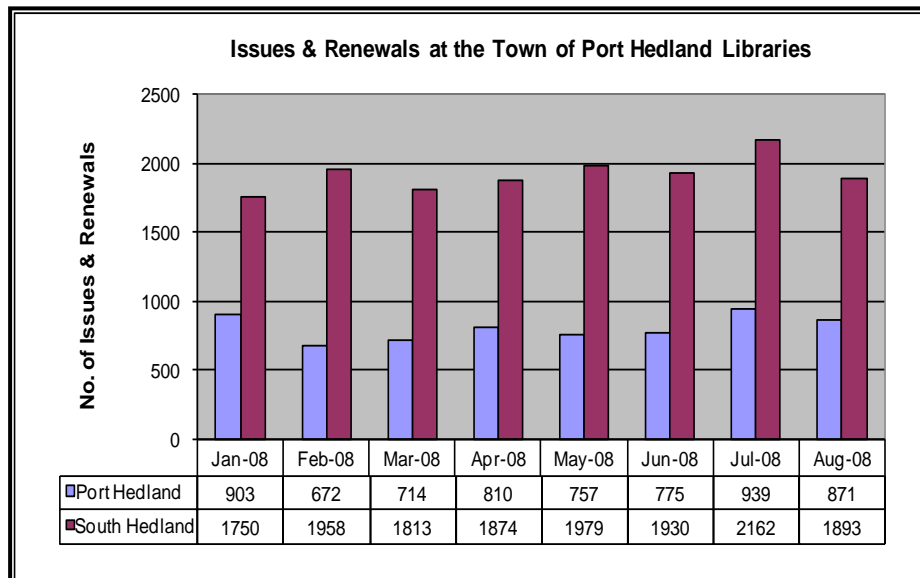
Officer’s Comment **Nil**

Library and Information Services

Port Hedland Library	Aug 07	Sep 07	Oct 07	Nov 07	Dec 07	Jan 08	Feb 08	Mar 08	Apr 08	May 08	Jun 08	Jul 08	Aug 08
Issues & Renewals	723	759	903	870	768	903	672	714	810	757	775	939	871
Reservations	19	14	17	12	14	7	21	33	25	30	27	20	16
New Borrowers	19	22	14	8	18	34	18	6	19	19	21	25	26
Internet Users	133	105	135	176	111	143	142	115	147	210	190	157	126

South Hedland Library	Aug 07	Sep 07	Oct 07	Nov 07	Dec 07	Jan 08	Feb 08	Mar 08	Apr 08	May 08	Jun 08	Jul 08	Aug 08
Issues & Renewals	1944	1906	2174	1969	1311	1750	1958	1813	1874	1979	1930	2162	1893
Reservations	77	90	115	60	54	51	66	50	57	64	72	62	69
New Borrowers	72	55	65	37	23	74	83	50	55	52	61	65	62
Internet Users	416	349	445	415	297	398	491	421	463	481	482	622	480





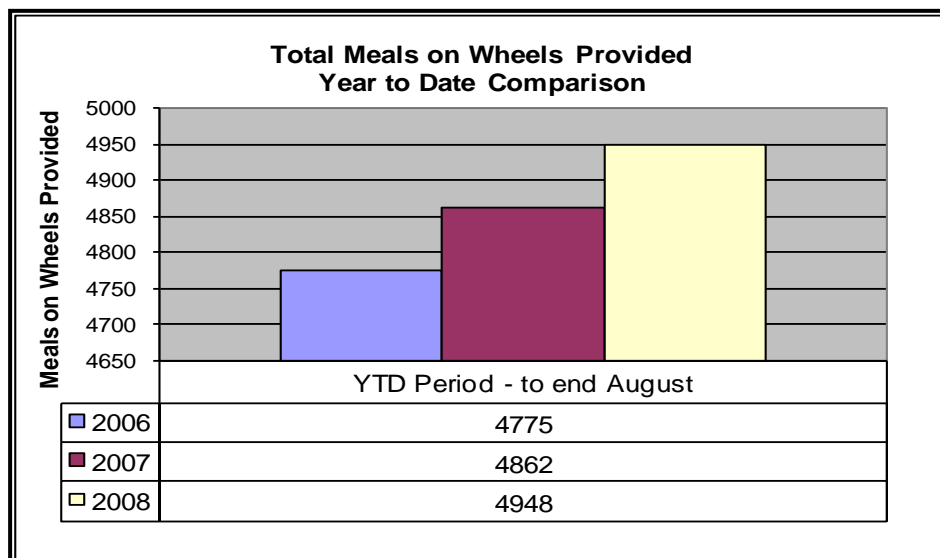
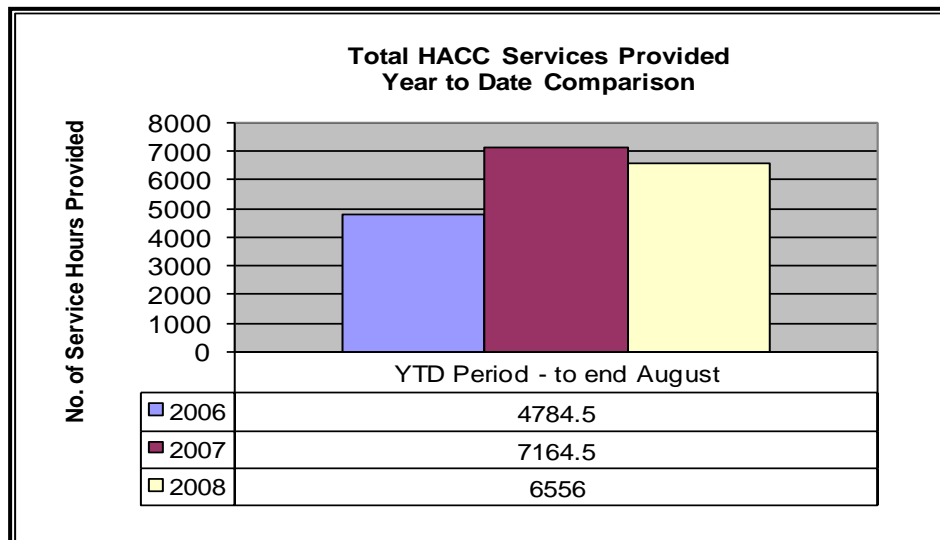
South Hedland Library was the venue for an evening session for parents of 2-5 year olds “*Moving on with Books*”. Topics covered included language and child development, selection of books suitable for the age range and online resources available through the State Library of Western Australia website.

Children’s Book Week was celebrated with a visit by Perth based children’s author and illustrator Wendy Binks. During the 4-day visit over 400 children attended sessions held in schools in the Port Hedland area.

Human Services

HACC Programme

HACC Service Hours for August 2008	
Meals on Wheels	635
Day Centre Attendance (Hours)	750
Day Centre Meals	119
Domestic Assistance (hours)	99
Personal Care (hours)	24
Social Support (hours)	39
Transport (one way)	227
Home Maintenance (hours)	12
Case Management	0
Total HACC service provided (hours)	913
Total HACC service provided (hours) YTD	6556
Assessment	1
Accidents/Incidents	0



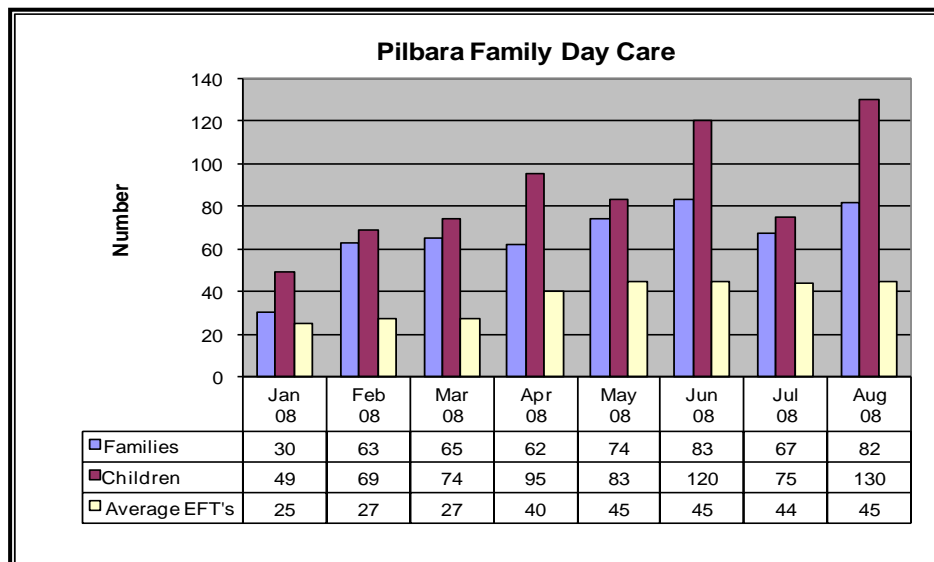
Pilbara Family Day Care

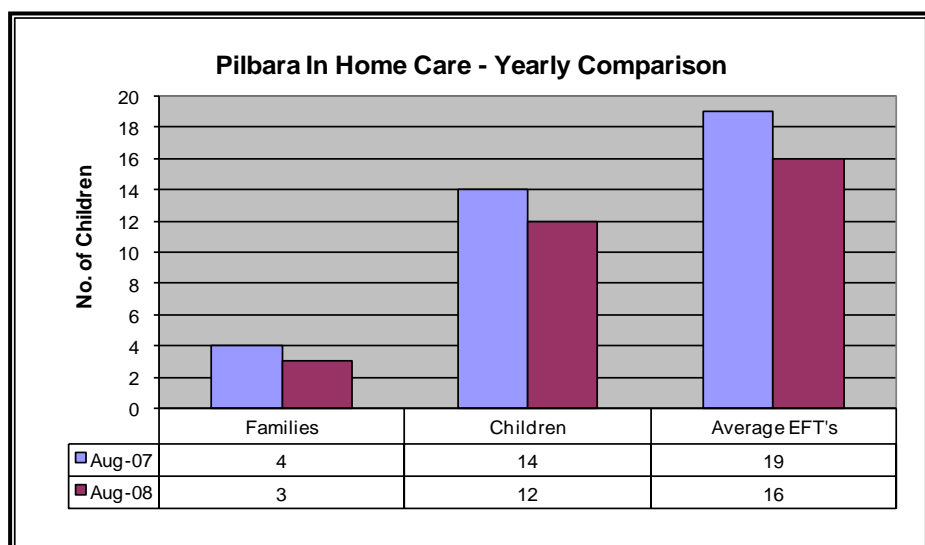
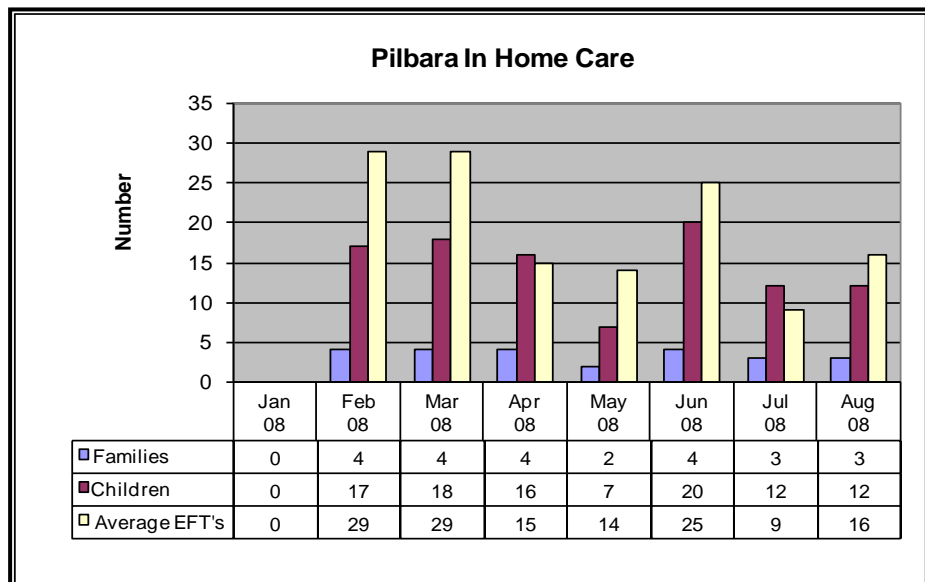
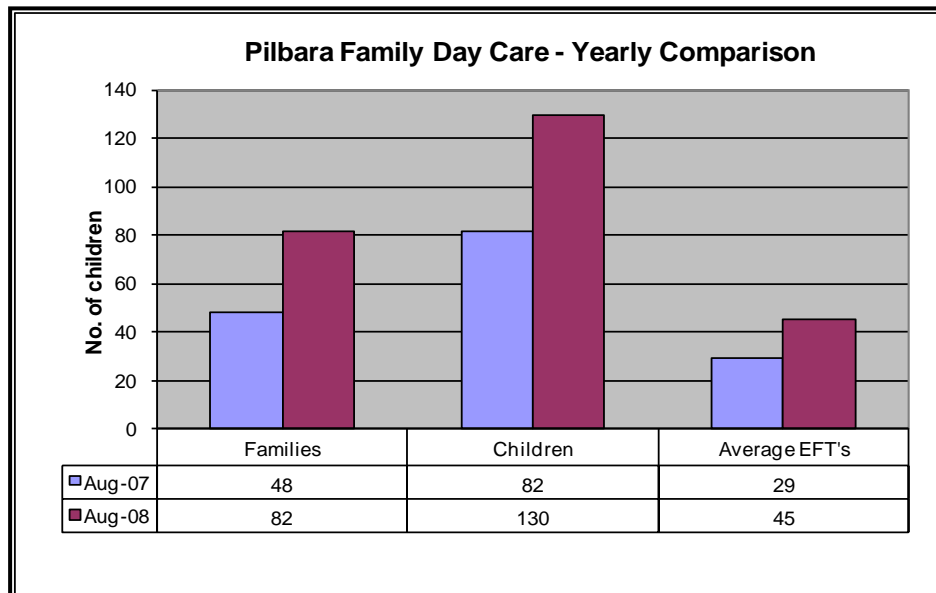
Location	Carers currently within Scheme	Carers currently going through licensing
South Hedland	2	3
Wickham	-	-
Karratha	5	1
Newman	5	-
Tom Price	1	-
Paraburdoo	1	-
Point Samson	-	1
TOTAL	14	5

The carer in Wickham has resigned, and 2 of the carer's going through licensing in Hedland are on hold for personal reasons.

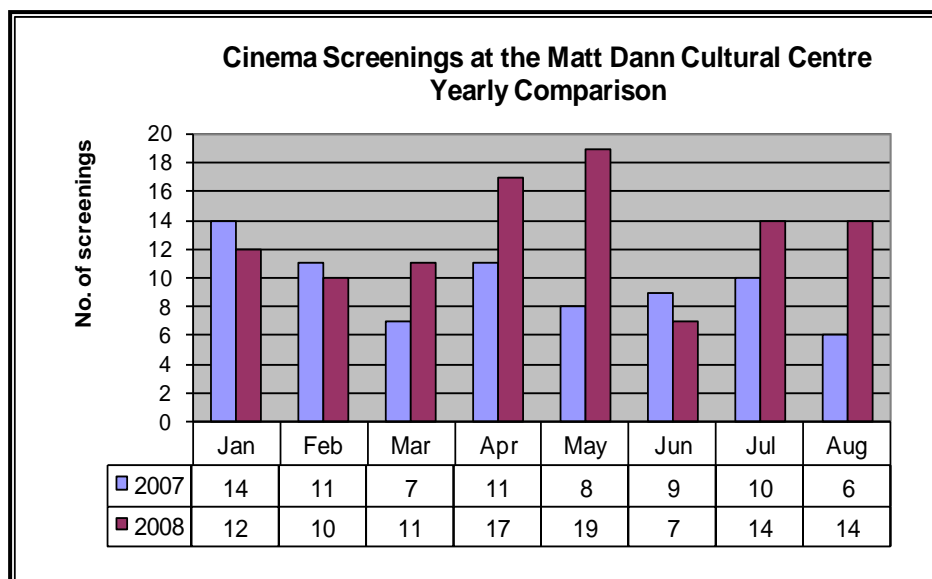
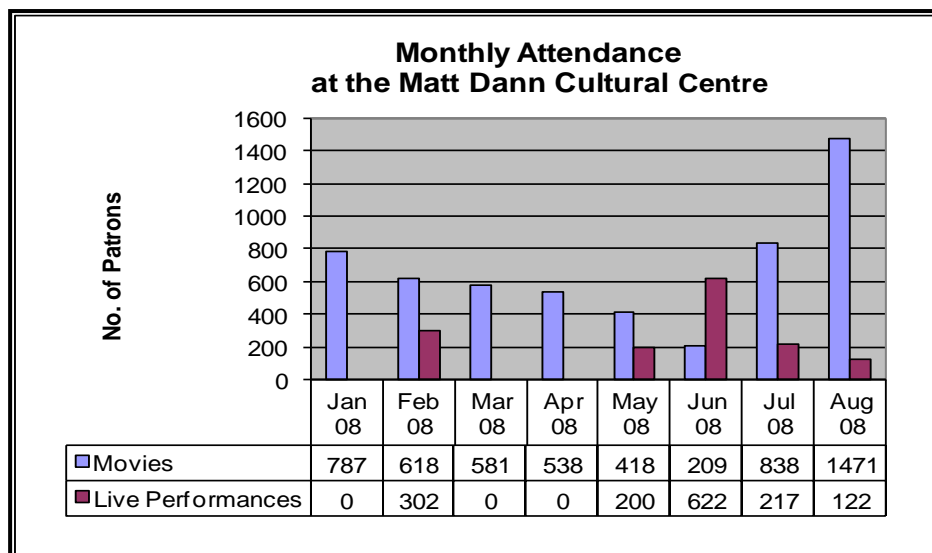
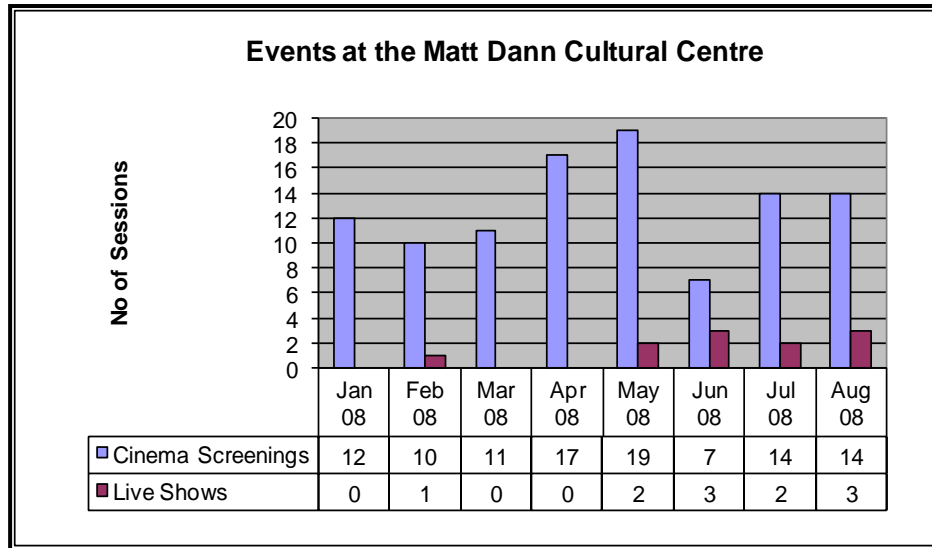
During August Pilbara Family Day Care Scheme Co-ordinator, Maureen Allert visited the child care sites in Newman and Karratha, spending two days at each location.

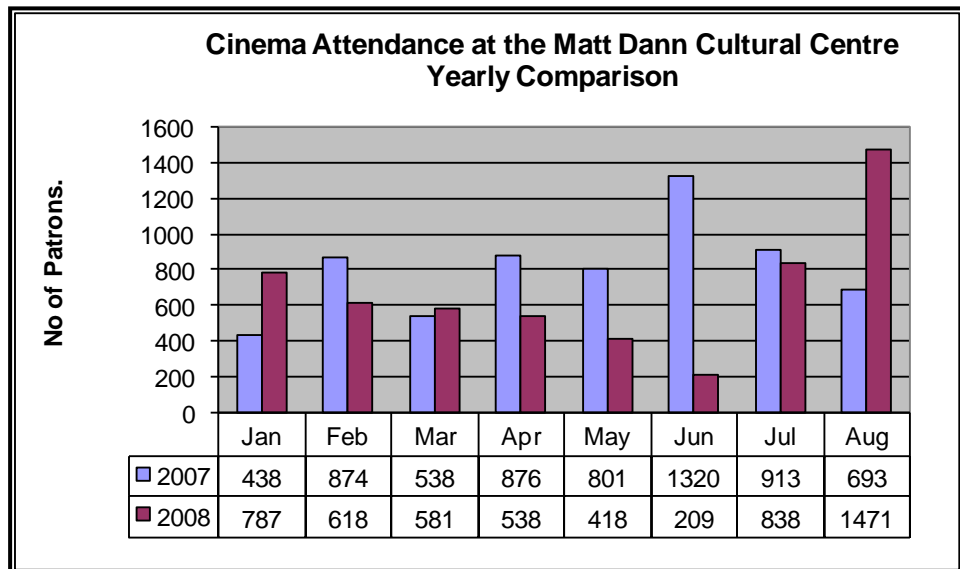
She also visited the schemes carers in Tom Price and Paraburdoo, attended a workshop on Re-shaping Children's Behaviour in Newman and a DGI (Child Protection) training session in Port Hedland. Pilbara Family Day Care Centre also assisted Renae Gildersleeve in a Protective Behaviours workshop in Hedland.





Matt Dann Cultural Centre



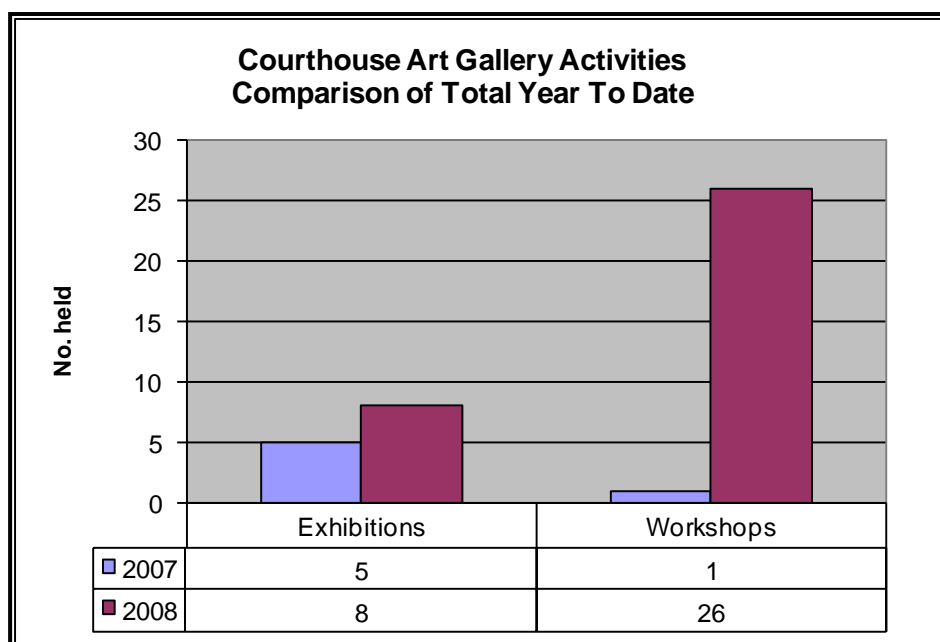


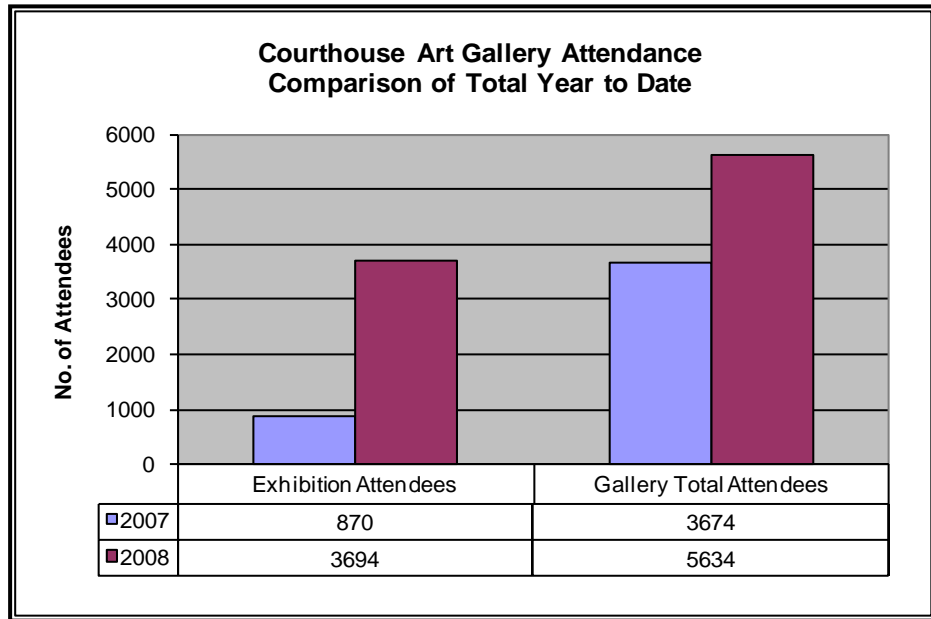
A report for July was unavailable last month; however figures are included within this report. Within July statistics were two live performances including Co-Opera La Traviata which attracted 108 attendees and the Shirley Valentine performance with 109.

Spinifex Spree proved a popular event in July over the 2 days with an estimated crowd of 1200 on Friday night and 7500 on Saturday which included the Evermore concert at the conclusion of the event.

Within the August statistics the Olympic Opening attracted 96 attendees, Silly Billies performances attracted 46 and a fundraiser event for Womens Wellness Centre – Sex in the City saw 247 people enjoy the movie. There were also other venue hires which included Jabat, Pilbara Comedy Festival (71) and a birthday party.

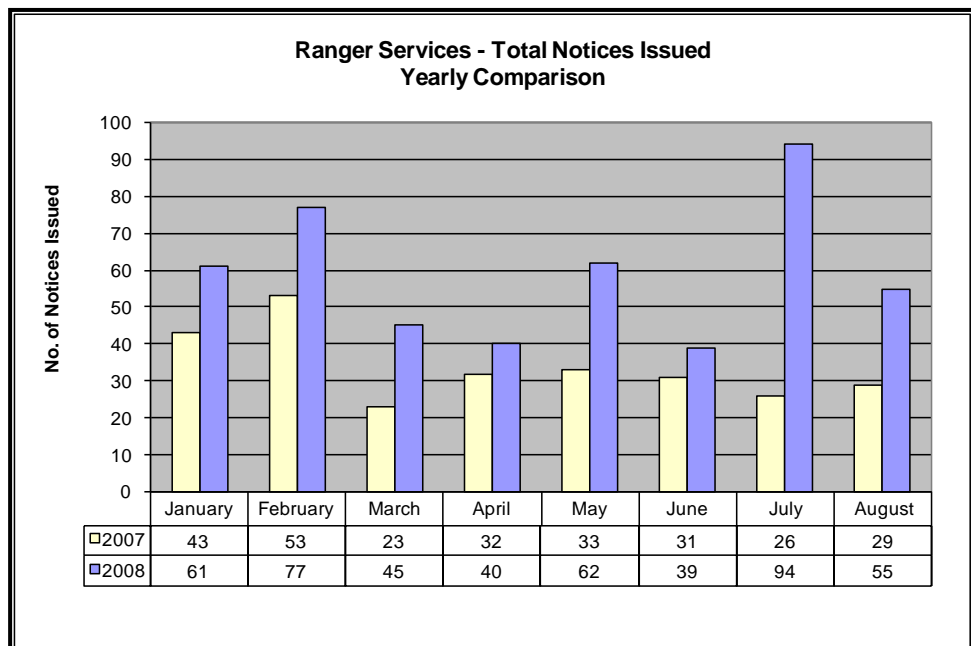
Courthouse Gallery

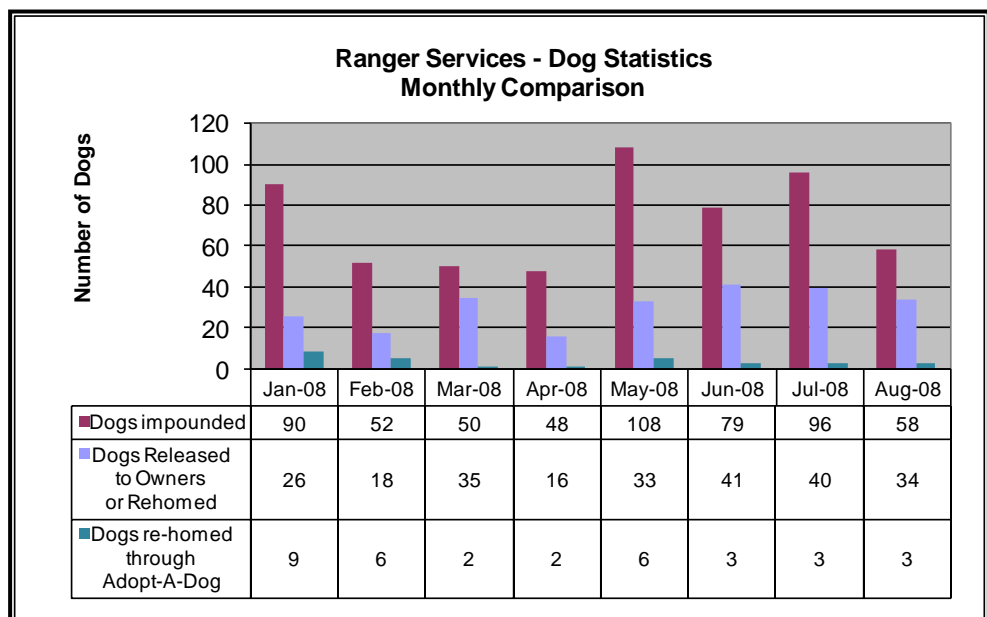
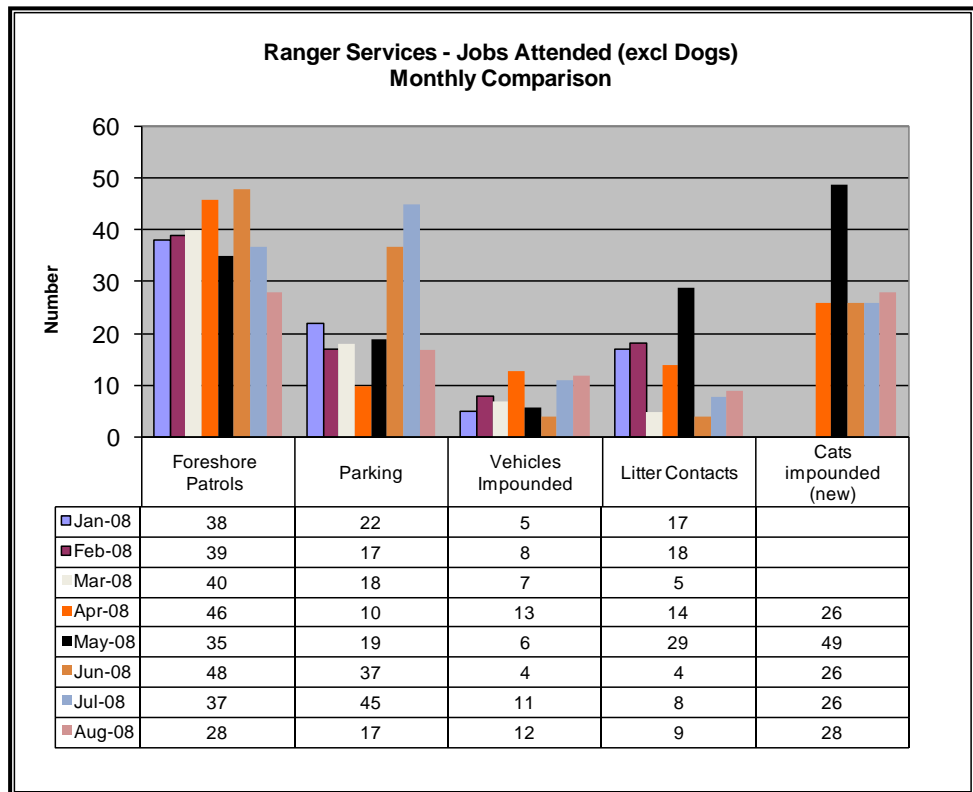


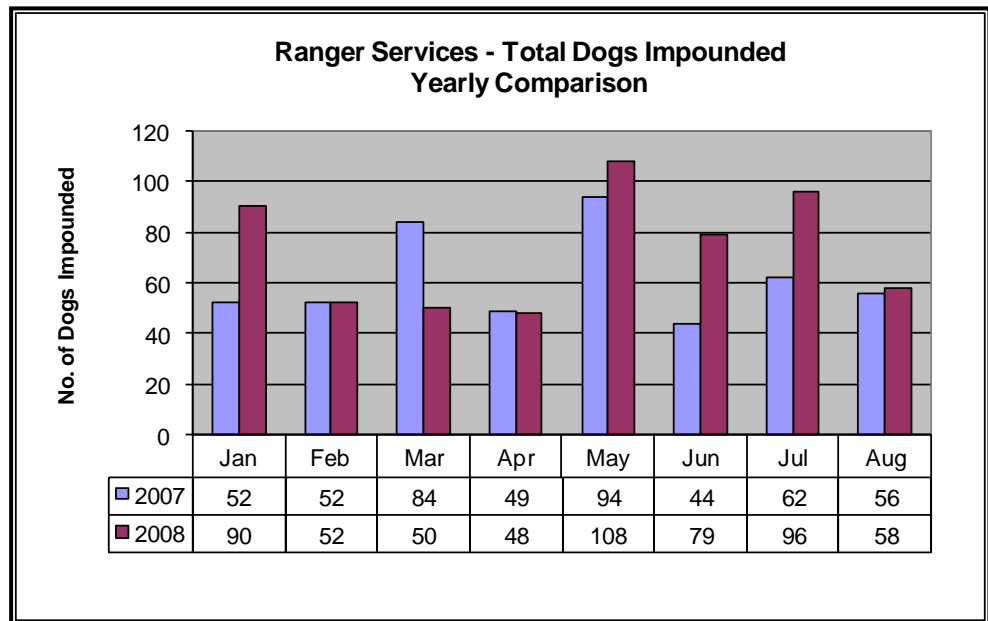


The second of three P.H.otography weekend workshops was held from 29-31 August and again proved to be well attended and enjoyed by the 159 participants over the three days. The exhibition of Too Captivating is still being held and finished on 25/8/08.

Environmental Health Services – Ranger Statistics







Attachments

Nil

200809/056 Council Decision/ Officer’s Recommendation

Moved: Cr J E Ford

Seconded: Cr G J Daccache

That Council receives the Community and Regulatory Services Report for August, dated 18 September 2008.

CARRIED 8/0

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

Officer Nellie Mackay
Executive Assistant
Community and Regulatory
Services

Date of Report 18 September 2008

Disclosure of Interest by Officer Nil

Summary

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

Background

A listing of Planning and Building Consents issued by Council's Planning and Building Services under Delegated Authority for the month of August 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

200809/057 Council Decision/ Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

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

CARRIED 8/0

DELEGATED PLANNING APPROVALS FOR AUGUST 2008

PLANNING APPROVALS						
Application Number	Application Date	Date Determined	Description	Applicants Name	Owners Name	Address
2008/105	14/04/2008	01/08/2008	MOTOR VEHICLE AND/OR MARINE REPAIR & CARE TAKERS DWELLING - Office, Caretakers Dwelling & Shed Addition (50m x 17m x 6m)	Shane Ginbey - Kingsmill Enterprises	PETER JOHN WADE	14 MURRENA STREET WEDGEFIELD 6724
2008/120	24/04/2008	07/08/2008	INFRASTRUCTURE - Air Quality Control Monitoring Site	BHP Billiton Iron Ore	PERPETUAL TRUSTEES AUSTRALIA LIMITED	LOT 5162 COLEBATCH WAY SOUTH HEDLAND 6722
2008/146	08/05/2008	21/08/2008	INDUSTRY EXTRACTIVE - Administration Building, Offices, Ablution Facility, First Aid Facility and Storage Container	Atlas Iron Limited	ATLAS IRON LTD	E45/ 02330 MINING TENEMENT VIA PORT HEDLAND 6721
2008/220	17/06/2008	07/08/2008	INDUSTRY EXTRACTIVE - Sand Mining Proposal	Bradford John Young	BRADFORD JOHN YOUNG	M45/00681 MINING TENEMENT PORT HEDLAND AREA 6721
2008/253	02/07/2008	01/08/2008	WAREHOUSE - Building & Associated Carparking	Barry Collins Master Builders	JEROME JOHN DOLAN	LOT 5889 MANGANESE STREET WEDGEFIELD 6721
2008/290	30/07/2008	27/08/2008	SINGLE HOUSE - R Code Variation - Shed Addition 20m x 12m x 4m (exceeding 200m2 and R Codes Height Allowance of 2.4m)	Scott Malcolm	SCOTT JAMES MALCOLM	LOT 102 REDBANK ROAD PORT HEDLAND 6721

DELEGATED BUILDING APPROVALS FOR AUGUST 2008

BUILDING LICENCES						
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area sq metres	Building Classification
80153	06.08.2008	SOUTH HEDLAND	1 x New Patio and Shed	\$18,750	90	Class 10a
80168	15.08.2008	SOUTH HEDLAND RURAL EST	1 X New Patio	\$7,000	39	Class 10a
71127	19.08.2008	SOUTH HEDLAND	1 x New Patio	\$9,000	49	Class 10a
80187	28.08.2008	SOUTH HEDLAND	1 x New Outbuilding	\$1,500	25	Class 10a
85024	15.08.2008	PORT HEDLAND	1 x New B.G. Swimming Pool	\$32,000		Class 10b
85025	22.08.2008	SOUTH HEDLAND	1 x New BG Swimming Pool	\$16,000		Class 10b
80191	29.08.2008	PORT HEDLAND	1 x New Pergola Decking	\$13,500	10	Class 10b
80149	01.08.2008	SOUTH HEDLAND	4 x New Grouped Dwelling	\$1,615,943	374	Class 1a
80150	01.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$421,802	130	Class 1a
80147	01.08.2008	SOUTH HEDLAND	3 x New Grouped Dwelling	\$1,111,295	274	Class 1a
80148	05.08.2008	SOUTH HEDLAND	2 x New Grouped Dwellings	\$725,356	170	Class 1a
80155	08.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$417,408		Class 1a
80156	08.08.2008	SOUTH HEDLAND RURAL EST	1 x New Single Dwelling	\$441,880	242	Class 1a
71239	08.08.2008	SOUTH HEDLAND RURAL EST	1x New Single Dwelling	\$410,125	230	Class 1a
80159	11.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$595,282	262	Class 1a
80158	11.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$595,282	262	Class 1a
80160	11.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$558,842	248	Class 1a
80161	11.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$558,842	248	Class 1a
80163	12.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$558,842	248	Class 1a
80162	12.08.2008	PORT HEDLAND	New External Clading To Exist' Dwelling	\$16,950		Class 1a
80166	14.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$595,282	263	Class 1a
80165	14.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$595,282	263	Class 1a
80164	14.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$595,282	263	Class 1a
80171	15.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$536,000	273	Class 1a
80169	15.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$536,000	273	Class 1a
80170	15.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$536,000	273	Class 1a
80173	18.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$536,000	285	Class 1a
80174	18.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$536,000	273	Class 1a

BUILDING LICENCES Cont'd....						
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value (\$)	Floor area sq metres	Building Classification
80175	18.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$536,000	273	Class 1a
80176	19.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$536,000	273	Class 1a
80177	19.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$536,000	189	Class 1a
80178	19.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$536,000	189	Class 1a
80179	20.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$595,282	263	Class 1a
80180	21.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$595,282	263	Class 1a
80182	22.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$361,000	176	Class 1a
80181	22.08.2008	SOUTH HEDLAND RURAL EST	1 x New Single Dwelling	\$400,000	350	Class 1a
80183	26.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$430,826	252	Class 1a
80185	27.08.2008	PORT HEDLAND	1 x New Single Dwelling	\$490,110	271	Class 1a
80184	27.08.2008	PORT HEDLAND	1 x New Single Dwelling	\$513,714	249	Class 1a
80189	28.08.2008	PORT HEDLAND	1 x New Single Dwelling	\$464,975	317	Class 1a
80190	29.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$595,282	263	Class 1a
80195	29.08.2008	PORT HEDLAND	1 x New Single Dwelling	\$580,000	274	Class 1a
80192	29.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$595,282	263	Class 1a
80193	29.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$400,000	189	Class 1a
80194	29.08.2008	SOUTH HEDLAND	1 x New Single Dwelling	\$400,000	191	Class 1a
80151	06.08.2008	PORT HEDLAND	1 x New Office	\$510,274	141	Class 5
80152	06.08.2008	WEDGEFIELD	Warehouse and Office	\$347,000	419	Class 7b
80154	07.08.2008	PORT HEDLAND	1 x New Workshop	\$220,000	355	Class 8
80157	11.08.2008	WEDGEFIELD	1 x Commercial Shed	\$275,000	776	Class 8
80172	18.08.2008	WEDGEFIELD	1 x New Workshop	\$132,000	408	Class 8
TOTAL ESTIMATED CONSTRUCTION VALUE				\$22,680,221		

DEMOLITION LICENCES				
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value (\$)
83019	06.08.2008	SOUTH HEDLAND	Demolished whole dwelling	\$26,749

SIGNAGE				
Licence Number	Approval Date	Locality	Description of Work	Estimated Construction Value (\$)
84005	14.08.2008	PORT HEDLAND	1 x New Pylon Sign	\$12,000

SUMMARY				
Number of Licenses	Licence Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
1	Demolitions	\$26,749		
38	Dwellings	\$21,059,448	9099	\$2,314
4	Class 10a	\$36,250	203	\$179
3	Class 10b	\$61,500		
6	Commercial	\$1,496,274	1539	\$972
52		\$ 22,680,221	10,841	

11.2.1.3 Protection of Pundul Trees (File No.: 19/01/0001)

Officer Terry Sargent
Director Regulatory and
Community Services

Date of Report 15 September 2008

Disclosure of Interest by Officer Nil

Summary

To consider the potential of using Council's power under the Planning and Development Act 2005 to require the preservation of Pundul Trees within the Town of Port Hedland.

Background

At the Ordinary Meeting of Council on 23 May 2007 Council considered a report dealing with the preservation of Pundul Trees and resolved to:

- "...1. modify Policy 10/001: Landscaping in Industrial and Commercial Areas by including the statement: [Pundul] Trees shall not be removed without the prior consent of Council. This provision applies to all residential, industrial and commercial developments;*
- 2. officers commence the process of developing legislative powers for the Town of Port Hedland to enforce the policy statement listed above through the development of a Local Law or an appropriate Town Planning Scheme provision; and*
- 3. advise developers within the town of the change in Council policy and Council's intent in relation to this matter."*

During the review of Council's Local Laws a number of options were investigated but as local government is unable to enact local laws which exceed or duplicate state legislation it was confirmed that Council did not have the ability to enact local laws that sought to protect a particular species of tree.

Council has adopted a policy specifying that Pundul trees are to be protected but this has clear limitations. Firstly, it has to be acknowledged that while developers have taken steps to comply with the policy to maintain a good working relationship with Council, the purchasers of subdivided land have generally disregarded the policy, resulting in the eventual removal of Pundul Trees from that subdivided land.

Secondly, the policy only applies to commercial and industrial land and finally, the policy, while it clearly states Council's intent, is not enforceable, leaving Council officers without any means of requiring compliance with the policy or enacting sanctions against offenders.

It has been subsequently proposed (informally) that Council's Planning powers can be used to require the preservation of Pundul Trees and it has been suggested that other Council's actually do so.

The Planning and Development Act 2005 provides the ability for Council to require the protection or preservation of trees in certain circumstances. Schedule 7 clause 4 of the act states, in part, that a Town Planning scheme can include:

"4. Preservation and conservation

...(2) The conservation of the natural environment of the scheme area including the protection of natural resources, the preservation of trees, vegetation and other flora and fauna, and the maintenance of ecological processes and genetic diversity."

While on the face of it, this provision seems to give a power to preserve trees, it can only be used for "*conservation of the natural environment of the scheme area*" or "*the maintenance of ecological processes and genetic diversity.*" Neither of these objectives is served by preserving just one species of tree. This basically refers to the protection of vegetation in an area that is effectively a nature reserve, not to the preservation of a species within an area that has been developed for other purposes. For the same reasons

Just as Council cannot adopt a local law relating to preservation of one species of trees (i.e. duplicating or exceeding state powers as mentioned above) it is impossible to use the Town Planning Scheme to preserve an identified species such as Pundul Trees.

The use of the town planning scheme in these circumstances is therefore limited to protecting individual trees that have heritage value or trees which are valued because they impact on the amenity of an area or have landscape value etc.

Some Councils in WA have followed this course of action, especially those on the urban fringe of the Perth metropolitan area. The City of Armadale is an example cited at Councils informal briefings.

Research confirms the inclusion of tree protection and preservation clauses within Armadale's TPS but they are limited to clauses such as those below, which apply to specific areas where as much of the native vegetation as possible is preserved to maintain the rural character/fauna habitat features of the area.

It is noteworthy that the level of protection does not remove the ability to fell trees for normal civil works associated with residential or commercial development or for other developments where it can be demonstrated that it will not be detrimental to do so. For example.

“5B.7 Remnant vegetation protection

5B.7.1 The clearing of remnant native vegetation or the destruction or damage of native trees within the Rural Living Zone, shall not be permitted except:

- (a) as required to accommodate any approved development on the site, including the curtilages of any approved building;*
- (b) as necessary for the establishment of an approved vehicular access from the adjacent street to an approved building or development;*
- (c) as required to satisfy necessary bush fire protection measures as determined by the City or other relevant authority; or as otherwise approved by the City in accordance with the provisions of clause 5.5.*

5B.7.2 ... the City may approve an application for clearing for a rural use, where it can be shown to the satisfaction of the City that such clearing would not detrimentally affect the character or resource values of the locality, including water resources. Any such approval may be subject to conditions, which the City may see fit, to maintain the character and resource values of the locality.

5B.7.3 Where particular trees or areas of native vegetation are located within the General Rural zone and have been specifically identified for Tree Preservation under clause 11.8 or are located on a site for which a Development Envelope has been identified under the provisions of clause 5.7, those trees or areas shall be protected.

5C.9 Tree protection

5C.9.1 Subject to clause 5C.9.2, a person shall not without the prior written approval of the City remove, lop, top, chop, ringbark or otherwise trim or destroy a tree within any of the Commercial zones.

5C.9.2 Clause 5C.9.1 does not apply to, or prevent the removal of:

- (a) a fruit tree;
- (b) a tree which the City certifies in writing is likely to create a hazard;
- (c) a tree which it is necessary to remove for the purpose of constructing or erecting a building, fence or accessway in respect of which a building licence has been issued by the City;
- (d) a tree which the City or a public authority considers it necessary to remove or lop in order to be able to provide a public utility or service; or
- (e) a tree having a trunk of a circumference less than 0.6m at a height of 1m from the natural level of the ground.”

Similar provisions, while not widely enforced, exist within the Planning Schemes of the Cities of Swan, Wanneroo and numerous other local governments in the Metropolitan Area and South West of the State, principally where the protection of large native trees is seen as an important part of preserving the rural/bushland character of the area.

Consultation

Consultation was undertaken with senior planning personnel from Shire of Busselton, Cities of Armadale and Wanneroo.

Statutory Implications

Schedule 7 of the Planning and Development Act 2005 states the following matter can be addressed by a planning scheme:

“4. Preservation and conservation

...(2) The conservation of the natural environment of the scheme area including the protection of natural resources, the preservation of trees, vegetation and other flora and fauna, and the maintenance of ecological processes and genetic diversity”

Clause 51C of the Environmental Protection Act 1986, which applies to the removal of “ some or all of the native vegetation in an area” states.

“51C. Unauthorised clearing of native vegetation

A person who causes or allows clearing commits an offence unless the clearing —

- (a) is done in accordance with a clearing permit ...”*

Such clearing permits are issued by the Dept of Environment and Conservation, subject to appropriate conditions. Council cannot require the protection of specific species when land is cleared, but that option is open to the state.

Policy Implications

Policy 10/001 states in relation to commercial and industrial land:-

“Existing Trees

Where significant trees and shrubs are already in existence on the lot, these may only be removed with the approval of Council where extenuating circumstances apply.

Pundul Trees shall not be removed without the prior consent of Council. This provision applies to all residential, industrial and commercial developments.”

(Amended at Ordinary Meeting of Council held 23 May 2007.)

Strategic Planning Implications

The recommended action will have no Strategic Planning implications.

Budget Implications

The recommended action will have no direct budgetary implications.

Officer’s Comment

Perhaps with the exception of the stream lines and their fringing vegetation, it is not easy to argue that the remnant native vegetation of Port and South Hedland defines the character of the area. The Pundul Tree is not afforded any particular level of protection by such a measure. Having said that however, there is still value in enshrining protection of remnant native vegetation within the Town Planning Scheme.

Should Council seek to impose such requirements on land owners and developers it must also be aware firstly that monitoring and enforcement of such conditions is beyond the scope of current staff resources and secondly, any action taken to enforce the conditions would be available to appeal and it cannot unreasonably withhold approval to remove vegetation for reasonable civil works, so this measure offers a limited level of protection.

Should Council wish to pursue an amendment to the Planning Scheme to provide for the protection of remnant native vegetation, community consultation and the normal statutory process would see an amendment to the scheme take more than a year. The process would draw resources away from the much needed review of TPS 5 if undertaken as a stand-alone amendment.

It would be more sensible in these circumstances to include appropriate clauses in TPS 6 which will be produced from the review of TPS 5.

The highest level of protection available for specific species of trees is afforded by state legislation currently administered by the Department of Environment and Conservation. ToPH officers have no authority to act on these matters and the best outcomes can be achieved if the department can be convinced to give the issue a higher priority.

To this end it would be appropriate to lobby the department to provide additional resources to the region for this purpose.

In effect Council has 5 options available (most of which are not mutually exclusive), in seeking to preserve Pundul Trees within the Town of Port Hedland. These options are:

1. Take no *additional* action to preserve Pundul Trees
2. Lobby the State Government to afford a higher level of Protection and monitoring of Pundul Trees within the Town of Port Hedland.
3. Further develop or refine the policy relating to preservation of Pundul Trees
4. Consider appropriate amendments to TPS 5 to afford protection of remnant native vegetation within urban areas.
5. Consider the inclusion of appropriate provisions within TPS 6 to afford protection of remnant native vegetation within urban areas.

Attachments

Nil.

Officer's Recommendation

That Council:

- i) consider the inclusion of appropriate provisions within Town Planning Scheme No. 6 to afford protection of remnant native vegetation within urban areas; and
- ii) lobby the State Government to ensure the Department of Environment and Conservation provides adequate resources to ensure the protection of Pundul Trees in the Town of Port Hedland

200809/058 Council Decision

Moved: Cr G D Bussell

Seconded: Cr A A Carter

That Council:

- i) consider the inclusion of appropriate provisions within Town Planning Scheme No. 5 to afford protection of remnant native vegetation within urban areas; and
- ii) lobby the State Government to ensure the Department of Environment and Conservation provides adequate resources to ensure the protection of Pundul Trees in the Town of Port Hedland

LOST 1/7

NOTE : Cr K A Howlett requested the votes be recorded.

Record of Vote:

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

200809/059 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- i) **consider the inclusion of appropriate provisions within Town Planning Scheme No. 6 to afford protection of remnant native vegetation within urban areas; and**
- ii) **lobby the State Government to ensure the Department of Environment and Conservation provides adequate resources to ensure the protection of Pundul Trees in the Town of Port Hedland**

CARRIED 7/1

11.2.2 Planning Services

6:08 pm Councillor Jan M Gillingham declared that with regard to Agenda Item 11.2.2.1 'Proposed Change of Use – Single House to Office at Lot 2083 (10) Welsh Street, South Hedland' she is an acquaintance to Board Member Mr Kirk Lenton. As a consequence, Councillor Gillingham advised there may be a perception that her impartiality on the matter may be affected. Cr Gillingham declared that she will consider this matter on its merits and vote accordingly.

Councillor Gillingham did not leave the room.

11.2.2.1 Proposed Change of Use – Single House to Office at Lot 2083 (10) Welsh Street, South Hedland (File No. 102690G)

Officer Richard Bairstow
Manager Planning

Date of Report 18 September 2008

Disclosure of Interest by Officer Nil

Summary

An application was received from Hedland Personnel Inc. for the retrospective approval for a change of use for a Single House to Office at Lot 2083 (10) Welsh Street, South Hedland. The application was the result of a request by the Town in response to a complaint about the unauthorised office.

The application was advertised to land owners within 100m of the subject property for a comment. At the close of advertising, one submission in objection has been received.

The application is referred to Council for determination in accordance with the Notice of Delegation.

Background*The Site*

The site is included in the Residential zone under the Town of Port Hedland Planning Scheme No. 5 (TPS5), and has an area of 746m². Land adjoining the site is also included in the Residential zone. The lot currently contains a Single House which is currently being used for the purposes for which the application has been made.

The Proposal

Hedland Personnel is requesting retrospective approval to conduct an "Office" activity from the existing house. The applicant's justification has been summarised into the following points:

- Hedland Personnel is a non-profit organisation funded by the Department of Employment, Education, Education & Workplace Relations (DEEWR);
- They specialise in obtaining and maintaining employment for people with disabilities;
- They currently have 60 clients;
- Had to relocate due to rental increases and without the current address, it is highly likely that the service would close;
- 10 vehicles can be accommodated across the street and only 3 are used by Hedland Personnel;
- The across the street carparking allows the office to operate with no change to the residential appearance;
- The appearance of the property has been improved since the business moved in;
- The business operates while maintaining the residential appearance; and
- The day time activity reduces the chances of burglary during the hours of operation.

In addition, the applicant submitted letters of support from the following Welsh Street residents, businesses and Politicians:

- 14 Welsh Street, South Hedland
- 4 Welsh Street, South Hedland
- Barry Hasse – Federal Member for Kalgoorlie
- Tom Stephens – Member for the Central Kimberley-Pilbara
- Bloodwood Tree Association – supported Home Occupation but the letter was unsigned
- Hedland Emporium
- Centrelink
- Coles Supermarket
- McDonalds

Consultation

The application was advertised in accordance with the requirements of TPS5, with letters sent to properties within 100m of 10 Welsh Street, South Hedland.

At the close of advertising, 2 submissions (from the same person) in objection to the proposal were received. The submissions were also from the same address as the original complaint. The 2 submissions, and original complaint, have been summarised to the following table, with administration responses provided:

Objection	Administration's Response
The removal of vegetation from along the common boundary between the properties has created a security problem with the fence only at 600mm.	The appearance of the property is consistent with a residence. However, a condition requiring the installation of a suitable fence at the applicant's expense is considered reasonable given the circumstances.
Increase burglary with less night time surveillance.	A condition has been included to address this matter.
There is a shortage of residential dwellings within Hedland, therefore why should a residential building be used for non-residential purposes?	This is a valid objection, however not a matter that the administration can consider in determining the application, as it is a decision associated with economics and the owner's choice; and therefore not a planning matter.
With non-residential uses occupying a residential area, what happens after hours with no-one living at the property.	A condition has been included to address this matter.

As noted within the background the, applicant provided nine (9) letters of support from property owners in Welsh Street, Local Businesses, and Politicians.

Statutory Implications

In accordance with the *Planning and Development Act 2005* the proposed development is subject to the provisions of the TPS5.

Policy Implications

Nil.

Strategic Planning Implications

Key Result Area 4 – Economic Development.

Goal 3 – Business Development.

Strategy 2 – Develop Council Policies and/or incentives that assist in attracting and retaining businesses within the Town of Port Hedland.

Budget Implications

An application fee of \$117 was paid on lodgement and deposited into Account 1006326 – Town Planning Fees. The application is, however, for a change of use, and the applicable fee is \$235, leaving an additional \$118 owing.

Officer's Comment

In the majority of Local Planning Schemes, non-residential uses within a residential area would not be permitted. Port Hedland's Scheme, however, allows Council to consider "Office" uses within residential areas. Council, earlier this year, supported such a use in Kingsmill Street, Port Hedland.

The Welsh Street address does provide particular advantages not normally associated with a predominately residential area. The most obvious is the access to carparking associated with the park on the opposite side of the street.

Council has three alternatives; 1) approve the application, 2) refuse the application, and 3) defer the application. There does not appear to be any reason to defer this decision. Options 1 and 2 are outlined below.

Option to Approve Application

Support for the application could be justified for the following reasons:

- Access to car parking;
- Improved streetscape appearance;
- Modus operandi maintains the residential appearance; and
- A daytime activity provides surveillance opportunities in a predominately residential area.

However, any support should be subject to the following matters being addressed by appropriate conditions and footnotes:

- Maintenance of the residential façade;
- Only whilst carparking on the opposite side of the street remains available;
- Operations are kept to a level commensurate with its residential surrounding;
- Appropriate fencing with the being installed between 8 and 10 Welsh Street, at the applicant's expense;
- 12 month approval which is the same as a home occupation and enables its review;
- If practicable, an on-site caretaker to be provided or alternative after hours security measures to be adopted; and
- Outstanding application fees being paid prior to the issue of an approval.

These conditions and footnotes are considered reasonable given the proposal's location within a residential area.

Option to Refuse Application

Alternatively, the Council could refuse the application for the following reasons:

- A non-residential use in a predominately residential area is inappropriate as it may reasonably be considered to negatively impact on the following:
 - Amenity of residents; and
 - After hours security.
- An objection to the application was lodged; and
- The matters to be addressed by conditions are inappropriate, and it would be difficult to ensure compliance with such conditions

After consideration of the grounds of objection, letters of support, site visits, site advantages provided by the location as outlined above, it is recommended that the application be supported subject to conditions and footnotes which suitably address the areas of concern.

The recommendation includes conditions and footnotes to suitably address the above matters. The application is recommended subject to those conditions and footnotes included within the recommendation.

Attachments

1. Location Plan
2. Site Plan

200809/060 Council Decision/Officer's Recommendation**Moved:** Cr J E Ford**Seconded:** Cr A A Carter**That Council:**

i) retrospectively approves the application (2008/177) submitted by Hedland Personnel for the proposed Office at 10 Welsh Street, South Hedland, in accordance with the approved plans and subject to the following conditions and footnotes;

a) The dwelling must only be used for purposes, which are related to the operation of an "Office". Under the Town of Port Hedland's Town Planning Scheme No. 5 an "Office" is defined as:

"a building or part of a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, a post office, bank, building society, insurance office, estate agency, typist and secretarial services, or services of a similar nature, and where not conducted on the site thereof, the administration of or the accounting in connection with a commercial or industrial undertaking."

b) Permission is only granted to Hedland Personnel Inc. to conduct at Office at Lot 2083 (10) Welsh Street, South Hedland.

c) This approval is valid until such time as one or the other scenarios first occurs: The activity operates for 12 months or until the access to carparking within the street becomes restricted.

At either occurrence, an application for renewal of approval shall be submitted within 4 weeks of the event. If the application for renewal is not made and/or a parking alternative arrangement approved by the Manager Planning, then the business shall immediately cease operation. An annual renewal fee applies.

d) The residential appearance of the dwelling is to be maintained to the satisfaction of the Manager Planning.

e) The office use shall be conducted in such a manner that it will be unobtrusive and will not prejudicially affect the amenity of the area and all to the satisfaction of the Manager Planning.

- f) A minimum of 1 car bay per staff member and additional carparking bays in sufficient numbers to cater for the maximum number of vehicles expected in association (clients and/or otherwise) business activity at the site and all to the satisfaction of the Manager Planning.**
- g) On-site carparking shall be reserved for disabled carparking only. Client's shall be made aware of this condition and encouraged to use the carparking bay.**
- h) Within 60 days of this approval the applicant shall install a dividing fence between No. 8 and 10 Welsh Street, South Hedland in accordance with the requirements of the Dividing Fences Act and Residential Design Codes of Western Australian at their expense and to the satisfaction of the Manager Planning.**
- i) An overall signage strategy for the Office shall be submitted for approval to the satisfaction Manager Planning. Any signage will need to be considerate of the residential location of the property.**

Footnotes:

- a) You are reminded that this is a Planning Approval only and does not obviate the responsibility of the developer to comply with all relevant building, health and engineering requirements.**
- b) In regard to condition (f), the requirement has been imposed to minimise any potential risk to disabled persons crossing Welsh Street.**
- c) If practicable, an on-site after hours caretaker should be located at the premises or alternative after hours security measures adopted to minimise the potential risk of any unauthorised activities.**

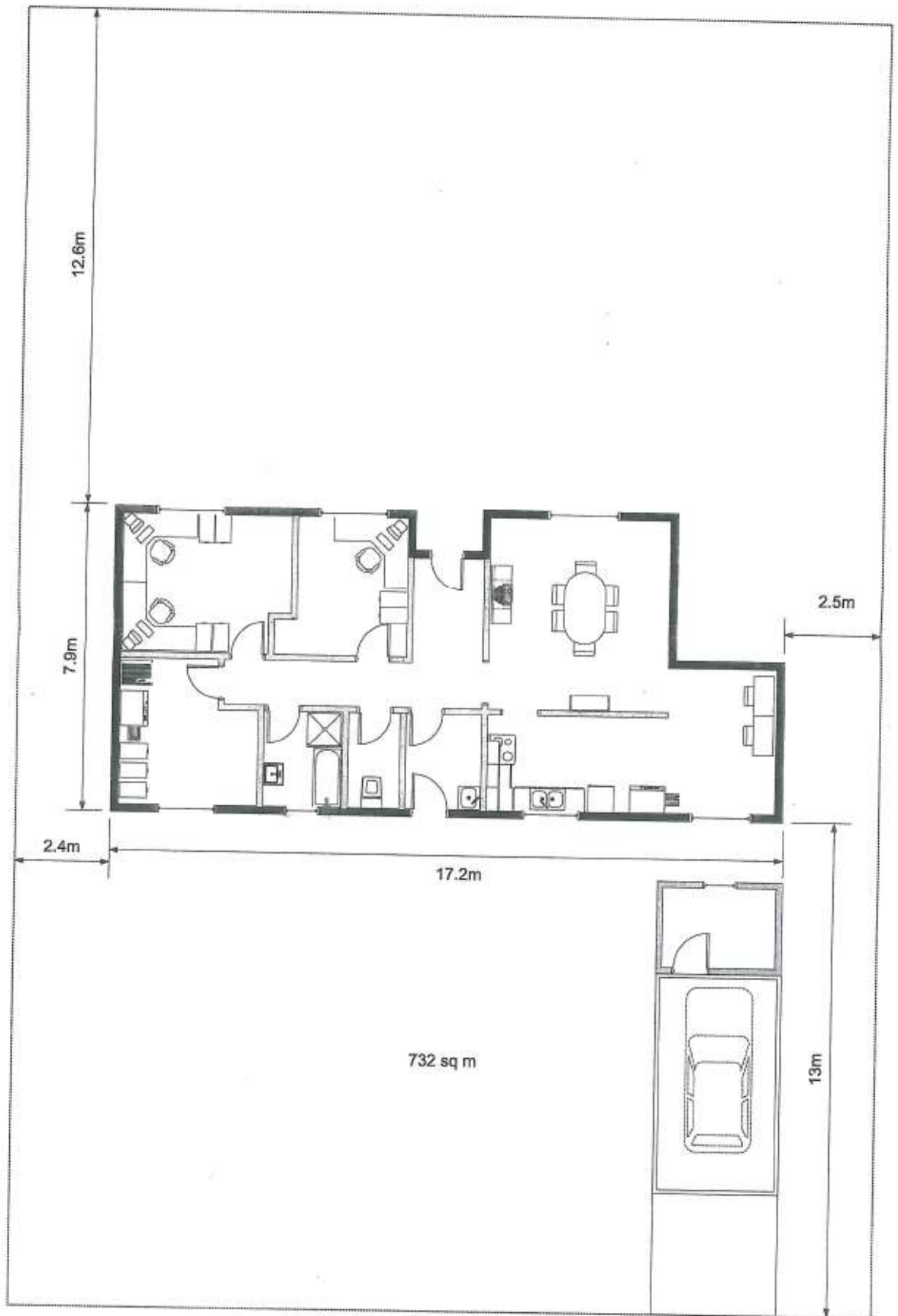
- d) The developer to take note that the area of this application may be subject to rising sea levels, tidal storm surges and flooding. Council has been informed by the State Emergency Services that the one hundred (100) year cycle of flooding could affect any property below the ten (10)-metre level AHD. Developers shall obtain their own competent advice to ensure that measures adopted to avoid that risk will be adequate. The issuing of a Planning Consent and/or Building Licence is not intended as, and must not be understood as, confirmation that the development or buildings as proposed will not be subject to damage from tidal storm surges and flooding
- e) Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.
- ii) Requests the applicant to pay the outstanding application fees of \$118 for the "Change of Use" prior to the application being released.
- iii) Advises the submitter's to the application during the advertising period of its decision.

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.1



ATTACHMENT 2 TO AGENDA ITEM 11.2.2.1



11.2.3 Ranger Services

NOTE: Agenda item 11.2.3.1 'Authorisation of Dog Registration Officer – Dog Act 1976 was withdrawn.

11.2.3.1 Authorisation of Dog Registration Officer – Dog Act 1976 (File No.: 19/07/0001)

Officer Peter Wilden
Co-ordinator Ranger
Services

Date of Report 27 August 2008

Disclosure of Interest by Officer Nil

Summary

For Council to consider the appointment of Administration Officer (Ms Gloria Quinn) as a Registration Officer authorised under the Dog Act 1976 for the Town of Port Hedland.

Background

To aid in delivering a higher level of customer service to the community EFTPOS facilities have been installed at the Ranger Services office located at the Works Depot in Wedgefield. The Administration Officer will be required to register dogs that are released, re-homed and adopted and undertake dog registration.

Currently, Council allows for the registration of dogs at the Town of Port Hedland's Civic Centre and the South Hedland Library. This new facility will improve the Town's customer service level.

Consultation

Nil.

Statutory Implications

The Dog Act 1976 requires that all persons that register dogs be authorised under the said Act to carry out this function.

Policy Implications

Nil.

Strategic Planning Implications

Nil.

Budget Implications

Authorisation of officers will need to be advertised in the Government Gazette, which will incur a cost to Council of approximately \$200.

Officer's Comment

It is a requirement that any officer that affects the registration of dogs be authorised. Authorisation of officers also gives the Council and staff legal protection while carrying out this function while acting in good faith.

Attachments

Nil.

Officer's Recommendation

That Council:

- i) approves the authorisation of Ms Gloria Quinn as a Registration Officer in accordance with the provisions of the Dog Act 1976; and
- ii) the authorisation of Ms Gloria Quinn as a Registration Officer be advertised in the Government Gazette.

NOTE: SIMPLE MAJORITY VOTE REQUIRED

11.2.4 Community and Economic Development**11.2.4.1 *The Alliance Small Grants Scheme: Rounds 2 and 3 (File No.: 15/01/0003)***

Officer **Michael Frawley**
Events Co-ordinator

Date of Report 10 September 2008

Summary

For Council to consider the recommendations of the Alliance Working Group from applications that have been received for The Alliance Small Grants Scheme Rounds 2 and 3.

Background

The Alliance Small Grants Scheme was developed as a key element of The Alliance Partnership Agreement between Town of Port Hedland and BHP Billiton Iron Ore. Grants are available to individuals and community groups to encourage and support the creation of a community in which artistic, cultural and heritage aspirations will flourish and be sustained.

The Alliance Small Grants Scheme is advertised a number of times per year, and individuals and groups who meet the selection criteria are eligible for a grant of up to \$5,000.

Requests were received from three applicants during Round Two, and nil during Round Three.

The Alliance Advisory Committee has considered the applications from Round Two and recommends that two of these applications be approved, with one application rejected.

The Alliance Advisory Committee recommends the granting of the following applications:

- Zabia Chmielewski (Auspiced by HARTZ)
“Airport Billboard Project” – The creation and display of a work of art at the Port Hedland Airport on one of the new backlit advertising billboards, presenting visitors and new arrivals to town with a positive affirmation of Hedland culture.
Amount Requested: \$3,700
Grant Amount Recommended for Approval: \$3,700
- Amy Sharp (Auspiced by HARTZ)
“Pilbara Prints” – A printmaking workshop for Port Hedland artists and residents, delivering new skills and enhancing activity in the local arts community.

Amount Requested:	\$2,280
Grant Amount Recommended for Approval:	\$2,280

Funding is not recommended for:

- Port Hedland Yacht Club
"Yacht Club Markets" – For purchase of tables for use as market stalls.
Amount Requested: \$5,000

This application did not meet the Small Grants Criteria, due to the use of funds to purchase infrastructure for the running of commercial activity, irrelevance to the key Alliance goals of "Arts, Culture and Heritage", and failure to provide adequate financial information.

TOTAL RECOMMENDED FOR APPROVAL: \$5,980

Consultation

- The Alliance Small Grants Scheme: Round 2 was advertised through the North West Telegraph on 2nd, 9th and 16th April 2008.
- The Alliance Advisory Committee

Statutory Implications

Nil.

Policy Implications

Nil.

Strategic Planning Implications

KRA 3: Community Development
Goal 5: Arts and Culture – The town is recognised as a location where arts and culture is promoted and quality artwork is produced.

Budget Implications

Grants approved to the value of \$5,980 from funds of \$30,000 allocated to the Alliance Small Grants Scheme 08/09.

Officer's Comment

This is a key component of The Alliance Partnership Agreement, and the recommendations of the Alliance Working Group are in accordance with the Partnership Agreement.

Attachments

Nil.

200809/061 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council approves the following grants recommended by the Alliance Working Group, as part of The Alliance Small Grants Scheme: Round 2:

i) **Amy Sharp (HARTZ)**
"Pilbara Prints" \$2,280

and

ii) **Zabia Chmielewski (HARTZ)**
"Airport Billboard Project" \$3,700

CARRIED 8/0

11.2.5 Building Services**11.2.5.1 Purchase of Automatic Public Toilet (WC) – Lot 3339 R35322 Daylesford Park South Hedland (File No.: 05/12/0054)**

Officer Andy Taylor
Manager Building Services

Date of Report 12 September 2008

Disclosure of Interest by Officer Nil

Summary

The BHP Sustainability Partnership has allocated \$150,000 towards the upgrade of Daylesford Park. As part of this program it is proposed to install an automated unisex toilet (WC), of the same type as has been installed in Wedge Street Port Hedland.

Background

This proposed automated WC will be the same as the one installed in Wedge Street, Port Hedland which has performed well with public acceptance. To date there have been no maintenance issues with only normal ongoing costs of consumables incurred.

This type of unit has proved, so far, to be vandal resistant.

Consultation

No external consultation is required.

Statutory Implications

Part 4 Regulation 11(2)(f) Local Government (Functions and General) Regulations 1996

“Tenders do not have to be publicly invited according to the requirements of this Part if—

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;”

Policy Implications

Council's procurement policy requires all purchases in excess of \$100,000 to be undertaken through the tender process.

Strategic Planning Implications

Nil.

Budget Implications

A quotation has been received from W.C. Convenience Management Pty Ltd for the supply and delivery of an Exeloo III 01 Automated Public WC for the amount of \$97,656 plus GST. This quotation expires on 30 September 2008.

Additional installation costs will be incurred during the installation being:

- Water and electrical connection including “headworks”
- Excavation and reinstatement of services run in.

When the final location has been determined, quotes will be obtained for these. From past experience with this type of installation these additional costs are expected to be in the vicinity of \$30,000

There will also be additional costs associated with the maintenance of this toilet including:-

- Power
- Water
- Consumables
- Cleaning
- Building Maintenance

It is anticipated that these costs can be met within the current building maintenance/cleaning budget.

Officer’s Comment

This proposed WC will be the only public WC located in the immediate area and represents good value for money as has been shown with the previously installed automated WC.

This park was identified for deletion in the Council’s Parks Improvement Plan with the Koombana School site being developed as the desirable alternative.

This development is some years away from occurring and the installation of this WC is seen as required in the interim.

Should the park eventually be closed or downgraded, the structure is readily relocatable.

Attachments

Nil.

200809/062 Council Decision/Officer's Recommendation

Moved: Cr J E Ford

Seconded: Cr A A Carter

That Council:

- i) resolves to set aside the provisions of Policy 2/007 Procurement Policy for the purchase of an automated public toilet (WC) for Lot 3339 Kybra Close, South Hedland; and
- ii) pursuant to Part 4 Regulation 11(2)(f) Local Government (Functions and General) Regulations 1996 authorises the Chief Executive Officer to place an order with W.C. Convenience Management Pty Ltd for the supply and delivery of an Exeloo III 01 Automated Public WC for the amount of \$97,656 plus GST.

CARRIED 6/2

NOTE: Cr K A Howlett requested the votes be recorded.

Record of Vote:

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

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

Officer Terry Dodds
Director Engineering
Services

Date of Report 15 September 2008

Disclosure of Interest by Officer Nil

Summary

Council's Engineering Directorate has provided an update on the projects that they are currently managing.

Background

The Engineering Department is currently managing over 60 projects. The attached report is project management focused.

Consultation

Engineering Services officers.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

The projects within the monthly report reflect the priorities of the Town's Plan for the Future 2008-2013.

Budget Implications

The projects listed in the Engineering Monthly report have been included in Council's 2008/09 budget.

Officer's Comment

Nil.

Attachments

1. Works Schedule
2. Recreation Update

200809/063 Council Decision/Officer's Recommendation

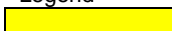



Moved: Cr A A Carter

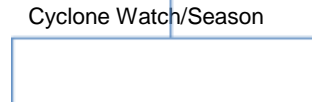
Seconded: Cr J E Ford

That Council receives the Engineering Services monthly report for September 2008.

CARRIED 8/0

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009

Legend	
	Concept & design development
	Approvals/Services/Community Consultation
	Procurement/Tender
	Construction/works undertaken



Officer	A/c Number	A/c Description	YTD Expenditure 26/8/08	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	COMMENTS	Link to Project Brief
MES	1201441	Footpath Railings	3,251													Railings to be completed (spray painting) when equipment arrives. Depot staff to paint railings when spray unit arrives. Graffiti vehicle finished 3/9/08	28 - Roads & Infrastructure\03 - Footpaths\0002 - Maintenance\Project Brief-Safety Railings 0809.docx
MES	1201467	Throssel Street - BS	64,205													Due to finish end of Sept.	
MES	1201486	Wedgefield Upgrades - R2R Program	10,878													Ongoing from safety audit, advise R2R of program Depot & period contract Currently being constructed (contractor breakdown, re-start Sept 15).	
MRS	1108269	Multi Purpose Sport & Recreation Facility Design	0													Stage 2: Source funds where applicable Stage 3: Approvals undertaken as part of arch. designs Stage 4: Tender for construction Stage 1: Report due OCM March 2009	..\..\Community Development Services\Recreation Department\Multi-Purpose Sports Facility\Architectural Design\Project File\Project\MPRC Project Brief.docx
AM	1210474	Airconditioning upgrade - Airport	0													carry forward from last year due to delay in construction of a/c installation only. Roof will be inspected whilst ac is removed. Air con delivered 28/8/08; contractors to install.	
MES	1201464	Anderson Street Upgrade (West End Greening Stage 1)	368													Finished (late propagated shrubs - end of March).	
MID/MES	1201475	Port Hedland Footpath Construction	10,998													Cooke Point, Styles, Bayman, Leeds, Pilkington. Contractor has confirmed that program will be completed prior to contract expiry on 31st December 2008. Services and obstructions to be checked as construction progresses (Working in Bayman, then Leeds). Horizon Power putting in new feed @ Cooke Pt intersection.	28 - Roads & Infrastructure\03 - Footpaths\0004 - 5 yr Programs\Project Brief-PH Footpath Construction 0809.doc
MES	1201478	Reseals	0													Program to be reviewed since recent contractor price increase. Budget to be confirmed as varies from original submission (Check funding, possible misallocation). 5 year program.	

MID/MES	1201444	Shoata Rd MRWA (fully funded by R2R)	28,671															Seal remainder of Hamilton to floodway. Depot crews carrying out preparation work (WE 22/8/08). Sealing by period contractors. To be completed prior to wet season.	28 - Roads & Infrastructure\04 - Funding Programs\0005 - Roads 2 Recovery\Project Brief-Shoata road 0809.docx
																		Sealing tied in with reseal work.	
MID	1105424	Port Hedland Boat Ramp (potable water supply, lighting)	0															Potable water, signage and lighting repairs to be completed in Sept. Currently seeking direction from Port Hedland Port Authority regarding the installation of channel lighting at the boat ramp entrance. It is likely that the ablation block will be deleted from the scope due to costs of channel lighting	30 - Traffic & Transport\15 - Boat Ramp\0001 - Richardson St\Project Brief - Port Hedland Boat Ramp Upgrade.docx
MID	1201481	Walkway/Park Lighting	815															Waiting on quotes from Horizon Power for walkway lighting program. May require tender if Horizon Power choose not to take over assets. Solar lighting at Finucane boat ramp to be investigated.	28 - Roads & Infrastructure\03 - Footpaths\0003 - Walkway Lighting\Project Brief - Walkway Lighting.docx
MID	1201487	Street Lighting Upgrades	0															Waiting on quotes from Horizon Power for street lighting. All works to be carried out by Horizon Power as street lighting is their asset. Program includes upgrades to various locations in the Koombana area, with focus on meeting requirements for CCTV (light pole heights).	28 - Roads & Infrastructure\11 - Street Lighting\0001 - General Information\08-09 programme\Project Brief street lighting upgrade 0809.docx
DES	NEW	TWA project management	0															Geotechnical investigations commenced. WWTW designed. Design of civil works commenced. Reports to briefing session (Sept 10) by DES. CEO met with lawyers 1/9/08 re lease signing.	
MID/MES	1201443	McGregor Street RRG (Condon street to Cooke Point road)	0															Program includes the extension of asphalt 2m towards skate carpark and asphalt overlay of McGregor street from Clarke street to Cooke Point road. Construction work to be undertaken by Council's period contractors (Pioneer as per Wedgefield upgrades)	28 - Roads & Infrastructure\04 - Funding Programs\0007 - Roads 2020 - 2025 - \Project Brief-McGregor st RRG 0809.docx
MID/MES	1201455	Anderson Street RRG	0															Frewer to Howe - drainage & asphalt overlay. Works undertaken by Council staff and period contractors (Pioneer as per Wedgefield upgrades).	28 - Roads & Infrastructure\04 - Funding Programs\0007 - Roads 2020 - 2025 - \Project Brief-Anderson st RRG 0809.docx
MID/MES	1201453	Hamilton Road RRG	0															Kerbing and asphalt overlay on section near Matt Dann/Club Hamilton. Undertaken by period contractors.	28 - Roads & Infrastructure\04 - Funding Programs\0007 - Roads 2020 - 2025 - \Project Brief-Hamilton road RRG 0809.docx
MRS	1108420	Recreation Facility Upgrade (Diamond 1 Backnet and Hawks clubrooms)	0															Completed	
																		Completed	
																		Completed	
																		Construction - D1 backnet commencing 15/9/08	
MID/MES	1111446	Playground Equipment (Colin Matheson & Kevin Scott oval) \$231,844	1,750															Site works to commence beginning October, with completion within 2 weeks of commencement. Minor delays due to Builders Registration. Contractor has advised a new builder (JAS Pty Ltd) who is registered in WA. Lighting, paths and furniture installations to be programmed after completion of shade structures.	21 - Parks & Reserves\03 - Playground Equipment\0001 - General\Project Brief- Playground Equipment 0809.doc
MES	1204280	Pre Cyclone clean Up White Goods/Green	0															Advertising and signage - WE 15/8/08. Starting pickup at beginning of Sept.	
																		NA	
																		Depot	
																		Greenwaste-Sept/Oct, Whitegoods-May/June	

AM	1210477	Grading of Drains	0															carry forward from last year due to delay in construction	
AM	1210476	Apron Lighting	0															internal/contract rates (tentative date). design main apron complete. Thorn reviewing GA apron design. May be possible to use existing poles. Quotes: TOPH to supply goods construct only internal/contract rates RADS	
AM	1210475	PAPI	0															design complete Review undertaken to ensure compatibility for future aircraft mix. Quotes: electrical only installation. Goods purchased dependant on flight testing availability timed for RESA as ENESAR only one in WA RADS. Ace Electrical fault finding on communication lines	
MID/MES	1004410	Septage Ponds (construct new septage ponds at SH Landfill)	5,263		C													Design completed. To be constructed by Council staff utilising contractors where required. DEC approval not required due to concrete lining. Construction commencement pending burning of greenwaste (done) and civil construction supervisor commencing.	31 - Waste Management\06 - Service Provision\0001 - Liquid Waste\Project Brief - Septage Ponds.doc
AM	new	CBS security installation	0															Conveyor concept complete. Internal works concept associated with other terminal works conveyor approved w/out tender Aug. Other works quotes only determined by x-ray machine delivery date completed prior to 1 dec Construction commencing 2nd week of Sept	
MID/MES	1009481	Cemetery Upgrade (Entry signage, lintels, kerbing, plot markers)	0		C													Program approved at July OCM. Includes entry signage, kerbing, plot markers and concrete lintels. Entry signage has been ordered. Kerbing has commenced. Plot markers have been audited to determine replacement requirements.	08 - Economic Development\02 - Projects\0005 - Cemetery Upgrade\Project Brief - Cemetery Upgrade 08.09.docx
MES	1201483	Nth Circular Rd East Culverts RRG	2,909															DBYD Culverts ordered due September, Depot completed concrete bases WE 22/8/08. Depot + contractors	28 - Roads & Infrastructure\04 - Funding Programs\0007 - Roads 2020 - 2025 - \Project Brief-Nth Circular culverts RRG 0809.docx
MID/MES	1201476	South Hedland Footpath Const	0															Traine, Mauer, Stanley, Bottlebrush, Limpet, Pettit, Hawke, Mitchie, Smith, Acacia. Contractor has confirmed that program will be completed prior to contract expiry on 31st December 2008. Services and obstructions to be checked as construction progresses.	28 - Roads & Infrastructure\03 - Footpaths\0004 - 5 yr Programs\Project Brief - SH Footpath Construction 0809.doc
AM	NEW	Café Modifications	0															Consultations with shopfitters in Perth. National Food Service investigating layout; design.	
AM	NEW	Solar Lights	0															Grant funding in budget - locate & apply Dependant on type of installation	
AM	1210478	RESA Extension	0															ENESAR design. Surveyor to grid survey area completed, awaiting documentation. period contract rates RADS	

AM	NEW	Departure Lounge Modifications	0															Design associated with CBS and Café Modifications	
																		tendered works complete project	
MID/MES	1201473	Drainage Construction	0															Site inspections carried out for Pedlar/Parker and Logue court drainage. Design required for Logue court. Both projects to pipe drainage to existing open drainage network. Port Hedland LIA drainage program to be investigated during the wet season to determine priorities. Works undertaken by Council staff.	29 - Sewerage & Drainage\03 - Design & Construction\0002 - General\Project Brief - Drainage Construction 0809.doc
MES	1110278	Sportsground Surface Repairs	0															Marie Marland, Kevin Scott and MacGregor St ovals' surfaces require airating & other maintenance.	
MES	NEW	Floodwater Pump Upgrade - Elec Shelter	0															Subcontractors	
AM	1210473	Electrical upgrade	0															design complete. Connell Wagner specifications Stage 2 of upgrade - ring main. Reading electrical engaged to review specifications prior to going to tender to ensure accuracy.	
MRS/MES	1109451	McGregor Street Oval Upgrade	0															Report from ROSS Planning to be presented at Sept OCM. Carpark to be established. MRS and MES to meet onsite to determine location etc. To be determined.	
MRS	1108273	SH Sports Precinct Masterplan	0															Contract amendment to Multi-Purpose Recreation Centre to include this project. Quote received for \$15,000 from ARM. Project commenced 09/09/08 with a site visit. Final report due March 2009.	
MID/MES	1201490	Sutherland Street Upgrade (PHES) - Nodes	0															Works to be undertaken by Council staff and contractors where required. Materials quotes being finalised. Water meter installation ordered. Battery operated retic controllers to be used in lieu of power connection.	21 - Parks & Reserves\05 - Development\0006 - Sutherland street Nodes\Project Brief - Sutherland St Nodes.docx
MID/P&G	1111265	Reticulation - Survey Pickup	0															Waiting for quotes from surveyors for the pickup and documentation of park features, including boundaries, equipment, furniture, sprinklers, etc. Reticulation pipe locations to be added by Parks & Gardens staff.	21 - Parks & Reserves\05 - Development\0005 - Public Open Space\Project Brief - Parks Survey.docx
DES/MES	1111282	Native Plant Nursery	25,859															Establish and create removable structure and associated infrastructure. Staff went to Greening Australia HQ learning native plant propagation (Aug 12). Presentation to councillors 5/9/08 by P&G.	
MRS	1108415	Skatepark Upgrade South Hedland (security cameras)	87															Advised by DCS that funds are for security cameras. Will be required to determine if this project is being undertaken with the CCTV installation or as a separate project.	.\.\Community Development Services\Recreation Department\Skatepark\Shade Structure Project Brief.docx

MRS	1108416	Sports Facility Upgrade Program (Sheds - McGregor Street and Marie Marland Reserve)	0																	Sheds constructed offsite (hand over to Building). Commenced 31/07/08.	Sheds constructed on-site	..\..\Community Development Services\Recreation Department\Recreation Upgrades\Sports Upgrades\Shared Facilities Project Brief.docx
MID/MES	1201450	Boulevard Tree Planting	0																	Planting of street trees along both sides of Cottier drive. Connection with mains water is difficult and costly (\$200K) as no main line is present. Investigating alternative reticulation system (waiting for design). Planting of trees will be determined by weather conditions and availability of large trees.		21 - Parks & Reserves\05 - Development\0007 - Boulevard Planting\Project Brief - Cottier Dr Tree planting.docx
MID	811494	Don Rhodes Mining Museum (lighting, fencing and crackdust around exhibits)	0																	Program includes lighting, fencing and crackdust hardstand to exhibit areas. Quotes for lighting and fencing have been received. Orders pending determination of project viability (ie possibility of moving to a different location)		21 - Parks & Reserves\01 - Maintenance\0020 - Don Rhodes\Project Brief - Don Rhodes Mining Museum.docx
MID	1208443	Light Vehicle Replacement	0																	Vehicle specifications have been confirmed. Waiting for quotes from PMG as per State Supply Contract.		23 - Plant, Equipment & Stores\10 - Replacement Program\0001 - General\Project Brief- Light Vehicle Replacement 0809.doc
MRS	1107413	Aquatic Centre Plant and Equipment	0																	Priorities have been determined by the ToPH and YMCA, as per the YMCA audit undertaken, and submitted capital upgrade requests. Plant and equipment will be purchased as per the procurement policy, and in accordance with the Recreation Facility Audit, with preference for the items deemed most important.		..\..\Community Development Services\Recreation Department\YMCA\0809 Upgrades Project Brief.docx
MRS	1106430	GAC upgrades	0																	Priorities have been determined by the ToPH and YMCA, as per the YMCA audit undertaken, and submitted capital upgrade requests. Plant and equipment will be purchased as per the procurement policy, and in accordance with the Recreation Facility Audit, with preference for the items deemed most important.		..\..\Community Development Services\Recreation Department\YMCA\0809 Upgrades Project Brief.docx
MRS	1107430	SHAC upgrades	0																	Priorities have been determined by the ToPH and YMCA, as per the YMCA audit undertaken, and submitted capital upgrade requests. Plant and equipment will be purchased as per the procurement policy, and in accordance with the Recreation Facility Audit, with preference for the items deemed most important.		..\..\Community Development Services\Recreation Department\YMCA\0809 Upgrades Project Brief.docx
MRS/MES	1111437	Recreation Reserve Development	0																	Reported to Sept OCM, basic amenities determined Tender contract created and developed, with scope to suit all works. Tender / quotes obtained		
MID/MES	1201458	Throssel Street Streetscape	0																	Revised designs have been submitted by Epcad. To be reviewed to ensure integration with South Hedland CBD upgrade proposals. Depending on final scope, works may be tendered or undertaken by Council staff.		28 - Roads & Infrastructure\01 - Design & Construction\0013 - Throssell\Streetscape\Project Brief-Throssell street Streetscape.doc
MID/MES	1201439	Public Infrastructure - Bins, Seating, Shade etc	0																	Program to be prepared based on community survey results, minor works requests and parks survey. Investigate options of installing a self cleaning toilet at Finucane boat ramp and Port Hedland boat ramp. Minimum of \$400,000 to be spent in South Hedland as per SHNL funding agreement.		

MID/MES	1201438	West End Greening stage 2	0															Scope and costings to be prepared based on original design. Includes painting of water tank, bore installation, additional shrubs and mulch, turf, pathways, shade structure and seating, drainage modifications. DES requested Excel resources for quotation for additional 12,000 shrubs. Info supplied at Sept Council Briefing Session.	21 - Parks & Reserves\05 - Development\0003 - West End Greening project\Project Brief - West End Greening stage 2.docx
MID/MES	1111435	Stairway to the Moon	0															Final designs and specifications have been submitted by Epcad, pending review by Council staff. Clearing permit application has been submitted to DEC, initial response expected within 2 weeks. Waiting for advice from DIA (no heritage sites listed). Refer Sept Council Briefing Session.	21 - Parks & Reserves\05 - Development\0010 - Stairway to the Moon\Project Brief - Stairway to the Moon Platform.doc
MID/MES	1201473	Schillaman Street Drainage	0															Concept design has been prepared. To be tendered as design and construct, pending reviewing of current tender documentation to ensure compliance. Dial before you dig required plus liaison with Water Corp regarding visible water line. Construction timeframe pending wet season. Check funding: Questionable.	29 - Sewerage & Drainage\03 - Design & Construction\0002 - General\Project Brief - Schillaman street Drainage.doc
MRS/DES	1109455	Colin Matheson clubrooms	0															Report Aug OCM. DES investigating options in Perth on 27/28 Aug. Determine type/loc/etc. Meet with Rovers 12/9> awaiting Board Meeting (after Grand Final) Tender for construction Construction prior to football season.	
MRS	1109450	Colin Matheson Oval Upgrade	0															Report from ROSS Planning to be presented at Sept OCM. Determine which upgrades/additions will be implemented Tender for construction. MRS & DES meeting stakeholders WE 13/9/08 to finalise draft plans. Construction prior to football season.	
MID/MES	1105410	Finucane Island Boat Ramp (widen ramp, increase gradient, reduce silt)	0															Design work is ongoing. Correspondence sent to DIA, DEC & PHPA for comment on scope.	30 - Traffic & Transport\15 - Boat Ramp\0003 - Finucane Island Boat Ramp upgrade\Project Brief - Finucane Island Boat Ramp upgrade.docx
MID/MES	1111436	Bore Installations	0															Department of Water has advised that an initial review of our bore applications indicate that they will be approved with strict conditions in terms of salinity levels and ongoing monitoring. DOW to advise formal approval and conditions in the next few weeks.	21 - Parks & Reserves\05 - Development\0009 - Bore Applications\Project Brief-Bore Installation 0809.docx
MRS/MID/MES	1201440	Cycleway development	0															Path construction to be undertaken by Council's period contractor. Additional signage and linemarking work to be outsourced. DEC< DIA approvals required. Lighting required. Going to Sept OCM.	
MES	1004410	Mulching Shed	0															Get additional quotes plus original quote Subcontractors - Quotes sent to 6 suppliers 3 declined response by 11.07.08	
MID/MES	1105426	Turtle Boardwalk	0															Refer Sept Council Briefing Session. Project costs have increased and structural design is difficult due to concrete boardwalk. Revising designs to utilize a recycled plastic boardwalk construction (same as Stairway to the Moon). Waiting for advice from DIA (1 heritage site identified). Construction to commence after turtle nesting season.	08 - Economic Development\02 - Projects\0009 - Turtle Interpretive Boardwalk\Project Brief - Turtle Interpretive Boardwalk.doc

MRS	1107432	Pools Electrical Upgrades	0																Items identified in the Electrical Audit (earthing and general) will be collated for priority purposes. If possible, any work requiring closure of pool/s will be undertaken April 2009, for minimum disruption. Urgent repairs will be undertaken immediately pending contractor availability. Quotes sourced Sept 2008.	..\\..\\Community Development Services\\Recreation Department\\YMCA\\0809 Upgrades Project Brief.docx
MID/MES	1201437	Hedditch - Forrest Circle Rd	0																Seek quotes for consultant to prepare design. Will involve bridge design, services location. Liaise with Planning regarding road reserve dedication. Tender for construction.	28 - Roads & Infrastructure\\01 - Design & Construction\\0021 - South Hedland Link Roads\\Project Brief-South Hedland Link Roads 0809.docx
MES	1201436	Quartz Quarry road	0																Project on hold pending future realignment of Quartz Quarry road with the construction of a grade separation over FMG's rail network on GNH. Funds to be transferred to Shoata road project 1201444 Sept budget review	
MID/MES	1201435	Cottier/Dale (Blackspot)	0																Full scope to be prepared January. Designs to be prepared for guardrail location, minor road realignment, etc.	28 - Roads & Infrastructure\\04 - Funding Programs\\0002 - Blackspot\\Project Brief-Cottier BS 0809.docx
MID/MES	1201434	Cottier/Kennedy (Blackspot)	0																Full scope to be prepared January. Designs to be prepared for guardrail location, minor road realignment, etc.	28 - Roads & Infrastructure\\04 - Funding Programs\\0002 - Blackspot\\Project Brief-Cottier BS 0809.docx
DCRS/MID/MES	NEW	Town Entry Statement _Landscaping Only	0																DCRS is obtaining public mandate re entry statement. Once finalised, liaison will occur with successful artist re landscape design.	28 - Roads & Infrastructure\\02 - Entry Statements\\0003 - EOI 06-62 Entry Statement Public Art\\Project Brief-Town Entry Statement Landscaping.doc
MID	1111449 & 1111439	Park Upgrades & Marquee Park Development	335																Design work ongoing. Planning stages commenced regarding allocation of POS and residential lots. Clearing permit application submitted to DEC. Refer Sept Council Briefing Session.	21 - Parks & Reserves\\05 - Development\\0011 - Marquee Park Development\\Project Brief-Park Upgrades.doc
MES	1201457	Yandeyarra Road	0																Formation & floodway improvements along full length of road to be undertaken by Council staff after cyclone season.	28 - Roads & Infrastructure\\04 - Funding Programs\\0007 - Roads 2020 - 2025 - \\Project Brief-Yandeyarra road RRG 0809.docx
MES	1201489	Hillside/ Woodstock Road - RRG	0																Formation & floodway improvements along full length of road to be undertaken by Council staff after cyclone season.	28 - Roads & Infrastructure\\04 - Funding Programs\\0007 - Roads 2020 - 2025 - \\Project Brief-Hillside Woodstock road RRG 0809.docx
MCED/ MRS	1104411	JD Hardie upgrade (capital purchases and building)	0																MCED undertaking concept/architectural designs. MRS completing final capital items, including dividing nets, cricket nets and carpark. Dividing net has been ordered: due for installation in Sept 08. Cricket nets also examined then. Carpark to be surveyed and undertaken when truck available in South Hedland	..\\..\\Community Development Services\\Recreation Department\\JD Hardie Centre\\Managment\\Upgrade\\JDHC Project Brief.docx

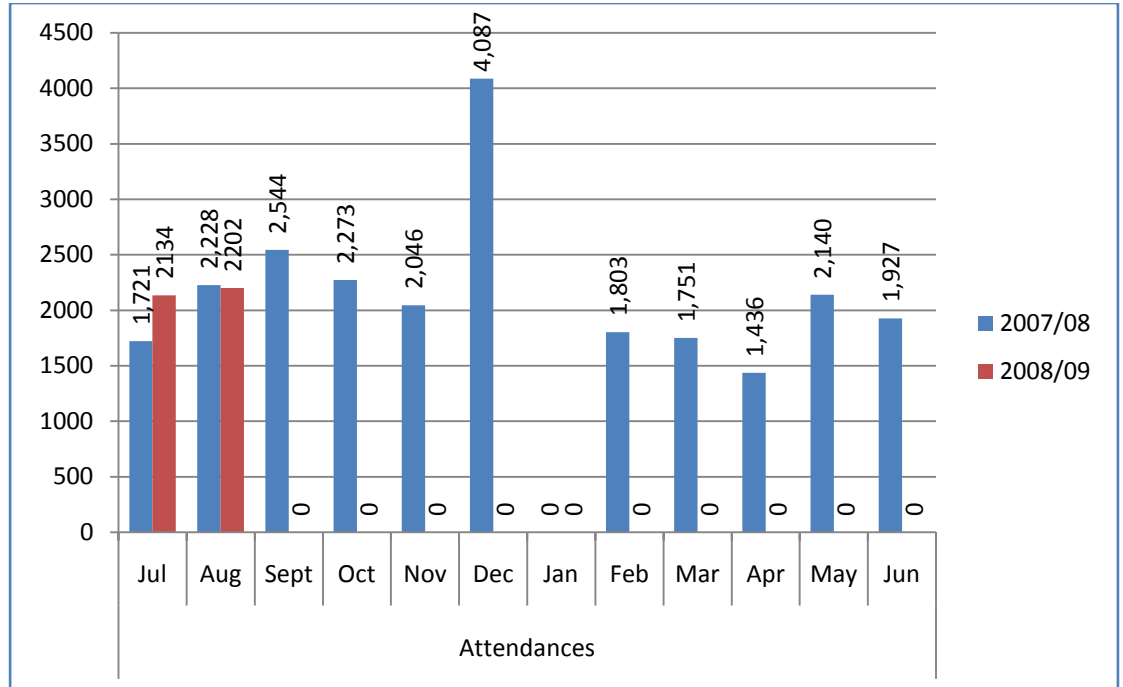
DES	1004410	Excavator Shears	0																	Three quotes to be sourced in accordance with Council procurement policy. Further investigation required; DES not convinced that it is the best option.	
?????	1111447	Building Upgrades	0																	Project/funding to be investigated.	
CEO/DES/MRS	1111450	Turf Club Grandstand (on hold)	0																	Stakeholder consultation 2/9/08; Turf Club, Pony Club and others.	
MID	1201488	R2R Program - Wedgefield Upgrades and Shoata	0																	Programmed as per Council's 5 year plan - \$200,000 for Wedgefield upgrades (1201486) and \$139,000 for Shoata road (1201444). September budget review to reallocate funds to these accounts.	
MID	1204289	Gt. Northern Hwy - Street Lighting (Main Roads project with Council contribution)	0																	Main Roads has been advised of Council's contribution towards additional street lighting along Great Northern Highway between BP service station and FMG camp entrance. Project to be co-ordinated by Main Roads. Main Roads have not yet confirmed whether project has been scheduled.	28 - Roads & Infrastructure\11 - Street Lighting\0001 - General Information\Project Brief-GNH Streetlighting.doc
DES	new	Water reuse scheme augmentation	0																	Liaising with Water Corporation. Extensive modifications planned for SHWWTW. Report to Council Sept OCM for works at TOPH 'end'.	
MID/DES	1111446	Shadesails - Pully system (\$110,000)	0																	Advised by DCS 8/9/08 of budget allocation to 1111446. Development works to commence October.	
DES/DCRS	NEW	Airport Housing	0																	To be advised - depends on Airport Masterplan	
	NEW	Pinnacles Road Widening	0																		
	NEW	Cooke Pt Dve Drainage (footpath area)	0																		

ATTACHMENT 2 TO AGENDA ITEM 11.3.1.1

Recreation Services

JD Hardie Centre

Attendances



Aquatic Centres

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

South Hedland Aquatic Centre

Closed as per management agreement

YMCA Update

Financials

Month	Actual	Budget	Variance
Income	\$0	\$0	\$0
Expenditure	\$34,102	\$36,359	\$2,257
Net	(\$34,102)	(\$36,359)	\$2,257

Year to date	Actual	Budget	Variance
Income	\$65,999	\$68,149	(\$2,150)
Expenditure	\$385,229	\$360,572	(\$24,657)
Net	(\$319,230)	(\$292,423)	(\$26,807)

Gratwick Aquatic Centre

YMCA Update

Financials

Month	Actual Financials	Budget	Variance
Income	\$4,170	\$5,534	(\$1,364)
Expenditure	\$45,855	\$42,768	(\$3,087)
Net	(\$41,685)	(\$37,234)	(\$4,451)

Year-to-Date	Actual	Budget	Variance
Income	\$86,397	\$121,934	(\$31,190)
Expenditure	\$376,152	\$400,324	\$24,987
Net	(\$289,755)	(\$278,755)	(\$11,365)

Attendances

Month	Swim	Health Club	Aqua/Ed	School	Aqua	Prog.	Misc	Total
Jan	3,421	43	221	0	61	331	783	4,860
Feb	1,836	112	422	0	0	0	1,002	3,372
Mar	2,123	193	679	483	14	41	1,314	4,847
Apr	1,930	169	196	0	31	300	711	3,337
May	413	503	0	0	27	0	132	1,075
Jun	89	378	0	0	0	0	35	502
Jul	129	377	0	0	0	0	38	544
Aug	245	255	0	0	0	31	148	679
Total	10,186	2,030	1,518	483	133	703	4,163	19,216

11.3.1.2 Water Re-Use Scheme - South Hedland: Part 1 - Medium and Long-Term Solution (File No.: 11/04/0001)

Officer Terry Dodds
Director Engineering Services

Date of Report 15 September 2008

Disclosure of Interest by Officer Nil

Summary

Since 27 March 2008, as a result of continued complaints from the public (specifically Fortescue Metal Group's (FMG) Club Hamilton residents), the Town has been using potable water to irrigate the area around Kevin Scott Oval, South Hedland. This was due to an odour problem from irrigating using re-use water.

Council has a range of issues with the quality of the water being distributed from the sewage ponds at South Hedland, the way the re-use water is stored in the Town's tanks and the irrigation 'timing'. Over the last six months much investigatory work has been completed by the Water Corporation, ABCO Water and the Town to formulate a way to solve the many complex problems.

The Water Corporation has applied to the Department of Environment and Conservation (DEC) for re-issuing of their licence to operate the South Hedland Waste Water Treatment Facility.

The purpose of this report is to seek Council support for implementing the medium-term solution, and in ensuring current water management practices are continued.

Background*Medium and Long-term solutions*

There are two issues present, the quality of effluent at the source which is the responsibility of the Water Corporation, and the quality at the reservoirs, which is the responsibility of the Town. They require medium and longer-term solutions to be implemented by each party. Either solution individually is not expected to stand alone as a comprehensive solution.

The Water Corporation's long-term aim is to filter the treated effluent at the treatment plant to produce a higher water quality prior to chlorination. A reduction of the algae content will be decreased further by installing a copper ionization plant.

Unfortunately this is subject to budget constraints and is not likely to proceed within the next two years. It is a long-term solution, and even if funded immediately, would take time to implement as it is a significant mechanical engineering project.

Ultimately, the decision of whether to complete part or all of the Water Corporation's proposed works rests with the Minister.

Health Act 1984 and Agreement with Department of Education

Watering the South Hedland Oval complex with mains water is expensive as we pay standard per kilolitre rates. Using recycled waste water is significantly cheaper.

Additionally, there is some concern that the ovals may deteriorate over the summer months with reduced irrigation. Once the re-use water quality is improved the Water Corporation will recommence supplying the Town with re-use water for irrigation. Without implementing the medium-term solution Council will not be able to operate the re-use system as per the Health Act 1984.

In addition to our responsibilities under the Health Act 1984, in 1998 Council signed a legal agreement with the Department of Education to supply re-use water to school ovals in South Hedland for 21 years.

Solution

A reduction of the odour problem should occur if the re-use water is pumped to the tanks just prior to the irrigation cycle, the irrigation lines are flushed with fresh water and the tanks protected from heat and sunlight by the installation of shade protection and regular removal of sludge from the tanks.

To achieve this, the Water Corporation suggests a four part modification to the Kevin Scott Oval South Hedland re-use facility to assist in overcoming the odour problem:

1. Flush the reticulation lines from the irrigation pump to the reticulation sprinklers at the end of each watering session. This will replace the treated effluent in the pipe lines with scheme water.
2. Install an automatic valve in the inlet pipeline to the storage tanks at South Hedland Oval. This will allow the tanks to be filled from the sewage ponds and when full shut off allowing the water to flow to other school tanks in the area. The supply pumps at the Sewage ponds will start on a timer and stop by a pressure switch when the last tank at the school ovals is full.
3. Provide shade protection over the tanks to stop excessive heat in the effluent stored in the tanks and hence reduce algae growth.
4. Instigate a regular de-sludging program (2 or 3 times a year) so that anaerobic sludge is not allowed to build up in the tanks.

Methodology and budget cost.

The aim of this exercise is to only allow the effluent from the sewage ponds to be in the South Hedland oval tanks for the minimum period of time before the reticulation of the oval watering begins. This would assist with minimising the length of time for the effluent to become anaerobic in the tanks. With the pipelines flushed with fresh water, there is no digestion of the partly treated sewage over an extended period of time. Further, by installing shade structures and minimizing the amount of sludge in the tanks, there will be a reduction in the level of digestion in the static system between pump outs.

This will require the following:

Flushing

- Install a 22,000 litre poly water tank on a prepared earth base. Tank to be cyclone tied down.
- Connect tank inlet to existing 100 mm water main with back-flow protection. Fit ball-cock to tank to keep tank full at all times.
- Install an 11 kW pump to outlet of this fresh water tank to supply 1,200 litres per minute at 42 metre head pressure at the pump.
- Interconnect the outlet of this pump with the delivery side of the existing irrigation pump. Install all necessary non-return valves to prevent backflow between tank systems.
- Electrical and switching upgrades to allow above to operate within existing watering programs.

Estimated cost to supply all necessary equipment, install and commission is approximately \$120,000.

(It is assumed that sufficient power and space is available from the existing electrical control cabinet for the installation of the additional electrical control equipment. If this assumption is proved incorrect the provision of a new electrical control cabinet and internals will be required at an estimated cost of \$16,000.)

Timing

- Supply and install a 150 mm motor-valve on the inlet pipeline from the sewage ponds. This motor-valve to be controlled by a float switch installed in the first storage tank. The electricity connection and transformer will be required to be on a separate line from the main supply at the oval compound. A new cabinet adjacent to the inlet valve will need to be constructed.

Estimated cost to supply all necessary equipment, install and commission is approximately \$25,000.

Shade

Provide galvanized frame work and install shade cloth covering to the three tanks.

Estimated cost to supply all necessary equipment, install and commission approximately \$25,000.

De-sludging

A regular de-sludging program would require the installation of floor pick up pipe work to eliminate the need to scavenge the floor at each sludge removal exercise. (The tanks are classified as a 'confined space'. The current practice of placing personnel inside the tanks to manually de-sludge is cost prohibitive; as they need to be 'confined space' trained and fulfil many tasks just to remain safe and comply with legislation.) Each tank would be fitted with an additional valve near the base of the tank. The vacuum truck would connect to this valve and cam-lock connection and through a clear section of hose would be able to see that only sludge was being removed from the tanks. Inside each tank would be a matrix of pipe work with openings along the length of the pipes to allow sludge from all over the floor to be sucked from the tank. By installing this system no staff would be required to enter a 'confined space'.

Estimated cost to supply all necessary equipment, install and commission approximately \$24,000.

The budget estimate includes earthworks, freight, electrical installations, materials, labour and accommodation.

Consultation

Water Corporation
ABCO Water
Manager Environmental Health
Department of Health
Manger Engineering Services

Statutory Implications

Health Act 1984
Guidelines for Effluent Reuse in Western Australia 2007
Environmental Protection Act 1986 (Licence conditions)
ToPH / Department of Education Deed of Agreement

Policy Implications

Nil

Strategic Planning Implications**KEY RESULT AREA 5 – ENVIRONMENT**

Goal 1: Waste Management; Strategy 5. Support water re-use initiatives including residential grey water reuse.

Goal 2: Natural Resources; Strategy 2. Ensure that all available non-potable wastewater is being re-used appropriately on Council reserves and school ovals.

Budget Implications

The cost of augmenting the medium-term improvements is estimated at \$210,000. There are currently no funds provided for this project in Council's 2008/09 Budget.

While expensive, it should be noted that the estimated cost of watering the grounds with mains water is between \$70,000 and \$100,000 per annum.

Officer's Comment

The technical solution:

There are two distinct problems at Kevin Scott oval which need to be treated differently and solved by different parties. The first, concerning the quality of effluent water leaving the Waste Water Treatment Works, should be solved by the Water Corporation. Funds for engineering design have been released and capital works are programmed for between 2011 and 2013. Progress on this matter is further dependent on what priority this application is deemed to be by the Corporation.

The other distinct problem is caused by deterioration of the re-use water once it is in the Town's system (Kevin Scott end), due to timing et cetera, as mentioned above. This half of the problem is the responsibility of the Town. Subject to the funding being made available it can be rectified within months.

The above responsibilities have been clearly outlined in correspondence from the Regulator (Health Dept) to the Town of Port Hedland, in 2004 and again in 2008.

Water Corporation's Operating Licence

On 8 September 2008 the Department of Environment and Conservation (DEC) requested public submissions concerning the Water Corporation's application for licence re-issue (L6246/1991/7) for the South Hedland Treatment Facility.

A copy of the Water Corporation's application has been received by the Town. The application stated that there have been no problems or complaints concerning the South Hedland waste water treatment plant operation (report attached) during 2006/07. However, during 2007/08 there have been a considerable number of well documented problems and complaints.

It is proposed the Town forward a submission to the DEC consisting of three components. The first reiterating the community benefit and expectation that there will be a continuation of current practices of using re-use water for the town ovals, as has been happening for over ten years.

The second component being that the quality of the water supplied shall be in accordance with the 'Guidelines for the Use of Recycled Water in Western Australia'. The submission will include comments concerning the current problems (both Water Corporation and the Town's), relating to the quality, storage and distribution of the re-use water and the collaborative efforts to overcome these problems to date.

Thirdly, it may be an opportune time to speak to the DEC about raising the required standard, using long-term licence conditions as the mechanism, to encourage the Government to improve and modernise their infrastructure. There are more effective water treatment systems available, which are capable of supplying greater volumes of recycled water (less evaporation) at a higher quality than the existing system. A system that supplied a greater percentage of water would benefit the environment in general and assist the Town provide higher quality parks and gardens.

Funding

Fortescue Metals Group (FMG) originally supported the Town in providing an emergency response vacuum truck and confined space personnel during the height of problems at the beginning of the year. The offer was extended to the Town to write requesting assistance in relation to the re-use system, as it was obviously in FMG's interest to see an improvement in the operations.

Attachments

Letter to Department of Health, dated 16 July 2008 'Contingency Plan for Effluent Disposal from South Hedland Wastewater Treatment Plant'.

Officer's Recommendation

That Council:

- i) writes to the Water Corporation requesting they fast-track the longer-term improvements to the South Hedland Waste Water Treatment Facility;
- ii) writes a submission to the Department of Environment and Conservation seeking that the licence conditions for L6246/1991/7 remain in the short-term and are reviewed long-term;
- iii) actively pursues funds for the estimated \$210,000 of Council works required from external parties: and
- iv) considers this issue as a component of Council's 2008/2009 first quarterly budget review.

200809/064 Council Decision

Moved: Cr A A Carter

Seconded: Cr G D Bussell

That Council:

- i) writes to the Water Corporation requesting they fast-track the longer-term improvements to the South Hedland Waste Water Treatment Facility;**
- ii) writes a submission to the Department of Environment and Conservation seeking that the licence conditions for L6246/1991/7 remain in the short-term and are reviewed long-term;**
- iii) actively pursues funds for the estimated \$210,000 of Council works required from external parties: and**
- iv) considers this issue as a component of Council's 2008/2009 first quarterly budget review, and then considers calling tenders for this upgrade works if considered necessary.**

CARRIED BY ABSOLUTE MAJORITY 8/0

REASON: Council sought to amend Clause iv) to include the provision to call for tenders for the water re-use upgrade works if deemed necessary.

ATTACHMENT TO AGENDA ITEM 11.3.1.2

Your Ref:
Our Ref:
Enquiries: Mark Laing-Hughes
Telephone: 9186 8211

16 July 2008

Danielle Isaacs
Department of Health
Wastewater Management
PO Box 8177
PERTH WA 6849

Dear Danielle,

Contingency Plan for Effluent Disposal from South Hedland Wastewater Treatment Plant

As discussed last week, the Water Corporation is seeking endorsement of a contingency plan for managing effluent from its South Hedland Wastewater Treatment Plant. This is in case the existing reuse scheme is unable, or partially unable to accept effluent flow from the Wastewater Treatment Plant. The Corporation is working closely with the Shire to overcome these issues.

Over the last several months reliability issues have been experienced with the South Hedland reuse scheme, operated by the Town of Port Hedland (ToPH). The lack of reliability has been compounded by the ongoing inability to irrigate the South Hedland Oval, because the required fresh water flushing equipment has not yet been installed on this site.

Due to the above issues, the wastewater storage levels in the treatment plant have increased significantly, to a point where all stormwater holding capacity has been consumed. Contingency measures are now required to manage excess effluent, recover lost stormwater storage capacity and prevent possible discharge to the environment. It is not likely that the ToPH will recommence normal reuse operations in the next two to three weeks, and as such, preparations are being made to implement the following contingency plan;

1. Supply the golf course with the maximum amount of effluent they can accept, in accordance with regulatory requirements.
2. In the short term (over the next few weeks), establish a reticulated area of approximately 1 Ha in size, within the existing fenced area of the Water Corporation's treatment plant site. Water cannons are proposed for this site.
3. In the medium term (this financial year), establish a reticulated area of approximately 16 Ha in size. This is to be located on existing Water Corporation owned land at the treatment plant site, outside the existing fenced area.

The proposed sites are outlined on the two attached aerial photographs of the South Hedland Wastewater Treatment Plant.

The irrigation of these sites will be managed in compliance with the "Guidelines for Use of Recycled Water in Western Australia 2007" for Class C effluent.

Use of the contingency irrigation systems would be triggered under the following scenarios:

- If the final stormwater compensating basin on-site commences filling. This remaining capacity is required to manage stormwater inflows and prevent environmental discharge. It is envisaged that this would only occur due to extended inability of the reuse scheme to accept effluent.
- If weather forecasts indicate an approaching cyclone or significant tropical storm, and pond levels need to be reduced to manage these.

If you would like to discuss any of these items further please contact me on (08) 9186 8211.

Yours sincerely

Mark Laing-Hughes
TECHNICAL SUPPORT MANAGER
NORTH WEST REGION

Image 1: 1 Ha site between the primary treatment ponds and the WWTP man-proof security fence.



Image 2: 16 Ha area within the Water Corporation site boundary (currently unfenced).



NOTE: Agenda Item 11.3.1.3 'Water Re-Use Scheme – South Hedland: Part 2 – Implementation Options' was withdrawn as it was deemed ultra vires after Council's resolution to Agenda Item 11.3.1.2 'Water RE-Use Scheme – South Hedland: Part 1 - Medium and Long-Term Solution'.

11.3.1.3 *Water Re-Use Scheme - South Hedland: Part 2 – Implementation Options (File No.: 11/04/0001)*

Officer Terry Dodds
Director Engineering Services

Date of Report 15 September 2008

Disclosure of Interest by Officer Nil

Summary

In the previous Agenda Item 11.3.1.2 'Water Re-Use Scheme – South Hedland: Part 1; Medium and Long-Term Solution', Council was advised of a proposed solution to current issues that are being faced at the South Hedland Waste Water Treatment Plan.

This report seeks approval to proceed rapidly once appropriate funding has been secured.

Background

Refer to previous report 'Water Re-Use Scheme -South Hedland: Part 1; Medium and Long-Term Solution'.

The cost of potable water is expected to approach \$2000 per week once summer temperatures commence. The time to prepare and gain approval Under the Local Government Act and Council's Procurement Policy 2/007 could be eight weeks.

If Council can:

- a) secure funds quickly; and
- b) implement improvements quickly,

it potentially saves ratepayers \$2,000 per week.

Consultation

Water Corporation
ABCO Water

Statutory Implications

Tenders would normally be 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.”*

However, the Local Government (Functions and General) Regulations 1996 states:

“11. Tenders to be invited for certain contracts

...(2) Tenders do not have to be publicly invited according to the requirements of this Part if - ...

- (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 ...”*

Policy Implications

Council’s Procurement Policy 2/007 states that:

“Where possible, unless by Council resolution, or by requirement of legislation, Officers will follow the following guidelines for inviting quotes prior to purchasing any good or service.

Purchase Value	Quotes Required (minimum)
Less than \$1,000	1 Verbal Quote
\$1,000 to \$4,999	2 Written Quotes
\$5,000 to \$49,999	3 Written Quotes
\$50,000 to \$99,999	3 Detailed Quotes, Authorised by CEO & Mayor
\$100,000 and over	Tender

It is the Officer’s responsibility to provide evidence that a reasonable attempt has been made to meet the above guidelines.”

The legislation listed in the Statutory Implications section above outlines that this policy could be overwritten for goods or services provided by a sole supplier.

Strategic Planning Implications

KEY RESULT AREA 5 – ENVIRONMENT

Goal 1: Waste Management; Strategy 5. Support water re-use initiatives including residential grey water reuse.

Goal 2: Natural Resources; Strategy 2. Ensure that all available non-potable wastewater is being re-used appropriately on Council reserves and school ovals.

Budget Implications

The cost of augmenting the medium-term improvements is estimated at \$210,000. There are currently no funds provided for this project in Council's 2008/09 Budget.

While expensive, it should be noted that the estimated cost of watering the grounds with mains water is between \$70,000 and \$100,000 per annum.

Officer's Comment

The suggested solution provider:

In accordance with Council's procurement policy expenditure of \$210,000 would normally require that a tender be called for the project. Due to the expertise required to complete this project and lack of suitable providers, there are two (2) options that can be considered for implementing the medium-term solution.

1. Authorise the Chief Executive Officer to negotiate with ABCO Water to complete these works, in accordance with Section 3.57 of the Local Government Act 1995.
2. Advertise for Tenders (RFT).

There are many advantages to the first option of allowing ABCO Water to complete these works, as outlined below;

- Council's engineering staff has worked in conjunction with ABCO Water and the Water Corporation to design the solutions to these problems. ABCO Water has also been involved in all of the initial testing and investigation works. There are many advantages in the designer also being the constructor, particularly in relation to 'extras' and the ability to accurately forecast what is required to complete the tasks in the first instance.
- ABCO Water has a proven history with the Town of Port Hedland. They were responsible for the airport sewer upgrade that was carried out in 2007/08. This upgrade was completed in a quick time at a considerable cost saving to Council when compared to other alternatives. This saving was due primarily to ABCO Water's ability to 'think outside of the square' in relation to the design and construction of the project; using methods not commonly used in Australia.

- ABCO Water currently complete all of FMG's waste water treatment installations and maintenance, including five rail camps located within the Town of Port Hedland and Shire of East Pilbara areas. As it is the Town's intention to seek financial support from FMG for the works, it is more likely FMG would be content with a contractor known and trusted by them.
- ABCO Water also complete installations and maintenance of waste water treatment facilities on COMPASS's transient worker accommodation villages. This includes the Waste water Treatment Works at the Town's airport transient worker accommodation village (for COMPASS).
- The sheer volume of works carried out by ABCO in the area has allowed ABCO to create an economy of scale. This economy of scale has given ABCO the ability to provide services to the Town as and when required. The Town's ability to locate companies to complete maintenance, on what is technically above the capacity of standard plumbing work, is limited due to the mining presence, if not unavailable altogether. (Even standard plumbing services are currently extremely difficult to obtain.) Using ABCO Water for this project will help to ensure there is future capacity for timely maintenance to be carried out.

In this instance due to the summer rapidly approaching and the unlikely event of receiving a competitive tender with the attributes sought in the time required, it is recommended to set aside the provisions in Council's Procurement Policy 2/007 and authorise the contract to be awarded in accordance with the Local Government (Functions and General) Regulations 1996 part 11 (2) (f).

Attachments

Nil.

Officer's Recommendation

That Subject to the confirmation of funding for the proposed \$210,000 upgrade to Council's Waste Water Treatment Plant assets at Kevin Scott Oval, Council set aside the provisions in its Procurement Policy 2/007 and authorises the Chief Executive Officer, or his nominated officer, to negotiate with ABCO Water to complete the works in accordance with the Local Government (Functions and General) Regulations 1996 part 11 (2) (f) at a cost no greater than the approved funding.

NOTE: ABSOLUTE MAJORITY VOTE REQUIRED

11.3.2 Recreation Services**11.3.2.1 Town Cycle Plan Final Report (File No.: 26/14/0002)**

Officer Bec Pianta
Manager Recreation Services

Date of Report 21 August 2008

Disclosure of Interest by Officer Nil

Summary

The final draft of the Town Cycle Plan, including all recommendations and future planning, has been received from Transplan. For the recommendations to commence, Council is required to note or endorse this report.

Background

As part of the Recreation Projects for 2007/08, the Town of Port Hedland utilised Transplan's services to undertake a Town Cycle Plan, with the intention of gaining the following deliverables:

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

As part of this project, various community and Council consultation was undertaken to determine the needs and desires of the community, to allow an adequately formulated five-year plan. The draft has been presented to either Council or the Council nominated Working Group three (3) times, and the report (refer attachment) is based on this feedback.

Consultation

Town of Port Hedland staff, including:

- Manager Recreation Services
- Chief Executive Officer
- Director Engineering
- Manager Planning
- Manager Infrastructure Development

Town Cycle Plan Working Group members, including:

- Cr Gear
- Cr Ford
- Cr Howlett
- Cr Bussell
- Community members and stakeholders
- Main Roads

Statutory Implications

Nil.

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 1: Infrastructure

Goal 1: Road, Footpaths and Drainage

Strategy 5: Implement high priority strategies that are listed in the Town's Cycle Plan.

Budget Implications

Council has an allocated expenditure amount of \$530,000 for this project, through the BHP Sustainability Program. Funds cannot be expended until this report has been noted by Council and priorities have been identified.

Officer's Comment

Council recognises cycling as a viable form of transport, and it is anticipated that this plan will allow cycling within the Town of Port Hedland a safer, more convenient and hence an attractive alternative means of transport and recreation. The aim of this report is to encourage the residents and community members of Port Hedland to become physically active through cycling in a safer environment. The report details the changes and inclusions required to achieve this, including infrastructure, footpath, path, signage and maintenance requirements.

It must be acknowledged that this report commenced in November 2007, so although regular communication with regards to the five-year footpath replacement programme and the South Hedland Redevelopment occurred, there are some items within the report that have now been superseded. It is therefore recommended that Council allow for this report to be noted, with the outcomes and deliverables of the document remaining fixed, however allowing for the flexibility to alter some of the means to achieve these outcomes.

Should Council require additional changes to this final document, there will be a requirement for the Town of Port Hedland to pay for these services, as the scope for this project has been met.

To give an indication of the type of recommendations that have been identified within the document, following is a summary of recommendations for the work that will be undertaken this financial year:

Year 1(2008/09) recommendations:

- Shared Paths (for circuits):
 - Port Hedland (Town Cycle Plan):
 - Pretty Pool – Counihan to Yikara (loop)
 - Crawford St
 - Port Hedland (Footpath Improvement Programme):
 - Cooke Point Road
 - Bayman Street
 - Pilkington Street
 - Leeds Street
 - Styles Road
 - South Hedland (Footpath Improvement Programme):
 - Mauger Place
 - Traine Crescent
 - Stanley Street
 - Bottlebrush Crescent
 - Limpet Crescent
 - Petit Place
 - Hawke Place
 - Mitchie Crescent
 - Smith Court
 - Acacia Way
- Paths (off-road):
 - Goode St to Goode St
 - Area behind detention centre
- On-road circuits (Port Hedland: western circuit, eastern circuit, combined loop and Pretty Pool spur, South Hedland: loop):
 - Pavement logos
 - Signage on posts
- Spot Improvements
Various recommendations
- Parking facilities
Various locations recommended (including Civic Centre, Aquatic Centres, libraries etc)
- Port to South Hedland Link:

- North Circular to Pinga Street (along Wallwork Rd)
- Provision for Main Roads to consider when undertaking realignment of Wilson Street, Great Northern Highway and Wallwork Rd

- Other
All new roads to be considered with shared paths.

At the conclusion of the five-year Town Cycle Plan, it is anticipated that there will be a considerable cycling network and information within both Port and South Hedland. A diagrammatic explanation of the locations of the cycling paths, networks and links, is detailed in attachments 2, 3, 4 and 5. Please note that these maps do not show some of the footpaths that will be constructed as part of the five-year footpath replacement programme, so final footpath locations will be more dense than demonstrated.

Attachments

1. Port Hedland Proposed Road Circuits Map
 2. Port Hedland Proposed Paths Circuits Map
 3. South Hedland Proposed Road Circuits Map
 4. South Hedland Proposed Paths Circuits Map
- Town Cycle Plan final report

Officer's Recommendation

That Council:

- i) note the Town Cycle Plan as a flexible and working document, ensuring that the deliverables are met within the timeframes indicated in the plan;

- ii) commence the following projects for Year 1 as per the plan:
 - a) Shared Paths (for circuits):
Port Hedland (Town Cycle Plan):
 1. Pretty Pool – Counihan to Yikara (loop)
 2. Crawford Street
 - b) Paths (off-road):
 1. Goode Street to Goode Street
 2. Area behind former detention centre
 - c) On-road circuits (Port Hedland: western circuit, eastern circuit, combined loop and Pretty Pool spur, South Hedland: loop):
 1. Pavement logos
 2. Signage on posts
 - d) Spot Improvements
Various recommendations to improve cycling immediately
 - e) Parking facilities
Various locations recommended (including Civic Centre, Aquatic Centres, libraries etc)
 - f) Port to South Hedland Link:

1. North Circular Road to Pinga Street (along Wallwork Road)
 2. Provision for Main Roads to consider when undertaking realignment of Wilson Street, Great Northern Highway and Wallwork Road
- g) Other
All new roads to be considered with shared paths.
- iii) informs Transplan of the acceptance of this document;
- iv) request the Chief Executive Officer or his nominated officer to undertake a cost analysis each financial year to determine the total funds required to undertake the recommendations, for the budget process each year;
- v) disbands the Town Cycle Working Group; and,
- vi) informs the community and all stakeholders of the recommendations that will be undertaken this financial year.

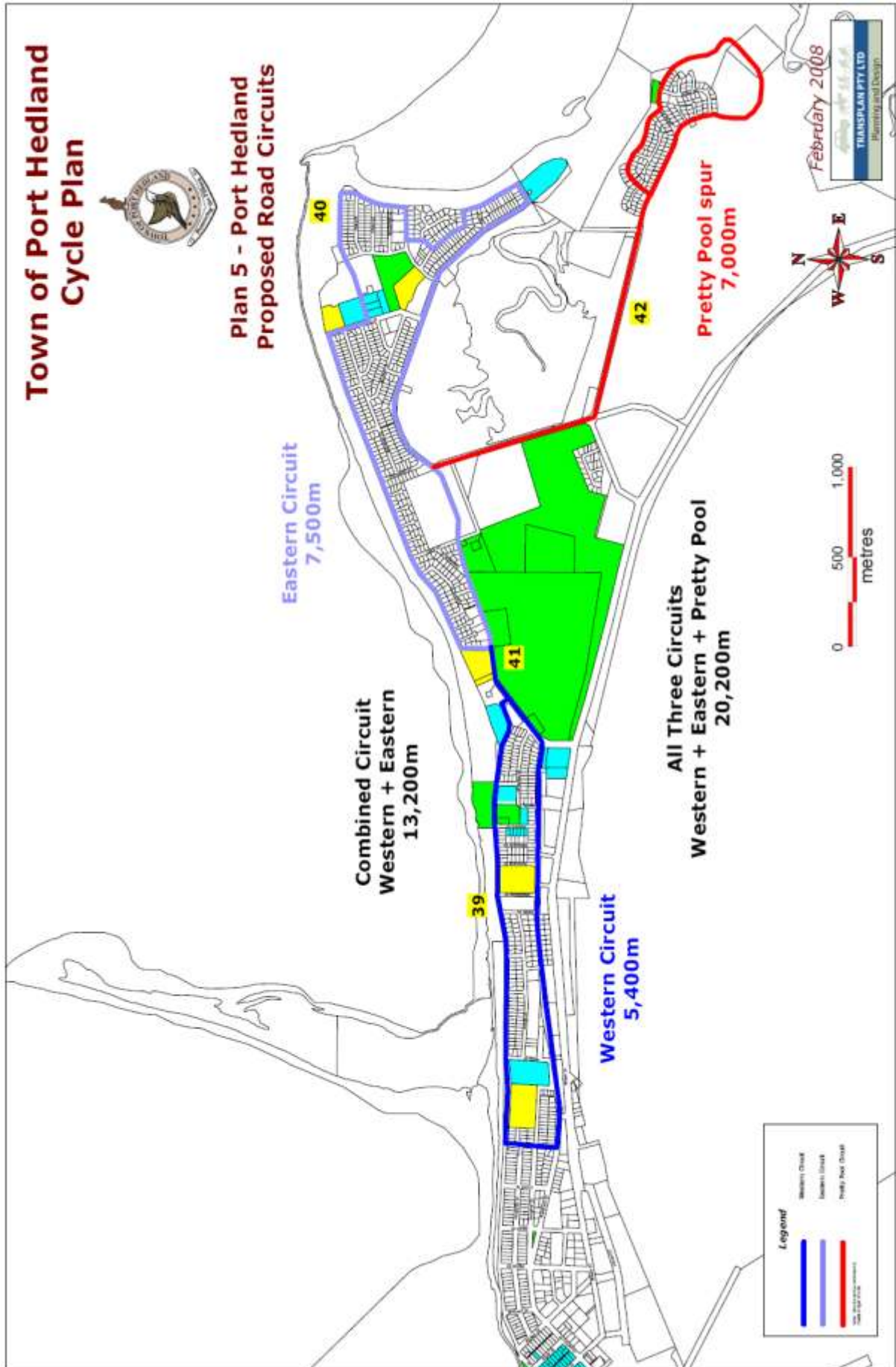
200809/065 Council Decision**Moved:** Cr K A Howlett**Seconded:** Cr G D Bussell

That Agenda Item 11.3.2.1 'Town Cycle Plan Final Report' lay on table to enable Council's Cycle Plan Development Working Group members to meet again, prior to the item being presented to Council for its consideration at its next Ordinary Meeting.

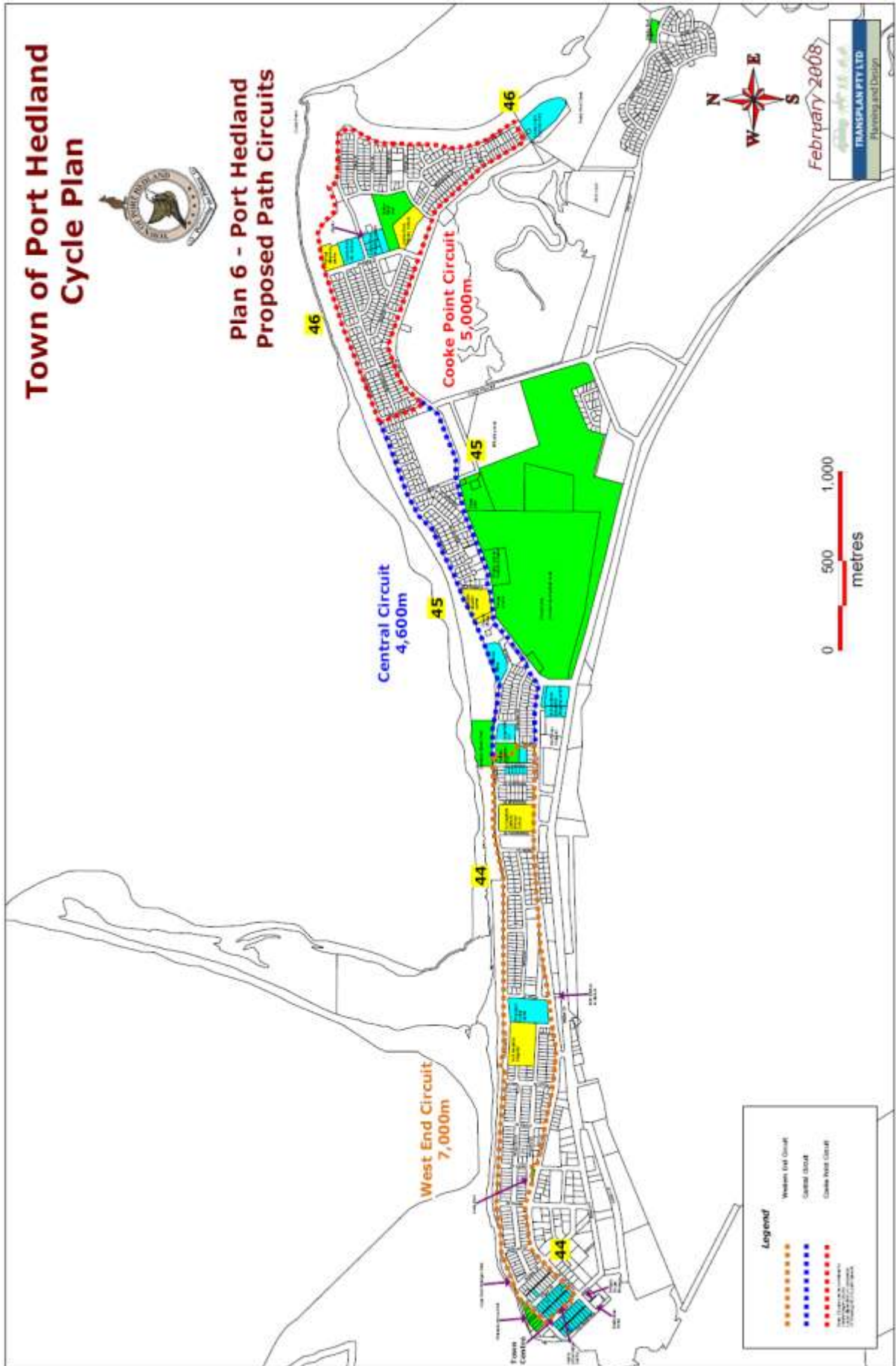
CARRIED 8/0

REASON: Council sought further consideration of the Town Cycle Plan Final Report to be undertaken by Council's Cycle Plan Development Working Group.

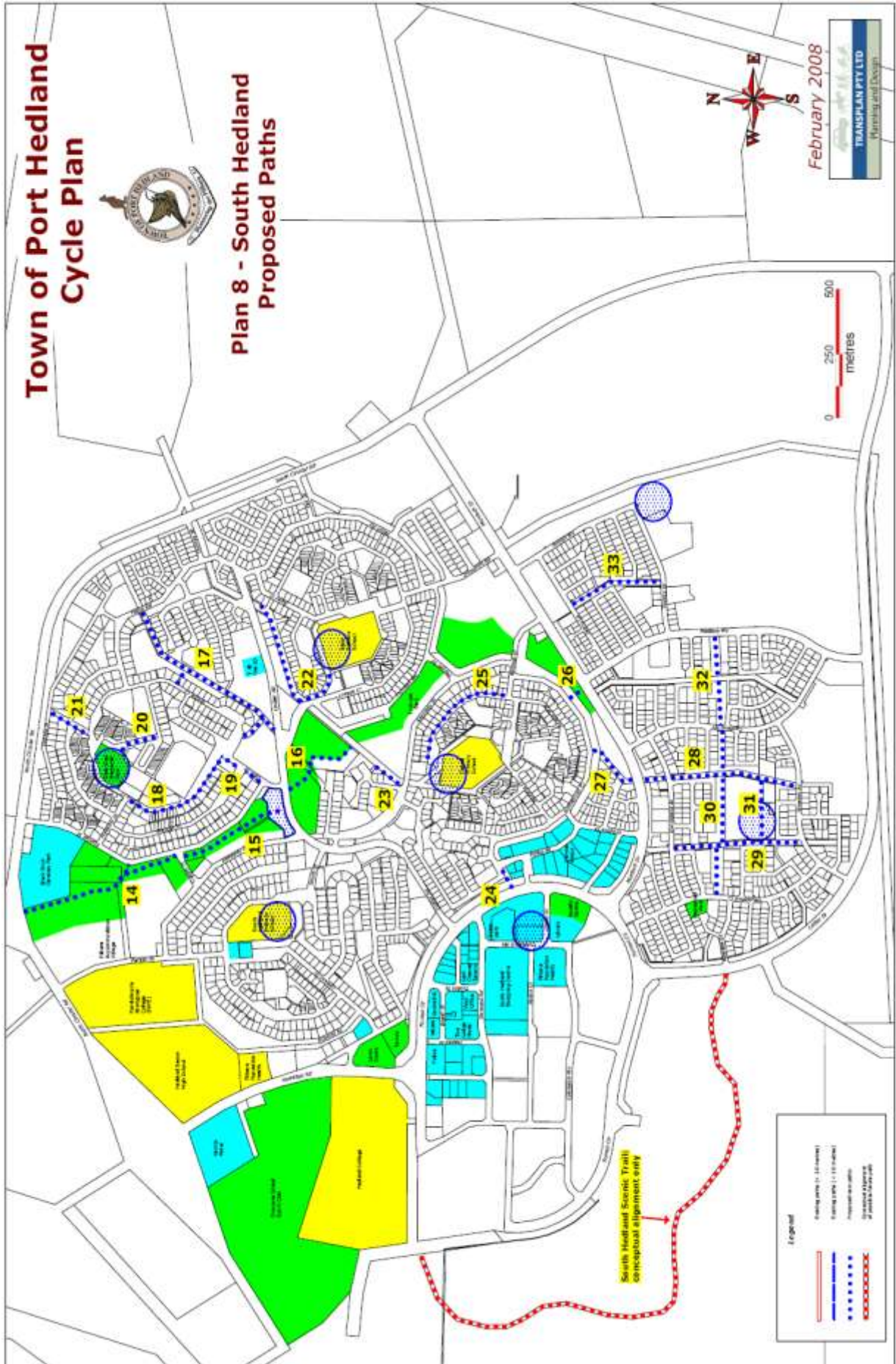
ATTACHMENT 1 TO AGENDA ITEM 11.3.2.1



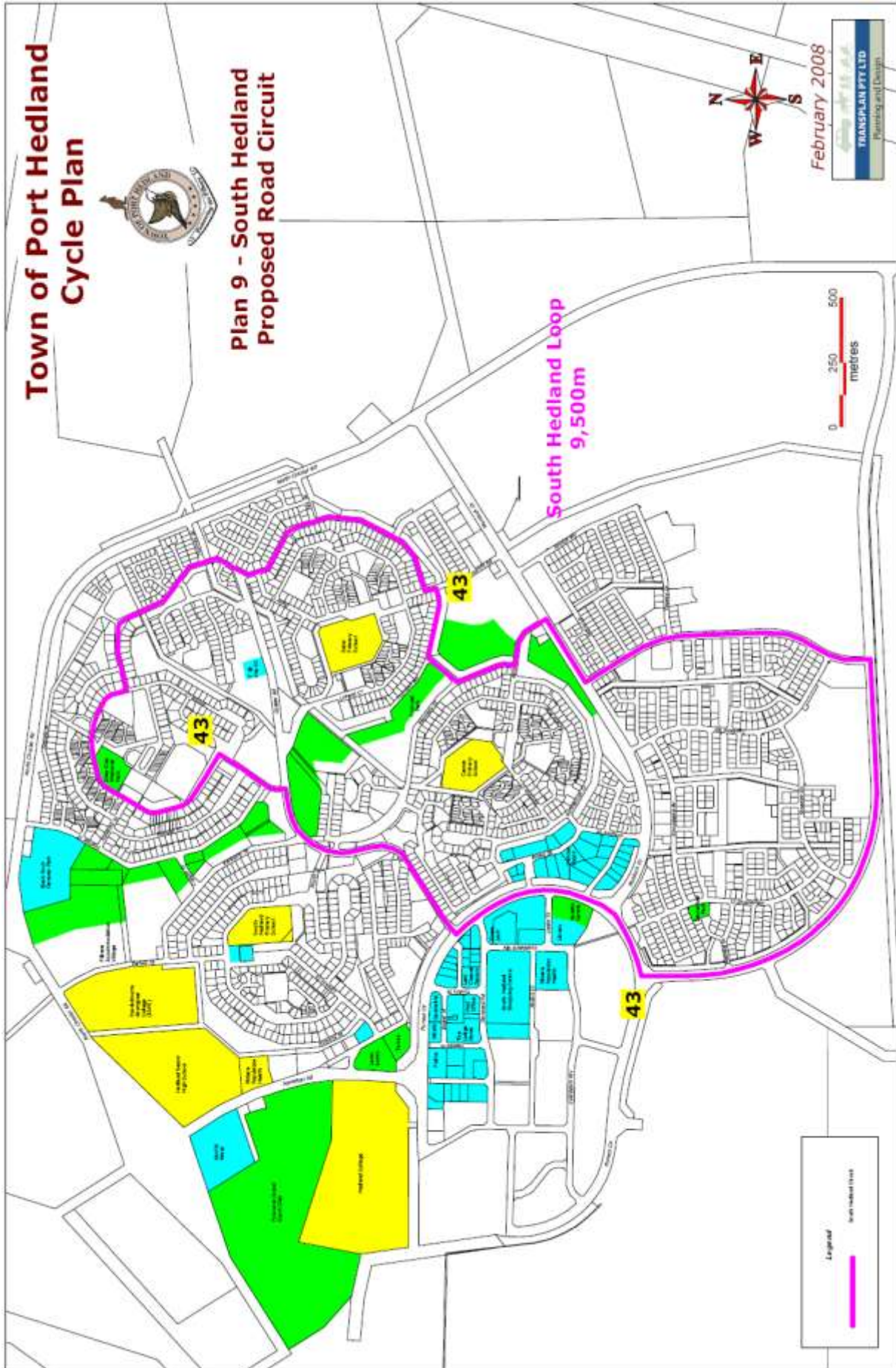
ATTACHMENT 2 TO AGENDA ITEM 11.3.2.1



ATTACHMENT 3 TO AGENDA ITEM 11.3.2.1



ATTACHMENT 4 TO AGENDA ITEM 11.3.2.1



11.3.2.2 Recreation Reserve Redevelopment: McGregor Street Reserve (File No.: 26/08/0007)

Officer Bec Pianta
Manager Recreation Services

Date of Report 16 September 2008

Disclosure of Interest by Officer Nil

Summary

The McGregor Street Reserve Master Plan is currently in the concept development stage. Council notation of the revised concepts is required to allow further investigation into this project.

Background

The Town of Port Hedland contracted ROSS Planning in November 2007 to undertake Master Planning for Colin Matheson Oval and McGregor Street Reserve. The impetus for this project was to consider future planning of recreational reserves, to ensure a well-planned and well-designed process, comprehensively linked to the Land Use Master Plan. These plans need to ensure that amenities at sporting reserves meet expectations, are of high quality and allow for economy of scale (efficiency of use). At the conclusion of this process, Council will receive the following:

- a consolidated, costed plan, including estimated timeframes for deliverables;
- a report recommending the process of redevelopment;
- a report detailing the individual components of each reserve (including the provision of specific sporting facilities including clubrooms, changerooms and toilet facilities, and any specialised facilities, including turf club amenities, potential child-care facilities etc.); and,
- a report detailing the location of each facility, to maximise efficiency, use and aesthetics.

A series of consultation sessions were undertaken with the stakeholders of the reserve, as well as members of Council and the community. This feedback received was then presented at Council's Ordinary Meeting held on 28 May 2008. At this meeting, Council resolved (in part) that:

“...ii) the following matters with regards to McGregor Street Sporting Reserves lay on the table for further consideration by Council at its Ordinary Council Meeting to be held in July 2008:

- a) *the concept development for the relocation and upgrade at the reserves continue as planned;*

- b) *all possible inclusions as received via feedback be included in the revised concept plan; and*
- c) *that liaison with the Port Hedland Turf Club and Main Roads WA occur as to the most ideal location of the turf track, based on Option 1."*

As per the recommendation above, ROSS Planning received all comments and feedback from the community and Council, and included or considered all possibilities within their updated concept plans. Refer attachment for the redeveloped concept plan (concept 4).

Due to time-commitment required by all volunteers of the Port Hedland Turf Club, staff at the Town of Port Hedland did not present the newly developed concept designs until after the conclusion of the racing season.

Consultation

The concept plans were distributed to relevant Town of Port Hedland staff for their comments, including:

- Chief Executive Officer
- Director Engineering
- Manager Planning
- Manager Technical Services
- Manager Recreation Services

The following forms of community consultation have been undertaken throughout this project to date:

- Two full page newspaper advertisements (with a feedback form attached)
- Two shopping centre displays (with feedback forms and box)
- Email correspondence to all community and sporting contacts, with requests to forward
- Community forum
- Radio advertisements (with live coverage)
- Radio interview
- Media Releases
- Hard copy displays at the:
 - Civic Centre
 - JD Hardie Centre
 - South Hedland Library
 - Port Hedland Library
- Dedicated Meeting with Port Hedland Turf Club

Statutory Implications

Nil.

Policy Implications

Nil.

Strategic Planning Implications

Key Result Area 3: Community Development

Goal 2: Sports and Leisure

Strategy 1: Progressively implement the recommendations of the Sports Facility Audit with a particular focus on:

- Upgrading existing facilities to an appropriate standard.
- The development of additional quality facilities
- The development of a multi-purpose sports facility

Budget Implications

Should Council accept the Officer's Recommendation, funds will be required to undertake a soil analysis/survey etc of the site. In the 2008/09 budget, funds are available for the commencement of this project, so no additional expenditure outside budget constraints will occur. At time of writing, no quotes had been obtained for conducting a soil analysis/survey; however educated estimates indicate that there are sufficient funds available.

Officer's Comment

The meeting with the Port Hedland Turf Club raised some issues of concern with regards to the potential relocation of the McGregor Street Reserves (refer attachment 2 for the meeting summary). Whilst many of the items may have mitigation or resolution opportunities, it is apparent that the historical and sentimental value of the Turf Club to its members is a very real issue. The prominent issues raised that may prevent this project from continuing any further at this stage include the soil type (potential leaching, limestone ridges, tidal and river areas), and cost of relocation. These items will need to be investigated further to ensure that the potential relocation is feasible.

Council therefore has three options:

1. Discontinue this project;
2. Note concept design 4 and undertake further work to determine if this project is feasible; or,
3. Undertake further community consultation.

Attachments

Summary Notes from Meeting with Port Hedland Turf Club: McGregor Street Reserve Redevelopment held 15 September 2008

Officer's Recommendation

That Council:

- i) advise ROSS Planning that:
 - a) Concept design 4 will be noted to allow this stage of the project to be completed as per the project brief; and,
 - b) Concept design 4 be altered where necessary to include all comments made by the Turf Club.

- ii) progress the McGregor Street Reserve Development Project by undertaking the following three tasks:
 - a) Soil analysis;
 - b) Survey of site; and,
 - c) Detailed design and preliminary quantity surveyor cost estimates based on concept 4.

NOTE: Council reports are to be provided at the conclusion of each task prior to the commencement of the subsequent task)

200809/066 Council Decision

Moved: Cr A A Carter

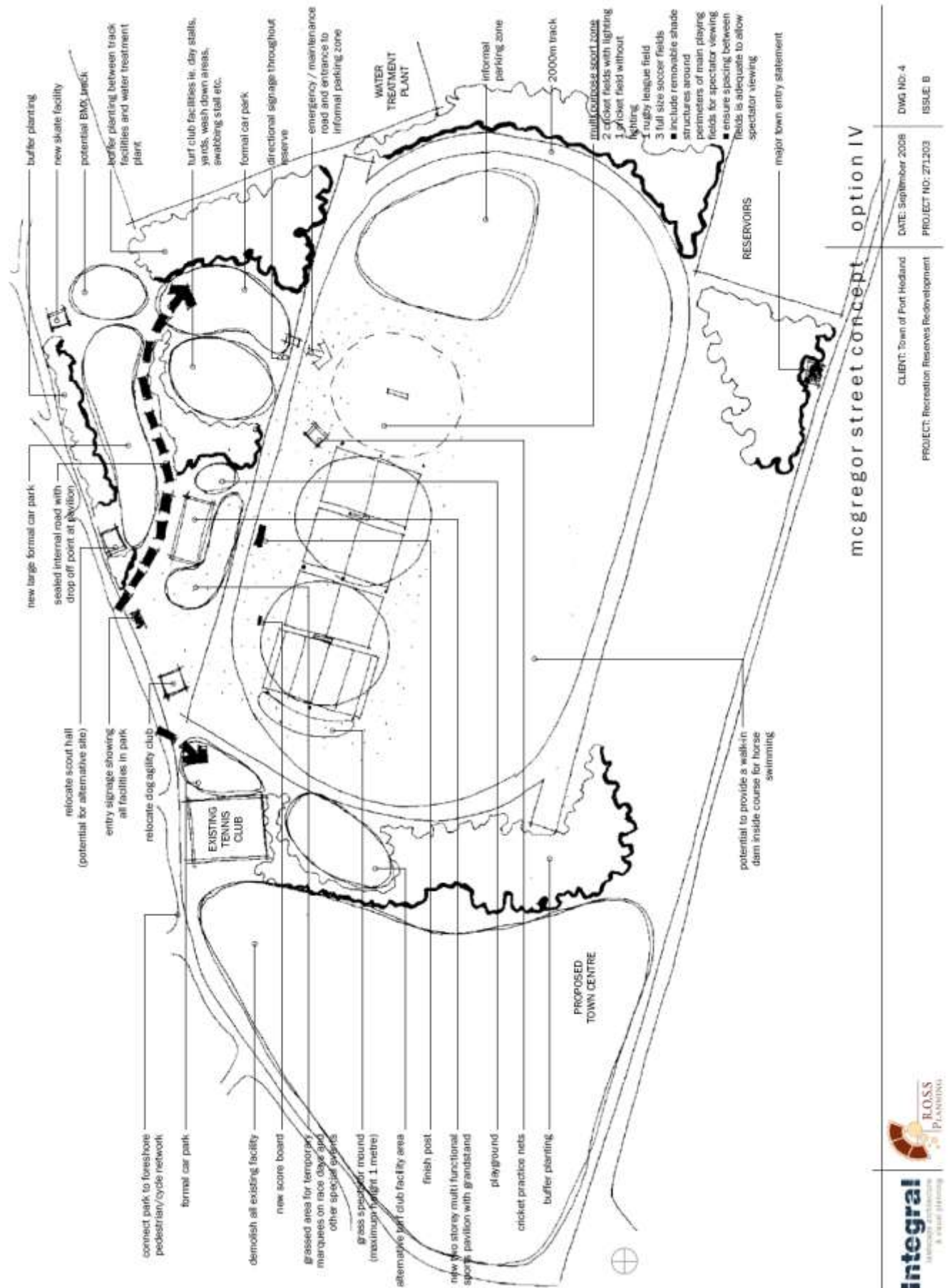
Seconded: Cr G D Bussell

That Council do not progress the McGregor Street Reserve Development Project until complete soil analysis is undertaken, and those results are available to Council.

CARRIED 8/0

REASON: Council resolved to undertaken a complete soil analysis on the site, prior to committing to progress the mcGregor Street Reserve Development Porject any further.

ATTACHMENT 1 TO AGENDA ITEM 11.3.2.2



CLIENT: Town of Port Hedland
 PROJECT: Recreation Reserves Redevelopment
 DATE: September 2008
 PROJECT NO: 271203
 DWG NO: 4
 ISSUE: B



*ATTACHMENT 2 TO AGENDA ITEM 11.3.2.2***McGregor Street Reserve Redevelopment****Meeting Summary**

Date:	Monday 15 th September 2008		
Time:	5:30pm		
Location:	Civic Centre, Upstairs Meeting Room		
Attendees:	ToPH: Terry Sargent	Matthew Scott	Bec Pianta
	Terry Dodds	Chris Adams	Cr Jan Ford
	Cr Stan Martin	Cr George Daccache	Cr Arnold Carter
	Cr Kelly Howlett	Cr Jan Gillingham	
	PHTC: Nigel Weston	Russell Hayward	

1. Introductions and Background

- a. Summary by Chris Adams
- b. Development of Option 4

2. Option 4 Concept Plan

- a. Rationale for relocation
 - i. Buffer zone around water treatment plant
 - ii. Need for land in Port Hedland
 - iii. Rationalisation of reserves and facilities
- b. Comments from community to date

3. Turf Club comments – general

- a. Opposed to relocation for reasons mentioned in previous correspondence
 - i. Loss of historical value
 - ii. Expensive relocation
 - iii. Pool quality soil
 - iv. Water treatment plant proximity
 - v. Native title
 - vi. Loss of sentimental value
- b. Historical value of land (given to TC in 1908; Southern Cross landed there, death of only person under fire at that location, and interaction of aboriginal and non-aboriginal people in the early days)
- c. Cost of relocation excessive
- d. Proposed new areas are tidal flats and limestone areas, as well as a river area. Will get capillary action (salt to surface), and the grass will not survive. A lot of fill will be required, and will be difficult to keep fields in the long term
- e. Creation of a 'Town Centre' – will the West End be redundant?
- f. Will be closer to sewerage ponds

- g. Cup Day is the biggest social event in Hedland, and people are used to and attracted to that area. It is a monumental area
- h. Concerned about the size available to the TC
- i. Want to know what the TC will get if the relocation goes ahead
- j. Not totally convinced – would have to know how it could happen first
 - i. What new facilities would be there?
 - ii. Would the race track be grassed?
 - iii. What will the size of the facilities and area be?
- k. No objection to the idea of a multi-use facility, and can grass the internal area for use
- l. Have funds for a grandstand – need to utilise these funds
- m. At the Broome TC the relocation couldn't go ahead because of the costs – the same thing will happen here
- n. Design/concept components that need changing:
 - i. Wording – 'Proposed Town Centre' to 'other alternative uses' (or something similar)
 - ii. Carpark cannot be next to horse facilities – want away from people
 - iii. Training facility not advantageous in its current location
 - iv. Move sporting grounds closer to the front straight
 - v. Stabling and training facility in the wrong spot
- o. Won't see the green as people come to town
- p. Need to ensure \$ come first, not other way around
- q. Expensive for new housing on the clay ground
- r. In favour of consolidation in the middle etc
- s. If get freehold land in South Hedland, will move there

4. Other comments

- a. If stay in current location, may not get \$ as there are limited additional uses, e.g., State Govt funding.

5. Recommendations

- a. Options for Council:
 - i. Discontinue
 - ii. Continue, but undertaking further investigation
 - iii. Continue consulting with the community
- b. Council support as a concept, taking comments into consideration for concept 4 (note, not endorse), to allow the following to occur:
 - i. Undertake further investigation (feasibility) into proposed design (with most critical flaws examined first) including:
 - 1. Soil analysis
 - 2. Geotechnical analysis
 - 3. Detailed design (QS, cost structure etc)

6:58 pm Councillor G J Daccache declared that with regard to Agenda Item 11.3.2.3 'Recreation Reserve Redevelopment: Colin Matheson Oval' as he has an association with Rover's Football Club. As a consequence, Councillor Daccache advised there may be a perception that his impartiality on the matter may be affected. Cr Daccache declared that he will consider this matter on its merits and vote accordingly.

Councillor Daccache did not leave the room.

11.3.2.3 Recreation Reserve Redevelopment: Colin Matheson Oval (File No.: 26/08/0007 and 26/14/0008)

Officer Bec Pianta
Manager Recreation Services

Date of Report 28 August 2008

Disclosure of Interest by Officer Nil

Summary

The Recreation Reserve Redevelopment Master Plan for Colin Matheson Oval has been finalised, and requires Council endorsement to commence. Funds have been allocated in the 2008/09 budget to undertake the recommendations within this report.

Background

The Town of Port Hedland contracted ROSS Planning in November 2007 to undertake Master Planning for Colin Matheson Oval and McGregor Street Reserve. As there was more discussion with regards to McGregor Street Reserve, Colin Matheson Oval concept designs have been completed, whilst the future of McGregor Street Reserve is still in deliberation.

After a series of Council and community consultation sessions, the feedback received with regards to the initial concept plans was presented to Council at its Ordinary Council Meeting on 28 May 2008. At this meeting, Council resolved (in part) that:

“...i) with regards to Colin Matheson Oval:

- a) all possible inclusions as received via feedback be included in the revised concept plan; and*
- b) the current clubroom facility at the Colin Matheson Oval be retained as a change room facility whilst a second clubroom facility be constructed adjacent to the existing club room facility.”*

ROSS Planning received all comments and feedback from the community and Council, and included or considered all possibilities within their updated concept plans. The report that ROSS Planning has submitted to Council includes the following:

- a consolidated, costed plan, including estimated timeframes for deliverables;
- a report recommending the process of redevelopment, including a hierarchy of development;
- a report detailing the individual components of each reserve;
- recommendations for the conservation of the playing surfaces and recommended upgrades to the existing reticulation; and,
- a report detailing the location of each facility, to maximise efficiency, use and aesthetics.

A full copy of the above information is available on request.

The concept plans for Colin Matheson Oval have been finalised, with all infrastructure (including amenities, buildings, car parks and sporting assets) and assorted features included.

Consultation

The initial concept plans were distributed to relevant Town of Port Hedland staff for their comments, including:

- Chief Executive Officer
- Director Engineering
- Manager Planning
- Manager Technical Services
- Manager Recreation

The following forms of community consultation were undertaken:

- Two full page newspaper advertisements/feedback form
- Two shopping centre displays (with feedback forms and box)
- Email correspondence to all community and sporting contacts, with requests to forward
- Community forum
- Radio advertisements (with live coverage)
- Radio interview
- Media Releases
- Hard copy displays at the:
 - Civic Centre
 - JD Hardie Centre
 - South Hedland Library
 - Port Hedland Library

The initial concept plans and community feedback items have been presented and endorsed by Council to lead to the creation of the finalised plans.

Statutory Implications

Nil.

Policy Implications

Nil.

Strategic Planning Implications

Key Result Area 3: Community Development

Goal 2: Sports and Leisure

Strategy 1: Progressively implement the recommendations of the Sports Facility Audit, with a particular focus on:

...the development of additional quality facilities at Colin Matheson Oval, McGregor Street Reserve and the South Hedland Bowling and Tennis Club.

Budget Implications

The following expenditure amounts are available for the Colin Matheson Oval redevelopment project in 2008/09:

- \$900,000 - Recreation Reserve Redevelopment (Oval)
- \$1,300,000 - Colin Matheson Clubrooms (considered as a separate project)
- \$87,550 – Colin Matheson Oval Upgrade (minor infrastructure – considered as a separate project).

Officer's Comment

The concept plans and report as presented provides information on the future potential for Colin Matheson Oval, as well as the developmental hierarchy. Various community and Council consultation has been undertaken to ensure that the future of the reserve meets community expectations and all demand requirements. The oval redevelopment process at Colin Matheson Oval will commence immediately following Council endorsement of the concept plans.

It should be noted that the Colin Matheson Clubrooms is considered a separate project from the Recreation Reserves Redevelopment project. Discussions are taking place with the Rovers Football Club to assist in determining the exact location and inclusions within the clubrooms.

200809/067 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council:

- i) endorse the Colin Matheson Oval Recreation Reserve Redevelopment (turf and irrigation) as submitted by ROSS Planning;**
- ii) commence the tender process for the Colin Matheson Oval redevelopment, including irrigation, pumps and turf;**
- iii) informs ROSS Planning of the acceptance of this document; and,**
- iv) informs the community and all stakeholders of the recommendations that will be undertaken this financial year.**

CARRIED 8/0

ATTACHMENT TO AGENDA ITEM 11.2.3.3

the vision

create a robust, distinctive place for both sport and recreation activities, allowing a variety of users to enjoy in a balanced and efficient way.

design principles

- Promote a strong and well-defined landscape framework to ensure the park is integrated with the wider natural environment of Port Hedland.
- Ensure users feel safe and as comfortable as possible.
- Keep site lines, from adjoining residential developments, open to provide good natural surveillance.
- Create a space with dynamic social opportunities with its own distinctive identity, to give the park a strong sense of place.
- Create paths along connecting routes to provide access to open spaces and provide an opportunity for active recreation.
- Ensure the park is easily accessible to all travel modes with particular emphasis given to walking and cycling.
- Promote environmental best practice in all new buildings and treatments.



colin matheson oval



Town of Port Hedland draft master plans 2008

ROSS INTEGRAL PLANNING

**11.3.2.4 Lux Testing of Overhead Lights at Sporting Reserves
(File No.: 26/03/0003)**

Officer Nicole Roukens
Sport and Recreation Officer

Date of Report 10 September 2008

Disclosure of Interest by Officer Nil

Summary

The Town of Port Hedland devoted a Light Replacement Reserve Funds account when the overhead lights were installed. This item is a request to utilise these funds, to complete lux testing and a lighting audit at the following sporting reserves:

- Colin Matheson Oval
- Kevin Scott Oval
- McGregor Street Reserve
- Faye Gladstone Netball Courts
- Marie Marland Reserve
- JD Hardie Centre

Once lux levels are known the Town of Port Hedland can determine if the towns sporting reserves meet current Australian Lighting Standards. It is anticipated that the lighting audit will lead to the development of an overhead lighting replacement policy and plan.

Background

To ensure the Town of Port Hedland's sporting reserves meet Australian Lighting Standards, it is recommended that lux testing and a lighting audit are completed. According to the internal records system, there is no record of lux testing having ever been completed.

The Town of Port Hedland has sourced information relating to recommended lux levels, lighting audits and replacement programs from a number of companies specialising in this field.

Currently the Town of Port Hedland replaces light globes at sporting reserves on a broken light globe basis. This does not take into account acceptable light globe output levels. Currently it is unknown if the overhead lighting towers at the sporting reserves are meeting Australian Lighting Standards, potentially compromising Council's Duty of Care.

Lighting experts recommended the Town of Port Hedland conduct a lighting audit at all sporting facilities with overhead lighting towers to determine if they meet Australian Lighting Standards and create a schedule for light maintenance.

Once audits of lights have been completed on all reserves, it is recommended that a lighting replacement policy be put into place for all sporting reserves and future light maintenance.

Consultation

Manager Recreation Services

Statutory Implications

Nil.

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Should council approve this request, initial quotes indicate expenditure to be \$8,000 for the lux audit to be undertaken. The Light Replacement Reserve Account has a total of \$33,338 available.

Officer's Comment

It is currently unknown if any sporting reserves in Port and South Hedland meet Australia Lighting Standards. In the past some of the sporting clubs and associations have complained about broken light globes at the sporting reserves.

Attachments

Nil.

200809/068 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S J Coates

That Council:

- i) approve the use of up to a maximum of \$10,000 from Council's Light Replacement Reserve to conduct a lighting audit at sporting reserves;**
- ii) requests a report to be presented to Council upon completion of the audit; and**
- iii) requests a lighting policy report to be presented to Council for consideration regarding future sporting overhead light replacement.**

CARRIED BY ABSOLUTE MAJORITY 8/0

11.3.2.5 Request to Waive Hire Fees for the Hed's Up Healthy Active Hedland Project (File No.: 26/07/0009)

Officer Nicole Roukens
Sport and Recreation Officer

Date of Report 8 September 2008

Disclosure of Interest by Officer Nil

Summary

Council has received a request to waive fees for the hire of a number of sporting reserves as a part of the Town of Port Hedland's partnership with Local and State Government organisations for the Hed's Up Healthy Active Hedland Project.

Background

The Hed's Up Healthy Active Hedland project is a new initiative funded by the Department of Health and Ageing. It is a cross-agency project which includes all Port and South Hedland Primary Schools, The Town of Port Hedland, South Hedland New Living, Indigenous Coordination Centre and the Australian Sports Commission, that aims to encourage children to participate in healthy and active lifestyles. The Manager of Recreation Services and the Sport and Recreation Officer are the Town of Port Hedland's representatives on the Hed's Up Healthy Active Hedland Committee.

The project aims to implement a number of new physical activity and nutritional strategies for school children in schools and the general community. Some of the strategies that will be introduced as part of the project include:

- Development of a health and physical activity committee
- Development of a whole school health and physical activity policy
- Specialist intervention programs for students
- Physical education training for primary school teachers
- Regular interschool sporting events
- Develop school – community links
- Kids Healthy and Active Expo

As a part of the project a number of interschool sporting events (estimated 10) will be run. These interschool activities will involve all of the primary schools in Port and South Hedland and are designed to encourage students to develop a greater understanding of other students diverse cultures, increase physical activity levels, increase leadership skills and promote good sportsmanship.

As stated in the Schedule of Fees and Charges for 2008/2009 hire of community facilities will be discounted by 100% if:

- Not for profit group
- No alcohol
- Free to the community

Due to the varied nature of the interschool events and the number of schools attending, the Hed's Up Healthy Active Hedland Committee has indicated that the most suitable venue to hold these events would be at the Council Sporting Reserves. The Committee has requested that the Town of Port Hedland waive the fees and charges for the hire of Council Sporting Reserves for activities that are directly related to the Hed's Up Healthy Active Hedland Project despite not meeting the above criteria.

Consultation

- Manager Recreation Services
- Andrew Watt, Creating Communities
- Tim Turner, Creating Communities
- Pauline Johnson, Principal, Baler Primary School
- Amanda Ramshed, Deputy Principal, St Cecilia's Primary School
- Jan Mathews, Principal, South Hedland Primary School
- Jason Romeo, Deputy Principal, South Hedland Primary School
- Diane Green, Deputy Principal, Port Hedland Primary School

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Should Council approve this request for waiver of fees, Council will forego revenue of approximately \$1,500 (10 events at \$150 each). As this project is a new initiative for 2008, the receipt of this revenue was not budgeted for.

Officer's Comment

The Hed's Up Active Hedland Project is a great new initiative to encourage school students in Hedland to be healthy and engage in regular physical activity.

This project has been well supported by a number of agencies including Pilbara Population Health, Creating Communities, Australia Sports Commission, Port Hedland Primary School, St Cecilia's Primary School, South Hedland Primary School, Baler Primary School and Cassia Primary School. The Town of Port Hedland has been involved with this project from its early stages.

200809/069 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr K A Howlett**That Council:**

- i) advises the Hed's Up Healthy Active Hedland Committee that their request for waiver of sporting reserve hire fees for activities relating to the Project is granted to the value of \$1,500; and**
- ii) the Town of Port Hedland must be recognised as a contributor towards the Hed's Up Healthy Active Hedland Project in all promotional material.**

CARRIED 8/0

11.3.3 Port Hedland International Airport**11.3.3.1 *Change of Approved Manager on Port Hedland International Airport Bar and Café Liquor Licence (File No. AIR-083)***

Officer Eleanor Whiteley
Airport Manager

Date of Report 12 September 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 by Council. Council successfully secured a Protection Order in relation to the operation of the liquor license at the facility.

The Protection Order was an interim measure, which ensured the continuation of a service that would have otherwise ceased. While the Town of Port Hedland remains the Licensee, 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, Council approval is required.

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

200809/070 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

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 8/0

11.3.3.2 Port Hedland International Airport: Authorisation of Parking Officers (File No.: 30/07/0014)

Officer Eleanor Whiteley
Airport Manager

Date of Report 12 September 2008

Disclosure of Interest by Officer Nil

Summary

Council's approval is sought for the authorisation of new staff at the Port Hedland International Airport (PHIA) as Parking Inspectors to enable them to issue infringements under the Town of Port Hedland Local Laws relating to Parking at the Airport.

Background

To service peak periods of traffic at the Port Hedland International Airport during flight times, Council has extended the long-term car park and remodeled the existing car parks resulting in an increase in parking spaces available in all car parks.

This has alleviated some of the parking problems however the main short-term car park is still being used by people for long-term parking. A number of illegal parking problems are arising, with patrons parking on verges and having disregard for sign posted parking conditions at the front of the terminal.

Recently appointed staff at the Airport now require to be authorised officers to undertake their roles.

Consultation

Co-ordinator Ranger Services
Town of Port Hedland Airport Staff

Statutory Implications

Town of Port Hedland Local Laws relating to Parking.

Town of Port Hedland International Airport Sections 12 and 13, states:

- “12. The Council may designate and mark out any car park or parking stall on any part of the Airport as it shall think fit and such designation or marking out shall be in such a form as the Council thinks fit.*
- 13. The Town of Port Hedland Local laws relating to Parking shall have full effect within the Airport.”*

Policy Implications

Not applicable

Strategic Planning Implications

Key Result Area 1 – Infrastructure

Goal 3-Airport

Strategy 1 Undertake necessary capital upgrade to the Airport including:

- Development of car parking areas.

Budget Implications

Nil

Officer's Comment

By authorising newly appointed Airport staff as Parking Inspectors, this would enable them to also monitor car parking activities and issue on-the-spot infringements under the Town of Port Hedland Local Laws relating to Parking at the Port Hedland International Airport.

Ranger Services has indicated that they will provide the new Airport Staff with full training in relation to the issuing of infringements and associated processes.

Attachments

Nil.

200809/071 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council:

- i) **authorises Frank Bero and Rizal Rizali to be Authorised Officers for the Town of Port Hedland pursuant to Town of Port Hedland Local Laws relating to Parking – Airport Specific; and the removal of Michael Mastrangelo; and**
- iv) **authorises the placement of a gazettal notice for the above in the Government Gazette.**

CARRIED 8/0

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

Officer Laura Jackson
Senior Finance Officer

Date of Report 17 August 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 July 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 2007/08.

Background**1. *Financial Statements***

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

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

2. *Utility and Fuel Costs*

Presented in graph form (see attached), is the 2008/09 monthly water, power and fuel costs compared with 2007/08.

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 24 September 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 costs.

Voucher No's		Value	Pages		Fund No.	Fund Name	Description
From	To		From	To			
CHQ16990	16990	\$ -					Cheque Cancelled
CHQ17087	17087	\$ -					Cheque Cancelled
CHQ17179	17179	\$ -					Cheque Cancelled
CHQ17151	17151	\$ -					Cheque Cancelled
CHQ17511	17511	\$ -					Cheque Cancelled
CHQ17771	17771	\$ -					Cheque Cancelled
CHQ17842	17842	\$ -					Cheque Cancelled
CHQ18355	18355	\$ -					Cheque Cancelled
CHQ18377	18377	\$ -					Cheque Cancelled
CHQ18341	18414	\$ 284,492.69	1	12	1	Municipal Fund	
EFT22445	EFT22447	\$ -					EFT's cancelled
EFT22448	EFT22710	\$ 1,404,597.52	12	57	1	Municipal Fund	
PAY010708		\$ 218,521.73	1	1	1	Municipal Fund	
PAY150708		\$ 221,499.05	57	57	1	Municipal Fund	
PAY290708		\$ 237,755.70			1	Municipal Fund	
		\$ 1,662,689.07	Cheques raised in July and backdated into June				
BOQ280708		\$ 891.10	57	57	1	Municipal Fund	Finance Equipment
	Muni Total	\$ 705,068.72					
3001492	3001503	\$ 7,050.00	57	58	3	Trust Fund	
	Trust Total	\$ 7,050.00					
	Sub-Total	\$ 712,118.72					
LESS: one-off pays		\$ -					
	Total	\$ 712,118.72					

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.

Additional Financial reports will be presented to Council on request.

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 the Special Meeting held on 9 July 2008, Council resolved to adopt Council's 2008/09 Budget, which included Recommendation 12 as follows:

“Recommendation 12

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

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

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

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

Officer’s Comment

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

Period Variation

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

Primary Reason

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

Budget Impact

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

Attachments

- Page 1–3 of 12. Schedule 2 being a Statement of Financial Activity
- Pages 4 to 12. Notes 3 to 12 which form part of the Statements of Financial Activity. Also Note 10 – July 2008 Bank Reconciliations.
- Pages 1 to 49. Detailed Financial Activity by Program.
- July 2008 Accounts for Payment
- Comparison Between 2007/08:2008/09 Utility & Fuel Costs

200809/072 Council Decision/Officer’s Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That:

- i) **the:**
 - **Statements of Financial Activity (represented by Schedules 2 to 14);**
 - **Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 31 July 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
- iii) the list of Accounts paid during July 2008 under
Delegated Authority, as presented and/or attached be
received; and
- iv) Council notes that the 30 June 2008 financial statements
presented may change due to the end of financial year
audit process.

CARRIED 8/0

7:05 pm Councillor Jan M Gillingham declared that with regard to Agenda Item 11.4.1.2 'Request for 100% Rate Concession for Property: Lot 5164 Shoata Road, South Hedland Leased by South Hedland Owners and Trainers Association' as she is an acquaintance of Mr Phillip J Murray. As a consequence, Councillor Gillingham advised there may be a perception that her impartiality on the matter may be affected. Cr Gillingham declared that she will consider this matter on its merits and vote accordingly.

Councillor Gillingham did not leave the room.

11.4.1.2 *Request for 100% Rate Concession for Property: Lot 5164 Shoata Road, South Hedland Leased by South Hedland Owners and Trainers Association (File No; A802155)*

Officer Brie Holland
Senior Rates Officer

Date of Report 18 September 2008

Disclosure of Interest by Officer Nil

Summary

For Council to consider allowing a 100% Rates Concession on the property of Lot 5164 Shota Road, South Hedland leased by South Hedland Owners & Trainers Association (Inc).

Background

The South Hedland Owners and Trainers Association (Inc) (SHOATA) wrote to Council on 4 September 2008, after receiving their 2008/09 Rates Notice, requesting a 100% concession on their Rates. It is believed this request is primarily due to their rates doubling as the result of a significant increase to the Unimproved Value of the land under lease.

Year	UV	Rates
08/09	\$200,000.00	\$10,540.90
07/08	\$100,000.00	\$5,096.00

SHOATA currently receives a 50% rate concession, which it has enjoyed for the last seven years.

SHOATA's argument for a 100% rate concession is based on the following points:

1. as a 'Not for Profit' Association they should be exempt from rates; and
2. the Association cannot afford the rates; and
3. the Golf Course and Pony Club don't pay rates (subsequent letter 12 September 2008).

In 2006/07 Council renewed SHOATA's lease of 46.7 hectares of land at an annual rental of \$500 per annum.

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) *wave or grant concessions in relation to any amount of money; or*

(c) *write off any amount of money, which is owed to the local government.*

** Absolute majority required.*

Policy Implications

Council Policy 2/004 Rating applies:

“...Concessions

All rate concessions will be considered by Council during the budget process. Rate concessions will not be proposed to Council outside of the budget process, unless due to extraordinary circumstances and authorised by the Chief Executive Officer. ...”

Strategic Planning Implications Nil**Budget Implications**

If Council elects the South Hedland Owners and Trainers Association (INC) to be exempt from rates, the Council's income will be directly reduced by \$10,580.90 in 2008/09, as well as any potential rates in future years.

Officer's Comment

Council has two (2) options:

1. Continue the status quo, and maintain the 50% rate concession; or
2. Approve the increase of the rate concession to 100% and write-off \$10,580.90.

When determining either of the options, Council may also consider the arguments put forward by SHOATA:

1. As a 'Not for Profit' Association they should be exempt from rates; and
2. The Association cannot afford the rates; and
3. That the Golf Course and Pony Club don't pay rates (subsequent letter 12 September 2008).

'Not for profit' does not automatically make a community organisation rate exempt. Rates are raised to offset the services and activities provided to the Community.

Rates are not a tax based on an organisation's profit or surplus, but based on the land value under their control. The reason for this is because Council incurs a significant proportion of its cost structure on providing services and access to properties and in turn their occupants.

Generally Rates increases, like other costs (insurance, utilities, etc), for 'not for profit' organisations, are passed on to their Members. If SHOATA claim that they cannot afford their rates, they may consider increasing their membership fees, as would happen if there was an increase in their other costs. Effectively, they may need to look at increasing their revenue base to offset any cost increase.

Given the quantum of shared services (toilets, racetrack, wash down facilities) at SHOATA, it is reasonable to assume that each member would probably be required to pay substantially more (not only in rates), if they individually had to supply and maintain these facilities. If SHOATA are adamant that they cannot pass this increase to their membership, then Council may be concerned whether SHOATA is actually a 'going concern' and a financially viable organisation. If the support base of SHOATA is reduced to the point of not being able to respond to cost increases (outside their control) then at what point Council may continue to subsidise, or redirect this subsidy to other more robust and viable community groups.

The Golf Club and the Pony Club are not considered similar to SHOATA on the basis that:

1. SHOATA is not open to the general public (Golf club)
2. SHOATA members actively train horse for race meetings, as opposed to the Pony Club which is also more youth orientated.

Based on these facts, their implied argument of inequitable treatment by Council is questionable.

Given that the rate increase is a factor of the increase cost (and therefore value) of land in the district, SHOATA is not the only organisation affected by this increase. As the rates are Unimproved Valued based, the values of the improvements (such as the house) have no effect on the valuation. If the land value is becoming too expensive for SHOATA to continue to have access to land, maybe SHOATA should consider surrendering or reducing their lease area, keeping only enough land to meet current membership needs.

No local Government likes to see a Community suffer as a result of rate increases. SHOATA already enjoys a significant rate reduction, which many racetracks and stable would be envious of.

Should Council increase the current concession, it will also create a precedent for other groups (both community and commercial) to argue for similar concessions. Also Council should note that under its own rating policy (2/004) any concessions should have been considered as part of the budget process.

Though the Officer's recommendation cannot support SHOATA's request, consideration may be made toward the benefits an organisation like SHOATA brings to the Port Hedland Community. In considering this, Council may consider reducing any additional costs in collecting these rates, by waiving any penalty interest charges while SHOATA determines the best way of paying these outstanding rates.

Attachments

1. Letter dated 4th September 2008, from the South Hedland Owners and Trainers Association (Inc.)
2. Letter and Spreadsheet dated 12th September, 2008, from the South Hedland Owners and Trainers Association (Inc.)

Officer's Recommendation

That Council:

- i) declines the request from the South Hedland Owners and Trainers Association (Inc.) for a 100% rates concession; and
- ii) provides a six (6) months penalty interest waiver to assist the South Hedland Owners and Trainers Association (Inc.) in paying their 2008/09 outstanding rates.

**200809/073 Council Decision/Officer's Amended
Recommendation**

Moved: Cr A A Carter

Seconded: Cr K A Howlett

That Council lays Agenda Item 11.4.1.2 'Request for 100% Rate Concession for Property: Lot 5164 Shota Road, South Hedland Leased by South Hedland Owners and Trainers Association' (SHOATA) on the table until such time as:

- i) the inconsistencies raised by SHOATA are investigated by the Chief Executive Officer or his nominated offer; and**
- ii) all Councillor have the opportunity to visit the facilities at SHAOTA.**

CARRIED 8/0

ATTACHMENT 1 TO AGENDA ITEM 11.4.1.2

04/09/2008 07:45 0091723797

HEDLAND S H S

PAGE 01/02



**SOUTH HEDLAND OWNERS
AND
TRAINERS ASSOCIATION (INC)**

PO BOX 2046, SOUTH HEDLAND, WA 6722

4th September, 2008

REF: SHOATA RATES

TO: Rates Officer Town of Port Hedland

Dear sir/madam,

It has come to the attention of the SHOATA Committee that we are paying rates on one of the blocks at SHOATA which has been rated as a 3 bedroom house for the purpose of Caretaker Accommodation/Clubrooms.

The house in question has not been lived in for over 6 years and does not get used as clubrooms and/or caretaker accommodation. The club wishes to have this removed from your records so that we do not have to pay any rates at all as we are a non-profit Association and cannot afford this cost.

I have faxed, as page 2, a copy of the rates notice. I will also post a signed copy of this letter for confirmation.

Your help in attending to this matter is appreciated.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Philip Murray'. The signature is written in a cursive, flowing style.

Philip Murray
SHOATA Committee member

0438 722291

ATTACHMENT 2 TO AGENDA ITEM 11.4.1.2



**SOUTH HEDLAND OWNERS
AND
TRAINERS ASSOCIATION
(INC)**

**PO BOX 2046
SOUTH HEDLAND
WA 6722**

September 12th , 2008.

Dear Council members,

I am writing on behalf of the SHOATA Committee, requesting that our club be exempt from TPH Rates. We recently received a rates notice (A802155) asking for \$10, 500.

SHOATA consists of local recreational race horse trainers and travelling race horse trainers of which roughly make up half the race fields during the local race season, Show riders and leisure riders. Our club charges membership to cover the costs of water, power and insurance required to maintain our lease and some minor maintenance. I have also attached a brief summary of our current financial position. Put simply, our club simply cannot afford to pay the rates as set by the TPH.

Our inquiries have led us to believe that the Golf Club which is right next door to us is exempt from rates and that the Port Hedland Pony Club (which has a similar purpose to SHOATA) does not pay rates as well.

We respectfully request that the TPH Council look favourably upon our request to exempt SHOATA from paying rates to maintain a long standing sporting body in this town.

Yours sincerely

Philip J. Murray

Committee Member

SHOATA INCOMING & OUTGOING MONIES March 2008 - August 2008			
1 March - 31 March	Opening Balance 3975.67	Closing Balance 5237.61	
INCOMING	OUTGOING		
Members Accounts 3751.00	Water Account 1294.26		
	Power Account 1165.05		
1 April - 30 April	Opening Balance 5237.61	Closing Balance 6359.83	
INCOMING	OUTGOING		
Members Accounts 1133.02	Bank Fee 10.80		
1 May - 30 May	Openign Balance 6359.83	Closing Balance 5200.66	
INCOMING	OUTGOING		
Members Accounts 1497.16	Power 991.06		
	Elders Insurance 302.56		
	Equestrian Federation Aus 330.00		
	Equestrian Events Insurance 1024.67		
1 July - 31 July	Opening Balance 5174.20	Closing Balance 4945.16	
INCOMING	OUTGOING		
Members accounts 696.97	Power 826.45		
	Elders Insurance monthly debit 91.66		
1 August - 29 August 2009	Opening Balance 4945.16	Closing Balance 2010.10	
INCOMING	OUTGOING		
Members Accounts 100.00	Power 883.15		
	Water Account TOPH 2053.70		
	Elders Insurance Monthly Debit 91.66		

11.4.1.3 Request to Refund Bin Charge for the Past Ten (10) Years on Property at 38 Moorambine Street Wedgefield (File No: A117880).

Officer Brie Holland
Senior Rates Officer

Date of Report 17 September 2008

Disclosure of Interest by Officer Nil

Summary

For Council to consider writing off a Bin service charge for the past ten years on the following property, 38 Moorambine Street Wedgefield.

Background

On 14 August 2008, Council received a query from Mr. Skender querying why he has being charged second bin levy for his property at 38 Moorambine Street, Wedgefield.

A brief investigation by the Rates Department discovered that this was in fact an error, and the second bin levy was removed from his assessment. During the investigation it was also discovered that the Mr. Skender had actually been paying for the second bin levy for some 10 years, despite never actually receiving a second bin.

On 22 August 2008 the Rates Department received a letter from Mr. Skender (see attached) requesting Council to refund the extra bin charge for the period of time he has owned the property, from 1997.

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**

If Council approves Mr. Skender's request to refund the bin charges from 1997, Council's income will be directly reduced by \$1643.00, as indicated in the below table.

Date	Reference	Amount
2007/08	Extra Bin Charge	\$170.00
2006/07	Extra Bin Charge	\$170.00
2005/06	Extra Bin Charge	\$170.00
2004/05	Extra Bin Charge	\$170.00
2003/04	Extra Bin Charge	\$161.00
2002/03	Extra Bin Charge	\$161.00
2001/02	Extra Bin Charge	\$161.00
2000/01	Extra Bin Charge	\$160.00
1999/2000	Extra Bin Charge	\$160.00
1998/1999	Extra Bin Charge	\$160.00
	Refund requested	\$1,643.00

Officer's Comment

Council's rate notices clearly indicate the number and cost of the Rubbish Service charge for each property. In Mr Skender's letter to Council, he clearly indicates that he relied on his staff to ensure the service was being delivered, and therefore the payment to Council, was correct. Council's records also indicate this letter to be the first formal request to fix this issue, though it has been ongoing for a decade.

Clearly the extra bin charge was made in error; however, Mr. Skender now wants Council to compensate him for mistakes made by his staff during this time and/or his inability to mitigate this issue through a written request to Council sometime over the last 10 years.

This year's additional charge has been corrected, resulting in no additional bin charges in the future. Though Council can accept responsibility for the mistake, this mistake has been compounded each year by Mr Skender's willingness to pay, and decision not to raise it formally with Council, and therefore it is unreasonable to consider that these additional costs should not be borne by Council, and ultimately the Ratepayers.

There are three (3) options available for Council to consider:

1. to approve Mr Skender's request to refund the full amount totalling \$1,643.00 being for an extra bin charge from 1998/09 through to 2007/08 for 38 Moorambine Street, Wedgefield; or

- 2. to refuse Mr Skender’s request to refund the full amount totalling \$1,643.00 being for an extra bin charge from 1998/09 through to 2007/08 for 38 Moorambine Street, Wedgefield; or
- 2. to partially refund an amount to be determined by Council being for an extra bin charge from 1998/09 through to 2007/08 for 38 Moorambine Street, Wedgefield.

Attachments

Letter dated 21st August 2008, from Mr. Skender.

200809/... Council Decision/Officer’s Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council refuse Mr Skender’s request to refund the full amount totalling \$1,643.00 being for an extra bin charge on his Rates Notices for the last ten (10) financial years, from 1998/09 through to 2007/08, for 38 Moorambine Street, Wedgefield.

4/4

NOTE: Mayor advised his casting vote.

LOST 4/5

NOTE: Cr A A Carter requested the votes be recorded:

Record of Vote

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

200809/... Council Decision

Moved: Cr G D Bussell

Seconded:

That Council approves Mr Skender’s request to refund the full amount totalling \$1,643.00 being for an extra bin charge on his Rates Notices for the last ten (10) financial years, from 1998/09 through to 2007/08, for 38 Moorambine Street, Wedgefield.

MOTION LAPSED FOR WANT OF SECONDER

200809/074 Council Decision

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council approves Mr Skender's request by refunding an amount totalling \$821.50 being for half the extra bin charge on his Rates Notices for the last ten (10) financial years, from 1998/99 through to 2007/08, for 38 Moorambine Street, Wedgefield.

CARRIED BY ABSOLUTE MAJORITY 5/3

NOTE: Cr K A Howlett requested the votes be recorded:

Record of Vote

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

NOTE: Council resolved to refund \$821.50, being half the amount requested by Mr Skender, for the extra bin charge on his Rates Notice for the last ten (10) financial years from 1998/99 to 2007/08.

ATTACHMENT TO AGENDA ITEM 11.4.1.3

21.08.08.

ATTENTION: PORT HEDLAND TOWN COUNCIL. : BRIE HOLLAND

TO WHOM IT MAY CONCERN.

WHICH WAY CAN I START? LET'S START FROM YOUR POSITION : THE DEFENSIVE,

YOUR RATES MR SKENDER ARE CALCULATED ON YOUR LAND VALUE, AND SERVICES THE SHIRE COUNCIL PROVIDE TO YOU. IF THESE RATES ARE NOT PAID, A CAVIATE IS TAKEN OUT ON THE PROPERTY AND AT THE END OF THE DAY, WE ELL UP ON YOU.

IF THE SERVICE IS NOT PROVIDED, I SHOULDN'T BE CHARGED, NOR SHOULD HERESAY BE TAKEN INTO ACCOUNT.

SINCE DAY DOT, 2114 MOORAMBINE ST AND O+W'S MILLER ST BINS HAVE ALL BEEN PLACED OUTSIDE MY GATE WHICH, IN TURN, SAVES YOUR BIN COLLECTOR 3 SEPARATE STOPS. I MYSELF TAKE OUT THE BINS FROM BOTH OTHER ADDRESSES AS A KIND GESTURE, AND GOING BACK QUITE SOME YEARS, I APPROACHED THE SHIRE REGARDING THE EXTRA BIN CHARGES.

HAVING OFFICE STAFF PAY THE BILLS, I WASN'T AWARE OF THE EXTRA CHARGES, HOWEVER, IN THE LAST 3 YRS I HAVE MADE FORMAL COMPLAINTS TO NO AVAIL, AS YOUR STAFF TURNOVER MAKES IT HARD TO SPEAK TO THE SAME PERSON AS LAST TIME.

NOW SOMEONE NAMED BRIE HOLLAND HAS REPLIED AND CREDITED 2007 BIN CHARGE.

DO I NOW HAVE TO GO BACK EACH YEAR TO THE PEOPLE THAT WERE WORKING THAT SECTOR AT THE TIME. TO GET 06, 05, 04 ECT CREDITED OR ARE YOU. JUST GOING TO CLOSE THE DOOR ON THIS AND HOPE IT WILL GO

ANYWAY? SORRY, THERE IS MORE THAN ONE WAY TO SKIN
A CAT.

YOU PROVIDE A SERVICE; I PAY FOR THAT SERVICE.
YOU DONT PROVIDE A SERVICE I DONT PAY - SIMPLE.

REGARDS.

J. SKENDER

mob: 0418901063



11.4.1.4 Council Chambers : Table Configuration (File No.: ...)

Officer Matthew Scott
Director Corporate Services

Date of Report 15 September 2008

Disclosure of Interest by Officer Nil

Summary

For Council to decide which type of table configuration is best suited for Council Meetings.

Background

In the 2007/08 Budget, Council approved \$55,000 to be spent on upgrading the Council Chambers. Due to other priorities, this was deferred, and most of these funds will be carried forward into 2008/09. To date only \$5,350 has been spent on new honour boards and new oven, leaving \$49,650 available for any additional changes.

The major issues of the current chambers raised by past and present Councillors, is the lack of an appropriate table for Council business and limited facilities for Council to entertain important guests.

At the September briefing session options were discussed with Councillors present to seek direction on both these issues.

With regard to the Council table configuration, three options were presented, being :

1. the current configuration;
2. a Semicircle configuration (aka the UN style); and
3. a Large Boardroom table.

Councillor's preference of these options was a large (modular) boardroom style table, which could be used for multiple purposes, other than just Council meetings.

Councillors view regarding the kitchen was to divide the current kitchen into two rooms, one being a "commercial" kitchen for public use and the second room being remodel into a Council bar, utilising the servery into chambers.

Consultation Nil

Statutory Implications Nil

Policy Implications**Nil****Budget Implications**

To build an appropriate wooded modular board table, initial estimates are approximately \$20,000. This would leave the remaining budget to remodel the kitchen to suit council needs.

Officer's Comment

Though these funds could be used for other community focused services and activities, Council should consider the image it projects to both the community and visitors. A significant component of this image is made up from the impression guests and proponents receive while attending Council meetings. The current table and configuration is really a rehash of past styles and furniture, and is dated. Councillors have also commented on the difficulties of following meetings and discussions due to the distance between themselves, presenters and the general public.

A large board room style table would bring the Councillors closer together, negating the need for microphones, while generating a better sense of team and unity within the Council. The preferred option is to have a table that sits 16 people, being 9 Councillors, 4 Executive Staff, 1 minute taker and 2 seats reserved for special guests. The shape would be in an oval, allowing the presiding member to sit at one end with the CEO at his left, with Councillors and staff along each side. Special guests would be seated at the other end of the table.

Given that the size and requirements of the table, it will probably need to be purpose built, rather than simply source through a furniture catalogue. Though making the table is slightly more expensive, the table can be designed to meet Council's needs, and potentially make the piece of furniture an iconic representation of Council and the District by use of artistic design and/or local materials. Lowering of the Council's monitors can also be incorporated into the design, removing a particular "bugbear" of several Councillors.

At September's Informal Briefing Session, Councillors also discussed the need to develop a separate table for the media and regular guests to Council, such as the Hedland Youth Leadership Council. Councillors at the briefing session acknowledge that only elected members and necessary staff should be seated at the Council table, primarily as these additional parties lack the ability to participate in the meeting, and the potential perception of 'favouritism' of select groups to other community organisations and the greater community.

With regard to the entertainment facilities, Councillors have long acknowledged the need to properly entertain important visitors.

The Town of Port Hedland has grown significantly in the last few years, however Councillor facilities have not be significantly improved during the same period. By better utilising the current kitchen area, and making a separate kitchen and bar area, the current conflict between Councillor and Public use will be minimised. Plans will need to developed, but conceptually dividing the kitchen into two rooms will allow the kitchen for public hire and functions, while preventing public access to essentially a Council only area.

Officer's Recommendation

That Council:

- i) authorise the Chief Executive Officer or his nominated officer to source a design of boardroom style Council table, preferably from a locally or regionally based cabinet maker, with the requirement to seat a minimum of 16 people; and
- ii) authorise the Chief Executive Officer or his nominated officer to create a separate and secure Council bar facility within the current kitchen of the Council Civic Centre.

200809/075 Council Decision

Moved: Cr A A Carter

Seconded: Cr G D Bussell

That Council:

- i) **authorise the Chief Executive Officer or his nominated officer to source a design of boardroom style Council table, preferably from a locally or regionally based cabinet maker, with the requirement to seat a minimum of 16 people; and a complimentary table being set aside from Council for use by the Hedland Youth Leadership Council and Media representatives; and**
- ii) **authorise the Chief Executive Officer or his nominated officer to create a separate and secure Council bar facility within the current kitchen of the Council Civic Centre.**

CARRIED 6/2

NOTE : Cr K A Howlett requested the votes be recorded.

Record of Vote:

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

7:05 pm Councillor Arnold A Carter declared a financial interest in Agenda Item 11.4.2.1 'Port Hedland International Airport Transient Workforce Accommodation Camp: Major Land Transaction business Plan' as he owns BHP Billiton shares.

Councillor Arnold A Carter left the room.

7:05 pm Councillor Steve J Coates declared a financial interest in Agenda Item 11.4.2.1 'Port Hedland International Airport Transient Workforce Accommodation Camp: Major Land Transaction business Plan' as he is employed by BHP Billiton, and owns BHP Billiton shares.

Councillor Steve J Coates left the room.

7:05 pm Councillor George J Daccache declared a financial interest in Agenda Item 11.4.2.1 'Port Hedland International Airport Transient Workforce Accommodation Camp: Major Land Transaction business Plan' as he is employed by BHP Billiton, and owns BHP Billiton shares.

Councillor George J Daccache left the room.

200809/076 Council Decision

Moved: Cr J E Ford

Seconded: Cr J M Gillingham

That Standing Orders be suspended.

CARRIED 5/0

JF/JG SUSPEND

7:08 pm Mayor advised that Standing Orders are suspended

200809/077 Council Decision

Moved: Cr G D Bussell

Seconded: Cr J E Ford

That Standing Orders be resumed.

CARRIED 5/0

7:24 pm Mayor advised that Standing Order are resumed.

11.4.2 Governance**11.4.2.1 Port Hedland International Airport Transient Workforce Accommodation Camp: Major Land Transaction Business Plan (File No.:)**

Officer Chris Adams
Chief Executive Officer

Date of Report 8 September 2008

Disclosure of Interest by Officer

Report author owns greater than \$10,000 shares and was awarded an education scholarship from BHPBIO. While the proposed Transient Workforce Accommodation (TWA) lease is with the Compass Group, BHPBIO are proposing to act as the financier and anchor tenant of the proposed facility.

Summary

The proposed lease of a portion of the Port Hedland International Airport to Compass Group is considered a Major land Transaction under section 3.59 of the Local Government Act. To comply with the Act, Council must prepare and consider a business plan for the transaction.

Background

Over the past 12-18 months Council has been progressing the concept of developing a further transient workforce accommodation facility at the Port Hedland International Airport. Tenders for this project were advertised, and at Council's Ordinary Meeting held in May 2008 the following resolution was passed.

"That Council:

- i) advise the Compass Group (Australia) Pty Ltd that they are the preferred tenderer for Tender 08/01 Transient Workforce Accommodation Village;*
- ii) authorise the Chief Executive Officer or his nominated officer to negotiate with Compass Group in relation to the areas of non-conformance; and*
- iii) receive a further report on leasing arrangements once negotiations/discussions have progressed."*

Negotiations regarding the lease have progressed. The final lease will be presented to Council once all parties are satisfied with the terms contained within the lease and all technical compliance issues have been addressed.

During the lease discussions the issue of compliance with various provisions of the Local Government Act has been discussed. One particular provision that requires further work relates to the proposed transaction being considered a 'Major Land Transaction' under the LG Act.

Consultation

The Local Government Act requires a minimum of six (6) weeks public consultation regarding proposed major land transactions. The statutory process for public consultation and subsequent consideration of comments by Council and the Minister for Local Government will commence after Council considers the business plan.

Statutory Implications

“3.59. Commercial enterprises by local governments

(1) In this section —

“acquire” has a meaning that accords with the meaning of “dispose”;

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

“land transaction” means an agreement, or several agreements for a common purpose, under which a local government is to —

(a) acquire or dispose of an interest in land; or

(b) develop land;

“major land transaction” means a land transaction other than an exempt land transaction if the total value of —

(a) the consideration under the transaction; and

(b) anything done by the local government for achieving the purpose of the transaction,

is more, or is worth more, than the amount prescribed for the purposes of this definition;

“major trading undertaking” means a trading undertaking that —

(a) in the last completed financial year, involved; or

(b) in the current financial year or the financial year after the current financial year, is likely to involve,

expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking;

“trading undertaking” means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of “land transaction”.

(2) Before it —

(a) commences a major trading undertaking;

(b) enters into a major land transaction; or

- (c) enters into a land transaction that is preparatory to entry into a major land transaction,
a local government is to prepare a business plan.
- (3) The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of—
- (a) its expected effect on the provision of facilities and services by the local government;
- (b) its expected effect on other persons providing facilities and services in the district;
- (c) its expected financial effect on the local government;
- (d) its expected effect on matters referred to in the local government's current plan prepared under section 5.56;
- (e) the ability of the local government to manage the undertaking or the performance of the transaction; and
- (f) any other matter prescribed for the purposes of this subsection.
- (4) The local government is to—
- (a) give Statewide public notice stating that—
- (i) the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction;
- (ii) a copy of the business plan may be inspected or obtained at any place specified in the notice; and
- (iii) submissions about the proposed undertaking or transaction 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;
- and
- (b) make a copy of the business plan available for public inspection in accordance with the notice.
- (5) After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.

* Absolute majority required.

- (5a) A notice under subsection (4) is also to be published and exhibited as if it were a local public notice.
- (6) If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.
- (7) The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.
- (8) A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the

purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.

- (9) *A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.*
- (10) *For the purposes of this section, regulations may —*
- (a) *prescribe any land transaction to be an exempt land transaction;*
 - (b) *prescribe any trading undertaking to be an exempt trading undertaking.”*

The Local Government (Functions and General) Regulations 1996 further prescribe this issue by mandating the following:

- “7. *Minimum value of major land transaction*
For a land transaction to be a major land transaction the total value of —
- (a) *the consideration under the transaction; and*
 - (b) *anything done by the local government for achieving the purpose of the transaction,*
- has to be more, or worth more, than either \$1 000 000 or 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.*

[Regulation 7 amended in Gazette 31 Mar 2005 p. 1054.]

8. *Transactions that cannot be major land transactions*
- (1) *A land transaction is an exempt land transaction for the purposes of section 3.59 of the Act if the local government enters into it —*
 - (a) *without intending to produce profit to itself; and*
 - (b) *without intending that another person will be sold, or given joint or exclusive use of, all or any of the land involved in the transaction.*
 - (2) *For the purposes of subregulation (1)(b) a person is given joint use of land if the land is to be jointly used for a common purpose by the local government and that person (whether or not other persons are also given joint use of the land).*
 - (3) *A transaction under which a local government disposes of a leasehold interest in land is an exempt land transaction for the purposes of section 3.59 of the Act if —*
 - (a) *all or any of the consideration to be received by the local government under the transaction is by way of an increase in the value of the land due to improvements that are to be made without cost to the local government; and*

- (b) *although the total value referred to in the definition of “major land transaction” in that section is more, or is worth more, than the amount prescribed for the purposes of that definition, it would not be if the consideration were reduced by the amount of the increase in value mentioned in paragraph (a).*

[Regulation 8 amended in Gazette 29 Aug 1997 p. 4867-8.]

- 9. *Minimum expenditure involved in a major trading undertaking*
 - (1) *For a trading undertaking to be a major trading undertaking the expenditure by the local government that —*
 - (a) *the undertaking involved in the last completed financial year; or*
 - (b) *the undertaking is likely to involve in the current financial year or the financial year after the current financial year,*
has to be more than either \$500 000 or 10% of the lowest operating expenditure described in subregulation (2).
 - (2) *The lowest operating expenditure referred to in subregulation (1) is the lowest of —*
 - (a) *the operating expenditure incurred by the local government from its municipal fund in the last completed financial year;*
 - (b) *the operating expenditure likely to be incurred by the local government from its municipal fund in the current financial year; and*
 - (c) *the operating expenditure likely to be incurred by the local government from its municipal fund in the financial year after the current financial year.*

[Regulation 9 amended in Gazette 31 Mar 2005 p. 1054.]

- 10. *Other matters of which details to be given in business plan*
 - (1) *If a local government is required to prepare a business plan because of a major trading undertaking or major land transaction that it is to carry on or enter into jointly with another person —*
 - (a) *the business plan is to include details of the whole undertaking or transaction, even though the local government is not the only joint venturer; and*
 - (b) *the business plan is to include details of —*
 - (i) *the identity of each joint venturer other than the local government;*
 - (ii) *the ownership of, and any other interests in, property that is involved in, or acquired in the course of, the joint venture;*
 - (iii) *any benefit to which a joint venturer other than the local government may become entitled under or as a result of the joint venture; and*
 - (iv) *anything to which the local government may become liable under or as a result of the joint venture.*
 - (2) *In subregulation (1) —*

“joint venture” means the major trading undertaking or major land transaction that is to be jointly carried on or entered into;

“joint venturer” means the local government or another person with whom the local government is to carry on or enter into the joint venture.”

Policy Implications

Nil

Strategic Planning Implications

Council’s Plan for the Future specifically identifies the development of a Transient Workforce Accommodation Village at the Port Hedland International Airport as a key strategy.

Budget Implications

The proposed TWA development comes at no direct cost to Council with no financial risk to Council being built into the transaction.

The cost of preparing a business plan and undertaking the statutory consultation is minimal.

Officer’s Comment

Section 3.59 of the LG Act is designed to ensure that local governments take due care when contemplating entrepreneurial activity through either major business or land transaction.

While the Airport TWA proposal places absolutely no financial risk on Council, the Department of Local Government has confirmed that the proposal falls within the range of transactions that requires S3.59 to be followed as the total value of the consideration of the transaction exceeds \$1,000,000.

Given the extremely low risk to Council associated with the proposal, the business plan that has been prepared is minimalistic in nature yet still complies with the requirements of the S3.59 of the Local Government Act 1995 and relevant regulations of the Local Government (Functions and General) Regulations 1996.

Attachments

Business Plan: PHIA Transient Workforce Accommodation Proposal

200809/078 Council Decision/Officer's Recommendation

Moved: Cr J M Gillingham

Seconded: Cr J E Ford

That Council notes the contents of the attached Port Hedland International Airport Transient Workforce Accommodation Business Plan and seeks public comment on the proposed major land transaction for a minimum of six (6) weeks in accordance with Section 3.59 of the Local Government Act 1995.

CARRIED 3/2

NOTE : Cr K A Howlett requested the votes be recorded.

Record of Vote:

FOR	AGAINST
Cr S R Martin	Cr G D Bussell
Cr J E Ford	Cr K A Howlett
Cr J M Gillingham	

7:25 pm Councillors Arnold A Carter, Steve J Coates and George J Daccache re-entered the room and assumed their chairs.

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

ATTACHMENT TO AGENDA ITEM 11.4.2.1

BUSINESS PLAN

Port Hedland International Airport: Transient Workforce Accommodation Proposal

1. Introduction

The Town of Port Hedland is proposing to enter into a 10year leasing arrangement with Compass Group Pty Ltd (Compass) for 12ha of land at the Port Hedland International Airport. Under the proposed terms of the lease Compass will be required to build and operate a 1200 person Transient Workforce Accommodation (TWA) Village on the leased land and then remove the infrastructure at the conclusion of the lease.

As the total value of the consideration to Council for the duration of the lease exceeds \$1M, the Local Government Act (1996) requires the development of a business plan for this proposal. This Business plan has been developed in accordance with S3.59 of the Local Government Act (1995) and the associated Local Government (Functions and General) Regulations (1996). Public comment is sought on the proposal for a period of six weeks.

2. Overall Assessment and Details of the Major Land Transaction

LG Act 3.59(3) and LG (F&G) Reg 10(1)(a)

Overall Assessment

The Town of Port Hedland has identified that there is a significant shortage in accommodation within the Town. With huge expansions in resource related construction activity expected within the Town over the next 5-10 years this issue is likely to compound unless immediate action is taken. Resource companies have indicated that several thousand additional beds are required within the Town of Port Hedland in the very near future to accommodate projected workforce numbers.

In early 2008, Council staff prepared a Project Management Plan on the potential development of a TWA facility on Council owned land at the Port Hedland International Airport. The Project Management Plan sought to identify and mitigate against any risks or issues associated with the proposed tender, lease and/or development proposal. After preparing the Project Management Plan, the Town advertised for tender to 12ha of Airport land. Proponents were invited to provide submissions to lease the land and build and operate a 1200 person TWA for the duration of the lease (10 years).

After tenders closed, tender assessment was undertaken by Town staff and the Towns Auditors (UHY Haines Norton) using the selection criteria that were indicated in the tender document. The tender evaluation team provided a report to Council's May meeting where the Council resolved to:

- i) advise the Compass Group (Australia) Pty Ltd that they are the preferred tenderer for Tender 08/01 Transient Workforce Accommodation Village;*
- ii) authorise the Chief Executive Officer or his nominated officer to negotiate with Compass Group in relation to the areas of non-conformance; and*
- iii) receive a further report on leasing arrangements once negotiations/discussions have progressed.*

Details of the Project

- Nature of Major Land Transaction: Leasing arrangement
- Location of Lease: Port Hedland International Airport.
- Nature of Tenure: Land is owned freehold by the Town of Port Hedland.
- Term of Lease: 10 years (no option)
- Rental Amount to Council: \$756,000pa indexed annually by CPI. Equates to \$6.30/m2 (Yr 1).
- Project Capital Cost to Compass: circa \$100M
- Project Commencement: Q4 2008.
- Project Completion: Q4 2018

3. Identity of Joint Venturers***LG(F&G) Reg 10(1)(b)(i)***

The proposal is to enter into a lease between Town of Port Hedland and Compass Group Pty Ltd. In their tender, the Compass Group identified that the following parties will assist in various aspects of delivering and managing the project:

Design and Construction Phase

Company/Group	Nature of Involvement
Hatch	Consulting services
Freeman Architects	Architectural services
Hegney Consulting Engineers	Electrical engineering services
ABCO Water Systems	Water management services

Operations Phase

Company/Group	Nature of Involvement
ESS (Division of Compass Group)	Facility management
Delta FM (Division of Compass Group)	Facility management
Omega Security Services (Division of Compass Group)	Facility management

Financing

Company/Group	Nature of Involvement
Westpac Institutional Bank	Compass' Supporting financial institution
Deloitte Touche Tohmatsu	Compass' Accountant

While Compass' tender bid indicated that Westpac Institutional Bank was to be the supporting financial institution, subsequent discussions/negotiations have resulted in BHPB Iron Ore being identified as the major financier of the project. BHPB Iron ore will also be the anchor tenant of the facility and will use the majority of the facility to accommodate staff and contractors involved with the project.

The legal framework for the proposed transaction will be via:

- A lease between the Town of Port Hedland and Compass Group Pty Ltd; and a subsidiary agreement being
- A Deed of Covenant signed by the Town of Port Hedland, Compass Group Pty Ltd and BHPB Iron Ore.

4. Ownership of Land Associated with the Joint Venture

LG(F&G) Reg 10(1)(b)(ii)

The land associated with the proposed joint venture is a 12ha portion of the 998ha Port Hedland International Airport site. The site is adjacent to the Great Northern Highway and is owned freehold by the Town of Port Hedland. The land is zoned Airport under the Town Planning Scheme No 5. TWA facilities are an AA use under the scheme, meaning that this style of development can be approved with the consent of Council.

5. Benefits to Joint Venturers

LG(F&G) Reg 10(1)(b)(iii)

Benefits to Council

Compass tender bid indicated that they would pay the Town a lease fee of \$756,000 for the 1st year of the contract with the lease amount rising by CPI each subsequent year. After the 5th year a market revaluation of the lease amount would be undertaken. The table below indicates the likely total value of the lease payments to the Town.

Year	Lease Payment
1	756,000
2	778,680
3	802,040
4	826,102
5	850,885
6	876,411
7	902,704
8	929,785
9	957,678
10	986,409
TOTAL	8,666,694

* Assumes CPI of 3% and that Market Rent Review in Year 5 will confirm rental amount that is being paid at that time.

In addition to the financial benefits, at the end of the contract the Town receives additional return in the form of improvements to its land in the form of additional power, water, sewer, telecommunication, landscaping and road infrastructure on its freehold land.

Benefits to Compass

Compass tender bid indicated that it intends to spend circa \$281M on capital costs, operating costs, lease fees and labour costs during the tenure of the contract. Compass financial models provided in their tender submission indicate potential revenue of \$344M with a nett profit (over the 10 year period) of approx \$53M.

Benefits to BHPB Iron Ore

As financier of the project and proposed signatory to the proposed Deed of Covenant, BHPB Iron Ore are likely to receive guaranteed access to a significant number of rooms for staff and contractors that will be required for BHPB Iron Ore construction related activity over the next 10 years.

6. Any Potential Local Government Liabilities

LG(F&G) Reg 10(1)(b)(iv)

The Tender that the Town advertised sought proposals that were of no risk to Council. The nature of the proposal is that the proponent (ie Compass) is responsible for all financial and other risks associated with the delivery of the project and management of the facility during the construction and operational phases of the TWA project. There are no known potential local government liabilities from the proposed major land transaction.

7. Expected Effect on the Provisions of Services and Facilities by the Local Government

LG Act 3.59(3)(a)

The development is located approximately 10km (via road) from both Port and south Hedland. Compass plans to build the facility as a largely self contained facility in that it will contain the vast majority of services and facilities necessary for the occupants of the facility including:

- Essential services infrastructure (water, power, sewer, telecommunications, etc)
- Social facilities (pool, recreation facilities, meals, internet access, etc.)
- Parking/transport (adequate parking plus a shuttle bus service)
- Emergency services (cyclone have for residents)

While the facility is self contained, both Compass and the Town have indicated a desire to integrate the facility operations into the normal operations of the Town of Port Hedland wherever possible. This will be achieved through buy local policies, locally based employees and engaging lifestyle coordinators to encourage facility users to recreate and be involved with Town related activity.

The \$8.6M rental payable by Compass over the term of the lease will enable the Town to provide services and facilities that may not have otherwise been able to be provided. There are no known negative effects of the major land transaction on the provision of services and facilities by the Town of Port Hedland.

8. Expected Effect on Other Persons Providing Services and Facilities within the District.

LG Act 3.59(3)(b)

As there is a chronic shortage of accommodation in the Town it is not anticipated that this development will have any significant impact on existing accommodation service providers within the Town as it is anticipated that all existing accommodation facilities will be at, or near, capacity for the duration of the proposed lease.

The proponents have indicated that they are aiming to procure services/goods locally where possible. The sheer fact that 1200 additional people are living within the district should result in additional income to a variety of local businesses.

There are no known negative effects of the proposal on other persons providing services and facilities within the district.

9. Expected Financial Effect on the Local Government

LG Act 3.59(3)(c)

The major land transaction requires no expenditure by the Town other than staff time and legal costs associated with the preparation of the lease and deed of covenant documents. The financial return of approximately \$8.6M over the term of the lease will increase the nett operating income of the Town, which will consequently give additional funds to provide improved services and facilities for Town of Port Hedland residents.

10. Expected Effect on the Town's Plan for the Future

LG Act 3.59(3)(d)

This project is specifically listed within the Town's Adopted Plan for the Future 2008 -2013 as follows:

General

- Vision: Port Hedland: A significant regional centre where people enjoy the lifestyle and natural environment and are proud to call home.
- Mission: To enhance social and economic well-being through leadership and working in partnership with the community.

Specific

- KRA 1: Infrastructure
- Goal 3: Airport
- Strategy 4: Develop a Transient Workforce Accommodation camp on Airport land.

- KRA 4: Economic Development
- Goal 4: Land Development Projects – That land is being released and developed to meet the needs of a growing community.
- Strategy 1: Fast-track the release and development of commercial, industrial and residential land in a sustainable manner

Delivering this project will clearly assist the Town in the achievement of its adopted Plan for the Future

11. Ability of the Local Government to Manage the Undertaking or the Performance of the Transaction

LG Act 3.59(3)(e)

The proposed leasing arrangement will require Compass Group to undertake all necessary actions to construct, manage and ultimately decommission the proposed TWA. The Town is not required to do any significant further actions after the lease has been signed.

The Town is experienced in lease management and has the capacity to negotiate an appropriate lease and manage the proposed Airport TWA lease.

12. Conclusion

The proposed TWA lease between Compass and the Town is considered a Major Land Transaction under Section 3.59 of the Local Government Act. As such, a business plan needs to be prepared and advertised for public comment. The Council subsequently needs to consider any submissions on the business plan before determining whether to proceed with the major land transaction or not.

In the view of the author, the proposed land transaction between the Compass Group and the Town of Port Hedland comes at an extremely low risk to Council (and the Town of Port Hedland community) with a significant 'up-side' in the form of additional income streams coming into the Towns operating budget.

PREPARED BY: Chris Adams
Chief Executive Officer
Town of Port Hedland
9 September 2008

11.4.2.2 Council Meeting Dates (File No.: ADM-015)

Officer Gaye Stephens
Executive Assistant

Date of Report 29 August 2008

Disclosure of Interest by Officer Nil

Background

The Local Government (Administration) Regulations require that at least once each year "...a local government is to give local public notice of the dates on which and the time and place at which the ordinary meetings and committee meetings are to be held in the next 12 months".

Council has determined its meeting dates up to and including the September Ordinary Meeting and will need to consider meeting dates for the next 12 months.

Statutory Implications

Council is required to determine at least once each year, its meeting program and this is to be set and advertised in local newspaper.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Budget allocation for advertising Council Meetings is included in Administration General Expenses, General Ledger Account Number 404287 'Advertising and Promotions'.

Officer's Comment

Council has previously determined that it will meet on the fourth Wednesday of each month.

It is recommended the December 2008 meeting occurs on the second Wednesday, being 10 December 2008.

Easter in 2009 occurs on Friday 10 April 2009 (Good Friday) and Monday 13 April 2009 (Easter Monday) and therefore has no effect on the April meeting.

200809/079 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That the Ordinary Council Meeting be held at 5:30 pm in Council Chambers on the following dates:

**Wednesday 22 October 2008
Wednesday 26 November 2008
Wednesday 10 December 2008
Wednesday 28 January 2009
Wednesday 25 February 2009
Wednesday 25 March 2009
Wednesday 22 April 2009
Wednesday 27 May 2009
Wednesday 24 June 2009
Wednesday 22 July 2009
Wednesday 26 August 2009
Wednesday 23 September 2009
Wednesday 28 October 2009
Wednesday 25 November 2009**

and be advertised accordingly.

CARRIED 8/0

11.4.2.3 *Financial Assistance Agreement Re-assignment from Port Hedland Visitors Centre Inc. to the Town of Port Hedland to Assist with Construction of a Dedicated Platform for Viewing the Stairway to the Moon (File No.: 15/01/0008)*

Officer Gaye Stephens
Executive Assistant

Date of Report 19 September 2008

Disclosure of Interest by Officer Nil

Summary

To progress the re-assignment of a grant from the 2007/08 round of the Pilbara Fund from the Port Hedland Visitors Centre Inc. to the Town of Port Hedland totalling \$50,000 (including GST), to assist with construction of a dedicated platform for viewing the Stairway to the Moon in Port Hedland.

Background

In correspondence received 26 August 2008, the Pilbara Development Commission (PDC) has advised the recent approval by the Minister for the Pilbara to re-assign a grant from the 2007/08 round of the Pilbara Fund, from the Port Hedland Visitor Centre to the Town of Port Hedland.

The grant totalling \$50,000 (including GST) is to assist with construction of a dedicated platform for viewing the Stairway to the Moon in Port Hedland.

Officer's Comment

To progress the administration of the release of funding from the PDC to assist the construction of a Stairway to the Moon platform, the Commission requires Council meet the following conditions:

- provide the PDC with a signed copy of the 'Financial Assistance Agreement' (FAA);
- provide advice that the Town has secured sufficient funding to enable to project to proceed; and
- a Tax Invoice for \$45,454.55, plus \$4,545.45 (GST), totalling \$50,000, within 21 days of receipt of the signed Financial Assistance Agreement by the Commission.

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

Statutory Implications Nil

Policy Implications

Nil

Strategic Planning Implications

Council's Plan for the Future 2008 – 2013 includes the following strategy:

KRA 4 – ECONOMIC DEVELOPMENT

Goal 1 Tourism: Strategy 5. Implement both the Turtle Boardwalk project and the Stairway to the Moon project and work with the stakeholders to identify other tourism product development initiatives.

Budget Implications

Income of \$50,000 (including GST) Revenue Account Number 1111342 'Grant – Stairway to Moon',

200809/080 Council Decision/Officer's Recommendation**Moved:** Cr A A Carter**Seconded:** Cr G J Daccache**That Council:**

- i) grants approval for the Mayor and Chief Executive Officer to sign and duly affix the Town of Port Hedland Common Seal to the Pilbara Development Commission's Financial Assistance Agreement (FAA) for financial contribution of \$50,000 (including GST) to assist with the construction of a dedicated platform for viewing the Stairway to the Moon; and
- ii) raises a Tax Invoice for \$50,000 (including GST) within 21 days of signing the FAA, subject to the Town confirming with the Pilbara Development Commission that the Town has secured the necessary funding for the completion of the project.

CARRIED 8/0

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

200809/081 Council Decision

Moved: Cr A A Carter

Seconded: Cr J E Ford

That the meeting be adjourned to allow Councillors to read late Agenda Items.

CARRIED 8/0

7:28 pm Mayor advised the meeting is adjourned.

200809/082 Council Decision

Moved: Cr J E Ford

Seconded: Cr A A Carter

That the meeting be resumed.

CARRIED 8/0

7:30 pm Mayor advised the meeting is resumed.

NOTE: The following Councillors were present for the recommencement of the Ordinary Meeting:

Cr S R Martin

Cr G D Bussell

Cr A A Carter

Cr S J Coates

Cr G J Daccache

Cr J E Ford

Cr J M Gillingham

Cr K A Howlett

12.1 Corporate Services**12.1.1 *Golden Eagle Airlines lease of the Airfreight Hanger at the Port Hedland International Airport (File No.: ...)***

Officer Matthew Scott
Director Corporate Services

Date of Report 24 September 2008

Disclosure of Interest by Officer Nil

Summary

For Council to consider leasing the Air Freight Hanger at the Port Hedland International Airport to Golden Eagle Airlines, who act as agents to Australian Air Express in Port Hedland.

Background

Golden Eagle Airlines currently act as agents for Air Services Australia, who manages all air freight that is sent to the Port Hedland International Airport. To provide this service, Golden Eagle Airlines have leased the Air Freight Hanger from Council since the collapse of Ansett Airlines in 2001/2002. The initial lease commenced on 1 July 2002, and expired on 30 June 2007, at a final annual rental of \$6,524.11 pa. Since the end of the lease, Golden Eagle has continued to utilise the Air Freight Hanger, and pay a monthly rental, based on the old lease rental as a "tenant at will".

Golden Eagle Airlines has been the contracted agent with Australian Air Express since 1994, who co-ordinates the majority of the domestic air freight in Australia.

Golden Eagle would like to formalise a new lease agreement with the Town of Port Hedland to secure access and use of the Air Freight Hanger on a five (5) year, plus five (5) year option lease.

Consultation Nil

Statutory Implications

Local Government Act 1995

"3.58. Disposing of property

(1) In this section -

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

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

- (2) *Except as stated in this section, a local government can only dispose of property to -*
- (a) *the highest bidder at public auction; or*
 - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property -*
- (a) *it gives local public notice of the proposed disposition -*
 - (i) *describing the property concerned;*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
- and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made. “*

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

Golden Eagle currently pays Council \$6,524.11 per annum for use of the Air Freight Hanger. Based on the recent revaluation of the Port Hedland International Airport, the current market value of the lease is \$40,800 per annum. This valuation was made as of 7 August 2007, therefore to meet the requirements of Section 3.58 a new valuation will need to be undertaken, which will possibly be marginally more.

Officer's Comment

The request from Golden Eagle for a five (5) year, plus five (5) year option lease is not necessary unreasonable given their current and ongoing relationship with Australian Air Express. Golden Eagle Airlines have expressed a need to secure hanger access, which they have had access to in the past, to insure the ongoing receiving and delivery of Air Freight to the Port Hedland community.

Golden Eagle Airlines has agreed to pay the market value for the lease, which is now significantly increased from previous years.

Given the request from Golden Eagle Airlines for a five (5) year, plus a five (5) year option lease, Council has the opportunity to include, not only for annual CPI increases, but also a market value review at each 5 year interval.

As per Section 3.58, the public will have opportunity to make submissions on this proposal prior to the lease being finalised.

Attachments

Nil.

200809/083 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council enters into a Lease Agreement with Golden Eagle Airlines for the Air Freight Hanger at the Port Hedland International Airport, in accordance with section 3.58(3) of the Local Government Act 1995, with the following terms and conditions in addition to Council's standard lease:

- i) the term of the Lease Agreement being for five (5) years, plus an additional five (5) years option; and**
- ii) the Lease rental being set at market value, increased annually by CPI, market value; and being reviewed after the first five (5) years;**

subject to any submissions being received by Council.

CARRIED 8/0

12.2 Community Services**12.2.1 *Tender 08/05: Youth Precinct Development – Refurbishment of the JD Hardie Centre Stage One (File No.: 26/13/0005)***

Officer Julie Broad
Manager Community and
Economic Development

Date of Report 23 September 2008

Disclosure of Interest by Officer Nil

Summary

This report seeks Council consideration of the submissions received for Tender 08/05: Youth Precinct Development Stage One – Refurbishment of the JD Hardie Centre.

Background

A tender for the design and contract documentation for Stage 1 of the redevelopment of the JD Hardie Centre was advertised in the West Australian on 6th and 13th September 2008 with tenders closing at 2pm on Monday 22 September 2008.

Present at opening of the Tender box:

Cr George Daccache
Cr Steve Coates
Matthew Scott, Director Corporate Services
Julie Broad, Manager Community and Economic Development

While eight information packs were sent out to interested architects; only one (1) tender was received from Holton Connor Architects

Consultation

Tender evaluation was completed by the director of Corporate Services and the Manager Community & Economic Development.

The tender is similar to a proposal that was submitted by Holton Connor architects for a previous EOI project. This previous proposal was well regarded by the Youth and Recreation Facilities Working Group (Y&RFWG). The evaluation of the tender was scheduled for consideration by the Youth & Recreation Facility Working group but the meeting did not achieve a quorum.

Statutory Implications

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

“3.57. Tenders for providing goods or services.

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

Policy Implications

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

Strategic Planning Implications

Key Result Area 3: Community Development

Goal 1: Youth & Children

Strategy 2: Convert the JD Hardie Centre into a more youth focused facility.

Budget Implications

Should Council adopt the Officer’s Recommendation, the cost of Architectural drawings and construction specifications for Stage One refurbishment of the JD Hardie Centre will be \$289,280 (GST exclusive).

Council has allocated \$3.4M (GST Exclusive) for this project in its 2008/09 budget. The fee proposal of 8.5% of the project cost is considered to be fair and reasonable.

Officer’s Comment

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

Criterion	Weight
Price	25%
Previous Experience in Architectural Design of Youth Facilities	25%
Methodology	20%
Experience and knowledge in Pilbara Design, cost and environmental factors	15%
Timeframes	10%
Local supplier	5%
TOTAL	100%

The Tender Evaluation Panel rated each tender independently of other panel members, and then consensus was reached on the rating of each tender. The consensus rating is tabled below:

Company: Holton Connor	Weight	Score
Price	25%	25%
Previous Experience in Architectural Design of Youth Facilities	25%	25%
Methodology	20%	20%
Experience and knowledge in Pilbara Design, cost and environmental factors	15%	10%
Timeframes	10%	8.75%
Local supplier	5%	0%
TOTAL	100%	88.75%

The tender complied with all criteria, and was strongly rated in price, experience and methodology.

Holton Connor have extensive experience in local government projects, particularly youth facilities, and have completed work in remote areas such as Goldfields and in Christmas and Cocos Islands, which will be of benefit in working in the Pilbara.

200809/084 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr S J Coates

That Council awards Tender 08/05 'Youth Precinct Development – Refurbishment of the JD Hardie Centre Stage One' to Holton Connor for the total cost of \$289,280 (excluding GST) in accordance with section 3.57 of the Local Government Act 1995.

CARRIED 8/0

7:13 pm

Councillor Kelly A Howlett declared that with regard to Agenda Item 13.1 'Call for Sister City Nominations' as she is employed by the Port Hedland Visitor Centre. As a consequence, Councillor Howlett advised there may be a perception that her impartiality on the matter may be affected. Cr Howlett declared that she will consider this matter on its merits and vote accordingly.

Councillor Howlett did not leave the room.

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

13.1 *Call for Sister City Nominations***Moved:** Cr G D Bussell**Seconded:**

Move that Council resolves to call for nominations from the public for sister city candidates, in the form of petitions or letters from local residents or businesses.

Report by Officer*Definition*

A Sister City is a concept whereby the Town of Port Hedland and a city from geographically and politically distinct area develop a relationship with the goal of fostering human contact and cultural links. Sister Cities often have similar demographic and other characteristics.

Benefits from a Sister City Affiliation may include (but not limited to):

- Arts and Culture
- Economic Development
- Education
- Environment
- Sport and Recreation
- Municipal Co-operation
- Technology
- Youth Involvement

Town of Port Hedland Sister City History

At its Ordinary Meeting held on Wednesday 13 December 2007, Council resolved as follows:

“That Council requests that a report be prepared for the January Meeting of Council regarding the development of a Sister City (Town) relationship in Indonesia.”

At its Ordinary Meeting held on 23 May 2007, Council considered the development of a sister city relationship and resolved (in part) as follows:

“That Council:

- i) endorses Councillor Grant Bussell to attend the 2007 Australian Sister Cities Association Conference Darwin, to be held at the Darwin Entertainment Centre from Sunday 30 September to Wednesday 3 October 2007, and report to Council at its October Ordinary Meeting on the most appropriate process for Council to progress the*

development of sustainable and rewarding sister city relationship(s); ...”

Councillor Grant D Bussell and the Town's Executive Assistant subsequently attended the 2007 Australian Sister Cities Association's Conference in October 2007.

The Town of Port Hedland is listed by Australian Sister Cities Association (ASCA) as having a Sister City affiliation with Bay Bay, Leyte in the Philippines; however any further information of this relationship cannot be determined. Finding any further evidence of this Sister City relationship from Council's records has not been successful. The Town's Sister City relationship with Bay Bay Leyte in the Philippines is not listed with the Sister Cities International organisation.

Policy Implications

Council does not currently have a policy on Sister City relationships. It is recommended that Council develop a Sister City/Port policy, if it wishes to develop sister city/port relationship(s).

Strategic Planning Implications

The development of a Sister City or Port relationship is not specifically included in Council's Plan for the Future 2008 -2013.

A well co-ordinated sister city/town/port program can bring long-term benefits to the local Town of Port Hedland community and the community abroad. Many sister city/town/port relationships lead to economic growth, increased tourism and reliable business contacts and cultural exchange.

Process of Developing a Sister City/Port Relationship

Building lasting sister city relationship(s) with international communities may be a rewarding activity for the Town of Port Hedland community. However the process of searching for and finding an appropriate partner who share the Town's interests and goals is an intricate and often lengthy one. The search needs to be extremely well organised and undertaken in line with the Town's Plan for the Future and have strong Council commitment.

Both the Australian Sister Cities Association and Sister Cities International are able to provide support, and guidelines on the best process to develop strong sister city relationships.

A well organised Working Group or Committee would be necessary to secure strong community support. Such a group would need to be lead by elected office bearers, and comprise of a variety of community members, community leader(s), business professionals, i.e. private business, Chamber of Commerce representatives, youth and education representatives; plus other community group representations such as Rotary Club, churches, health organisations.

Port Hedland Port Authority – Sister Port Progress

The Port Hedland Port Authority discussed Sister Port arrangements with the Port of Qinhuangdao when they visited Port Hedland in February 2006. These discussions have not been followed through, or concluded.

Options available to Council

The options for Council are:

- progress the development of sustainable and rewarding sister city/port relationship(s); or
- not progress any further towards the development of a sister city/port relationship(s).

Officer's Alternate Recommendation

That Council formally writes to the Port Hedland Port Authority, Port Hedland Chamber of Commerce and Industry inviting them to join in partnership with the Town of Port Hedland to facilitate the formulation of an independent Port Hedland Community Sister City/Port Committee as follows:

“Aim/Purpose

1. the development of a sustainable and rewarding sister city/port relationship with the Town of Port Hedland Community; and
2. undertake process of searching for and finding an appropriate partner who share the Town's interests and goals

Membership

Town of Port Hedland Representative – Councillor _____
Port Hedland Port Authority Representative
Port Hedland Chamber of Commerce and Industry
Port Hedland Senior High School Representative
Port Hedland Student Representative
Hedland Youth Leadership Committee Representative
Community Representatives”

NOTE: SIMPLE MAJORITY VOTE REQUIRED

200809/... Council Decision**Moved:** Cr G D Bussell**Seconded:** Cr J E Ford

That Council resolves to call for nominations from the public for sister city candidates, in the form of petitions or letters from local residents or businesses.

*LOST 2/6***200809/085 Council Decision****Moved:** Cr A A Carter**Seconded:** Cr K A Howlett

That Council formally writes to the Port Hedland Port Authority, Port Hedland Chamber of Commerce and Industry inviting them to join in partnership with the Town of Port Hedland to facilitate the formulation of an independent Port Hedland Community Sister City/Port Committee as follows:

“Aim/Purpose

- 1. the development of a sustainable and rewarding sister city/port relationship with the Town of Port Hedland Community; and**
- 2. undertake process of searching for and finding an appropriate partner who share the Town’s interests and goals**

Membership

**Town of Port Hedland Representative – Cr S R Martin
Port Hedland Port Authority Representative
Port Hedland Chamber of Commerce and Industry
Port Hedland Senior High School Representative
Port Hedland Student Representative
Hedland Youth Leadership Committee Representative
Community Representatives
Port Hedland Visitor Centre”**

CARRIED 7/1

REASON: Council nominated Councillor Stan R Martin as the Town of Port Hedland representative, and included a representative from the Port Hedland Visitor Centre to be a member of the independent Port Hedland Community Sister City/Port Committee.

ITEM 14 CONFIDENTIAL ITEMS

14.1 Governance

14.1.1 ***Confidential Item: Chief Executive Officer Contract Renewal (File No.: ...)***

7:33 pm Director Corporate Services, Director Engineering Services, Director Regulatory and Community Services and Executive Assistant left the room

200809/086 Council Decision**Moved:** Cr J E Ford**Seconded:** Cr J M Gillingham

That the Meeting be closed to members of the public as prescribed in Section 5.23 (2) (a) of the Local Government Act 1995, to enable Council to consider Agenda Item 14.1.1 'Confidential Item: Chief Executive Officer Contract Renewal.'

CARRIED 8/0

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

"5.23. Meetings generally open to the public

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

(a) a matter affecting an employee or employees; ..."

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; ...

(h) such other matters as may be prescribed."

7:33 pm Mayor advised that the meeting be closed to the Public. There were no Members of the public present.

200809/087 Council Decision**Moved:** Cr S J Coates**Seconded:** Cr A A Carter**That**

1. **Council offer the Chief Executive Officer, Mr Chris Adams, a new three (3) years and six (6) months employment contract effective from 1 October 2008 with the total benefits for year one of the contract being \$230,793 (using the WA Salaries and Allowances Tribunal calculation method); and**
2. **the Mayor and Deputy Mayor be authorised to finalise the contract negotiations and sign the Chief Executive Officer's employment contract on behalf of Council.**

CARRIED 8/0

REASON: Council resolved to extend the period of the contract offered from 3 years, to 3 years plus 6 months, to ensure the current Mr Adam's contract would not expire before the local government elections to be held in October 2011.

200809/088 Council Decision**Moved:** Cr J E Ford**Seconded:** Cr A A Carter**That the meeting be opened to the Public.*****CARRIED 8/0***

7:49 pm Mayor advised that the meeting be opened to the Public. There were no members of the Public in attendance.

7:49 pm Director Corporate Services, Director Engineering Services, Director Regulatory and Community Services and Executive Assistant re-entered the room and assumed their chairs.

Mayor advised staff of Council's decision.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

200809/089 Council Decision

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That the following Applications for Leave of Absence:

- . **Councillor Stan R Martin for a period of approximately one (1) week around the middle of the month of October; and**
- . **Councillor George J Daccache from 17 to 28 October 2008 (inclusive);**

be approved.

CARRIED 8/0

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 22 October 2008, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 7:55 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 22 October 2008.

CONFIRMATION:

MAYOR

DATE