



Town of Port Hedland

MINUTES

OF THE

ORDINARY MEETING OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 26 MARCH 2014

AT 5.30 PM

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

***“A nationally significant, friendly city, where people want
to live and are proud to call home”***

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*M.J. (Mal) Osborne
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 5:38pm and acknowledged the traditional owners, the Kariyarra people.

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

Mayor Kelly Howlett
Councillor Jan Gillingham
Councillor David Hooper
Councillor Julie Hunt
Councillor Penny Taylor
Councillor Lorraine Butson
Councillor Troy Melville
Councillor David Van Vugt

Officers

Mal Osborne
Russell Dyer
Gordon MacMile
Clare Phelan
Brett Reiss

Darryal Eastwell

Ryan Djanegara
Grace Waugh

Chief Executive Officer
Director Engineering Services
Director Community Development
Director Corporate Services
Program Director Airport
Redevelopment
Manager Environmental Health
Services
Senior Statutory Planner
Minute Taker/ Governance Officer

2.2 Apologies

Councillor Gloria Jacob

2.3 Approved Leave of Absence

Councillor George Daccache

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Ordinary Council Meeting held on
Wednesday 26 February 2014**

Nil

3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 26 February 2014

Nil

ITEM 4 PUBLIC TIME

IMPORTANT NOTE:

'This meeting is being recorded on audio tape as an additional record of the meeting and to assist with minute-taking purposes which may be released upon request to third parties. If you do not give permission for recording your participation please indicate this at the meeting. The public is also reminded that in accordance with Section 20.3 of the Town of Port Hedland Local Law on Standing Orders nobody shall use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by the presiding member to do so'.

Mayor opened Public Question Time at 5:40pm.

4.1 Public Question Time

4.1.1 Mr Jason Lee

Mr Lee asked that the following document be tabled.

Pilbara Music Festival
PO Box 445
Port Hedland WA 6721

Wednesday, 26 March 2014

Town of Port Hedland
PO Box 41
Port Hedland WA 6721

**RE: Hire of Matt Dann Cultural Centre (the Matt Dann)
for the Pilbara Music Festival (the Festival)**

The week-long Pilbara Music Festival is an annual Pilbara cultural institution that has been running for 37 years. It has been providing children in the Pilbara the same opportunity to perform as in a big city. It is a not-for-profit organisation providing a rare performance opportunity for the town's children and general population. It is not just a Hedland institution. It is a Pilbara institution, with people travelling from all over the Pilbara to take part in it.

The Town of Port Hedland (the Town) has historically supported the Festival as a patron. A key part of the Town's role as patron has been to provide the Festival with venues in-kind for the last 37 years. Up till 2012, the Town provided venues in-kind to the Festival five times a year for:

- 1) The annual week-long Pilbara Music Festival.
- 2) Four other community concerts or musical events.

We are grateful for the Town's patronage of these past 37 years.

In 2013, at late notice, the Town changed its position of 37 years and stopped providing the Festival with a venue in-kind. Instead of providing us a venue in-kind, the Town gave us a \$5,000 donation on the one hand, and sent us a bill for \$7,330 for use of the Matt Dann venue on the other hand!

Our question is this:

Can our supposed patron the Town of Port Hedland ensure the continued existence of the Pilbara Music Festival by financially supporting all venue hire associated with our activities?

If this doesn't happen, the Town will have effectively killed another non-profit community event that has existed with the Town's underlying support for the last 37 years.

Mayor advised that the Town is proud to be a patron of the Pilbara Music Festival. The Town is currently in the budget deliberation process and future in-kind support can be reviewed.

Chief Executive Officer advised that this support can be included in the budget process. At the moment the Town provides a \$5,000 donation for the Pilbara Music Festival to use as they see fit for a venue. The Pilbara Music Festival chose to use the Matt Dann Cultural Centre on the quote that was provided. The Town wants to support the Pilbara Music Festival to ensure it continues to function as it has done in the past. The request for additional funding can be brought to Council as a budget request. If the Town knows that the Pilbara Music Festival will use the Matt Dann Cultural Centre again the Town can determine the charge that would normally be applied and ask Council how much support it would be willing to provide.

Mayor advised that the budget requests and community donation requests close on Monday 31 March 2014 and encouraged Mr Lee to submit a request for the upcoming music festival and future festivals. This will give the Town an indication of what venues and dates the Pilbara Music Festival organisers are looking into.

Director Community Development advised that the Town supports the Pilbara Music Festival through the Council's Funding and Donations Policy which provides support of \$5,000 for the next three years. Council should review the level of support provided to the Pilbara Music Festival through the policy. The Director Community Development advised that he would work with Mr Lee to review how much support is needed.

Mayor asked the Mr Lee work with the Director Community Development to complete a budget request.

4.1.2 *Mr Val Middleton*

I have two grandchildren and another one on the way and a big concern for the family has been child care. Both grandchildren have been attending the child care centre at the South Hedland TAFE however the site is not suitable. While I was investigating possible sites for the RSL shop I found the old Girl Guides site which would be ideal for a child care centre as it is in close proximity to schools and the Matt Dann Cultural Centre. What are the options for using that site as a child care centre?

Chief Executive Officer advised that the Town will check the current tenure for the land. If it is not being used the Town can request that the land be vested to the Town of Port Hedland or a not-for-profit organisation for the purpose of child care.

Director Community Development advised that the old Girls Guide land is reserve land and the Town will need to check who the land is vested to.

Mayor advised that the question is taken on notice.

Mayor closed Public Question Time at 5:50pm.

Mayor opened Public Statement Time at 5:50pm.

4.2 Public Statement Time

4.2.1 *Mr Jason Lee*

Mr Lee asked for the following statement to be tabled.

We refer to the enclosed statement from the Town dated 30/11/2013 for the amount of \$7,330.00 for the 'Hire of the Matt Dann Cultural Centre for Half day on Tuesday 10 S'.

The Festival is not happy with this statement. We have difficulty paying this account for the reasons set out in this letter. We request that the Town kindly:

- 1) Withdraw the statement and charge the Festival nothing for the hire of the Matt Dann for the 2013 Festival.
- 2) Agree to continue to provide the Festival with use of the Matt Dann and other suitable venues in-kind for future Festival events.

The statement from the Town was not even itemised. The Festival notes that the statement refers to hire of the centre for 'half day on Tuesday 10 S'. 'Tuesday 10 S'? On Tuesday 10 September, the Festival only used the Matt Dann for a small choir workshop for a couple of hours that night. That night, we did not use the Matt Dann staff or kiosk. We did not use the sound system.

For much of the 2013 Festival, the Matt Dann was used during school hours with permission from the High School principal. There were two times when the Matt Dann technicians were on board and when the kiosk was open:

- 1) Thursday evening the 12th of September.
- 2) Sunday afternoon the 15th of September.

Still, how can the Town charge us an amount more than it gave us as a donation?

All other times, volunteers performed technical tasks. Even when Matt Dann technicians were present, Festival volunteers worked together with them.

We note that the piano at the Matt Dann that we DID use is a donation FROM the Festival! So are most of the town's public pianos.

We could go on to discuss the many reasons why we think the change in the Town's position from providing the Festival with a venue in-kind could see the potential demise of the Festival.

To close, we repeat our question:

Can our supposed patron the Town of Port Hedland ensure the continued existence of the Pilbara Music Festival by financially supporting all venue hire associated with our activities?

Sincerely,



Pilbara Music Festival

Enclosure: Statement, Invoice number 47756, 27/11/2013

Director of Community Development.



TOWN OF PORT HEDLAND

ABN 19 220 085 226

McGregor Street, PORT HEDLAND WA 6721
 PO Box 41, PORT HEDLAND WA 6721
 Telephone: (08) 9158 9300
 Facsimile: (08) 9158 9399

Pilbara Music Festival
 PO Box 445
 PORT HEDLAND WA 6721

DEBTOR NO: 4871

DATE: 31/01/2014

PAGE No.: 1

STATEMENT

DATE	INVOICE NO	DESCRIPTION	AMOUNT
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27/11/2013	47756	Hire of the Matt Dann Cultural Centre for Half day on Tuesday 10th S	7,330.00
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*x Tuesday evening Stage only
 6pm - 8pm
 Thursday
 Fri
 Sat morning + Sunday afternoon.*

FINAL NOTICE
 PAYMENT WITHIN 7 DAYS
 OR LEGAL ACTION WILL BE TAKEN

check for program hours of use

AGED ANALYSIS				
120 DAYS & OVER	90 DAYS	60 DAYS	30 DAYS	CURRENT
		7,330.00		

TOTAL PAYABLE	\$7,330.00
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✂

OFFICE COPY ONLY

If no receipt is required, retain top portion for your records and return lower portion with your remittance.
 Official receipt must bear cash register imprint to be valid.

Debtor No: 4871

TOWN OF PORT HEDLAND
 PO Box 41, PORT HEDLAND WA 6721

Pilbara Music Festival

INVOICE NO	AMOUNT	INVOICE NO	AMOUNT
47756	7,330.00		

TOTAL PAYABLE	\$7,330.00
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Payment by EFT:

BSB: 086 905
 Account No. 50 836 4446
 Text: Your Customer Account Name
 Reference: Your Debtor No. or Invoice No.
 Fax or Email Remit to: 08 9158 9399 / debtors@porthedland.wa.gov.au

4.2.2 Councillor Taylor on behalf of Annabella Knight

Dear Mayor Kelly Howlett and Councillors,

I am writing this letter because I absolutely believe that the Gratwick pool and gym should not be closed over the winter months as they provide the people of Port Hedland with healthy way to spend their time. Travelling to the South Hedland pool costs both time and money and finally, the Gratwick pool could become a good money earner for the town.

First of all, it is so important that we all get the right amount of exercise every day. If we close the pool over the holidays, all of the fit people will slowly start to become more and more obese and do we really want an obese town? It's a race against time to stop this from happening so for the sake of the community's health, keep the gym and pool open!

Please consider the fact that driving to South will cost parents of kids not only money for fuel, but time; which these days is in short supply already.

Finally, although the pool may not be a lucrative business at the moment, if TOPH run promotions and have family fun days more often where they run games and maybe get a few water slides in there, people will go more often. Then they can charge more for event entry. Closing it down is the easy answer. Please do not close down the pool and gym.

Annabella Knight
Year 6/7 Class Representative
Port Hedland Primary School
Corney St, Port Hedland

Mayor closed Public Statement Time at 5:56pm.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE**5.1 Councillor Gillingham**

The Town has a number of pianos that need tuning. Does this need to be included as a budget request?

Chief Executive Officer advised that if it is something that the Town would normally do then it would be considered maintenance. The tuning of the pianos will be discussed directly with Councillor Gillingham.

5.2 Councillor Taylor

Can the Town request Landcorp to provide the Town with a list of what land will be made accessible to land buyers?

Chief Executive Officer advised in the affirmative.

What are the concrete actions that have been implemented since the multi-agency taskforce began for children at risk?

Chief Executive Officer advised that there were programs run over the Christmas and New Year break. There was also a meeting held with Terry Murphy who is the Director General of the Department of Child Protection and Family Services in regards to children at risk.

Director Community Development advised that the question is taken on notice to provide a comprehensive list for Elected Members. There were programs run over the Christmas and New Year break straight after the Wanangkura Stadium damage. The Town and YMCA are looking at continuing some of the programs. The Town has also received a grant for the SLAM program to continue at the JD Hardie Youth Centre. The program was originally run as a trial however now that the grant money is available the program can continue.

Mayor advised that the SLAM program can run for 16 weeks commencing on Friday 6 May 2014. These programs target the children with school attendance issues and youth with VSU (Volatile Substance Use) issues which are the groups that the taskforce are trying to target.

What are the outcomes of the multi-agency taskforce that are addressing the issue of children being on the streets at night as they do not want to be at home?

Mayor advised that the multi-agency taskforce has been undertaking a gap analysis looking at all the services that are provided from 0 to 10 years and 10 to 17 years. There are a number of new organisations that are operating in the youth space including Mission Australia, and Maureen Kelly has been able to establish a 'Parents as Case Coordinators' (PACC) which is a parenting support program. All this information will be put together to see what the gaps are, and to put in lodge grant funding applications to fill those gaps.

Will all the actions happen after the gap analysis is completed?

Mayor advised that all service providers have been provided a draft table to outline their services. The VSU working group has a sub group that is analysing the service gaps from the table. The sub group is made up of representatives from Population Health, Department of Corrective Services, Bloodwood Tree Association and the Mayor.

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

Mayor Howlett	Councillor Taylor
Councillor Gillingham	Councillor Butson
Councillor Hooper	Councillor Melville
Councillor Hunt	Councillor Van Vugt

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 26 February 2014

201314/272 Officer's Recommendation/ Council Decision

Moved: Cr Gillingham

Seconded: Cr Hunt

That the Minutes of the Ordinary Meeting of Council held on Wednesday 26 February 2014 be confirmed as a true and correct record.

CARRIED 8/0

ITEM 8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Mayor Activity Report for the February/March 2014 period to date is as follows:

February 2014

Monday, 10th February

- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Discussion With Simon Straessle Re: Local Waste Management Opportunities
- Photo At The JD Hardie Youth Zone Re: Atlas Music Program Sponsorship

Tuesday, 11th February

- Meeting With Tourism WA Re: Cruise Ship Welcome Workshop
- Weekly Chat Spirit Radio (1026am)
- Attended YIC Quicksmart Workshop
- Attended PHCCI Business After Hours – Northfleet
- Meeting With BeauSol Managing Directors & Vice President Re: Proposed 20ha Solar Farm

Wednesday, 12th February

- Meeting With Charter Hall Re: Antisocial Behaviours/Image Concerns South Hedland Shopping Centre

- Meeting With Hon Brendan Grylls MLA
- Attended Atlas Iron Office Opening
- Attended Elected Members and Executive Meetings
- Attended Community Conversations Event – February

Thursday, 13th February

- Meeting With HSHS Principal John Burke
- Meeting Re Lease Polar Aviation
- Attended Working group Meeting To Review TOPH Local Law On Standing Orders
- Attended and Speech At Matt Dann 2014 Season Launch Event

Friday, 14th February

- Attended YIC Strategic Planning Session

Saturday, 15th February

- Mayor Coffee Session – Port Hedland
- Mayor Coffee Session – South Hedland

Monday, 17th February

- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Meeting EB games Re: Starlight Fundraiser
- Meeting With South Hedland Police OIC Mick Hayes Re: Antisocial Behaviours/Image Concerns South Hedland Shopping Centre

Tuesday, 18th February

- Fortnightly Pilbara Shire Presidents/Mayor Phone Link Up
- Weekly Chat Spirit Radio (1026am)
- Meeting Principal St Cecillas Catholic Primary School
- Meeting Principal Port Hedland Primary School
- Participated In Department Of Local Government Webinar – Conflicts Of Interest

Wednesday, 19th February

- Attended TOPH CEO Performance Review Working Group Meeting
- Attended TOPH Audit & Finance Committee Meeting
- Attended Elected Members and Executive Meetings
- Chair Special Electors Meeting
- Chair Agenda Briefing Session

Thursday, 20th February

- Briefed Baler Primary School Students Re: Town Ambassadors
- Meeting With President Hedland Playgroup Association
- Town Ambassador Information Session

Friday, 21st February

- Meeting Principal Cassia Education Support
- Attended Morning Tea At South Hedland Primary School & Briefed South Hedland Primary School Students Re: Town Ambassadors

- Chair Multi Taskforce Meeting: TOPH Children At Risk/Youth On The Streets

Monday, 24th February

- Assisted As A Town Ambassador For Cruise Ship Visit – Celebrity Solstice
- Interview ABC TV Re: Cruise Ship Visit
- Meeting Re: 2016 ABS Census
- Speech & Officiated Opening Of Westpac South Hedland Branch

Tuesday, 25th February

- Participated In One Stop Shop – Recovery & Welfare Workshop
- Weekly TOPH/NWT Catch Up
- Attended Excavator Operator Training – Komatsu
- Speech & Officiated Komatsu – Port Hedland Soil Turning Event

Wednesday, 26th February

- Attended South Hedland Business Association/PHCCI Breakfast Event
- Attended Child Safety Team Meeting, South Hedland
- Attended Elected Members and Executive Meetings
- Chair OCM
- Chair Annual General Meeting Of Electors

Thursday, 27th February

- Meeting Principal Cassia Primary School
- Pre-Record Phone Interview With ABC NW Radio Following OCM
- Attended HSH School Board Meeting
- Meeting With Morag Lowe Re: Town Planning Issues

Friday, 28th February

- Meeting With Hedland Taxi Companies/Drivers, South Hedland Police OIC and Charter Hall Re: Antisocial Behaviours/Image Concerns South Hedland Shopping Centre
- Attended Hedland Women Of Influence Luncheon
- Attended Ovarian Cancer Fundraiser Afternoon Tea Event At Hedland Well Women's Centre

March 2014

Tuesday, 4th March

- Weekly CEO, Deputy Mayor and Mayor Catch Up
- Attended DeGrey LCDC AGM
- Town Ambassador De-Brief & Information Session

Wednesday, 5th March

- Meeting With LandCorp
- Attended Elected Members and Executive Meetings
- Meeting With Minister Terry Redman, Hon Brendan Grylls and CEO LandCorp Frank Marra

Thursday, 6th March

- Discussion With Organisers Mining The Pilbara 2014 Conference
- Assisted As A Town Ambassador For Cruise Ship Visit – Radiance Of The Seas

Friday, 7th March

- Attended International Women’s Day Event At South Hedland Library With Guest Speaker Maureen Kelly OAM JP
- Speech At TOPH Staff International Women’s Event – Civic Centre
- Meeting With Melissa Price (Federal Member for Durack)
- Attended Opening Spinifex Hill Artists Studio, South Hedland

ITEM 9 **REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION**

9.1 *Councillor Hooper*

Councillor Hooper attended the Spinifex Hill artist studio opening. He was amazed at how fast the studio was constructed and happy to see that the space was what the artists wanted.

9.2 *Councillor Hunt*

Councillor Hunt attended the retirement village board meeting and advised that the connection to the sewerage system would be finished within the next week.

9.3 *Councillor Taylor*

Councillor Taylor attended the meeting with the Honourable Mark McGowan on Tuesday 25 March and discussed children at risk in the community. Honourable Mark McGowan highlighted that there were 600 children identified as requiring a case worker but not having one, and that South Hedland has the highest juvenile crime rate in the state. At the meeting the Department of Corrective Services identified parenting programs that can be used for parents of children at risk.

9.4 *Councillor Van Vugt*

Councillor Van Vugt advised that his approved leave of absence is over and is looking forward to attending future Council business.

ITEM 10 **PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

Disclaimer

Members of the public are cautioned against taking any action on Council decisions, on items on this evening's Agenda in which they may have an interest, until formal notification in writing by Council has been received. Decisions made at this meeting can be revoked, pursuant to the Local Government Act 1995.

ITEM 11 REPORTS OF OFFICERS

11.1 Planning and Development Services

11.1.1 Delegated Planning, Building & Environmental Health Approvals and Orders for February 2014 (File No.: 18/07/0002 & 07/02/0003)

Officer Carly Thompson
 Executive Assistant
 Planning & Development

Date of Report 7 March 2014

Disclosure of Interest by Officer Nil

Summary

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the month of February 2014.

Background

A listing of Planning, Building and Environmental Health approvals and Orders issued by Council's Planning, Building and Environmental Health Services under Delegated Authority for the month of February 2014 are attached to this report. Further to Council's request a listing of current legal actions is also attached to this report.

Consultation

Nil

Statutory Implications

Town of Port Hedland Delegation Register 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

Attachments

1. Delegated Planning, Building & Environmental Health Approvals and Orders for February 2014

201314/273 Officer's Recommendation/ Council Decision

Moved: Cr Gillingham

Seconded: Cr Hunt

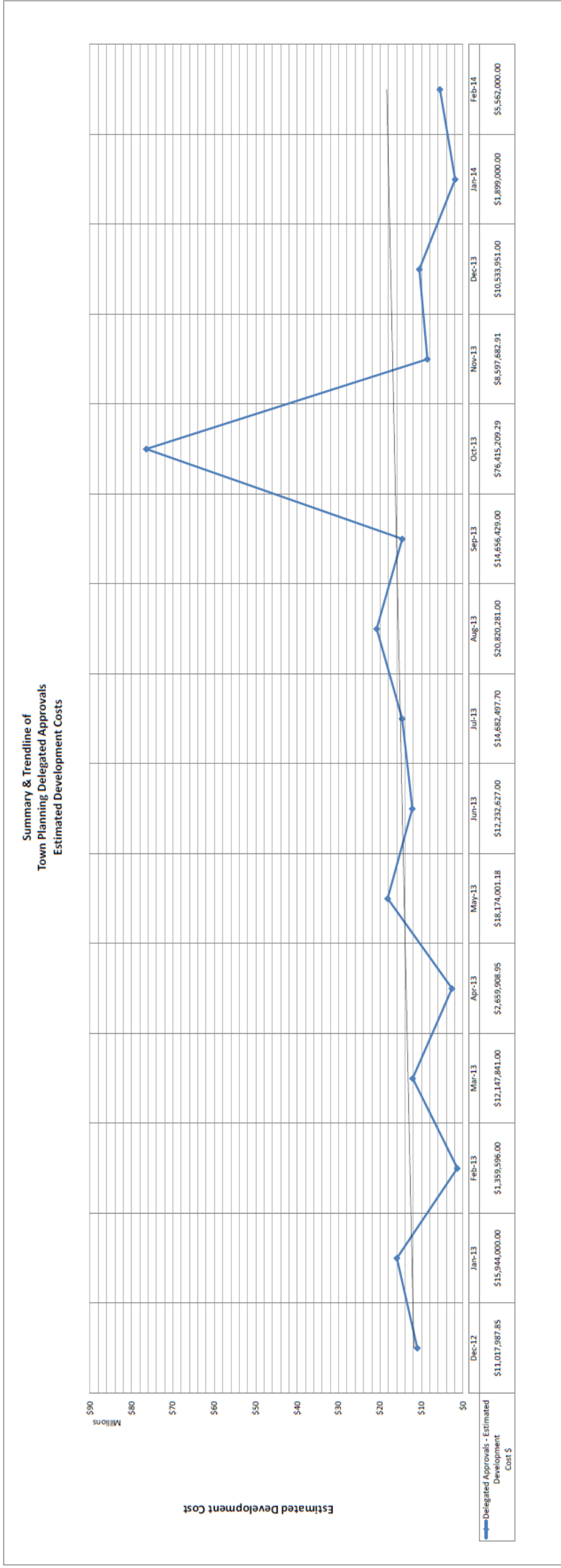
That Council receive the Schedule for Planning and Building approvals, environmental health orders issued by delegated authority and the listing of current legal actions for the month of February 2014.

CARRIED 8/0

DELEGATED PLANNING APPROVALS FOR FEBRUARY 2014

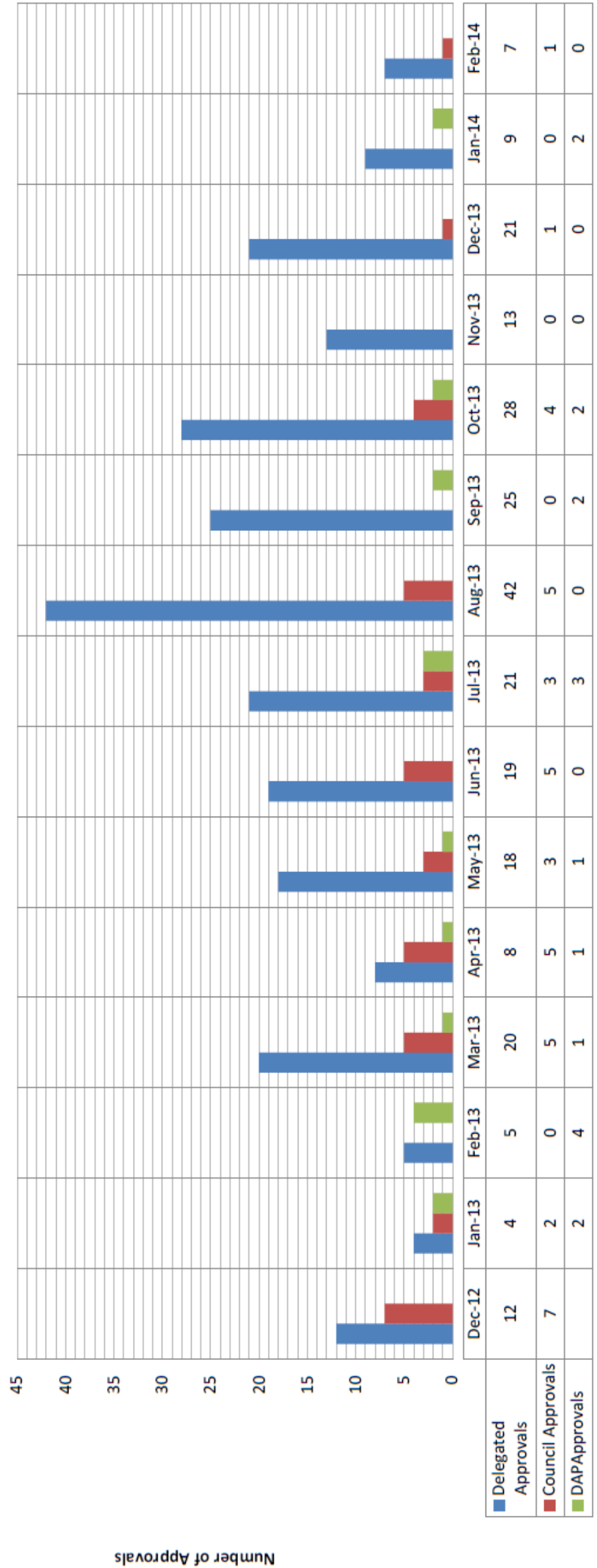
Application No.	Description	Lot	Property Address	Date Approved	Applicants Name	Development Value
2013/715	PROPOSED INDUSTRY - WORKSHOP & OFFICES	105	L105 OXIDE WAY WEDGEFIELD 6722	6/02/2014	RFF PTY LTD	\$ 250,000.00
2014/9	COMPRESSED NATURAL GAS FACILITY	366	L366 BOODARIE STATION ACCESS ROAD BOODARIE 6722	6/02/2014	SUB 161	\$ 5,300,000.00
2014/18	CHANGE OF USE TO MOTOR VEHICLE AND/OR MARINE REPAIR	3760	6 KANGAN WAY WEDGEFIELD 6724	11/02/2014	KALTIRE (AUSTRALIA) PTY LTD	\$ -
2014/32	CHANGE OF USE - 'SHOP' TO 'TAKE AWAY FOOD OUTLET'	3241	2-8 THROSSELL ROAD SOUTH HEDLAND 6722	13/02/2014	IDIT ADELEY	\$ -
2014/24	CHANGE OF USE TO MOTOR VEHICLE & MARINE REPAIR	110	L110 IRON ORE STREET WEDGEFIELD 6722	14/02/2014	E & B BOWMAN PTY LTD T/AS BMS	\$ -
2012/454.01	AMENDMENT TO APPLICATION 2012/454 - "MOTOR VEHICLE AND/OR MARINE REPAIR" AND "SHOWROOM"	5881	17 MANGANESE STREET WEDGEFIELD 6721	25/02/2014	KARRATHA CONTRACTING PTY LTD	\$ -
2014/39	SINGLE HOUSE - CARPORT AND VERANDAH ADDITION	2818	70 BOTTLEBRUSH CRESCENT SOUTH HEDLAND 6722	25/02/2014	ALWAYS DESIGN P/L	\$ 12,000.00

DELEGATED PLANNING APPROVALS FOR FEBRUARY 2014



COUNCIL, DELEGATED & DAP PLANNING APPROVALS FOR FEBRUARY 2014

Summary & Trendline of
Town Planning Council, Delegated & DAP Approvals



DELEGATED BUILDING APPROVALS FOR FEBRUARY 2014

BUILDING PERMITS									
Permit Number	Decision Date	Property Address	Locality	Applicant	Description of Work	Estimated Construction Value (\$)	Floor area square metres	Building Classification	
14-050	21.02.2014	Lot 208 GREAT NORTHERN HIGHWAY	INDEE 6721	Resolve Group	Golf Simulator Building (Camp 1)	\$ 50,000.00	27	10a	
14-051	21.02.2014	Lot 208 GREAT NORTHERN HIGHWAY	INDEE 6721	Resolve Group	Golf Simulator Building (Camp 3)	\$ 50,000.00	27	10a	
14-040	25.02.2014	10 MOSELEY STREET	PORT HEDLAND 6721	Barrier Reef Pools Karratha	Swimming Pool	\$ 34,750.00	27	10b	
14-007	13.02.2014	1 SKIPPERS LOOP	SOUTH HEDLAND 6722	Giuseppe Malatino	2 x Dwellings Carports and Fencing	\$ 530,000.00	240	1a	
13-093	17.02.2014	64 MORGANS STREET	PORT HEDLAND 6721	Mc Mullen Nolan	Strata x 4 Grouped Dwellings	\$ 916,181.00	390	1a	
14-023	04.02.2014	L29 EUCLA CLOSE	SOUTH HEDLAND 6722	Savroc Constructions Pty Ltd	6 X GROUPED RESIDENTIAL DWELLINGS & CARP	\$ 2,400,000.00	300	1a & 10a	
13-400	28.02.2014	9 BUOY CLOSE	SOUTH HEDLAND 6722	Pindan Pty Ltd	Dwelling Shed Carport Verandah and Fe	\$ 320,000.00	157	1a 10a & 10b	
14-048	17.02.2014	8-12 SOMERSET CRESCENT	SOUTH HEDLAND 6722	Sam Harmsworth	14 x Residential Units	\$ 5,767,226.00	1120	2	
14-052	19.02.2014	44 COUNIHAN CRESCENT	PORT HEDLAND 6721	Milestone Certifiers	Roof Structure	\$ 126,000.00	0	2	
14-046	12.02.2014	77-95 HAMILTON ROAD	SOUTH HEDLAND 6722	Kieran Hunt - Resolve Group	Recreation Building Cafe & Covered Area	\$ 1,645,109.00	372	6	
14-049	24.02.2014	L45/219 MINING TENEMENT	PORT HEDLAND 6721	Crushing Services International Pty Ltd	Poondano TWA - Beer garden maintenance s	\$ 112,600.00	312	9b	
						\$ 11,951,866.00			

TOWN OF PORT HEDLAND CERTIFICATION		
Certificate Type	Number Issued	
Certificate of Design Compliance	2	
Certificate of Construction Compliance	2	
Certificate Building Compliance	1	
TOTAL	5	

DEMOLITION LICENCES FOR FEBRUARY 2014

DEMOLITION PERMIT								
Permit Number	Decision Date	Property Address	Locality	Applicant	Description of Work	Estimated Construction Value (\$)	Floor Area	Classification
14-054	18.02.2014	4 STURT PLACE	SOUTH HEDLAND 6722	GOODLINE	Demolition of Dwelling	\$ 42,432.00	80	1a
Total 1						\$ 42,432.00		

STRATA APPLICATIONS FOR FEBRUARY 2014

STRATA APPLICATIONS								
Permit Number	Decision Date	Property Address	Locality	Applicant	Description of Work	Estimated Construction Value (\$)	Floor Area	Classification
14-062	28.02.2014	28 LAPWING WAY	SOUTH HEDLAND 6722	Pilbara Design and Build Pty Ltd	STRATA - 2 x Grouped Dwellings			1a
14-041	07.02.2014	45 STEEL LOOP	WEDGEFIELD 6721	Land Surveys	STRATA OF 3 x WORKSHOPS			5 & 8
Total 2						\$ -		

OCCUPANCY PERMIT FOR FEBRUARY 2014

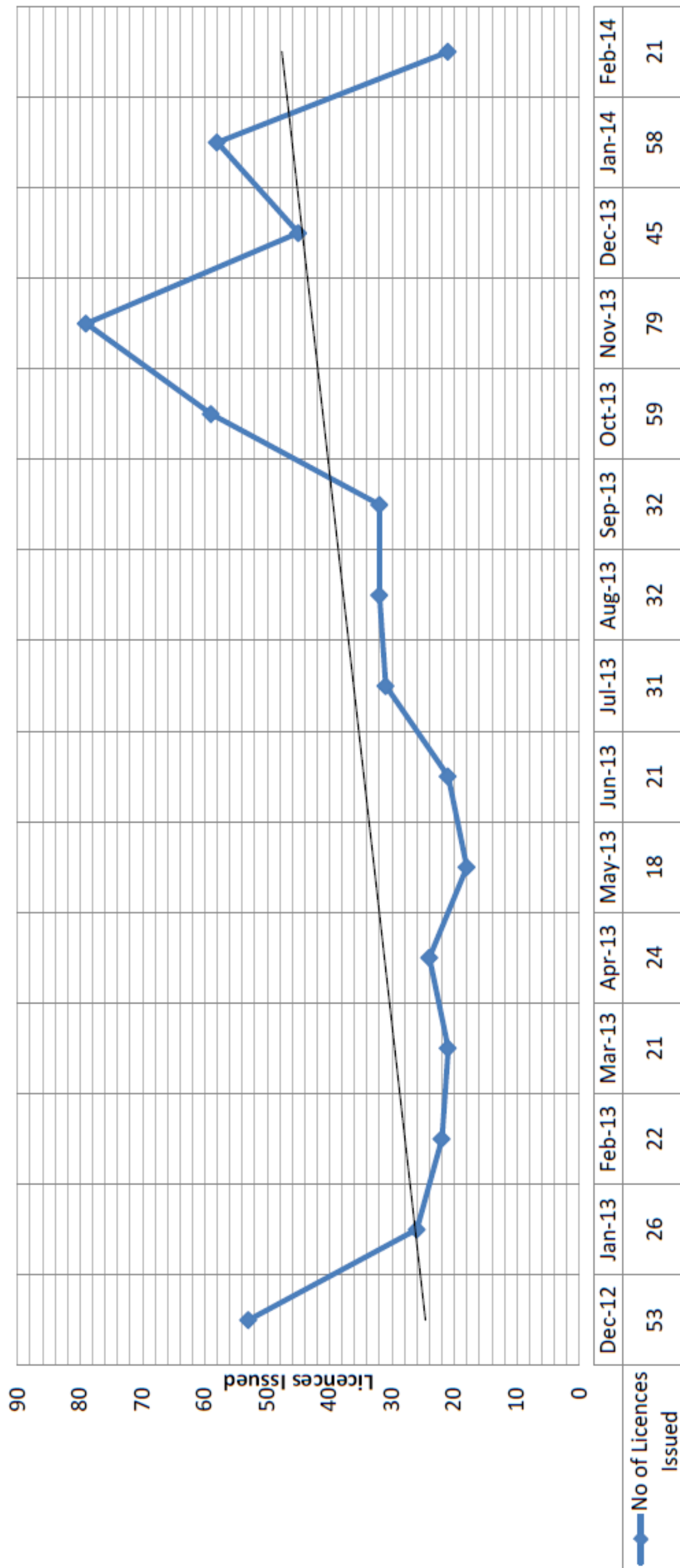
OCCUPANCY PERMIT			
Permit Number	Decision Date	Property Address	Description of Work
14-056	24/02/2014	9-31 THROSSELL ROAD SOUTH HEDLAND 6722	Real Estate Office (LJ Hooker)
12-213	4/02/2014	41 STEEL LOOP WEDGEFIELD	Commercial Shed
13-104	4/02/2014	LOT 110 IRON ORE STREET WEDGEFIELD	Shed and Office
13-234	17/02/2014	18 HEDDITCH STREET, SOUTH HEDLAND 6722	Art Studio and Office
13-122	17/02/2014	18 HEDDITCH STREET, SOUTH HEDLAND 6722	Art Studio
13-415	27/02/2014	9-31 THROSSELL ROAD SOUTH HEDLAND 6722	Fitout (Sushi Master)
13-414	27/02/2014	9-31 THROSSELL ROAD SOUTH HEDLAND 6722	Fitout (Café)
Total 7			

OVERVIEW SUMMARY FOR FEBRUARY 2014

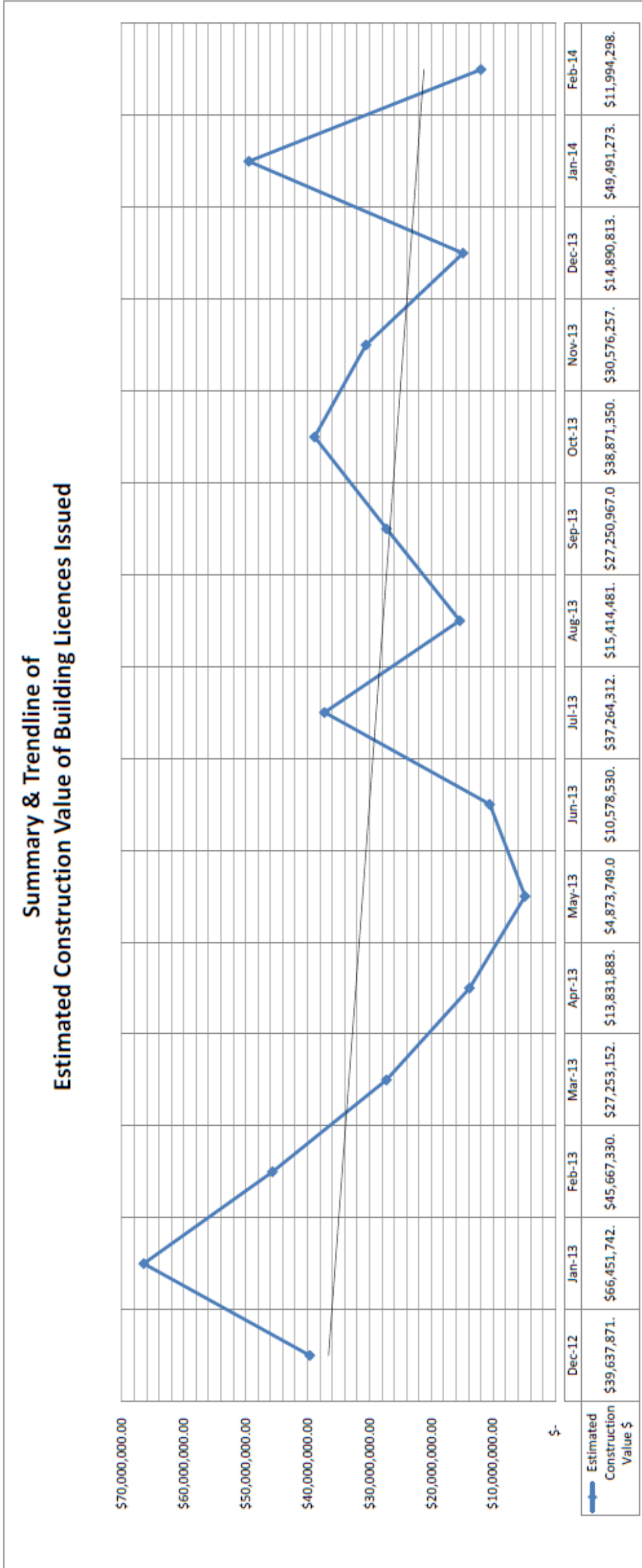
SUMMARY OF APPROVED PERMITS				
No of Permits	Permit Type	Estimated Construction Value	Floor Area in square metres	Average cost per square metre
1	Demolitions	\$42,432	80	\$530.40
4	Dwellings	\$4,166,181	1,087	\$3,832.73
2	Class 10a	\$100,000	54	\$1,851.85
1	Class 10b	\$34,750	27	\$1,287.04
4	Commercial	\$7,650,935	1,804	\$4,241.09
9	STRATA/OCCUPANCY	N/A	N/A	N/A
21		\$11,994,298	3,052	

BUILDING APPROVALS FOR FEBRUARY 2014

Summary & Trendline for Building Licence Approvals



BUILDING APPROVALS FOR FEBRUARY 2014



CURRENT LEGAL MATTERS FOR FEBRUARY 2014

CURRENT LEGAL MATTERS			
File No.	Address	Issue	Current Status
118711G	Lot 1675 (1690) Harwell Way, Wedgefield	Non-compliance with planning conditions	Case adjomed until 31/10/2013 to allow for sealing of the properties to occur. - Adjourned until March 2014.
125910G	Lot 2445 # 32 Moorambine Street, Wedgefield - Owner	Unauthorised Concrete Batching Plant	Handed to attorneys - Court Hearing to be held on 24th June 2013 - Not Guilty Plea. Adjourned until 4/10/2013 - Trial date set for 4th June.
125910G	Lot 2445 # 32 Moorambine Street, Wedgefield - Tenant	Unauthorised Concrete Batching Plant	Court Hearing to be held on 4/10/2013. - Trial allocation date to be determined in November 2013. - Adjourned until 20th February 2014.
117650G	Lot 2505 # 7 Moorambine Street, Wedgefield	Unauthorised Residential Structures	Handed over to the attorney. - 1st Hearing set for Friday 2nd August 2013. - Adjourned until 30th August 2013. - Adjourned until 18th October 2013. - Sentencing scheduled for 22nd November 2013. - Adjourned until 20th Feb 2014.
803689G	Lot 173 # 19 Snappy Gum Way, South Hedland	Placing objects on a public thoroughfare	Filed at court 5/2/14 First mention 28/2/2014 Adjourned 28/3/2014
805142G	Lot 211 Steel Loop, Wedgefield	Unauthorised use	Fined and costs ordered - \$4,000 - 4/3/2014

CURRENT HEALTH ORDERS AS OF FEBRUARY 2014

Current Health Orders under Delegated Authority by Environmental Health Services		
File No.	Address	Issue
803367G	Lot 2052 McGregor St Port Hedland	Metal frame spectator/grand stand seating erected on a trailer chassis.
		Current Status
		~ Health order placed on temporary spectator stand ~ No public building application received by Town of Port Hedland, as such no approval has been granted for use as a temporary spectator stand ~ Town has notified Turf Club of issue

11.1.2 Proposed Naming of Two Newly Created Roads within the South Hedland Town Centre (File No.: 18/07/0016)

Officer Katherine Press
Lands and Technical Officer

Date of Report 27 February 2014

Disclosure of Interest by Officer Nil

Summary

The Town has received a request from the McMullen Nolan Group on behalf of Landcorp to formally name two newly created roads located within the South Hedland Town Centre. Please refer to Attachment 1.

Council is requested to approve the Town's Officers recommendation.

Background

In November 2013 the Western Australian Planning Commission approved a subdivision resulting in the creation of a number of lots including the two subject roads.

The subdivision forms part of the overall South Hedland Town Centre redevelopment. And forms an integral part of the traffic circulation within the Town Centre.

The applicant, McMullen Nolan Group has requested the following two road names be allocated to the two roads:

1. *Daglish*

Henry Daglish (18 November 1866-16 August 1920) was the sixth Premier of Western Australia and the state's first Labour Premier. Henry Daglish was born in Ballarat West, Victoria. He was educated in Geelong and attended Melbourne University.

2. *Willcock*

John Collings Willcock (9 August 1879 – 7 June 1956) was the fifteenth Premier of Western Australia. John Willcock was born at Frogmoor (now Frogmore), New South Wales on 9 August 1879. He was educated at Sydney Boys High School before relocating to Western Australia in 1897.

Consultation

The proposed road names have been referred to the Geographical Names Committee who has advised that the road names are in accordance with the *Geographical Names Committee Policies and Standards for Geographical Naming in Western Australia*.

Statutory Implications

Nil.

Policy Implications

Landgate's *Policies and Standards for Geographical Naming in Western Australia* determine the process for the naming of roads.

Strategic Planning Implications

6.1 Community

6.1.3 Rich in Culture

Strengthen local communities, history and culture.

Budget Implications

Landcorp will be responsible for all costs associated with the installation and maintenance of the new road signage.

Officer's Comment

The naming of new roads is integral to ensure any businesses located adjacent to the road can be identified and numbered. Most important to the naming of roads is to ensure emergency services can locate a property.

Existing Road Name Theme

The proposed road names are in keeping with the general theme of the area, being past Premiers of Western Australia. The proposed road names have not been previously utilised within the Town.

The road types (road suffixes) will be allocated as per the *AS-NZS-4819-2011 Rural and Urban Addressing – Road Types*.

The Towns Officers recommend the proposed road names are approved as per Attachment 1.

Options

1. Support the proposed road names for the newly created roads.
2. Request the applicant to provide an alternative.

Should Council resolve as per option 2 above, Council is requested to provide guidance to the applicant.

Attachments

1. Approved Subdivision Plan.

201314/274 Officer's Recommendation/ Council Decision**Moved: Cr Hunt****Seconded: Cr Hooper****That Council:**

- 1. Approve road names DGLISH and Willcock, to be assigned to the two newly created roads within the South Hedland Town Centre, as per Attachment 1;**
- 2. Request the Chief Executive Officer, or his delegate(s), to submit the following approved road names and their descriptions to Geographical Names Committee for final approval:**

DGLISH

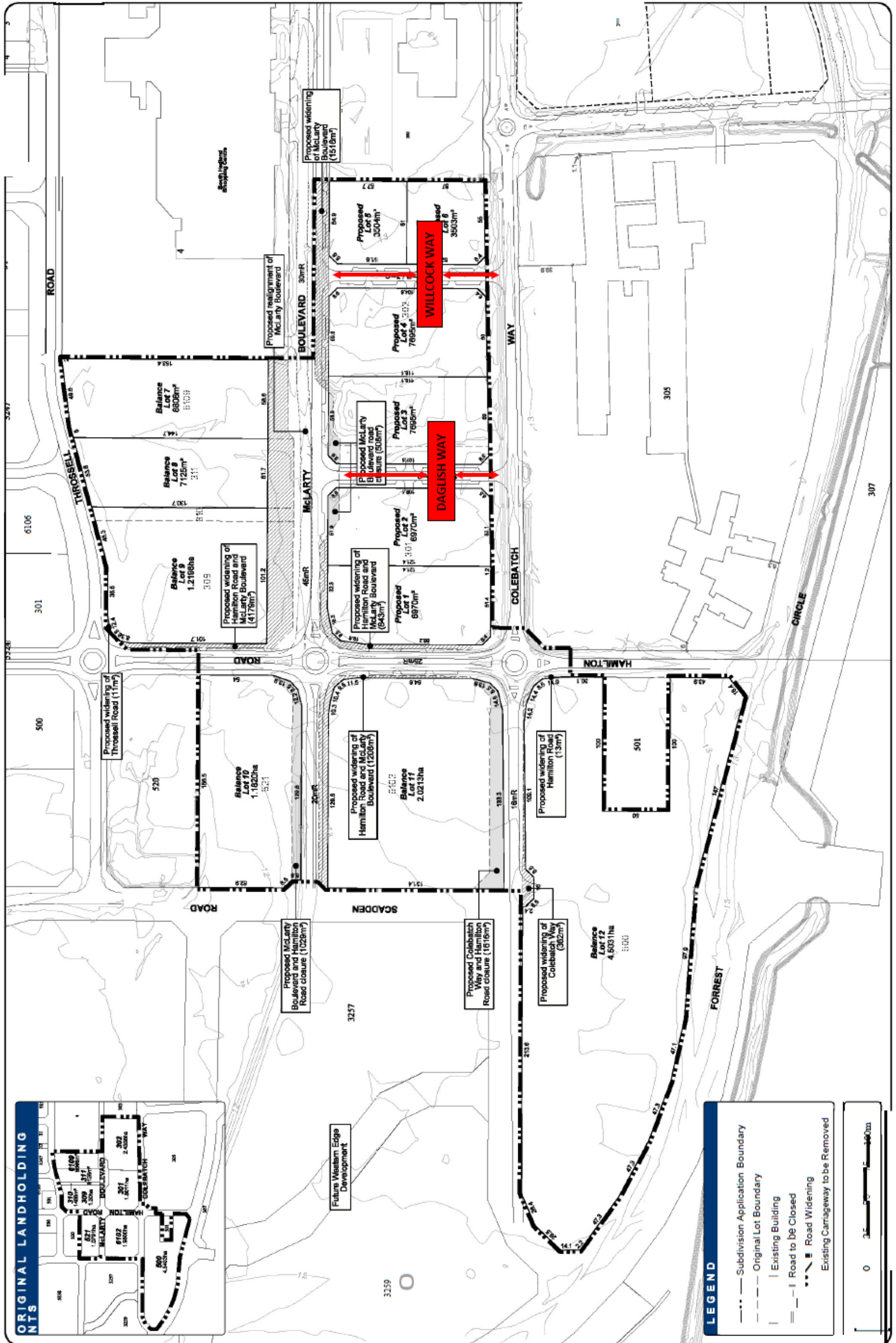
Henry DGLISH (18 November 1866-16 August 1920) was the sixth Premier of Western Australia and the state's first Labour Premier. Henry DGLISH was born in Ballarat West, Victoria. He was educated in Geelong and attended Melbourne University.

Willcock

John Collings Willcock (9 August 1879 – 7 June 1956) was the fifteenth Premier of Western Australia. John Willcock was born at Frogmoor (now Frogmore), New South Wales on 9 August 1879. He was educated at Sydney Boys High School before relocating to Western Australia in 1897;

- 3. Advise the applicant any costs associated with the required road signage will be at the cost of Landcorp; and**
- 4. Advise the applicant the proposed location/signage is to be to the specifications of the Manager Infrastructure Development.**

CARRIED 8/0



PROPOSED SUBDIVISION
 Lots 301, 302 & 6102 Colebatch Way, Lots 309-311, 521 & 6109 McLarty Boulevard & Lot 500 Hamilton Road, SOUTH HEDLAND

1:2,500 (M3) : SCALE
 19-0-2012 : DATE
 295_15-3-2012 : PLAN No
 R.F. : DRAWN

RPS Australia Pty Ltd
 ABN 4414232732
 PO Box 655 SUBIACO WA 6104
 38830000 and 30000000
 T+618 92111111 W@rps.com.au



11.1.3 Proposed Partial Change of Use – Single House to Child Care Service (Family Day Centre) on Lot 2214 (9) Brodie Crescent, South Hedland (File No.: 402520G)

Officer	Ryan Djanegara Senior Statutory Planner
Date of Report	28 February 2014
Application No.	2014/31
Disclosure of Interest by Officer	Nil

Summary

The Town has received an application from Giggles and Games Family Day Care on behalf of the landowner, Kim Rogerson to operate a family day care centre on Lot 2214 (9) Brodie Crescent, South Hedland (subject site).

The application was referred externally to the adjoining neighbours. An objection to the proposed partial change of use has been received from an adjoining owner.

Council is requested to support the Town's officer's recommendation to approve the partial change of use subject to conditions.

Background

Site Description (Attachment 1)

The subject site gains access from Brodie Crescent and covers an area of approximately 709m².

In terms of the Port Hedland Town Planning Scheme No. 5 (TPS5) the subject site is zoned "Residential R20". The permissibility of the proposed "Childcare Service – Family Day Care" is an "SA" use.

"the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3"

Proposal (Attachment 2)

The applicant who will be residing in the existing dwelling is proposing to utilise a portion of the dwelling for the proposed "Childcare Services - Family Day Care", caring for a maximum of 7 children at any one time.

Family Day Care centres are often self-employed businesses operated from within a single dwelling in a residential area. The applicant will be registered as an Educator under the Children's Services Support Unit (CSSU) Family Day Care Scheme.

In addition to Council’s planning and environmental health approvals, as a member of the CSSU, applicants must comply with set policy and procedures, Education and Care Regulations and Law, and the National Quality Standards.

Minimum monthly visits and varied spot checks by the CSSU are conducted to ensure compliance and safety standards are adhered to.

Consultation

The application was circulated as follows:

Internally:

- Manager Building Services
- Manager Environmental Health Services

Adjoining Neighbours

One objection was received during the consultation period. The objection was forwarded to the applicant to address the objectors concerns.

Unfortunately the applicant and the objector have not been able to resolve the issues raised by the objector.

The concerns and responses thereto have been summarized in the table below:

Objections	Planning Services Response:
<p>Potential Noise Impact</p> <p><i>My property is currently leased out and under the terms of the Lease if there was excessive noise coming from a neighbouring property, the tenant could terminate their Lease, which would affect my income and ability to pay the mortgage and services charges for the property.</i></p> <p><i>Some of my tenants are shift workers and so they are sleeping during the day between the proposed hours of 6.00am and 6.00pm, so it would significantly impact on them.</i></p>	<p>The purpose of Family Day Care is to have smaller group care with the opportunity for children to grow and learn in a home like setting. Family Day Care is available throughout Australia with this type of care becoming favourable by many families.</p> <p>Whilst this concern is unique to the Pilbara, the impact of such a use should be no different to a single family living in a three bedroom dwelling.</p>

<p>Number of children permitted</p> <p><i>The maximum amount of children in the one person's care at any one time would be seven children. If the carer has her own children, does this number include them or are they additional to the proposed seven?</i></p> <p><i>I am concerned the applicant has requested to start with seven children and possibly grow it to more, which will impact immensely on the surrounding residential homes</i></p> <p><i>I would not be so concerned if there was a maximum of two to three children</i></p>	<p>Under the Education and Care National Regulations (2011) under Subdivision 2 Family Day Care Services, it states:</p> <p>(2) A family day care educator must not educate and care for more than 7 children at one time.</p> <p>(3) In determining the number of children for Sub-regulation</p> <p>(a) any child who has commenced a secondary programme is not counted; and</p> <p>(b) the educators own children are counted unless they are excluded by paragraph (a); and</p> <p>(c) no more than 5 children may be below the age to attend a pre-primary programme; and</p> <p>(d) at least one of the children referred to in paragraph (c) must be a child attending a kindergarten programme.</p> <p>The applicant (i.e. educator) would therefore not be allowed to care for more than seven children.</p> <p>It is recommended a condition is imposed limiting the approval for the operator only and a maximum of 7 children are to be cared for.</p>
<p>Age of children</p> <p><i>The ages of the children has not been stipulated, does this mean that there could be possibly older children after school between 3.00 and 6.00pm, who would be possibly noisier than pre-schoolers?</i></p>	<p>In accordance with the above regulation, the applicant would be restricted to:</p> <p>Four children under the age of four One child attending kindergarten Two children between the ages of 5 and 12 for after school care.</p>
<p>Traffic Generation</p> <p><i>I would also be concerned with the amount of traffic going in and out of the property if there were seven children versus two or three</i></p>	<p>The educator has a fenced off back yard which allows parents to park their cars in the front yard of the premise. These type of facilities are generally drop and go rather than a continuous flow of traffic.</p>

<p>Miscellaneous</p> <p><i>How can one person supervise seven children (I assume) of varying ages without creating noise? The name of the centre "Giggles and Games" suggests that there will be a fair amount of noise.</i></p>	<p>This is considered not to have any planning merit.</p>
<p><i>I am further concerned that as the Day Care property is not purpose built, that it will not be able to cope with the volume of people using it if there were seven children and adults living at the premises.</i></p>	<p>The Family Day Care scheme requires the premise to meet the requirements and standards set out in the Education and Care Regulations and Law.</p> <p>The home owner / applicant is required carried out (if any) all works to ensure compliance with CSSU requirements prior to the Educator being able to commence the use.</p>

Statutory Implications

In accordance with the Planning and Development Act 2005, the proposed development is subject to the provisions of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

Policy Implications

Draft Family Day Care Policy

Strategic Planning Implications

6.2	Economic
6.2.1	Diverse Economy
<p>Encourage entrepreneurship through local programs, including business incubation, business advisory, local investment funds, and other programs geared towards generating new products, services and businesses.</p>	

Budget Implications

As per the approved fees and charges, the applicant has paid the prescribed fee of \$295.00.

Officer's Comment

The additional use to a single dwelling being a "Childcare Services - Family Day Care" is a use commonly associated with residential areas.

These types of uses are within close proximity to educational facilities (such as schools) and parks.

Attachments

1. Locality Plan
2. Site and Floor Plans
3. Justification Statement
4. Objection letter
5. Response from applicant
6. Response to applicant from objection

Officer's Recommendation

That Council approve the application received from Melanie Boardman-Smith (Giggles and Games Family Day Care) on behalf of the landowner, Kim Rogerson to operate a family day care centre on Lot 2214 (9) Brodie Crescent, South Hedland, subject to the following conditions:

1. This approval relates only to the proposed partial change of use "SINGLE HOUSE" to "CHILD CARE SERVICE" facility as indicated on the approved plans (DRG2014/31/1 – DRG2014/31/3). It does not relate to any other development on this lot;
2. This approval is only applicable to Melanie Boardman-Smith (Giggles and Games Family Day Care) to conduct a "Child Care Service", and shall remain a permanent resident of the dwelling at all times;
3. If the use referred to in (1) above is not substantially commenced within a period of two years from the date of this approval, the approval shall lapse and be of no further effect;
4. A maximum of 7 children shall be permitted within the premises at any one time;
5. A minimum of 6 car parking bays shall be provided as indicated on the approved site plan. (DRG2014/31/1); and
6. No car parking bays shall be obstructed in any way or used for any other purpose than car parking.

ADVICE NOTES:

1. The landowner is reminded this is a Planning Approval only and does not obviate the responsibility of the landowner to comply with all relevant building, health and engineering requirements;
2. The Town's Environmental Health Services advises that no food shall be prepared and served to the patrons of the Child Care Service. If food preparation is proposed an application is to be made to the Town of Port Hedland for food premises registration;

3. The "Childcare Services" facility shall comply with the Environmental Protection (Noise) Regulations 1997, at all times; and
4. The landowner shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

201314/275 Council Decision**Moved: Cr Taylor****Seconded: Cr Gillingham**

That Council approve the application received from Melanie Boardman-Smith (Giggles and Games Family Day Care) on behalf of the landowner, Kim Rogerson to operate a family day care centre on Lot 2214 (9) Brodie Crescent, South Hedland, subject to the following conditions:

1. **This approval relates only to the proposed partial change of use "SINGLE HOUSE" to "CHILD CARE SERVICE" facility as indicated on the approved plans (DRG2014/31/1 – DRG2014/31/3). It does not relate to any other development on this lot;**
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6. **No car parking bays shall be obstructed in any way or used for any other purpose than car parking.**

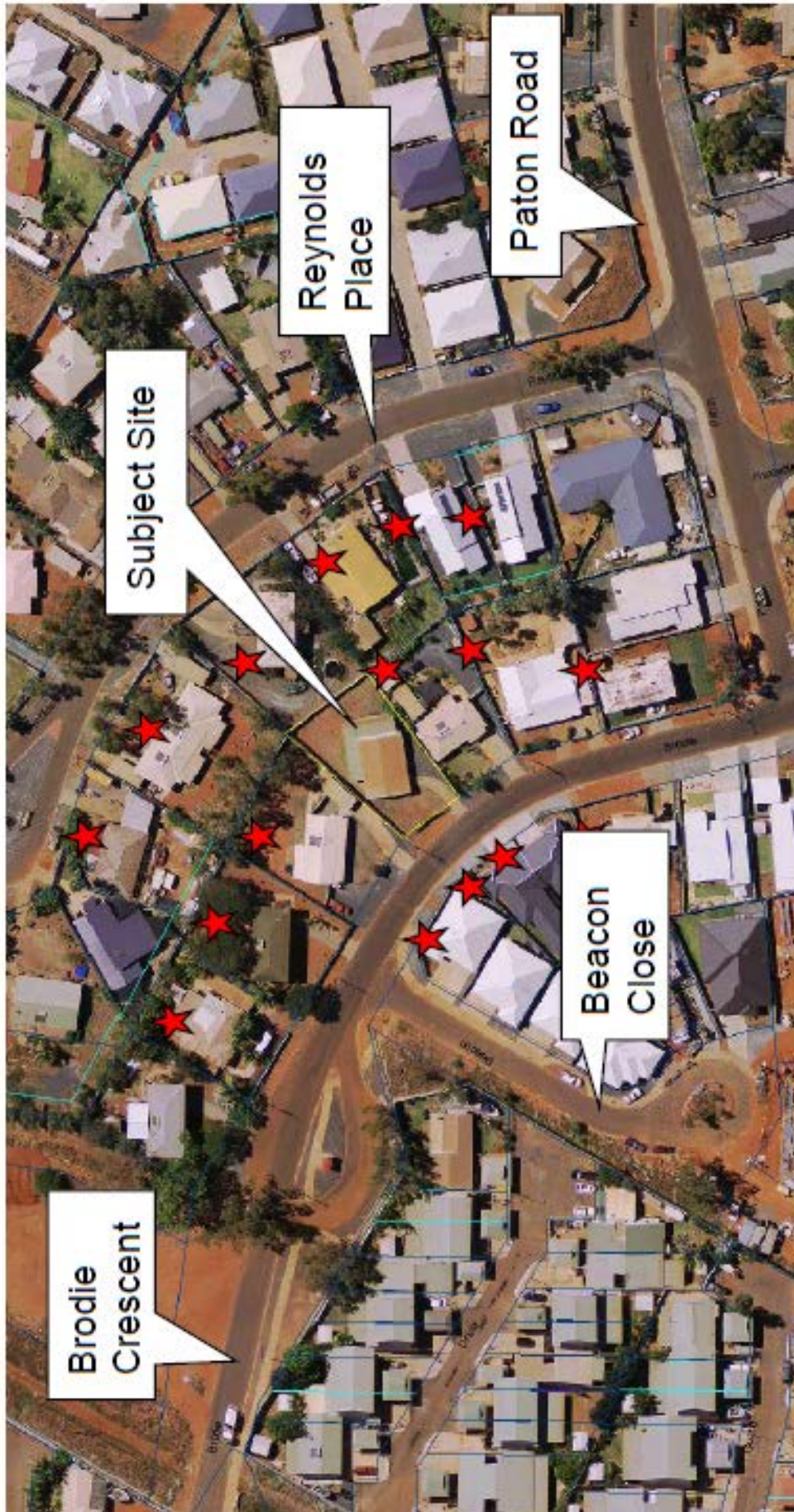
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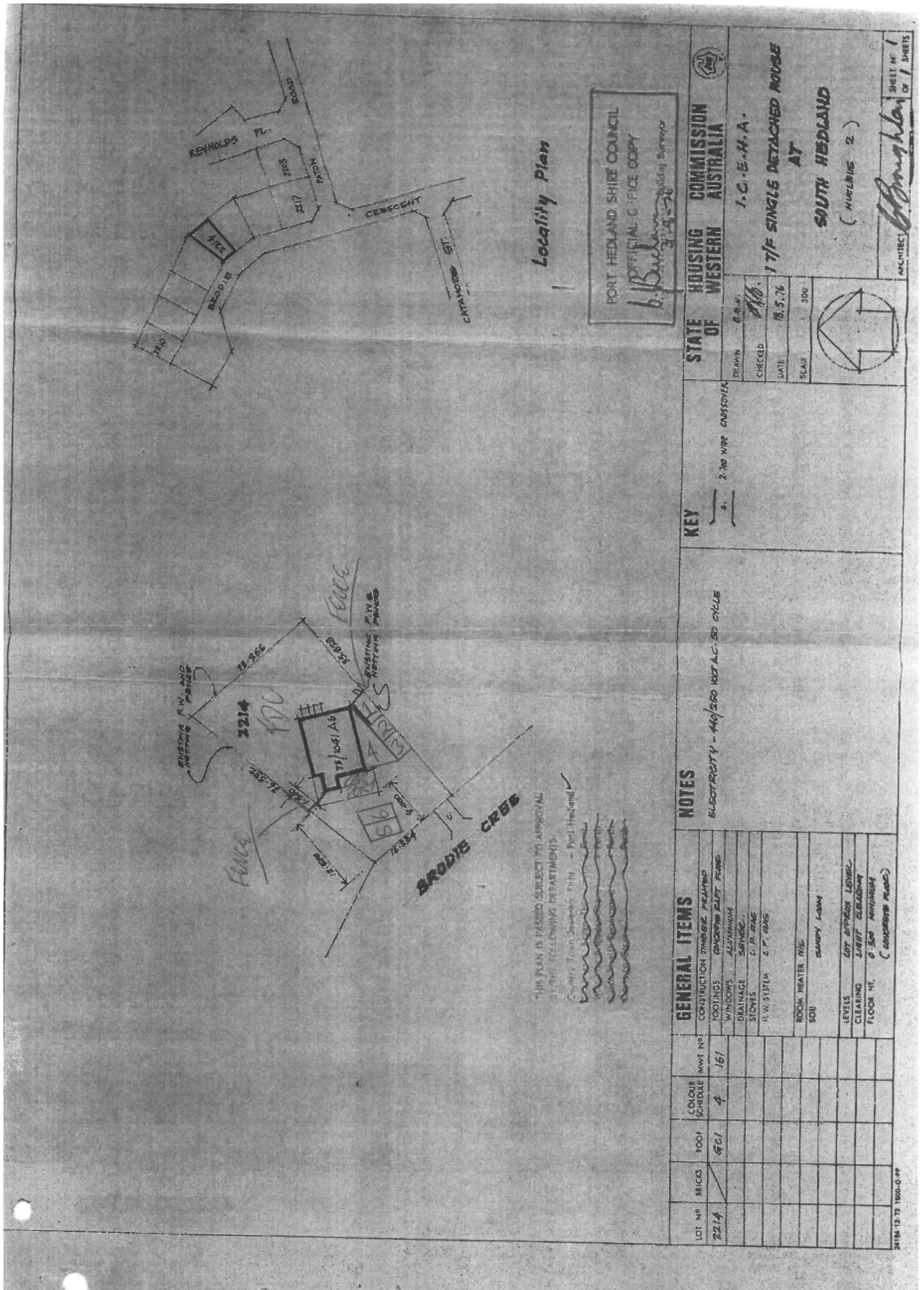
- 2. The Town's Environmental Health Services advises that no food shall be prepared and served to the patrons of the Child Care Service. If food preparation is proposed an application is to be made to the Town of Port Hedland for food premises registration; and**
- 3. The landowner shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.**

CARRIED 8/0

Referred to the following adjoining landowners ★



ATTACHMENT 2 TO ITEM 11.1.3



Locality Plan

PORT HEDLAND SHIRE COUNCIL
OFFICIAL OFFICE COPY
I. C. E. H. A.

STATE OF WESTERN AUSTRALIA
HOUSING WESTERN AUSTRALIA
I. C. E. H. A.
1/7 SINGLE DETACHED HOUSE
AT SOUTH HEDLAND (MUEBING 2)

KEY
2.70 WIRE CROSTOVEN
ELECTRICITY - 40/200 VOLT A.C. 50 CYCLE

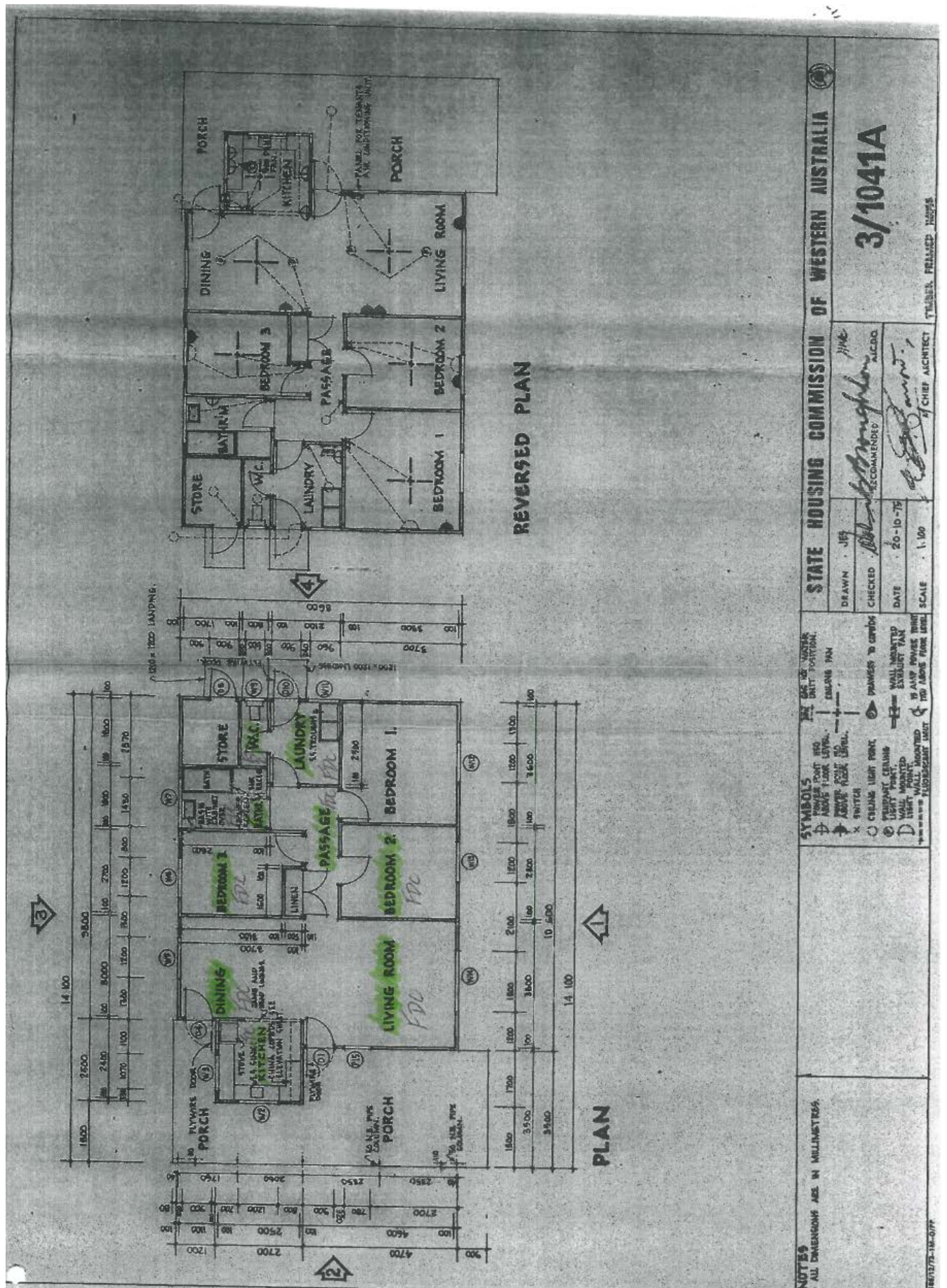
NOTES
ELECTRICITY - 40/200 VOLT A.C. 50 CYCLE

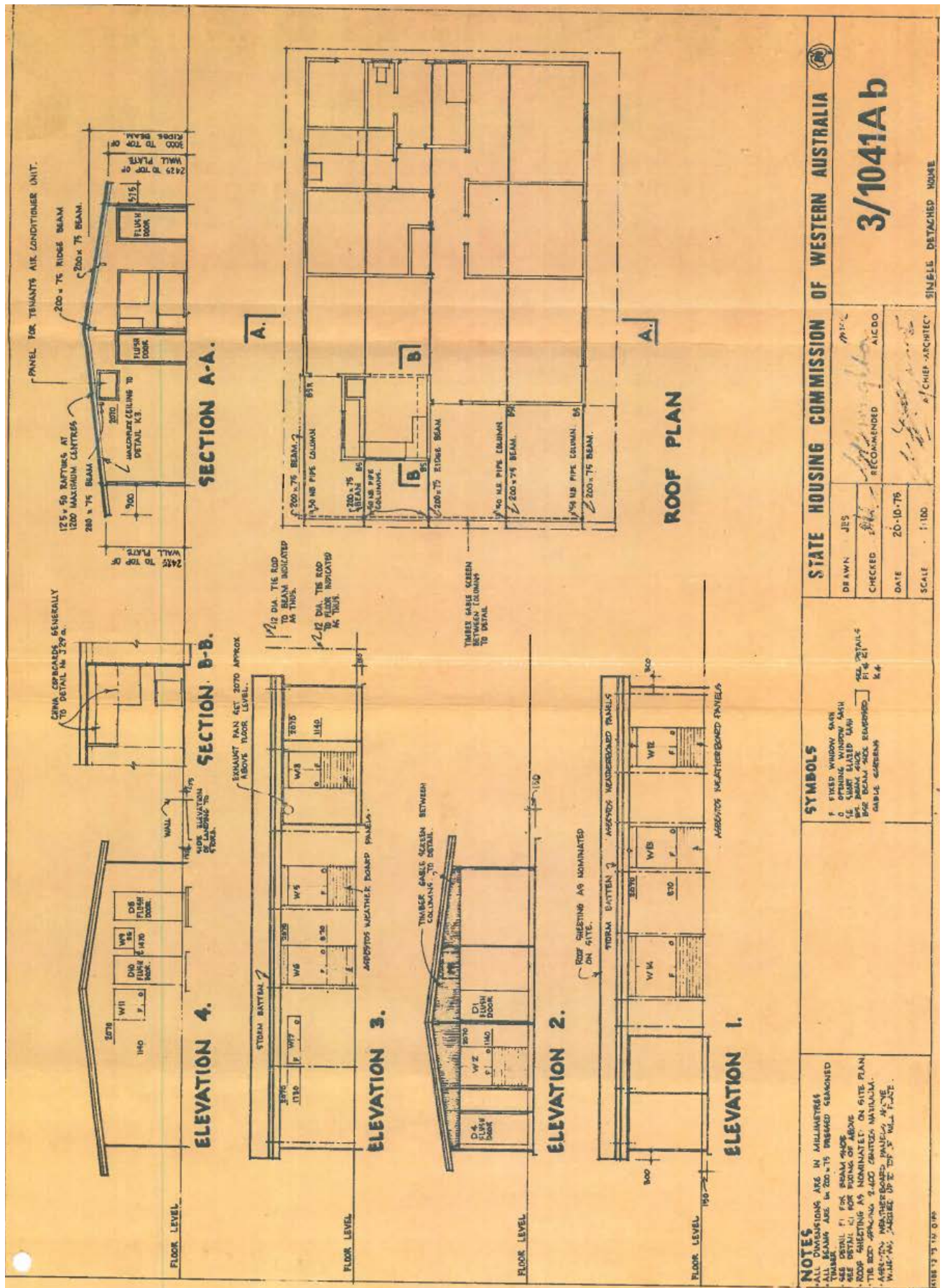
LOT NO	BRICS	ROOF	COLOUR SCHEDULE	MWT NO	GENERAL ITEMS
2214		GC1	4	161	CONSTRUCTION TIMBER FLOORING FOOTINGS ANCHORED BLATT PILING WINDOWS ALUMINIUM DRAINAGE SYPHON STOVES 2.1" GAS H.W. SYSTEM 2.1" GAS ROOM HEATER TIL SOIL SANDY LOAM LEVELS LOT APPROX LEVEL CLEARING LIGHT CLEARING FLOOR HT. 0.300 MINIMUM (CONCRETE SLAB)

THIS PLAN IS PASSED SUBJECT TO APPROVAL BY THE FOLLOWING DEPARTMENTS:
CITY OF SOUTH AUSTRALIA - Port Hedland

SHEET NO. 1 OF 1 SHEETS

2418-12.73 1600-0 PP





NOTES

ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE SPECIFIED.

TRIMMER GABLES ARE TO BE FINISHED WITH TIMBER GABLE SHEETING AS NOMINATED ON SITE PLAN.

TRIMMER GABLES ARE TO BE FINISHED WITH TIMBER GABLE SHEETING AS NOMINATED ON SITE PLAN.

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TRIMMER GABLES ARE TO BE FINISHED WITH TIMBER GABLE SHEETING AS NOMINATED ON SITE PLAN.

SYMBOLS

F FIXED WINDOW SASH

O OPENING WINDOW SASH

W/W WINDOW SASH

W/S WINDOW SASH

W/B WINDOW SASH

W/F WINDOW SASH

W/D WINDOW SASH

W/V WINDOW SASH

W/W WINDOW SASH

W/S WINDOW SASH

W/B WINDOW SASH

W/F WINDOW SASH

W/D WINDOW SASH

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W/V WINDOW SASH

W/W WINDOW SASH

W/S WINDOW SASH

W/B WINDOW SASH

W/F WINDOW SASH

W/D WINDOW SASH

W/V WINDOW SASH

STATE HOUSING COMMISSION OF WESTERN AUSTRALIA	
DRAWN: JES	RECOMMENDED: AICDO
CHECKED: [Signature]	DATE: 20-10-75
SCALE: 1:100	CHIEF-ARCHITECT
3/1041Ab	
SINGLE DETACHED HOUSE	

ATTACHMENT 3 TO ITEM 11.1.3

Change of use application for 9 Brodie Crescent, South Hedland.

The type of business to be carried out at the above property is to be a Family Day Care. The maximum amount of children in my care at any one time will be 7. I will be registered with the CSSU scheme.

There will be one person normally employed and that will be me, Melanie Boardman-Scott.

The days and times of normal business will be 6.00am to 6.00pm, Monday to Friday. However these times may change to meet the needs of the clients. There is a possibility for weekend and overnight care in the future.

The area of the premises to be used for normal business includes the front yard for car parking. Four car parks are available on the grey cracker dust and another two car parks are available on the grassed area. There is also a single carport where I intend on parking my car.

Other areas of the premises to be used for normal business includes the kitchen, living room, dinning room, bedroom 3, bedroom 2, passage, bathroom, toilet, laundry and the fully fenced backyard.

The living room and dinning room area will be used for entertaining and caring for the children. Bedroom 3 and bedroom 2 will be used for entertaining and caring for the children but also maybe used for the children to sleep in. Bedroom 2 maybe used for an office for the family day care. The bathroom, laundry and toilet will be used for caring for the children. The fully fenced backyard will be used for entertaining the children.

At this stage I will be asking the parents / guardians to supply the children's food that will be stored in the fridge in the kitchen. I may in the future apply to council for the full use of my kitchen and supply the children's food myself.

ATTACHMENT 4 TO ITEM 11.1.3

Ryan Djanegara

From: [REDACTED]
Sent: Thursday, 20 February 2014 1:37 PM
To: Ryan Djanegara
Subject: Attention: Ryan Djanegara, Re Proposal for Child Care Facility at 9 Brodie Crescent South Hedland

Dear Ryan Djanegara

Re: My property at [REDACTED] and the proposed Child Care service at 9 Brodie Crescent.

Further to your correspondence dated 7th February 2014, I wish to express my concerns as to why **I definitely do not want a child care facility** for so many children so close to my property. My concerns are:

- My property [REDACTED] is currently Leased out and under the terms of the Lease if they, the tenants make excessive noise, then their Lease is terminated. This would also apply in reverse if there was excessive noise coming from a neighbouring property, the tenant could then terminate their Lease, which would affect my income and ability to pay the mortgage and services charges for the property.
- Some of my tenants are shift workers and so they are sleeping during the day between the proposed hours of 6.00am and 6.00pm, so it would significantly impact on them.
- In the proposal, the maximum amount of children in the one person's care at any one time would be seven children. If the carer has her own children, does this number include them or are they additional to the proposed seven?
- The ages of the children has not been stipulated, does this mean that there could be possibly older children after school between 3.00 and 6.00pm, who would be possibly noisier than preschoolers?
- I would not be so concerned if there was a maximum of two to three children.
- I would also be concerned with the amount of traffic going in and out of the property if there were seven children versus two or three.
- I am concerned that Ms Boardman-Scott has requested to start with seven children and possibly grow it to more, which will impact immensely on the surrounding residential homes.
- How can one person supervise seven children (I assume) of varying ages without creating noise? The name of the centre "Giggles and Games" suggests that there will be a fair amount of noise.
- I am further concerned that as the Day Care property is not purpose built, that it will not be able to cope with the volume of people using it if there were seven children and adults living at the premises, plus more if the number of children is allowed to grow.

As I realise that Child Care facilities are needed, it would be more sensible to have it in an area close to schools, parks and or public facilities. If it is going to be in residential areas, then limit the number to an **average** family size of two or three children, so as not to disturb any of the neighbours.

As a representative of the Town of Port Hedland community I am hoping that you will consider all concerns I have expressed. Thank you for giving me the opportunity to do this and for taking the time to read my response.

Yours faithfully
[REDACTED]

Privacy and Confidentiality Notice

The information contained herein and any attachments are intended solely for the named recipients. It may

ATTACHMENT 5 TO ITEM 11.1.3

Ryan Djanegara

From: FDC <FDC@cssu.org.au>
Sent: Monday, 24 February 2014 11:40 AM
To: Ryan Djanegara
Subject: RE: Concerns for family day care
Attachments: SF01 FDC Service Information.doc; My-Home-My-Business-WEB.pdf; What is Family Day Care.docx; HR04 Residence Assessment Form.docx

Hi Ryan,

Thank you for your support with Family Day Care.

I have attached some material we give out to our interested Educators. I have also answers some of Diane's concerns below.

Please let me know if you require any further information.

Kind Regards,

[REDACTED]
[REDACTED]
[REDACTED]

JD Hardie Complex
Office 9, Cottier Drive, South Hedland
Postal: PO Box 493 Port Hedland WA 6714
M: 0411 087 827
Web: www.cssu.org.au



From: Ryan Djanegara [mailto:po@porthedland.wa.gov.au]
Sent: Thursday, 20 February 2014 4:53 PM
To: FDC
Subject: Concerns for family day care

Hi [REDACTED]

As discussed, please see below the neighbour's concerns:

- *My property at 13 Brodie Crescent is currently Leased out and under the terms of the Lease if they, the tenants make excessive noise, then their Lease is terminated. This would also apply in reverse if there was excessive noise coming from a neighbouring property, the tenant could then terminate their Lease, which would affect my income and ability to pay the mortgage and services charges for the property.*
- *Some of my tenants are shift workers and so they are sleeping during the day between the proposed hours of 6.00am and 6.00pm, so it would significantly impact on them.*
- *In the proposal, the maximum amount of children in the one person's care at any one time would be seven children. If the carer has her own children, does this number include them or are they additional to the proposed seven?*

Under the Education and Care Regulations
Subdivision 2 Family Day Care Services

(2) A family day care educator must not educate and care for more than 7 children at one time.

(3) In determining the number of children for Subregulation

(a) any child who has commenced a secondary programme is not counted; and

(b) the educators own children are counted unless they are excluded by paragraph (a); and

© no more than 5 children may be below the age to attend a pre-primary programme; and

(d) at least one of the children referred to in paragraph © must be a child attending a kindergarten programme.

- *The ages of the children has not been stipulated, does this mean that there could be possibly older children after school between 3.00 and 6.00pm, who would be possibly noisier than preschoolers?*

Family Day Care educators are able to care for children 0 – 12 years

- *I would not be so concerned if there was a maximum of two to three children.*

During school term the maximum amount of children an Educator can have throughout the day is 5 children.

- *I would also be concerned with the amount of traffic going in and out of the property if there were seven children versus two or three.*

The educator has a fenced off back yard which allows parents to park their cars in the front yard of the premise.

- *I am concerned that Ms Boardman-Scott has requested to start with seven children and possibly grow it to more, which will impact immensely on the surrounding residential homes.*

Ms Boardman-Scott is expecting to start with two or three children with the growth to 4 children though out the day. She is also at no stage allowed to operate with more than seven children.

- *How can one person supervise seven children (I assume) of varying ages without creating noise? The name of the centre "Giggles and Games" suggests that there will be a fair amount of noise.*

Educators are given the opportunity to create their own name for their Family Day Care. As it is a business they generally chose a name that will appeal to parents and the community.

Educators are closely monitored with a minimum of a monthly visit and varied spot checks. They are required to adhere to CSSU policy and procedures, Education and Care regulations and Law and the National Quality Standards.

- *I am further concerned that as the Day Care property is not purpose built, that it will not be able to cope with the volume of people using it if there were seven children and adults living at the premises, plus more if the number of children is allowed to grow.*

The purpose of Family Day Care is to have smaller group care with the opportunity for children to grow and learn in a home like setting. Family Day Care is available throughout Australia with this type of care becoming favourable by many families. The Family Day Care scheme ensures that the premise meets the requirements and standards set out in the Education and Care Regulations and Law. This home assessment and any additional works are carried out before the Educator can commence. A copy of the Home assessment is attached.

If you can please help me resolve some of these concerns so that we can make a determination on the application as soon as possible.

[REDACTED]

Thank you.

Regards



Ryan Soerja Djanegara
Senior Statutory Planner
PO Box 41 Port Hedland WA 6721
Ph: (08) 9158 9326 Fax: (08) 9158 9399

SF01



CSSU Family Day Care Service Information

Thank you for your enquiry regarding the Educator registration and membership process of the CSSU Family Day Care (FDC) Service. We are pleased to be able to provide you with information to assist as you consider developing your own home-based child care business within this Service.

Whilst FDC Educators are self-employed, they must operate as registered members of an Approved FDC Service. The legislated child numbers within FDC are up to a maximum of 4 children under the age of 4; plus 1 child attending kindergarten and 2 primary school aged (or a total of 3 primary school aged) children. These numbers include the Educator's own children.

The FDC Service is responsible to:-

- ◆ *Select and register suitable applicants to operate within the Service;*
- ◆ *Assist successful applicants in 'getting started' in FDC;*
- ◆ *Monitor Educators in the ongoing provision of quality care for children;*
- ◆ *Support Educators to meet the requirements of the National Quality Framework (NQF).*

FDC Service Educator Registration and Selection Process:

The fair and equitable process assists the Service to select FDC Educators who will work within the Service philosophy and have the wellbeing of children as their first priority. The following is an overview of the process.

1. Following the initial contact, an Introduction Package will be given outlining 'What is Family Day Care'. Applicant will need to complete a Application for Membership form and submit to the CSSU Family Day Care Scheme.
2. A interview will take place either at the applicants home or the Family Day Care Scheme office. A resume and a minimum of two references will need to be provided.,
3. Applicant will need to pay \$40 for a Home Assessment. If your home does not meet requirements payment will be reimbursed.
4. Membership Package will be given to Applicant.
5. Weekly support to see progress of completing all requirements are given to Applicants from the FDC Service.
6. Applicant to provide the Service with all documents required to legally determine the "fit and proper" person.
7. The FDC Service checks all completed documentation.
8. The FDC home environment is assessed by Service staff as safe, hygienic and appropriately set up for the care of children.
9. Educator receives Resource Package to commence the operation of their own Family Day Care Service

The CSSU FDC Scheme Resource Package will contain the following:-

- ◆ Service Policy and Procedures Manual
- ◆ Service/ Educator Membership Agreement
- ◆ Initial Service Membership of 6 months.
- ◆ National Quality Framework Resource Kit
- ◆ Education and Care Regulations and Law 2012 handbooks.
- ◆ Belonging, Being and Becoming Resource Handbook

SF01



- ◆ Staying Healthy in Childcare Manual
- ◆ Work Templates
- ◆ FoodSafe Manual
- ◆ Poster Procedures for Health, Hygiene and Safety

To operate a successful FDC, applicants require:-

- ◆ An understanding of child development and child behavior management;
- ◆ Practical 'hands-on' experience in caring appropriately for children;
- ◆ A willingness to learn and gain qualifications in child care;
- ◆ A willingness to work within a team environment with the FDC Service staff and parents;
- ◆ Good communication skills;
- ◆ English comprehension skills;
- ◆ Organisational skills;
- ◆ Computer, telephone and email access

Cost of Setting up FDC:

As with any small business, there will be set up costs as well as ongoing costs. The costs of setting up will include any required changes to the home environment as well as costs included within the following lists.

Requirements for FDC Service registration and membership include:-

- A Curriculum Vitae stating relevant qualifications and experience;
- First Aid Certificate.
- Asthma management training;
- Anaphylaxis management training
- National Police Clearance for all persons living in your home 18 years of age and over;
- Working with Children Check.
- Medical Certificate Clearance on Service provided form.
- A statutory declaration of financial capacity
- Two Referees
- Public Liability insurance - \$10M
- Valid child car restraint fitting service check;
- Council approval to run a Child Care Service from home – dependent on Council (Please check with the FDC Service *first*);
- Completion of an accredited Safe Food course (Please check with FDC Service staff)
- Written home owner approval if renting
- Purchase of the Resource Kit
- Suitable toys and equipment
- Child car restraints – as listed in Service Policy Manual;
- A safe and hygienic environment for children;
- Establish a child care environment in which children can explore, experiment and grow;
- Attend Service Orientation Training

The FDC Educator Possible Earning Capacity:-

The current annual average earnings of FDC Educators operating within this Service is \$50,000. We note that annual earning capacity currently ranges between \$28,000 and \$120,000 dependent upon hours worked, fees set and the number of children enrolled with the Educator.

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The 2012/2013 CSSU Family Day Care Scheme Fees:-

- FDC Service Educator Levy = \$35.00 per week;
- FDC Service Parent Levy, paid "per child" = \$1.00 per booked hour of care.
- Annual Fee, to be paid on yearly date of commencement =
1st Year: \$650.00
Consecutive Years: \$350.00

The Benefits of CSSU FDC Scheme Membership include:-

CSSU staff and FDC Educators work within an atmosphere of mutual respect and a collegial framework. The FDC Scheme provides the following:-

- Orientation Training Workshops - guidance and information to assist the FDC Educator in the commencement and successful operation of their service
- All forms required to operate FDC within this Service are provided to the Educator;
- Guidance and support on FDC business management and professional conduct, eg; conducting parent interviews;
- Collegial, regular home visits to support, monitor and resource quality care for children (by appointments and unannounced visits) – initial mentoring visits will occur weekly when the Educator first commences FDC and then visits are *usually* around 1 per fortnight;
- Staff availability at the CSSU Family Day Care Scheme during business hours and after hours;
- Two 'After Hours' Mobile Telephone numbers for use in **emergency situations when children are in care outside Core Hours**;
- Advice, guidance and support in the requirements for Child Care legislation including the Early Year's Learning Framework (part of the National Quality Framework);
- Discussion, advice and support on child development and child management from qualified FDC Scheme staff for Educators and Parents.
- Advice, guidance, resources and support on programming, setting up child centred environments both indoor and outdoor, – one on one support sessions will be organised to assist the Educator;
- A referral service for parents, which also acts as referral to Educators for potential placement of children in care;

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-
- Guidance in the development of the individual Educator's Fee Schedule (the Service operates with a de-regulated fee structure, however individual fees do need to be set within the structure maintained by the Service' *Harmony Family Day Care software program*);
 - Assistance with Educator/ Parent Fee calculations and support in the Commonwealth's requirements for Child Care Benefit and Child Care Tax Rebate;
 - Regular Play-Sessions organised and facilitated by a trained child care worker for the benefit of the children and Educators
 - Toy Library, equipped with a variety of books, puzzles and some construction items to supplement the Educator's own supply;
 - In-service meetings and professional development workshops. Provision of a Training Calendar and information on training opportunities by a CSSU's recognised trained staff.
 - Regular Newsletters distributed *usually* monthly and by email;
 - Opportunities for interactions and to network with other FDC Educators;

*We trust that you have found this information helpful. Once you have read and discussed the information with your family, please recontact **CSSU Family Day Care Scheme** on **0411087827** at the FDC Service to arrange an appointment in your home.*

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WHAT IS FAMILY DAY CARE

Family Day Care is a professional co-ordinated Education and Care service that provides small group care for children aged zero to twelve years in Educator's home environment. Whilst FDC Educators are self-employed, they must operate as registered members of an Approved FDC Service. The legislated child numbers within FDC are up to a maximum of 4 children under the age of 4; plus 1 child attending kindergarten and 2 primary school aged (or a total of 3 primary school aged) children. These numbers include the Educator's own children.

Family Day Care provides care through to school age offering families the flexibility of having all their children cared for in the one home environment. Care is offered during standard hours, before and after school, during school holidays, overnight and weekends. The type of care and hours are optional to the Family Day Care Educator.



Family Day Care Educators respect individual family's backgrounds and understands the key role of parents. Educator's work within a collaborative partnership model that supports children to thrive. Family Day Care Educator's see children's learning as integrated, interconnected and are responsive in enhancing the child's individual strengths and interests. This is achieved by providing a natural learning environment where they can learn through play and exploration within a small group setting.

Family Day Care Service's comply with the states Education and Care Regulations, National Quality Framework and CSSU Policies and Procedures to ensure quality learning environments for all children. Family Day Care is an approved service for Child Care Benefits (CCB) and the Child Care Tax Rebate (CTR).

With CSSU, Family Day Care Educator's are provided with a thorough induction, resource pack, ongoing training, and quality support by trained Qualified Educator's and local FDC network playgroups.

For more information please call the CSSU Family Day Care Scheme Director on 0411087827



HR04



CSSU FDC Service

Residence assessment form for Membership Review

Refer to: Education and Care Services National Law: s.167

Education and Care Services National Regulations: R. 116

EDUCATOR NAME: _____ **DATE:** _____

ADDRESS: _____

Answering 'Yes' to each of the following questions does not guarantee that you will satisfy all the requirements of the environment. If you identify any areas that you need some advice or assistance with these can be discussed with your family day care service.

Questions	YES	N/A <small>Not applicable</small>	NO If you answer NO to any of these questions, please discuss with the family day care service to determine alternative options.	Staff
PHYSICAL ENVIRONMENT Part 4.3, R.103- Education and Care National Regulations				
INDOOR				
Copy of the Building Plan and Site Plan indicating areas to be used by the family day care educator for education and care Refer to R.116				
<i>Windows and Glass- R.117</i>				
All glazed area of the residence accessed by enrolled children is more than 750cm above floor ground level?				
If no, is area glazed with safety glass that meets the WA Safety Glass standards? OR Glazed areas treated with a product that prevents glass from shattering when broken? OR Glazed area guarded by barriers that prevent a child from striking or falling against the glass?				
Exits – Are all doors giving direct access from the place to the street able to be locked and the key stored in a position inaccessible to children?				
Can all doors giving direct access from the place to the street be locked in a manner that does not prevent effective evacuation of the place?				
Are there two (2) exits from the place that are readily accessible and as widely separated as possible?				

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Questions	YES	N/A <small>Not applicable</small>	NO If you answer NO to any of these questions, please discuss with the family day care service to determine alternative options.	Staff
Smoke or fire detectors				
Do you have smoke detectors?				
Are these smoke detectors working?				
Do you frequently test the smoke detectors? How often?				
Do you have a fire blanket or fire extinguisher?				
Kitchen				
Do you have a kitchen equipped with at least the following items?				
.....sink				
.....stove				
.....refrigerator				
.....hot water supply				
.....food preparation and storage facilities				
Are all hazardous materials, objects and items inaccessible to children in the kitchen area?				
Laundry –				
Do you have laundry facilities available?				
Does your laundry area have cupboards that can be locked in which to place dangerous items?				
Are all hazardous materials, objects and items in the laundry area in a locked cupboard?				
Are any personal/hygiene products inaccessible to children?				
Do you have a procedure in place to prevent children access to hot water over 50 degrees?				
Toilet & Hygiene facilities R. 109,116(2)(c)				
Do you have an adult toilet with a firm step and a junior seat?				
Do you have a hand washing area with a firm step to provide access for children?				
Can children easily access the toilet and hand washing area?				

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MEETING THE CHALLENGE

Questions	YES	N/A <small>Not applicable</small>	NO : If you answer NO to any of these questions, please discuss with the family day care service to determine alternative options.	Staff
If you are not to launder nappies at the place, do you have a suitable sealed container for soiled nappies that is inaccessible to children?				
If a child requires nappy changing do you have the use of a changing bench or mat with a washable top?				
General purpose power outlets R. 116(b) Are all general purpose power outlets fitted with:				
An approved integral safety shutters; or				
With an earth leakage circuit breaker [RCD and proof of certification]; or				
Are all general purpose power outlets fitted with safety plugs?				
Telephone or other communication equipment R. 98 Do you have an operating telephone or other similar mean of communication to enable immediate communication to and from parents and emergency services?				
Heating & Fans Are all heaters and fans positioned, installed and operated so they do not pose a risk to children?				
Ventilation & Natural Light R. 110 Is the residence:				
Well ventilated?				
Have adequate natural light?				
Maintained at a temperature that ensures the safety and wellbeing of children?				
Storage of tools and dangerous Materials Are your tools stored and locked away in a place inaccessible to children?				
Are guns and ammunition stored in separate locked cabinets which are inaccessible to children?				
Furniture R.105 Do you have adequate furniture to meet the				

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Questions	YES	N/A <small>Not applicable</small>	NO If you answer NO to any of these questions, please discuss with the family day care service to determine alternative options.	Staff
physical and developmental needs of children that may attend your service for up to 4 children? (check Services toy & equipment list)				

Questions	YES	N/A	NO If you answer NO to any of these questions, please discuss with the family day care service to determine alternative options.	Staff
Outdoor				
Natural environment. R.113 Do you have sufficient outdoor space for children to explore and experience the natural environment?				
If you do not have sufficient space to undertake the above, do you have close access to a safe park area?				
Shade –R.114 Does your outdoor play area have adequate shade to protect children from overexposure to ultraviolet radiation from the sun?				
Swimming pools & bodies of water R. 116(2)(d) Risk Assessment Required If you have a swimming pool at your place is it separated from all parts of your place, including outdoor playing space, by an enclosure that complies with the requirements of the <i>Building Regulations 1989 Part 10</i> ?				
If your enclosure consists of either a door or window is it locked, or secured?				
Can the gate of the swimming pool be locked and key stored inaccessible to children but accessible to an adult?				
Do you have procedures that ensure the direct supervision of enrolled children engaged in water play such as wading, paddling or water trolley at the residence?				
Fencing & Gates- R.104 Is your place enclosed by a fence, gate or barrier with the height or design that prevents pre-school children or younger from getting through, over or under 1.2m minimum height (refer also to Supervision)				



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Are all your gates leading off the premises or to a hazard fitted with an effective locking/latching mechanism?				
Is the key accessible to adults but not accessible to children?				
Playground equipment R.103 Is your outdoor play equipment safe and does not pose a hazard to children because of its design, manufacture, installation or use?				
Questions	YES	N/A	If you answer no to any of the questions, please discuss with the FDC service to determine alternative options	Staff
Is your outdoor equipment maintained in good condition?				
Plants If you have any poisonous vegetation at the residence? Refer to Kidsafe Factsheet 'Poisonous Plants' www.kidsafewa.com.au/factsheets.htm				
Have you made sure any poisonous vegetation is not accessible to children?				
Pets R.116,(2)(c) If you have any animals or birds on your premises, are they clean and healthy?				
Does your animal or bird have an area where it can be kept separate and apart from the children?				
Trampolines If you are planning to use a trampoline, do you have a procedure in place that ensures any enrolled child who is using a trampoline is directly supervised by you?				
First aid kit R.89 Have you got a first aid kit that at least includes the following items? <ul style="list-style-type: none"> • a triangular bandage • a crepe bandage • an adequate variety of sterile wound dressings • a resuscitation face shield • a notebook and pencil • scissors 				

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<ul style="list-style-type: none"> disposable gloves. 				
<p>Dangerous and toxic products Are your cleaning supplies, medicines batteries and other toxic materials:</p> <ul style="list-style-type: none"> clearly identified? in a place that is inaccessible to children? <p>EXAMPLE: Medicine, paints, alcohol, turpentine, batteries, glues, pesticides, detergents, cement, disinfectants and fertilisers.</p>				

Questions	YES	N/A	If you answer no to any of the questions, please discuss with the FDC service to determine alternative options	Staff
Are flammable materials at the place stored separately from anything that could constitute or is likely to constitute a fire hazard?				
Cleanliness, maintenance and repair of place				
Is your residence free of rodents, cockroaches and other vermin?				
Is your outdoor play area free from hazardous material?				
Is your place and all equipment and furnishings: <input type="checkbox"/> safe? <input type="checkbox"/> clean? <input type="checkbox"/> in good repair?				
OPERATING PROCEDURES				
Education and Care program R.73				
Do you have examples and ideas for programs of activities that may suit the developmental needs of the children that may attend your service?				
Do your examples and ideas for programs include: <input type="checkbox"/> a balance of indoor & outdoor experiences? <input type="checkbox"/> experiences that meet the play and relaxation needs of children? <input type="checkbox"/> experiences that a child may choose to participate in? <input type="checkbox"/> experiences that stimulate and provide for the development of children's social,				



HR04



cultural, physical, emotional, intellectual, language and creative potential?				
Do you have a place to display your programs in a prominent position in the indoor playing area?				
Are your ideas for the program based on assessments of each child's developmental needs, interests, experiences and participation in the education program documented?				
Can you document a child's progress?				
Do you feel comfortable in writing and communication in English?				
Questions	YES	N/A	If you answer no to any of the questions, please discuss with the FDC service to determine alternative options	Staff
Could you explain to parents about the developmental progress of their child should they request this information?				
Menu R80 Have you displayed a weekly menu that accurately describes the food and beverage to be provided each day?				

Staff Signature

Date



ATTACHMENT 6 TO ITEM 11.1.3

Ryan Djanegara

From: [REDACTED]
Sent: Thursday, 27 February 2014 3:59 PM
To: Ryan Djanegara; Records
Subject: Re Family Care facility at 9 Brodie Crescent South Hedland

Good afternoon Ryan

Re Family Care facility at 9 Brodie Crescent South Hedland.

I have read the documentation you received [REDACTED] and forwarded on to me, but I will require further information from the references EYLF p15-16 and NQS 3.1 in regards to outdoor play. I can't see where there is any information about monitoring noise levels so as not to disturb surrounding neighbours however it may be in these clauses.

[REDACTED] told me that because of the hot climate in Port Hedland, it is not conducive to children playing out of doors and it probably wouldn't happen, but on reading the booklet "My Home My Business", playing outside would definitely form a big part of the children's curriculum.

Ryan it would be appreciated if you could clarify these points as **I do not agree** with the proposal of allowing a Family Day Care facility to be based at the residential property, 9 Brodie Crescent South Hedland catering for up to **seven children** because of the impact it will have on the neighbouring properties, including my own.

Regards
[REDACTED]

11.1.4 Re-Consideration to Delegate Authority to Approve / Decline Multiple Dog Applications under the Dog Act 1976 (File No 19/09/0001)

Officer Peter Wilden
Coordinator Rangers

Date of Report 6 February 2014

Disclosure of Interest by Officer Nil

Summary

A report on this matter was originally submitted to Council in August 2013 for Council to consider delegating power to the Chief Executive Officer (CEO) to determine multiple dog applications under the Dog Act (the Act) 1976. The officer's recommendation was carried by absolute majority and the item was passed.

A review of the report has identified that recent delegation amendments to the Dog Act 1976 were not included in the original item to Council which better serve the delegation process from Council to the CEO. In the interests of improved governance process this updated agenda item is submitted for further consideration.

Since the original item was passed in August 2013 the CEO has not determined any applications to keep multiple dogs.

Background

The Towns Ranger Services receives a number of multiple dog applications (more than 2 dogs to a maximum of 6) throughout any given year which previously were submitted to Council for determination.

Any application needs to be considered in compliance with Section 26 of the Act which outlines the administrative requirements when determining applications.

Consultation

Nil

Statutory Implications

The Dog Act 1976 States:-

10AA. Delegation of local government powers and duties

(1) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, delegate to its chief executive officer any power or duty of the local government under another provision of this Act.

- (2) *The delegation must be in writing.*
- (3) *The delegation may expressly authorise the delegate to further delegate the power or duty.*
- (4) *A local government's chief executive officer who is exercising or performing a power or duty that has been delegated as authorised under this section, is to be taken to do so in accordance with the terms of the delegation unless the contrary is shown.*
- (5) *Nothing in this section limits the ability of a local government's chief executive officer to perform a function through an officer or agent.*

Part V — The keeping of dogs

S 26. Limitation as to numbers

- (1) *The provisions of this Part shall not operate to prevent the keeping on any premises of 2 dogs over the age of 3 months and the young of those dogs under that age.*
- (2) *Subject to subsection (1), a local government, pursuant to local laws, may limit the number of dogs over the age of 3 months, or the number of such dogs of any specified breed or kind, that may be kept on any premises situate in a specified area to which those local laws apply unless those premises are licensed as an approved kennel establishment or are exempt.*
- (3) *Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —*
 - (a) *may be made subject to conditions, including a condition that it applies only to the dogs specified therein;*
 - (b) *shall not operate to authorise the keeping of more than 6 dogs on those premises; and*
 - (c) *may be revoked or varied at any time.*
- (4) *Subject to the provisions of subsection (3), a person who keeps on any premises, not being premises licensed as an approved kennel establishment, dogs over the age of 3 months in numbers exceeding any limit imposed in relation to those dogs by a local law made under subsection (2) commits an offence.*

Penalty: \$1 000 and a daily penalty of \$100.

- (5) *Any person who is aggrieved —*
- (a) *by the conditions imposed in relation to any exemption from the provisions of a local law placing a limitation on the number of dogs that may be kept on any premises; or*
 - (b) *by the refusal of a local government to grant such an exemption, or by the revocation of an exemption,*
- may apply to the State Administrative Tribunal for a review of the decision.*
- (6) *An application under subsection (5) cannot be made later than the expiry of a period of 28 days after the day on which a notice of the decision is served on the person affected by that decision.*

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Nil

Officer's Comment

A review of the current process has been instigated so as to provide a better level of customer service by determining applications in a timely manner and effectively reducing the workload on Council.

Attachments

Nil

201314/276 Officer's Recommendation/ Council Decision

Moved: Cr Van Vugt

Seconded: Cr Taylor

That Council in accordance with section 10AA of the Dog Act 1976 delegate authority to the Chief Executive Officer to determine multiple dog applications in accordance with section 26 of the Dog Act 1976 (Limitation as to numbers).

CARRIED BY ABSOLUTE MAJORITY 8/0

11.1.5 *Proposed Final Adoption of Scheme Amendment 66 to the Town of Port Hedland Town Planning Scheme No.5: Rezone Lot 2940 Coppin Place, South Hedland from Other “Public Purposes – Water and Drainage” to “Urban Development”. (File No.: 18/09/0080)*

Officer Ryan Djanegara
Senior Statutory Planner

Date of Report 20 February 2014

Disclosure of Interest by Officer Nil

Summary

The Ordinary Council Meeting on 23 October 2013, resolved to initiate a request from Whelans on behalf of Horizon Power to amend the *Town of Port Hedland Town Planning Scheme No. 5* (TPS5) by rezoning Lot 2940 Coppin Place, South Hedland (subject site) from “Other Public Purpose – Water and Drainage” to “Urban Development”. (ATTACHMENT 1)

Council is requested to support the Town’s officer’s recommendation to adopt Scheme Amendment 66, without any modifications.

Background

The “subject site” measures 10,158m², and has been vacant for a number of years. In terms of the *Port Hedland Town Planning Scheme No 5*, the property is currently reserved for “Other Public Purpose – Water and Drainage” (ATTACHMENT 2).

As part of the consultation process required by the *Town Planning Regulations* the proposed Scheme Amendment was forwarded to a number of agencies as well as the Town’s internal unit which may require the use of albeit only a portion of the land for infrastructure purposes i.e. stormwater drainage, water, sewer and power.

The *Port Hedland Town Planning Scheme No 5*, (cl 3.2.3) identifies that any property zoned “Urban Development”, may only be developed where:

- “(a) a Development Plan has been adopted for the subject land and the development is in accordance with the plan.”
- (b) Council has resolved that a Development Plan is not required.”

The servicing agencies as well as the Town’s Infrastructure Development Unit have confirmed the entire 10,158m² will not be required for infrastructure purposes, and that any infrastructure matters will be dealt with through the preparation of a Development Plan.

Consultation

Consultation has been undertaken as per the requirements of the *Planning and Development Act 2005* and *Town Planning Regulations 1967*, follows:

- North West Telegraph
- Council Website
- Written notification to surrounding landowners (ATTACHMENT 2)
- Written notification to the following agencies:
 - Water Corporation
 - Telstra
 - Optus
 - Main Roads WA
 - Pilbara Cities
 - Horizon Power
 - Department of Water

Should Council approve the Town's officer's recommendation, as part of the documentation submission requirements to the Department of Planning (DoP) the Town is required to provide a "*Schedule of submissions*".

This provides the DoP a summary of any submissions received and is attached as (ATTACHMENT 3).

Statutory Implications

The *Planning and Development Act 2005* and the *Town Planning Regulations 1967*, provides Council the authority to amend its Local Planning Scheme and establishes the procedure required to make this amendment.

Policy Implications

10/001 – Existing Trees

"Pundal trees shall not be removed without prior consent of Council". The landowner will be made aware of this policy, and will be required as part of the preparation of the Development Plan provide the Town will a plan to either:

- a. a plan showing how the any Pundal Trees will be included into public areas i.e Public Open Space and or as verge trees, or
- b. a plan on how and where the existing Pundal Trees will be relocated to.

Council will then through the Development Plan process be given an opportunity to review the landowner's intention with the Pundal Trees.

Strategic Planning

Strategic Community Plan 2012 – 2022:

The following section of the Strategic Community Plan 2012 – 2022, is considered by the Town's Officers to be compliant with the intent of this document.

6.3 Environment

6.3.1 Housing

Address housing shortage & affordability through using Council held land, providing high quality modular construction, providing incentives and other forms of inducement to deliver housing by 2013.

Pilbara's Port City Growth Plan

The proposed scheme amendment is considered to be compliant with the section below of the "Pilbara's Port City Growth Plan", for the following reasons:

- a. The land has been vacant for a number of years and is not required in its entirety for infrastructure services. The rezoning of the land will allow either a state agency or a private developer to develop the land for residential land uses.

5.6.12 Precinct 12 – South Hedland East

Precinct Plan summary

Significant on-going infill/redevelopment of residential land.

Implementation Indicators

Key immediate land release sites being progressed by the private sector and not-for-profit organisations

Precinct Highlights

1. Immediate term housing supply opportunity

Budget Implications

The applicant has paid the prescribed fee of \$9,758.60 as per the Town's Schedule of Fees and Charges.

Officer's Comment

The adoption of the Scheme Amendment will be in line with the intentions and direction provided by the Towns strategic documents i.e.

- Strategic Community Plan, and
- Port City Growth Plan.

As per *cl 3.2.3 of the Port Hedland Town Planning Scheme No 5*, and as included in the Town's officer's recommendation a development plan will be required to be prepared and approved by both Council and the Department of Planning.

The landowner will as part of the preparation the development plan be required to address all requirements as noted in *appendix 6, of the Port Hedland Town Planning Scheme No 5*".

Clause (i) of *appendix 6, "All development plans shall address the following matters"*, which reads as follows, will ensure the existing Pundal Trees located on the lot will be addressed as approved by Council.

"landform, topography, landscape, vegetation and soils of the area."

Attachments

1. Scheme Amendment 66 Report (Under Separate Cover)
2. Locality / adjoining owner consultation
3. Schedule of Submissions.

Options

Council has the following options when considering the matter:

1. Adopt Scheme Amendment 66.

The adoption of the scheme amendment will be in keeping with the guidance of the Town's strategic documents.

2. Refuse adoption of Scheme Amendment 66.

This would not be in line with the guidance of the Town's strategic documents.

Option 1 is recommended.

201314/277 Officer's Recommendation/ Council Decision

Moved: Cr Hunt

Seconded: Cr Melville

That Council:

1. Pursuant to Part 5 of the *Planning and Development Act 2005* adopt, without modification, Scheme Amendment No.66 to Town Planning Scheme No. 5.;
2. Authorise the Mayor and Chief Executive Officer to execute three (3) copies of the amendment documents in accordance with the *Town Planning Regulations 1967 (as amended)* including the fixing of the Council's common seal;

- 3. Forward three (3) copies of the approved scheme amendment and associated documentation to the Western Australian Planning Commission;**
- 4. Notify the applicant with regard to *cl 6.4.2* of the *Port Hedland Town Planning Scheme No. 5*, Council requires a development plan to be submitted and approved prior to any development taking place; and**
- 5. Advice the landowner in addition to the requirements of *Appendix 6 Matters to be addressed by development plans*, the development plan is to include a detailed relocation plan prepared by a suitably qualified arborist for the existing Pundal Trees located on the Lot.**

CARRIED 8/0

ATTACHMENT 3 TO ITEM 11.1.5

Schedule of Submissions

Correspondent	Comment Summary
Agencies and Service providers	
Main Roads Western Australia	No objection
Water Corporation	Water and wastewater mains are located in Coppin Place and hence Lot 2940 can be serviced. Upgrade of local components of the system may be required and are to be negotiated with the Water Corporation at building application stage. The upgrade will be at the developer's cost.
Department of Water	<p>Flood Risk:</p> <p>According to the Port Hedland Coastal Vulnerability Study and the South Hedland Drainage Study, the site is not impacted by the 100 year flood level.</p> <p>Stormwater Management:</p> <p>A future development plan for the site should consider water management on the site, specifically stormwater management and drainage.</p>
Horizon Power	No objection
Pilbara Cities	No objection
Telstra	No response
Optus	No response
Adjoining Property Owners – No Objections Received	
Foundation Housing	Lots: 1818, 1819, 8, 229 Kennedy Street, Lots: 2247, 2250, 2253, 2254, 2255, 2257 Stanley Street, Lots 235, 234 Coppin Place Lot 239 Lapwing Way
Harrington	Lot 350 Stanley Street
Edgecombe	Lot 2256 Stanley Street
Beaton	Lot 2248 Stanley Street
Nance	Lot 358 Stanley Street
Coppola	Lot 1826 Kennedy Street
Carter	Lot 7 Kennedy Street
Sheehan	Lot 1823 Kennedy Street
Petkoviski	Lot 1821 Kennedy Street
Dept of Training & Workforce	Lot 551, 5954, 552 Parker Street
Anderton	Lot 1817 Kennedy Street
Bright	Lot 1822 Kennedy Street
Hitachi Pty Ltd	Lots 1824, 228 Kennedy Street
Van Den Bos	Lot 351 Stanley Street

Magyar	Lot 1820 Kennedy Street
Huang	Lot 1825 Kennedy Street
Carter	Lot 1827 Kennedy Street
Clement	Lot 2249 Stanley Street
Hearn	Lot 321 Stanley Street
Eastern Pilbara	Lot 5954 Kennedy Street
Franklin	Lot 230 Kennedy Street
Ellis	Lot 231 Kennedy Street
Dampier Salt	Lot 232 Kennedy Street
Housing Authority	Lot 233 Coppin Place
Artie	Lot 238 Lapwing Way
Dimech	Lot 225 Kennedy Street
Emery	Lot 226 Kennedy Street
Bass	Lot 227 Kennedy Street
Smith	Lot 240 Lapwing Way
Bayriver Pty Ltd	Lot 241 Lapwing Way
Gavalas	Lot 242 Lapwing Way
Japela Pty Ltd	Lot 100 Lapwing Way

11.1.6 *Proposed Initiation of Scheme Amendment No. 69 to the Town of Port Hedland Town Planning Scheme No.5: Rezone Portion of Lot 5007 Counihan Crescent, Port Hedland from “Rural” to “Urban Development”. (File No.: 18/09/0083)*

Officer Ryan Djanegara
Senior Statutory Planner

Date of Report 24 February 2014

Disclosure of Interest by Officer Nil

Summary

The Town has received a request from RPS Australia East Pty Ltd on behalf of Landcorp to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5 (TPS5)* by rezoning a portion of Lot 5007 Counihan Crescent, Port Hedland (subject site) from “Rural” to “Urban Development”.

Council is request to supported the Town’s officers recommendation to initiate the proposed amendment subject to conditions.

Background

Site Description

The subject site is located within the Pretty Pool suburb and is accessible via Counihan Crescent, Panjya Parade and Dowding Way. The proposed scheme amendment area comprises of 3.41ha and is currently zoned “Rural”.

Previous Scheme Amendment No. 14

The Ordinary Council Meeting of 24 April 2007, resolved to initiate Scheme Amendment No. 14 to rezone 36ha of land within Pretty Pool area from “Rural” to “Urban Development”.

The Environmental Protection Authority (EPA) then advised a formal environmental assessment would be required due to the proximity of “Stage 3” to the flatback turtle nesting beach and potential impacts of light on the flatback turtles.

The applicant modified the proposed amendment as a result of the EPA requirement, excluding the subject portion of “Stage 3” area from the proposed amendment.

The Special Council Meeting on 16 October 2007, resolved to accept the modification by the exclusion of the subject portion of “Stage 3” to allow the remaining portion to be rezoned.

Previous Scheme Amendment No. 20 (Withdrawn)

The Ordinary Council Meeting of 28 May 2008, resolved to initiate Scheme Amendment No. 20 to rezone the subject portion of "Stage 3" from "Rural" to "Urban Development".

The Environmental Protection Authority (EPA) determined the proposed amendment would not be able to meet the EPA's objectives for the flatback turtles and stated the environmental issues pertaining to the Amendment could be resolved. The amendment was subsequently withdrawn.

Infrastructure and Environmental Implications

The proposed amendment, should it be finally adopted by Council, will require the preparation of a Development Plan. The initiation request by the applicant has provided the following service infrastructure and environmental reports:

- Engineering and Geotechnical Investigation and Assessment Report (summary)
 - Site Classification
 - The site is likely to be in sand condition with clay layer at depth between 6m to 8m, shallow clay layer was encountered to the south of the site toward Four Mile Creek, in this case, a classification of Class S may be appropriate.
 - Earthworks Pad Levels
 - It is anticipated the optimal range of pad levels is between RL 9m and 10.5m and should be adopted for this site.
 - Wastewater
 - Pretty Pool catchment will ultimately be redirected to future pump station as part of the Water Corporation planning. This will not affect immediate development.
 - Water Supply
 - It is anticipated the development will be serviced by extension of the existing mains.
 - Power Supply
 - There has been significant development in this area and as such it is believed the available capacity to supply additional development is likely to be limited.

- Drainage
 - Stormwater will be conveyed by kerb gutter to kerb opening and discharged into surrounding bushland and beaches for minor event (10 year Annual Rainfall Interval (ARI)). For major event (100 year ARI above) stormwater inundation is expected in roads for a period of time with property remaining above the 500 year ARI event

- Traffic Assessment Report
 - The development of Stage 3, Pretty Pool, can be expected to generate an additional 630 vehicle movements per day to the local road network
 - Assessment of the forecast traffic increases shows that the development will have no significant traffic impact to the regional road network (Wilson Road)
 - The assessment indicates that an impact to Cooke Point Drive and Styles Road will occur, as the forecast increases are greater than 5% of the current daily traffic flow. However, the impacts are not severe and neither road will operate in a manner contrary to current expectations. Good levels of Service are maintained to the external road network
 - Analysis of externally affected intersections indicates that the development stage 3 will have minimal impact to current intersection operations. All intersections are forecast to operate with good levels of service
 - Internally to Pretty Pool, the development of Stage 3 will not result in any street operating in a manner contrary to its classification under the Liveable Neighbourhoods hierarchy.
 - It is concluded that the development of Stage 3 will have no detrimental traffic impact.

- Environmental Assessment Report
 - The applicant has undertaken comprehensive environmental investigations and scenario modelling to review the Stage 3 area. Some of the investigations that had been undertaken include:
 - Baseline Light Monitoring and Turtle Management Plan Audit Report
 - Local and regional Flatback Turtle review
 - Baseline Light Monitoring and Turtle Management Plan Audits
 - 3D Line of Sight modelling to validate TPS amendment area and inform building heights.

- Based on the above investigations, the applicant has proposed an additional set of planning and environmental controls as part of the amendment to appropriately manage/mitigate potential impacts on the turtles and coastal processes, including building heights and management plans. These controls will be reviewed and scrutinised by the EPA, as part of the Scheme Amendment process and will be listed under Appendix 10 being the conditions for that site.

Consultation

Should Council resolve to support the Town's officers recommendation for initiation, the scheme amendment documentation including all attachments will be submitted to the Environmental Protection Authority (EPA) for assessment pursuant to Section 81 of the *Planning and Development Act, 2005*.

Dependant on the assessment outcome by the EPA the proposed scheme amendment will be advertised as *Town Planning Regulations 1967*, as follows:

- Locally distributed newspaper
- Registered letters to all adjoining properties within 100m radius
- Site notice will be placed on the site
- Notice will be placed on the information board at the Civic Centre office.

Statutory Implications

The *Planning and Development Act 2005* and the *Town Planning Regulations 1967*, provides Council the authority to amend its Local Planning Scheme and establishes the procedure required to make this amendment.

Policy Implications

State Planning Policy 2.6 - State Coastal Planning Policy

State Planning Policy 2.6 - State Coastal Planning Policy (SPP2.6) provides guidance for decision making within the coastal zone including the establishment of foreshore reserves; managing development and land use change and to protect, conserve and enhance coastal values. Given the site's proximity to the coast, proposals for the Pretty Pool Stage 3 area are required to demonstrate compliance with the policy provisions, including the establishment of coastal setbacks accounting for potential long term physical coastal processes (erosion, sea level change, storm events etc.).

The applicant engaged coastal engineers, MP Rogers and Associates as part of the environmental investigations, to review the initial development footprint of the site against the guidance provisions of SPP2.6. The assessment identified the required coastal setbacks for the subject site, which has reduced the development footprint from 5.1 ha to 3.41 ha.

Strategic Planning Implications

Strategic Community Plan 2012 – 2022

The following section of the Strategic Community Plan 2012 – 2022, is considered by the Town's Officers to be compliant with the intent of this document.

6.3 Environment

6.3.1 Housing

Address housing shortage & affordability through using Council held land, providing high quality modular construction, providing incentives and other forms of inducement to deliver housing by 2013.

6.3.4 Environment

The Town's pro-development position will have facilitated industry and town growth, while preserving and celebrating the unique environmental assets.

Pilbara's Port City Growth Plan

The proposed zoning "Urban Development" is considered to align with the guiding principles of the Pilbara Port City Growth Plan and will necessitate the preparation of a development plan. It will be during the preparation of the development plan that densities will be justified for the proposed development.

The Pilbara's Port City Growth Plan", provides guidance on the consideration of the density of the area being Residential – Medium Density (R40 – R80) which will enable the construction of apartment, townhouse and villa style developments.

5.6.2 Precinct 2 – East End Urban Village

Precinct Statement

The East End Urban Village is Port Hedland's primary residential area. The area, encompassing Cooke Point and Pretty Pool, offers significant housing density and diversity together with sport and recreation opportunities, and school and community facilities. At its core is a retail and mixed use village offering a range of local convenience as well as dining and entertainment choices. Strong links to the coast and mangrove environs have been established offering residential and visitors alike a closer connection with the landscape.

Budget Implications

The applicant has paid the prescribed fee of \$9,758.60 in accordance with the Town's Schedule of Fees and Charges.

Officer's Comment

Proposed Scheme Amendment No. 69 (Attachment 1)

Acknowledging the previous concerns raised by the EPA for Scheme Amendments 14 and 20, the applicant has undertaken comprehensive environmental investigations and scenario modelling for the subject Stage 3 area.

Based on these investigations, the applicant has submitted the current request to initiate a scheme amendment by rezoning a smaller portion of the Pretty Pool Stage 3 area (approximately 3.41ha) from "Rural" to "Urban Development" which will include additional sections to TPS5.

Urban Development Zone

In terms of the *Port Hedland Town Planning Scheme No 5, (cl 3.2.3)* any property zoned "Urban Development", may only be developed where:

- "(a) a Development Plan has been adopted for the subject land and the development is in accordance with the plan."*
- (b) Council has resolved that a Development Plan is not required."*

The purpose of the "Urban Development Zone" as noted in clause 6.4 of the Town Planning Scheme is to identify land where detailed planning and the provision of infrastructure is required prior to the further subdivision and development of the land.

The detailed planning is to be done through the preparation of a Development Plan. Such plan is to address all the matters outlined in Appendices 6 and 10 of the Port Hedland Town Planning Scheme No. 5.

Therefore, should Council resolve to initiate the scheme amendment as requested the Site may not be developed until such time as Council has adopted a Development Plan over the area.

Modify scheme amendment text (Appendix 10)

The applicant has proposed to include additional planning and environmental conditions in Appendix 10 of the Scheme. These additions have been reviewed and are supported by the Town's Officers subject to minor modifications.

The proposed wording is recommended to be included:

No.	Description of Land	Conditions
Pretty Pool 3	Lot 5007 Counihan Crescent.	... The permissibility of uses for the land use categories shown in the Development Plan shall accord with the appropriate zoning in the zoning table, with the exception of 'single house' which will require planning approval, with development to be in accordance with the Detailed Area Plan / Design Guidelines adopted by Council.

The purpose of the modification would be to ensure the proposed additional text provisions reflect the proposed amendment. The modifications would read as follows:

No.	Description of Land	Conditions
Pretty Pool 3	<u>Portion of</u> Lot 5007 Counihan Crescent.	The permissibility of uses for the land use categories shown in the Development Plan shall accord with the appropriate zoning in the zoning table, with the exception of 'single house' which will require planning approval, with development to be in accordance with the Detailed Area Plan / Design Guidelines adopted by Council. <u>Notwithstanding section 4.1.3 (f) of the Town Planning Scheme No. 5, a 'single house' does require planning approval.</u>

These changes reflect the Scheme Amendment area, and should clarify the requirement for a "single house" to require a planning approval to ensure the environmental and planning conditions are enforced on the future development of the site.

Options

Council has the following options when considering the matter:

1. Initiate the Scheme Amendment with modifications.

The initiation of the Scheme Amendment with the modifications requested will ensure the proposed amendment is consistent with the intention of the environmental recommendations and planning approvals being required for a “single house”.

2. Initiate the Scheme Amendment without modifications.

The initiation of the Scheme Amendment is in line with the vision of the Pilbara Port City Growth Plan, and will allow the site to be considered for future development for housing opportunities.

3. Refuse to initiate the Scheme Amendment

The refusal to initiate the Scheme Amendment would result in the land remaining vacant and undevelopable.

Option 1 is recommended.

Attachments

1. Scheme Amendment Documentation (Under Separate Cover)

Officer’s Recommendation

That Council:

- A. Request the following modifications to Appendix 10 table of the proposed Scheme Amendment as follows:

- i. The description of land to include “portion of”; and
- ii. Condition ii to be reworded from:

“The permissibility of uses for the land use categories shown in the Development Plan shall accord with the appropriate zoning in the zoning table, with the exception of 'single house' which will require planning approval with development to be in accordance with the Detailed Area Plan / Design Guidelines adopted by Council.”;

and shall be replaced as follows:

“The permissibility of uses for the land use categories shown in the Development Plan shall accord with the appropriate zoning in the zoning table, with development to be in accordance with the Detailed Area Plan / Design Guidelines adopted by Council. Notwithstanding section 4.1.3 (f) of the Town Planning Scheme No. 5, a 'single house' does require planning approval.”

- B. Subject to (A) above being received and pursuant to Part 5 of the Planning and Development Act 2005, initiate Scheme Amendment No.69 to the Town of Port Hedland Town Planning Scheme No.5 to:
 - 1. Rezone portion of Lot 5007 Counihan Crescent, Port Hedland from “Rural” to “Urban Development”;
 - 2. Amend the Scheme Text Appendix 10 to include the following additional text:

No.	Description of Land	Conditions
Pretty Pool 3	Portion of Lot 5007 Counihan Crescent.	<p>Subdivision and development of the land shall be in accordance with the requirements of Development Plan(s) approved by the Town of Port Hedland and adopted by the Western Australian Planning Commission.</p> <p>The permissibility of uses for the land use categories shown in the Development Plan shall accord with the appropriate zoning in the zoning table, with development to be in accordance with the Detailed Area Plan / Design Guidelines adopted by Council. Notwithstanding section 4.1.3 (f) of the Town Planning Scheme No. 5, a 'single house' does require planning approval.</p> <p>The Development Plan is to set clear 'Building Height Limitation Areas' across the site, and provide detailed guidance with regard to the location, placement and design of street lights based on detailed consideration and assessment of potential light spill impacts on turtle nesting areas over a 100 year planning period.</p> <p>Prior to ground disturbing activities, a Turtle Management Plan shall be prepared and approved to the specification and satisfaction of the Town of Port Hedland and the Department of Parks and Wildlife, consistent with the Environmental Assessment Guidelines No.5: <i>Environmental Assessment Guideline for Protecting Marine Turtles from Light Impacts</i> three-staged approach.</p> <p>The Turtle Management Plan shall incorporate:</p> <ul style="list-style-type: none"> A description of the turtle species, turtle nesting locations, and key environmental factors relating to marine turtle nesting habitat requirements; A prediction of impacts on marine turtles from the development, including lighting and human disturbance of nesting females and hatchlings;

	<p>Design guidelines for reducing light emissions;</p> <p>Protection of turtle populations and habitat areas through measures to restrict disturbance and access, including fox control;</p> <p>Details of a community education and awareness program to be established;</p> <p>Details of the turtle monitoring and reporting program for the Pretty Pool nesting population to be established in collaboration with the Care for Hedland Environmental Association;</p> <p>Annual compliance auditing and reporting arrangements for the Turtle Management Plan.</p> <p>Identification of Turtle Management Plan implementation, monitoring and management responsibilities, including contingency measures to be implemented in the event that monitoring indicates that turtle management is unsatisfactory;</p> <p>Strategies to collaborate with relevant stakeholders in relation to turtles in the region; and</p> <p>Any other matters deemed relevant by the Town of Port Hedland and/or Department of Parks and Wildlife.</p> <p>The Turtle Management Plan is to be implemented in conjunction with the Development Plan prepared for Lot 5007. Certificates of Title will not be issued until such time as the Turtle Management Plan has been prepared and adopted by the Town of Port Hedland and the Department of Parks and Wildlife.</p> <p>Within three months of every 12 month anniversary of the Turtle Management Plan being adopted, the subdivider/developer must publish a report on their website addressing compliance with the Turtle Management Plan requirements. Documentary evidence providing proof of the date of publication and non-compliance with any of the management plan requirements must be provided to the Office of the Environmental Protection Authority at the same time as the compliance report is published. The management plan must be published on the website for the full duration of the adopted monitoring period.</p> <p>The following additional Management Plans shall be prepared, adopted and implemented to the satisfaction of the Town of Port Hedland and on advice from the relevant State Government agencies:</p> <p>Foreshore Management Plan;</p> <p>Mosquito and Midge Management Plan;</p> <p>Urban Water Management Plan; and</p> <p>Construction Management Plan.</p> <p>Council shall adopt a Detailed Area Plan and/or Design Guidelines for the entire area to address detailed development matters including:</p> <p>Design interface between new and existing development;</p> <p>Building heights;</p> <p>Climate sensitive design;</p> <p>Colours and materials;</p>
--	--

	Lighting restrictions and standards; Landscaping and fencing; Access. The Detailed Area Plan and/or Design Guidelines shall be prepared in accordance with the requirements of the Town. All development shall comply with the Detailed Area Plan / Design Guidelines adopted by the Town of Port Hedland.
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; and

3. Amend the Scheme map accordingly.
- B. Forward Amendment No. 69 to the Town of Port Hedland Town Planning Scheme No.5 to the Environmental Protection Authority (EPA) for comment, pursuant to Section 81 of the Planning and Development Act, 2005; and
- C. Should confirmation from the EPA indicate the amendment is not subject to formal environmental assessment, advertise the amendment pursuant to Regulation 25(2) of the *Town Planning Regulations 1967 (as amended)* for a period of 42 days.

201314/278 Council Decision

Moved: Cr Hunt

Seconded: Cr Butson

That Council in accordance with section 8.11 'Suspension' of the Town of Port Hedland Standing Orders Local Law suspend section 8.3 and 8.9.

CARRIED 8/0

6:16pm Mayor advised that Standing Orders are suspended.

201314/279 Council Decision

Moved: Cr Hunt

Seconded: Cr Melville

That Council in accordance with section 8.11 'Suspension' of the Town of Port Hedland Standing Orders Local Law resume section 8.3 and 8.9.

CARRIED 8/0

6:19pm Mayor advised that Standing Orders are resumed.

Alternative Officer's Recommendation

That Council:

- A. Requests the following modifications to Appendix 10 table of the proposed Scheme Amendment as follows:

- i. The description of land to include “portion of”;
- ii. Condition ii to be reworded from:

“The permissibility of uses for the land use categories shown in the Development Plan shall accord with the appropriate zoning in the zoning table, with the exception of 'single house' which will require planning approval with development to be in accordance with the Detailed Area Plan / Design Guidelines adopted by Council.”;

and shall be replaced as follows:

“The permissibility of uses for the land use categories shown in the Development Plan shall accord with the appropriate zoning in the zoning table, with development to be in accordance with the Detailed Area Plan / Design Guidelines adopted by Council. Notwithstanding section 4.1.3 (f) of the Town Planning Scheme No. 5, a 'single house' does require planning approval.”

- iii. Condition iii to be reworded from:

“The Development Plan is to set clear 'Building Height Limitation Areas' across the site, and provide detailed guidance with regard to the location, placement and design of street lights based on detailed consideration and assessment of potential light spill impacts on turtle nesting areas over a 100 year planning period.”

and shall be replaced as follows:

“In addition to those matters identified in Appendix 6 of the Scheme, the following matters relevant to the management and mitigation of turtle impacts shall be addressed by the Development Plan:

- a. Building height limits;
- b. Lighting restrictions for built form / dwellings and private lots; and
- c. Lighting restrictions for public areas (e.g. street lights, parks).

These matters are to be addressed based on detailed consideration and assessment of potential light impacts on turtle nesting areas over a 100 year planning period, to the satisfaction of the Department of Parks and Wildlife”

- iv. Sections of Condition iv to be reworded from:

“i. Strategies to collaborate with relevant stakeholders in relation to turtles in the region; and

- j. Any other matters deemed relevant by the Town of Port Hedland and/or Department of Parks and Wildlife.”

and shall be replaced as follows:

- “i. Monitoring timeframes and funding arrangements;
- j. Strategies to collaborate with relevant stakeholders in relation to turtles in the region; and
- k. Any other matters deemed relevant by the Town of Port Hedland and/or Department of Parks and Wildlife.”

vi. Condition viii to be reworded from:

- “viii. Council shall adopt a Detailed Area Plan and/or Design Guidelines for the entire area to address detailed development matters including:
 - a. Design interface between new and existing development;
 - b. Building heights;
 - c. Climate sensitive design;
 - d. Colours and materials;
 - e. Lighting restrictions and standards;
 - f. Landscaping and fencing;
 - e. Access.”

The Detailed Area Plan and/or Design Guidelines shall be prepared in accordance with the requirements of the Town. All development shall comply with the Detailed Area Plan / Design Guidelines adopted by the Town of Port Hedland.

and shall be replaced as follows:

- “viii. Council shall adopt a Detailed Area Plan and/or Design Guidelines for the entire area to address the following matters (in addition to those matters listed in Appendix 6 of the Scheme) :
 - a. Design interface between new and existing development;
 - b. Building heights in accordance with the prescribed building height limits as defined in the approved development plan;
 - c. Climate sensitive design;
 - d. Colours and materials;
 - e. Lighting restrictions and standards in accordance with the approved development plan and Environmental Assessment Guidelines No.5: Environmental Assessment Guideline for Protecting Marine Turtles from Light Impacts; and
 - f. Landscaping and fencing.

The Detailed Area Plan and/or Design Guidelines shall be prepared in accordance with the requirements of the Town and to the satisfaction of the Department of Parks and Wildlife. No development shall occur unless it complies with the Detailed Area Plan / Design Guidelines adopted by the Town of Port Hedland.”

- B. Subject to (A) above being received and Pursuant to Part 5 of the Planning and Development Act 2005, initiate Scheme Amendment No.69 to the Town of Port Hedland Town Planning Scheme No.5 to:
 1. Rezone portion of Lot 5007 Counihan Crescent, Port Hedland from “Rural” to “Urban Development”;
 2. Amend the Scheme Text Appendix 10 to include the following additional text:

No.	Description of Land	Conditions
Pretty Pool 3	Portion of Lot 5007 Counihan Crescent.	<p>Subdivision and development of the land shall be in accordance with the requirements of Development Plan(s) approved by the Town of Port Hedland and adopted by the Western Australian Planning Commission.</p> <p>The permissibility of uses for the land use categories shown in the Development Plan shall accord with the appropriate zoning in the zoning table, with development to be in accordance with the Detailed Area Plan / Design Guidelines adopted by Council. Notwithstanding section 4.1.3 (f) of the Town Planning Scheme No. 5, a 'single house' does require planning approval. In addition to those matters identified in Appendix 6 of the Scheme, the following matters relevant to the management and mitigation of turtle impacts shall be addressed by the Development Plan:</p> <p>Building height limits;</p> <p>Lighting restrictions for built form / dwellings and private lots; and</p> <p>Lighting restrictions for public areas (e.g. street lights, parks). These matters are to be addressed based on detailed consideration and assessment of potential light impacts on turtle nesting areas over a 100 year planning period, to the satisfaction of the Department of Parks and Wildlife;</p> <p>Prior to ground disturbing activities, a Turtle Management Plan shall be prepared and approved to the specification and satisfaction of the Town of Port Hedland and the Department of Parks and Wildlife, consistent with the Environmental Assessment Guidelines No.5: <i>Environmental Assessment Guideline for Protecting Marine Turtles from Light Impacts</i> three-staged approach.</p> <p>The Turtle Management Plan shall incorporate:</p> <p>A description of the turtle species, turtle nesting locations, and key environmental factors relating to marine turtle nesting</p>

	<p>habitat requirements;</p> <p>A prediction of impacts on marine turtles from the development, including lighting and human disturbance of nesting females and hatchlings;</p> <p>Design guidelines for reducing light emissions;</p> <p>Protection of turtle populations and habitat areas through measures to restrict disturbance and access, including fox control;</p> <p>Details of a community education and awareness program to be established;</p> <p>Details of the turtle monitoring and reporting program for the Pretty Pool nesting population to be established in collaboration with the Town of Port Hedland;</p> <p>Annual compliance auditing and reporting arrangements for the Turtle Management Plan.</p> <p>Identification of Turtle Management Plan implementation, monitoring and management responsibilities, including contingency measures to be implemented in the event that monitoring indicates that turtle management is unsatisfactory;</p> <p>Monitoring timeframes and funding arrangements;</p> <p>Strategies to collaborate with relevant stakeholders in relation to turtles in the region; and</p> <p>Any other matters deemed relevant by the Town of Port Hedland and/or Department of Parks and Wildlife.</p> <p>The Turtle Management Plan is to be implemented in conjunction with the Development Plan prepared for Lot 5007. Certificates of Title will not be issued until such time as the Turtle Management Plan has been prepared and adopted by the Town of Port Hedland and the Department of Parks and Wildlife.</p> <p>Within three months of every 12 month anniversary of the Turtle Management Plan being adopted, the subdivider/developer must publish a report on their website addressing compliance with the Turtle Management Plan requirements. Documentary evidence providing proof of the date of publication and non-compliance with any of the management plan requirements must be provided to the Department of Parks and Wildlife at the same time as the compliance report is published. The management plan must be published on the website for the full duration of the adopted monitoring period.</p> <p>The following additional Management Plans shall be prepared, adopted and implemented to the satisfaction of the Town of Port Hedland and on advice from the relevant State Government agencies:</p> <p>Foreshore Management Plan;</p> <p>Mosquito and Midge Management Plan;</p> <p>Urban Water Management Plan; and</p> <p>Construction Management Plan.</p> <p>Council shall adopt a Detailed Area Plan and/or Design Guidelines for the entire area to address the following matters (in addition to those matters listed in Appendix 6 of the</p>
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		<p>Scheme) :</p> <p>Design interface between new and existing development; Building heights in accordance with the prescribed building height limits as defined in the approved development plan; Climate sensitive design; Colours and materials; Lighting restrictions and standards in accordance with the approved development plan and Environmental Assessment Guidelines No.5: <i>Environmental Assessment Guideline for Protecting Marine Turtles from Light Impacts</i>; and Landscaping and fencing.</p> <p>The Detailed Area Plan and/or Design Guidelines shall be prepared in accordance with the requirements of the Town and to the satisfaction of the Department of Parks and Wildlife. No development shall occur unless it complies with the Detailed Area Plan / Design Guidelines adopted by the Town of Port Hedland.</p>
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; and

3. Amend the Scheme map accordingly.
- C. Forward Amendment No. 69 to the Town of Port Hedland Town Planning Scheme No.5 to the Environmental Protection Authority (EPA) for comment, pursuant to Section 81 of the Planning and Development Act, 2005; and
 - D. Should confirmation from the EPA indicate the amendment is not subject to formal environmental assessment, advertise the amendment pursuant to Regulation 25(2) of the Town Planning Regulations 1967 (as amended) for a period of 42 days.

201314/280 Council Decision

Moved: Mayor Howlett

Seconded: Cr Gillingham

That Council refuse the initiation of Scheme Amendment No. 69.

CARRIED 8/0

Reason: Council believes that the sensitive turtle nesting rookery area needs to be protected and further works are required to protect the area.

6:20pm Councillor Hunt declared an impartiality interest in Item 11.1.7 'Proposed Scheme Amendment No. 70 to the Town of Port Hedland Town Planning Scheme No.5: Rezone Lot 1227 Keesing Street, Port Hedland from "Community" and "Residential R50" to "Mixed Business" (File No.: 18/09/0084" as she is a member of the Cooke Point Recreation Club.

6:20pm Mayor Howlett declared an impartiality interest in Item 11.1.7 'Proposed Scheme Amendment No. 70 to the Town of Port Hedland Town Planning Scheme No.5: Rezone Lot 1227 Keesing Street, Port Hedland from "Community" and "Residential R50" to "Mixed Business" (File No.: 18/09/0084" as she is a member of the Cooke Point Recreation Club and her partner is a member of the Cooke Point Recreation Club Committee.

Councillor Hunt and Mayor Howlett did not leave the room.

11.1.7 *Proposed Scheme Amendment No. 70 to the Town of Port Hedland Town Planning Scheme No.5: Rezone Lot 1227 Keesing Street, Port Hedland from "Community" and "Residential R50" to "Mixed Business". (File No.: 18/09/0084)*

Officer Ryan Djanegara
Senior Statutory Planner

Date of Report 5 March 2014

Disclosure of Interest by Officer Nil

Summary

The Town has received a request from RPS Australia East Pty Ltd on behalf of the owners of the property Cooke Point Recreation Club Inc to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5 (TPS5)* by rezoning a portion of Lot 1227 Keesing Street, Port Hedland (subject site) from "Community" and "Residential R50" to "Mixed Business".

Council is requested to support the Town's officer's recommendation to initiate the proposed scheme amendment subject to receiving and approving a traffic impact study and infrastructure capacity study.

The requested studies are required to ensure any proposed development can be serviced by water, sewer and power and will not detrimentally impact on any existing developments within the area.

Background

Site Description

The subject site is located within the Cooke Point area and is located on the corner of Keesing and Dempster Street. The proposed scheme amendment area comprises of 1.569 ha and is currently zoned "Community" and "Residential R50".

The site is currently being used by the Cooke Point Recreation Club. The existing structures on the site include a two storey building, which comprises bar and function areas, dining rooms and gaming facilities, as well as two tennis courts, a bowling green and 60 car parks.

Redevelopment Concept

A redevelopment concept has been prepared over the site with the intention to develop a six (6) storey development comprising of a four star hotel, multi-use recreation, accommodation and commercial centre.

The recreation facilities will include a new swimming pool, tennis courts and a bowling green. Commercial activity on the site will provide financial returns necessary to support the redevelopment as well as the ongoing recreational activities of the Club.

Infrastructure and environmental implications

Taking into consideration the potential magnitude of a development that could be constructed on the site should the proposed zoning be adopted by Council. It is prudent to ensure that either the current infrastructure is sufficient or to recognise what and when upgrades of the infrastructure will be required.

The Town's officers have advised the applicant that these studies should be provided together with the request to initiate the scheme amendment.

Consultation

Should Council resolve to support the Town's officer's recommendation for initiation and the applicant has submitted and had approved the required studies, the scheme amendment documentation including all attachments will be submitted to the Environmental Protection Authority (EPA) for assessment pursuant to Section 81 of the *Planning and Development Act, 2005*.

Dependant on the assessment outcome by the EPA the proposed scheme amendment will be advertised as *Town Planning Regulations 1967*, as follows:

- Locally distributed newspaper

- Registered letters to all adjoining properties within 100m radius
- Site notice will be placed on the site
- Notice will be placed on the information board at the Civic Centre Offices.

Statutory Implications

The *Planning and Development Act 2005* and the *Town Planning Regulations 1967*, provides Council the authority to amend the Local Planning Scheme and establishes the procedure required to make this amendment.

Policy Implications

The Town of Port Hedland Municipal Inventory of Heritage Places (MIHP) 2007.

The site is registered as a “Category 3” and is considered to be one that has some cultural heritage significance to the Town, but with no constraint to redevelopment.

A Category 3 recommends Council to encourage the retention of such sites where feasible, but to photograph and document the place where this is not possible.

Any proposed development on the site will need to address the recommendations outlined in the MIHP.

Strategic Planning Implications

Strategic Community Plan 2012 – 2022

The following section of the Strategic Community Plan 2012 – 2022, is considered by the Town’s Officers to be compliant with the intent of this document

6.2	Economic
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6.2.1	Diverse Economy
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Facilitate commercial, industry and town growth.

Create local employment and investment and diversify the economy.

Enhance supply of suitably located and supported industrial and retail land.

6.3 Environment

6.3.1 Housing

Address housing shortage & affordability through using Council held land, providing high quality modular construction, providing incentives and other forms of inducement to deliver housing by 2013.

6.3.4 Environment

The Town's pro-development position will have facilitated industry and town growth, while preserving and celebrating the unique environmental assets.

Pilbara's Port City Growth Plan

The proposed zoning "Mixed Business" is considered to align with the guiding principles of the Pilbara Port City Growth Plan. The zoning will permit the use of the land for:

- Neighbourhood centre serving Port Hedland
- Mixture of high, medium density residential
- Hospitality / tourism.

5.6.2 Precinct 2 – East End Urban Village

Precinct Statement

The East End Urban Village is Port Hedland's primary residential area. The area, encompassing Cooke Point and Pretty Pool, offers significant housing density and diversity together with sport and recreation opportunities, and school and community facilities. At its core is a retail and mixed use village offering a range of local convenience as well as dining and entertainment choices. Strong links to the coast and mangrove environs have been established offering residential and visitors alike a closer connection with the landscape.

Budget Implications

The applicant has paid the prescribed fee of \$9,758.60 in accordance with the Town's Schedule of Fees and Charges.

Officer's Comment

Applicant's justification for the proposed rezoning

The proposed amendment is seeking to rezone the subject site from "Community" and "Residential R50" to "Mixed Business". The applicant has justified the proposed amendment on the basis that it would support the proposed redevelopment concept of the site for tourist, commercial (such as retail and office) and residential development.

In accordance with the current zoning table, the following uses may be considered under each relevant zone:

Proposed Land Use	Existing Zone		Proposed Zone
	"Community Zone"	"Residential Zone"	"Mixed Business Zone"
<i>Residential Land Uses</i>			
Multiple Dwelling	Not Permitted	SA	AA
Short Stay Accommodation	Not Permitted	Not Permitted	SA
Hotel	Not Permitted	Not Permitted	SA
Motel	Not Permitted	Not Permitted	SA
<i>Recreation Land Uses</i>			
Private Recreation	AA	SA	AA
Public Recreation	AA	AA	AA
<i>Commercial Land Uses</i>			
Reception Centre	IP	Not Permitted	AA
Restaurant	IP	SA	AA
Entertainment Venue	AA	Not Permitted	AA
Shop	IP	Not Permitted	P
Office	IP	Not Permitted	P

Need

There is a lack of commercially available land that would enable local and small businesses such as a corner deli and restaurant to be located within the Cooke Point area. As identified in the above table, the proposed rezoning to "Mixed Business" will permit the site to be used for commercial, community and residential uses.

The Pilbara's Port City Growth Plan has identified a need to promote commercial and recreation development opportunities within area.

Desirability

The subject site is currently being used by the Cooke Point Recreation Club. This building has been and continues to be a significant gathering point providing the local community with function rooms, recreation and incidental restaurant/bar facilities.

The current building and facilities on the site are old and in need of repair / upgrade. The proposed rezoning would allow the site to be redeveloped to a more modern standard reflecting the Port Hedland character.

Due to the site's proximity to the coast and natural features, the location of the site as a mixed use commercial, recreational and residential hub is considered desirable.

Options

Council has the following options when considering the matter:

1. Initiate the Scheme Amendment without modifications.

The initiation of the Scheme Amendment will support the redevelopment concept proposed by the applicant and will allow other commercial opportunities.

2. Refuse to initiate the Scheme Amendment

The refusal to initiate the Scheme Amendment would prevent the site for being redevelopment for any purpose other than a being community related.

Option 1 is recommended.

Attachments

1. Scheme Amendment Documentation (Under Separate Cover)

Officer's Recommendation

That Council:

1. The applicant shall submit and have approved the following studies to the satisfaction of the Manager Development Services:
 - a. A Traffic Impact study;
 - b. An Infrastructure Capacity Study;
2. Subject to (1) above, pursuant to Part 5 of the Planning and Development Act 2005, initiate Scheme Amendment No.70 to the Town of Port Hedland Town Planning Scheme No.5 to:
 - i. Rezone portion of Lot 1227 Keesing Street, Port Hedland from "Community" and "Residential R50" to "Mixed Business";
 - ii. Amend the Scheme Text Appendix 2 to include the following additional text:

No.	Description of Land	Additional Use	Conditions
194	Lot 1227 corner Keesing and Dempster Street,	No uses except those permissible under the Zoning	Any portion of a building with line of sight from/to Pretty Pool beach front shall be designed to restrict

	Port Hedland	Table in Part III.	artificial light emission as visible from the beach front to the satisfaction of the Office of the Environmental Protection Authority
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- iii. Amend the Scheme map accordingly.
- 3. Forward Amendment No. 70 to the Town of Port Hedland Town Planning Scheme No.5 to the Environmental Protection Authority (EPA) for comment, pursuant to Section 81 of the Planning and Development Act, 2005; and
- 4. Should confirmation from the EPA indicate the amendment is not subject to formal environmental assessment, advertise the amendment pursuant to Regulation 25(2) of the *Town Planning Regulations 1967 (as amended)* for a period of 42 days.

201314/281 Council Decision

Moved: Cr Taylor

Seconded: Cr Gillingham

That Council:

- 1. **Request the applicant shall submit and have approved the following studies to the satisfaction of the Manager Development Services:**
 - a. **A Traffic Impact study (to include motor vehicles, bicycles and pedestrians) ;**
 - b. **An Infrastructure Capacity Study;**
- 2. **Subject to (1) above, pursuant to Part 5 of the Planning and Development Act 2005, initiate Scheme Amendment No.70 to the Town of Port Hedland Town Planning Scheme No.5 to:**
 - i. **Rezone portion of Lot 1227 Keesing Street, Port Hedland from “Community” and “Residential R50” to “Mixed Business”;**
 - ii. **Amend the Scheme Text Appendix 2 to include the following additional text:**

No.	Description of Land	Additional Use	Conditions
194	Lot 1227 corner Keesing and Dempster Street, Port Hedland	No uses except those permissible under the Zoning Table in Part III.	Any portion of a building with line of sight from/to Pretty Pool beach front shall be designed to restrict artificial light emission as visible from the beach front to the satisfaction of the Office of the Environmental Protection Authority

iii. Amend the Scheme map accordingly.

3. Forward Amendment No. 70 to the Town of Port Hedland Town Planning Scheme No.5 to the Environmental Protection Authority (EPA) for comment, pursuant to Section 81 of the Planning and Development Act, 2005; and
4. Should confirmation from the EPA indicate the amendment is not subject to formal environmental assessment, advertise the amendment pursuant to Regulation 25(2) of the *Town Planning Regulations 1967 (as amended)* for a period of 42 days.

CARRIED 8/0

11.2 Engineering Services**11.2.1 *Proposed Relocation of the South Hedland Waste Management Facility (File No.: 31/13/0002)***

Officer Leahne Rowley
Project Officer

Date of Report 4 March 2014

Disclosure of Interest by Officer Nil

Summary

The Town of Port Hedland (the Town) has commenced investigating the potential to close the South Hedland Waste Management Facility (SHWMF, the landfill) and establish an alternative facility within the Town's municipal boundaries. To understand the financial implications of this proposal a Business Case has been developed.

This item informs Council of the outcomes and recommendations of the Business Case and seeks endorsement to progress to the next stages of project delivery.

Background

The South Hedland Waste Management facility is located on North Circular Drive in South Hedland. The facility is operated by the Town of Port Hedland and regulated by the Department of Regulation (DER) under Licence L6917/1997/8 which permits disposal of refuse to landfill, including burial of Class II putrescible, biomedical and asbestos wastes, storage of green waste and disposal of biological liquid waste. The Licence allows for the disposal of 100,000 tonnes per annum of putrescible waste and 4056 tonnes per annum of liquid waste.

In May 2013 the Town engaged SLR Consulting (SLR, the consultant) to develop a Business Case for the closure of the existing landfill and development of a new facility. This work encompassed in part:

- Quantifying remaining disposal volume at the current facility to estimate when proposed capacity will be reached;
- Undertaking site selection activities for the proposed new landfill;
- Identifying redevelopment options for the existing landfill; and
- Estimating financial implications of undertaking the proposed relocation works for the Town.

An initial briefing to Council on the outcomes of a demand analysis for future waste processing needs was provided at the Confidential Concept Forum held on 20 November 2013. SLR has now completed the site selection, redevelopment option and financial forecasting elements of the project.

This item summarises the outcomes of the Business Case for Council and seeks endorsement of project recommendations. The recommendations presented are that the Town commence planning for the closure of the SHWMF and progress site investigations and land acquisition activities of the preferred site for a new waste management facility.

Consultation

Program Reference Group

A program reference group (PRG) was established to provide direction and support project delivery. The PRG consists of representatives from:

- Town of Port Hedland
 - Infrastructure Development Department
 - Landfill Business Unit
 - Planning Services Department
 - Environmental Health Services Department
- Waste Authority
- Pilbara Development Commission
- Care for Hedland (Community Representative)
- RowCon Pty Ltd

Ongoing Consultation

Throughout the course of the project regular consultation was undertaken with the following groups to ensure members were informed of progress and had an opportunity to provide input and/or feedback:

- The Port City Growth Plan Implementation Committee, consisting of representatives from:
 - Horizon Power
 - Pilbara Industry Council
 - Department of Housing
 - Department of Planning
 - Landcorp, Main Roads
 - Pilbara Development Commission
 - Water Corporation
 - Port Hedland Port Authority, and the
 - Department of Lands;
- The Waste Management Association of Australia Pilbara Sub Branch, consisting of representatives from the;
 - Waste industry
 - Resource industry
 - Pilbara shires
 - Waste Authority, and the
 - Pilbara Development Commission; and

- Port Hedland International Airport (PHIA, the airport), in particular the consulting ornithologist acting on behalf of the Wildlife Hazard Management Committee.

Stakeholder Workshop

A stakeholder workshop was facilitated by SLR on 21 November 2013. Invitations were extended to waste management companies operating or with an interest in Port Hedland, local business associations, targeted community leaders, Council members, and a broad range of internal departments. The purpose of the workshop was to:

- Inform participants of Business Case work completed to date;
- Seek participant input into the development of the selection criteria used to assess potential new sites and to seek suggestions for potential new sites; and
- Seek participant input into the selection of a preferred redevelopment option for the existing landfill site once closed and rehabilitated.

Pre-Council Briefing Consultation

Further engagement was undertaken upon completion of site selection work to inform stakeholders of project outcomes:

- Presentations were made to the Port City Growth Plan Implementation Committee, the Waste Management Association of Australia Pilbara Sub Branch, Care for Hedland and to the wider community at the Town's Community Conversations evening on 12 February 2014.
- Individual meetings were conducted with representatives of BHP Billiton, Pilbara Logistics, ToxFree and Pilbara Development Commission. Briefings were offered to all local resource companies.

The project recommendations attracted no negative feedback during these engagements. Participants expressed general support for the process undertaken and indicated future areas of interest in the project. The common interest was the desire for waste diversion activities at the proposed new waste management facility.

Statutory Implications

The *Waste Avoidance and Resource Recovery Act 2007* prescribes Local Government responsibilities in waste management.

55. *Disposal of waste by local government*
Subject to any prescribed exceptions, and to the EP Act, all waste received by a local government —
(a) becomes the property of the local government; and

(b) may be destroyed, sold or otherwise disposed of by the local government.

Policy Implications

Nil

Strategic Planning Implications

6.3 Environment

6.3.2 Community Facilities

Provide environmental protection and management and ensure that resources are used sustainably.

6.3 Environment

6.3.4 Environment

We maintain our natural and built resources to ensure their long-term protection for the future.

The Town's pro-development position will have facilitated industry and town growth, while preserving and celebrating the unique environmental assets.

The Town has strong working relationships with the mining industry, achieving sustainable outcomes for the local community, while minimising negative impacts.

6.4 Local Leadership

6.4.1 Strategic

Deliver high quality corporate governance, accountability and compliance.

6.4 Local Leadership

6.4.2 Strategic

Deliver responsible management of infrastructure, assets, resources and technology.

Budget Implications

Landfill Relocation Business Case Project Funding

Funding of \$1million was received from the Department of Planning Northern Planning Program to undertake needs assessment and general planning works for a new facility. Funds are maintained in GL1004286.

The approved funding schedule is aligned to achieving project milestones through to 15 December 2014. As it is unlikely that indicated milestones will be achieved by this time, continued funding support for the project will need to be reconfirmed with the Department of Planning.

Landfill and Waste Management Budget Summary

The Town's Waste Management and Landfill business units are financed through the Waste Management Reserve at a cost of approximately \$25million in 2013/14 (operating and capital costs combined). This is offset by revenue received from waste collection fees (via rates), landfill disposal fees, funding and transfers from reserves.

Financial Modelling for Landfill Relocation

The consultant developed financial modelling to estimate potential impact of the relocation project on cash flows generated by waste management at the landfill. The model takes into account:

- Revenue projections (based on estimates of annual waste generation and indexed averages of current disposal fees) for six of the operational scenarios developed in the demand analysis report; and
- Phased capital (CAPEX) and operating expenditure (OPEX) estimates for both the;
 - Development and ongoing management of the proposed new Class III facility, and
 - Rehabilitation and aftercare management of the closed Class II facility.

Details of capital expenditure (CAPEX) items are as follows:

- Estimated order of magnitude costs for facility closure and rehabilitation of the existing facility - \$13.77million

This includes an estimate of \$9.7million to procure the cover material (soil) to provide the required compacted 1 meter final cap for disposal areas. Soil represents the largest sensitivity to the accuracy of closure estimates.

SLR notes that this estimate excludes costs to fix regulatory issues associated with the historic or future operation of the landfill. In addition, rehabilitation of SHWMF must consider the site's end use or post-closure use which has yet to be confirmed. Actual redevelopment costs are also excluded.

- Estimated order of magnitude costs for facility planning, development and eventual rehabilitation of a new Class III (lined) facility - \$98.35 million

This estimate is based on a statement of requirements for a Class III facility. The statement of requirements and subsequent estimates reflect that management of liquid and solid wastes at the new facility shall be undertaken to a standard currently exceeding that provided at the SHWMF. This is due to DER advice that new Class II landfill facilities will be required to meet the minimum operating standards for municipal (putrescible) waste landfills (which require the provision of a landfill liner and leachate collection system) in accordance with the EPA Victoria Siting, Design, Operation and Rehabilitation of Landfills BPEM document.

The estimate excludes costs associated with connecting utilities to the proposed site, road works to facilitate access to the site, internal project management and administration, and processing and licencing fees.

SLR notes that staged development of the new disposal area can be undertaken to defer future waste cell construction costs. An indicative implementation schedule showing phased CAPEX requirements to close the existing facility and commence operations at a new facility is provided in Attachment one.

Whole of life operating costs for the proposed new facility and monitoring and aftercare management of the existing site are considered OPEX. These estimates will be used to develop future Town budgets. It is important to note that these are offset by revenues earned by landfill operations.

Officer's Comment

SLR was engaged to assist the Town to investigate the potential to close the SHWMF and to establish an upgraded waste management facility. This work was undertaken in recognition that the current location is less than optimal, namely:

- The regulated buffer requirement for operating landfill compromises the Port City Growth Plan's vision to develop the land surrounding the facility for housing; specifically in Precinct 13 (Eastern Gateway);
- The proximity of the existing landfill to PHIA creates operating implications for both facilities, specifically relating to ongoing management of the increased risk created by wildlife attracted to the food sources offered by the landfill; and
- The disposal area within the current site was estimated to be nearing capacity.

Finally, it was identified that a new facility presents a unique opportunity for the Town to review its waste management practices to deliver on the Waste Authority's objectives for waste diversion from landfill, and ultimately provide a level of resource recovery comparable to other municipalities.

The work undertaken by SLR in developing the Business Case comprises four parts:

- A demand analysis and an assessment of remaining disposal capacity;
- Identification and selection activities for a new landfill site;
- Identification and selection activities for redevelopment options for the existing site; and
- Financial estimates for closure and relocation activities.

The following provides a summary of outcomes and recommendations:

Demand Analysis and Capacity Assessment

In accessing existing disposal capacity at the SHWMF, SLR reviewed historical, current and projected waste quantities for all waste streams designated for disposal at the landfill. Scenario modelling was developed to estimate the demand for waste management services to 2040 and when the current landfill disposal foot print would likely reach capacity. The modelling considered that as of May 2013, the top of the highest stockpile was RL21.9 (approximately 7.8 meters above ground level).

Modelling considered:

- Waste generation under two different population growth scenarios:
 - Annual growth of 4.2% (consistent with the Port City Growth Plan vision), and
 - Annual growth of 2.1% (consistent with historical population growth in Port Hedland);
- Disposal requirements under three different waste management strategies:
 - Business as usual (BAU) where current practice of disposing all waste to landfill continues;
 - Introduction of residential kerbside recycling in 2016, and
 - Implementation of a large scale waste diversion from 2016 through an Alternative Waste Treatment (AWT) facility;
- Remaining disposal capacity under two final landform heights:
 - RL22 or approximately 7metres above ground level, and
 - RL28 or approximately 13metres above ground level.

The modelling projects that the SHWMF will reach capacity in the foreseeable future. Under a 'worst case scenario' (being high population growth, BAU and closure at RL 22) the current site is likely to reach capacity in approximately six years. Conversely under the 'best case scenario' (low population growth, closure at RL 28 and introduction of large scale diversion activities) the landfill is likely to reach capacity in approximately 16 years.

The projected remaining lifespan of the SHWMF by scenario is shown in Attachment two. Results highlight that the introduction of diversion or recycling activities in 2016 (assumed to be the earliest any initiative could be implemented) has minimal impact on conserving available disposal capacity.

It is recommend that Council endorse a final landform height of RL28. This will extend the remaining life of the landfill to approximately eight years, providing sufficient time to prepare the existing site for closure and to relocate operations to a new site. This timeframe also aligns with indicative timelines for development within the buffer zone. Council should note that final approval for closure remains the responsibility of the DER.

Site Selection for a New Waste Management Facility

On conclusion of the demand analysis, SLR was requested to undertake activities to identify a preferred location for the proposed new facility. This involved reviewing the regulatory environment relative to best practice landfill siting and undertaking community engagement to develop criteria against which to objectively assess proposed sites.

Final criteria included both compulsory and discretionary elements and addressed the following categories:

- Community needs;
- Buffer distances, including potential impact on aircraft and wildlife flight paths as relating to airport operations;
- Ground and surface waters;
- Flora and fauna;
- Heritage, including Aboriginal heritage;
- Access to essential infrastructure;
- Geological setting;
- Land ownership;
- Alternative potential uses for the site, and
- Operational considerations.

Seven potential locations within a 25km radius of the existing facility were assessed against the criteria. Attachment three shows the locations of these sites in proximity to selected criteria. Of these, three were non-compliant with compulsory criteria. Non-compliant sites included the one proposed in the Growth Plan (near the Newman turnoff), the quarry immediately to the south of the existing landfill and a plot within the Boodarie estate.

Of the two highest scoring sites one was assessed as likely to have an unfavorable impact on PHIA operations.

Based on available information, the site assessed as requiring the fewest engineering and management controls to meet objectives of environmental policies is undeveloped land on the northern section of Lot 203 Great Northern Highway, approximately 12km south west of Port Hedland or 3km past the Boodarie access road.

The identified parcel is on Crown land, under a pastoral lease to BHP Billiton and in the buffer zone for the planned Boodarie Industrial precinct. The Town's Planning Department has provided indicative support for the preferred location.

Attachment four shows the suggested footprint of the new facility, including the disposal area and required 500 meter buffer zone *in situ*.

Detailed environmental and heritage assessments will be required as the next steps to assess suitability of the proposed location for landfill development. Land acquisition will require approval from BHP Billiton and the Department of Land. Should Council wish to proceed with the proposed preferred site, it is recommended that an option to lease the land be secured prior to any investment in site assessments.

Reuse / Redevelopment Options for the Existing Landfill

Work was undertaken to identify a preferred redevelopment option for the existing site once it is closed and rehabilitated. This information is required in the near term so that the site can be shaped into the required final landform through ongoing operations, for example flat or undulating. Details on closure and post-closure works are also necessary to develop the rehabilitation and aftercare management plans required for submission to DER to obtain approval to close the site.

SLR undertook a review of the regulatory environment relative to landfill rehabilitation and redevelopment and undertook community engagement to identify a preferred redevelopment option. These activities generated a list of common uses for the redeveloped landfill site, identified constraints for consideration in selecting a preferred use and developed potential end uses for the SHWMF; however consensus on a preferred end use was not reached.

In the absence of consensus SLR adopted the site redevelopment option proposed in the Active Open Space Strategy (AOSS) in preparing financial calculations. The AOSS called for the space to be developed for mountain and bridle trails, target and field archery courses and a baffled rifle range.

In an effort to obtain local community support and optimise use of the rehabilitated SHWMF site, it is recommended that further stakeholder consultation is undertaken prior to adoption of a final end use.

Summary

The work undertaken by SLR confirms that the SHWMF will reach current disposal capacity within the foreseeable future. Given that the Town has no formulated plans to introduce kerbside recycling and there are no large scale waste diversion activities immediately available, it is reasonable to conclude that capacity will be reached early in the indicative time range.

Vertical expansion to the RL 28 final landform is anticipated to provide sufficient capacity and time to undertake the work required to prepare the current site for closure, and to plan, design, construct and commission a new facility. Timely approval of the final landform is necessary in order to allow sufficient time to support ongoing disposal operations and future landfill activities, including acquiring DER approval.

Moving forward, the next steps are to:

1. Undertake project planning to guide the remainder of the relocation program;
2. Commence discussions with the Department of Land and BHP Billiton to explore land acquisition options for the preferred site should detailed environmental and heritage assessments support development of a new waste management facility;
3. Appoint a consultancy to undertake waste management studies and detailed site assessments of the preferred location;
4. Undertake further community engagement to determine a preferred redevelopment option (and final landform) for the existing landfill site to inform future landfill operations and a final closure plan; and
5. Appoint a consultancy to prepare a Landfill Closure Plan and a Rehabilitation and Aftercare Management Plan for the existing facility to provide the immediate operational direction necessary to inform closure and rehabilitation activities.

Attachments

The following attachments contain excerpts from reports prepared by SLR Consulting in undertaking the 'Business Case for the Relocation of the South Hedland Waste Management Facility':

1. Financial Implications of Landfill Relocation
2. Summary of Waste Analysis for Future Waste Management Processing Needs
3. Location of Sites Assessed for Future Waste Management Facility
4. Indicative Disposal and Buffer Footprint for Proposed Waste Management Facility at Preferred Location

201314/282 Officer's Recommendation/ Council Decision**Moved: Cr Gillingham****Seconded: Cr Hunt****That Council:**

- 1. Note that the remaining disposal capacity of the South Hedland Waste Management Facility is predicted to be consumed within six to 16 years;**
- 2. Endorse an indicative final landform height for the South Hedland Waste Management Facility of RL 28, extending the minimum estimated remaining life of the facility to approximately eight years;**
- 3. Request the Chief Executive Officer, or his delegate(s), undertake additional community engagement to determine a preferred redevelopment option for the existing South Hedland Waste Management Facility site once the facility is closed and site rehabilitated;**
- 4. Request the Chief Executive Officer, or his delegate(s), develop a Landfill Closure Plan and a Rehabilitation and Aftercare Management Plan for the South Hedland Waste Management Facility based on the adoption of a preferred final landform and the proposed post closure land use;**
- 5. Note that the preferred location for a new waste management facility is undeveloped Crown land on the northern section of Lot 203 Great Northern Highway, approximately 12km south west of Port Hedland;**
- 6. Request that the Chief Executive Officer, or his delegate(s), undertake waste strategy, planning, environmental and heritage studies necessary to support acquisition and development of the preferred site for waste management purposes;**
- 7. Note advice from the Department of Regulation that applications for new landfill facilities are currently regulated in accordance with the Victorian EPA document entitled 'Best Practice Environmental Management- Siting, Design, Operation and Rehabilitation of Landfills, September 2010' which requires development of lined cells to a minimum Class III standard; and**
- 8. Request that the Chief Executive Officer, or his delegate(s), request permission from the Department of Planning to use remaining Northern Planning Program grant monies to fund detailed site assessment studies of the preferred site.**

CARRIED 8/0

ATTACHMENT 1 TO ITEM 11.2.1

Financial Implications of Landfill Relocation**Indicative Schedule of CAPEX Requirements for Relocation of the South Hedland Waste Management Facility (excluding contingency)**

TASK	FY14-15	FY15-16	FY16-17	FY17-18	FY18-19	FY19-20	FY20-21	FY21-22
SHWMF Rehab. Planning & Approvals	\$80,000							
New Facility Waste Management Studies & Pre-Site Development, Planning & Approvals	\$1,360,000							
New Facility Construction Tender Docs					\$40,000			
SHWMF Rehabilitation Detailed Design & Tender Docs						\$100,000		
New Facility Construction						\$20,930,000		
New Facility Commissioning (Year 1)								\$0 (incl. in New Facility Construction)
SHWMF Rehabilitation								\$10,410,000

ATTACHMENT 2 TO ITEM 11.2.1

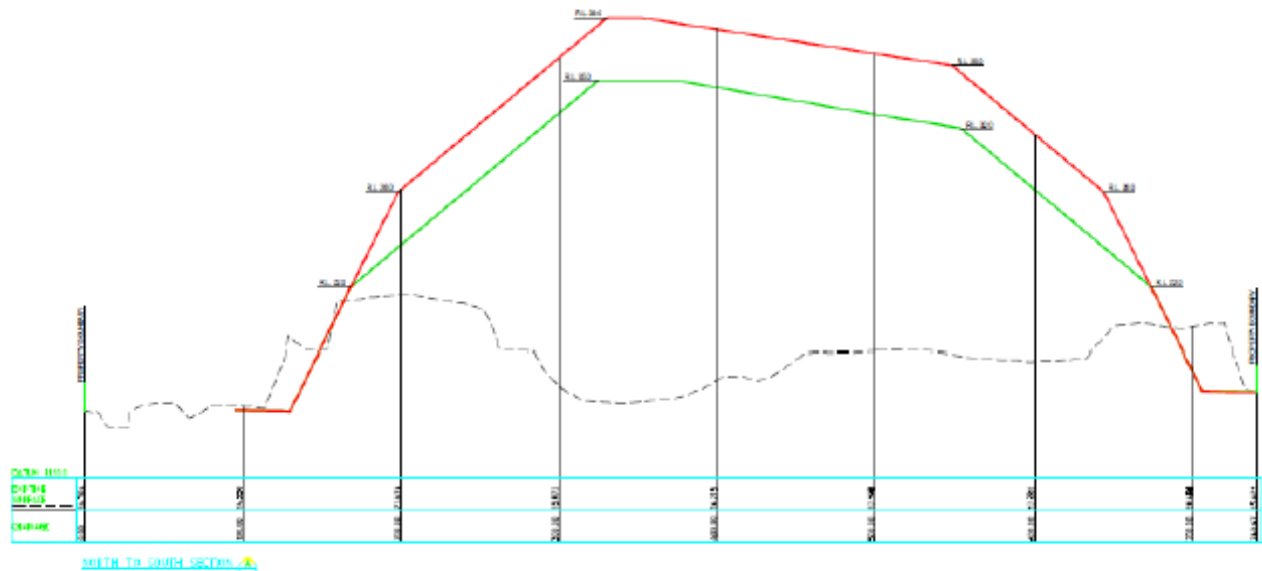
Summary of Demand Analysis for Future Waste Management Processing Needs Report

Summary of Projected South Hedland Waste Management Facility Disposal Capacity Timelines under Modelled Scenarios

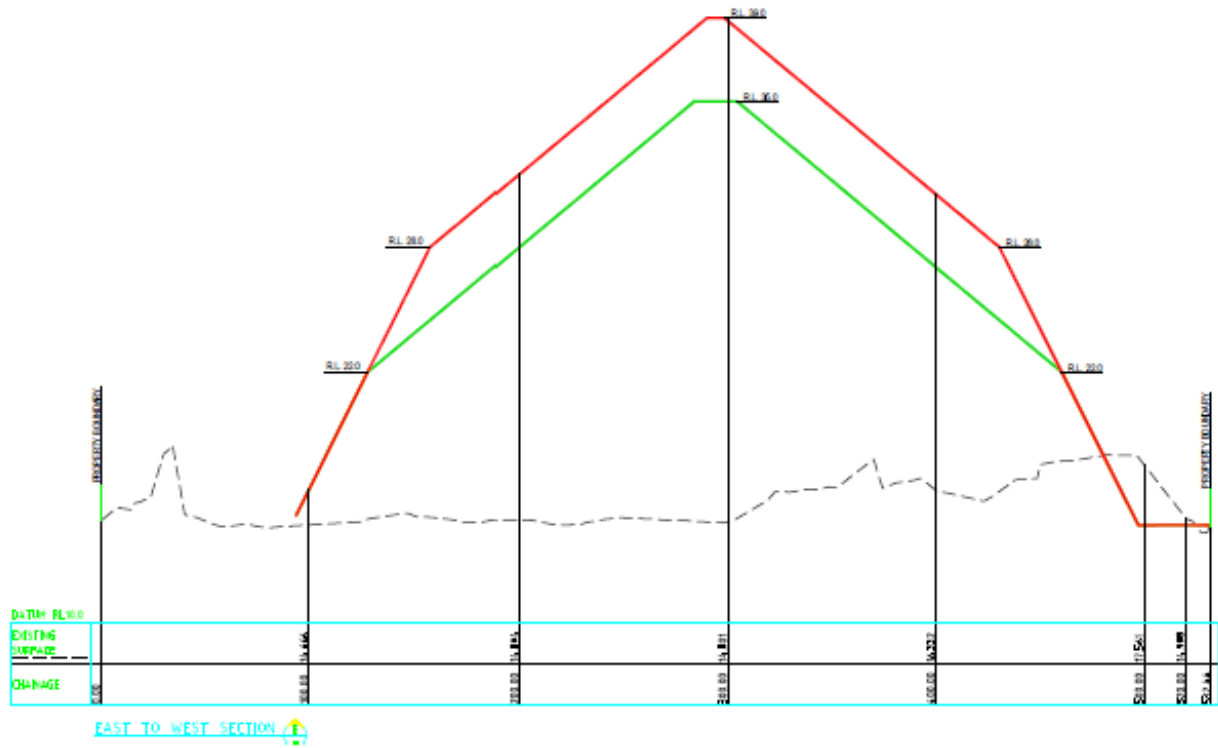
Population Growth Scenario	Final Landform Option	Projected SHWMF Landfill Closure Date		
		Business As Usual	ToPH Recycling Scheme	Alternate Processing Facility (e.g. NEC)
A - High Growth	RL 22	FY2019-20	FY2019-20	FY2022-23
A - Constant Growth	RL 22	FY2020-21	FY2020-21	FY2024-25
B - High Growth	RL 28	FY2021-22	FY2022-23	FY2026-27
B - Constant Growth	RL 28	FY2022-23	FY2023-24	FY2029-30

South Hedland Waste Management Facility Landfill Final Landform Diagrams

Typical cross-sections of the proposed disposal options prepared by Rowcon Pty Ltd are provided below. The approximate current landform levels are represented by the dashed lines. RL 28 is shown as the red line and RL 22 is shown as the green line.



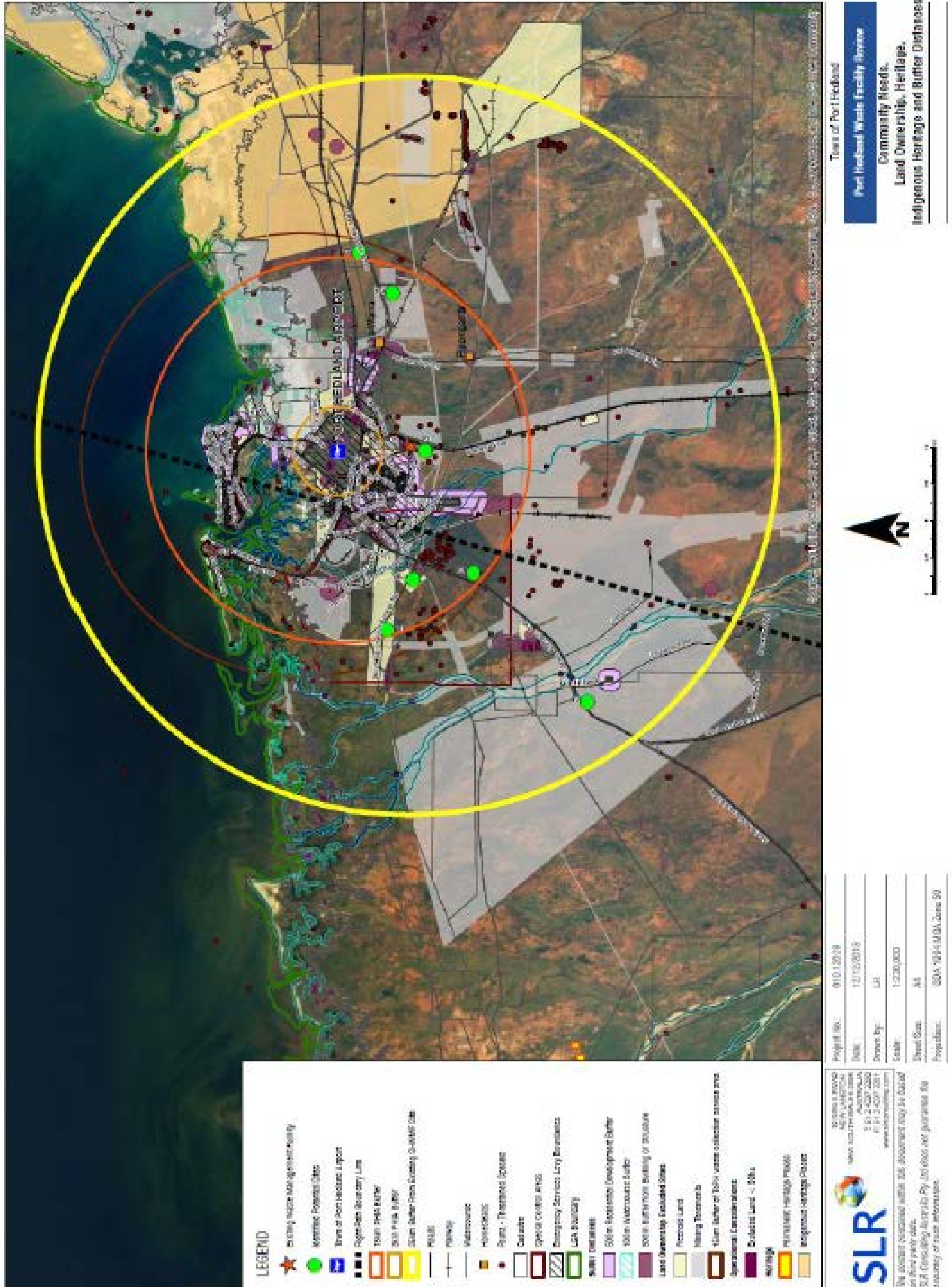
Rowcon Pty Ltd TOPH - SHLC - North to South Section



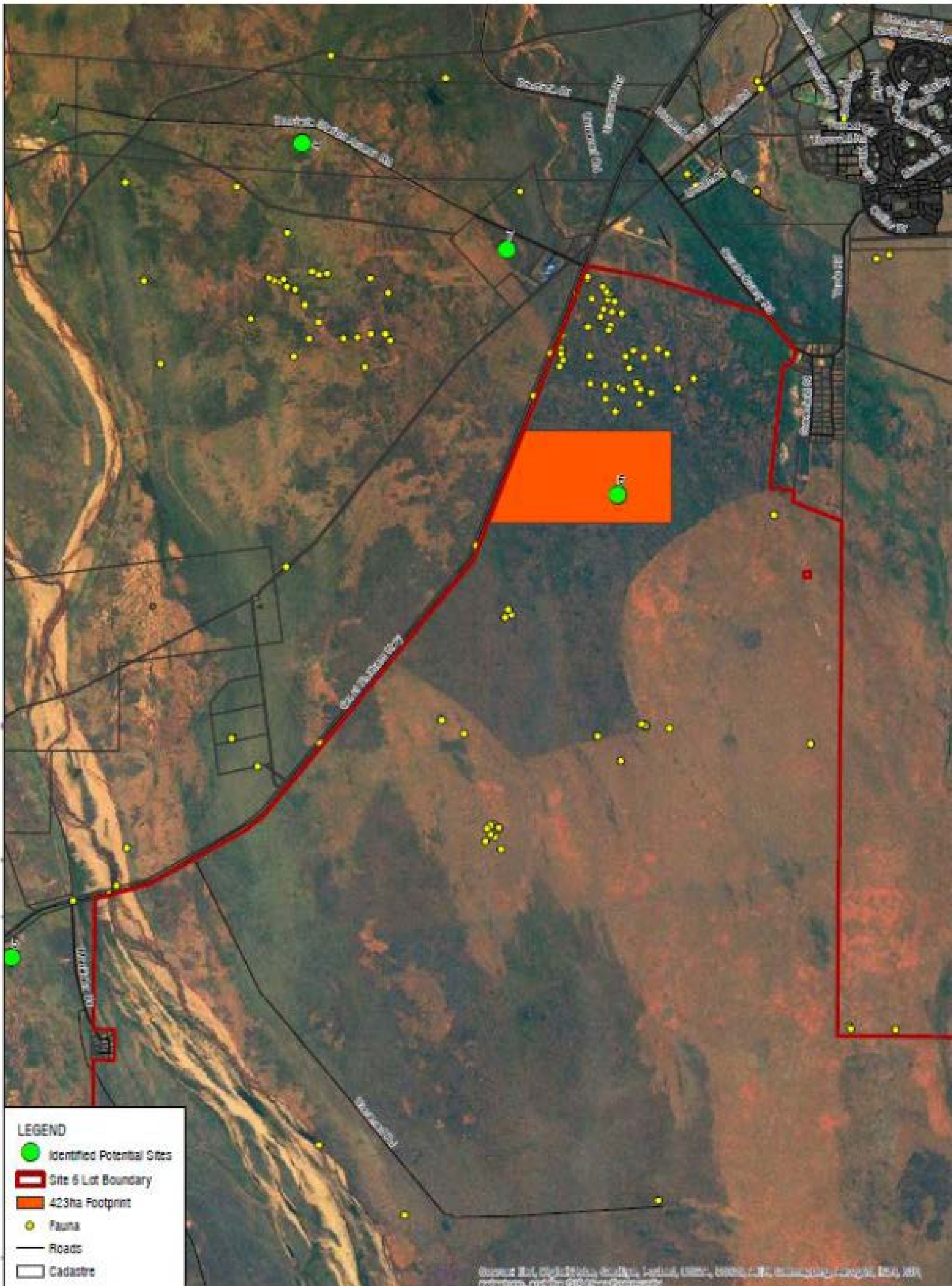
Rowcon Pty Ltd TOPH – SHLC - East to West Section

Location of Sites Assessed for Future Waste Management Facility

GIS Map of Site Assessment Criteria - Community Needs, Land Ownership, Heritage, Indigenous Heritage and Buffer Distances



Indicative Total Footprint (Buffer Zone and Disposal Area) of Proposed Waste Management Facility at Preferred Location, Lot 203 Great Northern Highway



6:24pm Mayor Howlett declared an impartiality interest in Item 11.2.2 'Request to dispose of Portion of Reserve 37820, Lot 550 Hedditch Street, South Hedland to South Hedland Bowling and Tennis Club by way of lease (File No.: 05/05/0024)' as she is a member of the South Hedland Bowling and Tennis Club.

Mayor Howlett did not leave the room.

11.2.2 *Request to dispose of Portion of Reserve 37820, Lot 550 Hedditch Street, South Hedland to South Hedland Bowling and Tennis Club by way of lease (File No: 05/05/0024)*

Officer **Jessica Melia**
Leasing Officer

Date of Report **5 March 2014**

Disclosure of Interest by Officer **Nil**

Summary

Council is requested to approve the disposal of Portion of Lot 550, Hedditch Street, South Hedland by way of lease to the South Hedland Bowling and Tennis Club (SHBTC) for the permitted purpose of Bowling and Tennis Club.

Further information is also provided to Council on the progress of discussions with the RSL regarding use of the old SHBTC facilities.

Background

Reserve 37820, Lot 550 Hedditch Street is Crown Land, owned by the State through the Department of Lands in care and control of the Town of Port Hedland (Town) by way of management order.

The management order has a permitted purpose of Bowling and Tennis Club with the Power to Lease for a period of 21 years.

The South Hedland Bowling and Tennis Club (SHBTC) have an existing lease for the whole of Lot 550 Hedditch Street on the following terms:

Lease term:	21 years
Commencement:	1 September 1994
Expiry:	31 August 2015
Annual rental:	\$1.00
Permitted purpose:	Bowling and Tennis Club

The SHBTC has since 2008 been actively pursuing a redevelopment of the site which is due for practical completion in April this year.

The redevelopment project has been funded from the following sources:

Funding Source	Amount
Royalties for Regions	\$ 2,500,000.00
BHPB Partnership	\$ 1,000,000.00
Town of Port Hedland/South Hedland Bowling and Tennis Club - Self Supporting Loan	\$ 500,000.00
Total	\$ 4,000,000.00

In order to formalise the continued use of the land in line with the delivery of new community assets delivered as part of the redevelopment project and the term of the self-supporting loan with the Town, Council are now requested to consider terms of a new lease agreement.

Consultation

External

- South Hedland Bowling and Tennis Club
- Department of Lands

Internal

- Manager Financial Services
- Manager Investment and Business Development
- Manager Recreation Services and Facilities
- Project Officer

Statutory Implications

This disposal of property is exempt from the requirements of Section 3.58 of the Local Government Act by virtue of Regulation 30 (1) (2) (b) (i) and (ii) of the *Local Government (Functions and General Regulations) 1996*:

“30. Dispositions of property excluded from Act s. 3.58

(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.

(2) A disposition of land is an exempt disposition if —

...

(b) the land is disposed of to a body, whether incorporated or not —

(i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and

(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions”

Policy Implications

Nil at this stage.

Strategic Planning Implications

6.1 Community

6.1.1 Unified

The Town of Port Hedland is an integrated community functionally, physically and culturally.

6.1.2 Vibrant

Increased number of recreational facilities are available.

Budget Implications

Should Council proceed with the Officer's Recommendation the following budget implications will apply.

The SHBTC would be liable to pay \$2500.00 per annum (exclusive of GST), with the rental amount reviewed annual by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date.

A calculation of this figure (exclusive of the CPI increase) would generate a minimum of \$50,000.00 exclusive of GST over the 20 year lease term to lease revenue account 1303357.

The lessee would be responsible for all outgoings and will be required to meet all operational costs associated with occupation of the site including any capital improvements to and maintenance of the site. The SHBTC will also be required to pay Local Government Rates.

The SHBTC would in addition to the above be responsible for the legal costs associated with the preparation of a Lease document to an estimate of approximately \$1,000 and the payment of a Lease Administration Charge as included within the Town's adopted Fees and Charges of \$297.73 exclusive of GST.

Officer's Comment

Existing Lease

The SHBTC have an existing lease for Lot 550 Hedditch Street which is due to expire in August 2015.

The current leased area for the SHBTC contains the whole of the land contained within Lot 550, Hedditch Street, being a total land size of 2.4642 hectares.

The redevelopment of the site has included the construction of a new clubhouse building. The position of the clubhouse has been relocated from the southern end of Lot 550 to become a central feature to the site. Once operational, this new positioning will maximise the functionality of the development and promote interaction between the tennis courts, bowling green(s), clubhouse building and amenities such as car parking and ablutions.

In consultation with the SHBTC, Officers proposed that in light of the new development footprint, the lease area required by the SHBTC could be reduced to 1.6629 hectares as identified as *'Proposed revision Lot 550 South Hedland Bowls and Tennis Club'* in Attachment 1.

Balance Lot A

The SHBTC agreed to the proposal and at the Ordinary Meeting held 29 January 2014, where Council considered an item related to the future use of 'Balance Lot A' (shown in attachment 1), and made the following decision:

"That Council:

1. *Seek to excise and acquire a 4,285m² portion of Reserve 37820 as shown on Attachment 1 & 2; and*
2. *Request the Chief Executive Officer or their delegate to request the Department of Lands:*
 - a. *To excise a 4,285m² portion of Reserve 37820 located at Lot 550 Hedditch Street, South Hedland.*
 - b. *To consider the Town's acquisition of the 4,285m² portion of excised reserve at 5% of the unimproved value and negotiate a method of acquisition that allows the parcel to be used for commercial development purposes."*

Balance Lot B

Balance Lot B, as shown in the attached plan, accommodates the old SHBTC Clubhouse building. The scope of works for the original SHBTC redevelopment plans included the demolishing/removal of the old Clubhouse building.

The Ordinary Council meeting held 29 January 2014, received a presentation from the RSL Port Hedland Sub Branch (RSL) to request the use of 'Balance Lot B', including the old Clubhouse building, for the operation of their community shop and their Anzac House facility.

The RSL community shop is currently accommodated at The Esplanade, Port Hedland. In the presentation to Council RSL advised the following:

“The building is owned by BHP who have provided it to the Port Hedland RSL for a peppercorn rent. The building requires a new roof and because of asbestos concerns we have been asked to look for new premises. BHP has committed support for a move.”

The Anzac house facility is currently accommodated within the Spoilbank reserve, operating on a sub-lease arrangement with the Pilbara Naval Cadets.

In considering the relocation of the community shop, the RSL have expressed their desire to take the opportunity to co-locate both of their facilities in order to maximise the efficiencies of their operations.

Officers met with representatives of the RSL to discuss this opportunity in further detail. Prior to any further use of the old Clubhouse building, any potential occupant would need to consider the following:

- All service connections will need to be applied for, approved and installed
- A new boundary fence will need to be constructed separating the lot from the new SBHTC lot
- The existing grease trap will need to be decommissioned, removed and the site remediated
- A licensed building inspector is to conduct a compliance inspection for the building and associated structures/facilities
- Rectification of all compliance issues, removal of non-complaint structures and complete all necessary approval processes for the proposed use.

The terms of any agreement for further use of the site would need to be consistent with the current management order for the Reserve and would require formal approval from the Minister for Lands.

In discussions with the RSL, it has been identified that they are in receipt of funding which can be utilised towards completing the investigations as required and outlined above.

Officers will now work with the RSL to engage a licensed building inspector to provide a scope of works and a cost estimate for the completion of any rectification and compliance works required for the continued use of the old Clubhouse building.

The Town will on completion of the above provide a report to consider the terms and conditions of any potential occupation of the site by the RSL.

SHBTC's request to acquire freehold status of the reserve

Officers discussed (July 2013) the potential opportunity for the SHBTC to seek freehold acquisition of Lot 550 from the Department of Lands.

The Department of Lands advised that in order for a community organisation to be eligible to manage Crown Land they would need to meet the following criteria:

- They must be an Incorporated body
- Their constitution would need to state that they are able to own/manage land
- They would need to prepare a business case to show their plans for the use of the land, including proof of their capacity to meet any financial costs associated with both the capital and operational aspects of that plan.

The SHBTC were keen to investigate this matter further, it is recommended that the Town maintain control of the land and manage the occupation by way of lease in order to conform to the recommendations made within item 11.4.2 (self-supporting loan).

Leasing Policy

The Town is currently in the process of formalising a Leasing Policy. This policy will ensure fairness and equity amongst community organisations in the management of all the Town's owned assets.

The policy will work to ensure an effective system is in place between the Town and tenants of community facilities. Maintenance practices and procedures will be established to ensure that community facilities are functioning to their full potential, while also in turn, maximising their use and broadening their user base.

This policy is currently in development, and, once formalised it will provide a framework with which community groups will be able to access the use of Council owned assets in a fair and equitable manner.

The Town will as proposed through the Leasing Policy be able to offer transparent pricing models to the rental arrangements with community organisations taking into consideration factors such as, but not limited to, charitable status, ability to raise revenue, funding opportunities and the ability to fund maintenance and operational costs.

Prior to formal adoption of the Leasing Policy, it is proposed that the annual base rental for the site will be set in accordance with similar community lease agreements recently entered into by the Town. It is further recommended that this figure be reviewed on adoption of the leasing policy

New Lease Agreement

The redevelopment project has seen a capital commitment of \$4MIL from the SHBTC from a number of funding sources as outlined in the background of this item.

The development on completion will offer the community with a brand new clubhouse building with new change room facilities and capacity for up to 250 patrons, upgraded tennis courts and formalised parking area with state of the art lighting.

Officers met (11 February 2014) with a number of SHBTC Committee members, including the President to discuss the formalisation of a new lease arrangement. The following terms were proposed during this meeting:

Lease term:	20 years (in line with the Self Supporting Loan repayment schedule)
Lease commencement:	April 2014 (date of practical completion of redevelopment project)
Annual rental:	\$2500 exclusive GST
Rent review:	Annual CPI increase and review in accordance with the Leasing Policy (once adopted)
Permitted purpose:	Bowling and Tennis Club

The lease agreement will be a ground lease only and the SHBTC will be responsible for all outgoings associated with occupation of the site, including any future capital works and whole of life asset costs for the operation of the facilities, including Local Government rates.

It is further recommended that any Deed of Agreement prepared in respect of the Self Supporting Loan between the Town and the SHBTC be annexed to the Lease document and the terms of such to become condition precedent to the Lease. This will protect the interests of the Town, ensuring that any default on loan commitments will result in a default on the Lease.

Notwithstanding the above, and in the spirit of the proposed leasing policy principles, the Town will work closely with the SHBTC to ensure that appropriate asset management plans are developed to assist in the efficient management and longevity of community infrastructure.

Attachments

1. Proposed SHBTC new Lease area

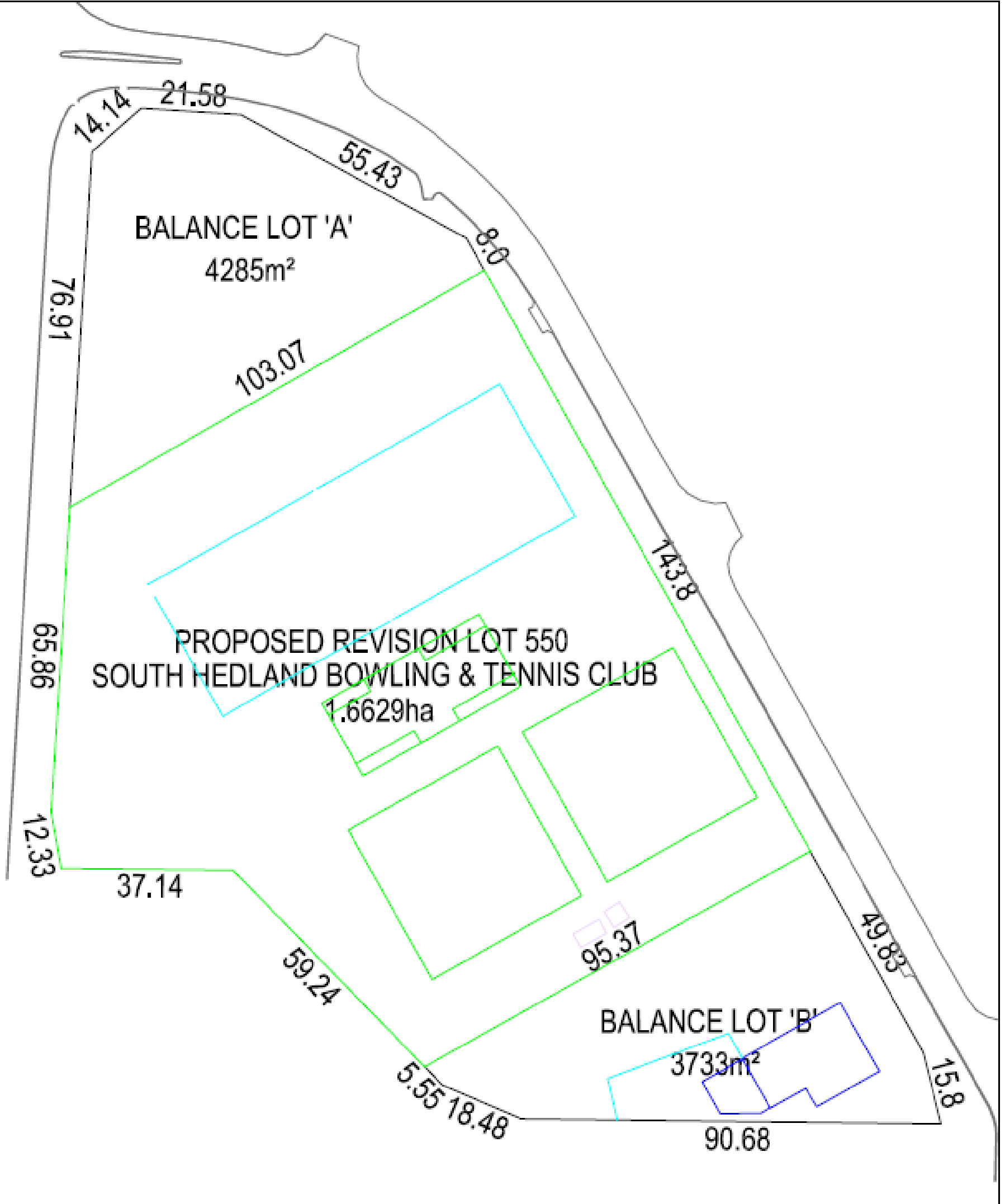
201314/283 Officer's Recommendation/ Council Decision**Moved: Cr Taylor****Seconded: Cr Gillingham****That Council:**


- 1. Approve the disposal of portion of Reserve 37820, Lot 550 Hedditch Street, South Hedland to the South Hedland Bowling and Tennis Club by way of lease on the following terms:**
 - a. Lease term of 20 years in line with the Self Supporting Loan repayment schedule; and**
 - b. Annual rental of \$2500 exclusive of GST; and**
 - c. Annual increase to the base rental by the Consumer Price Index (Perth) for the quarterly (12 month) figure, published in the immediate preceding period to the review date; and**
 - d. Permitted purpose of Bowling and Tennis Club.**

- 2. Agree in principle to the use by the RSL Port Hedland Sub Branch of the old SHBTC facilities on a 3 + 1 + 1 year term basis, subject to satisfactory investigation/approval of the following not limited to:**
 - Site capacity and headworks**
 - Existing building structural and condition assessment**
 - Minister for Land's vesting approval**
 - Relevant statutory approval**
 - Further lease negotiations with the RSL**
 - Consideration of other uses on the Part Reserve**

- 3. Request a further report to consider the future use of this site on completion of the investigations into the required site works and rectification of building compliance issues for the old South Hedland Bowling and Tennis Club Clubhouse building.**

CARRIED 8/0



 Town of Port Hedland McGregor Street, Port Hedland, WA, 8731 PO Box 41, Port Hedland, WA, 8721 Phone (08) 9158 8300 Fax (08) 9158 8300 Email council@porthedland.wa.gov.au	
SOUTH HEDLAND BOWLING & TENNIS CLUB LOT 550 HEDDITCH ST SOUTH HEDLAND	
PROPOSED LOT SUBDIVISION AREAS	
Status: EXHIBITS Document: 26/13/0020	Job: - Sheet: - Rev: A

11.3 Community Development**11.3.1 *Port Hedland International Airport – Place Plan (File No.:18/12/0026)***

Officer **Gordon MacMile**
Director Community
Development

Date of Report **7 March 2014**

Disclosure of Interest by Officer **Nil**

Summary

The Town has through consultants Village Well completed a Place Plan that will help guide the future redevelopment strategy for the Port Hedland International Airport. The intention is that the redevelopment strategy will be informed by clear placemaking directions shaped by the Port Hedland community.

The vision is that the Airport will be modern and well-serviced, providing a welcoming gateway to the North West. The Airport will be highly functional, but also have a unique character that captures Port Hedland's and the Pilbara's sense of place.

Background

The Town engaged consultants Village Well in September 2013 to undertake placemaking exercises for the proposed Port Hedland International Airport (re) development and the Marina development. The placemaking work has been split into 2 separate processes to best align with the progress of each project. The Marina development placemaking will occur in March 2014.

Placemaking is the art and science of making authentic, vibrant and resilient places that are valued by their communities and admired by visitors.

Placemaking is a holistic approach to planning and developing places that involves understanding the culture, qualities and wisdom of the community. It involves collaboration between many stakeholders to articulate a vision for a place and to plan and deliver that vision.

Placemaking enables people to realise how inspiring their collective vision can be, and allows them to look with fresh eyes at the potential of proposed developments. The placemaking process is most effective when used up-front and to give direction to subsequent design development and activation (post construction) strategies.

Placemaking incorporates and influences other traditional areas of place development, including masterplanning, urban design, social and economic development, community engagement, retail planning, arts and culture and sustainable development.

Placemaking is designed to:

- Capture the uniqueness of a place
- Incorporate the community aspirations and human scale
- Input into design process and to improve functionality
- Adds the finishing touches / fine grain differences.

PHIA Placemaking

The intention is that the redevelopment strategy for the International Airport will be informed by clear placemaking directions shaped by the Port Hedland community.

The vision is that the Airport will be modern and well-serviced, providing a welcoming gateway to the North West. The Airport will be highly functional, but also have a unique character that captures Port Hedland's and the Pilbara's sense of place.

Consultation

Village Well conducted placemaking workshops in late October / early November 2013 that included:

- An open community workshop
- A key stakeholders workshop
- A Town Elected Members / Executive workshop.

In addition, a placemaking survey was publically released to allow members of the community to input into the process electronically.

All participants in the workshop process, as well as respondents to the placemaking survey were provided with the opportunity review and further input into the (draft) place plan prepared.

Village Well referenced the following adopted strategic documents and other reference material in the preparation of the place plan:

- Shaping a Cosmopolitan Port City - FORM (2011)
- PHIA Master Plan - Airbiz (2012)
- Pilbara Stories - FORM (2013)
- Hedland Voices - Bloemen A., Parker T. (1997) Port Hedland Historical Society
- Report of the South Hedland Kariyarra Cultural Interpretive Signage Project, Port Hedland, Interpretive Signage Project, Port Hedland, West Pilbara Region, Western Australia - Anthropos Australis Pty Ltd (2012)
- When Hedland woke to Japanese bombs Massey, A. (2012)

- History Since 1896, Port Hedland NOW! - Matheson, J. (2011)
- Cultural Heritage Assessment, Town of Port Hedland Old Port Hedland Cemetery, Western Australia - RPS (2012)
- Town of Port Hedland (2012) Annual Report 2011/12
- Town of Port Hedland (2012) Pilbara's Port City Growth Plan
- Town of Port Hedland (2013) Port Hedland International Airport Redevelopment Strategy Overview
- Australian Bureau of Statistics (2011) Census Data.

Statutory Implications

Nil

Policy Implications

The Town of Port Hedland's adopted *Community Engagement Strategy* (September 2011) was followed throughout the placemaking process.

Strategic Planning Implications

The Town's Strategic Community Plan 2012-2022 identifies the following key initiatives relevant to the PHIA placemaking:

6.1	Community
6.1.1	Unified
	The Town of Port Hedland is an integrated community functionally, physically and culturally.
6.1	Community
6.1.2	Vibrant
	Develop Port Hedland's tourism industry to broaden the tourist opportunities available.
6.2	Economic
6.1.1	Gateway City
	Develop the PHIA as a leading regional airport in the area of passenger and freight movements and customer satisfaction.

Budget Implications

Costs to undertake the placemaking were allocated to the PHIA redevelopment fund.

The intention is for key elements and recommendations of the Place Plan to be included in the design, finishes and activation of the Port Hedland International Airport.

Officer's Comment

The completed Place Plan for the Port Hedland International Airport captures the essence of place, which is shaped by its past, present and future. It is a summary of findings from Village Well's place research and community consultation process as well as a vision and recommendations to guide the development of the Port Hedland Airport.

The Place Plan (Attachment 1) consists of the following sections:

- Lay of the Land - A brief summary of the local context, local experiences, local history and a snapshot of Port Hedland's community. The current airport is briefly introduced within this context, followed by benchmarking case studies of other airports that have succeeded in creating a memorable experience for passengers
- Consultation Findings - Discusses the key findings from the two workshops – a community and a stakeholder workshop – as well as from the community survey
- Essence of Port Hedland - Five themes that capture the most distinctive qualities of the place, derived from existing strategic documents, research and consultation
- Vision and Place Principles - The Vision, an aspirational statement about the future airport, is supported by Place Principles
- Opportunities and Challenges - Key opportunities, gaps and challenges are identified based on the analysis of the 'Lay of the Land', engagement findings, and the preliminary design of the Airport
- Placemaking Directions and Recommendations - Placemaking Directions articulate strategic directions that support realisation of the vision for Port Hedland Airport. Each direction is accompanied by a set of specific recommendations.

Attachments

1. Port Hedland International Airport – Place Plan (Village Well, February 2014) (Under Separate Cover)

Officer's Recommendation

That Council adopt the Port Hedland International Airport Place Plan (Village Well – 27 February 2014) as a guide to the future planning and delivery of the airport (re) development and the subsequent activation post construction.

201314/284 Amended Officer's Recommendation/ Council
Decision

Moved: Cr Hunt

Seconded: Cr Taylor

That Council endorse the Port Hedland International Airport Place Plan (Village Well – 27 February 2014) as a guide to the future planning and delivery of the airport (re) development and the subsequent activation post construction.

CARRIED 8/0

11.3.2 *Town of Port Hedland Disability Access and Inclusion Plan – Six Monthly Update (File No: 03/01/0022)*

Officer Mark Davis
Coordinator Community & Youth Development

Date of Report 26 February 2013

Disclosure of Interest by Officer Nil

Summary

The Disability Access and Inclusion Plan (DAIP) 2013 – 2017 was endorsed at the September 2013 OCM.

This report outlines progress achieved over the past six months against the Town's DAIP.

Council is requested to note the progress taken by officers towards implementing the Disability Access and Inclusion Plan 2013 – 2017, including Implementation Strategies and Actions.

Background

All public authorities in Western Australia are required under the *Disability Services Act (1993)* to develop, implement, review and report on a Disability Access and Inclusion Plan (DAIP).

The requirements of DAIPs are to ensure that people with a disability can access services, facilities, buildings and information provided by public authorities in Western Australia in a way that facilitates increased independence, opportunities and inclusion within the community.

The Town of Port Hedland undertook a review and revision of their DAIP last year, which resulted in Council endorsement of the DAIP 2013 – 2017 at the September 2013 OCM.

As part of the endorsement, Council requested officers provide a six monthly update, prior to the annual reporting process as required by the Disability Services Commission at the conclusion of each financial year.

Consultation

Internal consultation with relevant Town Departments has been undertaken to provide updates. Town Departments consulted include:

- Depot
- Human Resources
- Planning Services
- Building Services

- Marketing and Public Affairs
- Ranger Services
- Economic and Land Development
- Recreation
- Community Development.

Statutory Implications

All public authorities in Western Australia are required under the *Disability Services Act (1993)* to develop, implement, review and report on a Disability Access and Inclusion Plan (DAIP).

Policy Implications

Policy 8/003 - Access Policy for people with disabilities, their families and carers outlines the Town of Port Hedland commitment to 'recognizing a community for its diversity and supports the participation of all of its members towards making a richer community life'.

Strategic Planning Implications

The Town's Strategic Community Plan 2012 to 2022 identifies:

6.1	Community
6.1.1	Unified
	Keep all members of our community informed about, and involved with, the provision of Council/Town services and facilities.
6.1	Community
6.1.2	Vibrant
	Improve the quality of life for existing residents with a focus on families. Provide access to recreational, cultural, entertainment facilities, and opportunities. Commit to improving the quality of life and wellbeing of residents.
6.3	Environment
6.3.2	Community Facilities
	Provide safe and accessible community facilities, libraries, services and public open spaces that connect people and neighbours.
6.4	Local Leadership
6.4.1	Strategic
	Deliver high quality corporate governance, accountability and compliance. Deliver responsible management of infrastructure, assets, resources and technology.

6.4	Local Leadership
6.4.2	Community Focused

Provide a community-orientated organization that delivers the high levels of service expected by our stakeholders.

Budget Implications

Further actions requiring expenditure in the 2014/15 financial year will be fully costed and presented for consideration as part of future budget deliberations.

Officer's Comment

The DAIP 2013 – 2017 sets out how the Town of Port Hedland will meet legislative requirements, and also articulates the Town's commitment to creating a community that welcomes and includes people of all abilities.

In line with the aim to strive for excellence through the implementation of the plan, a significant proportion of the 2013/14 actions have been either completed or commenced in the six months following endorsement.

This highlights the heightened awareness created by the review process and the willingness of officers to carry out a best practice approach to access and inclusion where possible.

Highlights from the past six months include:

- Ongoing process of review of community programs to ensure access and inclusion, for example Bike Week Activities and Inclusive Playtime at the JDYz
- Opportunities identified for engagement of access consultants to advise on planning and design process for infrastructure projects e.g. Airport Redevelopment and Colin Matheson Clubhouse upgrade
- Revision and updating of a range of Human Resources processes to ensure access and inclusion is embedded
- Scheduling of Disability Awareness Training for March 2014.

Council also endorsed Town of Port Hedland affiliation with the National Disability Services Commission Companion Card Program at the February OCM. An affiliate of the Companion Card Program agrees to issue a companion ticket at no charge to cardholders who require attendant care support from a companion to participate at their venue/event.

Attachments

1. Progress Report - Town of Port Hedland Disability Access and Inclusion Plan Implementation Plan 2013 – 2017

Officer's Recommendation

That Council:

1. Note the updates provided as part of the Progress Report - Town of Port Hedland Disability Access and Inclusion Plan Implementation Plan 2013 – 2017; and
2. Note that a report and associated agenda item will be presented to the Disability Services Commission as a formal document in September 2014 – prior to submission to the Disability Services Commission.

201314/285 Council Decision

Moved: Cr Gillingham

Seconded: Cr Hunt

That Council:

1. **Note the updates provided as part of the Progress Report - Town of Port Hedland Disability Access and Inclusion Plan Implementation Plan 2013 – 2017;**
2. **Note that a report and associated agenda item will be presented to the Disability Services Commission as a formal document in September 2014 – prior to submission to the Disability Services Commission; and**
3. **Request that Council undertake targeted consultation to identify disability and access inclusion groups regarding the progress report and bring back feedback from the target groups for a report to Council as feedback and guidance.**

CARRIED 8/0

Town of Port Hedland DAIP 2013 – 2017

Progress Report (Sept 2013 – March 2014)

Town of Port Hedland DAIP 2013 - 2017
Implementation Plan

Outcome 1: People with disability have the same opportunities as other people to access services of, and any event organised by, the Town of Port Hedland.

Strategy	Task	Timeline	Responsibility	Update February 2014	Stakeholder Engagement
Ensure all policies and management practices support equitable access to services by People with disability across Council	<ul style="list-style-type: none"> Develop an overarching Disability Access and Inclusion Policy to reflect current legislative requirements and the vision of the Town as a community that embraces diversity and strives for best practice in access and inclusion. 	2013/14	Community Development	Draft policy has been developed. Completion scheduled for fourth quarter 2013/14.	Internal and external consultation to take place on the draft.
<ul style="list-style-type: none"> Ensure that all relevant Town's policies and management practices support equitable access to services by People with disability throughout the various functions of Council (and are in Plain English). 	(This cell is empty in the original document)	2013 – 17 (ongoing as policies are reviewed or created)	Governance	Prompt to be inserted on policy template on the intranet.	NA

				Governance	Strategic Plan already in place. Council has endorsed a best practice approach across organisation which is driven at a managers level.	NA
		2013 – 17 (ongoing as plans are reviewed or created)	<ul style="list-style-type: none"> Ensure the Plan is linked with the Town's strategic plan and other Town strategies to embed inclusive practice across the organisation. 	Community Development	Document scheduled to be included on TOPH website. Request to be included in scheduled Disability Awareness Training in March 2014.	Count Me In document obtained from Disability Services Commission (DSC) website.
		2013/14	<ul style="list-style-type: none"> Become familiar with the expectations and opportunities in the State Government's Count Me In – Disability Future Directions document to guide service development. 			
		Task	<ul style="list-style-type: none"> Develop and insert required clause into contract documents and onto Tender Section of Webpage 	Responsibility Community Development and Infrastructure Development	Update February 2014 Clause has been developed, and inserted into tender documents. Scheduled to be included on the TOPH webpage. Also refer to EEO IOP in staff contracts.	
Strategy Ensure that all staff and agents and contractors are aware of the relevant requirements of the Disability Services Act and implement processes to ensure these are fulfilled.		Timeline 2013/14				Developed as per DSC guidelines.

	<ul style="list-style-type: none"> • Provide agents and contractors with link to information booklet and reporting proforma 	2013/14	Managers Across all Departments	Education about this process has begun across the organization. Provision of information has begun eg YMCA contract for recreation facilities.	Clarifications to be provided to contractors on as needed basis. Has occurred already with YMCA.
	<ul style="list-style-type: none"> • Collate contractor reports and provide data to Management group 	2013/2014	Managers Across all Departments	To be completed at end of 2013/14 financial year.	Engagement with external stakeholders (contractors) as needed.
Monitor and gather feedback on progress in relation to DAIP outcomes across council and report as and when required to the Disability Services Commission.	<ul style="list-style-type: none"> • Create a field in Interplan and a consistent process for reporting on DAIP implementation 	2013/14	Governance and Community Development	Community Development has simplified internal reporting processes with simple templates provided to each department. Overall status of Interplan is pending. Completed	NA
	<ul style="list-style-type: none"> • Insert DAIP implementation as a standing item on Management Group agenda 	2013/14	Governance and Community Development	Completed	Managers meeting has been briefed.
	<ul style="list-style-type: none"> • Develop annual status reports, including contractor information, and lodge with 	Annual, 2013 – 17	Governance and Community	To be completed at end of 2013/14 financial year.	Internal and external stakeholder

	Disability Services Commission by 31 July each year			Development		engagement as required.
	<ul style="list-style-type: none"> • Include annual status report in TOPH Annual report 	Annual, 2013 - 17	Governance and Community Development	To be completed at end of 2013/14 financial year.	Internal and external stakeholder engagement as required.	
Ensure staff and community have access to and know about appropriate resources to plan and run Accessible Events.	<ul style="list-style-type: none"> • Make the Accessible Events guidelines and checklist available on the intranet and public web page 	2013/14	Marketing & Public Affairs	Guidelines and checklist filed and scheduled to be uploaded to website.	Guidelines obtained from DSC.	
	<ul style="list-style-type: none"> • Promote to staff 	2013/14	Community Development	Relevant staff have received guidelines. Education is ongoing.	Internal - received by Marketing, Governance, Community Development.	
	<ul style="list-style-type: none"> • Include information and a link to the Accessible Events resources on approvals to run a community event 	2013/14	Recreation	Completed.	Clarification to external stakeholders as required.	
Develop and maintain strategic partnerships with key agencies, to maximise access to services for	<ul style="list-style-type: none"> • Develop a simple framework for community partnership engagement 	2014/15	Community Development			

people with disabilities	<ul style="list-style-type: none"> Ensure community partners are on information and invitation distribution lists 	2013/14	Community Development	Completed.	Contacts have been added with their permission.
Strategy	Task	Timeline	Responsibility	Update February 2014	
Consider and implement community development activities, to enhance awareness and inclusion of people with disability e.g. festivals, information expos	<ul style="list-style-type: none"> Review community development activities to identify ways of promoting awareness and inclusion 	2013/14	Community Development	Ongoing process. Eg: <ul style="list-style-type: none"> Inclusive play time (in partnership with Lifestyle Solutions) has been reviewed and improved. Disability Awareness Week activities to continue. 	Officers have worked in partnership with external stakeholders demonstrated as left. Another example is partnering with HCLA for Bike Week.
	<ul style="list-style-type: none"> Plan all activities and events to include components to enhance access and inclusion 	2013/14	Internal Event Managers	Ongoing process. Event and program managers aware of guidelines, and will continue to promote accessibility and inclusiveness in their initiatives.	Internal consultation ongoing.

<p>Provide more inclusive recreation programs and school holiday programs.</p>	<ul style="list-style-type: none"> Review current programs to identify ways of including and supporting children and adults with disabilities 	<p>2013/14</p>	<p>Facility Managers: Sport and Recreation, Community Development</p>	<p>Ongoing process. Facility managers aware of guidelines, and will continue to promote accessibility and inclusiveness in their programs. YMCA held an inclusive swimming program at SHAC during Disability Awareness Week.</p>	<p>Internal consultation ongoing</p>
	<ul style="list-style-type: none"> Adapt current programs to be more accessible 	<p>2013/14</p>	<p>Facility Managers: Sport and Recreation, Community Development</p>	<p>Ongoing process. Facility Managers aware of guidelines, and will continue to promote accessibility and inclusiveness in their programs.</p>	<p>Ongoing consultation process.</p>
	<ul style="list-style-type: none"> Seek feedback from people with disability to inform program development 	<p>2013/14</p>	<p>Facility Managers: Sport and Recreation, Community Development</p>	<p>Input has been sought where appropriate – eg HCLA for the development of Bike Week activity</p>	<p>Ongoing consultation as required.</p>
<p>Library services to provide adaptive</p>	<ul style="list-style-type: none"> Seek feedback from people with disability on hardware 	<p>2013/14 to enable budgeting in</p>	<p>Library Services</p>	<p>Process to continue.</p>	

			2014/15	and software needs			Ongoing.	Library Services	NA	
				<ul style="list-style-type: none"> Investigate current technology 		NA	Ongoing	Library Services	NA	
Advocate on behalf of people with disability to relevant organisations			2013/14	<ul style="list-style-type: none"> Continue to actively lobby to improve transport services 		Issues raised in 5 yearly review by HCLA.	Ongoing	Office of the CEO		
			2013/14	<ul style="list-style-type: none"> Liaise with relevant government agencies regarding the lack of appropriate accommodation 		As above.	Ongoing	Office of the CEO		
			2013/14	<ul style="list-style-type: none"> Liaise with relevant government agencies regarding the lack of respite services, especially on weekends 		As above.	Ongoing	Office of the CEO		
			Immediate and Ongoing	<ul style="list-style-type: none"> Facilitate training on access and inclusion for sporting groups and associations 		Engagement to be undertaken as required.	A request for funding has been submitted through the Sport and Recreation Department for inclusion in the 2014/15 budget.	Sport and Recreation		

Outcome 2: People with disability have the same opportunities as other people to access the buildings and other facilities of the Town of Port Hedland

Strategy	Task	Timeline	Responsibility	Update February 2014	Stakeholder Engagement
Improve access to existing buildings and facilities	<ul style="list-style-type: none"> Conduct an access audit of Town buildings and facilities, including emergency egress and signage, 	2014/15	Building Services		
	<ul style="list-style-type: none"> Integrate all remedial works identified into the works schedule 	2015 – 2017	Technical Services		
	<ul style="list-style-type: none"> Incorporate access for People with disability into the Asset Management Strategy 	2014/15	Community Development		
	<ul style="list-style-type: none"> Investigate using the You're Welcome WA website to provide the community and tourists with useful information on accessibility derived from the access audit 	2014/15	Community Development		
Ensure all new developments are accessible	<ul style="list-style-type: none"> Develop a process to ensure access and inclusion is integral to all 	2013/14	Infrastructure Development	Access and inclusion has been included in tender	NA

	<p>projects from planning to completion</p>			<p>documentation, and opportunities to further intergrate into project management process are ongoing.</p>	
<ul style="list-style-type: none"> • Ensure that the advice of an appropriately experienced Access Consultant is sought where required when planning and designing any public facilities or undertaking major refurbishments. 	<p>Immediate and Ongoing</p>	<p>All Managers</p>	<p>This process has begun. Eg: - Airport upgrade stage 1 program - Proposed Colin Matheson Oval Clubroom Development to include requirement in brief</p>	<p>Access Consultant engaged where appropriate.</p>	
<ul style="list-style-type: none"> • Ensure that expert advice, including from people with disabilities, is part of planning and implementation of projects, in addition to professional expertise. 	<p>Immediate and Ongoing</p>	<p>All Managers</p>	<p>Building and Planning Services have advised this will be part of the building application and is regulated through the BCA</p>	<p>Ongoing consultation process through regulatory systems.</p>	
<ul style="list-style-type: none"> • Ensure adequate accessible parking to meet the demand of people with disabilities, in terms of quantity and location. 	<p>Immediate and Ongoing</p>	<p>Planning Services</p>	<p>This will be part of the building application and is regulated through the BCA</p>	<p>Ongoing process through regulatory systems.</p>	

	<ul style="list-style-type: none"> Promote accessible housing, including the principles of The Liveable Homes Guidelines, for developments within the Town of Port Hedland. 	Ongoing	Planning Services	A section will be included in the Housing Study to promote accessible housing.	Action included in plan as a result of community feedback.
Provide accessible play opportunities for children, families and caregivers with disabilities	<ul style="list-style-type: none"> Develop and implement an accessible play space policy modeled on contemporary best practice. 	2014/15	Technical Services		
	<ul style="list-style-type: none"> Conduct an access audit of the Town's existing parks and play spaces, including supporting facilities such as parking and toilets. 	2014/15	Technical Services		
	<ul style="list-style-type: none"> Schedule and implement improvements according to the new policy on accessible play spaces 	2015 - 17	Technical Services		
Ensure continuous accessible paths of travel.	<ul style="list-style-type: none"> Conduct an access audit of the Town's footpaths and develop a remedial works schedule, linked with budget planning 	2014/15	Technical Services		
	<ul style="list-style-type: none"> Ensure all new footpaths are built to a high level of accessibility and comply to legislation 	Ongoing	Technical Services		
	<ul style="list-style-type: none"> Respond to requests for footpath installation or 	Ongoing	Technical Services		

	repairs as a matter of priority for people with disabilities				
Enforce parking rules for easy access parking bays.	<ul style="list-style-type: none"> Rangers to patrol bays and issue infringements 	2013/14	Ranger Services	Rangers to continue to patrol and monitor bays.	Community engagement and education during patrols.
	<ul style="list-style-type: none"> Work with shopping centre management to minimise misuse of bays 	2013/14	Ranger Services	Ranger services have met with shopping centre management, who have advised for new signs to be installed within the next two weeks.	Consultation with shopping centre management.
Educate the business community about accessibility	<ul style="list-style-type: none"> Encourage and inform business owners regarding access to their premises and services – provide with information and have resources on the website 	2014/15	Economic and Land Development Services		
	<ul style="list-style-type: none"> Invite business people to take part in relevant staff disability training. 	2013/14	Economic and Land Development Services	Department to liaise with People and Culture (Human Resources) re upcoming training.	Internal consultation process ongoing.

Outcome 3: People with disability receive information from the Town of Port Hedland in a format that will enable them to access the information as readily as other people are able to access it.

Strategy	Task	Timeline	Responsibility	Update February 2014	Stakeholder Engagement
Ensure information is provided in alternative formats on request.	<ul style="list-style-type: none"> Ensure that all public documents include a statement that the document is available in alternative formats on request. 	2013/14	Governance	Investigations are underway into programs to produce alternative formats.	NA
	<ul style="list-style-type: none"> Ensure that staff are aware of how to provide information in alternative formats on request. 	2013/14	Community Development	Information has been dispersed to Community Development team, and Marketing and Public Affairs.	Internal consultation undertaken.
Ensure people with hearing impairment are able to access information provided at events.	<ul style="list-style-type: none"> Investigate provision of Auslan interpreters for people who are deaf on request at all events. 	2014/15	Community Development (events)		
	<ul style="list-style-type: none"> Ensure an audio loop is available at key events and on request whenever amplified sound is used. 	2015/16	Community Development (events)		
Ensure all informational materials produced	<ul style="list-style-type: none"> Review the Town's Style Guide for documentation and 	2013/14	Marketing	Complete review of Style Guide to be undertaken by	Internal consultation ongoing.

<p>by the Town meets a high level of accessibility.</p>	<p>promotional material and ensure it informs good practice in Accessible Information.</p> <ul style="list-style-type: none"> Promote the revised Style Guide to all staff. Review the website/intranet and ensure it complies with the W3C Accessibility Guidelines, including offering alternatives to PDFs. 	<p>2013/14</p>	<p>Marketing</p>	<p>external contractor in the remainder of the FY 13/14.</p>	<p>Internal engagement to follow.</p>
<p>Ensure web based information is accessible.</p>	<p>Investigate available platforms for information distribution and gathering staff and community feedback.</p>	<p>2013/14</p>	<p>Information Technology</p>	<p>Following completion of the above. Department has advised changes will be implemented in the development of the new website and intranet portal, which will be compliant as far as possible.</p>	<p>NA</p>
<p>Consider the use of contemporary technology and social networking for information distribution and gathering staff and community feedback.</p>	<p>Usage by external stakeholders to be monitored.</p>	<p>2013/14</p>	<p>Marketing</p>	<p>The TOPH has implemented the following: - Facebook page implemented - Consultation and surveys can be undertaken online, in person or over the phone on an as needs basis.</p>	<p>Usage by external stakeholders to be monitored.</p>

	<ul style="list-style-type: none"> Implement and monitor usage, benefits and concerns (with the above). 	2013/14	Marketing	<p>The TOPH Facebook page is monitored by an external contractor. Results to be developed over a period.</p>	
	<ul style="list-style-type: none"> Utilise key stakeholders and agencies to disperse information through the creation of a database. 	2013/14	Community Development	<p>Community development has fed in relevant stakeholders and community members to the following databases (with permission) – Community Events and TOPH News/Information databases.</p>	Internal and external consultation ongoing.
Strategy	Task	Timeline	Responsibility	Update February 2014	
Ensure an adequate ongoing supply of alternative format resources in the libraries	<ul style="list-style-type: none"> Library services to continue to grow its alternative format resources such as Large Print and Talking Book collections to meet community demand. 	Ongoing	Library Services	Ongoing.	

Outcome 4: People with disability receive the same level and quality of service from the staff of the Town of Port Hedland as other people receive.

Strategy	Task	Timeline	Responsibility	Update February 2014	Stakeholder Engagement
Ensure staff and elected members receive training on disability access and inclusion	<ul style="list-style-type: none"> • Provide induction training on access and inclusion to new staff and elected members. 	2013/14	Human Resources	Ongoing and in place.	Internal engagement
	<ul style="list-style-type: none"> • Conduct training on access and inclusion for staff across all areas, at least every two years and provide training tailored to staff requirements in different areas of Council. Include the training requested by staff in the consultation and also training on way finding, barriers and signage for outside workers. 	2013/14	Human Resources	Disability Awareness Training scheduled 13/03/2014, facilitated by the NDRC	Internal engagement
Ensure the Customer Service Charter aligns with access and inclusion principles	<ul style="list-style-type: none"> • Review the Charter, and revise as required. 	2013/14	Administration	Planned to be commenced in the remainder of FY 13/14.	NA
	<ul style="list-style-type: none"> • Promote the Charter to 	2013/14	Administration	To follow action	NA

Ensure staff have easy access to the resources they need to implement their DAIP obligations	all Town staff • Make a range of access resources available on the intranet, such as links to the Access Guidelines, Access Resource Kit, List of Access Consultants, Consumer Involvement resources and other useful disability information.	2013/14	Community Development	above. Scheduled to be uploaded onto the TOPH Website in the remainder of 2014.	Obtained from DSC
	• Promote these to staff.	2013/14	Community Development	Staff have been provided with copies of relevant information to their responsibilities.	As left

Outcome 5: People with disability have the same opportunities as other people to make complaints to the Town of Port Hedland

Strategy	Task	Timeline	Responsibility	Update February 2014	Stakeholder Engagement
Ensure the Town's Complaints Policy and staff skills provide flexibility to	<ul style="list-style-type: none"> Review the current Complaints Policy and develop a complaints mechanism to ensure that accessible processes to meet a variety of needs are 	2013/14	Marketing and Organisational Development	Undertaken as part of Customer Service Charter review. Planned to be commenced in the remainder of	As required during review.

accommodate people's access requirements	implemented, supported by staff training.			FY 13/14.	
	<ul style="list-style-type: none"> Include the accessible complaints process into the Customer Service Charter. 	2013/14	Marketing and Organisational Development	Undertaken as part of Customer Service Charter review. Planned to be commenced in the remainder of FY 13/14.	As above
	<ul style="list-style-type: none"> Promote the Town's accessible complaints processes to staff and the community. 	2013/14	Marketing and Organisational Development	Undertaken as part of Customer Service Charter review. Planned to be commenced in the remainder of FY 13/14.	As above

Outcome 6: People with disability have the same opportunities as other people to participate in any public consultation held by the Town of Port Hedland

Strategy	Task	Timeline	Responsibility	Update February 2014	Stakeholder Engagement
Offer a range of ways, including the use of technology, to enable interested community members and staff to advise the	<ul style="list-style-type: none"> Promote the opportunity for interested community and staff representatives to act as an informal advisory body to the Town on disability 	2013/14	Community Development	To be completed in remainder of 2013/14.	External engagement upcoming.

Town on disability and access matters.	and access matters, on a as-needed or per-project basis				
	<ul style="list-style-type: none"> Investigate different real and virtual ways of involving people – meetings, a list of “armchair advisors” or “Community Eyes in the Street” using social media such as Twitter or Facebook and smartphone Apps such as “Snap, Send, Solve”. 	2014/15	Community Development		
Ensure we provide accessible opportunities and support People with disability to take part in all consultations.	<ul style="list-style-type: none"> Use the Town’s Community Engagement Strategy, and access guidelines and checklists on Events and Information to plan, promote and implement all consultations. 	Ongoing	Community Development	Ongoing	
Ensure that	<ul style="list-style-type: none"> Follow Consumer Involvement Principles to attract and support people with disabilities, their families and carers to take part in consultations. 	Ongoing	Community Development	Lifts are offered to community members to assist attendance.	
	<ul style="list-style-type: none"> Follow the Accessible 	Ongoing	Governance	Governance staff have	NA

<p>People with disability can attend and take part in Council meetings.</p>	<p>Events and Accessible Information guidelines and checklists when planning and running Council meetings, including agendas, papers and minutes.</p>			<p>reviewed guidelines, and have begun to implement considerations, including investigation of improved audio system for Council meetings.</p> <p>Note included on advertising for all public meetings that community members of all abilities are welcome.</p>	
<p>Ensure that meetings and forums held as part of community consultations are planned and implemented according to best practice in accessible events.</p>	<p>• Follow the Accessible Events and Accessible Information guidelines and checklists when planning and running all consultations, including venue access, agendas, information and minutes.</p>	<p>2013/14</p>	<p>Governance and Community Development</p>	<p>Information has been dispersed to relevant staff to begin education and implementation process.</p>	<p>Internal – Marketing, Governance, Events staff.</p>

Outcome 7: People with disability have the same opportunities as other people to obtain and maintain employment with the Town of Port Hedland

<p>Strategy</p>	<p>Task</p>	<p>Timeline</p>	<p>Responsibility</p>	<p>Update February 2014</p>	<p>Stakeholder</p>
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	Ongoing			Engagement
Establish evidence base and policy to inform and support the employment of people with disabilities	<ul style="list-style-type: none"> Collect diversity data to monitor and promote ongoing employment of employees with disabilities. 	Human Resources and Organisational Development	EEO Survey constructed and recorded electronically. Completed, ongoing with new employees.	Internal
	<ul style="list-style-type: none"> Review EEO and other HR policies and procedures to ensure they do not discriminate against people with disability. 	Human Resources and Organisational Development	HR to review HR012 EEO, Bullying, Harassment and Grievance Handling IOP annually	Internal
HR staff to be expert resources in inclusive management practices.	<ul style="list-style-type: none"> Provide training and support to develop knowledge and expertise. 	Human Resources and Organisational Development	<p>HR completed Disability Awareness HR Management Online Seminar:</p> <p>This is a free online seminar covering diversity training specific to disability awareness for human resource professionals. Through this seminar you will have the opportunity to learn more about current history, myths and facts, research, tips for communication, tips for interviewing and tips for accommodations, all related to employing people with disability. Please note that the following link will take you to an external website in a new window:</p> <ul style="list-style-type: none"> Worksupport.com 	Internal

Ensure workplaces are accessible	<ul style="list-style-type: none"> Carry out an access audit of workplaces. 	2014/15	Infrastructure Development	<p>Disability Awareness HR Management Online Seminar</p> <p>HR to attend Disability Awareness Training in March 2014.</p> <p>HR to arrange an external access audit of the new refurbishment once completed.</p>	External		
	<ul style="list-style-type: none"> Ensure new council buildings or refurbishments meet the Access to Premises – Buildings Standard, and follow enhanced standards for fit out and other areas not covered by the BCA. 	2014/15	Infrastructure Development				
	<ul style="list-style-type: none"> Ensure meetings are held in accessible rooms – as identified in the access audit. 	2014/15	Occupational Health and Safety (Human Resources)				
Improve recruitment practices to enable more candidates with	<ul style="list-style-type: none"> Develop service agreements and advertise all positions with local DES providers. 	2013/14	Human Resources	Meetings held with Hedland Personnel 9172 2966, Bloodwood Tree Association Inc 9138 3000.	External		

<p>disabilities to enter employment with the Town.</p>	<ul style="list-style-type: none"> Establish relationship with local NDRC to identify potential candidates and employment opportunities for people with disabilities. 	<p>2013/14</p>	<p>Human Resources</p>	<p>Registered with NDRC. Regular mentoring and advertising vacancies.</p>	<p>External</p>
<ul style="list-style-type: none"> Require agencies to ensure applicants with disabilities are forwarded to HR for consideration 	<p>2013/14</p>	<p>Human Resources</p>	<p>Bloodwood Tree and Ashburton Aboriginal Corporation send through applicants on a regular basis.</p>	<p>External</p>	
<ul style="list-style-type: none"> Publish a guide on employing People with disability via DES providers. 	<p>2014/15</p>	<p>Human Resources</p>	<p>JobAccess has these materials already published and freely available</p>	<p>External</p>	
<ul style="list-style-type: none"> Implement a guaranteed interview scheme where applicants with disabilities who meet the minimum criteria are interviewed. 	<p>2013/14</p>	<p>Human Resources</p>	<p>Implement EEO/Diversity question as screening question in Big Red Sky – TBC once BRS is live.</p>	<p>NA</p>	
<ul style="list-style-type: none"> Advertising to state that the Town is an 	<p>2013/14</p>	<p>Human Resources</p>	<p>Included the following text at the bottom of all advertising:</p>	<p>NA</p>	

	<ul style="list-style-type: none"> Promote and educate managers on the use of the Workplace Adjustment Tool to improve work options for employees with disabilities and educate managers on workplace adjustments. 	<p>2013/14</p>	<p>Organisational Development</p>	<p>Include work design tool in EEO/Diversity training. HR, Org Dev and OH&S to work closely with Managers to support employees identified with disabilities.</p>	<p>Internal</p>
	<ul style="list-style-type: none"> Ensure employees have access to adaptive equipment. 	<p>2013/14</p>	<p>Organisational Development</p>	<p>Identified via the work design tool.</p>	
	<ul style="list-style-type: none"> Establish employment pathways for employees with disabilities to establish clear career development opportunities. 	<p>2014/15</p>	<p>Organisational Development</p>	<p>HR to work closely with Managers to establish clear retention/career pathways for any employees identified with disabilities. Support provided by the NDRC and Job Access.</p>	<p>Internal</p>

11.4 Corporate Services**11.4.1 *Financial Reports to Council for the Period Ended 31 January 2014 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Peter Kocian
Manager Financial Services

Date of Report 6 March 2014

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the financial activities of the Town for the period ended 31 January 2014, in comparison to the year-to-date budget. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2012/13.

Background**1. *Financial Statements***

The following financial report is attached for the period ended 31 January 2013:

- Statement of Financial Activity, explanation of the composition of net assets and supplementary information

2. *Utility and Fuel Costs*

Presented in graph form is the 2013/14 monthly water, power and fuel costs compared with 2012/13.

3. *Schedule of Accounts Paid – Attachment 2*

The Schedule of Accounts paid under delegated authority which is submitted to Council on 26 March 2014 for noting, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and delivery of services, and verification of prices, computations and costs.

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 revenue and expenditure, 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 at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; 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, to be used in statements of financial activity for reporting material variances.*

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; or*
 - (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.*

- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*
- (3) *The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*
- (4) *Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.”*

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

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

Strategic Planning Implications

6.4 Local Leadership

6.4.1 Strategic

Deliver high quality corporate governance, accountability and compliance.

Deliver responsible management of infrastructure, assets, resources and technology.

Budget Implications

At the Special Meeting held on 31 July 2013, Council resolved to adopt item 6.3.1 'Adoption of the 2013/2014 Budget' en block with the exception of Recommendation 20, which included Recommendation 19 as follows:

“Recommendation 19

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, that Council adopts the following percentage or dollar value for determining and reporting material variances in 2013/14 as follows:

- i) 10% of the Function amended budget; or*
- ii) \$100,000 of the Function amended budget*

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

- iii) Operating Revenue*
- iv) Operating Expenditure*
- v) Non-Operating Revenue*
- vi) Non-Operating Expenditure”*

Officer’s Comment

For the purpose of explaining Material Variance (see Attachment 1, 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 dollar impact on the Adopted 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

1. Monthly Statement of Business Activity (Under Separate Cover)
2. January 2014 Listings for Payment. Page 1 is a public document, however the remainder of the document is confidential provided under separate cover.

201314/286 Officer's Recommendation/ Council Decision

Moved: Cr Taylor

Seconded: Cr Melville

That Council note the:

- 1. Financial Statements as at 31 January 2014;**
- 2. Graphic representation of the Town's energy, water and fuel use; and**
- 3. List of Accounts paid during January 2014 under Delegated Authority.**

CARRIED 8/0

PAGE 1 OF ATTACHMENT 2 TO ITEM 11.4.1

TOWN OF PORT HEDLAND

ACCOUNTS FOR PAYMENT
AS AT 31st January 2014 PRESENTED TO THE
COUNCIL MEETING on the 26th March 2014

This Schedule of Accounts paid under delegated authority as detailed below, which is to be submitted to each member of Council on 26th March 2014, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods, delivery of services and verification of prices, computations and costings.

Voucher No's		Value	Pages		Fund No.	Fund Name	Description
From	To		From	To			
NMF020114	NMF020114	\$ 569.14	1	1	1	Municipal Fund	Photocopier Lease x 2 - South Hedland Library & JD Hardie
NMF020114	NMF020114	\$ 1,244.32	1	1	1	Municipal Fund	Photocopier Lease x 2 - Regulatory Services
NMF060114	NMF060114	\$ 284.57	63	63	1	Municipal Fund	Photocopier Lease x 1 - Community Development (Airport)
		\$ 2,098.03					
CHQ 22949	CHQ 22956	\$ 43,554.98	2	2	1	Municipal Fund	
CHQ 22957	CHQ 22959						Cancelled Cheques
CHQ 22990	CHQ 22966	\$ 78,440.22	4	5	1	Municipal Fund	
CHQ 23034	CHQ 23034	\$ 549.65	6	6	1	Municipal Fund	Printed new cheque range as cheque printer required repairs
CHQ 23035	CHQ 23062						Cancelled Cheques
CHQ 23063	CHQ 23089	\$ 37,943.05	6	9	1	Municipal Fund	still using old range
		\$ 160,488.10					
EFT49501	EFT49605	\$ 22,602,200.35	9	62	1	Municipal Fund	
		\$ 22,602,200.35					
WOW150114	WOW150114	\$ 4,299.59	84	84	1	Municipal Fund	Woolworths Direct Debit
		\$ 4,299.59					
FNE130114	FNE130114	\$ 16,688.39	63	63	1	Municipal Fund	
FNE210114	FNE210114	\$ 535,975.63	63	63	1	Municipal Fund	
FNE240114	FNE240114	\$ 2,284.51	63	63	1	Municipal Fund	
		\$ 554,948.53					
	Muni Total	\$ 23,324,034.60					
CHQ3002575	CHQ3002607						Cancelled Cheques
CHQ3002608	CHQ3002614	\$ 72,246.41	1	1	3	Trust Fund	
		\$ 72,246.41					
	Trust Total	\$ 72,246.41					
	Total	\$ 23,396,281.01					

Officer: Lisa Dyer - Finance Officer Creditors

Date of Report: 3/02/2014

Disclosure of Interest by Officer: Nil

Checked & Reconciled:


Chirantha Perera - Senior Finance Officer

6:30pm Mayor Howlett declared an impartiality interest in Item 11.4.2 'Financial Management – Self Supporting Loan for South Hedland Bowling and Tennis Club' as she is a member of the South Hedland Bowling and tennis Club.

Mayor Howlett did not leave the room.

11.4.2 *Financial Management – Self Supporting Loan for South Hedland Bowling and Tennis Club*

Officer Peter Kocian
Manager Financial Services

Date of Report 6 March 2014

Disclosure of Interest by Officer Nil

Summary

Council is requested to reconfirm its support of the South Hedland Bowling and Tennis Club (SHBTC) redevelopment project through the provision of a \$500,000 self-supporting loan between the Town of Port Hedland and SHBTC.

Background

The redevelopment of the South Hedland Bowling and Tennis Club was originally recommended in the 2006 Sports Facilities Audit. This was followed by the commissioning of a Business Plan in late 2010 (attachment 1).

The Business Plan identifies the construction of a new clubhouse and associated amenities including the resurfacing of existing playing surfaces and the construction of a second synthetic green.

The total club development cost based on concept plans (in September 2011) was estimated at \$4m with funding contributions as follows:

Funding Source	Amount
Pilbara Development Commission Regional Grants Scheme	\$500,000
Pilbara Revitalisation Plan Phase 2	\$2,130,000
BHP Billiton Iron Ore	\$1,000,000
SHBTC – Self Supporting Loan Town of Port Hedland	\$250,000
Other Port Hedland Connected Companies	\$120,000
TOTAL	\$4,000,000

The Business Plan stated that the SHBTC has demonstrated the capacity to operate in a viable and sustainable fashion, and that the Club can adequately cover self-supporting loan commitments and contributions to a facility renewal fund.

The following Council resolutions/discussion are relevant to this project:

- 7 July 2010 – 2010/11 Budget Adoption – SHBTC Self Supporting Loan was included as a carry forward as part of the 2010/11 Budget.
- 13 July 2011 – SHBTC Update and Progression of Project - Part of Council resolution stated that another item would go to Council before the conclusion of design development and prior to calling the main building tenders that would include the cost estimates and matching funding, confirmation of the self-supporting loan, written confirmation of the funding and the business plan and club development plan.
- 22 July 2011 – 2011/12 Budget Adoption - SHBTC Self-Supporting Loan was included as a carry forward as part of the 2011/12 Budget.
- 23 May 2012 – SHBTC Scope Approval and Progress Update – part 2 of Council's resolution from 13 July 2011 was revoked (this was the part regarding tenders for design development) and a new decision to call for tenders upon confirmation of all funding contributions was made.
- 30 August 2012 – Adoption of the 2012/13 Budget – SHBTC Self Supporting Loan was included as a carry forward as part of the 2012/13 Budget.
- 24 October 2012 – Public Question Time – Frank Weir asked whether the SHBTC funding had been confirmed and when the project could start. Gordon MacMile advised of the need for formal recognition of the self-supporting loan and that the finance team was liaising with the SHBTC.
- 13 March 2013 – Tender 12/09 Design & Construction of SHBTC Redevelopment. The Background section of this report stated that in October 2012 the complete funding amount was secured inclusive of the loan commitments from the Club.
- 31 July 2013 – SHBTC Self Supporting Loan was included as a carry forward as part of the 2013/14 Budget.

Correspondence forwarded to the SHBTC in late 2012 advised the Club that the Town of Port Hedland would take out a \$500,000 loan on behalf of the Club to support the project

Consultation

Internal:

- Director Corporate Services
- Director Community Development
- Manager Recreation Services and Facilities
- Manager Investment and Business Development
- Coordinator Financial management
- Governance Coordinator
- Governance Officer

External:

- South Hedland Bowling and Tennis Club

Statutory Implications

The disposal of property is exempt from requirements of Section 3.58 of the Local Government Act by virtue of Regulation 30(1)(2)(b)(i) and (ii) of the *Local Government (Functions and General) Regulations 1996*.

“30. Disposition of property excluded from Act s. 3.58

.....

(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.

(2) A disposition of land is an exempt disposition if—

(b) the land is disposed of to a body, whether incorporated or not—

(i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and

(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions.

Policy Implications

There are no Council policies relative to this matter. It is recommended that a new Policy be developed addressing the application process and eligibility criteria for Self-Supporting Loans.

Strategic Planning Implications

6.1 Community

6.1.1 Unified

The Town of Port Hedland is an integrated community functionally, physically and culturally

6.1.2 Vibrant

Increased numbers of recreational facilities are available.

Budget Implications

The following Budget applies to the SHBTC Redevelopment Project in 2013/14:

	Total
Expenditure	3,928,872
Total Expenditure	3,928,872
Funded From	
BHP Reserve	-928,872
Self-Supporting Loan	-500,000
Grants – R4R, PDC	-1,750,000
Unspent Grants – R4R, PDC	-750,000
Total Funding	-3,928,872

The 2013/14 Budget approved a Self-Supporting Loan of \$500,000 to the SHBTC over a 20 year term. Principal and interest payment will amount to approximately \$20,383 per annum. Loan funds were drawn down in early March 2014.

Officer's Comment

Council has not previously resolved on the \$500,000 Self-Supporting Loan to the SHBTC as a stand-alone resolution. Despite there not being a specific Council resolution the loan, funds have been included in stated funding strategies and in the Town's Annual Budget since 2010/11.

In accordance with the 2013/14 Budget, loan funds have been drawn down with the intention of allocating funds against the SHBTC redevelopment.

An unaudited Profit and Loss Statement for the period July 2012 – May 2013 was submitted by the SHBTC to the Town for review – this is less than the Town may otherwise expect as part of any future self-supporting loan policy. The financial statements identified a trading loss of approximately \$190,000, indicating that there may be some financial risk associated with the Club's capacity to repay the self-supporting loan.

The Town of Port Hedland and SHBTC have committed to the redevelopment, therefore it is not suggested that the self-supporting loan funds be withheld from the project. However, the matter does highlight the need for robust procedures surrounding the application and eligibility process/assessment for self-supporting loan requests from incorporated community groups and sporting clubs in the future.

Officers recommend that a Self-Supporting Loan Deed of Agreement be prepared and executed between the Town of Port Hedland and SHBTC as a matter of priority, with the Deed to form an Annexure to the Club's lease on the land. Therefore any default by the SHBTC would have consequential impact on the lease agreement over the land.

Officers also recommend the development of a Self-Supporting Loan Policy to provide clarity around the application process and eligibility criteria. A fundamental of the (draft) policy will be that self-supporting loans should only be considered as an additional funding source once all efforts to secure external funding have been exhausted or as part of a diverse funding mix that includes support from a number of funding sources.

Attachments

1. South Hedland Bowling and Tennis Club Business Plan – September 2011 (Under Separate Cover)
2. Loan Deed of Agreement

201314/287 Officer's Recommendation/ Council Decision

Moved: Cr Hunt

Seconded: Cr Gillingham

That Council:

1. **Re-confirm its support of the South Hedland Bowling and Tennis Club redevelopment project and the \$500,000 self-supporting loan between the Town of Port Hedland and the South Hedland Bowling and Tennis Club;**
2. **Endorse the preparation of a Self-Supporting Loan Deed of Agreement by the Town of Port Hedland and executed with the South Hedland Bowling and Tennis Club as a matter of priority;**
3. **Endorse the Loan Deed of Agreement being an Annexure to the South Hedland Bowling and Tennis Club lease; and**
4. **Note that a (draft) Self-Supporting Loan Policy be developed addressing the application and eligibility process and assessment for self-supporting loan requests from incorporated community groups and sporting clubs.**

CARRIED 8/0

At its 19 February Ordinary meeting the Audit and Finance committee resolved the following:

“AFC201314/031 Officer’s Recommendation/ Audit and Finance Committee Decision

Moved: Cr Jacob Howlett

Seconded: Mayor

That the Audit and Finance Committee:

- 1. Acknowledge Council’s request to review its Terms of Reference; and*
- 2. Advise the Council that its current Terms of Reference are in line with the Committee’s duties and responsibilities and will remain unchanged.*

CARRIED 3/0”

Councillor Gillingham attended the Audit and Finance Committee meeting as an observer.

At the Ordinary Council meeting on 26 February 2014 Councillor Gillingham put forward the following notice of motion.

“That Council consider amending the Terms of Reference of the Audit & Finance Committee and in doing so advertise for an expression of interest for an additional Community Committee Member.”

Consultation

Internal

- Chief Executive Officer
- Executive Team

External

- Audit & Finance Committee

Statutory Implications

Local Government Act 1995 –

- S.5.10 ‘Committee members, appointment of’
- S.5.11 ‘Committee membership, tenure of’

Town of Port Hedland Local Law on Standing Orders – S.19.3 ‘Appointment of Committees’

Policy Implications

Nil.

Strategic Planning Implications

The following section of Council's Strategic Community Plan 2012 - 2022 is considered relevant:

6.4	Local Leadership
6.4.1	Strategic
	Deliver high quality corporate governance, accountability and compliance
6.4	Local Leadership
6.4.2	Community focused
	Local leaders in the community who provide transparent and accountable civic leadership.

Budget Implications

Costs associated with committees are included in the Town of Port Hedland 2013/14 Budget as operational expenditure.

Officer's Comment

Council requested that the Audit and Finance committee consider its own terms of reference inclusive of its community membership in December 2013 and a report to this regard was prepared for the 19 February 2014 Audit and Finance Committee meeting.

In this report the officer informed the Audit and Finance Committee that the committee's terms of reference were considered to be exhaustive and its membership to be appropriate.

No changes to the committee's terms of reference and membership were proposed and the committee decision reflected the officer's recommendation.

This report therefore reinforces the statements previously made in relation to the Audit and Finance committee terms of reference, these being:

The current Committee comprises of five members; this is considered to be a suitable uneven number for a committee to function efficiently in terms of quorum and voting requirements; this is reflected in the model terms of reference for Audit committees outlined by the Department of Local Government and Communities. The level of experience and qualifications amongst current members is also considered to be appropriate for the Committee to be able to make informed decisions on audit matters which will then be referred back to Council.

In view of the above the officer's recommendation is to leave the current terms of reference for the Audit and Finance Committee unchanged.

Should Council decide to resolve otherwise it is recommended it undertakes another expression of interest advertising process to ensure that all community members are given a fair opportunity to submit an application.

As per the Department of Local Government and Communities guidelines, Council should also ensure community members have the requisite knowledge and skills to provide benefit to the committee.

Attachments

Nil.

Motion

Moved: Cr Gillingham

Seconded: Cr Butson

That Council:

1. Acknowledge Cr Gillingham’s notice of motion to review the Audit & Finance Committee Terms of Reference;
2. Request that officers amend the current terms of reference of the Audit & Finance Committee to include an additional community member; and
3. Advertise for an additional member to the Audit & finance Committee, which includes the appropriate academic and professional expertise for the community member position.

LOST 2/6

201314/288 Officer’s Recommendation/ Council Decision

Moved: Cr Hooper

Seconded: Cr Hunt

That Council:

1. **Acknowledge Cr Gillingham’s notice of motion to review the Audit and Finance Committee Terms of Reference; and**
2. **Agree to maintain the current Audit and Finance Committee’s Terms of Reference inclusive of the membership.**

CARRIED 6/2

Record

For	Against
Mayor Howlett	Cr Gillingham
Councillor Hooper	Cr Butson
Councillor Hunt	

Councillor Taylor	
Councillor Melville	
Councillor Van Vugt	

11.5.2 2013 Compliance Audit Return (File No.: 14/06/0001)

Officer Josephine Bianchi
Governance Coordinator

Date of Report 4 March 2014

Disclosure of Interest by Officer Nil

Summary

The statutory Compliance Audit Return (CAR) for the 2013 calendar year is presented to Council for consideration.

Background

Each year all Western Australian Local Government Authorities are required to undertake a compliance audit and forward the results to the Department of Local Government (the Department) by 30 March. The CAR is a self-assessment of a local government referring to its levels of compliance with the Local Government Act and associated regulations.

A local government's Audit Committee is requested to review the CAR and reports the results of that review to the Council prior to adoption by Council and the March submission to the Department. The Audit & Finance Committee reviewed the 2013 CAR at its meeting held on Wednesday 19 February 2014:

"AFC201314/032 Officer's Recommendation/ Audit and Finance Committee Decision

*Moved: Cr Jacob
Howlett*

Seconded: Mayor

That the Audit and Finance Committee:

- 1. Note the outcomes of the 2013 Compliance Audit Return;
and*
- 2. Recommend the 2013 Compliance Audit Return to the
Council for adoption.*

CARRIED 3/0"

This year's audit process was carried out by the Town's Chief Executive Officer. The Chief Executive Officer discussed compliance matters with relevant Directors and Managers and sought evidence that compliance was achieved throughout the year.

Consultation

- Chief Executive Officer

- ToPH Directors
- ToPH Managers

Statutory Implications

Section 7.13(1)(i) of the Local Government Act 1995 states that:

“7.13.Regulations as to audits

- (1) *Regulations may make provision —*
- ... (i) *requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are —*
- (i) *of a financial nature or not; or*
- (ii) *under this Act or another written law.”*

Regulation 14 of the Local Government (Audit) Regulations requires the following:

14. *Compliance audits by local governments*
- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government’s audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
- (a) *presented to the council at a meeting of the council; and*
- (b) *adopted by the council; and*
- (c) *recorded in the minutes of the meeting at which it is adopted.*

Section 7.9. (Audit to be conducted)of the Local Government Act 1995 states:

- (1) *An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —*
- (a) *the mayor or president; and*
- (b) *the CEO of the local government; and*
- (c) *the Minister.*

Policy Implications

Nil

Strategic Planning Implications

6.4 Local Leadership

6.4.1 Strategic

Deliver high quality corporate governance, accountability and compliance.

Budget Implications

Nil.

Officer's Comment

The Compliance Audit is one of the tools utilised by the Department of Local Government to monitor how the local government functioned throughout the previous calendar year from a compliance perspective. It identifies areas of non-compliance that provide guidance to officers as to where processes may be reviewed to ensure improved compliance.

A total of 78 items were audited in the 2013 Compliance Audit process and one area of non-compliance was identified, this being the Auditor's report for 2012/13 not being received by the local government by 31 December 2013 as per section 7.9(1) of the Local Government Act 1995.

The reason for this being that the auditor's report was only received on 16 December 2013.

To address and rectify this issue the Town has engaged with its Auditors, Grant Thornton, to widen their scope of work and to collaborate with Town officers to ensure that their audit is carried out more efficiently and expediently for the 2013/14 financial year.

Attachments

1. Town of Port Hedland Compliance Audit Report 2013.

201314/289 Officer's Recommendation/ Council Decision

Moved: Cr Hunt

Seconded: Cr Melville

That Council:

1. **Adopt decision AFC201314/032 from the Audit & Finance Committee meeting held on 19 February 2014 and listed on page 104 of those Minutes; and**
2. **Adopt the 2013 Compliance Audit Return.**

CARRIED 8/0

ATTACHMENT 1 TO ITEM 11.5.2

Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia
Department of Local Government and Communities

Port Hedland - Compliance Audit Return 2013

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2013.	Yes		Malcolm Osborne
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2013.	Yes		Malcolm Osborne
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2013.	Yes		Malcolm Osborne
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2013.	Yes		Malcolm Osborne
5	s3.59(5)	Did the Council, during 2013, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	Yes		Malcolm Osborne

Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia
Department of Local Government and Communities

Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	Yes		Malcolm Osborne
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	Yes		Malcolm Osborne
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	Yes		Malcolm Osborne
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	Yes		Malcolm Osborne
5	s5.18	Has Council reviewed delegations to its committees in the 2012/2013 financial year.	Yes		Malcolm Osborne
6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Malcolm Osborne
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Malcolm Osborne
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Malcolm Osborne
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Malcolm Osborne
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		Malcolm Osborne
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Malcolm Osborne
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2012/2013 financial year.	Yes		Malcolm Osborne
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		Malcolm Osborne

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		Malcolm Osborne
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes		Malcolm Osborne

Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia
Department of Local Government and Communities

No	Reference	Question	Response	Comments	Respondent
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Malcolm Osborne
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		Malcolm Osborne
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		Malcolm Osborne
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2013.	Yes		Malcolm Osborne
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2013.	Yes		Malcolm Osborne
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes		Malcolm Osborne
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes		Malcolm Osborne
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Malcolm Osborne
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Malcolm Osborne
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Malcolm Osborne
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes		Malcolm Osborne
14	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	Yes		Malcolm Osborne



No	Reference	Question	Response	Comments	Respondent
15	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	Yes		Malcolm Osborne
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Malcolm Osborne

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	Yes		Malcolm Osborne
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	Yes		Malcolm Osborne

Elections

No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	Yes	Register has been created but no 'disclosure of gift' forms were received for October 2013 Election	Malcolm Osborne

Finance

No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Malcolm Osborne
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	Yes		Malcolm Osborne
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Malcolm Osborne
4	s7.3	Was the person(s) appointed by the local government to be its auditor, an approved auditor.	Yes		Malcolm Osborne
5	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Malcolm Osborne

Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia
Department of Local Government and Communities

No	Reference	Question	Response	Comments	Respondent
6	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2013 received by the local government within 30 days of completion of the audit.	Yes		Malcolm Osborne
7	s7.9(1)	Was the Auditor's report for 2012/2013 received by the local government by 31 December 2013.	No	Auditors report only received on 16 December 2013 which was not considered a reasonable time for the local government to be able to receive the Auditor's report for 2012/13 by 31 December 2013.	Malcolm Osborne
8	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken by the local government, was that action undertaken.	N/A		Malcolm Osborne
9	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A		Malcolm Osborne
10	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A		Malcolm Osborne
11	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Malcolm Osborne
12	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Malcolm Osborne
13	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Malcolm Osborne
14	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Malcolm Osborne
15	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Malcolm Osborne

Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia
Department of Local Government and Communities

Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	Yes		Malcolm Osborne
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	Yes		Malcolm Osborne
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	Yes		Malcolm Osborne
4	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	Yes		Malcolm Osborne
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	Yes		Malcolm Osborne

Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A	CEO is the complaints officer	Malcolm Osborne
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes		Malcolm Osborne
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		Malcolm Osborne
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		Malcolm Osborne
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		Malcolm Osborne
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) (c).	Yes		Malcolm Osborne



Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes		Malcolm Osborne
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	Yes		Malcolm Osborne
3	F&G Reg 14(1)	Did the local government invite tenders via Statewide public notice.	Yes		Malcolm Osborne
4	F&G Reg 14, 15 & 16	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes		Malcolm Osborne
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes		Malcolm Osborne
6	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		Malcolm Osborne
7	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		Malcolm Osborne
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes		Malcolm Osborne
9	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		Malcolm Osborne
10	F&G Reg 21 & 22	Did the local governments's advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	Yes		Malcolm Osborne
11	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	Yes		Malcolm Osborne

Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia
Department of Local Government and Communities

No	Reference	Question	Response	Comments	Respondent
12	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	Yes		Malcolm Osborne
13	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	Yes		Malcolm Osborne
14	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	Yes		Malcolm Osborne
15	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less.	Yes		Malcolm Osborne

11.5.3 *Port Hedland International Airport – Introduction of New Passenger Security Screening Charge (File No.: 08/02/0025)*

Officer	Anna Duffield Airport Development Officer
Date of Report	6 February 2014
Disclosure of Interest by Officer	Nil

Summary

This agenda item seeks Council approval to introduce a new fee and charge for passenger security screening services due to the Town of Port Hedland becoming the designated security screening authority for Port Hedland International Airport.

Background

At its 11 December 2013 Ordinary Council Meeting, Council endorsed the Town of Port Hedland becoming the delegated screening authority for Port Hedland International Airport.

This means that the Town is required to provide passenger security screening services and is able to recover these costs from airlines.

As per decision 201314/199 it was agreed that new fees and charges would be negotiated with airlines for security screening services and brought to Council for its approval.

This agenda item seeks Council approval on proposed fees and charges for security screening services.

Consultation

Internal

- Program Director Airport Redevelopment
- Director Engineering Services
- Director Corporate Services
- Manager Airport Operations
- Manager Finance

External

- Qantas
- Virgin Australia
- AirNorth
- Karratha Airport General Manager, Shire of Roebourne
- Newman Manager Airport Services, Shire of East Pilbara

Statutory Implications

As per section 6.16 of the *Local Government Act* the Town may recover a fee or charge for goods and services that it provides.

As per section 6.19 of the *Local Government Act* the Town is required to issue a public notice noting the proposed fees and charges and their date of introduction.

Policy Implications

Nil

Strategic Planning Implications

6.2 Economic

6.2.2 Gateway City & an attractive destination

Develop the Port Hedland International Airport as a leading regional airport in the area of passenger and freight movements and customer satisfaction

6.4 Local Leadership

6.4.1 Strategic

Deliver high quality corporate governance, accountability and compliance.
Deliver responsible management of infrastructure, assets, resources and technology.

Budget Implications

As per Council decision 201314/199 new expenditure and revenue accounts have been established. The passenger screening service charge received in the revenue account.

The passenger security charge is based on full cost recovery of the service, including operating and capital expenses, staffing and leasing costs.

The proposed fee is \$8.55 (exclusive of gst) per departing passenger. Based on 2012/13 passenger numbers this will generate revenue of approximately \$2M.

Officer's Comment

It is recommended that the Town of Port Hedland introduces a new fee and charge to cover security screening services.

Proposed interim arrangements – cost recovery

All aircraft and air operators visiting Port Hedland International Airport are subject to approved fees and charges.

The Town controls the landing and parking fees, and passenger services charges. Once the Town becomes the screening authority it will be able to charge a separate fee for passenger screening services all airline operators that use the terminal.

As per section 6.16 and 6.19 of the *Local Government Act* there are fees that may be charged for the provision of this service on a per passenger basis. This is critical to the recovery of associated screenings services costs.

The proposed fees have been calculated under the agreed Pilbara Airports Group (Port Hedland, Newman, Karratha) model which includes operating and capital expenses on an open book full cost recovery arrangement. These costs are outlined in the attached cost recovery model and include:

- screening equipment – metal detector, passenger x-ray, explosive trace detection device
- operational costs – equipment maintenance and depreciation
- staffing costs – security staff, contract administration and airport management

Based on this model, the fee is \$8.55 (exclusive of gst) per departing passenger.

Consultation with airlines

Airlines were consulted regarding the proposed charge and notified of its planned introduction from 1 May 2014.

During consultation an airline requested that the fee be split into a charge per arriving and departing passenger. In effect, the Town would receive the same income stream, however this would mean an arriving passenger would be charged for a service they did not use (only departing passengers are subject to security screening). This point was also raised by a separate airline.

Subsequently it is recommended that the fee remains as per departing passenger.

Attachments

1. Passenger security screening cost recovery model

201314/290 Officer's Recommendation/ Council Decision

Moved: Cr Taylor

Seconded: Cr Hunt

That Council:

- 1. Authorise the introduction of a new fee of \$8.55 (exclusive of GST) per departing passenger for the provision of security screening services;**
- 2. Note a local public notice will be issued outlining the proposed fee and its introduction date;**
- 3. Note the fee will be payable by all airlines that use the Port Hedland International Airport terminal; and**
- 4. Note the fee will be reviewed on an annual basis.**

CARRIED BY ABSOLUTE MAJORITY 8/0

ATTACHMENT 1 TO ITEM 11.5.3

Port Hedland International Airport - passenger security screening

Capital Expenditure	QTY	Amt(\$)	Useful Life	Annual Depreciation
Walk Through Metal Detector	2	25,000	5	10,000
Passenger X-ray with roller beds	1	300,000	5	60,000
Explosive Trace Detection	2	50,000	5	20,000
CCTV	2	4,500	5	1,800
Duress Alarm	1	5,000	5	1,000
Miscellaneous Furniture & Equipment	16	2,250	5	7,200
		500,000	30	100,000

Note:

* If equipment is leased and not acquired there is no capital expenditure and no depreciation expense.

* Depreciation cost should be replaced with the lease cost.

Assumptions:

* Straight line depreciation

Operational Expenditure	Annual Amt(\$)
Equipment Depreciation	100,000
Equipment Maintenance	175,000
Explosive Trace Detection Consumables	36,000
Security Staff Labour Costs	1,435,000
Security Staff On Site Costs & Training	189,078
Airport Security Mgr/Supervisor	182,000
Screening Authority Liability Insurance	20,000
	2,137,078
Total Departing Passengers	250,000
Unit Cost per Departing Passengers (excl GST)	8.55
GST	0.85
Total Annualised passenger charge (GST Incl)	9.40

Assumption:

* Labour costs - based on attached screening point service hours - attached service summary

* Labour costs include passenger and checked baggage screening.

* Management Fee based on Airport Management Full Time Employee, responsible for managing security operations

Labour costs - based on current screening point service hours

Operating hours	MON	TUES	WED	THURS	FRI	SAT	SUN
Passenger Screening Lane 1	9.5	11.5	9.5	9.5	9.5	7.5	12.8
Passenger Screening Lane 2	9.5	11.5	9.5	9.5	9.5	7.5	12.8
Baggage Screening	19.0	23.0	19.0	19.0	19.0	15.0	25.5

TOTAL HOURS

139.50

ITEM 12 LATE ITEMS AS PERMITTED BY PRESIDING
MEMBER/COUNCIL

**12.1 *Community Funding and Donations - Endorsement of
Funding Requests (November 2013 to March 2014)
(File No.: 02/05/0001)***

Officer **Gordon MacMile
Director Community
Development**

Date of Report **20 March 2014**

Disclosure of Interest by Officer **Nil**

Summary

Council is requested to consider the applications received under the Community Funding and Donations policy and allocate funding to donations requested from Ben Giddy, Joshua Taylor, Jack Bowins, Jake Taylor, Treloar Childcare Centre, Dragons Netball Club, SAFE and Hedland Senior High School.

Background

Policy 6/003 Community Funding and Donations was reviewed and updated in May 2013. This review was undertaken and a revised Policy developed that endeavoured to:

- Provide an increased focus on capacity building and independent sustainability within community organisations
- Allocate available funding more broadly and equitably throughout the community
- Reflect the new Committee and Working Group structures of Council
- Consolidate community funding requests previously considered outside of the Policy
- Provide for improved process and acquittal governance.

Consultation

- Director Community Development
- Manager Community Development
- Manager Recreation Services and Facilities.

Statutory Implications

Nil

Policy Implications

6/003 Community Funding and Donations Policy.

Strategic Planning Implications

6.1 Community

6.1.1 Unified

The Town of Port Hedland is an integrated community functionally, physically and culturally.

6.1 Community

6.1.2 Vibrant

Provide access to recreational, cultural, entertainment facilities, and opportunities.

Budget Implications

Funds of \$25,000 are contained within the 2013/14 budget for this element of community funding and donations. To date, donations have been allocated to a total of \$17,300.30.

Officer's Comment

The recent round of Community Funding and Donations closed on Wednesday, 19 March 2014, with 8 applications being received from:

- Ben Giddy
- Joshua Taylor
- Jack Bowins
- Jake Taylor
- Treloar Childcare Centre
- Dragons Netball Club
- SAFE
- Hedland Senior High School.

Requested funding is summarised below (full copies of the donation requests are included as Attachment 2 to Attachment 9).

Ben Giddy

Town of Port Hedland (ToPH) funding of \$500 is requested towards the cost of travel and accommodation for the WA Little League Baseball tour of South Africa and Hong Kong.

Funding is consistent with the Policy and support under the category of "Development of Talented Local People".

Application supported - \$500.00

Joshua Taylor

ToPH funding of \$500 is requested towards the cost of travel and accommodation for the Perth All Stars squad travelling to Manilla to compete in Under 13/15 and Under 19 baseball and softball.

Funding is consistent with the Policy and support under the category of "Development of Talented Local People".

Application supported - \$500.00

Jack Bowins

ToPH funding of \$500 is requested towards the cost of travel and accommodation for the WA Little League Baseball tour of South Africa and Hong Kong, as well as the Perth All Stars squad travelling to Manilla to compete in Under 13/15 and Under 19 baseball and softball.

Funding is consistent with the Policy and support under the category of "Development of Talented Local People".

Application supported - \$500.00

Jake Taylor

ToPH funding of \$500 is requested towards the cost of travel and accommodation for the Perth Heat Colts tour of the USA.

Funding is consistent with the Policy and support under the category of "Development of Talented Local People".

Application supported - \$500.00

Treloar Childcare Centre

ToPH funding of \$2,000 is requested towards the cost of purchasing resources that encourage the education of sustainability principles to young children attending the Child Care Centre.

Funding would be towards the purchase of natural resources that encourage the exploration and education of a sustainable environment.

The Treloar Child Care Centre has received an amount of \$977.50 towards waiver of venue hire fees for the end-of-year family and children Christmas party in this current financial year.

Under the Policy applicants are eligible to receive 1 donation in any financial year.

Application not supported

Dragons Netball Club

ToPH funds of \$2,000.00 requested for establishment of club/transitioning to new Netball Australia governance structure. Netball Australia has changed how club and associations affiliate, requiring Port Hedland netball clubs to adjust how they operate. The level of direct support from the local Association has also changed.

The Town's funding program delineates between new clubs being established (\$2,000) and existing clubs seeking operational support (\$1,000). In this circumstance, an existing club is being required to amend how they operate.

The recommendation reflects a level of support that acknowledges the requirements of the club, while also considering that the club has been established for some time and does not necessarily fit the 'new' category under the Policy

Application supported in part - \$1,500.00

SAFE

ToPH funds of \$1,735.47 are requested towards the purchase of showbags, uniforms and pens to sell / raise funds at the Welcome to Hedland Markets.

SAFE has received an amount of \$1,280 towards animal desexing and microchipping in this current financial year.

Under the Policy applicants are eligible to receive 1 donation in any financial year.

Application not supported

Hedland Senior High School

Waiver of venue hire fees is requested to the amount of \$1,932.80 at Wanangkura Stadium for the Year 12 Annual Ball.

Application Supported – fee waiver of \$1,932.80

Attachments

1. 6/003 Community Funding and Donations Policy
2. Ben Giddy (Under Separate Cover)
3. Joshua Taylor (Under Separate Cover)
4. Jack Bowins (Under Separate Cover)
5. Jake Taylor (Under Separate Cover)
6. Treloar Childcare Centre (Under Separate Cover)
7. Dragons Netball Club (Under Separate Cover)
8. SAFE (Under Separate Cover)
9. Hedland Senior High School (Under Separate Cover)

Officer's Recommendation

That Council allocate total funding of \$5,432.80 within the 2013/14 budget from GL Account 813285 (Community Funding and Donations) to donations requested from:

- a. Ben Giddy for the amount of \$500 (cash) for travel and accommodation expenses;
- b. Joshua Taylor for the amount of \$500 (cash) for travel and accommodation expenses;
- c. Jack Bowins for the amount of \$500 (cash) for travel and accommodation expenses;
- d. Jake Taylor for the amount of \$500 (cash) for travel and accommodation expenses;
- e. Dragons Netball Club for the amount of \$1,500 (cash) for operational costs to transition into the new Association / club affiliation structure; and
- f. Hedland Senior High School for the amount of \$1,932.80 for the waiver of venue hire fees at Wanangkura Stadium for the annual ball.

201314/291 Council Decision**Moved: Mayor Howlett****Seconded: Cr Hunt**

At the Ordinary Council Meeting held on Wednesday 30 April 2014 Council amended the total funding from \$5,432.80 to \$3,932.80.

That Council allocate total funding of ~~\$5,432.80~~ \$3,932.80 within the 2013/14 budget from GL Account 813285 (Community Funding and Donations) to donations requested from:

- a. **Ben Giddy for the amount of \$500 (cash) for travel and accommodation expenses;**
- b. **Joshua Taylor for the amount of \$500 (cash) for travel and accommodation expenses;**
- c. **Jack Bowins for the amount of \$500 (cash) for travel and accommodation expenses;**
- d. **Jake Taylor for the amount of \$500 (cash) for travel and accommodation expenses; and**
- e. **Hedland Senior High School for the amount of \$1,932.80 for the waiver of venue hire fees at Wanangkura Stadium for the annual ball.**

CARRIED BY ABSOLUTE MAJORITY 8/0

**SUMMARY OF COMMUNITY FUNDING APPLICATIONS
TO BE ASSESSED at the ORDINARY COUNCIL MEETING
ON 26 MARCH 2014**

2013 – 2014 Financial Year Budget for Donations:	\$25,000.00
Donations Approved To Date:	\$17,300.30
Amount Remaining in Budget (prior to considering these applications):	\$ 7,699.70

	Organisation	Event	Assistance Requested	Value of Request	Officer's Recommendation	Officer's Rationale / Comment
1	Ben Giddy	Baseball-Little League Tour	Assistance to meet the cost of travel, accommodation and uniforms for the tour	\$ 500	Support	The event is a Baseball WA sanctioned tour, and the applicant has been selected to participate. The Town's policy outlines that up to \$500 can be provided for the Development of Talented Local People. There are significant costs also being met by the applicant to attend this tour.
2	Joshua Taylor	Baseball-Little League Tour	Assistance to meet the cost of travel, accommodation and uniforms for the tour	\$ 500	Support	The event is a Baseball WA sanctioned tour, and the applicant has been selected to participate. The Town's policy outlines that up to \$500 can be provided for the Development of Talented Local People. There are significant costs also being met by the applicant to attend this tour.
3	Jack Bowins	Baseball-Little League Tour	Assistance to meet the cost of travel, accommodation and uniforms for the tour	\$ 500	Support	The event is a Baseball WA sanctioned tour, and the applicant has been selected to participate. The Town's policy outlines that up to \$500 can be provided for the Development of Talented Local People. There are significant costs also being met by the applicant to attend this tour.
4	Jake Taylor	Perth Heat Colts Tour of America	Assistance to meet the cost of the flights accommodation and meals for a tour of America	\$ 500	Support	The event is a Baseball WA / Perth Heat Colts sanctioned tour, and the applicant has been selected to participate. The Town's policy outlines that up to \$500 can be provided for the Development of Talented Local People. There are significant

	Organisation	Event	Assistance Requested	Value of Request	Officer's Recommendation	Officer's Rationale / Comment
						costs also being met by the applicant to attend this tour.
5	Treloar Childcare Centre	Sustainability within Early Childhood Education	Purchases of resources / educational pieces that focus on sustainable practices 12 months – 12 years of age	\$2,000	Not Supported	The funding will facilitate greater learning opportunities for early childhood education for children who attend the Treloar Childcare Centre. Applicant has already received donation support in this financial not eligible for additional assistance under the Policy.
6	Dragons Netball Club	Club costs	Assistance for transitioning the governance structure of netball clubs affiliated to the Port Hedland Netball Association	\$1,500	Support	Netball Australia has changed how club and associations affiliate. For Port Hedland Netball clubs this means that there are some adjustments required in how they set up their club operations. The level of direct support from the Association has also changed. The Town's funding program delineates between new clubs being established (\$2,000) and existing clubs looking for operational support (\$1,000). In this circumstance, an existing club is being required to amend how they operate. Recommendation reflects a level of support that acknowledges the requirements of the club, while also considering that the club has been established for some time and does not necessarily fit the 'new' category under the Policy.
7	SAFE	Welcome to Hedland Markets.	Purchase of showbags, uniforms and pens to sell / raise funds	\$1,735.47	Not Supported	Allows fundraising for this group at upcoming events. Applicant has already received donation support in this financial not eligible for additional assistance under the Policy.
8	Hedland Senior High School	Annual Ball	Hire of Wanangkura Stadium	\$1,932.80	Supported	Offset of cost for annual ball. Waiver of fees in line with Policy
			Total	Requests: \$ 9,168.27	Recommendations: \$ 5,432.80	

Amount remaining in budget if Officer's recommendations are followed - \$ 2,236.90

ATTACHMENT 1 TO ITME 12.1

6/003 FUNDING AND DONATIONS POLICY

The Town of Port Hedland will work in collaboration with the community to support the delivery of events, celebrations and community activities which reflect the unique identity, add to the social fabric of the Town of Port Hedland and the wellbeing of residents.

Previous Council resolutions have identified a series of community, recreation, sporting and cultural celebrations and events of significance and regularity, and accordingly determined levels of support to be provided by the Town. This information forms the later part of this Policy (section 8). The Town will encourage excellence and innovation, and inclusive community participation.

1. Objectives

- a. To support community initiatives that strengthen the capacity of local organisations and that deliver valuable outcomes to the Town's residents
- b. To assist in the initiation and establishment of new, independently sustainable events, programs and activities that build capacity within the community
- c. To enable the Town to implement a consistent response to support requests received from community organisations, individuals and not for profit organisations
- d. To provide budget certainty to applicants
- e. To provide both local residents and community organisations with guidance in respect to the Town's expectations of such requests.

2. Scope of Funding

The Town of Port Hedland will provide assistance to the community based on the below structure:

Community Support Donations

- a. This support is limited to the consideration of requests up to a maximum of \$2,000 cash component in value
- b. This maximum value of all or any Community Support Donation within this section, whether comprised of cash funding, in-kind support, talent development or waiver of fees, is to a maximum of \$5,000 in total annually. In order to assess the value of a request, a dollar (\$) value will be estimated for the in-kind component
- c. All funding applications will be considered as part of this policy; applications outside this policy will be referred to and considered separately by Council
- d. A maximum of one (1) application per financial year per organisation or individual will be considered.

Types of Community Support include:

- Establishment funding (Cash - \$2,000 maximum) – Available to applicants running a new, one-off project, program, activity or event
- Periodical funding (Cash - \$1,000 maximum) – Available to applicants to support a community project, program, activity or event on a recurring basis or that has been funded previously. Organisations are required to fund 50% of the project's cash contribution from their own or other funding sources. Funding may be used for the purchase of equipment, uniforms etc.
- In-kind contributions – This support includes the provision of facilities, equipment and purchases

These will usually not require a significant contribution of staff time. In-kind contributions will be considered subject to their availability, the need to protect the security and value of the assets, and their use for required Town of Port Hedland purposes

- Waiver of Fees – This support is for the waiver of fees for the hire of community facilities. Waiver costs will be in accordance with the Town of Port Hedland adopted Schedule of Fees and Charges
- Development of Talented Local People – Financial contributions may be made towards the costs associated with the initiatives by local people of all ages that develop talented individuals. A maximum contribution of \$500 in one financial year may be considered to each person who is eligible for this support. These initiatives may include:
 - Travel and attendance at competitions, educational tours or recognised State level (or above) training usually located elsewhere in Western Australia or beyond. The person concerned must have been invited to attend on the basis of exceptional sporting, artistic or other talent
 - Hosting of a talent development initiatives (incl. coaching courses).

The table below identifies in-kind assistance and fee waiver support that will be provided on an ongoing basis:

Event	Key Partner	Council Support	Notional Value
Sports Group Forums	Department Sport and Recreation WA	<ul style="list-style-type: none"> - Use of Town Venues - Advertising, photocopying and postage - Contribute to hosting event 	\$500
Port Hedland Cup Day	Port Hedland Turf Club	<ul style="list-style-type: none"> - Provision for 20 extra bins - Waiver of all stall fees and street trading ground hire for one day - Ground hire - Use of Town Flag to fly at event 	\$5,000
Premier Regional Lawn Bowls	Port and South Hedland Bowling Clubs	<ul style="list-style-type: none"> - Staff member on Committee - Advertising/photocopying, fax and postage 	\$500
Nindji Nindji Festival	Bloodwood Tree Association	<ul style="list-style-type: none"> - Use of Town Venue - Provision for up to 20 extra bins 	\$500

Australia Day Breakfast	Soroptimist International	<ul style="list-style-type: none"> - Administration/organisation of Premier's Australia Day Active Citizen Awards - Use of Town equipment and facilities - Advertising and photocopying of events 	\$3,000
Port Hedland Golf Club Pro-AM Open Event	Port Hedland Golf Club	<ul style="list-style-type: none"> - When required leading mowing and maintenance equipment support 	\$2,000
Community Clean-Up Event	Care for Hedland Environmental Association	<ul style="list-style-type: none"> - Waiver of tip fees and provision of litter bags for community clean up events including but not limited to Clean Up Australia Day, Adopt a Spot, Great Northern Clean Up and South Hedland Street Blitz 	\$3,000
PH Pony Club Pre-Season	PH Pony Club	<ul style="list-style-type: none"> - Pre-season annual slash of the Port Hedland Pony Club Event space 	\$1,000
Relay for Life	Relay for Life Port Hedland Committee	<ul style="list-style-type: none"> - Funding of \$5,517 per year in 2012/13, 2013/14, and 2014/15 budget years for: reserve hire; disabled toilet hire; rubbish collection; and reserve floodlighting. 	\$5,517.00
Pilbara Music Festival	Pilbara Music Festival	<ul style="list-style-type: none"> - Patron of Festival - Use of Town Venues - Provide administrative and photocopying assistance 	\$5,000
NAIDOC Week	Pundulmurra Campus EPCT	<ul style="list-style-type: none"> - Town of Port Hedland display 	\$250
Chamber of Commerce Business of the Year Awards	Chamber of Commerce	<ul style="list-style-type: none"> - Additional trophies for Community of the Year Award Categories 	\$1,000
Carols by Candlelight	Ministers Fraternal	<ul style="list-style-type: none"> - Use of Town venue 	\$500
ANZAC Day Ceremony	RSL	<ul style="list-style-type: none"> - Use of Town venue - Wreath - Advertisement 	\$1,500

Community Partnership Grant

- a. This Partnership support is limited a maximum period of 3 years
- b. The maximum value of all or any Community Partnership support within this section whether comprised of cash funding, in-kind support or waiver of fees is to a maximum of \$15,000 in total annually. In order to assess the value of a request, a dollar (\$) value will be estimated for the in-kind component and / or fee waiver
- c. All funding applications will be considered as part of this policy; applications outside this policy will be referred to and considered separately by Council
- d. A maximum of one (1) application per financial year per organisation or individual will be considered

The Partnership Fund has three main aims:

1. To increase community access to essential programs and services through the development of partnerships between the Town and not for profit community organisations

2. To provide assistance to not for profit community organisations with the capacity to assess community need to develop essential community services or programs which are consistent with the Town of Port Hedland's strategic objectives and programs, but not directly operated by the Town
3. To provide initial support for significant community, sport, recreation and cultural events and to ensure these activities build independent capacity and reduced reliance on Town funding over a set period of time.

The table below identifies financial support that will be provided (maximum of \$15,000 annually for a period of up to 3 years):

Event	Key Partner	Council Support	Notional Value
Premier Regional Lawn Bowls	Port and South Hedland Bowling Clubs	Provide sponsorship towards event of a maximum of \$12,000 annually for a period of up to 3 years (2013/14 to 2015/16 inclusive)	\$36,000
Australia Day Breakfast	Soroptimist International	Provide sponsorship towards event of \$1,500 annually for a period of up to 3 years (2013/14 to 2015/16 inclusive)	\$4,500
Nindji Nindji Festival	Bloodwood Tree Association	Provide sponsorship towards event of \$1,000 annually for a period of up to 3 years and/or for 3 events (2013/14 to 2015/16 inclusive)	\$3,000
Mingle Mob	Youth Involvement Council	Provide Sponsorship support of \$15,000 annually towards the operation of the Mingle Mob annually for a period of up to 3 years (2013/14 to 2015/16 inclusive)	\$45,000
n/a	Port Hedland Cricket Association	Provide support of \$5,000 annually towards structural and seasonal alignment (2013/14 and 2014/15)	\$10,000
n/a	Pilbara Mental Health and Drug Service	Provide support of \$4,000 towards a healthy lifestyle program (2013/14)	\$4,000
n/a	Hedland Amateur Swimming Club (HASC)	Provide support of \$5,000 annually towards club development initiatives (2013/14 and 2014/15)	\$10,000
n/a	North West Roller Derby	Provide support of \$5,000 towards venue hire and establishment costs (2013/14)	\$5,000
n/a	Gentle Transitions	Provide support of \$5,000 towards Equine Assisted Therapy and Learning (2013/14)	\$5,000
n/a	Department of Child Protection and Family Support	Provide support of \$5,000 towards carers recruitment (2013/14)	\$5,000

What will not be funded?

- o Commercial activities
- o Retrospective costs (ie for activities, programs and events that occur prior to consideration by Council of the funding application)
- o Associations with outstanding debts to the Town of Port Hedland

- o Non-incorporated organisations, unless prior written approval by Council resolution
- o Core organisational operating costs i.e. a permanent position for ongoing work.

3. Application Process

Community Support Donations

- a. Requests for assistance will be made in writing through completion of an application form. Form A is to be completed by Individuals and Community Organisations. Form B is to be completed by Not For Profit Organisations
- b. Applications to be made in response to Town of Port Hedland advertising, within specified deadlines and funding criteria
- c. Application forms are available on the website or from the Customer Service Counter. Applications must provide all required information
- d. The Audit and Finance Committee will make recommendations to the next Ordinary Meeting of Council in regard to the approval or otherwise of applications received
- e. Four (4) funding rounds will be held annually, timed to allow for consideration at the quarterly Audit and Finance Committee.

Community Partnership Funding

- a. Requests for assistance will be made annually in writing and considered as part of the budget preparation process
- b. Applications to be made in response to Town of Port Hedland advertising, within specified deadlines and funding criteria
- c. Applications supported (by Council) for more than one year will be included in the Policy table, detailing the level and length of funding
- d. Applications for support outside of policy limit (i.e. above \$15,000 / 3 years) to be considered by Audit and Finance Committee, then Council and subject to budget availability.

4. Selection Criteria

In considering the relative merits of applications, the Town will apply the following criteria:

- a. The positive contribution the event or project will make to the Hedland community
- b. The information requested meets the requirements of this policy
- c. The applicant certifies within the application that they are authorised to apply for Town of Port Hedland support and to represent the applicant organisation
- d. The applicant certifies that the information contained within the application is true and accurate, with commensurate evidence / documentation able to be provided on request from the Town
- e. Sufficient financial information has been provided to clearly identify the items on which monies will be spent, their discrete costs and their importance to the success of the event or project
- f. The level of resource contribution to be made by the applicant, relative to their capacity to do so, as well as the accessibility of funds from other sources.

5. Acquittals

Successful applications will be required to provide a brief report / acquittal containing information including:

- o Measuring qualitative aspects, such as the success of the activity
- o Financial information, such as receipts accounting for the expenditure of monies.

12.2 Fees & Charges 2014/15 – Waste Management and Airport

Officer Peter Kocian
Manager Financial Services

Date of Report 18 March 2014

Disclosure of Interest by Officer Nil

Summary

That Council considers endorsing the 2014/15 proposed fees and charges for the Waste Management and Airport Business Units, to commence from 1 July 2014, and that the Town of Port Hedland advertise the intention to introduce these fees allowing a public submission period of 14 days.

Background

Each year Officers review the fees and charges set by Council to ensure that the Town is obtaining adequate recovery for any goods or services it provides or proposes to provide. In the past the adoption of fees and charges has always occurred at the same time as the adoption of the Annual Budget.

Due to the notification period of price increases for some of the Town's customers, in some cases 90 days, Officers are proposing that Council consider adopting relevant fees and charges prior to the Annual Budget adoption. This specifically relates to the Waste Management and Airport Business Units.

It is proposed that the remaining Schedule of Fees and Charges be presented to Council at the April Ordinary Meeting for adoption.

Consultation

The Project Accountant has consulted extensively with the Coordinator Waste and Project Operations and the Airport Operations Team.

Statutory Implications

Local Government Act 1995

6.16 Imposition of fees and charges

6.17 Setting level of fees and charges

6.18 Effect of other written laws

6.19 Local government to give notice of fees and charges

Local Government (Financial Management) Regulations 1996

5. *Financial management duties of the CEO*

25. *Fees and charges information*

*Waste Avoidance and Resources Recovery Act 2007
Part 6, Division 4*

67. *Local Government may impose receptacle charge*

Policy Implications

There are no Council Policies relative to this item.

Strategic Planning Implications

6.4 Local Leadership

6.4.1 Strategic

Deliver high quality corporate governance, accountability and compliance

Budget Implications

There will be no impact on the 2013/14 adopted Budget.

The Schedule of Fees and Charges will be incorporated into the 2014/15 Annual Budget, and the adopted fees will be used as a basis for income projections.

Indicative 2014/15 Budget Income for the various waste streams are presented as follows, noting that 2014/15 Draft Budget is in the early stages of development and may be subject to revision:

Description	2014/15 Budget Outcome	2013/14 Budget Income
Classic Collection Fees	\$1,905,800	\$1,728,000
Premium Collection Fees	\$574,810	\$550,000
Tyres	\$345,000	\$280,000
Wash-down	\$11,500	\$7,000
General Tipping Fees	\$3,990,050	\$2,100,000
Hazardous Waste	\$850,000	\$600,000
Landfill Recycling Charges	\$30,000	\$70,000
Liquid Waste	\$2,900,000	\$2,900,000

As budgeted expenditure for 2014/15 (including capital purchases) is yet to be finalised, a full assessment of cost-recovery for Waste Management services cannot be completed at this time.

Officer's Comment

In 2013/14, a Pricing Principles paper was prepared and presented to Council to provide a framework for the setting of fees and charges. The Principles contained in the paper are summarised below:

Pricing Principles	Pricing Basics
Public Benefit – service provides a broad community benefit and therefore full cost recovery should not apply. Partial cost recovery could apply in some circumstances.	Zero to partial cost recovery
Private Benefit – service benefits particular users making a contribution to their individual income, welfare or profits generally without any broader benefits to the community.	Full Cost Recovery
Shared Benefit – service provides both community benefits and a private benefit.	Partial cost recovery
Regulatory – fee or charge fixed by legislation	Regulatory

Section 6.17 of the *Local Government Act 1995* refers to setting the level of fees and charges and states (in part) as follows:

“In determining the amount of a fee and charge for a service or for goods a local government is required to take into consideration the following factors –

- (a) the cost to the local government of providing the service or goods; and*
- (b) the importance of the service or goods to the community; and*
- (c) the price at which the service or goods could be provided by an alternative provider.”*

The Waste Management and Airport Business Units are viewed as stand-alone business units and fees and charges should be set on the basis of full-cost recovery. This is consistent with the private benefit pricing principle as well as the commercial environment that exists.

2014/15 Fees and Charges

As a base-line, it is recommended to increase fees and charges by 3.5%. The Local Government Cost Index (LGCI) for December was 1.8% and the December Quarter Consumer Price Index (CPI) was 2.9%. There are additional cost pressures in the Pilbara, and a regional loading on the LGCI/CPI is required to ensure that costs aren't accelerating at a faster rate than income.

Where a 3.5% increase has not been applied, explanatory comment has been provided in the Schedule of Fees and Charges with some specific fees further discussed below:

Waste Management

- It is proposed that co-mingled unsorted industrial waste charges be increased significantly as a new schedule is proposed to be introduced for uncontaminated separated industrial waste. This fee structure is intended to provide an incentive for customers to separate industrial waste which allows for more efficient landfill management.
- Charging residents for disposal of domestic waste to the landfill has previously been discussed with Elected Members where it was indicated that the costs of running the landfill should be partially recovered from residents and not just the commercial operators. This is the subject of continued debate, and given this, it is not proposed to introduce a new fee for private residents disposing of domestic waste at the landfill. This is contrary to the adopted pricing principles.

Airport

- It is proposed that landing fees and passenger service charges be increased by a base index of 2.5%. Additional fees of \$2.00 (ex GST) and \$2.50 (ex GST) have been incorporated into landing fees and passenger service charges respectively to recover costs associated with the introduction of push-pack procedures for aircraft. The lesser push-back fee of \$2.00 (ex GST) is proposed for landing fees with a view of minimizing the financial burden on airlines.
- Parking fees are proposed to be increased by more than 3.5% to bring the Town of Port Hedland in line with other Airports.
- A Passenger Security Screening charge of \$8.55 (ex GST) per passenger is recommended. This is the subject of a separate Agenda report to Council.

As previously mentioned the Town provides, as a matter of courtesy, at least 90 days' notice of any proposed price increases to particular companies so that they have sufficient time to incorporate the fees into their pricing structures.

It is recommended that the proposed Fees and Charges be advertised and submissions be sought to ensure that industry feedback is considered. This will help determine whether there are any significant objections by stakeholders or if objections are isolated. Submissions received can be considered by Council prior to the Schedule of Fees and Charges being incorporated into the Annual Budget.

Attachments

1. Proposed Fees & Charges for 2014/15 – Waste Management and Airport Business Units

Officer's Recommendation

That Council:

1. Endorse the proposed 2014/15 Waste Management and Airport Fees and Charges as presented in Attachment 1;
2. Pursuant to section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, that Council imposes the following receptacle charges for the 2014/15 financial year effective from 1 July 2014:
 - a. An annual Classic Domestic Bin Service charge of \$274.30 for one (1) service per week of verge collection waste from a 240 Litre Mobile Garbage Bin;
 - b. An annual Premium Domestic Bin Service charge of \$486.50 for one (1) service per week of verge collection waste from a 240 Litre Mobile Garbage Bin where the bin is manually picked up from the property, emptied and returned; and
 - c. An annual Premium Bin Service charge of \$1,066.00 for one (1) service per week of verge collection waste from a 660 Litre Mobile Garbage Bin where the bin is manually picked up from the property, emptied and returned.
3. Endorse a 20% discount to all receptacle charges for eligible pensioners and seniors under the Rates and Charges (Rebates and Deferments) Act 1992; and
4. Endorse the advertising (local public notice) of the 2014/15 proposed Waste Management and Airport fees and charges commencing on 1 July 2014, inviting public submissions and comments, with submissions to be considering prior to the formal adoption of the Schedule of Fees and Charges.

201314/292 Council Decision**Moved: Mayor Howlett****Seconded: Cr Hooper****That Council:**

- 1. Endorse the proposed 2014/15 Waste Management and Airport Fees and Charges as presented in Attachment 1;**
- 2. Pursuant to section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, that Council imposes the following receptacle charges for the 2014/15 financial year effective from 1 July 2014:
 - a. An annual Classic Domestic Bin Service charge of \$274.30 for one (1) service per week of verge collection waste from a 240 Litre Mobile Garbage Bin;**
 - b. An annual Premium Domestic Bin Service charge of \$486.50 for one (1) service per week of verge collection waste from a 240 Litre Mobile Garbage Bin where the bin is manually picked up from the property, emptied and returned; and**
 - c. An annual Premium Bin Service charge of \$1,066.00 for one (1) service per week of verge collection waste from a 660 Litre Mobile Garbage Bin where the bin is manually picked up from the property, emptied and returned.****
- 3. Endorse a 20% discount to all receptacle charges for eligible pensioners and seniors under the Rates and Charges (Rebates and Deferments) Act 1992;**
- 4. Endorse the advertising (local public notice) of the 2014/15 proposed Waste Management and Airport fees and charges commencing on 1 July 2014, inviting public submissions and comments, with submissions to be considering prior to the formal adoption of the Schedule of Fees and Charges; and**
- 5. Request the Chief Executive Officer, or his delegate(s), provide a report back to Council regarding the exploration of token options for local businesses that utilise their company vehicles for the purpose of pre/post cyclone clean up on their own properties that can be considered as a part of the 14/15 budget deliberations.**

CARRIED BY ABSOLUTE MAJORITY 8/0

**TOWN OF PORT HEDLAND
FEES AND CHARGES
FOR THE YEAR ENDED 30 JUNE 2014**

Increase 3.5% With a few exceptions

FEES AND CHARGES	2013/14 Budget			2014/15 Budget			2014/15 Proposed Fee Rounded	2014/15 Budget Comments
	2013/14 Fee \$	GST \$	Total Fee (GST Incl) \$	2014/15 Fee \$	GST \$	Total Fee (GST Incl) \$		
WASTE MANAGEMENT								
Receptacle Charges - Section 67 Waste Avoidance and Resource Recovery Act 2007								
Classic Domestic Bin Service Fee (240 Litre Bin)	265.00	-	265.00	274.28	-	274.28	274.30	
Premium Domestic Bin Service Fee (240 Litre Bin - manual assistance required)	470.00	-	470.00	486.45	-	486.45	486.50	
Premium Bin Service Fee (660 Litre Bin)	1,030.00	-	1,030.00	1,066.05	-	1,066.05	1066.00	
Bin Replacement 240 Litre	150.30	-	150.30	155.56	-	155.56	155.60	
<i>A 20% fee reduction applies to the above charges for eligible pensioners under the Pensioners and Seniors Rebate Scheme Rates and Charges (Rebates and Deferments) Act 1992.</i>								
Residents Domestic Waste								
Household Waste	Free		Free	Free		Free	Free	
Green waste (uncontaminated) - private residents	Free		Free	Free		Free	Free	
Clean fill (tonne)	Free		Free	Free		Free	Free	
Weighbridge Dockets								
Administration Fee to reprint weighbridge docket (per docket)	20.00	2.00	22.00	20.73	2.07	22.80	22.80	
History Report per Request	130.91	13.09	144.00	135.55	13.55	149.10	149.10	
Use of Weighbridge Only								
Weighing charge only (no disposals) (per ticket) Non certification Weight only	15.00	1.50	16.50	15.55	1.56	17.11	17.10	
Commercial Domestic Waste								
Domestic Putrescible Waste – commercial contractor (per tonne) / Minimum Charge	65.00	6.50	71.50	67.28	6.73	74.00	74.00	
* Domestic Putrescible Waste – commercial contractor (per m3) / Minimum Charge	23.36	2.34	25.70	28.64	2.86	31.50	31.50	
NOTE: * This charge to apply ONLY when weighbridge is not operational.								
Industrial Waste								
Industrial Waste (per tonne) / Minimum Charge	75.00	7.50	82.50	109.09	10.91	120.00	120.00	Co-Mingled unsorted waste
* Industrial Waste (per m3) / Minimum Charge	97.55	9.75	107.30	60.45	6.05	66.50	66.50	

Building rubble, bricks, concrete, mangrove, etc (per tonne) / Minimum Charge	(per	75.00	7.50	82.50	109.09	10.91	120.00	120.00	Co-Mingled unsorted waste	
* Building rubble, bricks, concrete, mangrove (per m3) / Minimum Charge	(per	112.50	11.25	123.75	140.00	14.00	154.00	154.00		
NOTE: * This charge to apply ONLY when weighbridge is not operational.										
Seperated Industrial Waste										
Uncontaminated Metal (per tonne) Minimum Charge					25.45	2.55	28.00	28.00		
* Uncontaminated Metal (per m3) Minimum Charge					36.36	3.64	40.00	40.00		
Uncontaminated Timber Products and Pallets (per tonne) / Minimum Charge	(per				77.64	7.76	85.40	85.40		
* Uncontaminated Timber Products and Pallets (per m3) / Minimum Charge					24.18	2.42	26.60	26.60		
Uncontaminated Putrescible Waste (per tonne) / Minimum Charge	(per				67.27	6.73	74.00	74.00		
* Uncontaminated Putrescible Waste (per m3) / Minimum Charge					21.36	2.14	23.50	23.50		
Scrap metal including whitegoods (tonne)		20.00	2.00	22.00	Replaced by Seperated Industrial Waste Fee Schedule (above)					
Wood - clean pallets, structural timber, etc (tonne)		65.00	6.50	71.50	Replaced by Seperated Industrial Waste Fee Schedule (above)					
Wood - clean pallets, structural timber, etc (minimum charge)		112.55	11.25	123.80	Replaced by Seperated Industrial Waste Fee Schedule (above)					
Clean fill (tonne) / (m3)		Free		Free	Free		Free	Free		
NOTE: * This charge to apply ONLY when weighbridge is not operational.										
Commercial Green Waste										
Green Waste (Uncontaminated) - commercial contractors - (per tonne) / Minimum Charge		42.91	4.29	47.20	44.46	4.45	48.90	48.90		
* Green Waste (Uncontaminated) - commercial contractors - (per m3) / Minimum Charge					6.82	0.68	7.50	7.50		
Green Waste (Contaminated) (per tonne) / Minimum Charge	(per	65.00	6.50	71.50	77.64	7.76	85.40	85.40		
* Green Waste (Contaminated) (per m3) / (Minimum Charge)		26.00	2.60	28.60	28.64	2.86	31.50	31.50		
NOTE: * This charge to apply ONLY when weighbridge is not operational.										
Mulching										
Sale of End Product		80.00	8.00	88.00	82.82	8.28	91.10	91.10		
Mulch – self load (per m3)		55.00	5.50	60.50	56.95	5.70	62.65	62.65		
Loading Only (Refer Private Works Plant Hire)										
Washdown Facility										
Per truck – only available to refuse trucks (includes cleaner)		30.00	3.00	33.00	31.09	3.11	34.20	34.20		
Vehicle Bodies										
Truck bodies and large equipment (must be cut up) (per tonne)		15.00	1.50	16.50	15.54	1.55	17.10	17.10		
Car bodies – Domestic Disposal		Free		Free						
Car bodies – Domestic Disposal (whole)		Free		Free						
Car bodies – Domestic Disposal (cut up)		Free		Free						
Trailers & boats (each)		40.00	4.00	44.00	41.41	4.14	45.55	45.55		

200 litre drums (each)	9.55	0.95	10.50	9.91	0.99	10.90	10.90	
Caravans (each)	80.00	8.00	88.00	82.82	8.28	91.10	91.10	
Liquid Waste								
* Grease traps, waste water, effluent. (per litre)	0.09	0.01	0.10	0.12	0.01	0.13	0.15	
NOTE: * This charge to apply ONLY when weighbridge is not operational.								
Grease traps, waste water, effluent, muddy water (per tonne) / Minimum Charge	78.00	7.80	85.80	80.76	8.08	88.83	88.85	
Grease traps, waste water, effluent, muddy water (per m3) / Minimum Charge				73.18	7.32	80.50	80.50	
Petroleum/Cooking Oil Residents Only	Free		Free	Free		Free	Free	
No Commercial or Contractor Drop-off Accepted	13.45	1.35	14.80					
Tyres								
Passenger car size, motor bike	6.00	0.60	6.60	6.24	0.62	6.86	6.85	
Light trucks.4WD type	10.00	1.00	11.00	10.38	1.04	11.42	11.40	
Truck	20.00	2.00	22.00	20.73	2.07	22.80	22.80	
Tractor-loader-floatation	35.00	3.50	38.50	36.25	3.63	39.88	39.90	
Haulpak-dump truck	300.00	30.00	330.00	310.53	31.05	341.58	341.60	
Tyres already shredded (per tonne or part thereof)	75.00	7.50	82.50	77.65	7.77	85.42	85.40	
Tyres not shredded (per tonne or part thereof)	420.00	42.00	462.00	434.73	43.47	478.20	478.20	
Hazardous Waste								
<i>All Hazardous Waste must be PRE-APPROVED by the Co-Ordinator Waste Operations as acceptable waste to Class II Landfill Standard</i>								
Analysis of hazardous waste may be required before acceptance.								
Analysis of hazardous waste may be required before acceptance.	45.00	4.50	49.50	400.00	40.00	440.00	440.00	
Burial Fee (per load plus Disposal Charge) (All hazardous loads will attract this fee)	75.00	7.50	82.50	77.65	7.77	85.42	85.40	
Asbestos (fully sealed in plastic) (per tonne) minimum charge			104.50	98.35	9.84	108.19	108.20	
Asbestos (fully sealed in plastic) (per m3) minimum charge	95.00	9.50	104.50	98.35	9.84	108.19	108.20	
SMF (Synthetic mineral fibre insulation) (fully sealed in plastic)(per tonne or part thereof)	95.00	9.50	104.50	98.35	9.84	108.19	108.20	
SMF (Synthetic mineral fibre insulation) (fully sealed in plastic)(per tonne or part thereof) minimum	75.00	7.50	82.50	77.65	7.77	85.42	85.40	
Medical Waste (per Tonne)	45.00	4.50	49.50	222.73	22.27	245.00	245.00	
Contaminated Soils (per Tonne) / Minimum Charge	120.00	12.00	132.00	124.23	12.42	136.65	145.00	
Dead Small Animals (each)	43.00	4.30	47.30	44.53	4.45	48.99	49.00	
Dead Livestock, Horses, Camels etc (per tonne)	120.00	12.00	132.00	124.23	12.42	136.65	136.65	
Relocation of Incorrectly Tipped Waste (per hour) / Minimum Charge 1 Hour				363.64	36.36	400.00	400.00	
PORT HEDLAND INTERNATIONAL AIRPORT								
Landing Fees								
All aircraft per 1000kgs MTOW or part thereof	21.36	2.14	23.50	23.90	2.39	26.29	26.30	Includes a new push-back fee of \$2.20 (inc GST)
Parking Fees								
Per Overnight – Main Apron applicable to all aircraft greater than 5,000 kgs MTOW per 1,000 kgs or part there of.	2.55	0.25	2.80	2.63	0.26	2.90	2.90	

Passenger Service Charge (PSC)									
Applicable on services above 5,000kg as follows:									
Full fare – one way	21.09	2.11	23.20	24.12	2.41	26.53	26.53	Includes a new push-back fee of \$2.75 (inc GST)	
Full fare – return	42.18	4.22	46.40	48.24	4.82	53.06	53.06	Includes a new push-back fee of \$2.75 (inc GST)	
Half fare – one way	10.55	1.05	11.60	13.31	1.33	14.64	14.64	Includes a new push-back fee of \$2.75 (inc GST)	
Half fare – return	21.09	2.11	23.20	26.62	2.66	29.28	29.28	Includes a new push-back fee of \$2.75 (inc GST)	
Use of common user check-in facilities	1.27	0.13	1.40	1.31	0.13	1.44	1.50		
Passenger Security Screening Charge (per passenger)				8.55	0.86	9.41	9.41	New fee based on full cost recovery	
Parking									
<i>Short Term Parking</i>									
0 - 30 minutes	Free		Free	Free		Free	Free		
30 minutes - 1 hour	1.91	0.19	2.10	1.96	0.20	2.16	3.00	To better qalign with market rates consistant with other Airports.	
Per hour thereafter	1.91	0.19	2.10	1.96	0.20	2.16	2.50	Further will reflect operational costs of the carpark.	
<i>Long Term Parking</i>									
Per day or part thereof	14.27	1.43	15.70	14.77	1.48	16.25	16.30		
More than 7 days			10% Discount			10% Discount	10% Discount		
Damaged ticket fee (plus standard parking fee)									
During Staffed Hours	9.55	0.95	10.50	9.88	0.99	10.87	10.90		
After Hours	71.45	7.15	78.60	73.96	7.40	81.35	81.40		
Lost Ticket Fee	114.36	11.44	125.80	118.37	11.84	130.20	130.20		
Advertising Rate - Trolleys									
Yearly Rate – Per Trolley	31.36	3.14	34.50	32.46	3.25	35.71	35.70		
Billboard Signage Great Northern Highway, per annum	1,703.73	170.37	1,874.10	1,753.14	175.31	1,928.45	2750.00	Raise to Maximum Fee Allowable	
Incinerator									
Per half an hour or part thereof	66.18	6.62	72.80	68.50	6.85	75.35	75.40	Under review by Airport Administration - Report by 20 March 2014	
Admin Charge	31.91	3.19	35.10	33.03	3.30	36.33	36.30	Under review by Airport Administration - Report by 20 March 2014	
Quarantine (Aircraft only) \$10/kg + 25.55 per hr attendance (min 3 hrs), per kg	12.45	1.25	13.70	12.89	1.29	14.18	14.20	Under review by Airport Administration - Report by 20 March 2014	
Other									
Business Pass Card Set-up Fee	109.36	10.94	120.30	113.19	11.32	124.51	124.50		
Aviation Security Identification Cards (ASIC) (initial application)	215.82	21.58	237.40	223.37	22.34	245.71		No Longer Applicable	
Reissue/Lost	204.45	20.45	224.90	211.61	21.16	232.77		No Longer Applicable	
Reprint for Damaged Card	56.18	5.62	61.80	58.15	5.81	63.96		No Longer Applicable	
Issue of Temporary Card	34.18	3.42	37.60	35.38	3.54	38.92	39.00		
Hire of Airport Boardroom	40.00	4.00	44.00	41.40	4.14	45.54	45.50		
Hire of Airport Boardroom per day (8 hrs)	240.55	24.05	264.60	248.96	24.90	273.86	273.90		
Hire of Projector	374.82	37.48	412.30	387.94	38.79	426.73	426.70		
Casual Hiring of Terminal Space (up to 10m2 and up to 7 days)							273.90	New fee based on consistency with Boardroom Charge	
EKA Key Replacement	124.82	12.48	137.30	129.19	12.92	142.11	142.10		
Access Control System Bond	124.82	12.48	137.30	129.19	12.92	142.11	142.10		
Hire of International Terminal Area per hour	62.91	6.29	69.20	65.11	6.51	71.62	71.60		
Hire of Forklift per hour min 2 hrs	40.00	4.00	44.00	41.40	4.14	45.54	45.50		

External Works (Non Council)	232.45	23.25	255.70	240.59	24.06	264.65	264.70	To be part of Administration
Internal Works (Non Airport Council Works)	194.00	19.40	213.40	200.79	20.08	220.87	220.90	
Leasing Charges								
Leasing Administration Charge (per lease excluding drafting/legal fees)	297.73	29.77	327.50	308.15	30.81	338.96	339.00	
Licences for use of Council owned and controlled land (per square metre)	18.91	1.89	20.80	19.57	1.96	21.53	21.50	To be part of Administration

12.3 Notice of Motion – Councillor Taylor to the Ordinary Council Meeting on 26 March 2014 (File No.:26/06/0006)

Officer Gordon MacMile
Director Community
Development

Date of Report 24 March 2014

Disclosure of Interest by Officer Nil

Summary

A notice of motion has been received by Councillor Taylor regarding the future operation of the Gratwick Aquatic Centre.

This report provides an update to Council in relation to current processes and initiatives around Gratwick Aquatic Centre, which are in line with the motion. Council is therefore requested to support the motion from Councillor Taylor.

Background

A motion has been received from Councillor Taylor as follows:

“That Council:

- 1. Expresses ongoing support for the retention of Gratwick Aquatic Centre for the community of Port Hedland*
- 2. Supports the continued investigation of opportunities to expand / increase the use of Gratwick Aquatic Centre including the pool and gymnasium, with reports to be provided for consideration at the earliest opportunity*
- 3. Considers essential maintenance and asset management actions for the Gratwick Aquatic Centre within the 2014/2015 budget deliberations and subsequent financial years as appropriate.”*

The basis / reasoning for the motion is:

The Gratwick Aquatic Centre is a wonderful community facility that is very important in our hot, family friendly town. Clear direction and planning can occur for the facility based on the understanding that the pool will remain open, as well as continuing work regarding the operation, maintenance and future use. A clear message will also be sent to the community that Council supports the retention of the Gratwick Aquatic Centre. Endorsing this motion will end any perceived uncertainty and allow the Town to make clear progress with the work required to align our strategic direction with the operations of the Gratwick Aquatic Centre.

Some points to consider:

- *In our very hot climate, the swimming pools are the equivalent of a park. With the closure or limited use of almost every other activity over the summer holiday period, the availability of the pool in Port Hedland is very important*
- *The increasing population in Port Hedland will continue to reinforce the demand for this facility*
- *Town staff relies on clear direction from Council in preparing budgets, as well as setting priorities and direction. The Town should value and leverage the infrastructure we already have including the Gratwick Aquatic Centre and the recently refurbished shade. It is a great facility and has the ability to host functions, sporting events and community activities. We should increase our efforts to use facilities such as Gratwick as a base to host events and activities that are occurring in Port Hedland*
- *The pools employ many young people in lifeguard roles and the Town can be a leader in youth employment and training opportunities with the Gratwick Aquatic Centre being an important part of this initiative. The YMCA lifeguard programs have already been applauded for their initiatives and the swimming pools provide wonderful opportunities for these programs to continue*
- *Community members have expressed concern about the possible closure of the Gratwick Aquatic Centre and shared their appreciation of the pool and the wonderful facility that it is. Many enjoy the pool for laps and exercise, community events, birthday parties, the aqua run and the all-round pleasantness that Gratwick Aquatic Centre provides.*

The Town's Strategic Community Plan 2012–2022 identifies "Building a unified and connected community is a key priority for our regional city. Recognised as a vibrant destination by local residents as well as national and international tourists, Port Hedland will be a city of neighbours, alive with recreational, cultural and entertainment activities to enrich the quality of life of residents and visitors."

Given the alignment of this facility to our Community Strategic Plan (2012-2020) including the key strategic theme of Community and the positivity associated with this venue, Council is requested to consider and support this motion."

Further, the OCM (September 2013) resolved in part to:

- “1. *Endorses the amended ‘regular’ hours of operation for Gratwick Aquatic Centre and South Hedland Aquatic Centre as a variation to the current Town of Port Hedland Leisure Centres Operation’s contract as:*

South Hedland Aquatic Centre

Annual Hours – Year Round

<i>Monday-Friday</i>	<i>5.00am - 8.00pm</i>
<i>Saturday/Sunday</i>	<i>10.00am - 6.00pm</i>

Gratwick Aquatic Centre

Peak Season – October to April (school holidays depending)

<i>Monday-Thursday</i>	<i>5.00am - 8.00pm</i>
<i>Friday</i>	<i>5.00am - 6.00pm</i>
<i>Saturday/Sunday</i>	<i>10.00am - 6.00pm</i>

.....

4. *Endorse the closure of the South Hedland Aquatic Centre for up to two weeks annually for maintenance works, subject to Gratwick facility being open and community information being provided*
5. *Notes that users and the broader community will be consulted by the YMCA regarding the potential future operations of the gym facility at Gratwick Aquatic Centre, with a subsequent report to Council*
7. *Endorses that the CEO be able to make future amendments to the operating hours of the aquatic centres, where the changes are in accordance with the intent of the contract and reflect potential changes in circumstances.”*

Consultation

Not applicable at this point. Each initiative to be considered by Council will be subject to individual community engagement processes.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

The Town's Strategic Community Plan 2012-2022 identifies the following key initiatives relevant to this report:

6.1	Community	
6.1.1	Unified	Keep all members of our community informed about, and involved with, the provision of Council/Town services and facilities.
6.1	Community	
6.1.2	Vibrant	Improve the quality of life for existing residents with a focus on families Provide access to recreational, cultural, entertainment facilities, and opportunities Commit to improving the quality of life and wellbeing of residents.
6.3	Environment	
6.3.2	Community Facilities	Provide safe and accessible community facilities, libraries, services and public open spaces that connect people and neighbours.

Budget Implications

No implications at this point. Future initiatives to be considered will detail individual cost / benefit and other financial implications.

Officer's Comment

The redevelopment of the South Hedland Aquatic Centre (SHAC) and the consequential decision of Council (September 2013) in relation to seasonal opening / open hours, has seen the traditional service offered to the community by the Town's aquatic facilities change significantly over the past 2 years.

Separately, the Town's facility operators (YMCA) are undertaking a community consultation process regarding the future use of areas (particularly the gymnasium) at the Gratwick Aquatic Centre.

The combination of these processes and consultation, coupled with speculative discussions of potential future facilities within the Town, may have resulted in a perceived uncertainty regarding the future of Gratwick Aquatic Centre.

Currently a number of actions regarding these Gratwick Aquatic Centre are under investigation, including:

- Facility modification
 - To increase and expand the type and level of usage within the GAC gymnasium
 - To separate the pool / gymnasium areas to allow more effective staffing and potentially expanded hours of gymnasium operation
- Facility condition
 - To establish the condition of all facilities, plant and equipment to allow for whole of life asset management
- Facility maintenance
 - To allow within the 2014/15 budget items requiring maintenance and replacement
- Facility usage
 - To consider opportunities to align existing events / activities to better utilised the facilities available at the Gratwick Aquatic Centre.

A number of the above items will result in separate reports to Council or consideration within the 2014/15 budget process.

Given the alignment of these initiatives, Council is requested to support the notice of motion, noting the future presentation of information as soon as available.

Attachments

Nil

Elected Member Recommendation

That Council:

1. Expresses ongoing support for the retention of Gratwick Aquatic Centre for the community of Port Hedland;
2. Supports the continued investigation of opportunities to expand / increase the use of Gratwick Aquatic Centre including the pool and gymnasium, with reports to be provided for consideration at the earliest opportunity; and
3. Considers essential maintenance and asset management actions for the Gratwick Aquatic Centre within the 2014/2015 budget deliberations and subsequent financial years as appropriate.

201314/293 Officer's Recommendation/ Council Decision

Moved: Cr Taylor

Seconded: Cr Melville

That Council:

- 1. Expresses ongoing support for the retention of Gratwick Aquatic Centre for the community of Port Hedland;**
- 2. Supports the continued investigation of opportunities to expand / increase the use of Gratwick Aquatic Centre including the pool and gymnasium, with reports to be provided for consideration at the earliest opportunity;**
- 3. Considers essential maintenance and asset management actions for the Gratwick Aquatic Centre within the 2014/2015 budget deliberations and subsequent financial years as appropriate; and**
- 4. Notes that subsequent reports on key Gratwick Aquatic Centre initiatives will be presented for consideration.**

CARRIED 8/0

- 12.4** *Proposed Scheme Amendment No. 64 to the Town of Port Hedland Town Planning Scheme No. 5: Rezone Lots 1 – 2 on Strata Plan 43798, Lots 1 – 2 on Strata Plan 46090, Lots 1 – 2 on Strata Plan 31284, 1513 – 1521, 1535, 1537 – 1540, 1542 Sutherland Street, Lots 1543 – 1544 Lacy Street, Lots 1510 – 1512 Thompson Street, Lots 1529 – 1532, 1523 -1525, 1546 – 1551, 1143 and 100 Robinson Street and Lots 1522 and 1533 Bell Street from “Residential R25” to “Residential R40”. (File No.: 18/09/0078)*

Officer Ryan Djanegara
Senior Statutory Planner

Date of Report 18 March 2014

Disclosure of Interest by Officer Nil

Summary

The Town has received a request to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No. 5* (TPS5) to rezone Lots 1 – 2 on Strata Plan 43798, Lots 1 – 2 on Strata Plan 46090, Lots 1 – 2 on Strata Plan 31284, 1513 – 1521, 1535, 1537 – 1540, 1542 Sutherland Street, Lots 1543 – 1544 Lacy Street, Lots 1510 – 1512 Thompson Street, Lots 1529 – 1532, 1523 -1525, 1546 – 1551, 1143 and 100 Robinson Street and Lots 1522 and 1533 Bell Street (subject site) from “Residential R25” to “Residential R40”.

Council is requested to support the Town's officer's recommendation to refuse initiating the proposed scheme amendment as the Town is preparing a Local Housing Strategy.

Background

Site description

The subject site is located within the Cooke Point suburb and is bound by Sutherland Street to the north, Lacy Street to the west, Thompson Street to the east and Robinson Street to the south. Situated south east of the subject site is the Cooke Point Recreation Club.

Infrastructure Implications

The proposed Scheme Amendment will allow this area to be redeveloped at a medium density and supporting Multiple Dwelling developments. It is therefore prudent to ensure that the current infrastructure is sufficient or to recognise what and when upgrades of the infrastructure will be required. As part of the initiation request the applicant has provided the following traffic impact and infrastructure assessment reports:

- Traffic Impact Assessment Report
- The proposed rezoning of the area can be expected to generate an additional 760 vehicle movements per day to the local road network.
- Assessment of the forecast traffic increases shows that the development will have no significant traffic impact to the regional road network.
- Subsequently this will not result in any street operating in a manner contrary to its classification under the Liveable Neighbourhoods hierarchy.
- Similarly no issues have been identified concerning access, rubbish collection or parking and the increase in density should improve the viability of bus services in the vicinity of the subject site.
- The TIA found that the proposed increase in density will have no significant adverse impact on the capacity or safety of the surrounding road network and therefore no changes to the existing road network are proposed or warranted.

In light of the report, the Town's Infrastructure and Development Services team have advised the existing road network is currently "chipped sealed". This type of road surface generates more traffic noise in comparison to asphalt surfaces. The Town's civil engineers have therefore recommended the roads be upgraded to be sealed with asphalt, which will significantly reduce the noise generated by vehicles.

- Infrastructure Capacity Desktop Report

Wastewater

- The area is currently serviced by a 150mm gravity system running in between the existing lots and gravitating flows to the Athol Street Pump Station No. 1. The Water Corporation has advised the existing infrastructure is able to cater for the proposed increased density.

Water Supply

- The area is currently serviced by a 100mm and 150mm water pipe system. The Water Corporation has advised the existing infrastructure is able to cater for the proposed increased density.

Site works and Drainage

- The Port Hedland Coastal Vulnerability Study completed by Cardno, has advised the minimum floor and natural ground levels are above 7.8m AHD for a 1 in 500 year ARI event. The existing land form on the site has levels ranging from 11.0m RL to 9.0m RL. The current levels are sufficient for development and no backfill is required.
- With regards to existing drainage systems, the proposed increased density should not restrict and current stormwater drainage systems. It is currently assumed all developments, where practical, shall look to detain flows at the source and all drainage flows are directed to the road reserve.
- In summary, the analysis identified there to be no significant adverse impact on the capacity of the existing infrastructure and therefore no upgrades are required.

The Town's Infrastructure and Development Services team have advised the proposed increased density could impact on the existing stormwater system. Contour and Mapping details were not provided as part of this report and henceforth further information would be required to satisfy the Town's stormwater requirements. The Town's civil engineers have thus advised an Urban Water Management Plan would be needed for the area to address stormwater drainage holistically rather than be site specific.

Consultation

Should Council resolve to support the Town's officers recommendation for initiation subject to the adoption of the Housing Strategy and approval of a Stormwater Urban Water management plan, the scheme amendment documentation including all attachments will be submitted to the Environmental Protection Authority (EPA) for assessment pursuant to Section 81 of the *Planning and Development Act, 2005*.

Dependant on the assessment outcome by the EPA the proposed scheme amendment will be advertised as *Town Planning Regulations 1967*, as follows:

- Locally distributed newspaper
- Registered letters to all adjoining properties within 100m radius
- Site notice will be placed on the site
- Notice will be placed on the information board at the Civic Centre office.

Statutory Implications

The *Planning and Development Act 2005* and the *Town Planning Regulations 1967*, provides Council the authority to amend its Local Planning Scheme and establishes the procedure required to make this amendment.

Policy Implications

Nil

Strategic Planning Implications

Strategic Community Plan 2012 – 2022

The following section of the Strategic Community Plan 2012 – 2022, is considered by the Town's Officers to be compliant with the intent of this document.

6.3	Environment
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6.3.1	Housing
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Address housing shortage & affordability through using Council held land, providing high quality modular construction, providing incentives and other forms of inducement to deliver housing by 2013.

6.3.4	Environment
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The Town's pro-development position will have facilitated industry and town growth, while preserving and celebrating the unique environmental assets.

Pilbara's Port City Growth Plan

Precinct Plan 2 identifies the intended land use and development for the East End, signifying a wide range of proposed densities aimed at providing more affordable housing and greater housing choice. Precinct Plan 2 identifies the area as an "opportunity for density increases". This will inevitably assist in meeting demand which currently outweighs supply through providing choice, quantity, quality and affordability in housing provision.

Part 6.1 of the Growth Plan extends on the notion of the opportunity for density increases associated with the subject land, with the recommendation of a number of actions/opportunities. Of which, if progressed immediately (0-2 years) would assist in realising the intended development outcomes featured in the Precinct 2 overview. Importantly, it identifies that "*planning Scheme Amendments to increase density in existing areas to facilitate infill*" which is considered to be a reflection of the purpose and intent of the proposed Scheme Amendment.

5.6.2 Precinct 2 – East End Urban Village

Precinct Statement

The East End Urban Village is Port Hedland's primary residential area. The area, encompassing Cooke Point and Pretty Pool, offers significant housing density and diversity together with sport and recreation opportunities, and school and community facilities. At its core is a retail and mixed use village offering a range of local convenience as well as dining and entertainment choices. Strong links to the coast and mangrove environs have been established offering residential and visitors alike a closer connection with the landscape.

The Town of Port Hedland Local Housing Strategy (Draft 2014)

At Council's previous meeting dated 22 May 2013, the Town resolved to initiate a Local Housing Strategy. The objectives of the Local Housing Strategy are to:

1. *Promote affordability and choice in housing by encouraging a mix of housing types and styles;*
2. *Promote energy efficient and climatically responsive housing design;*
3. *Retain buildings which are listed on the Town's Municipal Inventory of Heritage Places and, where possible, those buildings that contribute to the heritage character of the area;*
4. *Encourage innovative housing options such as adaptable housing that will more appropriately meet the long-term needs of particular groups within the community;*
5. *Maximise the residential amenity of all areas;*
6. *Promote home offices, home occupations and home businesses and other uses that are compatible with residential development;*
7. *Ensure that new residential development in the older established areas of the Town has regard to the historic character of the Town;*
8. *Provide a framework to guide residential development in the Town; and*
9. *Promote coordinated infill development.*

As part of this strategy, the Planning Services team is currently preparing an infill densification model. The objective of the model is to provide the Town with various densification models depicting the impacts of densification on respective areas, but is not expected to contradict the vision of the Growth Plan.

The Local Housing Strategy is expected to be finalised by Council in October 2014.

Budget Implications

A prescribed fee of \$9,758.60 has been paid for the initiation of the scheme amendment.

Officer's Comment

Applicant's Justification for the proposed "R40" density

The applicant has provided the following justification to support the proposed Scheme Amendment.

The intent of the Scheme Amendment is to provide a density coding to promote residential development in a manner that is cognisant of contemporary planning principles that responds to and takes maximum advantage of the unique characteristics of the surrounding amenity and streetscape.

Through providing housing diversity the Town of Port Hedland can meet the different needs of residents based on income, cultural background, family type or stages of life.

The amendment is considered appropriate for the following key reasons:

- The proposal accords with the objectives of 'Precinct – East End Urban Village' as contained in Pilbara's Port City Growth Plan;
- A density of 'R40' on the subject land is appropriate given the strategic location that warrants higher density development and is consistent with 'Pilbara Cities' vision for Port Hedland – i.e. building the population of Port Hedland to 50,000 people by 2035 and growing Port Hedland into a more attractive, sustainable local community;
- It facilitates the maximum potential utilisation of the land for residential purposes, consistent with the strategic planning framework and objectives for the area;
- It will allow for the immediate development, and future redevelopment, of more varied residential development types, contributing to the areas vibrancy and improvement of housing choice and affordability in Port Hedland; and
- Maximise the development potential of the land in a manner that presents a consistent and continuous streetscape along the Sutherland Street water frontage. This will ensure that built form, building setbacks and density are consistent along the streetscape.

Planning's Services Response

The existing density of "R25" is considered a low density code which requires grouped dwellings and multiple dwellings developments to meet a minimum lot size requirement of 350sqm. Therefore, should a proponent seek to redevelop a 1000sqm lot, regardless of the housing type, the maximum number of grouped dwellings or multiple dwellings is limited to three dwellings.

The proposed rezoning from “R25” to “R40” however will change the character, housing typology and amenity of the area. This is because multiple dwellings developments in areas coded R30 and above are not restricted by minimum lot sizes but are determined by minimum plot ratios. This is shown in the table below:

R-Code Density	Minimum Lot size	Average Lot size	Plot Ratio	Example of housing type encouraged	Approximate Lot/Unit Yield from a 1000sqm lot
R25	300m ²	350m ²		Grouped Dwellings	3
			N/A	Multiple Dwellings	
R40	180m ²	220m ²		Grouped Dwellings	4
			0.6	Multiple Dwellings	8 Units

As highlighted in the table above, by the nature of these provisions, multiple dwellings can have a higher dwelling yield and, subsequently bulk and scale, in comparison to grouped dwellings.

Although the Growth Plan has identified the area be recommended for increased densification, the Growth Plan does not indicate what type of housing development and built form would be considered appropriate for this area. The Town’s Planning Services team is currently preparing a Local Housing Strategy. The objectives of the preliminary draft document includes:

7. *Ensure that new residential development in the older established areas of the Town has regard to the historic character of the Town;*
8. *Provide a framework to guide residential development in the Town; and*
9. *Promote coordinated infill development.*

Initiating the Scheme Amendment without finalising the Local Housing Strategy will impact on the existing character and amenity of the area. An example of this is the West End area, whereby the character of this precinct has changed significantly since the increased densification.

Furthermore, in context of the Port Hedland area, the West End Residential zone is an area the Council has considered appropriate to promote the development of Multiple Dwellings with a minimum density of R30 and maximum density of R80.

In light of the above, it is recommended the Council refuse initiating the Scheme Amendment until the adoption of the Local Housing Strategy. This would not undermine the intent of the growth plan but will enable the Council to consider the housing typology and built form appropriate with the strategic vision of this area, and ensuring proper and orderly planning.

Options

Council has the following options when considering the matter:

1. Refuse to initiate the Scheme Amendment

The refusal to initiate the Scheme Amendment would result in no change to the existing subdivision and development options under the R25 density code.

It is considered however premature to support the initiating of the Scheme Amendment without endorsing the Local Housing Strategy as it may prejudice the findings. The purpose of the Local Housing Strategy is to inform the Town's Officers and allow Council to properly consider future scheme amendment proposals to increase densities, in line with the visions of the Pilbara's Port City Growth Plan.

2. Initiate the Scheme Amendment as submitted.

The initiation of the Scheme Amendment is in line with the vision of the Pilbara Port City Growth Plan, and will allow the site to be considered for future development for housing opportunities.

3. Initiate the Scheme Amendment subject to modifications, requiring a Detailed Area Plan to be submitted over the area based on the findings of the Local Housing Strategy.

Alternatively Council could require the applicant to modify the proposed Scheme Amendment with additional clauses within the Scheme Text to require a Detailed Area Plan or Local Specific Plan over the subject area. This document would thereby guide the redevelopment, housing typology and built form of the precinct. This however assumes the Local Housing Strategy would support the increased density to R40.

Option 1 is recommended, as initiating the proposed Scheme Amendment is considered premature and may prejudice the final outcomes and recommendations of the Local Housing Strategy.

Attachments

1. Scheme Amendment Documentation (Under Separate Cover)

Officer's Recommendation

Moved: Cr Taylor

Seconded: Cr Butson

That Council:

1. Refuse the initiation of Scheme Amendment No. 64 on the basis that the Town is preparing a Local Housing Strategy. Initiating the proposed Scheme Amendment is considered premature and may prejudice the final outcomes and recommendations of the Local Housing Strategy; and

2. Advise the applicant to consider resubmitting an application for a Scheme Amendment upon the endorsement of the Local Housing Strategy.

LOST ON THE CASTING VOTE OF THE MAYOR 4/5

Record

For	Against
Councillor Gillingham	Mayor Howlett
Councillor Taylor	Councillor Hooper
Councillor Butson	Councillor Hunt
Councillor Melville	Councillor Van Vugt

201314/294 Alternative Officer's Recommendation/ Council Decision

Moved: Mayor Howlett

Seconded: Cr Hooper

That Council:

1. **Require the following modification to the Scheme Amendment No.64 to the Town of Port Hedland Planning Scheme No.5 to include the following provision:**

9.7.5 Where it is proposed to amend the scheme in relation to an R-Code density in a Residential zone, Council may require the proponent to prepare a Detail Area Plan and the provisions of Appendix 6 shall apply.

2. **Subject to (A), a copy of the proposed amendment to be sent to all the landowners affected by the amendment, providing a minimum of 28 days to provide comment to the Town.**
3. **Should no objections be received during this submission period, pursuant to Part 5 of the Planning and Development Act 2005, initiate Scheme Amendment No.64 to the Town of Port Hedland Town Planning Scheme No.5 to:**
 - a. **Rezone Lots 1 – 2 on Strata Plan 43798, Lots 1 – 2 on Strata Plan 46090, Lots 1 – 2 on Strata Plan 31284, 1513 – 1521, 1535, 1537 – 1540, 1542 Sutherland Street, Lots 1543 – 1544 Lacy Street, Lots 1510 – 1512 Thompson Street, Lots 1529 – 1532, 1523 -1525, 1546 – 1551, 1143 and 100 Robinson Street and Lots 1522 and 1533 Bell Street (subject site) from “Residential R25” to “Residential R40”;**
 - b. **Amend the Scheme text to include the following additional text:**

9.7.5 Where it is proposed to amend the scheme in relation to an R-Code density in a Residential zone, Council may require the proponent to prepare a Detail Area Plan and the provisions of Appendix 6.

- c. Amend the Scheme map accordingly.
4. Forward Amendment No. 64 to the Town of Port Hedland Town Planning Scheme No.5 to the Environmental Protection Authority (EPA) for comment, pursuant to Section 81 of the Planning and Development Act, 2005;
5. Should confirmation from the EPA indicate the amendment is not subject to formal environmental assessment, advertise the amendment pursuant to Regulation 25(2) of the Town Planning Regulations 1967 (as amended) for a period of 42 days; and
6. Require the applicant to prepare a Detailed Area Plan over the Scheme Amendment area. The Detailed Area Plan shall be submitted and approved in accordance with the Detailed Area Plan provisions as outlined in Appendix 6 of the Town of Port Hedland Town Planning Scheme No. 5. In addition to the matter to be addressed as per Clause 5 of Appendix 6, the Detailed Area Plan shall also address the findings of the endorsed Local Housing Strategy, including the following additional elements:
 - i. Housing typology (including land uses);
 - ii. Building Height; and
 - iii. Character and Amenity

CARRIED 5/3

Consultation

The application was circulated as follows:

Internally:

- Manager Technical Services
- Manager Building Services
- Manager Environmental Health Services
- Manager Engineering Services

Externally:

- Department of Environment Regulation (DER)
- Department of State Development – Dust Taskforce (DSD)
- Environmental Protection Authority (EPA)
- Department of Health
- Pilbara Cities
- Telstra
- Optus
- Horizon Power
- Water Corporation

The following noteworthy comments were received:

Department of Health (DoH):

1. The DOH supports this application with the proviso that the developer is made aware of and agrees to the establishment and maintenance schedules of air-conditioning units, and that all potential residents are informed of the short-term nature of accommodations in The West End, and are also informed of the Memorial on Title as required under Amendment 22.

Department of State Development:

1. Development within the “West End Residential” zone must comply with the design requirements outlined in Town of Port Hedland Town Planning Scheme Amendment 22.
2. The Department notes that the development application includes a report from a private consultant, assessing the development’s adherence to the design requirements of Scheme Amendment 22. It is the Department’s view that, although the application provides the Town of Port Hedland with specialist advice from a third party, the Town is ultimately responsible for assessing development applications against the design requirements of Scheme Amendment 22.

3. The *Port Hedland Air Quality and Noise Management Plan 2010*, advocates a precautionary approach to residential development in the West End of Port Hedland until the results of the Health Risk Assessment (HRA) are known.
4. The Department notes that the Port Hedland Health Risk Assessment is now under way. The outcomes of the HRA may have implications for land use planning and development in the Town of Port Hedland. Upon the release of the HRA, the Port Hedland Dust Taskforce will be in a better position to comment on the appropriateness of additional development in the West End.
5. This letter should not be interpreted as endorsement of the development application.

Planning's Response

The Planning Services Unit has required the landowner to provide a dust mitigation report prepared by a certified mechanical engineer that demonstrates how the development will manage and limit dust exposure and potential negative impacts in accordance with the provisions of the Scheme.

A copy of this report was circulated to all members of the Port Hedland Dust Task Force, whom have raised no objections to the content of the report. Subsequent to the findings of a HRA report, the applicant has addressed the concerns of elevated dust levels to the best of their ability with the information available at the time. By virtue of this, the application should be considered on its merits.

Adjoining Neighbours

The application was advertised to the adjoining neighbours for a period of 14 days. No submissions were received during the period.

Statutory Implications

In accordance with the Planning and Development Act 2005, the proposed development is subject to the provisions of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5).

Policy Implications

12/002 Off Site Car Parking Policy

- Objectives
 - To provide guidance for the possible development of car parking in adjoining road reserves

Strategic Planning Implications

Strategic Community Plan 2012 – 2022 are considered relevant to this proposal:

The proposed development will provide an eight additional multiple dwellings within the West End precinct. Whilst the site is not located on Council held land, the development is a modular construction and is considered high quality. It is therefore considered the proposed development is consistent with the strategic outcomes of the Strategic Community Plan.

6.3 Environment

6.3.1 Housing

Address housing shortage & affordability through using Council held land, providing high quality modular construction, providing incentives and other forms of inducement to deliver housing by 2013.

Pilbara's Port City Growth Plan

The proposed development is located within an area of elevated high levels of iron ore dust and noise from the Port activities within this locality. The applicant has provided a Dust Mitigation report from a Certified Mechanical Engineer that seeks to address these issues. It is therefore considered the proposed development is consistent with the provisions of the Growth Plan for this precinct.

5.6.1 Precinct 1 – West End

5.6.1 Precinct 1 – West End

Precinct Summary

Noise and dust emissions particularly in proximity to existing developed urban areas.

Budget Implications

Immediate:

As per the approved fees and charges, the applicant has paid the prescribed fee of \$6,042.60.

Whole of Life:

Maintenance cost associated with the two (2) parking bays located within the Moore Street road reserve. As part of the planning approval, the landowner will be required to enter into a license agreement with the Town and pay a bond to maintain the bays.

The average maintenance cost per bay is \$588.00, per annum considering the lifespan of the development being twenty (20) years. The bond for the two (2) parking bays will be \$23,520.00.

(\$588.00 x 2 bays) x 20 years = \$23,520.00

Officer's Comment

Dust Mitigation requirements in the West End Residential Zone

The site is located in the "West End Residential" zone. Developments located within this zone are required to be designed in order to mitigate the impacts of elevated dust levels. Section 6.3.9 of TPS5 states:

"Residential development within the 'West End Residential Zone' and within the area bound by Withnell, McKay and Anderson Streets, and The Esplanade road, Port Hedland shall be in accordance with a local planning policy, development plan or design guidelines adopted by Council that incorporates building design and performance standards to reduce exposure to dust, and to include but not necessarily be limited to -

- *filtration of incoming air into the building designed to utilise coarse disposable pre-filtration (i.e. G3 or G4 rated) and then a finer filter (i.e. F4 rated);*
- *location of operable windows and doors on the western and southern building facades only;*
- *use of deflection screens on the northern and eastern edges of operable windows;*
- *use of eaves;*
- *orientation of buildings to avoid wind tunnelling effects; and*
- *protective screens and porticos at building entrances to reduce the direct impact of wind onto the opening."*

In the absence of a local planning policy, development plan or design guideline, state government stakeholders have expressed concern regarding suitable design requirements for residential development in the "West End Residential" zone.

Clause 6.3.9 of the scheme is prescriptive and does not allow for innovative design solutions which are able to achieve the same outcome as intended by the relevant clause contained within TPS5.

Consequently, legal advice was obtained from the Towns' Solicitors and further advice received from the Department of Planning. As a result of advice received, all residential applications within this area are to include a report prepared by a suitably qualified Mechanical Engineer, certifying the design of the proposed development will mitigate dust exposure and achieves the intent Clause 6.3.9 of TPS5.

The applicant has submitted a report by Norman Disney & Young confirming the proposed design will mitigate dust and addresses the requirements under TPS5. This report was forwarded to the relevant stakeholders for comment.

From a planning perspective the application is supported as it complies with all planning related development controls and principles and the dust mitigation report prepared by Norman Disney & Young confirms the development is consistent with the intent of Clause 6.3.9 of TPS5.

Residential Design Codes of Western Australia (R Codes)

A number of variations to the Acceptable Development Standards of the R Codes have been sought.

The justifications provided by the applicant for the required variations have been reviewed, and from a planning perspective are considered to comply with the "Design Principles" of the Residential Design Codes and are supported.

Off-site Parking Bays

For the proposed development to comply with the required parking as stipulated in TPS5 and the Residential Design Guidelines, a minimum of two (2) visitor bays are to be provided.

In order for the applicant to maximise the development potential, it has been proposed to provide at the applicants cost two (2) parking bays within the Moore Street road verge. Being located within the verge these bays will remain public car parking bays, but available to the visitors of the development.

Should Council resolve not to permit the construction of the two (2) visitor bays within the road verge, the application cannot be supported in its current form. The applicant will be required to reduce the development in order to accommodate all parking on-site.

Attachments

1. Locality Plan
2. Development Plans
3. Dust mitigation report (Under Separate Cover)
4. Artist Impression

201314/295 Officer's Recommendation/ Council Decision

Moved: Cr Hooper

Seconded: Cr Melville

That Council approve the application submitted by RFF Pty Ltd on behalf of the landowner, Buccaneer P/L to construct eight (8) "Multiple Dwellings" on Lot 413 (3) Moore Street, Port Hedland subject to the following conditions:

- 1. This approval relates only to the proposed 8 “Multiple Dwellings”, as indicated on the approved plans (DRG2014/19/1 - DRG2014/19/4). It does not relate to any other development on this lot;**
- 2. If the development referred to in (1) above is not substantially commenced within a period of two years from the date of approval, the approval shall lapse and be of no further effect;**
- 3. A minimum of 10 car parking bays shall be provided for the development, 8 car parking bays on site and 2 visitor car parking bays shall be provided in accordance with condition 4;**
- 4. The 2 visitor car parking bays to be provided on the Moore Street, road reserve by the landowner shall be designed, constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface or equivalent in accordance with a design approved by the Town’s Manager Development Services at the landowners expense;**
- 5. The visitor car parking bays constructed on the Moore Street, road reserve shall remain accessible and be used solely for the purpose of car parking at all times;**
- 6. No car parking bays shall be obstructed in any way or used for any other purpose than car parking;**
- 7. Front walls and fences within the primary street and secondary street setback area shall be no higher than 1.8m measured from natural ground level and be visually permeable above 1.2m;**
- 8. Fences shall be reduced to no higher than 0.75m from the natural ground level when within 1.5m of where the Vehicle Access Point (driveway) meets a street and where two (2) streets intersect;**
- 9. Roof mounted or freestanding plant or equipment such as air conditioning units and hot water systems shall be located and / or screened to the satisfaction of the Town’s Manager Development Services;**
- 10. Alterations or relocations of existing infrastructure within the road reserve shall be carried out and reinstated at the landowner’s cost to the satisfaction of the Town’s Manager Development Services;**
- 11. Walls on the boundary shall be finished or rendered to match where practicable the colours and materials of the affected property to the satisfaction of the Town’s Manager Development Services;**

12. Stormwater shall be retained on site, suitable to accommodate a 1 in 5 year rainfall event (6 minute duration). Overflow Stormwater must be directed towards Council's road network or drainage system. It is not permitted to allow overflow towards neighbouring properties;
13. The landowner shall ensure refuse collection / storage is in accordance with the approved Refuse Collection Strategy / Management Plan. (RCP2014/19/1);
14. The landowner shall ensure all activities related to the construction of the development (such as but not limited to, storage of building materials and contractor vehicles) be contained wholly within the lot boundaries;
15. All dust and sand to be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Manager Development Services;

The following conditions shall be cleared by the Town's Manager Development Services prior to the submission of an application for a Building Permit.

16. Prior to the submission of an application for a Building Permit, the landowner shall prepare a notification under section 70A of the Transfer of Land Act 1893. The landowner shall provide proof in a form acceptable to the Town's Manager Development Services that the section 70A has been lodged with Landgate for endorsement on the Certificate of Title for the subject lot(s). This notification shall be sufficient to alert prospective landowner or occupiers of the following:
 - a. Vulnerable Coastal Area - This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years.
 - b. This land is located within an area identified as being impacted on or affected by dust from Port activities. The Department of Health advises, children, the elderly and people with pre-existing respiratory and cardiovascular health conditions or predisposed to the same should not reside on this land other than on a temporary basis as they are at increased risk of worsening or developing respiratory and/or cardiovascular related health conditions.

Further information can be obtained from the Department of Health.

17. Prior to the submission of an application for a Building Permit, a bond in the sum of \$23,520 shall be paid by the landowner to the Town as security for the repair of the Moore Street, road reserve and as security for the ongoing maintenance of the 2 visitor car parking bays constructed on the Moore Street, road reserve for a term of 20 years, pursuant to Regulation 17(5) of the *Local Government (Uniform Local Provisions) Regulations 1996*;
18. Prior to the submission of an application for a Building Permit, the landowner shall enter into and thereafter comply with an agreement with the Town documenting the conditions in which the Town is prepared to grant permission to construct the car parking bays on the Moore Street, road reserve under Reg 17 of the Regulations (Agreement). The Agreement is to be prepared by the Town's solicitors to the satisfaction of the Town's Manager Development Services, and the obligations, rights and powers of the parties under Reg 17 of the Regulations. The agreement shall also impose the following additional obligations on the landowner to:
 - a. Repair at its own cost, to the satisfaction of the Town's Manager Development Services, any damage to Moore Street, or the Moore Street, road reserve, resulting from the construction, use or maintenance of the visitor car parking bays;
 - b. Maintain and repair at its own cost, to the satisfaction of the Town's Manager Development Services, the visitors car parking and verge landscaping;
 - c. Indemnify the Town for any damage, claims or loss relating to the construction, use or maintenance of the visitors car parking bays; and
 - d. Pay a bond in the sum of \$23,520, to the Town as security for repairing the road reserve and the ongoing maintenance of the visitors car parking bays constructed on the Moore Street, road reserve.
19. Prior to the submission of an application for a Building Permit, a "Stormwater Management Plan" shall be submitted and approved by the Town's Manager Development Services;

The following condition shall be complied with prior to any works taking place on the lot.

20. The landowner shall ensure sediment control barriers as prescribed by SCB2014, are placed along all boundaries abutting public land;

The following conditions shall be complied with prior to the occupation of the development.

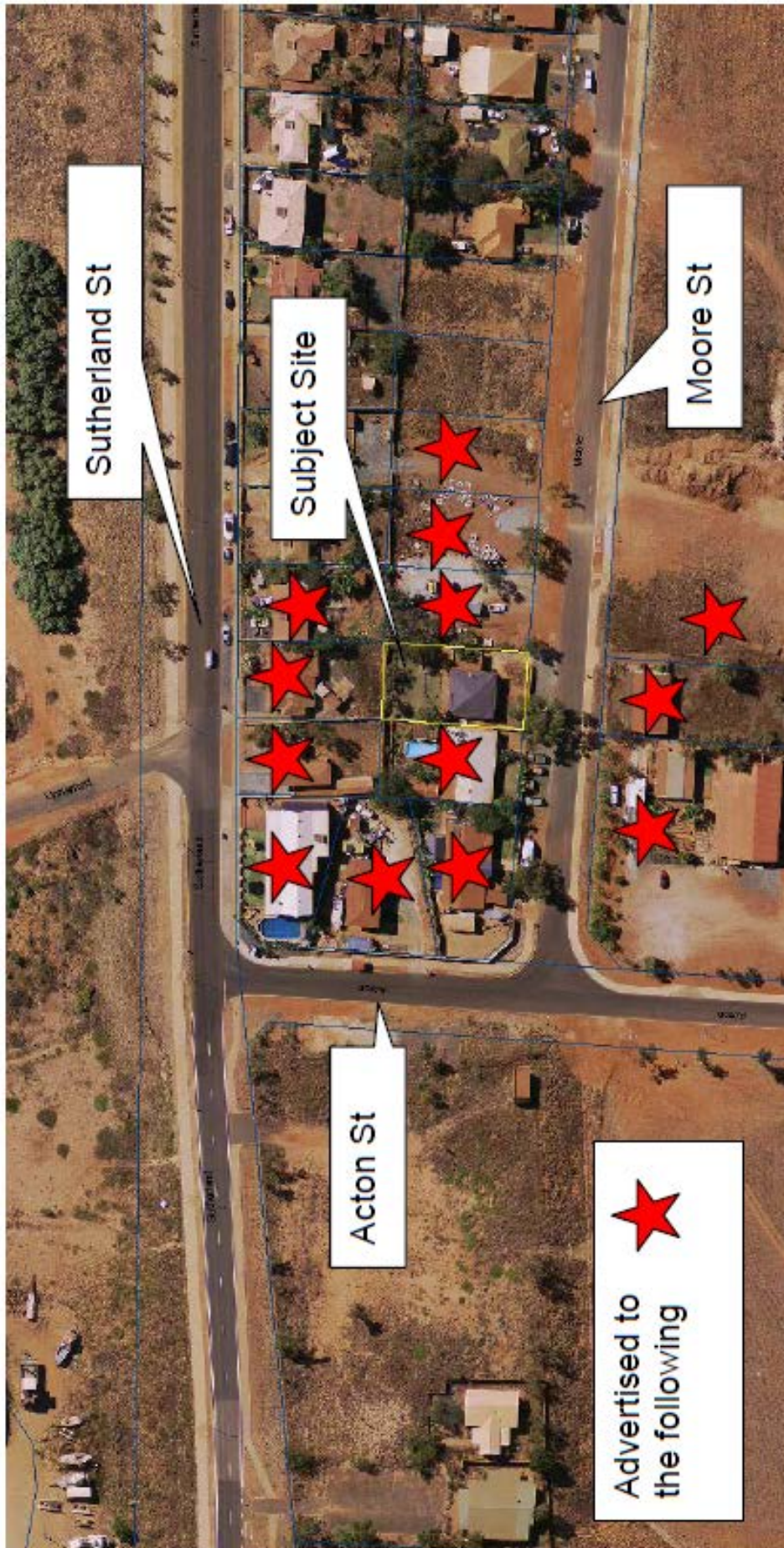
21. Prior to the occupation of the development the landowner shall provide a certificate prepared by a suitably qualified Mechanical Engineer confirming the development has been built in accordance with the Dust Management Assessment Report, prepared by Norman Disney & Young;
22. Prior to the occupation of the development, the landowner shall prepare a maintenance schedule for the air-conditioning units to the satisfaction of the Town's Manager Development Services;
23. Prior to the occupation of the development, the development shall be connected to reticulated mains sewer;
24. Prior to the occupation of the development, aged/disabled access to the existing Council footpath in accordance with "Austroads Part 13 – Pedestrians" shall be provided, to the satisfaction of the Town's Manager Development Services;
25. Prior to the occupation of the development the landscaping and reticulation is to be completed as per the approved landscaping and reticulation plan (LSP2014/19/1), and thereafter shall be maintained to the satisfaction of the Town's Manager Development Services;
26. Prior to the occupation of the development, lighting shall be installed along all driveway(s), access way(s), parking area(s), turning area(s) and pedestrian pathways by the landowner. Design and construction standards shall be in accordance with relevant Australian Standards;
27. Prior to the occupation of the development, access way(s), parking area(s), turning area(s) shall be constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface by the landowner in accordance with the relevant Australian Standards;
28. Prior to the occupation of the development the driveways and crossover shall be designed and constructed in accordance with Council's Crossover Policy 9/005; and
29. Prior to the occupation of the development the landowner shall ensure any damage to road pavements / kerbing / footpaths or other Town assets caused by any activity associated with the construction of the development, including but not limited to vehicle movements, shall be repaired to the satisfaction of the Town's Manager Development Services.

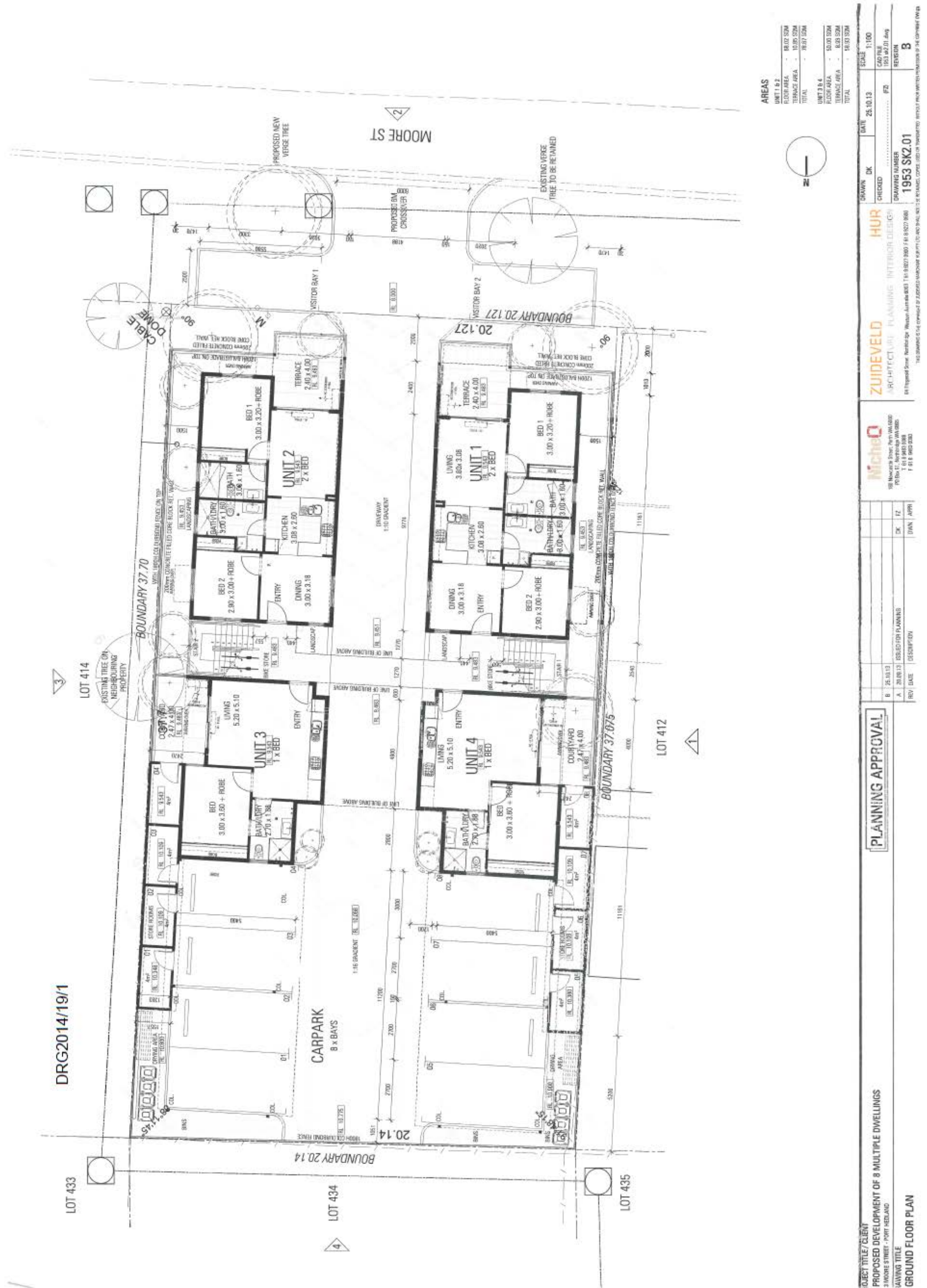
ADVICE NOTES:

1. You are reminded this is a Planning Approval only and does not obviate the responsibility of the landowner to comply with all relevant building, health and engineering requirements;
2. With regards to Condition 23, the Water Corporation wishes to advise the local wastewater components will require a review by the developer's Consulting Engineer, and may require upgrading. Details are to be provided to the Water Corporation at the time of building application together with a water efficiency plan for assessment and agreement;
3. With regards to Condition 23, insitu effluent disposal systems are to be decommissioned in accordance with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;
4. The "Refuse Collection Strategy / Management Plan" has been approved for a Classic Service, being one 240 Litre Bin per unit to be collected from Moore Street once a week. Any proposed change to a "Premium Service" will require approval from the Town of Port Hedland;
5. Waste receptacles are to be stored in a suitable enclosure to be provided to the specifications of Council's Health Local Laws 1999 and to the satisfaction of Manager Development Services;
6. The development must comply with the *Environmental Protection (Noise) Regulations 1997* at all times;
7. Be advised that as per the Environmental Protection (Noise) Regulations 1997, construction noise, that does not comply with the AS 2436-1981, is not permitted outside of 0700-1900 Mondays-Saturdays and not on Sundays or Public Holidays;
8. Be advised that all laundries must be constructed as per the Town's Health Local Laws 1999 Section 2.2.2;
9. The landowner shall comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval; and
10. To clear any conditions kindly contact the Town's Development Compliance Officer on (08) 9158 9300. Please note clearance of conditions requires the submission of an application form and payment.

CARRIED 8/0

ATTACHMENT 1 TO ITEM 12.5



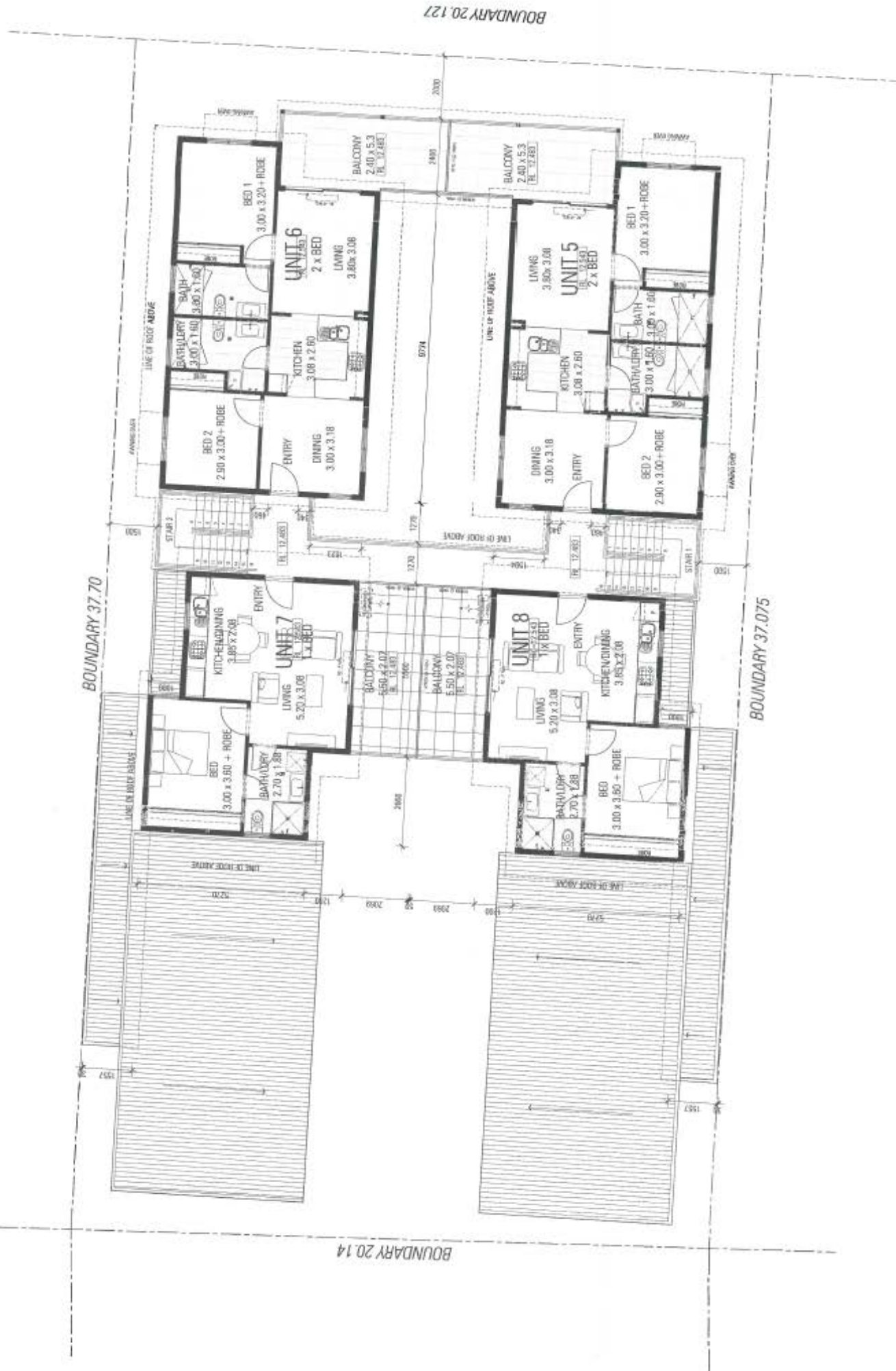


AREAS

UNIT 1 & 2	FLOOR AREA	88.07 SQM
	TERRACE AREA	10.87 SQM
	TOTAL	98.94 SQM
UNIT 3 & 4	FLOOR AREA	50.00 SQM
	TERRACE AREA	6.00 SQM
	TOTAL	56.00 SQM

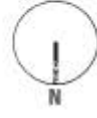
PROJECT TITLE / CLIENT		PLANNING APPROVAL	
PROPOSED DEVELOPMENT OF 8 MULTIPLE DWELLINGS		25.10.13	
3 MOORE STREET - PORT HEDLAND		A. 20.08.13 ISSUED FOR PLANNING	
DRAWING TITLE		DESCRIPTION	
GROUND FLOOR PLAN		DWN. APPH	
REV. DATE	DESCRIPTION	DK. IZ.	APPH.
B. 25.10.13			
DRAWN: HUR		CHECKED: HUR	
DATE: 25.10.13		SCALE: 1:100	
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DRAWING NUMBER: 1953 SK2.01		REVISION: B	
ZUIDEVELD ARCHITECTURE PLANNING INTERIOR DESIGN		HUR	
181 Trigg Road, Westport, Western Australia 6883 Tel: 81827 9800 Fax: 81827 9800			
181 Trigg Road, Westport, Western Australia 6883 Tel: 81827 9800 Fax: 81827 9800			
181 Trigg Road, Westport, Western Australia 6883 Tel: 81827 9800 Fax: 81827 9800			

DRG2014/19/2



AREAS

UNIT 5 & 6	
FLOOR AREA	68.07 SQM
BALCONY AREA	12.74 SQM
TOTAL	80.81 SQM
UNIT 7 & 8	
FLOOR AREA	80.03 SQM
BALCONY AREA	11.38 SQM
TOTAL	91.41 SQM



QUERCY TITLE / QUERCY
 PROPOSED DEVELOPMENT OF 8 MULTIPLE DWELLINGS
 1 BODICE STREET - PORT HELLAND
 DRAWING TITLE
FIRST FLOOR PLAN

REV	DATE	DESCRIPTION	DWN	APP'D
B	25.10.13	ISSUED FOR REVIEW	SK	EZ
A	20.09.13	ISSUED FOR PLANNING	SK	EZ

Michelle
 100 Riverside Street, Port HELLAND
 Port HELLAND, North Ayrshire, Ayrshire
 T: 01843 850300
 F: 01843 850300

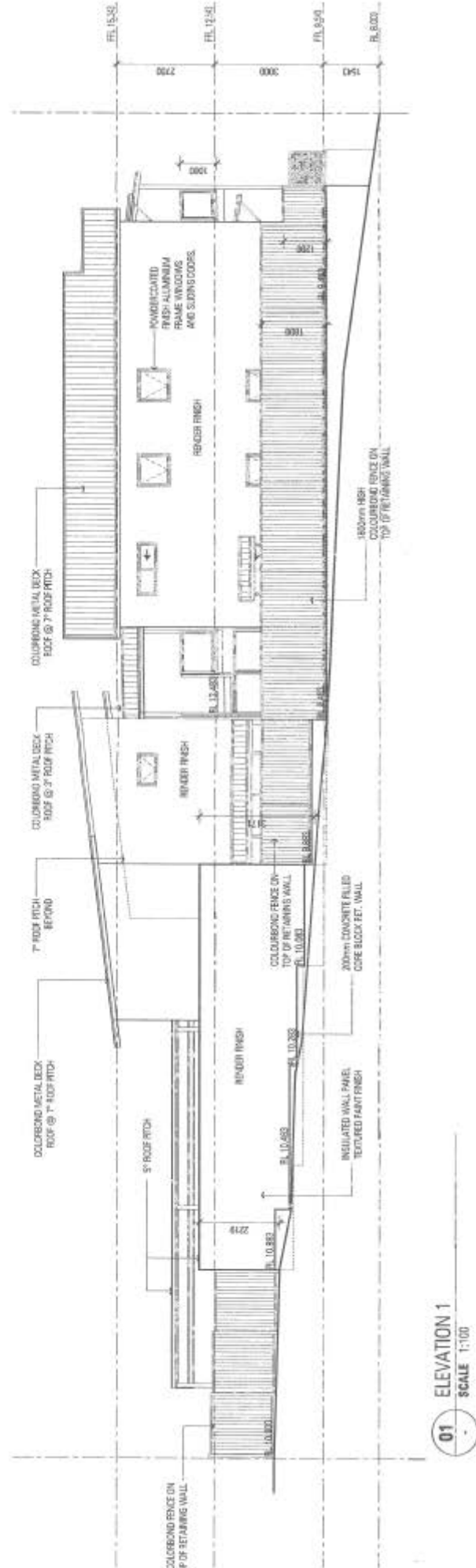
ZUIDEVELD
 ARCHITECTURE PLANNING INTERIOR DESIGN

HUR
 CHECKED
 DRAWING NUMBER
1953 SK2.02

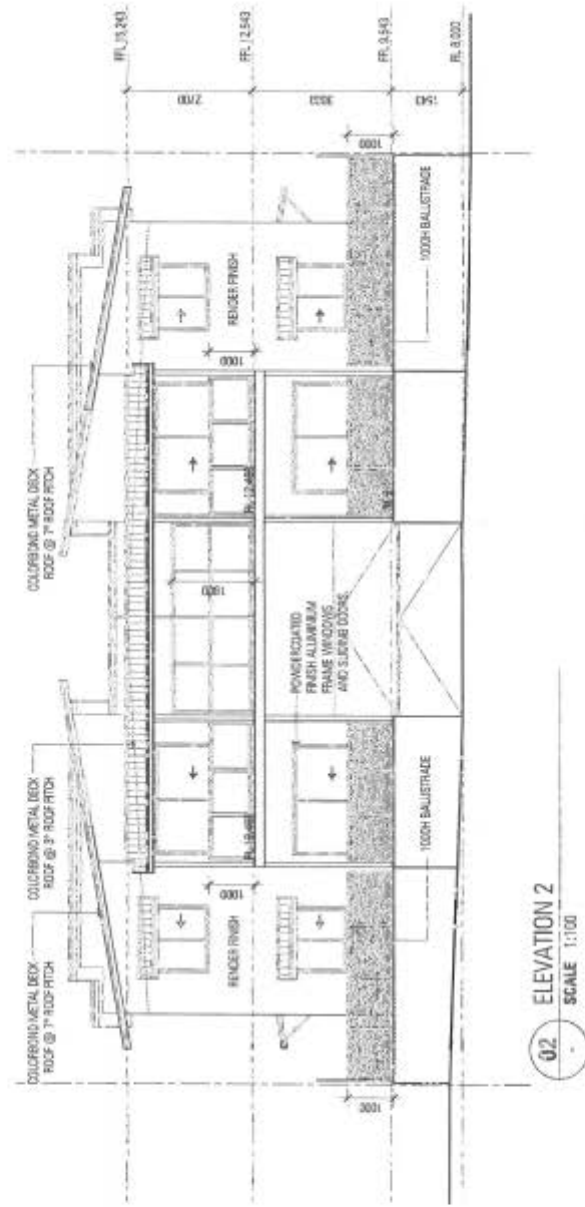
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 REF: 073
 REVISION: B

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DRG2014/19/3



01 ELEVATION 1
SCALE 1:100



02 ELEVATION 2
SCALE 1:100

The construction of this dwelling/project uses alternative materials that have demonstrated compliance under the performance clauses of the ICC.

Building Test Certificates are available from www.living.org.nz.

CSRDU letter of water penetration tests in wall system dated 18/06/2012.

Prunip Certification Report of CSRDU tests dated 23/09/2012.

Prunip Certification Report of Testing of 60mm Wall Panels dated 25/07/2012.

Prunip Certification Report of Testing of 100mm Wall Panels dated 28/07/2012.

Evans Wellington Site Test Report No. 2729001 dated 4 October 2012 for Jans.

For wall construction (S3/S3C/RL/Conformal).

PLANNING APPROVAL		DATE	15.11.13	SCALE	1:100
REV	DATE	DESCRIPTION	CHK	APPN	
C	18.12.13	PLANNING APPROVAL	DK		
B	15.11.13	REVISED AND ISSUED FOR PLANNING	DK		
A	20.09.13	ISSUED FOR PLANNING	DK	F2	

TITLE / CLIENT
PROPOSED DEVELOPMENT OF 8 MULTIPLE DWELLINGS
 100 STRAIGHT - PORT NEULAND

ARCHITECT
ZUIDEVELD
 ARCHITECTURE
 44 Reginald Street, Havelock, Waikato
 Phone: 0800 888 100
 Fax: 08 840 028

ENGINEER
MichieC
 100 Newlands Street, Perth WA 6000
 PO Box 51, Northbridge WA 6003
 T 61 8 9463 0080
 F 61 8 9463 028

DRAWN
 1953 SK3 01

CHECKED
 1953 SK3 01

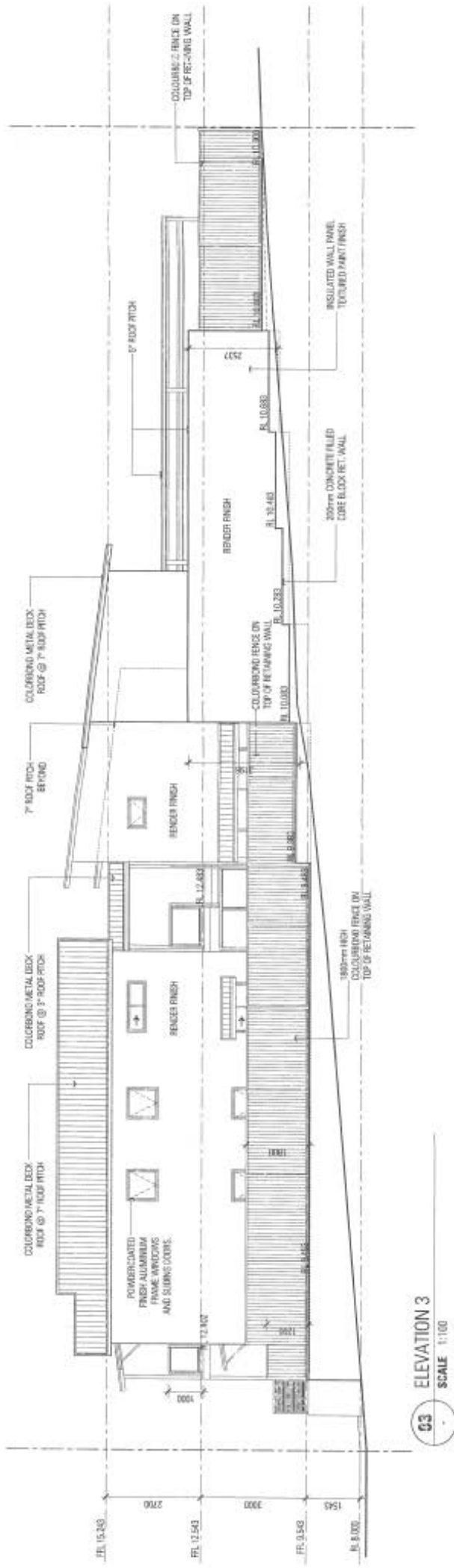
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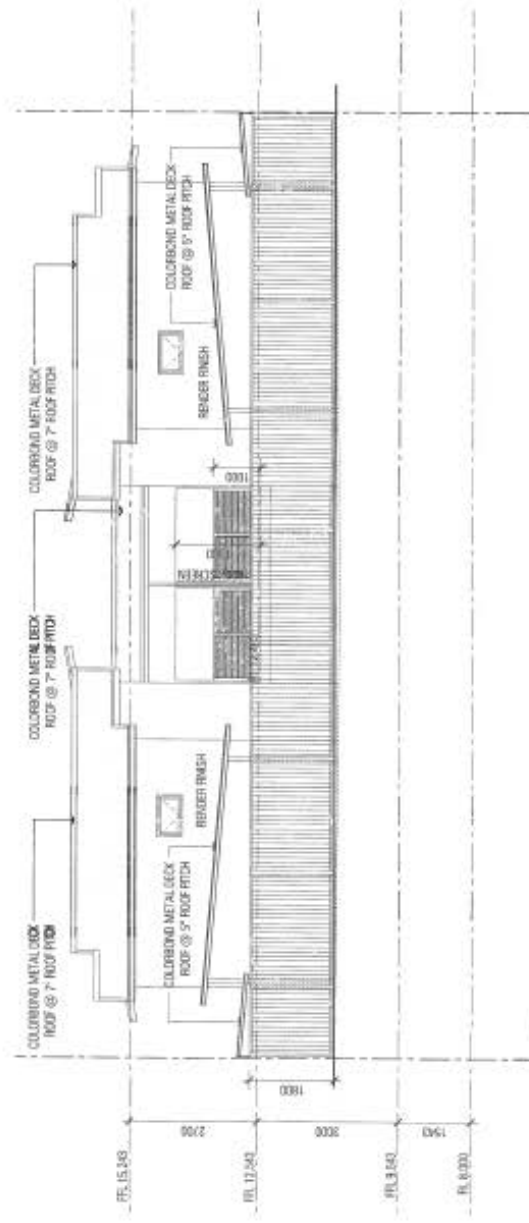
PROJECT NUMBER
 1953 SK3 01

REVISION
 C

DRG2014/19/4



03 ELEVATION 3
SCALE 1:100



04 ELEVATION 4
SCALE 1:100

The construction of this dwelling project uses alternative materials that have demonstrated compliance under the performance clauses of the NCC.

The following Test Certificate is available from Nicho Using on Request:

- CSIRO Lateral of water penetration tests to wall system cited 18/09/2012.
- Product Certification Report of CSIRO tests dated 23/05/2012.
- Product Certification Report of Testing of Ethane Wall Panels dated 25/01/2012.
- Product Certification Report of Testing of 150mm Wall Panels dated 26/7/2012.
- Extra Walling for Test Report No. 27726501 dated 4 October 2012 for zero for wall construction (R6/R50/F5L Compliance).

PROJECT TITLE / CLIENT
PROPOSED DEVELOPMENT OF 8 MULTIPLE DWELLINGS
MADRE STREET - PORT NEGLAND

AWING TITLE
ELEVATIONS

PLANNING APPROVAL

REV	DATE	DESCRIPTION	APP
C	18/12/13	PLANNING APPROVAL	DK
B	20/10/13	ISSUED FOR REVIEW	DK
A	20/09/13	ISSUED FOR APPROVAL	DK
F1			DK
F2			DK
			DWA
			APP

ZUIDEVELD
ARCHITECTURE PLANNING INTERIOR DESIGN
44 Reginald Street, Northcote, Victoria 3070
T 03 9463 2288
F 03 9463 0808

Nicho
108 Newcastle Street, Northcote, VIC 3070
PO Box 51, Northcote, VIC 3070
T 03 9463 2288
F 03 9463 0808

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DATE 25.10.13
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CAD FILE 1053_02.01.dwg
PFD
DRAWING NUMBER 1953 SK3.02
REVISION NUMBER C

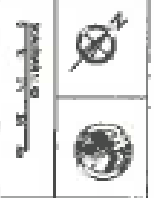
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LSP2014/19/1

PROJECT: COMBINED DWELLING & COMMON LANDSCAPE TREATMENT (SHEET 1 OF 1)
 MOORE STREET PORT HEDLAND
 CLIENT: MICHE LIVING

NO.	DATE	SCALE	BY	CHKD BY
1	10/11/13	1:100	MPH/ML	ML



DESIGNED BY: MICHE LIVING
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NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

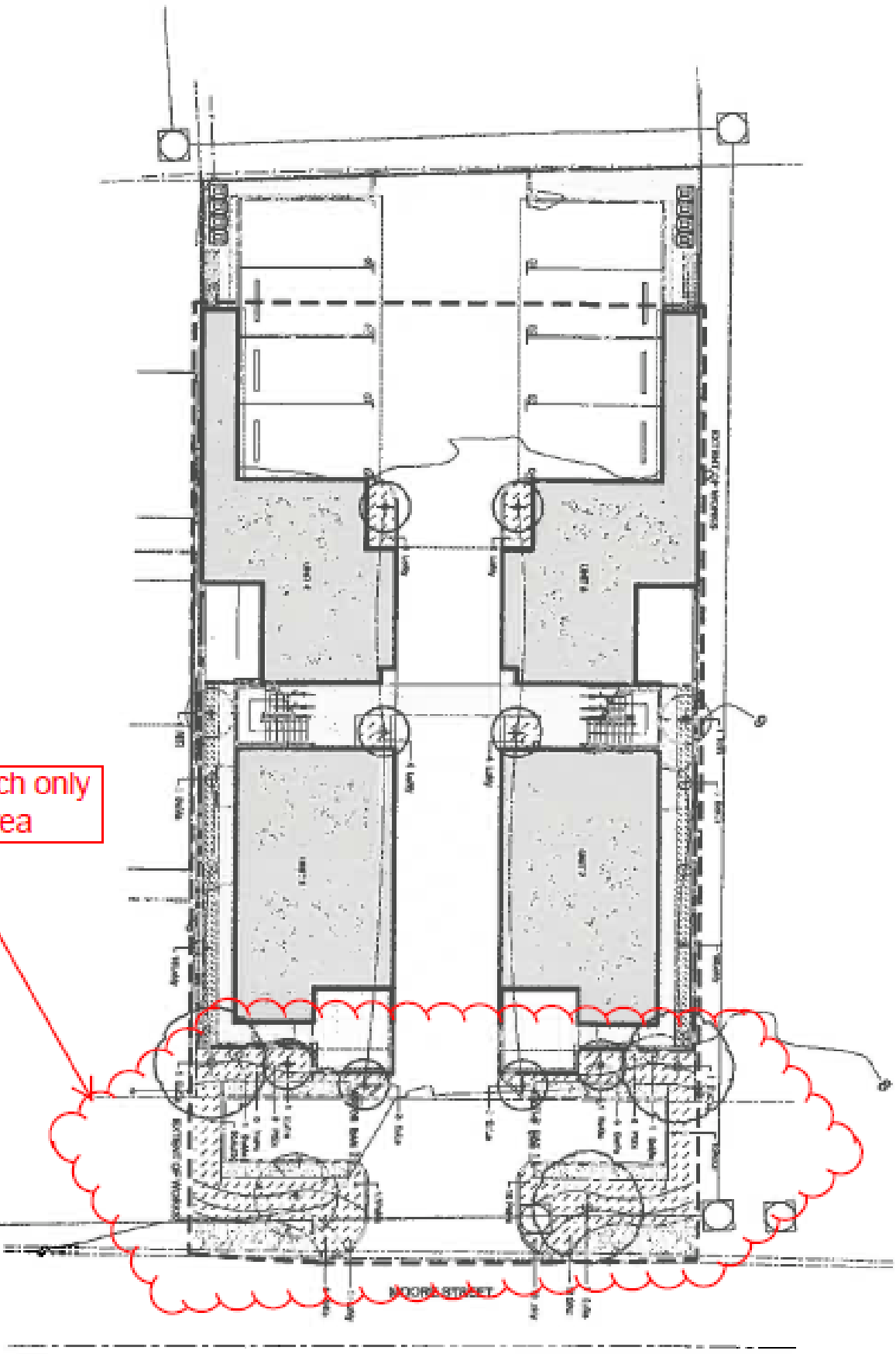
NO.	DATE	DESCRIPTION
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2	10/11/13	ISSUED FOR TENDERS
3	10/11/13	ISSUED FOR TENDERS
4	10/11/13	ISSUED FOR TENDERS
5	10/11/13	ISSUED FOR TENDERS
6	10/11/13	ISSUED FOR TENDERS
7	10/11/13	ISSUED FOR TENDERS
8	10/11/13	ISSUED FOR TENDERS
9	10/11/13	ISSUED FOR TENDERS
10	10/11/13	ISSUED FOR TENDERS

PLANT SCHEDULE:

SYMBOL/ABBREVIATION	SYMBOL/ABBREVIATION	SYMBOL/ABBREVIATION	SYMBOL/ABBREVIATION
1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
21	22	23	24
25	26	27	28
29	30	31	32
33	34	35	36
37	38	39	40
41	42	43	44
45	46	47	48
49	50	51	52
53	54	55	56
57	58	59	60
61	62	63	64
65	66	67	68
69	70	71	72
73	74	75	76
77	78	79	80
81	82	83	84
85	86	87	88
89	90	91	92
93	94	95	96
97	98	99	100

LEGEND:

- 1. 100mm concrete
- 2. 100mm concrete
- 3. 100mm concrete
- 4. 100mm concrete
- 5. 100mm concrete
- 6. 100mm concrete
- 7. 100mm concrete
- 8. 100mm concrete
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ITEM 13 REPORTS OF COMMITTEES

NOTE: The Minutes of this Committee meeting are enclosed under separate cover.

13.1.1 Audit & Finance Committee Minutes – 19 February 2014

201314/296 Officer's Recommendation/ Council Decision

Moved: Cr Hunt

Seconded: Cr Melville

That Council receive the Minutes of the Ordinary Meeting of the Audit & Finance Committee held on 19 February 2014 at 12:00pm inclusive of the following decisions:

7.1 Confirmation of Minutes of Audit and Finance Committee of Council held on Wednesday, 29 January 2014

10.1.1 Port Hedland Visitor Centre Quarterly Review: October to December 2013 (File No.: 05/09/0017)

10.2.1 Colin Matheson Oval Club Room Second Quarter Report – Port Hedland Rovers Football Club: (File No.: 26/06/0007)

10.2.2 Courthouse Gallery Quarterly Review: October to December 2013 (File No.:20/01/0026)

10.2.3 GP Housing Quarterly Review: October to December 2013 (File No.:15/01/0020)

10.2.4 Town of Port Hedland Leisure Facilities Management Contract Second Quarter Report 2013-2014 YMCA Perth: (File No.: 26/04/0015)

10.3.1 Quarterly Budget Review – December 2013

10.4.1 Terms of Reference of the Town of Port Hedland Audit and Finance Committee (File No.: 13/05/0002)

10.4.2 2013 Compliance Audit Return (File No.: 14/06/0001)

14 Applications for Leave of Absence

CARRIED 8/0

ITEM 14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

ITEM 15 CONFIDENTIAL ITEMS**15.1 *Chief Executive Officer Annual Appraisal***

NOTE: This item has been withdrawn and will be presented at the April Council meeting.

ITEM 16 APPLICATIONS FOR LEAVE OF ABSENCE

201314/297 Council Decision

Moved: Cr Gillingham

Seconded: Cr Taylor

That Council approve the following applications for leave of absence:

- Councillor Gillingham from 28 March 2014 to 31 March 2014 and 18 April 2014 to 28 April 2014;
- Councillor Hooper from 8 April 2014 to 27 April 2014;
- Councillor Hunt from 27 March 2014 to 18 April 2014;
- Councillor Melville from 13 August 2014 to 31 August 2014.

CARRIED 8/0

ITEM 17 CLOSURE

Mayor advised that the cruise ship visit and West End markets are on Sunday 30 March 2014 and encouraged everyone to attend.

Mayor thanked Director Community Development, Gordon MacMile, for his contributions over his time at the Town of Port Hedland and wished him the best in his position at the Department of Sport and Recreation.

Director Community Development thanked Elected Members for their well wishes and advised that he has enjoyed his time working at the Town of Port Hedland.

17.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 30 April 2014, commencing at 5.30 pm, with the Agenda Briefing Session being held on Wednesday 16 April 2014, commencing at 3:30pm.

17.2 Closure

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