



## TOWN OF PORT HEDLAND

### MINUTES ORDINARY COUNCIL MEETING

WEDNESDAY 24 SEPTEMBER 2014 AT  
5:30PM

COUNCIL CHAMBERS, MCGREGOR  
STREET, PORT HEDLAND

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

M.J. (Mal) Osborne  
Chief Executive Officer



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**ITEM 1 OPENING OF MEETING****1.1 Opening**

The Chief Executive Officer declared the meeting open at 5:31pm and acknowledged the traditional owners, the Kariyarra people.

**1.2 Nomination of Councillor to Preside at the 24 September Ordinary Council Meeting***5.6. Who presides at council meetings*

- (1) The mayor or president is to preside at all meetings of the council.*
- (2) If the circumstances mentioned in section 5.34(a) or (b) apply the deputy mayor or deputy president may preside at a meeting of the council in accordance with that section.*
- (3) If the circumstances mentioned in section 5.34(a) or (b) apply and —
  - (a) the office of deputy mayor or deputy president is vacant; or*
  - (b) the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president,*then, the council is to choose one of the councillors present to preside at the meeting.*

**201415/042 RECOMMENDATION/ COUNCIL DECISION****MOVED: CR HUNT****SECONDED: CR BUTSON**

**That Council nominate Councillor Gillingham to preside over the Ordinary meeting of Council of Wednesday 24 September 2014 in accordance with section 5.6(3) of the Local Government Act 1995.**

**CARRIED 5/0****ITEM 2 RECORDING OF ATTENDANCE AND APOLOGIES****2.1 Attendance***Elected Members*

Councillor Jan Gillingham  
Councillor David Hooper  
Councillor Julie Hunt  
Councillor Lorraine Butson  
Councillor Troy Melville

*Officers*

Mal Osborne	Chief Executive Officer
Clare Phelan	Director Corporate Services
Jenella Voitkevich	Acting Director Engineering Services
Brett Reiss	Program Director Airport Redevelopment
Leonard Long	Acting Director Planning & Development
Grace Waugh	Minute Taker/ Governance Officer

**2.2 Apologies**

Nil

**2.3 Approved Leave of Absence**

Mayor Kelly Howlett  
Councillor Gloria Jacob  
Councillor George Daccache

**ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE****3.1 Questions from Public at Ordinary Council Meeting held on Wednesday 27 August 2014**

Nil

**3.2 Questions from Elected Members at Ordinary Council Meeting held on Wednesday 27 August 2014****3.2.1 Councillor Taylor**

*The Multi-Agency Taskforce Children at Risk/Youth on the Streets has been meeting for some time, can an update on the outcomes and actions from the meetings be provided?*

Chief Executive Officer advised that the minutes from the taskforce meeting are available from the EA to CEO and will be circulated to all Elected Members accordingly.

**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.'*

Presiding Member opened Public Question Time at 5:34pm.

#### **4.1 Public Question Time**

##### **4.1.1 Mr Arnold Carter**

*I would like to commend the Town on the revised format of the monthly financial statements. With that being said the Town has debtors of \$8,765,719 which are now unidentifiable as the debtor names have been removed from the debtor analysis [attachment 2 to item 11.4.3] and replaced with numbers. Also, the reserve account indicates an amount of \$3.494 million which is allocated to the BHP reserve account. Why was \$3.494 million transferred to the BHP reserve equity?*

Director Corporate Services advised that the balance of the BHP reserve account is the opening balance at the beginning of the year. It is not a transaction but a carry forward balance.

*How did the money go from a municipal fund to an equity account?*

Director Corporate Services advised that in the statement of financial position there is the cash and investments, some of which is restricted. In the equity side there is an accumulated surplus, asset re-evaluation reserve and cash backed reserves. Both the investment and equity side of the entry need an account.

*Has the terminology been changed?*

Director Corporate Services advised that the terminology has not been changed as the report is an extract out of Synergy and the accounts have not been updated for a number of years. All reserve accounts are treated the same. There is an account for the equity side and the reserve side.

*Is the exact same amount of money being transferred on both sides of the reserve?*

Director Corporate Services advised in the affirmative

*In attachment 2 [to Item 11.4.3] dated 31 July 2014 the total payments on the front page are \$12,566,737.62 however the total on page 91 is \$11,501,696.79. Why is there a discrepancy between these figures?*

Director Corporate Services advised that the difference is the payroll total that is on page 2 of attachment 2. The payroll total and the total on page 91 add up to the total payments on the front page.

*When will the audited financial statements be made available to the public?*

Director Corporate Services advised that the audited financial statements will be made available as part of the annual report which will be presented to the October 2014 Ordinary Council Meeting.



Presiding Member advised that Mr Carter can request to set up a meeting with the Director Corporate Services to discuss his queries. Mr Carter accepted the offer.

#### 4.1.2 Mr Camilo Blanco

*The net current assets in the monthly statement of financial activity [attachment 1 to item 11.4.3] are shown as \$26,921,291.77. Are these the total assets in the municipal and reserve accounts?*

Director Corporate Services advised that the net current assets consist of the Town's current assets less its current liabilities. Current assets are not just cash and may be made up of inventories, sundry receivables, cash and investments, current loan liabilities, current goods and services payable, any GST net balance and any pre payments.

*On the A3 page [of attachment 1 to item 11.4.3] all the municipal and reserve accounts total \$26,921,291.77. Shouldn't this figure be higher as I thought the Town had \$40 million in the marina reserve?*

Chief Executive Officer advised that the net current assets are the Town's total worth after it has paid off its current debts, received what it is currently owed and pay out its current loans; the figure quoted by Mr Blanco represents the Town's nett worth and not the cash at the bank.

Director Corporate Services advised that the Town's cash at hand is currently over \$90M. Director Corporate Services also advised that she concurred with the Chief Executive Officer's comments and explained that the nett current assets are effectively the Town's working capital and they represent its short term trading position which can vary significantly at any point in time; it could be higher at the beginning of the financial year when the rates are levied, but expenditure generally occurs in a more even pattern across the remainder of the year.

*How much money does the Town have in the bank including reserves and municipal accounts? Does the Town still have the \$38.5 million marina money in the term deposit?*

Director Corporate Services advised that the term deposits with the \$38.5 million have matured and have been split into five distinct term deposits, four with NAB and one with ANZ. The Town has a pooled investment portfolio where there is restricted cash (by way of reserve or unspent grants, or unspent loans) and unrestricted cash. There is then the cash flow management aspect in terms of a rolling portfolio of term deposits. The Spoilbank precinct moneys are treated quite uniquely; they are identified as Spoilbank precinct monies, and whilst run in the same portfolio they have individual line items allocated to them. They are still in a term deposit.

The actual cash balance as at 24 September 2014 is \$90,576,126.40 and is made up of the Town of Port Hedland municipal account, Town of Port Hedland BHP reserve account, Town of Port Hedland reserve account, Town of Port Hedland trust account and a suite of term deposits and professional funds accounts.

Presiding Member advised that Mr Blanco can request to set up a meeting with the Director Corporate Services. Mr Blanco declined the offer at this stage.

Presiding Member closed Public Question Time at 5:49pm.

Presiding Member opened Public Statement Time at 5:49pm.

## **4.2 Public Statement Time**

### **4.2.1 Mr Ross Underwood, Senior Planner from Planning Solutions**

Mr Ross Underwood made a statement in relation to item 12.1 'State Administrative Tribunal Invitation to Reconsider Council Decision - Application for Retrospective Planning Approval for Caretaker's Dwelling on Lot 2055 (67 – 71) Hamilton Road, South Hedland'.

I refer to item 12.1 on the agenda, for which Planning Solutions is the applicant. The application proposes improvements to the accommodation for the employees of the 24 hour Caltex service station in South Hedland.

Our proposal, if approved, will improve the standard of accommodation by:

1. Providing a new kitchen and dining facility for the residents.
2. Expand and improve the area of open space available for the use of the residents.
3. Improve the privacy and security of the accommodation.

The officer's recommendation is for approval for a four-year period. An amended condition (b) was circulated yesterday. This amended condition provides additional details and requirements for a two year trial period, which we accept.

We ask Council to approve the proposed grouped dwellings as recommended by the officers and proposed by the State Administrative Tribunal, so we may progress the works to improve the standard of the accommodation.

### **4.2.2 Mr Darryl Brown**

Chief Executive Officer read the following statement out on behalf of Mr Darryl Brown.

*"Mal, this is a follow up from our conversation yesterday. Two years ago I took this up with the Barnett government and was completely ignored, I will NOT be ignored this time."*

*I put a presentation to Council some months ago and invited you all to come down and I would explain on site (not one of you took up the offer). I get no answers from BHP, the current government and opposition are in bed with BHP and don't want to know, but I am telling you that if they build that sea wall as originally intended the sand and mangroves will disappear from the beach at Richardson street. If a large storm crosses the coast just west of town on a large tide, the waves caused by the sea wall will take Bert Madigan Park and my house putting my family in grave danger and this I cannot allow to happen.*

*Yes, you are correct in that the government can override the Council but they cannot do it if it will cause damage to the town. They cannot ignore the Council as they have ignored me.*

*I am currently in Perth on medical reasons with my wife, could you please present this to Council tonight and once again I invite all to come to my house next Monday and I will show you what will happen, it is not rocket science. This town has been bullied by the government and BHP for long enough and it is about time we stood up and said no for a change."*

Presiding Member closed Public Statement Time at 5:54pm.

## **ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE**

### **5.1 Councillor Gillingham**

*Can the Town look into using Richardson Hall [Council Chambers] for functions and events on the weekends?*

Chief Executive Officer advised that this question is taken on notice.

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

Councillor Gillingham	Councillor Butson
Councillor Hooper	Councillor Melville
Councillor Hunt	

## **ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

### **7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 27 August 2014**

**201415/043 RECOMMENDATION/ COUNCIL DECISION****MOVED: CR HUNT****SECONDED: CR BUTSON**

**That Council confirm that the Minutes of the Ordinary Meeting of Council held on Wednesday 27 August 2014 are a true and correct record.**

**CARRIED 5/0****ITEM 8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Mayor Activity Report for the August/ September 2014 period to date is as follows:

*August 2014*Thursday, 7<sup>th</sup> August

- Attended WA Local Government Week Convention
- Attended WA Local Government Association Lord Mayor's Sundowner Reception

Friday, 8<sup>th</sup> August

- Attended WA Local Government Week Convention
- Attended WA Local Government Week Convention Gala Dinner

Saturday, 9<sup>th</sup> August

- Field Trips City Of Fremantle Esplanade Skate Park, Fremantle Sailing Club and MYRE

Monday, 11<sup>th</sup> August

- Meeting With Local Residents Re Smith St Development (Janice Ramirez)

Tuesday, 12<sup>th</sup> August

- Weekly Chat Spirit Radio (1026am)
- Weekly TOPH/North West Telegraph Catch Up
- Attended Site Tour With Alinta: Port Hedland Power Station Tour
- Attended Port Hedland Chamber Commerce Industry Business After Hours Event

Wednesday, 13<sup>th</sup> August

- Meeting Re: PHIA Management Arrangements
- Presentation of Joseph Moore Silverware To The TOPH (Roz and Peter Sutton)
- Meeting With Horizon Power (Rachael Clarke)
- Attended TOPH Airport Committee Confidential Concept Forum
- Attended TOPH Airport Committee Agenda Briefing Session
- Attended TOPH Airport Committee Meeting
- Attended Elected Member and Executive Meetings
- Attended Make Hedland Home Community BBQ

Thursday, 14<sup>th</sup> August

- Meeting Atlas Iron Chairman David Flanagan
- Telephone Lin Up Sunset Events (James Legge)
- Meeting Rangelands NRM Pilbara – Chris Curnow

Friday, 15<sup>th</sup> August

- Attended 2014 Port Hedland Netball Association Grand Final

Saturday, 16<sup>th</sup> August

- Officiated Opening Hedland Little Athletics
- Attended and Speaker Golden Jubilee Priesthood Celebrations – Bishop Justin – South Hedland St John Baptist Catholic Church

Monday, 18<sup>th</sup> August

- Weekly A/CEO, Deputy Mayor and Mayor Catch Up
- Special Guest At St Cecilia's Book Week – Whole School Reading
- Project Partners Photo At South Hedland Youth Space, Leake St (Project Partners and Convic)
- Meeting Foodbank South Hedland CEO Mark Tidmarsh

Tuesday, 19<sup>th</sup> August

- Guest Reader – Cassia PS Book Week
- Weekly Chat Spirit Radio (1026am)
- Photo At Matt Dann Cinema & Theatre With FMG Re: Still Awake Still
- Meeting LandCorp and Owen Hightower Re: New Land Subdivision Investigation Pretty Pool
- Site Visit & Tour Black Rock Caravan Park
- Guest Reader – HACC House, South Hedland
- Weekly TOPH/North West Telegraph Catch Up
- Telephone Special PRC Council Meeting – 14/15 Budget

Wednesday, 20<sup>th</sup> August

- Attended Elected Member & Executive Meetings
- Chair Public Agenda Briefing (For August OCM)

Thursday, 21<sup>st</sup> August

- Attended Community Briefing Re Federal Government HIPPY Program
- Hosted JD Hardie Youth Leadership Team Civic Centre & Council Chambers Visit
- Officiated Civic Centre Birthday Afternoon Tea

Friday, 22<sup>nd</sup> August

- ABC NW Radio Interview Re: North West Festival
- Guest Reader – Treloar Day Care Centre – Book Week
- Opened 2014 North West Festival
- Attended 2014 North West Festival Day 1

Saturday, 23<sup>rd</sup> August

- Attended 2014 North West Festival Day 2

Thursday, 28<sup>th</sup> August

- Attended Pilbara Regional Planning Committee Meeting (Karratha)
- Attended Port Hedland Rotary Club Re-Instigation Function

Friday, 29<sup>th</sup> August

- Speaker At 2014 Hedland Career & Try A Trade Expo
- Attended 2014 Hedland Art Awards Opening Night

Saturday, 30<sup>th</sup> August

- Attended West End Markets – Harvest Edition

*September 2014*

Monday, 1<sup>st</sup> September

- Meeting With Virgin Australia (Brisbane)

Tuesday, 2<sup>nd</sup> September

- Meeting With Qantas (Sydney)

Wednesday, 3<sup>rd</sup> September

- Meeting With Hon Julie Collins Shadow Minister for Regional Development and Local Government; Employment Services
- Meeting With Hon Joel Fitzgibbon Shadow Minister Agriculture
- Meeting Hon Melissa Price Member for Durack
- Interview ABC NW Radio Re: Community Conversations With WA Police
- Attended Parliament House Question Time
- Meeting Hon Jason Clare Shadow Minister Communications
- Meeting Senator Glenn Sterle Senator WA
- Meeting Hon Alannah McTiernan Member for Perth

Thursday, 4<sup>th</sup> September

- Meeting With Hon Shayne Neumann Shadow Minister Indigenous Affairs
- Meeting Advisors To Senator David Johnson Defence
- Meeting With Minister Scullion Indigenous Affairs
- Meeting Advisor To Senator Mathias Cormann Finance
- Attended Waypoint Conference – Keynote Speaker Bernard Salt

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

### **9.1 Councillor Hunt**

Councillor Hunt was a judge at the HARTZ Restartz Awards – Recycled Art Competition on the weekend where there were some great masterpieces. Councillor Hunt attended the North West Tee ball Championships on the weekend which had a great attendance by both adults and children. A number of adults donated their time to hold the championships.

## 9.2 Councillor Butson

Councillor Butson attended the 2014 Tidy Towns Regional Awards where the Town of Port Hedland received two awards. She also attended the West End movies where the rates incentive winners were announced and the BMX North West Titles breakfast presentations on Sunday.

## 9.3 Councillor Gillingham

Councillor Gillingham attended the HARTZ Restartz Awards opening at the Courthouse Gallery. She also attended the Town of Port Hedland annual staff party which included an auction of plants donated by the Town's Depot. The proceeds of the auction went to the Youth Involvement Council and SAFE. Councillor Gillingham also attended the Pilbara Music Festival at the Wanangkura Stadium and Matt Dann Cultural Centre from 8 to 14 September 2014 which was a great event. Councillor Gillingham attended the Business of the Year awards at the Walkabout Hotel last weekend.

## ITEM 10 PETITIONS/ DEPUTATIONS/ PRESENTATIONS/ SUBMISSIONS

**10.1 Councillor Butson presented a picture to thank the Town of Port Hedland for the sponsorship of the BMX North West Super Series 2014 Sponsorship**

**10.2 Chief Executive Officer and Councillor Gillingham presented the Tidy Towns Awards for Natural Environment Conservation and Energy Innovation to the Town of Port Hedland**

**10.3 Chief Executive Officer and Councillor Gillingham presented a picture from the Pilbara Development Commission for the Town's participation in the Adventure of a Lifetime, My Pilbara Adventure April 2014**

### *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 the Town 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 Proposed Acquisition of a Portion of Unallocated Crown Land to Facilitate the Expansion of the South Hedland Waste Management Facility**

Katherine Press, Lands and Technical Officer and Jenella Voitkevich, Manager Infrastructure Development  
File No. 18/07/0009 & 31/14/0002

**DISCLOSURE OF INTEREST BY OFFICER**

Nil

**201415/044 RECOMMENDATION/ COUNCIL DECISION**

**MOVED: CR HUNT**

**SECONDED: CR MELVILLE**

**That Council:**

- 1. Support the Town's proposal to acquire and accept the Management Order over a portion of Unallocated Crown Land located on Lot 88 Forrest Location, as per Attachment 1, for the purpose of 'Sanitary Disposal';**
- 2. Include the Unallocated Crown Land located on Lot 88 Forrest Location, as per Attachment 1, into Reserve 41342 located on Lot 5813 North Circular Road, South Hedland on Deposited Plan 189435; and**
- 3. Request the Chief Executive Officer, or his delegate(s), to request the Minister of Lands to approve the Town's acquisition of the Unallocated Crown Land located on Lot 88 Forrest Location for the purpose of 'Sanitary Disposal' and for Lot 88 Forrest Location to be included in Reserve 41342 on Lot 5813 North Circular Road, Port Hedland on Deposited Plan 189435.**

***CARRIED 5/0***

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**EXECUTIVE SUMMARY**

The Town proposes to extend the boundaries of the South Hedland Waste Management Facility (SHWMF) located on Reserve 41342 on Lot 5813 North Circular Road, South Hedland. By expanding the Reserve it would extend the life of the current SHWMF, ensure compliance of buffer zone requirements, plus accommodate uses such as spray fields and disposal of large bulky items.

It is requested the Council support the Town's proposal.



## DETAILED REPORT

The current SHWMF is located on Lot 5813 North Circular Road, South Hedland. The Town of Port Hedland holds the Management Order over the Reserve for the purpose of 'Sanitary Disposal. The SHWMF operates under DER Licence No: 6917/1997/8.

A report was presented to the Council at the March Ordinary Council Meeting regarding the business case for the proposed relocation of the South Hedland Waste Management Facility. Officers are currently developing this project further, undertaking the necessary planning, environmental studies, site investigations, financial modelling and eventual acquisition of a new site. It is expected that this process will take several years prior to any site development commencing.

The estimated life of the current facility is 6-16 years depending on waste diversion and recycling opportunities. This would be impacted significantly by large unexpected or unplanned disposals. Recently, a request has been received for the disposal of several tonnes of contaminated steel. Although this can be accommodated within the existing site, it has an impact on the remaining available airspace.

In an effort to prolong the life of the current SHWMF, it is proposed to extend the boundaries of Reserve 41342, by amalgamating a portion of the adjacent UCL into the Reserve. The area of the adjacent UCL is approximately 118,900m<sup>2</sup>. Please refer to Attachment 1.

The Town's Engineering Services supports this proposal and has requested that the Planning Department undertake the necessary processes.

## FINANCIAL IMPLICATIONS

Should Council accept the Management Order over the UCL, the Town accepts all ongoing costs associated with the care and control of the expanded portion of Reserve. This will be funded through the Waste Management Reserve and be incorporated into the Long Term Financial Plan under waste management operations.

## STATUTORY AND POLICY IMPLICATIONS

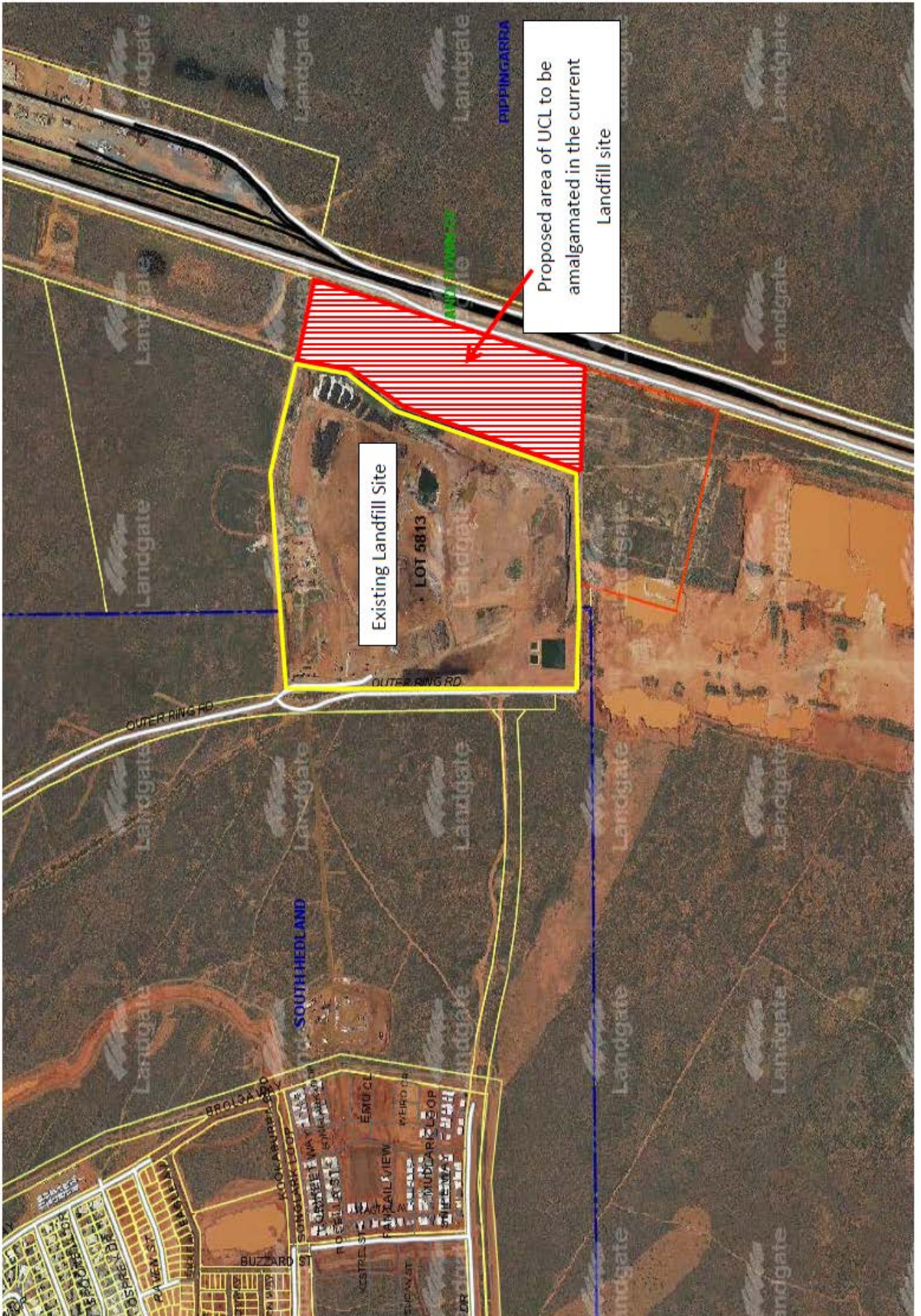
The expansion of the SHWMF is broadly addressed in the 2012-2022 Strategic Community Plan in section 6.3 Environment, in the areas of sustainable use of resources and ensuring long term protection of our resources, and section 6.4 Local Leadership relating to the responsible management of our assets.

The process for acquisition of the land moving forward will require compliance with several Acts and Regulations and may be the subject of future reports to the Council. This will include items such as clearance of Native Title.

## ATTACHMENTS

1. Location Plan.  
8 September 2014

ATTACHMENT 1 TO ITEM 11.1.1



### 11.1.2 Proposed Scheme Amendment No. 71 to the Town of Port Hedland Town Planning Scheme No.5: Boodarie Strategic Industrial Area

Ryan Del Casale, Acting Senior Strategic Planning Officer  
File No. 18/09/0085

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### 201415/045 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HOOPER

SECONDED: CR HUNT

That Council:

1. Pursuant to Part 5 of the Planning and Development Act 2005 initiate scheme amendment no 71 to the Town of Port Hedland Town Planning Scheme No5 as per attachment no 2 subject to the following:
  - a) Modifications as per attachment 1 – Required Modifications to Amendment No. 71 text.
2. Forward Amendment No. 71 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
3. 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 5/0**

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#### EXECUTIVE SUMMARY

The Town has received a request from Urbis Planning Consultants (the applicant) on behalf of LandCorp and the Department of State Development (DSD) to initiate proposed Scheme Amendment No.71 (the proposed Scheme Amendment) to the *Town of Port Hedland Town Planning Scheme No.5 (TPS5)*. The proposed Scheme Amendment concerns the Boodarie Strategic Industrial Area (subject site). A copy of the amendment report is provided in attachment 3. The proposed amendment entails the following:

- Insert a new precinct objective for the 'Strategic Industry' zone;
- Insert a new precinct called the 'Boodarie Strategic Industrial Area (BSIA)' to identify the preferred land use and development and provide additional guidance for future development;
- Identify the BSIA as a Development Plan Area under Appendix 5;

- Rename and amend Appendix 10 to insert additional matters to be addressed by Development Plans for the 'BSIA;
- Modify Section 7.2 relating to the Boodarie Industrial Buffer Special Control Area (BIBSCA)'; and
- Rezone a portion of Lot 203 Great Northern Highway from 'Rural' to reserve for 'Other Purposes: Infrastructure, as indicated on the Scheme Amendment Map.

LandCorp in conjunction with DSD have been overseeing the larger scale planning for the subject site. The proposed Scheme Amendment has been submitted to the Town in conjunction with a proposed Development Plan, concerning the subject site. The proposed Scheme Amendment is the first stage of planning for the area to be followed by the adoption of the proposed Development Plan. The proposed Scheme Amendment seeks to facilitate the proper and orderly planning of the area by making structural changes to TPS5 and to rezone a portion of land (Lot 203 Great Northern Highway) from 'Rural' to reserve for 'Other Purposes: Infrastructure'.

The proposed Scheme Amendment seeks to allow for thorough development planning to be carried over the subject site. The proposed Development Plan will guide future subdivision of the site, facilitate the movement of heavier/noxious industry from the existing industrial areas and allow for the expansion of additional heavy/strategic industry over the subject site. The proposed Scheme Amendment is consistent with both local and State objectives which are to see the subject site become a strategic industrial area of significance which contributes to a diversified economy.

The request is supported by the Town's Officers and Council is requested to consider the request favourably.

#### DETAILED REPORT

##### *Site Description and Land Ownership*

The subject site is zoned 'Strategic Industry' under TPS5 and located four kilometres west of South Hedland town site and approximately 12 kilometres south of Port Hedland town site, with the Turner River Catchment Area situated to the west of the subject site. The subject site is approximately 4190 hectares of largely undeveloped land with small scale land uses in operation. These land uses include sand extraction mineral storage leases and power generation facilities. The site is bisected by a number of regional service mains which comprise of the main infrastructure servicing the gas fired power station situated in the south east portion of the subject site.

The majority of the land is currently held by the Crown and is the subject of the "Boodarie" pastoral Lease held by BHP Billiton (BHPB), the De Grey-Mullewa stock yard route and a number of general purpose and mining leases for infrastructure and sand extraction purposes. The land is subject to numerous power, gas and water easements. The Town currently has a management order over the adjoining stockyard.

*Proposed Reservation of the Land*

The subject site is completely contained within the 'Strategic Industrial' zone. As part of the proposed development of the site, infrastructure corridors are required to integrate the subject site with the Port. These corridors will be partly located on Lot 203 Great Northern Highway (Vol & Folio LR3128 641) on Deposited Plan 220594. Lot 203 is zoned 'Rural' and lies adjacent to the subject site to the north. These infrastructure corridors are vital and require protection from the potential development of other land uses. The proposed Scheme Amendment seeks the reservation of the land as 'Other Purposes: Infrastructure' as an appropriate way of protecting the future infrastructure corridors.

*Proposed Development Plan*

The existing provisions of the TPS5 do not list the 'Strategic Industry' Zone as an area requiring a Development Plan. A proposed Development Plan has been provided in conjunction with the proposed amendment which entails the following;

- To provide a framework to guide coordinated development of the subject site and future planning approvals in order to increase the potential for strategic industrial uses;
- To provide future applicants and industry with the necessary information to develop within the subject site (associated technical reports);
- To establish specific infrastructure corridors that provide an essential link between the subject site and the Port Hedland Port (the Port); and
- To facilitate orderly and proper planning and development of the subject site through TPS5 coupled with an identified estate management and approvals structure.

The proposed Development Plan fulfils the statutory requirements for TPS5 in establishing the appropriate framework for development over the subject site and ensures that no development may be permitted on the subject site, prior to the adoption of a Development Plan. In order to properly integrate the proposed Development Plan into TPS5, it is necessary to initiate this proposed Scheme Amendment.

*Boodarie Industrial Buffer Special Control Area*

The proposed Scheme Amendment seeks to make the following changes in relation to the Part 7 of TPS5 in relation to the Boodarie Industrial Buffer Special Control Area (BIBSCA);

- Amending clause 7.2.1 to prohibit sensitive land uses from being developed within the BIBSCA;
- Amending clause 7.2.2 to introduce additional considerations when determining a planning application within the BIBSCA;
- Inserting a new clause 7.2.3 to require the referral of planning applications within the BIBSCA to the relevant Stage Government Agencies for comment; and

- Inserting a new clause 7.2.4 to require further investigation of flood risk for any development, including extraction, within the Boodarie Industrial Buffer SCA

The subject site is separated from sensitive land uses under section 7.2 of TPS5 by the BIBSCA. Various modelling on air quality, noise and odour was undertaken to determine the extent of the BIBSCA as part a concept plan prepared for the subject site in the 1990's. As a part of this concept plan the extent of the BIBSCA was assessed by the Environmental Protection Authority Bulletin (EPA) in EPA Bulletin 874. The intent of the 'Strategic Industry' zone is to accommodate strategic industrial development and restrict development occurring on land which may obstruct the operation of strategic industrial activities.

However, there is still a risk that some sensitive uses may be developed within the BIBSCA which could impact on the future development of the subject site. The existing provisions of TPS5 currently regulate the land uses which are permitted over the subject site and within the BIBSCA. Currently the intent of clause 7.2.1 within the BIBSCA is that;

- No dwelling is permitted; and
- No development is permitted which would attract persons, other than those working in the adjacent strategic industrial area.

The proposed Scheme Amendment seeks to provide clear guidance on what a sensitive use is and strengthen the existing clause 7.2.1 by listing the uses which are not permitted over the subject site and within the BIBSCA.

Draft State Planning Policy 4.1 State Industrial Buffer (Amended) 2009 (SPP4.1) defines the following uses as sensitive uses;

- Residential development
- Hotels, motels, hostels and caravan parks
- Hospitals and nursing homes
- Schools and other educational establishments
- Childcare facilities
- Shopping centres
- Sporting facilities
- Restaurants
- Tourist Facilities
- Cinemas and theatres
- Community and cultural centres
- Churches and other places of worship
- Indoor sporting venues or constructed playing arenas
- Outdoor and bulky goods showrooms and
- Some public buildings.

The inclusion of the following uses below as proposed in clause 7.2.1 are not identified as sensitive uses SPP4.1;

- Abattoir
- Agriculture

- Intensive Agriculture
- Industry-Rural and
- Stockyard

The inclusion the above uses is considered unnecessary due to the fact they are not listed under SPP4.1 and this proposal is seen as effectively 'sterilising' all of the land within the BIBSCA. Land within the subject site is currently used for grazing purposes and is subject to a pastoral lease. The 'Agriculture' and 'Stockyard' uses mentioned above are considered to have limited potential to increase the number of people within the BIBSCA and have limited potential to cause land use conflict and generate complaints.

The applicant has expressed concerns with permitting the 'Abattoir', 'Intensive Agriculture' and 'Industry Rural' uses. The concerns stem from the nature of the uses and that they involve food production and may attract more people to the site. The intent is to avoid a situation where land use conflict occurs by allowing sensitive uses to form within the BIBSCA and to not erode the effectiveness of the subject site as strategic industrial area. Given that Council is required to refer any development application to the relevant State Government Agencies such as DSD and LandCorp for comment it is considered that these objectives will be achieved. Further, any potential applicant within the BIBSCA would be required to demonstrate how their proposal meets the provisions of clause 7.2. It is considered that by just simply listing all potential land uses as sensitive uses is not orderly and proper planning and that the proposed clause 7.2.1 should refer to the sensitive uses listed in SPP4.1.

The Town's Officers expressed concerns regarding the land use rights of the existing Golf Course and Horse Training Facility at Lot 5164 Shoata Road, South Hedland. Under the original wording of clause 7.2.1 in the proposed Scheme Amendment, the following uses would be listed as sensitive uses within the BIBSCA and therefore would not be permissible;

- 'Public Recreation';
- 'Private 'Recreation'; and
- 'Equestrian Care'.

This measure is seen as unnecessarily impacting on the operations of the both facilities as recreation and equestrian uses are undertaken at both facilities. Both facilities would be afforded non-conforming use rights under the current provisions of TPS5 to continue operation. However, these non-conforming use rights would not for allow the operators to add to their existing premises if the need arose. This issue was discussed with the applicant and the applicant conceded that both facilities should be afforded additional use rights to allow for any additions to the existing premises. The applicant proposed to amend Appendix 2 of TPS5 to insert additional use rights for Lot 5164 Shoata Road for 'Public Recreation'; 'Private 'Recreation' and 'Equestrian Care' uses. It is considered that this measure would allow for the operators to consider extensions to their premises but also ensure that any such proposal would not impact on the future strategic industrial area as the operators at the Golf Course or the Horse Training Facility would have to demonstrate that the proposal meets provisions of proposed clause 7.2.1.

All of these changes to the wording of proposed clause 7.2.1 were made in consultation with the applicant.

#### *Technical Reports*

In addition to the Flood Study the applicant has submitted the following technical reports with the proposed Scheme Amendment;

- A land tenure and interests report;
- Traffic Report;
- Flora and Fauna Assessment; and
- Department of Environmental Regulation Approval

#### *State Planning Strategy 2050*

The State Planning Strategy 2050 (The Strategy) prepared by the Western Australian Planning Commission (WAPC) was released in June 2014. The Strategy provides a collaborative approach to planning within Western Australia (W.A), reflecting the need to create a liveable and diverse state which is connected to the rest of the world. The Strategy identifies the North West of W.A as a key contributor to the Gross Domestic Product (GDP) of Australia and that this is driven largely by the expansion of the resources sector. The Strategy recognises that diversification of the economy in the North West is crucial to the development of the region and to achieve this, the following must occur;

- Ensure an appropriate supply of suitable land and infrastructure is available;
- Ensure that the required infrastructure is in place;
- Promote clustering of industrial uses;
- Ensure that there is access and movement networks to ports and other transport; and
- Encourage development to occur in strategic precincts.

The proposed Scheme Amendment is consistent with the objectives of the Strategy.

#### *Heavy Use Industrial Land Strategy*

The Heavy Use Industrial Land Strategy (HUILS) was prepared by DSD to identify key new industrial estates for the development of heavy industry within W.A. The aim of the HUILS is to facilitate the initial stages of these industrial estates to be 'project ready' at a stage where the sites are ready to be developed when a potential developer is ready to do so, subject to considering all factors involved with the site including flooding of the Turner River. The subject site is identified as a priority estate by the HUILS on the basis of the site having significant potential to support downstream processing. The subject site was also identified as requiring appropriate zoning and infrastructure plans to be put into place prior to development occurring. This will allow for resource processing projects to be located on the subject site with improved access to roads, water, power, port facilities and natural gas. The proposed Scheme



Amendment is consistent with HUILS and seeks to facilitate the appropriate planning to be put into place for the subject site

#### *Pilbara Planning and Infrastructure Framework*

The Pilbara Planning and Infrastructure Framework (the Framework) was prepared by the WAPC in 2012 as an initiative that sets the agenda for physical development of the Pilbara. The Framework acknowledges the need for a diversified economy within the Town. The Framework also acknowledges that any increase in population within the Town must be supported by a range of industries such as downstream processing and knowledge based industries which will provide the opportunity for the Town to increase exports of resources and products. The proposed Scheme Amendment is consistent with the Framework.

#### *Port Hedland Area Planning Study*

The Port Hedland Area Planning Study (the Study) was prepared by the WAPC in 2003 to guide decision making, detailed planning and to identify expansion areas for the Port Hedland over a 20-25 year horizon. The study identified the subject site as an expansion area for future strategic industrial development. The study also identified the potential for downstream processing associated with resource extraction to be a key industry for the Town and that there would be an opportunity to create linkages between the subject site and the Port. The proposed Scheme Amendment is consistent with the study.

#### *Need and Desirability*

There is a need to initiate the proposed Scheme Amendment as currently there is a shortage of land available for "heavy use industry" (noxious) industrial land within the Town. Current conflict between caretaker's dwellings and noxious uses within the Town may also be alleviated. Provision of such land will lead to a sustainable and diverse economy. There is a need to initiate the proposed Scheme Amendment to facilitate the subdivision and development of the subject site in line with local and State strategic objectives. The subject site has been identified for many years by DSD as a desirable precinct for strategic industrial development. The proposed Scheme Amendment is in accordance with objectives set out in the Strategic Community Plan and the Pilbara's Port City Growth Plan (PPCGP); which is to ultimately see the subject site be developed for strategic industrial purposes which will help grow and diversify both the economies of the Town and of W.A.

#### *Orderly and Proper Planning*

The subject site is desirable due to its close proximity to the port, transport networks and planning has taken place to create buffers such as the BIBSCA to safeguard the site. TPS5 does not list the subject site as an area requiring the preparation of a Development Plan. The subject site is in need of this proposed Scheme Amendment as it will allow for a Development Plan to be carried out over the subject site. The proposed Development Plan has been prepared in conjunction with proposed Scheme Amendment to allow for orderly and proper planning of the site which takes into account complex land tenure

arrangements, sensitive land uses being developed close to the subject site, flooding and environmental issues.

### *Consultation*

The application was circulated as follows:

Internally:

Manager Environmental Health Services  
Manager Economic and Land Development  
Manager Infrastructure Development  
Manager Engineering Services  
Manager Community and Cultural Services

Should Council resolve to support the Town's officer's recommendation for initiation that the applicant has submitted, 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*.

Dependent on the assessment outcome by the EPA the proposed scheme amendment will be advertised as prescribed by the *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

### **FINANCIAL IMPLICATIONS**

The applicant has paid the prescribed fee of \$9,758.60 for the initiation of the scheme amendment

### **STATUTORY AND POLICY IMPLICATIONS**

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

#### Strategic Planning Implications

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

6.2 Economic.

6.2.1 Diverse Economy:

Facilitate commercial, industry and town growth.

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

### 6.2.3 Nationally Recognised:

Port Hedland has a powerful voice and is an influential partner with Federal and State Governments for the development of the Town.

Enhance supply of industrial land that will be a key contributor to Australia's Gross Domestic Product and will play an important role in the growth of Western Australia.

#### Planning Comment

The proposed Scheme Amendment is consistent with the Town's Strategic Community Plan. The amendment seeks to facilitate planning for the subject site which will provide for increased protection of industrial land and the future establishment of important infrastructure corridors. The proposed Scheme Amendment is consistent with the Strategic Community Plan objectives to ensure that the economy of Port Hedland is resilient, diversified and helps develop the Town as a major transport and distribution hub.

The following section of the PPCGP is considered relevant to the Proposal:

### 5.6.15 Precinct 15 Boodarie

Proposed Land Use: Strategic/Heavy Industry

#### Precinct Statement

"The Boodarie Strategic Industrial Area is recognised as a priority strategic industrial area by the State and Structure Planning for the estate is funded under the cabinet-endorsed Heavy Use Industrial Land Strategy. The area supports major down-stream processing, port dependent industrial land uses, noxious industry, utilities and general industrial support operations. Major infrastructure and rail corridors protecting connectivity between the port and Boodarie, as well as wider rail networks are recognised."

#### Planning Comment

The proposed Scheme Amendment is consistent with the PPCGP. The PPCGP recognises the subject site as a priority strategic industrial area, which should support major downstream processing, port dependent industrial land uses, noxious industry, utilities and general industrial support operations. The PPCGP identifies the need for a Development Plan to be completed and adopted for the subject site.

#### Policy Implications

The applicant has submitted a proposed Development Plan for the subject in conjunction with this proposed Scheme Amendment. If adopted, the Development Plan will be included in the Town's as Local Planning Policy Manual as a policy statement.

**ATTACHMENTS**

1. Modifications to the Scheme Amendment Text
2. The Scheme Amendment Text
3. Scheme Amendment Report (Under Separate Cover)

27 August 2014

ATTACHMENT 1 TO ITEM 11.1.2

Original Amendment	Proposed Changes by TOPH	Justification
<p>1. Amending clause 3.2.3 to read as follows:</p> <p><i>“Notwithstanding the provisions of 3.2.2, development may only be permitted within the Urban Development, Industrial Development, Transport Development or Strategic Industry zones where:</i></p> <p style="padding-left: 40px;">(a) A Development Plan has been adopted for the subject land and the development is in accordance with the plan; or</p> <p style="padding-left: 40px;">(b) Council has resolved that a Development Plan is not required.”</p> <p>2. Inserting a new sub-clause (i) into clause 5.2.1 as follows:</p> <p><i>“(i) Strategic Industry Zone.”</i></p> <p>3. Inserting a new clause as clause 3.5.8 as follows:</p> <p><i>“Strategic Industry Zone</i></p> <p style="padding-left: 20px;">a. Establish synergies and clustering of co-located industries, transport infrastructure, including port related and upstream industrial activities;</p> <p style="padding-left: 20px;">b. Give priority to strategic resource processing industrial development comprising downstream processing such as iron ore processing, petro and gas processing, non-ferrous processing, noxious and port dependent processing, and other strategic industries;</p> <p style="padding-left: 20px;">c. Promote proponent initiated industrial subdivision and development to facilitate strategic downstream resource processing;</p> <p style="padding-left: 20px;">d. Enable support industries provided they are complementary to and offer goods and services that directly support and are compatible to downstream resource processing and other strategic industries;</p> <p style="padding-left: 20px;">e. Facilitate local employment and economic growth opportunities through downstream resource processing and strategic industrial development.”</p> <p>4. In relation to section 7.2 Boodarie Industrial Buffer Special Control Area:</p> <p style="padding-left: 20px;">a. Amending clause 7.2.1 to read as follows:</p> <p><i>“Sensitive land uses shall not be permitted in the Boodarie Industrial Buffer Special Control Area. Sensitive land uses include, but are not limited to:</i></p> <ul style="list-style-type: none"> <li>• Single House;</li> <li>• Residential Building;</li> <li>• Rural Settlement;</li> <li>• Grouped Dwelling;</li> <li>• Moveable Dwelling;</li> <li>• Ancillary Accommodation;</li> <li>• Caretakers Dwelling;</li> <li>• Juvenile detention;</li> <li>• Holiday Accommodation;</li> <li>• Hotel;</li> <li>• Motel;</li> <li>• Aged Persons Dwelling;</li> <li>• Transient Workers Accommodation;</li> <li>• Restaurant;</li> <li>• Consulting Rooms;</li> <li>• Take-away Food Outlet;</li> <li>• Entertainment Venue;</li> <li>• Arts and Crafts Centre;</li> </ul>	<p>Amending clause 3.2.3 to read as follows:</p> <p><del>“Notwithstanding the provisions of 3.2.2, development may only be permitted within the Urban Development, Industrial Development, Transport Development or Strategic Industry zones where:</del></p> <p style="padding-left: 40px;"><del>(a) A Development Plan has been adopted for the subject land and the development is in accordance with the plan; or</del></p> <p style="padding-left: 40px;"><del>(b) Council has resolved that a Development Plan is not required.”</del></p> <p>1. Inserting a new sub-clause (i) into clause 5.2.1 as follows:</p> <p><i>“(i) Strategic Industry Zone.”</i></p> <p>2. Inserting a new clause 5.3.10 as follows:</p> <p><i>“Boodarie Strategic Industrial Area</i></p> <p style="padding-left: 20px;">a. Establish synergies and clustering of co-located industries, transport and infrastructure, including port related and upstream industrial activities;</p> <p style="padding-left: 20px;">b. Give priority to strategic resource processing industrial development comprising downstream processing such as iron ore processing, petro and gas processing, non-ferrous processing, noxious and port dependent processing, and other strategic industries;</p> <p style="padding-left: 20px;">c. Promote proponent initiated industrial subdivision and development to facilitate strategic downstream resource processing;</p> <p style="padding-left: 20px;">d. Enable support industries provided they are complementary to and offer goods and services that directly support and are compatible to downstream resource processing and other strategic industries;</p> <p style="padding-left: 20px;">e. Facilitate local employment and economic growth opportunities through downstream resource processing and strategic industrial development.”</p> <p>3. In relation to section 7.2 Boodarie Industrial Buffer Special Control Area:</p> <p style="padding-left: 20px;">a. Amending clause 7.2.1 to read as follows:</p> <p><i>“Sensitive land uses shall not be permitted in the Boodarie Industrial Buffer Special Control Area. Sensitive land uses include, but are not limited to:</i></p> <ul style="list-style-type: none"> <li>• All uses listed under the ‘Residential’ category of the zoning table;</li> <li>• Juvenile detention;</li> <li>• Restaurant;</li> <li>• Consulting Rooms;</li> <li>• Take-away Food Outlet;</li> <li>• Entertainment Venue;</li> <li>• Arts and Crafts Centre;</li> <li>• Child Care Service;</li> <li>• Place of Public Meeting;</li> <li>• Assembly or Worship;</li> <li>• Private Recreation;</li> <li>• Public Recreation;</li> <li>• Place of Animal Care;</li> <li>• Equestrian Centre;</li> <li>• Industry-Cottage</li> </ul> <p><i>And any other use not listed above that may be considered a sensitive use as determined by the Council.</i></p>	<p>Removing point 1 as the point below;</p> <p>Inserting a new sub-clause (i) into clause 5.2.1 for ‘Strategic Industry Zone achieves the same intent to require a development plan and amending 3.2.3 is not required.</p> <p>No Change</p> <p>Clause 3.5 does not exist in TPSS5.</p> <p>Clause 5.3.10 will create a new site specific precinct in TPSS5 for the Boodarie Strategic Industrial Area.</p> <p>Minor editing requirement to change the wording to read industries and transport infrastructure.</p> <p>A minor textual change, to change complimentary to complementary as the intended meaning is to complement good and services</p> <p>Initially when the Town’s officers expressed concerns in regard to amending clause 7.2.1 to include a list of sensitive uses, Draft State Planning Policy 4.1 - State Industrial Buffer Policy (SPP 4.1) was discussed by the Town’s Officers, the applicant and Department of State Development as a suitable document to define what sensitive uses are and what should and should not be permitted in buffers for Strategic Industrial Areas such as the BIBSCA.</p> <p>After further discussion with the applicant and Department of State Development, SPP 4.1 was not considered to provide certainty over what are sensitive land uses and what uses should be permitted in buffer areas for Strategic Industrial Areas.</p> <p>Given that SPP4.1 is a draft policy and the State Government is preparing new regulations regarding Strategic Industrial Areas, it is considered that there is more merit in including a list of sensitive uses.</p> <p>The applicant has agreed to change this list</p>

<ul style="list-style-type: none"> <li>• Child Care Service;</li> <li>• Place of Public Meeting;</li> <li>• Assembly or Worship;</li> <li>• Private Recreation;</li> <li>• Public Recreation;</li> <li>• Place of Animal Care;</li> <li>• Equestrian Centre;</li> <li>• Abattoir;</li> <li>• Agriculture;</li> <li>• Intensive Agriculture;</li> <li>• Industry-Rural;</li> <li>• Stockyard; and</li> <li>• Industry-Cottage.</li> </ul> <p>And any other use not listed above that may be considered a sensitive use as determined by the Department of State Development.</p> <p>b. Amending clause 7.2.2 to read as follows:</p> <p><i>"When considering applications for planning approval within the Boodarie Industrial Buffer Special Control Area, Council shall have regard to:</i></p> <ul style="list-style-type: none"> <li>(a) The Boodarie Strategic Industrial Area Development Plan;</li> <li>(b) Whether the proposal is compatible with any existing or proposed future use or development within the Strategic Industry Zone;</li> <li>(c) The existing, proposed or likely risks, hazards and nuisance (including but not limited to noise, odour and light) associated with the Strategic Industry Zone;</li> <li>(d) The potential impacts of the proposal on the efficient development of the Boodarie Strategic Industrial Area; and</li> <li>(e) Any other issue Council deems relevant"</li> </ul> <p>c. Inserting a new clause as clause 7.2.3 as follows:</p> <p><i>"When considering an application for planning approval with respect to land wholly or partly within the Boodarie Industrial Buffer Special Control Area, the Council shall refer the proposal to the Department of State Development and LandCorp for comment."</i></p> <p>d. Inserting a new clause as clause 7.2.4 as follows:</p> <p><i>"Prior to granting planning approval for development, including extraction, on land to which this clause applies the local government must consider:</i></p> <ul style="list-style-type: none"> <li>(a) The likelihood of the proposed development adversely affecting the efficiency and capacity of the Turner River and surrounding landscape to safely carry and discharge floodwaters, including any backwater flows; and</li> <li>(b) The likelihood of the proposed development adversely affecting the safety of land zoned 'Strategic Industry' during flood events.</li> </ul>	<p>b. Amending clause 7.2.2 to read as follows:</p> <p><i>"When considering applications for planning approval within the Boodarie Industrial Buffer Special Control Area, Council shall have regard to:</i></p> <ul style="list-style-type: none"> <li>(f) The Boodarie Strategic Industrial Area Development Plan;</li> <li>(g) Whether the proposal is compatible with any existing or proposed future use or development within the Strategic Industry Zone;</li> <li>(h) The existing, proposed or likely risks, hazards and nuisance (including but not limited to noise, odour and light) associated with the Strategic Industry Zone;</li> <li>(i) The potential impacts of the proposal on the efficient development of the Boodarie Strategic Industrial Area; and</li> <li>(j) Any other issue Council deems relevant"</li> </ul> <p>c. Inserting a new clause as clause 7.2.3 as follows:</p> <p><i>"When considering an application for planning approval with respect to land wholly or partly within the Boodarie Industrial Buffer Special Control Area, the Council shall refer the proposal to the relevant State Government Agencies for comment."</i></p> <p>d. Inserting a new clause as clause 7.2.4 as follows:</p> <p><i>"Prior to granting planning approval for development, including extraction, on land to which this clause applies the Council must consider:</i></p> <ul style="list-style-type: none"> <li>(a) The likelihood of the proposed development adversely affecting the efficiency and capacity of the Turner River and surrounding landscape to safely carry and discharge floodwaters, including any backwater flows; and</li> <li>(b) The likelihood of the proposed development adversely affecting the safety of land zoned 'Strategic Industry' during flood events.</li> </ul>	<p>of sensitive uses as originally proposed to remove the 'Abattoir', 'Agriculture', 'Intensive Agriculture', 'Industry Rural' and 'Stockyard' uses following concerns expressed by the Town's officers.</p> <p>If an application within the BIBSCA sought any of these land uses mentioned above, any potential land use conflict would be avoided by the requirement for applicants within the BIBSCA to meet the provisions of proposed clause 7.2.2 and Council would be required to refer applications to relevant State Government Agencies for comment and advice regarding impacts to the BSIA.</p> <p>Council should be the determining authority. The wording has been changed to require Council to consult with relevant State Government Agencies given the State significance of the subject site and the fact the State is a majority landholder for the subject site. Given these two factors Council would have to refer applications to the State/ This wording is currently used in TPSS5 in clause 6.7.5 and it is considered sufficient to use the same wording in clause 7.2.4.</p> <p>A minor textual change is necessary to change Local Government to Council.</p>
<p>5. Rezoning portion of Lot 203 (Vol &amp; Folio LR3128 641) on Deposited Plan 220594 from 'Rural' to reserve for 'Other Public Purpose: Infrastructure'.</p>	<p>4. Rezoning portion of Lot 203 (Vol &amp; Folio LR3128 641) on Deposited Plan 220594 from 'Rural' to reserve for 'Other Public Purpose: Infrastructure'.</p>	<p>No Change</p>
<p>6. Amend Appendix 5 to identify the Strategic Industry zone as a</p>	<p>5. Amending Appendix 2 by inserting the following additional use</p>	<p>The change to amend appendix 2 is</p>

Development Plan Area		provisions:			
No.	Description of Land	Additional Use	Conditions		
195	Lot 5164 Shoata Road, South Hedland	Public Recreation; Private Recreation; Equestrian Care	1. The additional uses specified shall be deemed 'SA' use for the purposes of the Scheme. 2. Notwithstanding any other provision of the Scheme, the development of the additional uses specified shall not be approved unless it is demonstrated these uses are incidental to an existing use. 3. The Council in determining applications for planning consent for the additional uses specified shall have regard to clauses 7.2.2, 7.2.3 and 7.2.4. 4. Applications for planning consent for the additional uses specified shall demonstrate the proposed development does not prevent, inhibit or adversely affect, or itself be affected by, the development of any potential use within the Boodarie Strategic Industrial Area.	necessary to address the Town's concerns regarding limits being imposed by the non-conforming use provision that would otherwise apply to Lot 5164. Including Lot 5164 in Appendix 2 allows for these uses to expand or develop amenity whilst maintaining some control of inappropriate development and not creating a situation where land use conflict will occur with the core of the BSIA.	
7. Amending Appendix 6 by inserting a new heading under 'Development plans in specific zones should also address the following matters' as follows:  <u>Strategic Industry Zone:</u> i. On-site and off-site buffers required to separate uses within the industrial precincts and the Special Control Area from adjacent incompatible industrial or sensitive uses; ii. Implementation of the Boodarie Strategic Industrial Area District Water Management and in accordance with the water management guidance issued by the Department of Water; iii. Coordination of proponent provided infrastructure including road access, means of effluent disposal, water supply, power supply and other key infrastructure services; iv. Identification of Shared Infrastructure Corridors 8. Amend the Scheme Map accordingly		6. Amend Appendix 5 to identify the Strategic Industry zone as a Development Plan Area.  7. Amending Appendix 10 to change the title to 'Additional Requirements for Precincts' and inserting a new precinct for the Boodarie Strategic Industrial Area with the following conditions:  <u>Boodarie Strategic Industrial Area:</u> i. On-site and off-site buffers required to separate uses within the industrial precincts and the Special Control Area from adjacent incompatible industrial or sensitive uses; ii. Implementation of the Boodarie Strategic Industrial Area District Water Management and in accordance with the water management guidance issued by the Department of Water; iii. Coordination of proponent provided infrastructure including road access, means of effluent disposal, water supply, power supply and other key infrastructure services; iv. Identification of Shared Infrastructure Corridors 8. Amend the zoning table by changing the permissibility of the following land uses within the Strategic Industry Zone: <ul style="list-style-type: none"> <li>Fuel Depot from '~' to 'AA';</li> <li>Transient Workforce Accommodation from 'P' to '~'</li> </ul> 9. Amend the Scheme Map accordingly.			It is necessary to Amend Appendix 10 as opposed to Appendix 6 as originally proposed. There is more than one site in TOPH which is zoned 'Strategic Industry' (i.e. the Port). If Appendix 6 were to be solely amended as proposed, then site specific conditions to Boodarie would be imposed over all 'Strategic Industry' zoned land in TOPH. This is not desirable. The intention is to create a precinct for Boodarie; therefore the text has been changed to reflect this.  It is necessary to permit the 'Fuel Depot' use, as there is an existing fuel pipeline in the subject site. A 'Fuel Depot' could make use of the existing infrastructure and is not a use which will conflict with the objectives of 'Strategic Industry' zone.  It is not desirable to permit the 'Transient Workers Accommodation' Use located in a 'Strategic Industry' zone as this is a use which attracts people to the BSIA.

## ATTACHMENT 2 TO ITEM 11.1.2

## ATTACHMENT 2

1. Inserting a new sub-clause (i) into clause 5.2.1 as follows:

“(i) Strategic Industry Zone”.

2. Inserting a new clause 5.3.10 as follows:

“Boodarie Strategic Industrial Area”

- a. Establish synergies and clustering of co-located industries and transport infrastructure, including port related and upstream activities;
- b. Give priority to strategic resource processing industrial development comprising downstream processing such as iron ore processing, petro and gas processing, non-ferrous processing, noxious and port dependent processing, and other strategic industries;
- c. Promote proponent initiated industrial subdivision and development to facilitate downstream resource processing;
- d. Enable support industries provided they are complementary to and offer goods and services that directly support and are compatible to downstream resource processing and other strategic industries;
- e. Facilitate local employment and economic growth opportunities through downstream resource processing and strategic industrial growth.”

3. In relation to section 7.2 Boodarie Industrial Buffer Special Control Area:

a. Amending clause 7.2.1 to read as follows:

*“Sensitive land uses shall not be permitted in the Boodarie Industrial Buffer Special Control Area. Sensitive land uses include, but are not limited to:*

- *All uses listed under the ‘Residential’ category of the zoning table;*
- *Juvenile detention;*
- *Restaurant;*
- *Consulting Rooms;*
- *Take-away Food Outlet;*
- *Entertainment Venue;*
- *Arts and Crafts Centre;*
- *Child Care Service;*



- *Place of Public Meeting;*
- *Assembly or Worship;*
- *Private Recreation;*
- *Public Recreation;*
- *Place of Animal Care;*
- *Equestrian Centre;*
- *Industry-Cottage*

*And any other use not listed above that may be considered a sensitive use as determined by the Council.*

b. Amending clause 7.2.2 to read as follows:

"When considering applications for planning approval within the Boodarie Industrial Special Control Area, Council shall have regard to:

- (a) The Boodarie Strategic Industrial Area Development Plan;
- (b) Whether the proposal is compatible with any existing or proposed future use or development within the Strategic Industry Zone;
- (c) The existing, proposed or likely risks, hazards and nuisance (including but not limited to noise, odour and light) associated with the Strategic Industry Zone;
- (d) The potential impacts of the proposal on the efficient development the Boodarie Strategic Industrial Area; and
- (e) Any other issue Council deems relevant"

c. Insert a new clause 7.2.3 as follows:

"When considering an application for planning approval with respect to land wholly or partly within the Boodarie Industrial Buffer Special Control Area, the council shall refer the proposal to the relevant State Government Agencies for comment."

d. Insert a new clause as clause 7.2.4 as follows:

"Prior to granting planning approval for the development, including extraction, on land to which this clause applies the Council must consider;

- (a) The likelihood of the proposed development adversely affecting the efficiency and capacity of the Turner River and surrounding landscape to safely carry and discharge floodwaters, including any backwater flows; and
- (b) The likelihood of the proposed development adversely affecting the safety of land zoned 'Strategic Industry' during flood event.

4. Rezoning portion of Lot 203 (Vol & Folio LR3128 641) on Deposited Plan 220594 from 'Rural' to reserve for 'Other Public Purpose: Infrastructure';

5. Amend Appendix 2 by inserting the following additional use provisions;

No.	Description of Land	Additional Use	Conditions
195	Lot 5164 Shoata Road, South Hedland	Public Recreation; Private Recreation; Equestrian Care	<p>1. The additional uses specified shall be deemed 'SA' use for the purposes of the Scheme.</p> <p>2. Notwithstanding any other provision of the Scheme, the development of the additional uses specified shall not be approved unless it is demonstrated these uses are incidental to an existing use.</p> <p>3. The Council in determining applications for planning consent for the additional uses specified shall have regard to clauses 7.2.2, 7.2.3 and 7.2.4.</p> <p>4. Applications for planning consent for the additional uses specified shall demonstrate the proposed development does not prevent, inhibit or adversely affect, or itself be affected by, the development of any potential use within the Boodarie Strategic Industrial Area.</p>

6. Amend Appendix 5 to identify the Boodarie Strategic Industrial Area as a Development Plan Area;
7. Amending Appendix 10 to change the title to 'Additional Requirements for Development Plan Areas' and inserting a new precinct for Boodarie Strategic Industrial Area with the following conditions:
- "Boodarie Strategic Industrial Area:
- i. On-site and off-site buffers required to separate uses within the industrial precincts and the Special Control Area from adjacent incompatible industrial or sensitive uses;
  - ii. Implementation of the Boodarie Strategic Industrial Area District Water Management Strategy and in accordance with the water management guidance issued by the Department of Water;
  - iii. Coordination of proponent provided infrastructure including road access, means of effluent disposal, water supply, power supply and other key infrastructure services;
  - iv. Identification of Shared Infrastructure Corridors"
8. Amend the Zoning Table by changing the permissibility of the following land uses within the 'Strategic Industry' zone:

- (a) Fuel Depot from '~' to 'AA';
- (b) Transient Workforce Accommodation - from 'P' to '~'

9. Amend the Scheme Map accordingly;

DRAFT

### **11.1.3 Proposed Eleven (11) Multiple Dwellings on Lot 496 (45) Moore Street Port Hedland**

Ben McKay, Statutory Planning Officer  
File No. 128210G

#### **DISCLOSURE OF INTEREST BY OFFICER**

Nil

#### **201415/046 RECOMMENDATION/ COUNCIL DECISION**

**MOVED: CR HUNT**

**SECONDED: CR HOOPER**

**That Council approve the application submitted by Troy Butcher, being the landowner, to construct Eleven (11) Multiple Dwellings on Lot 496 (45) Moore Street, Port Hedland, subject to the following conditions:**

- 1. This approval relates only to the proposed Eleven (11) Multiple Dwellings, as indicated on the approved plans DRG2014/101/1 – DRG2014/101/21. 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 fourteen (14) car parking bays shall be provided for the development, thirteen (13) car parking bays on site and one (1) visitor car parking bay shall be provided in accordance with condition 4;**
- 4. The one (1) visitor car parking bay provided on Simpson Street, road reserve by the landowner is to be designed, constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface or equivalent in accordance with the approved design, approved by the Town's Manager Development Services;**
- 5. The visitor car parking bay constructed on the Simpson Street, road reserve shall remain accessible to the general public 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. **The landowner shall ensure sediment control barriers are placed and maintained along all boundaries during the construction period to the satisfaction of the Town's Manager Development Services;**
13. **Dust and sand both during and after construction shall be contained on site with the use of suitable dust suppression techniques;**
14. **All stormwater must be retained onsite. Disposal to be designed in accordance with Council's Engineering Department Guidelines;**

**The following conditions shall be cleared by the Town's Manager Development Services prior to the submission of an application for a Building Permit:**

15. **Prior to issuing a building approval, 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. **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**

16. 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 Simpson Street road reserve under Reg 17 of the *Local Government (Uniform Local Provisions) Regulations 1996* (the Regulations). The Agreement is to be prepared by the Town's solicitors at the applicants cost, and is to include 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 Simpson Street, or the Simpson Street, road reserve, resulting from the construction of the visitor car parking bays;
  - b. Pay a once off sum of \$11,760.00, to the Town for the ongoing maintenance of the visitors car parking bay constructed on the Simpson Street, road reserve.
  - c. Detailed Engineered drawings are to be submitted and approved by the Town's Manager Development Services. The design and construction of the on-street visitor car parking bay is to comply with Australian Standards AS 1158.

The following conditions shall be complied with prior to occupation of the development:

17. Prior to the occupation of the development, the development shall be connected to reticulated mains sewer;
18. 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;
19. Prior to the occupation of the development the landscaping and reticulation is to be completed as per the approved landscaping and reticulation plan;
20. 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 Australian Standard AS1158;
21. 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 Australian Standard AS 2890 Parts 1 and 2;

22. 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
23. 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. 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;
3. 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;
4. Waste disposal and storage is to be carried out in accordance with Council's Health Local Laws 1999; and
5. The development must comply with the Environmental Protection (Noise) Regulations 1997 at all times.

**CARRIED 5/0**

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**EXECUTIVE SUMMARY**

Council is asked to consider an application for Planning Approval to construct eleven (11) "Multiple Dwellings" on Lot 496 (45) Moore Street, Port Hedland.

The proposed development is located within the West End Residential Min R30/Max R80 zone and, as such, the application is presented to Council for consideration.

It is recommended Council approve the application subject to conditions.

## DETAILED REPORT

### *Site Description (Attachment 1)*

The subject site is located at the corner of Moore Street and Simpson Street in Port Hedland. The site is generally rectangular in shape and has a legal area of 855m<sup>2</sup>. In terms of the Town of Port Hedland Town Planning Scheme No. 5 (TPS5) the site is zoned 'West End Residential Min R30/Max R80'.

### *Proposal (Attachment 2)*

The applicant is proposing to construct Eleven (11) "Multiple Dwellings" comprising six (6) two-bedroom units and five (5) one-bedroom units. Fourteen parking bays will be provided onsite. (Please note the site plans indicate Twelve (12) Multiple Dwellings however Unit 3 has been deleted, the deletion of unit 3 is shown on the plans).

### *Related Developments*

The proposed development does not differ significantly from those already approved / developed within the West End area of Port Hedland.

### *Consultation*

The application was circulated as follows:

#### Internally:

- Manager Infrastructure Development
- 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):

- Objection - natural ventilation is inadequate according to part 3.8.5.2 Ventilation Requirements.



- Given the high humidity for a large portion of the year, the natural ventilation is a critical factor.
- Laundry facilities do not comply with Health Act Laundries and Bathroom Regulations 2013.
  - No separate room for laundry facilities.
  - No laundry troughs

#### Department of State Development (DSD)

- The department does not support any further residential development in the West End prior to the completion of the Health Risk Assessment (HRA) currently underway.

#### *Officers' Response*

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 experienced within the locality. Section 6.3.9 of TPS5 states:

*“Residential development within the West End Residential zone and within the area bounded by Withnell, McKay and Anderson Streets, and the Esplanade, Port Hedland shall be in accordance with a local planning policy, development plan or design guideline 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.”*

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.

The applicant has submitted a report by Certified Mechanical Engineers C.A & M.J Lommers confirming the proposal will mitigate dust and addresses the requirements under the TPS5. This report was forwarded to the relevant stakeholders for comment.

The initial objections raised by the Department of Health were forwarded to the applicant. A further justification report was prepared by C.A & M.J Lommers to address the Department of Health's concerns. The new report contained changes to design elements of the proposed development and subsequently the Town has been advised by the Department of Health all initial objections it initially raised have been addressed by the new report.

In the absence of an adopted 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".

Clause 6.3.9 of TPS5 is prescriptive and does not allow for innovative design solutions which are able to achieve the same outcome as intended by the clause. Consequently, legal advice was obtained from the Town's solicitors and further advice received from the Department of Planning. As a result of advice received, all residential applications within this area are to be accompanied by a report prepared by a suitably qualified Mechanical Engineer, certifying the design of the proposed development will mitigate dust exposure and achieves the intent of the provisions within Clause 6.3.9 of TPS5.

#### *Adjoining Neighbour Consultation*

The application was advertised to the adjoining neighbours for a period of 14 days. No submissions were received during the period.

#### *Residential Design Codes of Western Australia (R Codes)*

A number of variations to the deemed-to-comply requirements of the R Codes have been sought and are generally of a minor nature. The proponent has provided justification identifying design consideration and how the design principles have been achieved. It is considered the justification provided and the outcome achieved is appropriate for the site and the West End.

#### *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 three (3) 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 one (1) parking bay within the Simpson Street road verge. Being located within the verge this bay will remain a public car parking bay, but available to the visitors of the development.

Should Council resolve not to permit the construction of the one (1) visitor bay 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.

## FINANCIAL IMPLICATIONS

### Immediate:

An application fee of \$8,338.80 has been received as per the prescribed fees approved by Council.

### Whole of Life:

Maintenance cost associated with the one (1) parking bay located within the Simpson 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 for maintaining the bay.

The average maintenance cost per bay is \$588.00, per annum considering the lifespan of the development being twenty (20) years. The maintenance cost for the one (1) parking bay will be \$11,760.00.

$(\$588.00 \times 1 \text{ bay}) \times 20 \text{ years} = \$11,760.00$

## STATUTORY AND POLICY 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).

Section 6.3.1 'Housing' of the Strategic Community Plan applies as the Town is required to 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.

Section 5.6.1 Precinct 1 – West End as there is noise and dust emissions particularly in proximity to existing developed urban areas.

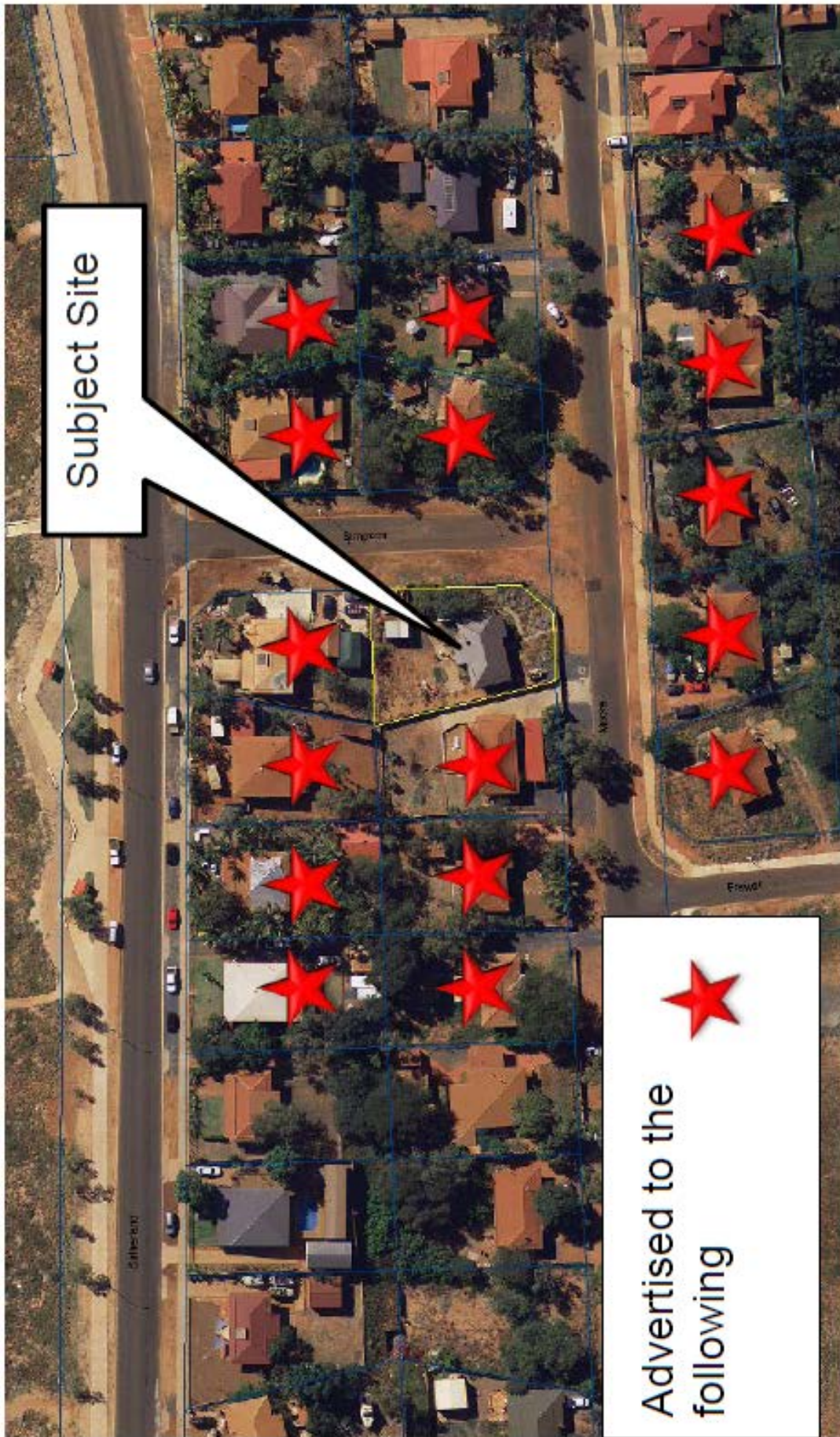
The development will result in the further activation of the West End and may act as a catalyst for future commercial development

## ATTACHMENTS

1. Locality Plan
2. Development Plans (Under Separate Cover)
3. Dust mitigation report

21 August 2014

ATTACHMENT 1 TO ITEM 11.1.3



## ATTACHMENT 3 TO ITEM 11.1.3

**C.A. & M.J. LOMMERS PTY LTD**

Suite 10, 1321 Hay Street • WEST PERTH • W.A. • 6005

Phone: (08) 9466 7900

Email: [admin@lommers.com.au](mailto:admin@lommers.com.au)

Trading for the LOMMERS FAMILY TRUST

Energy (ESD), Mechanical, Refrigeration &  
Fire Safety Services Consulting Engineers

ABN 76 349 760 785

ACN 053 135 318

Date: 11 February 2014

**K5B DEVELOPMENTS**

PO Box 168

CANNINGTON WA 6987

Attention Mr. A. Butcher

Dear Sir,

**PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT  
45 MOORE STREET, PORT HEDLAND**

**RE: DUST MANAGEMENT ASSESSMENT REPORT**

Further to your instructions we have prepared an assessment of the dust mitigation features present in the proposed building design and subsequent dust management assessment report for the proposed apartment development located at 45 Moore Street in Port Hedland.

The report has been prepared for and on behalf of the project planner, K5B Developments Pty Ltd.

**1. DEVELOPMENT LOCATION:**

The proposed development is located within the "West End" precinct of Port Hedland, which is an area bound by Amendment 22 to the Town Planning Scheme No. 5.

As a result it is required to be designed in accordance with specific requirements of the Town Planning Scheme for the area.

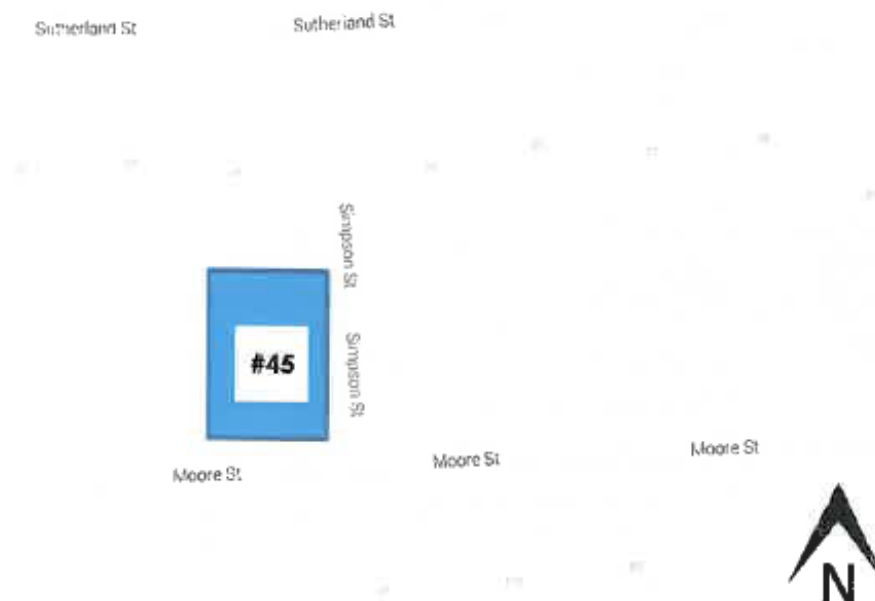


Figure 1 – Development Location Plan

## 2. COMPLIANCE WITH TOWN PLANNING SCHEME No. 5 AMENDMENT 22:

The building generally achieves compliance with the policy objectives of the Town of Port Hedland Town Planning Scheme No. 5 Amendment 22.

### Building Openings Orientation

**Legislative Requirement** – *Location of operable windows and doors on the Western and Southern facades only, and the use of deflection screens on the northern and eastern edges of operable windows.*

**Performance Objective** – *Number of openings shall be minimised and generally limited to walls on the leeward side of the prevailing winds for Port Hedland and protected accordingly to reduce the direct ingress of dust into the building.*

The proposed development has been designed with features and openings significantly protected or limited to the walls on the leeward side of the building, and complies with the legislative requirement.

The following features have been provided to achieve compliance with this requirement;

#### Apartment Type "A"

- Eastern opening swinging access door is documented with self-closer and extensive protective screening to the east and north of the door to ensure dust ingress into the living area is mitigated.
- Western facing entry door to the apartment and Bedroom 1 window are documented with a roof above and wind deflection screening to the north as required.

#### Apartment Type "B"

- Eastern opening swinging access door is documented with self-closer and extensive protective screening to the east and north of the door to ensure dust ingress into the living area is mitigated.
- Western facing entry door to the apartment and Bedroom 1 window are documented with a roof above and wind deflection screening to the north as required.

#### Apartment Type "C"

- Eastern opening swinging apartment entry door is documented with self-closer and extensive protective screening to the east and north of the door via northern boundary wall and adjacent construction to ensure dust ingress into the living area is mitigated.
- Eastern facing Bedroom 1 window is documented with a roof above and extensive protection from prevailing winds due to adjacent construction and northern screen wall.
- Southern facing balcony access door is documented with self-closer and protection via adjacent construction.

## 2. COMPLIANCE WITH TOWN PLANNING SCHEME No. 5 AMENDMENT 22: (Cont.)

### Apartment Type "D"

- Eastern opening swinging access doors (levels 1 & 2) are documented with self-closers and extensive protective screening to the east and north of the door to ensure dust ingress into the living area is mitigated.
- Western facing operable window to Bedroom 1 has been documented with wind deflection screen to the northern edge.
- North facing operable window to Bedroom 2 has been documented with extensive solid construction to the east and north to ensure dust ingress into the living area is mitigated.

### Apartment Type "E"

- Eastern opening swinging access door is documented with self-closer and extensive protective screening to the east and north of the door to ensure dust ingress into the living area is mitigated.
- Apartment entry door faces either west or south (apartments may be reflected) and is extensively protected by construction surrounding three sides with only a western opening to outside.
- Bedroom 1 window faces either north or south (apartments may be reflected) and is extensively protected by construction surrounding three sides with only a western opening to outside.

### Apartment Type "F"

- Apartment entry door faces north however is extensively protected by construction surrounding three sides with only a western opening to outside.
- Southern facing Bedroom 1 window and balcony access door is documented with deflection screen protection in the form of adjacent construction to the east.

### Entrances to Sole Occupancy Units and the Building

*Legislative Requirement – Protective screens and porticos at building entrances to reduce the direct impact of wind onto the opening.*

*Performance Objective – Entrances into the building shall be protected accordingly to reduce the direct ingress of dust into the building.*

The following features have been provided to achieve compliance with this requirement;

- Entrances to the apartments are provided via a protected walkway to reduce the impact of direct wind currents and associated ingress of dust.

The majority of main entrances to apartments have been provided to the western side of the building, or documented with significant screening provisions to mitigate dust ingress.

Minor access doors have been documented with extensive screening and overhead construction provisions and self-closers where facing east.

This achieves the legislative requirement of this clause.

C.A. & M.J. LOMMERS PTY LTD

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**2. COMPLIANCE WITH TOWN PLANNING SCHEME No. 5 AMENDMENT 22:** [Cont.]Development Orientation*Legislative Requirement – Orienting buildings to avoid wind tunnelling effect**Performance Objective – building design should be structured such that wind tunnelling effects from long corridors and the likes are minimised.*

The following features have been provided to achieve compliance with this requirement:

- The building has been designed with orientation such that no wind tunnelling effects will be present in the construction.

External corridors are open on their perimeter and have been designed with screen walls to ensure wind tunnelling effects are minimised.

This achieves the legislative requirement of this clause.

Pitch of Roofs*Legislative Requirement – use of eaves.**Performance Objective – Rooves shall be designed in a manner to minimise the build-up of dust.*

The proposed development has been designed with features to reduce the build-up of dust on the roof of the building, and generally achieves the performance objective.

The following features have been provided to achieve compliance with this requirement:

- Roof pitching features requiring assessment in accordance with this clause have been documented above balcony areas of the development.

These balcony overhangs provide increased separation between significant openings such as access doors from the dust-laden wind, by the balcony itself, and as such are not expected to influence the dust stagnation levels below, and will reduce dust deposit by reducing direct wind impact.

These overhangs shall be horizontally lined to reduce stagnation currents forming below "dead areas" of roof overhang.

- The building is intended to form part of a high density area development. It is expected that other similar buildings will be effective to create a building boundary layer that could further reduce the direct air-flow onto the building.

Due to the high density nature of the development, it is considered a high pitched roof is impractical and not necessary to achieve the requirements of this performance objective.

Filtered Air Conditioning System*Legislative Requirement – filtration of incoming air into the building designed to utilise coarse disposable pre-filtration and then a finer filter.**Performance Objective – Habitable buildings are provided with Filtered Air Conditioning system and have management systems in place to ensure appropriate levels of maintenance.*

The proposed development has not been documented with air-conditioning systems of any type.



C.A. & M.J. LOMMERS PTY LTD

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**2. COMPLIANCE WITH TOWN PLANNING SCHEME No. 5 AMENDMENT 22:** (Cont.)

It is therefore considered that should only "wall split type" air-conditioning (and similar non-ducted packaged type air-conditioning units) be installed in the building, the building will not require treatment in accordance with the requirements of this clause.

Furthermore, the proposed development has been checked for compliance with NCC/BCA Clause F4.5(a) and subsequently Clauses F4.6 and F4.7 and achieves the requirements of natural ventilation to habitable rooms within the apartments. Therefore no fresh air requirements apply to any air-conditioning intended to be installed in the development.

Compliance with the filtered air conditioning requirement is therefore not applicable to this development.

Note, this part of the assessment considers only habitable rooms requiring fresh air as per the requirements of BCA Clause F4.5 and their impact on the Scheme requirements.

Non-habitable rooms, such as toilets and laundries may require exhaust provisions not considered in this assessment as they have been deemed as not having an impact on the compliance with the Scheme requirements.

Ancillary Features

*Performance Objective – Ancillary facilities such as car parking bays, outdoor living area and clothes drying facilities are to be designed/located in a manner so as to minimise adverse impacts resulting from elevated dust levels.*

The proposed development has been designed with ancillary features to enable occupants to minimise their exposure to elevated dust levels, and generally achieves the performance objective.

The following features have been provided to achieve compliance with this requirement;

- Covered outdoor areas have been provided to all units to enable clothes drying in acceptable areas.
- Covered parking bays for all apartments have been provided in the undercroft parking area.

**3. CONCLUSION:**

On the condition that the provisions noted in section 2 of this letter are implemented during the construction of the project we conclude that the requirements and intent of Town Planning Scheme No. 5—Amendment No. 22 clause (3)(iv) item 6.3.9 have been satisfied.

It is also concluded that this report forms a suitable "dust management plan" in conjunction with the project drawings to the satisfaction of the planning scheme.

C.A. & M.J. LOMMERS PTY LTD

ACN 053 135 318 • ABN 76 349 760 785

**4. ASSUMPTIONS AND LIMITATIONS:**

Any alterations to the design that result in the assumptions becoming invalid should result in a new dust management assessment.

Assumptions

The following assumptions have been made in the report:

- All areas of the development, not addressed in this report are designed to comply with the Deemed-to-Satisfy provisions of other town planning requirements, R-Codes and NCC/BCA, unless otherwise noted and agreed by the authorities as not having an impact on the energy usage of the proposed design.
- All installations will be fully maintained in accordance the relevant Australian Standards.

Limitations

The following limitations apply to the dust management analysis performed. Any change in the limitations may alter the final design solution and hence should be referred to a suitably qualified engineer for review prior to altering the design.

- The Deemed-to-Satisfy provisions of other town planning requirements, R-Codes and NCC/BCA are to be addressed by the relevant building surveyor and reported in separate documentation where appropriate.
- If the development is to change in the future the building may have to be re-classified and re-addressed.

Comments and assessment made in this report apply ONLY to the revisions of the project drawings as noted below.

Any changes to the assessed material will require further review to confirm their compliance with the Town Planning Scheme.

Drawings prepared by K5B Developments Pty Ltd; (All Revised DEVELOPMENT APPLICATION and dated 9 February 2014)

■ Drawing DA03.1 Master Schematic	Revision B
■ Drawing DA03.2 Master Schematic – Roof Layout Plan	Revision B
■ Drawing DA04.1 Master Unit GF Layout Plan	Revision F
■ Drawing DA04.2 Master First Floor Layout Plan	Revision F
■ Drawing DA04.3 Master Second Floor Layout Plan	Revision F
■ Drawing DA05.1 Unit A Floor Plans	Revision F
■ Drawing DA05.2 Unit B Floor Plans	Revision F
■ Drawing DA05.3 Unit C Floor Plans	Revision F
■ Drawing DA05.4 Unit D Floor Plans	Revision F
■ Drawing DA05.5 Unit E Floor Plans	Revision F
■ Drawing DA05.6 Unit F Floor Plans	Revision F
■ Drawing DA06.1 Eastern Elevation (Simpson Street)	Revision C
■ Drawing DA06.2 Western Elevation	Revision C
■ Drawing DA06.3 Southern Elevation (Moore Street)	Revision C
■ Drawing DA06.4 Northern Elevation	Revision C

C.A. & M.J. LOMMERS PTY LTD

ACN 053 135 318 • ABN 76 349 760 785

We trust the information provided meets your approval.  
Please do not hesitate to contact our office if you have any queries.

Yours faithfully,

C.A. & M.J. LOMMERS PTY LTD

*Mark Lommers*

M.D. Lommers  
Mechanical & Fire Safety Engineer

B.Eng (Mech), M.J.E.Aust, M.A.I.R.A.H.,  
Grad. Cert. Performance Based Building & Fire Codes  
Grad. Dip. Building Fire Safety & Risk Engineering

### 11.1.4 Dismantle and Remove the Duplex Dwelling at Lot 841 (34) Sutherland Street, Port Hedland (Old Lock Hospital Site)

Mark Sargent, Development Compliance Officer  
File No. 401840C.

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### 201415/047 RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR HUNT**

**SECONDED: CR MELVILLE**

**That Council, with respect to the asbestos duplex dwelling at Lot 841 (34) Sutherland Street, Port Hedland:**

- 1. Request the Chief Executive Officer or his delegate to write to the person responsible for abandoning the building, Mr Francis Stanley Cain, advising Council intends to arrange for the dismantling of the building and the removal of the dismantled components to the Town of Port Hedland landfill facility located in South Hedland and provide Mr Cain seven (7) days to respond with his intentions;**
- 2. In the event Mr Cain fails to respond within the seven (7) day period, Council request the Chief Executive Officer or his delegate to appoint a suitably qualified contractor to dismantle and remove the asbestos duplex dwelling at Lot 841 (34) Sutherland Street, prior to the commencement of cyclone season on 1 November 2014, and to recover all cost from Mr Cain; and**
- 3. In the event of (2) above all tip fees are to be recovered from Mr Cain.**

***CARRIED 5/0***

---

#### EXECUTIVE SUMMARY

The dwelling, originally located at 60 Moore Street was purchased by Mr. Francis Cain from the landowners Megara Five Pty Ltd (Attachment 1).

The dwelling was removed by Mr Cain, from its original location and placed at Lot 841 (34) Sutherland Street, Port Hedland.

The placement of the dwelling was done without the prior consent of the land owner being Department of Child Protection or approval by the Town. The Town's officers have met with Mr Cain on a number of occasions to try resolving the matter and having the dwelling removed but to no avail. The Town appointed Robin Salter Consulting Engineers to advise on the structural integrity of the dwelling, the advice received is the "*buildings design life has expired*" (Attachment 2).

With the approaching cyclone season, the dwelling in its current form poses a significant risk to the life and property of the surrounding community and the Town has a duty of care to make the area safe.

### DETAILED REPORT

On 12 February 2014, the Town was notified that an asbestos clad duplex had been removed from 60 Moore Street, Port Hedland and placed at 34 Sutherland Street. (Attachment 3)

Upon investigation the owner of the dwelling and responsible person was found to be Francis "Frank" Stanley Cain. Mr Cain had purchased the dwelling from Megara Five Pty Ltd who is currently developing the site at 60 Moore Street.

Despite numerous meetings requesting Mr Cain to remove the dwelling, the dwelling remains where it was placed in February 2014. Section 215 (1) of the Planning and Development Act 2005 states that if a Direction is not complied with "*the responsible authority may itself remove, pull down or alter the development...or execute the work, as it directed that person*".

To ensure Council would be acting within the realm of the law, legal advice has been obtained from Jackson MacDonald as to the potential liability to Council should Council resolve to dismantle and remove the dwelling (confidential Attachment 4).

With cyclone season fast approaching the Town has a duty of care to ensure the safety of the community (property and life). As indicated in the engineers report the dwelling has surpassed its design life. Should the Town be impacted upon by a cyclonic event, the dwelling may be damaged further and cause damage to surrounding properties. An added risk to the Town is the asbestos sheeting which if damaged may contaminate the area and impact on the health of surrounding residents.

Currently the land is Crown Lands under the control of the Department of Child Protection (DCP). The DCP has provided the Town with written approval to access the land to dismantle and remove the dwelling.

### FINANCIAL IMPLICATIONS

Megara Five Pty Ltd has indicated verbally that they will be willing to dismantle the dwelling at their cost. However, Council is requested to waive any tip related fees. Should for whatever reason Megara Five Pty Ltd is no longer willing to dismantle the dwelling the Town will have to appoint a contractor, in this regard the Council is requested to authorise an un-budget expenditure of \$50,000.00.

In terms of the *Planning and Development Act 2005* (the Act) the Town does have the ability to apply to recuperate all associated costs.

Should the Town have to arrange for the removal of the dwelling, all associated costs will be sought from Mr Cain. In this regard the Town is currently working through the legal system to recover monies owed to the Town from Mr Cain on other matters.

**STATUTORY AND POLICY IMPLICATIONS**

- In terms of the Local Government Act, 1995, Clause 5.23 Meetings generally open to public, sub-clause 2(b) and (2(d) the item is required to be considered as a confidential item.
- Section 214 of the Act allows the Council to issue a Direction requiring certain action be taken to resolve a breach of the Act.
- Section 215 of the Act allows the Council to take the action stated in a Direction, issued under s.214, if the responsible party failed to take action.

**ATTACHMENTS**

1. Ownership confirmation
2. Engineers Report
3. Locality Plan
4. Confidential - Legal Advice (Under Separate Cover)

28 August 2014

**ATTACHMENT 1 TO ITEM 11.1.4****Leonard Long**

---

**From:** Clive Pickford <Clive.Pickford@megara.net.au>  
**Sent:** Thursday, 28 August 2014 4:06 PM  
**To:** Mark Sargent  
**Cc:** Leonard Long  
**Subject:** House removal from 60 Moore St

Hi Mark,

As discussed on the phone earlier today, I can confirm that Frank Cain purchased the house from Megara Constructions in December 2013 and sub sequentially removed it from our 60 Moore St site on the 5/02/2014.

Megara Constructions confirms that we stand by our previous correspondence with the Town of Port Hedland and will demolish and remove the house from its current location, if and when a court order is provided, giving us permission to do so.

Hope this helps.

Regards

**Clive Pickford**  
Project Manager



Level 2, 658 Newcastle St Leederville WA 6007  
PO Box 104, Leederville WA 6902  
T (08) 9230 3600 F (08) 9227 0611 M 0488 136 350  
E [clive.pickford@megara.net.au](mailto:clive.pickford@megara.net.au) W [www.megara.net.au](http://www.megara.net.au)

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## ATTACHMENT 2 TO ITEM 11.1.4

10 June 2014

Consulting Engineers  
Project Management  
Design | Building Surveying  
Energy Efficiency Assessment  
Unit 6, 9 Playle Street  
Myaree WA 6154  
TEL 08 9317 3331  
FAX 08 9317 3337  
info@rsaperth.com.au  
www.rsaperth.com.au



Compliance Officer  
Town of Port Hedland  
P O Box 41  
PORT HEDLAND WA 6721

RSA Ref: 14-0346-01L

Dear Sir

RE: **Structural Review of Derelict House**  
**34 Sutherland Street, Port Hedland**

RSA confirms having conducted a structural inspection of the derelict house currently located on 34 Sutherland Street, Port Hedland, WA. The review was conducted by Peter Baldwin, structural engineer on 3<sup>rd</sup> June 2014. The Town of Port Hedland's Compliance Officer, Mark Sargent, was present throughout the inspection.

Comments from the inspection:

1. The building was previously located on 60A and 60B Moore Street, Port Hedland. It has been removed from this address due to redevelopment of the site. The building was removed via crane and placed on the adjacent vacant block, 34 Sutherland Street.
2. The building is at least 25 years old. Constructed from hardwood timber floor joists with tongue and groove floorboard on steel beams. Timber stud wall frames clad are externally with asbestos fibro sheeting. Timber roof trusses are sheathed with metal roof cladding (Refer photographs enclosed).
3. The building was lifted in its entirety from 60A and 60B Moore Street, and has undergone significant distress as a result. External wall lining are damaged, cracking is evident throughout the internal wall linings along with cracking of ceilings.
4. It was not possible to visually review the structural integrity of the floor frame, wall frame and roof frame as the majority of the structural members were not accessible without removing the lining material. Claddings contain asbestos, therefore this task must be done by a specialist contractor in accordance with "The Code of Practice For The Safe Removal Of Asbestos".





5. Where visible external walls show little to no signs of thermal insulation and will not comply with current energy efficiency requirements of the Building Code of Australia (BCA).
6. External windows are timber framed and have single glazing. They will not comply with current design pressures for glazing wind Region C or D, as required by:
  - AS/NZS 1170.2-2011 - Wind Loads
  - AS 2047-1999 - Windows in Buildings
  - AS 1288-2006 - Glass in Buildings
7. It has been suggested that the building was due to be removed via road transport. Extreme caution should be exercised if this occurs. The building wall, roof and cladding is in a very deteriorated condition and could pose a traffic hazard if on a main road. As a conservative approach a maximum transport speed of 40 km/h should be enforced.

#### RECOMMENDATIONS

- A. The building cannot be structurally certified for a new site location, as presented in its current condition without significant remedial works.
- B. The building will not comply with Energy Efficiency Requirements as per Section J of the Building Code of Australia (BCA).
- C. All asbestos material should be disposed of by a licensed contractor in accordance with the state regulations.

In our opinion the buildings design life has expired. It does not appear to be economically viable or practical to continue to use the building as a residence or for accommodation. Therefore, we recommend the preferred course of action is for the building to be safely demolished and removed from 34 Sutherland Street.

Yours sincerely,

Handwritten signature of Robin Salter in black ink.

Robin Salter BE (Hons) FIEAust CPEng  
Principal Engineer

Handwritten signature of Peter Baldwin in black ink.

Peter Baldwin MEng (Hons) MIEAust  
Structural Engineer

Encl. Photos x 6



Figure 1 - External Facade



Figure 2 - External Entry and Verandah



Figure 3 - External Facade (rear of building)

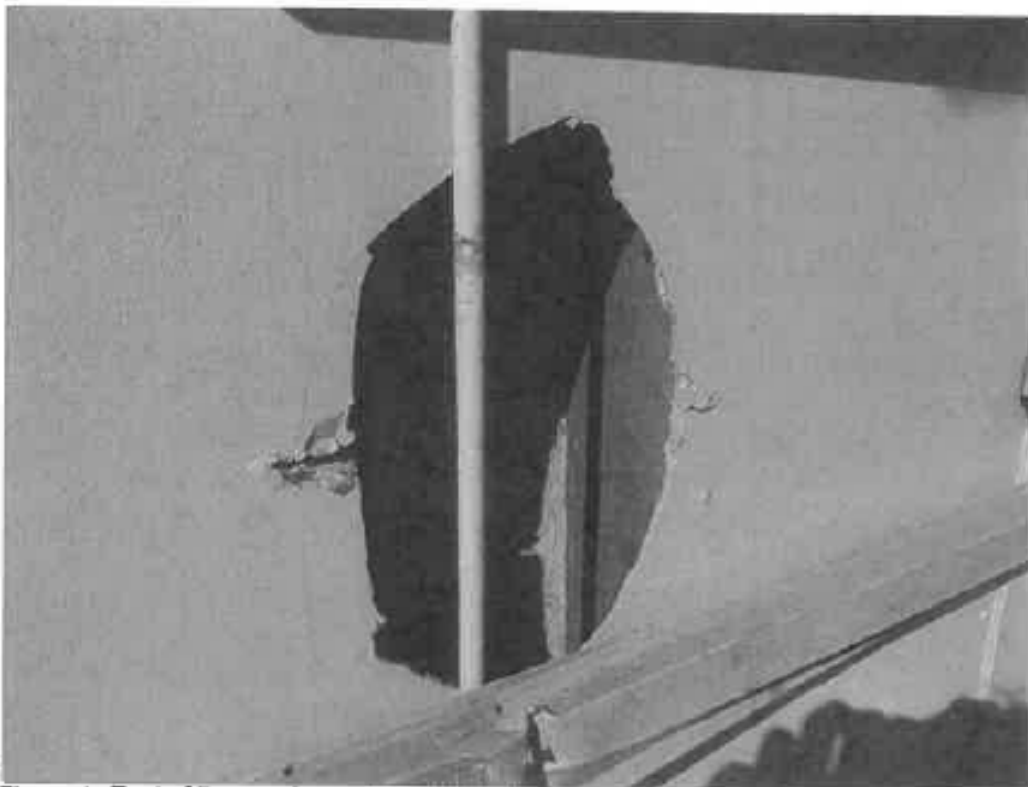
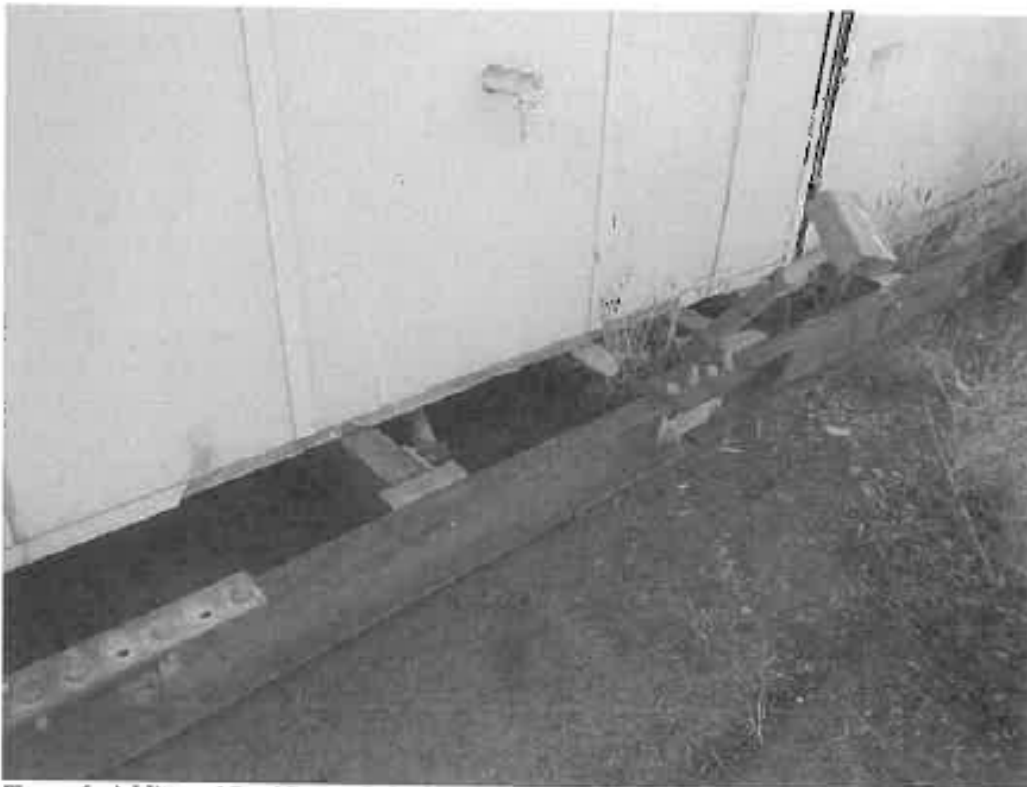


Figure 4 - Typical Penetration in External Cladding



**Figure 5 - Hole cuts in floor for lifting**



**Figure 6 - Additional Steel Beams Bolted to chassis for lifting**

ATTACHMENT 3 TO ITEM 11.1.4



**11.2 Engineering Services****11.2.1 Request for Tender 14-08 Supply, Installation and Maintenance of Central Control Irrigation System**

Grant Voss, Coordinator Sport Grounds and South Reserves  
File No. 23/08/0066

**DISCLOSURE OF INTEREST BY OFFICER**

Nil

**201415/048 RECOMMENDATION/ COUNCIL DECISION**

**MOVED: CR HUNT**

**SECONDED: CR MELVILLE**

**That Council:**

- 1. Award Preferred Contractor status to Industrial Automation Australia for Request for Tender 14-08 Supply, Installation and Maintenance of Central Control Irrigation System;**
- 2. Authorise the Chief Executive Officer to negotiate final contract rates with Industrial Automation Group Pty Ltd; and**
- 3. Authorise the Chief Executive Officer to award Request for Tender 14-08 Supply, Installation and Maintenance of Central Control Irrigation System to Industrial Automation Group Pty Ltd following successful negotiation of contract rates.**

***CARRIED 5/0***

---

**EXECUTIVE SUMMARY**

The purpose of this report is to provide a summary of the assessment of the submissions received for Request for Tender (RFT) 14-08 Supply, Installation and Maintenance of Central Control Irrigation System and to award a three (3) year contract.

**DETAILED REPORT**

Presently the Town has 52 sites that have independent irrigation systems. Nine of these systems are running the active sporting fields and the local schools sporting fields. The scope of this work is for the staged implementation of a Central Control Irrigation System including:

- Installation or upgrade of industrial rated irrigation infrastructure
- Provision of required hardware and software to remotely manage the systems
- Implementation of Irrigation Controller for each site
- Secure tunnel network access provided so no external connection is available.

RFT 14-08 was released on 30 April 2014 with a submission deadline of 28 May 2014. Five (5) submissions were received from:

- Greenspan-MCE
- Industrial Automation Australia
- ALM Landscaping
- Think Water
- Total Eden

The submissions offered three (3) different product types. These five submissions were based on three different systems being: Rainman; Waterman Irrigation; and SD Systems.

All submissions were deemed compliant and assessed against the advertised evaluation criteria (price, relevant experience, key personnel, resources, and demonstrated understanding) by the tender assessment panel. The panel consisted of Coordinator Sports Grounds and South Reserves, Manager Engineering Operations and A/Manager Technology.

Confidential attachment one shows the comparison of the price schedules submitted by each tenderer. The prices submitted were incomplete however provided sufficient information to allow a reasonable comparison.

The following table provides a summary of the assessment results.

Tenderer / Assessment Criteria	Price (40%)	Relevant Experience (20%)	Key personnel (10%)	Resources (10%)	Demonstrated Understanding (20%)	Total Score (100%)
Greenspan-MCE	21.51	14.67	7.67	5.33	19.33	68.51
Industrial Automation Australia	26.99	17.33	7.00	8.00	19.33	78.66
ALM Landscaping	40.00	6.00	4.33	4.33	10.67	65.33
Think Water	26.09	10.67	5.00	4.67	10.67	57.09
Total Eden	32.24	8.00	6.33	4.67	10.00	61.24

#### *Price*

All submissions were assessed after applying the Regional Price Preference Policy applicable to goods and services. The price score was evaluated by preparing a schedule that would use all the components required an average installation in a Public Open Space (POS). The Town will prioritise the installation programs and install the systems into each area progressively.

Some of the costs submitted by the preferred tenderer will require clarification and/or negotiation prior to awarding a contract.

*Relevant Experience*

Four of the companies demonstrated a high to moderate level of experience, with only ALM Landscaping demonstrating a limited level of experience in the installation and maintenance of Central Control Systems. However, only Greenspan and Industrial Automation Australia demonstrated relevant experience in customizing Central Control Systems to suit the Town's needs.

*Key Personnel*

Greenspan, Industrial Automation Australia and Total Eden provided extensive documentation for the experienced specialists that are required to complete the scope of work. They supplied copies of qualifications and licenses and detailed the personnel's performance roles in the proposal. ALM Landscaping and Think Water provided a more generalized overview of their personnel and their experience.

*Resources*

Greenspan and Industrial Automation Australia both provided a good level of information regarding plant, equipment and material resources. They were also able to provide relevant examples where they have already installed customized Central Control Systems. Greenspan and Industrial Automation Australia both have a good maintenance and establishment period and warranty for their products.

*Demonstrated Understanding*

Greenspan and Industrial Automation Australia were the only companies to clearly demonstrate a good level of understanding for customizing a Central Control System for the Town. Their systems were considered compatible to the Town's IT infrastructure and would offer the best solution. The other companies displayed an adequate understanding for installing a system, however not for customizing a system.

*Summary*

Industrial Automation Australia has achieved the highest score against the selection criteria and the assessment panel is confident that they will be able to deliver the services required for this project. It is recommended to award Preferred Contractor status to Industrial Automation Australia until such time as the schedule of rates is finalized and the full contract can be awarded.

**FINANCIAL IMPLICATIONS**

The installation of the proposed system will be completed in stages as allocated funds allow. The POS (Public Open Space) areas will be assessed with the highest priorities completed first. Currently funds have been allocated in the 2013-14 and 2014-15 budgets, and funds have been proposed for the following financial years.



It is envisaged that the project will be installed over a period of six years which will cause a short term rise in costs while in the installation phase due to the capital costs of the central computer, installation or upgrade of present systems, acquisition and installation of hardware and software.

Long term the Town should see an improvement in efficiencies, as any problems with the system will be immediately relayed to the central computer, vastly reducing man hours spent attempting to identify issues and problems. Having a standard system and infrastructure for all the sites will mean that replacement or maintenance will be easier than having a variety of systems.

### **STATUTORY AND POLICY IMPLICATIONS**

The Local Government Act (1995) section 3.57 and the Local Government (Functions and General) Regulations 1996 part 4, division 2 provide statutory requirements for the release, assessment and award of tenders. RFT 14-08 was conducted in accordance with these regulations, the Town's Procurement Policy 2/007 and Tender Policy 2/011.

Sections of this report pertaining to the price submission from the tenderers have been deemed confidential in accordance with the Local Government Act (1995) section 5.23 part 2(e)(iii).

The installation of the Central Control Irrigation System is related back to the Strategic Community Plan 2012-2022 in section 6.4.3: Provide environmental protection and management and ensure that resources are used sustainably, and section 6.4.1: Deliver responsible management of infrastructure, assets, resources and technology.

### **ATTACHMENTS**

1. (Confidential): Price submission schedules for Request for Tender 14-08 Supply, Installation and Maintenance of Central Control Irrigation System (Under Separate Cover)

03 August 14

**11.3 Community Development****11.3.1 Community Funding and Donations - Endorsement of Funding Requests (July - September 2014)**

Eddie Piper, Acting Director Community Development  
File No. 02/05/0001

**DISCLOSURE OF INTEREST BY OFFICER**

Nil

**RECOMMENDATION**

**That Council:**

1. Note the decision of the Audit and Finance Committee of 17 September 2014; and
2. Allocate total funding of \$19,209.10 within the 2014/15 budget from GL Account 813285 (Community Funding and Donations) to donations requested from:
  - a) Hedland School of Dance for the amount of \$1,000
  - b) Hedland Little Athletics for the amount of \$2,000
  - c) Hedland Tri Sports for the amount of \$1,000
  - d) Day for Daniel for the amount of \$1,500
  - e) Port Hedland Softball Association for the amount of \$2,000
  - f) Rose Nowers for the amount of \$2,000
  - g) Jabat Dance for the amount of \$2,000
  - h) Hedland Camera Club for the amount of \$2,000
  - i) Treloar Childcare Centre for the amount of \$709.10
  - j) C3 Church for the amount of \$5,000 (\$2,000 cash and \$3,000 in kind support)

**201415/049 ALTERNATIVE RECOMMENDATION/ COUNCIL DECISION**

**MOVED: CR MELVILLE**

**SECONDED: CR HUNT**

**That Council:**

1. Note the decision of the Audit and Finance Committee of 17 September 2014; and
2. Allocate total funding of \$14,209.10 within the 2014/15 budget from GL Account 813285 (Community Funding and Donations) to donations requested from:
  - a) Hedland School of Dance for the amount of \$1,000
  - b) Hedland Little Athletics for the amount of \$2,000
  - c) Hedland Tri Sports for the amount of \$1,000
  - d) Day for Daniel for the amount of \$1,500
  - e) Port Hedland Softball Association for the amount of \$2,000

- f) **Rose Nowers for the amount of \$2,000**
- g) **Jabat Dance for the amount of \$2,000**
- h) **Hedland Camera Club for the amount of \$2,000**
- i) **Treloar Childcare Centre for the amount of \$709.10**

**CARRIED 5/0**

---

## EXECUTIVE SUMMARY

Council is requested to consider the applications received under the Community Funding and Donations Policy (Policy 6/003) and allocate funding to donations requested from Hedland School of Dance, Hedland Little Athletics, Hedland Tri Sports, Day for Daniel, Port Hedland Softball Association, Rose Nowers, Jabat Dance, Hedland Camera Club, Treloar Childcare Centre and C3 Church.

This item is being presented at the Audit & Finance Committee meeting being held on Wednesday 17 September 2014 at 12pm. Should the committee change the recommendation an amended recommendation will be provided to the Council.

## DETAILED REPORT

Policy 6/003 Community Funding and Donations (Attachment 1) 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
- Acting Manager Community Development
- Manager Recreation Services and Facilities.

The recent round of Community Funding and Donations closed on Wednesday, 27 August 2014, with 11 applications being received from:

- Hedland School of Dance
- Hedland Little Athletics
- Hedland Tri Sports
- Day for Daniel
- Port Hedland Softball Association
- Rose Nowers

- Aboriginal Family Law Services
- Jabat Dance
- Hedland Camera Club
- Treloar Childcare Centre
- C3 Church.

Requested funding is summarised below with Officers recommendations tabled in Attachment 2. Full copies of the applications are included at Attachments 3 to 13.

*Hedland School of Dance*

Council funding of \$1,000 is requested for venue hire fees for the end of year concert to be held at Matt Dann Cultural Centre.

Application supported - \$1,000.

*Hedland Little Athletics*

Establishment funding of \$2,000 requested to assist with start-up costs, including uniforms, equipment, fees, etc.

Application supported - \$2,000.

*Hedland Tri Sports*

Council funding of \$2,000 requested as a donation to be passed on to St John's ambulance, to enable their attendance at Hedland Triathlon events.

Application supported in part - \$1,000 (periodical funding as previously supported in FY13/14).

*Day for Daniel*

Council funding of \$1,500 requested towards set up costs, licensing, hire of jumping castle, advertising etc for community walk/fundraiser.

Application supported - \$1,500.

*Port Hedland Softball Association*

Establishment funding of \$2,000 requested to accommodate umpires for the North West Softball Championships.

Application supported - \$2,000.

*Rose Nowers*

Establishment funding of \$2,000 and in-kind support of \$3,000 requested to transport children from the Tjalkaka Boora Community to the Rose Nowers Early Learning Centre. Unfortunately Council cannot support the loan of a vehicle as no 4WD vehicles are available.

Supported in part - \$2,000 (establishment funding).

#### *Jabat Dance*

Council funding of \$2,000 requested towards photography and videography for the end of year dance concert at the Matt Dann.

Application supported - \$2,000.

#### *Hedland Camera Club*

Establishment funding of \$2,000 requested to assist with club set up costs.

Application supported - \$2,000.

#### *Treloar Childcare Centre*

Venue fee waiver requested for JD Hardie Centre (\$709.10) to enable usage for their 2014 Children's Christmas party.

Application supported - \$709.10 (fee waiver).

#### *C3 Church*

Establishment funding of \$2,000 cash and \$3,000 in kind support (Town Oval venue fee waiver, bin fee waivers and stage hire) requested for the Hedland Christmas Carols.

Application supported - \$2,000 cash and \$3,000 in kind support.

### **FINANCIAL IMPLICATIONS**

Funds of \$50,000 are contained within the 2014/15 budget for this element of community funding and donations (GL Account 813285). This is the first round of donations to be considered in the 2014/15 financial year.

### **STATUTORY AND POLICY IMPLICATIONS**

The 6/003 Community Funding and Donations Policy applies as well as sections 6.1.1 and 6.1.2 of the Strategic Community Plan.

### **ATTACHMENTS**

1. 6/003 Community Funding and Donations Policy
2. Summary of Officer Recommendations
3. Hedland School of Dance Application
4. Hedland Little Athletics Application
5. Hedland Tri Sports Application
6. Day for Daniel Application
7. Port Hedland Softball Association Application
8. Rose Nowers Application
9. Jabat Dance Application
10. Hedland Camera Club Application

11. Treloar Childcare Centre Application
12. C3 Church Application.

1 September 2014

## ATTACHMENT 1 TO ITEM 11.3.1

**6/003 COMMUNITY FUNDING & 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	Use of Town Venues Advertising, photocopying and postage	\$500





		Contribute to hosting event	
Port Hedland Cup Day	Port Hedland Turf Club	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	Staff member on Committee Advertising/photocopying, fax and postage	\$500
Nindji Nindji Festival	Bloodwood Tree Association	Use of Town Venue Provision for up to 20 extra bins	\$500
Australia Day Breakfast	Soroptimist International	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	When required leading mowing and maintenance equipment support	\$2,000
Community Clean-Up Event	Care for Hedland Environmental Association	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	Pre-season annual slash of the Port Hedland Pony Club Event space	\$1,000
Relay for Life	Relay for Life Port Hedland Committee	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	Patron of Festival Use of Town Venues Provide administrative and photocopying assistance	\$5,000
NAIDOC Week	Pundulmurra Campus EPCT	Town of Port Hedland display	\$250
Chamber of Commerce Business of the Year Awards	Chamber of Commerce	Additional trophies for Community of the Year Award Categories	\$1,000
Carols by Candlelight	Ministers Fraternal	Use of Town venue	\$500
ANZAC Day Ceremony	RSL	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

Town of  
Port Hedland



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?

- Commercial activities
- Retrospective costs (ie for activities, programs and events that occur prior to consideration by Council of the funding application)
- Associations with outstanding debts to the Town of Port Hedland
- Non-incorporated organisations, unless prior written approval by Council resolution
- 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:

Measuring qualitative aspects, such as the success of the activity

Financial information, such as receipts accounting for the expenditure of monies.

*(Adopted 27 January 2011 Council Meeting. Amended at 8 May 2013 Special Council Meeting.)*



SUMMARY OF COMMUNITY FUNDING APPLICATIONS  
TO BE ASSESSED at the ORDINARY COUNCIL MEETING  
ON 24 SEPTEMBER 2014



2014 – 2015 Financial Year Budget for Donations:	\$25,000.00
Donations Approved To Date:	\$0.00
<b>Amount Remaining in Budget (prior to considering these applications):</b>	<b>\$25,000.00</b>

ATTACHMENT 2 TO ITEM 11.3.1

	Organisation	Event	Assistance Requested	Value of Request	Officer's Recommendation	Officer's Rationale / Comment
1	Hedland School of Dance	End of Year Concert (13 Sept 14)	Venue fees (Matt Dann) for end of year concert	\$1,000	\$1,000	It is recommended that Council support Hedland School of Dance's request for \$1,000 towards hiring of the Matt Dann Cultural Centre for their end of year concert.
2	Hedland Little Athletics	Saturday Events (16 Aug – 15 Nov 14)	Start-up costs and growth of Club (uniforms, equipment, fees)	\$2,000		
3	Hedland Tri Sports	Tri season	St John's attendance at Hedland Triathlon events	\$2,000		
4	Day for Daniel	Community walk – Sat 1 November	Set up costs and licencing. Hire of jumping castle, advertising etc	\$1,500		
5	Port Hedland Softball Association		North West Softball Championship - accommodation for umpires	\$2,000		
6	Rose Nowers	6 month project. 5 Feb – 4 July 2015	Tjalka Boorda Community Project	\$2,000 cash + \$3,000 in-kind	\$2,000 cash	The recommendation is to provide \$2,000 cash towards transporting children to and from the Tjalkaka Boora Community to the Rose Nowers Early Learning Centre.  The Rose Nowers Early Learning Centre has also requested



SUMMARY OF COMMUNITY FUNDING APPLICATIONS  
TO BE ASSESSED at the ORDINARY COUNCIL MEETING  
ON 24 SEPTEMBER 2014



Organisation	Event	Assistance Requested	Value of Request	Officer's Recommendation	Officer's Rationale / Comment
7	Aboriginal Family Law Services	Taking Violence Out Of Our Community - Partnership with North Pilbara Football League – anti-violence merchandise	\$2,000		\$3,000 in kind contribution towards regular use of a 4WD Council Vehicle. All Council vehicles are allocated to staff and needed as part of their position requirements.
8	Jabat Dance	2014 End of Year Concert at Matt Dann – videography and photography	\$2,000	\$2,000 cash	This grant would support the 2014 End of Year Dance Concert at the Matt Dann Cultural Centre. Funding would be used towards photography and videography of the dance students.
9	Hedland Camera Club	Club set up	\$2,000	\$2,000 cash	New community group in Port Hedland with a growing membership base. This grant would provide some seed funding to assist the community group to grow and develop.
10	Treloar Childcare Centre	Fee waiver for hire of JD Hardie for 2014 Children's Christmas Party	\$709.10	\$709.10 fee waiver	This grant would provide a fee waiver for usage of the JD Hardie Youth Centre. The fee waiver would provide access to the venue for approximately 80 families accessing Treloar Childcare Centre.
11	C3 Church	Hedland Christmas Carols – venue hire fees, bins, stage, entertainment	\$5,000	\$2,000 cash \$3,000 in kind support	It is recommended that the Town provide the C3 Church with \$2,000 establishment funding towards the Carols by Candlelight event. This is an important event for the local Port Hedland community.  The C3 Church have also requested in kind support for the following items: <ul style="list-style-type: none"> <li>• Bins (amount to be determined by attendance</li> </ul>



SUMMARY OF COMMUNITY FUNDING APPLICATIONS  
 TO BE ASSESSED at the ORDINARY COUNCIL MEETING  
 ON 24 SEPTEMBER 2014

Organisation	Event	Assistance Requested	Value of Request	Officer's Recommendation	Officer's Rationale / Comment
14 Department of Aboriginal Affairs	26 September 2014				numbers) <ul style="list-style-type: none"> <li>• Fee waiver for hire of the Town Oval for the event.</li> <li>• Use of the Town's outdoor stage                             <ul style="list-style-type: none"> <li>○ Please note – C3 Church have confirmed they are sourcing other sponsorship from local businesses to provide transport, crane hire and to set up the stage / pack down.</li> </ul> </li> </ul>
<b>Total</b>			<b>Requests:</b>	<b>Recommendations:</b>	
			\$	\$	

Amount remaining in budget if Officer's recommendations are followed - \$



ATTACHMENT 3 TO ITEM 11.3.1



Town of Port Hedland
Community Funding & Donations Application



Please submit completed form to council@porthedland.wa.gov.au

Section 1a: Applicant Details

Identify who is applying for this funding:

Individual Person [ ] Community Organisation [x] Not For Profit [ ]

Organisation/ Individual Name: Hedland School of Dance

Contact Person: [Redacted]

Position within Organisation: Directors

Postal Address: [Redacted] Postcode: 6722

Telephone: [Redacted] Email: hedlandschoolofdance@live.com.au

Applicants are requested to complete ALL sections relevant to their application.

Section 1b: Organisation Details

Incorporated: Yes [ ] No [x] Year of Incorporation: 2011

If Yes, please attach a copy of your Certificate of Incorporation

ABN: 47246463088

Registered for GST: Yes [ ] No [x]

Section 1c: Public Liability Insurance

Does your organisation have Public Liability insurance: Yes [x] No [ ]

If No, are you/your organisation covered under another association (e.g. State Sporting Association)?

Yes [ ] No [ ] If yes, by who? [ ]

If No, will you/your organisation be obtaining cover for this event?

Yes [ ] No [ ] If yes, by who? [ ]



# Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 1d: Authorisation

*I certify that the information provided on this application is correct to the best of my knowledge and that I am authorised to apply for funding on behalf on this community organisation/ individual. If successful, I will acquit the funds received before the end of the financial year in which they were received.*

Full name: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: 21/7/14

### Section 2a: Application Details

**What is the name of your Project / Event:**

"Another Saturday Night"

**Provide a brief outline of your project / event and what you would like to achieve.**

The Students of Hedland School of Dance will be presenting their end of year concert

"Another Saturday Night" at The Matt Dann Cultural Centre on Saturday 13th September 2014.

The students have been working hard all year preparing for the performance and it is an event

which they are all looking forward to sharing with the community.

**Outline how ToPH funding will specifically be used.**

Town of Port Hedland Funding will be used to help cover the cost of extra stage lighting and the costs

involved with hiring The Matt Dann Cultural Centre.

**Has this project or event previously been supported by the Town's Funding & Donations Policy?**

Yes       No

**If Yes, in which year?**      2013

**Please provide details:** \_\_\_\_\_

\_\_\_\_\_ the previous owner of Hedland School of Dance received a grant September 2013 which was used to help cover some of the costs involved with the 2013 end of year concert.



## Town of Port Hedland

### Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

#### Section 2b: Type of Community Support

Which type(s) of community support are you seeking (refer to policy 6/003):

Establishment Funding (max \$2,000 cash)	
Periodical Funding* (max \$1,000 cash)	✓
In-kind Contributions	
Waiver of Fees	
Development of Talented Local People (max \$500)	

\* provide evidence of 50% cash contribution from applicant organisation.

**Details of funds from applicant:** Hedland School of Dance will fund over 50% of the contribution required, however we request the help from the Town of Port Hedland to contribute to extra stage lighting at The Matt Dann Cultural Centre.

#### Section 2c: Funding Details

Detail the amount of each type of funding requested from contributing parties:

	Contributed by Applicant	Contributed by Other Funding Sources	Requested to be contributed by ToPH
Cash (max \$2,000 by ToPH)	\$	\$	\$
Venue fees funded	\$8,500.00	\$	\$1,000.00
In-kind contributions*	\$	\$	\$
Total (max \$5,000 by ToPH)	\$	\$	\$

\* refer to Policy 6/003 for eligible criteria and provide details of in-kind requested (i.e. bins, vehicle usage, mowing, etc)

#### Section 3: Recognition

**Detail how the funding / support from the Town of Port Hedland will be recognised :**

Should our funding request be successful we will acknowledge The Town of Port Hedland in our program which will be distributed to all audience members on the night of the performance and recognition will be mentioned during our presentations at the end of the night.



## Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 4: Application Criteria / Checklist

Please ensure the application meets all criteria below:

- a. *Applicant has read, understood and acknowledged the conditions and eligibility requirements contained in Policy 6/003 'Community Funding & Donations'*
- b. *The positive contribution the event or project will make to the Hedland community*
- c. *The information requested meets the requirements of this policy*
- d. *The applicant certifies within the application that they are authorised to apply for Town of Port Hedland support and to represent the applicant organisation*
- e. *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*
- f. *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*
- g. *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.*

ATTACHMENT 4 TO ITEM 11.3.1



# Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 1a: Applicant Details

Identify who is applying for this funding:

Individual Person  Community Organisation  Not For Profit

Organisation/ Individual Name: Hedland Little Athletics

Contact Person: [Redacted]

Position within Organisation: Vice President

Postal Address: [Redacted] Postcode: 6722

Telephone: [Redacted] Email: hedlandlac@gmail.com

*Applicants are requested to complete ALL sections of the application form.*

### Section 1b: Organisation Details

Incorporated: Yes  No  Year of Incorporation: WALA

*If Yes, please attach a copy of your Certificate of Incorporation*

ABN: 53 52803 7033

Registered for GST: Yes  No

### Section 1c: Public Liability Insurance

Does your organisation have Public Liability Insurance: Yes  No

If No, are you/your organisation covered under another association (e.g. State Sporting Association)?

Yes  No  If yes, by who? Attached.

If No, will you/your organisation be obtaining cover for this event?

Yes  No  If yes, by who? \_\_\_\_\_



# Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 1d: Authorisation

I certify that the information provided on this application is correct to the best of my knowledge.  
I am authorised to apply for funding on behalf on this community organisation/ individual.  
I understand that, if successful, funds can only be transferred to a bank account held in the name of the organisation/individual as detailed on this form and in Council resolution.  
If successful, I will acquit the funds before the end of the same financial year in which they were received.

Full name:

[Redacted]

Signed:

[Signature]

Date: 8/8/14

### Section 2a: Application Details

What is the name of your Project / Event:

Hedland Little Athletics

Provide a brief outline of your project / event and what you would like to achieve.

See letter attached.

Outline how ToPH funding will specifically be used.

Future growth - Equipment, Uniforms  
Competition Fees for Athletics! Set-up  
Costs for Athletics of the Hedland Community

Has this project or event previously been supported by the Town's Funding & Donations Policy?

Yes

No

If Yes, in which year?

\_\_\_\_\_

Please provide details:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



## Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 2b: Type of Community Support

Which type(s) of community support are you seeking (refer to policy 6/003):

Establishment Funding (max \$2,000 cash)	✓
Periodical Funding* (max \$1,000 cash)	
In-kind Contributions (e.g. bins, vehicle usage, mowing, etc)	
Waiver of Fees (e.g. venue hire, entry fees, etc)	
Development of Talented Local People (max \$500)	

\* when applying for periodical funding, provide evidence of 50% cash contribution from applicant organisation.

Details of funds from applicant (those you are providing): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*If waiver of fees are requested, please attach quote from venue detailing exact costs and showing availability for the required date and time. Without this quote/cost estimate, the application cannot be considered.*

### Section 2c: Funding Details

Detail the amount of each type of funding requested from contributing parties:

	Requested from ToPH	Contributed by Applicant	Contributed by Other Funding Sources
Cash (max \$2,000 from ToPH)	\$ 2000	\$ -	\$ -
Venue fees funded	\$	\$	\$
In-kind contributions*	\$	\$	\$
Total (max \$5,000 by ToPH)	\$	\$	\$

\* refer to Policy 6/003 for eligible criteria and provide details of in-kind requested (i.e. bins, vehicle usage, mowing, etc)

### Section 3: Recognition

Detail how the funding / support from the Town of Port Hedland will be recognised :

Signage of the ToPH at all events every Saturday 16th August 2014 - 15th Nov 2014  
 Programmes booklet! - Logo (ToPH)



## Town of Port Hedland

### Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

#### Section 4: Application Criteria / Checklist

Please ensure the application meets all criteria below:

- a. *Applicant has read, understood and acknowledged the conditions and eligibility requirements contained in Policy 6/003 'Community Funding & Donations'*
- b. *Information provided meets the requirements of this Policy*
- c. *The event /project will make a positive contribution to the Hedland community*
- d. *The applicant certifies that they are authorised to apply for Town of Port Hedland support and represent the applicant organisation*
- e. *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*
- f. *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*
- g. *The applicant has assessed their level of resource contribution, relative to their capacity, and has assessed the accessibility of funds allocation from other parties/ sources.*



Hedland Little Athletics Centre



8<sup>th</sup> August 2014

Town of Port Hedland

Re: Hedland Little Athletics Centre Sponsorship

Little Athletics is the primary provider for track and field events for children aged 6-17.

A wide range of age appropriate events such as running, jumping, throwing and walking are conducted and children compete with others of similar ages, with an emphasis placed on participation and personal development, rather than winning.

With the focus on personal improvement, Little Athletics encourages children to enjoy the sporting activities and gives them an opportunity for developing physical coordination and social interaction skills in a supportive and friendly environment. The philosophy of the association is best captured by the Western Australia Little Athletics (WALA) motto "Family, Fun and Fitness".



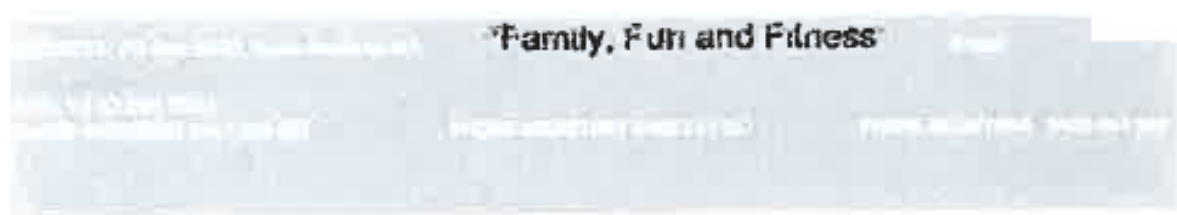
Hedland Little Athletics is a volunteer based community orientated organisation, committed to developing children of all abilities, by promoting positive attitudes and a healthy lifestyle through family and community involvement.

Ensuring a successful future for our centre we need to obtain the essential items needed for our athletes to participate. Without the equipment, Hedland Little Athletics cannot proceed with the required activities designed for our track and field events.

We are asking if you would kindly consider sponsoring Hedland Little Athletics for a donation of \$2000.00 for start –up costs and future growth for the club.

Thank you for your time and consideration in supporting Hedland Little Athletics.

Kind Regards

  
  
Vice President



Sportscover Australia Pty Ltd

A.C.N. 006 637 903  
 A.B.N. 43 006 637 903  
 APB Licence No. 230914

## CERTIFICATE OF CURRENCY

**CERTIFICATE NO. 30062**

This certificate confirms that the under mentioned policy is effective in accordance with the details shown.

- Name of Insured:** Australian Little Athletics Inc including Australian Capital Territory Little Athletics Association, Little Athletics Association of New South Wales, Queensland Little Athletics Association, South Australian Little Athletics Association, Tasmanian Little Athletics Association, Little Athletics Association of Victoria and Western Australian Little Athletics, all Affiliated Centres, Clubs and all Registered Members, Officials, Accredited Coaches, Voluntary Workers, Executives and Members of the Board of Management
- Association / Club:**
- Cover:** Public Liability: \$20,000,000 any one occurrence  
 Products Liability: \$20,000,000 any one occurrence and in the aggregate  
 Professional Indemnity: \$5,000,000 any one claim and in the aggregate  
 (For the business of Athletics only)
- Sport/Business:** Principally administration and organisation of Little Athletics including Property Owner and Occupier and any other associated activities of the Insured
- Excess:** Principally administration and organisation of Little Athletics including Property Owner and Occupier and any other associated activities of the Insured
- Period of Insurance:** 31/8/2013 to 31/8/2014
- Underwriter:** Sportscover Syndicate 3334 at Lloyd's
- Policy Number:** PMEL99/0094450
- Counterparties:** Council shall be indemnified for acts of negligence by the Insured only arising out of the Business nominated in the Schedule
- For full terms, conditions and exclusions please refer to Your Policy Wording version General\_Liability\_For\_Amateur\_Sports\_2805.13.**

**SPORTSCOVER** • Melbourne • Sydney • London • Shanghai •

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 Locked Bag 6003, Whittlesea 3118, VIC 3130  
 T: +61 (0)3 9362 9111 F: +61 (0)3 9562 9111

**1ains Hotline:** 1300 134 936 (Aust Only)

**Sydney:** Suite 303, 25 Lane Street, Sydney  
 PO Box Q626, CPM8, NSW 1230  
 T: +61 (0)2 9268 9160 F: +61 (0)2 9278 9111  
**Email:** asiapac@sportscover.com

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UAC AWARDS WINNER IN CATEGORY OF THE YEAR IN 2012, 2013 & 2014

[sportscover.com](http://sportscover.com)



Sportscover Australia Pty Ltd

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A.B.N. 43 006 637 903  
AFS Licence No. 236914

*D. Smith*

2/09/2013

MANAGER

DATE

**SPORTSCOVER** • Melbourne • Sydney • London • Shanghai •

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Locked Bag 6003, Waverley Hill, VIC 3100  
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Claims Hotline: 1300 134 956 (Aust Only)

Sydney: Suite 305, 25 Little Street, Sydney  
PO Box 0126, QVB, NSW 1231  
Tel: +61 (0)2 9268 9110 Fax: +61 (0)2 5268 9111  
Email: [asia@au.sportscover.com](mailto:asia@au.sportscover.com)



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UAC DENVER 2013 MEMBER OF THE YEAR HALL OF FAME MEMBER

[sportscover.com](http://sportscover.com)

ATTACHMENT 5 TO ITEM 11.3.1



# Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 1a: Applicant Details

Identify who is applying for this funding:

Individual Person  Community Organisation  Not For Profit

Organisation/ Individual Name: Hedland Tri Sports Association

Contact Person: [REDACTED]

Position within Organisation: Committee President

Postal Address: \_\_\_\_\_ Postcode: \_\_\_\_\_

Telephone: [REDACTED] Email: [REDACTED]

*Applicants are requested to complete ALL sections of the application form.*

### Section 1b: Organisation Details

Incorporated: Yes  No  Year of Incorporation: 2000

*If Yes, please attach a copy of your Certificate of Incorporation*

ABN: 313-526-0647

Registered for GST: Yes  No

### Section 1c: Public Liability Insurance

Does your organisation have Public Liability Insurance: Yes, see attached  No

If No, are you/your organisation covered under another association (e.g. State Sporting Association)?

Yes  No  If yes, by who? \_\_\_\_\_

If No, will you/your organisation be obtaining cover for this event?

Yes  No  If yes, by who? \_\_\_\_\_



# Town of Port Hedland Community Funding & Donations Application

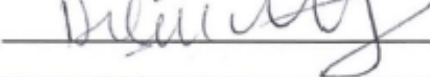


Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 1d: Authorisation

I certify that the information provided on this application is correct to the best of my knowledge.  
I am authorised to apply for funding on behalf on this community organisation/ individual.  
I understand that, if successful, funds can only be transferred to a bank account held in the name of the organisation/individual as detailed on this form and in Council resolution.  
If successful, I will acquit the funds before the end of the same financial year in which they were receive.

Full name: Desiree Martinez

Signed: 

Date: 8/8/14

### Section 2a: Application Details

What is the name of your Project / Event:

St John's Ambulance Attendance at all Hedland Triathlon Events

Provide a brief outline of your project / event and what you would like to achieve.

Hedland Tri Sports wish to provide qualified first aid at each of their season events to provide  
participants with a level of comfort and assurance that if something goes wrong, we have the best  
help at hand. With the climate significantly higher than in most other states running triathlon events  
and the increase risk this presents to our participants, it is important that we manage this risk proactively

Outline how ToPH funding will specifically be used.

Sponsorship received from the ToPH would be given directly to St Johns Ambulance as a donation  
towards their attendance at approximately 15 events over the 2012/13. We have spoken with St  
John's Ambulance and in principle they are supportive of this proposal

Has this project or event previously been supported by the Town's Funding & Donations Policy?

Yes  No

If Yes, in which year? 2013

Please provide details: Contribution of \$1000 towards St. Johns Ambulance to be at events

\_\_\_\_\_  
\_\_\_\_\_



## Town of Port Hedland

### Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

#### Section 2b: Type of Community Support

Which type(s) of community support are you seeking (refer to policy 6/003):

Establishment Funding (max \$2,000 cash)	\$2000
Periodical Funding* (max \$1,000 cash)	
In-kind Contributions (e.g. bins, vehicle usage, mowing, etc)	
Waiver of Fees (e.g. venue hire, entry fees, etc)	
Development of Talented Local People (max \$500)	

\* when applying for periodical funding, provide evidence of 50% cash contribution from applicant organisation.

Details of funds from applicant (those you are providing): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*If waiver of fees are requested, please **attach quote** from venue detailing exact costs and showing availability for the required date and time. **Without this quote/cost estimate, the application cannot be considered.***

#### Section 2c: Funding Details

Detail the amount of each type of funding requested from contributing parties:

	Requested from ToPH	Contributed by Applicant	Contributed by Other Funding Sources
<b>Cash</b> (max \$2,000 from ToPH)	\$	\$	\$2,000
<b>Venue fees funded</b>	\$	\$	\$
<b>In-kind contributions*</b>	\$	\$	\$
<b>Total (max \$5,000 by ToPH)</b>	\$	\$	\$2,000

\* refer to Policy 6/003 for eligible criteria and provide details of in-kind requested (i.e. bins, vehicle usage, mowing, etc)

#### Section 3: Recognition

Detail how the funding / support from the Town of Port Hedland will be recognised :

Promotion of business logo at every event on banner, naming rights to specific event,  
 Logo on club trailer situated at events, mention of business for specific awares for each race  
 Speaking opportunity at presentation dinner, promotion of business on club Facebook page  
 Opportunity to provide promotional materials to participants

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



## Town of Port Hedland

### Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

#### Section 4: Application Criteria / Checklist

Please ensure the application meets all criteria below:

- a. *Applicant has read, understood and acknowledged the conditions and eligibility requirements contained in Policy 6/003 'Community Funding & Donations'*
- b. *Information provided meets the requirements of this Policy*
- c. *The event /project will make a positive contribution to the Hedland community*
- d. *The applicant certifies that they are authorised to apply for Town of Port Hedland support and represent the applicant organisation*
- e. *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*
- f. *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*
- g. *The applicant has assessed their level of resource contribution, relative to their capacity, and has assessed the accessibility of funds allocation from other parties/ sources.*



**WORLDWIDE SPORTS INSURANCE**

ABN 65 003 922 487 AFS Licence 342385  
 Trading as WWSI is a Business Unit of PSC Insurance Brokers(Aust) Pty Ltd  
 Level 1 PO Box 7675 Tel: 03 9862 6500  
 390 St Kilda Road St Kilda Road VIC 8004 Fax: 03 9867 6771  
 Melbourne VIC 3004 Email: vicinfo@wwsi.com.au

Your Policy is due for renewal on 20/02/2014. Payment must be recieved within 14 days of policy expiry or invoice date whichever is the later. If changes are required, please send them to the address shown above. All payments are to be made as described on the reverse of this invoice.

Hedland Tri Sports  
 PO BOX 1063  
 PORT HEADLAND WA 6721

**TAX INVOICE**  
 This document will be a tax invoice for GST when you make payment

Invoice Date: 6/02/2014  
 Invoice No: 77920  
 Our Reference: HEDLAND

Should you have any queries in relation to this account, please contact your Account Manager  
 Nicole Walravens - Sport

**Class of Policy:** SPORTS INJURY & LIABILITY INSURANCE  
**Insurer:** Calliden Insurance Ltd - Commercial  
 GPO Box 3208, Melbourne, Vic, 3001  
 ABN: 47 004 125 268  
**The Insured:** Hedland Tri Sports

**RENEWAL**  
**Policy No:** SUA/006667  
**Period of Cover:**  
 From 20/02/2014  
 to 20/02/2015 at 4:00 pm

**Details:** See attached schedule for a description of the risk(s) insured  
 If changes are required, please send them to the address shown above.  
 Liability & Personal Injury

Clients who are not fully satisfied with our services should contact our customer relations/complaints officer.  
**PSC Insurance Brokers (Aust) Pty Ltd** is also a member of Financial Ombudsman Services Ltd, a free customer service, and the General Insurance Brokers Code of Practice. Further information is available from this office or contact FOS on 1300 780 808.

**Your Premium:**

Premium	UW Levy	F&ES Levy*	GST	Stamp Duty	Broker Fee
\$1,500.00	\$150.00	\$0.00	\$180.00	\$165.00	\$150.00

\* Where ES relates to State Emergency Services (Applicable to NSW only)

**TOTAL \$ \$2,145.00**

(A processing fee applies for Credit Card payments)



Please turn over for further payment methods and instructions



**DEFT Reference Number**  
 40021881921241238  
 Pay by credit card (Visa, Mastercard, Amex or Diners)  
 at [www.deft.com.au](http://www.deft.com.au) or 1300 78 11 45



\*498 40021881921241238



Billor Code: 20362  
 Ref: 40021881921241238

**PSC Insurance Brokers (Melbourne)**

Our Reference: HEDLAND  
 Invoice No: 77920  
 Due Date: 20/02/2014

Premium \$1,500.00  
 U'writer Levy \$150.00  
 F&ES Levy \$0.00  
 GST \$180.00  
 Stamp Duty \$165.00  
 Broker Fee \$150.00

**AMOUNT DUE \$ \$2,145.00**



**Schedule of Insurance**

<b>Class of Policy:</b>	SPORTS INJURY & LIABILITY INSURANCE	<b>Policy No:</b>	SUA/006667
<b>The Insured:</b>	Hedland Tri Sports	<b>Invoice No:</b>	77920
		<b>Our Ref:</b>	HEDLAND

**PLATINUM LIABILITY - AMATEUR SPORTS & PERS. ACC.**

**Sporting Club:**  
Hedland Tri Sports Association Inc

**Sporting Activity:**  
Triathlons

**Premises:**  
Port Hedland, Western Australia, 6721

**Number of Members:**  
Up to 30

**Number of Coaches, Referees and Officials:**  
Up to 10

*Please note your premium has been calculated using the rating information detailed above. Should this information be incorrect please contact your broker immediately.*

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**Platinum Liability Amateur Sports Policy Schedule**

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**Wording: SUAPLA 1009**

**General Liability**

Limit of Indemnity for Part A	\$ 10,000,000
Property in your physical or legal control	\$ 500,000

Excess - Nil

**Professional Indemnity**

Limit of Indemnity for Part B	\$ 1,000,000
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Retroactive Date for Part B - The date the insured first held continuous Professional Indemnity cover or the inception date of this policy, whichever the earlier.

Excess - Nil

**Management Liability**

Limit of Indemnity for Part C	\$ 1,000,000
Optional Extensions	
Fidelity Cover	Not Insured
Pollution Defence Costs	Not Insured

Retroactive Date for Part C - The date the insured first held continuous Directors and Officers or Management Liability Insurance cover or the inception date of this policy, whichever the earlier.

Excesses - Directors and Officers Liability	\$ Nil
Fidelity	\$ 5,000 Each & Every Claim
Pollution Defence Costs	\$ 5,000 Each & Every Claim
All other claims	\$ 2,500 Each & Every Claim

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**Policy Endorsements**

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1. It is hereby declared and agreed that under Part C Management Liability, The Cover, insuring clause 1.c is deleted and replaced with the following;

**Schedule of Insurance**

Page 3 of 4

<b>Class of Policy:</b>	SPORTS INJURY & LIABILITY INSURANCE	<b>Policy No:</b>	SUA/006667
<b>The Insured:</b>	Hedland Tri Sports	<b>Invoice No:</b>	77920
		<b>Our Ref:</b>	HEDLAND

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**Sports Group Personal Accident Policy Schedule**

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**Wording: CLSUA PAS 0811**

**Schedule of Benefits****Capital Benefits**

Capital Benefit \$ 50,000 Per member  
 Death under 18 - 20%

**Weekly Benefits**

Loss of Earnings \$ 250 Per Week/7 Day Excess  
 Benefit Period 52 Weeks

Student Help

\$ 250 Per Week/7 Day Excess  
 Benefit Period 52 Weeks

Home Help

\$ 250 Per Week/7 Day Excess  
 Benefit Period 52 Weeks

**Additional Benefits**

- |                                    |   |
|------------------------------------|---|
| 1. Modification Expenses           | Up to \$10,000                          |
| 2. Funeral Expenses                | Up to \$5,000                           |
| 3. Parents Inconvenience Allowance | \$25 Per Day<br>Maximum Benefit \$1,500 |
| 4. Non Medicare Medical Costs      | 85% to maximum \$1,500<br>Excess \$50   |

Aggregate Limit of Liability - \$2,000,000

**Important Notice**

This contract of insurance has been arranged by Sports Underwriting Australia Pty Ltd as agents of the Insurer (Calliden Insurance Limited) under a binding authority issued by Calliden Insurance Limited.

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**GENERAL ADVICE WARNING**

AUSTRALIAN FINANCIAL SERVICES LICENCE NO: 342385

PSC Insurance Brokers (Aust) Pty Ltd is a registered General Insurance Broker authorised to Deal & Advise in Wholesale & Retail General Insurance Products in accordance with the terms of the licence provided by the Australian Securities & Investment Commission (ASIC).

GENERAL ADVICE NOTICE as required by the Financial Services Reform Act.

In delivering Retail Products to our Clients & arranging cover with insurers, we only provide a "General Advice" service without conducting a detailed "needs analysis" of each individual's personal or financial situation.

However the Retail Products we recommend in providing this General Advice service have all been subject to an extensive in-house review by our staff & they are only deemed acceptable if the insurer is:

- \* operating under the supervision of the Australian Prudential Regulation Authority; and
- \* the terms & conditions of cover & the insurer's claims service are both of an appropriate standard.

We are not agents of the Insurer and will be acting as your agent in all dealings with insurers.

**Schedule of Insurance**

Page 4 of 4

<b>Class of Policy:</b>	SPORTS INJURY & LIABILITY INSURANCE	<b>Policy No:</b>	SUA/006667
<b>The Insured:</b>	Hedland Tri Sports	<b>Invoice No:</b>	77920
		<b>Our Ref:</b>	HEDLAND

As a General Insurance Broker we have developed procedures to ensure that the terms of the cover under policies we recommend can be reviewed by each client & that any cover we arrange is in accordance with Client requirements on the factual information presented. However in recommending this product to you without a detailed needs analysis we cannot advise whether it is appropriate for your personal objectives, financial situation or needs.

That aspect needs to be addressed by each intending insured & it is therefore necessary that you read & understand the explanation of the cover contained in the attached Product Disclosure Statement & Policy Document and that you also read our Financial Services Guide.

As an intending insured, it is your responsibility to notify information & decide the following matters when arranging insurance or providing instructions to renew your policy:

**General Considerations**

- \* Description of the Item to be insured and any identifying number?
- \* Notification of the name of the Mortgagee or Financier with an interest in the property?
- \* Risk Situation - Single Location or anywhere in Australia?
- \* The sum to be insured to be based on the cost of replacement?
- \* The sum to be insured based on the actual present day (depreciated) value of the item?
- \* For what purpose if the item is used?
- \* The amount of any voluntary excess additional to the insurer's standard terms?
- \* The amount of cover required for Public Liability?

**COOLING OFF**

In accordance with Section 101B of the FSRA, you must have the right to return this policy & receive a full refund of the total premium & all charges. This request **MUST** be made within 14 days of the inception of this policy & does not apply should a claim have been made or the cover be for a period less than 30 days.

**CREDIT TERMS & PAYMENT**

Unless agreed otherwise, Credit Terms are strictly in accordance with the period specified on the invoice. If you fail to pay the full premium within the agreed period your cover will lapse unless we agree otherwise. The insurer will be entitled to a premium for the time held covered but you will be uninsured from the date your cover is cancelled. PSC Insurance Brokers (Aust) Pty Ltd does not accept any liability for cancelled policies outside of the credit terms.

**GOODS & SERVICES TAX**

If you are a business registered for GST purposes, you may be entitled to a claim an input tax credit in respect of the total GST payable under this policy. Only your accountant can confirm this matter to you.

**YOUR DUTY OF DISCLOSURE**

Before you enter into a Contract of general insurance with an Insurer, you have a duty under the Insurance Contracts Act 1984 to disclose to the Insurer every matter that you know, or could reasonably expect to know, is relevant to the Insurer's decision whether to accept the risk of Insurance, and if so, on what terms. You have the same duty to disclose those matters to the Insurer before you renew, extend, vary or reinstate a Contract of general insurance. Your duty however does not require disclosure of matter,

- That diminishes the risk to be undertaken by the Insurer;
- that is common knowledge;
- that your insurer knows or, in the ordinary course of business, ought to know; as to which the compliance with your duty is waived by the Insurer.

**NON-DISCLOSURE**

If you fail to comply with your duty of disclosure, the Insurer may be entitled to reduce the liability under the Contract in respect of a claim or may cancel the Contract.

If your non-disclosure is fraudulent, the Insurer may also have the option of avoiding the Contract from its beginning.

**DISPUTES WITH PSC INSURANCE BROKERS (AUST) PTY LTD**

Any client who is not fully satisfied with our services should contact our Complaints Officer. PSC Insurance Brokers (Aust) Pty Ltd is a member of the Financial Ombudsman Service (FOS). If your complaint can not be resolved to your satisfaction by us you have the right to refer the matter to FOS. FOS can be contacted on 1300 780 808.

ATTACHMENT 6 TO ITEM 11.3.1



Town of Port Hedland
Community Funding & Donations Application



Please submit completed form to council@porthedland.wa.gov.au

Section 1a: Applicant Details

Identify who is applying for this funding:

Individual Person [ ] Community Organisation [x] Not For Profit [ ]

Organisation/ Individual Name: Daniel Morcombe Foundation

Contact Person: [Redacted]

Position within Organisation: [Redacted]

Postal Address: [Redacted] Postcode: 6722

Telephone: [Redacted] Email: [Redacted]

Applicants are requested to complete ALL sections of the application form.

Section 1b: Organisation Details

Incorporated: Yes [ ] No [ ] Year of Incorporation:

If Yes, please attach a copy of your Certificate of Incorporation

ABN: [Redacted]

Registered for GST: Yes [ ] No [ ]

Section 1c: Public Liability Insurance

Does your organisation have Public Liability Insurance: Yes [ ] No [ ]

If No, are you/your organisation covered under another association (e.g. State Sporting Association)?

Yes [ ] No [ ] If yes, by who? [Redacted]

If No, will you/your organisation be obtaining cover for this event?

Yes [x] No [ ] If yes, by who? Action Insurance



# Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 1d: Authorisation

I certify that the information provided on this application is correct to the best of my knowledge.  
I am authorised to apply for funding on behalf on this community organisation/ individual.  
I understand that, if successful, funds can only be transferred to a bank account held in the name of the organisation/individual as detailed on this form and in Council resolution.  
If successful, I will acquit the funds before the end of the same financial year in which they were received.

Full name: [Redacted]

Signed: [Redacted]

Date: 18-8-14

### Section 2a: Application Details

What is the name of your Project / Event:

Day for Daniel Community Walk

Provide a brief outline of your project / event and what you would like to achieve.

The day for Daniel is a National day of action to raise awareness of child safety. To Educate children regarding their personal safety.

Outline how ToPH funding will specifically be used.

Set up costs - advertising, printing, Jumping castle, face painting, red balloons, Helium. Safety costs - lighting, food licencing, Barricades, insurance

Has this project or event previously been supported by the Town's Funding & Donations Policy?

Yes  No

If Yes, in which year? \_\_\_\_\_

Please provide details: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# Town of Port Hedland

## Community Funding & Donations Application



Please submit completed form to [council@portheadland.wa.gov.au](mailto:council@portheadland.wa.gov.au)

### Section 2b: Type of Community Support

Which type(s) of community support are you seeking (refer to policy 6/003):

Establishment Funding (max \$2,000 cash)	✓
Periodical Funding* (max \$1,000 cash)	
In-kind Contributions (e.g. bins, vehicle usage, mowing, etc)	
Waiver of Fees (e.g. venue hire, entry fees, etc)	
Development of Talented Local People (max \$500)	

\* when applying for periodical funding, provide evidence of 50% cash contribution from applicant organisation.

Details of funds from applicant (those you are providing): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*If waiver of fees are requested, please attach quote from venue detailing exact costs and showing availability for the required date and time. Without this quote/cost estimate, the application cannot be considered.*

### Section 2c: Funding Details

Detail the amount of each type of funding requested from contributing parties:

	Requested from ToPH	Contributed by Applicant	Contributed by Other Funding Sources
Cash (max \$2,000 from ToPH)	\$ 1,500	utensils, merchandise donation hrs \$ stage-mike	woolies sausage sizzle \$ water
Venue fees funded	\$	\$	\$
In-kind contributions*	\$	\$	\$
Total (max \$5,000 by ToPH)	\$	\$	\$

\* refer to Policy 6/003 for eligible criteria and provide details of in-kind requested (i.e. bins, vehicle usage, mowing, etc)

### Section 3: Recognition

Detail how the funding / support from the Town of Port Hedland will be recognised :

flyers - printouts · social media - Banner?  
 thanked on the day  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



## Town of Port Hedland

### Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

#### Section 4: Application Criteria / Checklist

Please ensure the application meets all criteria below:

- a. *Applicant has read, understood and acknowledged the conditions and eligibility requirements contained in Policy 6/003 'Community Funding & Donations'*
- b. *Information provided meets the requirements of this Policy*
- c. *The event /project will make a positive contribution to the Hedland community*
- d. *The applicant certifies that they are authorised to apply for Town of Port Hedland support and represent the applicant organisation*
- e. *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*
- f. *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*
- g. *The applicant has assessed their level of resource contribution, relative to their capacity, and has assessed the accessibility of funds allocation from other parties/ sources.*

Town of Port Hedland & Woolworths

Proudly supporting



Get red, Red, READY for our

Walk for Daniel

Saturday the 1<sup>st</sup> of November

Event commences 3pm

Cemetery beach park

Finish at 6.30pm

**Sausage sizzle- face painting, jumping castle, helium balloons, Prizes for the person wearing the most red Special guest speaker. & much more.**

Come along and support this fun family event - while raising awareness on child safety. All proceeds raised will be donated to the morcombe foundation.

[dayfordaniel.com.au](http://dayfordaniel.com.au)

Example of flyer



ATTACHMENT 7 TO ITEM 11.3.1



# Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 1a: Applicant Details

Identify who is applying for this funding:

Individual Person  Community Organisation  Not For Profit

Organisation/ Individual Name: Port Hedland Softball Association

Contact Person: [Redacted]

Position within Organisation: President

Postal Address: [Redacted] Postcode: 6722

Telephone: [Redacted] Email: [Redacted]@hotmail.com

*Applicants are requested to complete ALL sections of the application form.*

### Section 1b: Organisation Details

Incorporated: Yes  No  Year of Incorporation:

*If Yes, please attach a copy of your Certificate of Incorporation*

ABN: \_\_\_\_\_

Registered for GST: Yes  No

### Section 1c: Public Liability Insurance

Does your organisation have Public Liability Insurance: Yes  No

If No, are you/your organisation covered under another association (e.g. State Sporting Association)?

Yes  No  If yes, by who? Softball Western Australia

If No, will you/your organisation be obtaining cover for this event?

Yes  No  If yes, by who? \_\_\_\_\_



# Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 1d: Authorisation

I certify that the information provided on this application is correct to the best of my knowledge.  
I am authorised to apply for funding on behalf on this community organisation/ individual.  
I understand that, if successful, funds can only be transferred to a bank account held in the name of the organisation/individual as detailed on this form and in Council resolution.  
If successful, I will acquit the funds before the end of the same financial year in which they were receive.

Full name: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: 22/09/2014

### Section 2a: Application Details

What is the name of your Project / Event:

North West Softball Championship

Provide a brief outline of your project / event and what you would like to achieve.

Reduce cost for travelling teams.  
- accomodation for 6 x umpires ~~for~~ travelling from Perth  
+ (badged umpires) + estimated accomodation \$3,500  
- food and disbursements associated with travelling umpires

Outline how ToPH funding will specifically be used.

Has this project or event previously been supported by the Town's Funding & Donations Policy?

Yes  No

If Yes, in which year? \_\_\_\_\_

Please provide details: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 2b: Type of Community Support

Which type(s) of community support are you seeking (refer to policy 6/003):

Establishment Funding (max \$2,000 cash)	✓
Periodical Funding* (max \$1,000 cash)	
In-kind Contributions (e.g. bins, vehicle usage, mowing, etc)	
Waiver of Fees (e.g. venue hire, entry fees, etc)	
Development of Talented Local People (max \$500)	

\* when applying for periodical funding, provide evidence of 50% cash contribution from applicant organisation.

Details of funds from applicant (those you are providing): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If waiver of fees are requested, please **attach quote** from venue detailing exact costs and showing availability for the required date and time. **Without this quote/cost estimate, the application cannot be considered.**

### Section 2c: Funding Details

Detail the amount of each type of funding requested from contributing parties:

	Requested from ToPH	Contributed by Applicant	Contributed by Other Funding Sources
Cash (max \$2,000 from ToPH)	\$ 2,000	Softball Assoc \$ 7,500	Softball WA \$ TBA Approx \$5,000
Venue fees funded	\$ In-kind ToPH	\$	\$
In-kind contributions*	\$	\$	\$
Total (max \$5,000 by ToPH)	\$ 2,000	\$ 7,500	\$ TBA \$5,000

\* refer to Policy 6/003 for eligible criteria and provide details of in-kind requested (i.e. bins, vehicle usage, mowing, etc)

### Section 3: Recognition

Detail how the funding / support from the Town of Port Hedland will be recognised :

• logos on promotional material  
 • signage at the event

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



## Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 4: Application Criteria / Checklist

Please ensure the application meets all criteria below:

- a. *Applicant has read, understood and acknowledged the conditions and eligibility requirements contained in Policy 6/003 'Community Funding & Donations'*
- b. *Information provided meets the requirements of this Policy*
- c. *The event /project will make a positive contribution to the Hedland community*
- d. *The applicant certifies that they are authorised to apply for Town of Port Hedland support and represent the applicant organisation*
- e. *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*
- f. *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*
- g. *The applicant has assessed their level of resource contribution, relative to their capacity, and has assessed the accessibility of funds allocation from other parties/ sources.*

ATTACHMENT 8 TO ITEM 11.3.1



Town of Port Hedland  
Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

Section 1a: Applicant Details

Identify who is applying for this funding:

Individual Person  Community Organisation  Not For Profit

Organisation/ Individual Name: ROSE POWERS EARLY LEARNING CENTRE

Contact Person: [Redacted]

Position within Organisation: CENTRE DIRECTOR

Postal Address: [Redacted] Postcode: 6722

Telephone: [Redacted] Email: COORDINATOR@ROSEPOWERS.ORG.AU

Applicants are requested to complete ALL sections relevant to their application.

Section 1b: Organisation Details

Incorporated: Yes  No  Year of Incorporation: \_\_\_\_\_

If Yes, please attach a copy of your Certificate of Incorporation

ABN: 699 569 115 79

Registered for GST: Yes  No

Section 1c: Public Liability Insurance

Does your organisation have Public Liability Insurance: Yes  No

If No, are you/your organisation covered under another association (e.g. State Sporting Association)?

Yes  No  If yes, by who? \_\_\_\_\_

If No, will you/your organisation be obtaining cover for this event?

Yes  No  If yes, by who? \_\_\_\_\_



# Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 2b: Type of Community Support

Which type(s) of community support are you seeking (refer to policy 6/003):

Establishment Funding (max \$2,000 cash)	\$ 2,000
Periodical Funding* (max \$1,000 cash)	
In-kind Contributions	\$ 3,000
Waiver of Fees	
Development of Talented Local People (max \$500)	

\* provide evidence of 50% cash contribution from applicant organisation.

Details of funds from applicant: Rose Nomers will provide free child care positions for 4 children for 26 weeks.

### Section 2c: Funding Details

Detail the amount of each type of funding requested from contributing parties:

	Contributed by Applicant	Contributed by Other Funding Sources	Requested to be contributed by ToPH
Cash (max \$2,000 by ToPH)	\$ 10,276.00	\$ 5,000	\$ 2,000
Venue fees funded	\$	\$	\$
In-kind contributions*	\$	\$	\$ 3,000
<b>Total (max \$5,000 by ToPH)</b>	<b>\$</b>	<b>\$</b>	<b>\$ 5,000</b>

\* refer to Policy 6/003 for eligible criteria and provide details of in-kind requested (i.e. bins, vehicle usage, mowing, etc)

### Section 3: Recognition

Detail how the funding / support from the Town of Port Hedland will be recognised :

• ROSE NOMERS WILL ACKNOWLEDGE TOPH'S CONTRIBUTION IN CENTRE'S NEWSLETTER AND LOCAL NEWSPAPER.



# Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 1d: Authorisation

I certify that the information provided on this application is correct to the best of my knowledge and that I am authorised to apply for funding on behalf on this community organisation/ individual. If successful, I will acquit the funds received before the end of the financial year in which they were received.

Full name:

[Redacted signature]

Date: 25.08.14

Signed:

### Section 2a: Application Details

What is the name of your Project / Event:

TITALKA BOPEDA C... PROJECT

Provide a brief outline of your project / event and what you would like to achieve.

Please, see attachment at the back of this form

Outline how ToPH funding will specifically be used.

Please, find supporting information at the back of this form

Has this project or event previously been supported by the Town's Funding & Donations Policy?

Yes

No

If Yes, in which year?

2014

Please provide details:

\_\_\_\_\_



## Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 4: Application Criteria / Checklist

Please ensure the application meets all criteria below:

- a. Applicant has read, understood and acknowledged the conditions and eligibility requirements contained in Policy 6/003 'Community Funding & Donations'
- b. The positive contribution the event or project will make to the Hedland community
- c. The information requested meets the requirements of this policy
- d. The applicant certifies within the application that they are authorised to apply for Town of Port Hedland support and to represent the applicant organisation
- e. 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
- f. 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
- g. 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.



**Town of Port Hedland Community Funding & Donations Application****Provide a brief outline of your project/ event and what you would like to achieve:**

On a daily/ weekly basis, families call the centre to advise us of children who are absent due to a different array of reasons: holidays, sick and etc. The goal of the project is to be able to offer at least 2 places (in either bb's, toddler's or and kindy's room on each visit) to Tjalkaboorda children on each of our visit to the community which will be twice a week at least. The plan is to (on a daily basis), at around 8 am, arrive at Rose Nowers child care centre and assess our situation in relation to staffing availability and vacant positions. Once capacity is figured out, RN will drive a light rigid vehicle to 3 miles community (a minimum of two times a week- most likely on Mondays and Fridays to collect children to attend day care on that particular day. Between 3 to 5 pm, children will be driven back to their families whilst take home with them an appetizing nutritiously balance cold packed meal for their dinner. This way we can guarantee 52 (or 104 children if we run the project for 6months) will benefit from accessing a full day of healthy eating. Care provision will be offered on an availability / casual basis. Enrolments would have to be organized prior to commencement of attendance of our service. Rose Nowers hopes to partnership with Local Indigenous Community Links officers to obtain support within this administrative process. Rose Nowers will put extra efforts into identifying IBN/Ashburton/Gumala members within 3 miles community, so we are able to link beneficiaries to access financial support from their aboriginal group trusts in case they wish to access permanent care with Rose Nowers Early Learning Centre.

This project will benefit the community (children and families) in the following areas as children (and families) will:

- experience structured and spontaneous culturally appropriate educational activities,
- participate in routine,
- engage in a safe environment where they can build trusting and loving relationships with other children and educators,
- access to learning experiences which promotes Social, Emotional, Physical and Cognitive development,
- engaging in school readiness program,
- have appropriate resting opportunity,
- access 4 appetising and nutritious meals (breakfast, lunch, wake up snack and cold packed supper to be taken home)
- benefit from respite opportunity (parents and relatives)

**Outline how TOPH funding will be specifically used**

In kind contribution: a medium size vehicle (SVU or bigger) is required to transport 2 to 4 children and a driver from Tjalkaka Boora community and from Rose Nowers back to their community. We need to access any means of transportation on the following days and times:

- Mondays and Fridays from 8 am to 10am, and
- Mondays and Fridays from 3 pm to 5 pm

The project will be delivered from 5 February 2015 to 4 July 2015 (26 weeks- 6 months period).

**Establishment funding:** The establishment funding (\$2,000 cash) will be utilized towards covering partial cost of the following items:

AREAS	PERIOD	INDIVIDUAL COST	TOTAL	
Driver labour	4 hr/week x26 weeks= 104 hours	\$40	\$4,160	
			ATLAS GRANT: \$2,160	TOPH contribution: \$2,000

**Detail how the funding/support from the Town of Port Hedland will be recognised:**

Rose Nowers will acknowledge TOPH's contribution in centre's newsletter and produce a media release for distribution to local media.

**Rose Nowers Early Learning Centre background information**

Rose Nowers Early Learning Centre is a non-for-profit Multifunctional Aboriginal Children's Service providing care to children aged 0-6. We are licensed to have up to 42 children a day and they are allocated in three different age group BABY (0-2), TODDLER (2-3) and KINDY (3-6). Priority of access is given to Aboriginal, Torres Strait Islander and children at risk (families). We provide culturally appropriate structured educational experiences, scaffold children's cognitive, social, emotional, physical creative development at very low cost. We prioritise place to children referred from agencies such as: DCP, Wirraka Maya Social and Emotional Wellbeing Centre, Bloodwood Tree, etc. We partnership with local aboriginal trusts to financially support families to be able to access care in Rose Nowers and are very flexible towards offering assistance to those families struggling and requiring care with us.

ATTACHMENT 9 TO ITEM 11.3.1



# Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

## Section 1a: Applicant Details

Identify who is applying for this funding:

Individual Person

Community Organisation

Not For Profit

Organisation/ Individual Name: JaBaT Dance

Contact Person: [REDACTED]

Position within Organisation: Chairperson

Postal Address: [REDACTED] Postcode: 6721

Telephone: [REDACTED] Email: [dandsvadala@bigpond.com](mailto:dandsvadala@bigpond.com)

*Applicants are requested to complete ALL sections of the application form.*

## Section 1b: Organisation Details

Incorporated: Yes  No  Year of Incorporation: 2009

*If Yes, please attach a copy of your Certificate of Incorporation*

ABN: 71803832200

Registered for GST: Yes  No

## Section 1c: Public Liability Insurance

Does your organisation have Public Liability Insurance: Yes  No

If No, are you/your organisation covered under another association (e.g. State Sporting Association)?

Yes  No  If yes, by who? \_\_\_\_\_

If No, will you/your organisation be obtaining cover for this event?

Yes  No  If yes, by who? \_\_\_\_\_



## Town of Port Hedland

### Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

#### Section 1d: Authorisation

*I certify that the information provided on this application is correct to the best of my knowledge.  
I am authorised to apply for funding on behalf on this community organisation/ individual.  
I understand that, if successful, funds can only be transferred to a bank account held in the name of the organisation/individual as detailed on this form and in Council resolution.  
If successful, I will acquit the funds before the end of the same financial year in which they were received.*

Full name: \_\_\_\_\_

Signed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ *Wadala* \_\_\_\_\_

Date: 26/8/14

#### Section 2a: Application Details

What is the name of your Project / Event:

2014 End of year Concert at The Matt Dann 22/11/14

Provide a brief outline of your project / event and what you would like to achieve.

We hope to provide our families and the community an uniquely entertaining concert performance showcasing the students talents, both individual and as a whole school.

Our School is an Accredited School, having just held exams where our

students displayed an exceptionally high standard of skills

Outline how ToPH funding will specifically be used.

Funding will go towards the Photography and videography of our students.

This will allow our students to add to their dance portfolios,

becoming memorable keepsakes for years to come.

Has this project or event previously been supported by the Town's Funding & Donations Policy?

Yes

No

If Yes, in which year? \_\_\_\_\_

Please provide details: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



## Town of Port Hedland

### Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

#### Section 2b: Type of Community Support

Which type(s) of community support are you seeking (refer to policy 6/003):

Establishment Funding (max \$2,000 cash)	x
Periodical Funding* (max \$1,000 cash)	
In-kind Contributions (e.g. bins, vehicle usage, mowing, etc)	
Waiver of Fees (e.g. venue hire, entry fees, etc)	
Development of Talented Local People (max \$500)	

\* when applying for periodical funding, provide evidence of 50% cash contribution from applicant organisation.

Details of funds from applicant (those you are providing):

Fundraising has been collect from events such as the raffle we held at The Spinx Spree  
Cupcake Stall. Countless hours of committe and parent man-hours and donations

*If waiver of fees are requested, please attach quote from venue detailing exact costs and showing availability for the required date and time. Without this quote/cost estimate, the application cannot be considered.*

#### Section 2c: Funding Details

Detail the amount of each type of funding requested from contributing parties:

	Requested from ToPH	Contributed by Applicant	Contributed by Other Funding Sources
Cash (max \$2,000 from ToPH)	2000	2000	12000
Venue fees funded	\$	\$	\$
In-kind contributions*	\$	\$	\$
Total (max \$5,000 by ToPH)	\$	\$	\$

\* refer to Policy 6/003 for eligible criteria and provide details of in-kind requested (i.e. bins, vehicle usage, mowing, etc)

#### Section 3: Recognition

Detail how the funding / support from the Town of Port Hedland will be recognised :

Recognition will be in our printed programs available on the night.

Advertising on the radio and facebook

The speech at the end of the concerts

Speeches at the awards presentation Sunday 23/11/14



## Town of Port Hedland

### Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

#### Section 4: Application Criteria / Checklist

Please ensure the application meets all criteria below:

- |   |                                     |
|---|-------------------------------------|
| a. Applicant has read, understood and acknowledged the conditions and eligibility requirements contained in Policy 6/003 'Community Funding & Donations'  | <input checked="" type="checkbox"/> |
| b. Information provided meets the requirements of this Policy   | <input checked="" type="checkbox"/> |
| c. The event /project will make a positive contribution to the Hedland community  | <input checked="" type="checkbox"/> |
| d. The applicant certifies that they are authorised to apply for Town of Port Hedland support and represent the applicant organisation  | <input checked="" type="checkbox"/> |
| e. 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      | <input checked="" type="checkbox"/> |
| f. 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 | <input checked="" type="checkbox"/> |
| g. The applicant has assessed their level of resource contribution, relative to their capacity, and has assessed the accessibility of funds allocation from other parties/ sources.                 | <input checked="" type="checkbox"/> |



ASIC

Australian Securities & Investments Commission

Association



JABAT DANCE INCORPORATED

Extracted from ASIC's database at AEST 16:51:49 on 27/08/2014

#### Association Summary

Name: JABAT DANCE INCORPORATED
ABN:
Registration Number: A1011455P
Registered State: Western Australia
Registration Date: 23/03/2009
Status: Registered
Type: Associations
Regulator: Department of Commerce, Western Australia

## ATTACHMENT 10 TO ITEM 11.3.1

	<b>Town of Port Hedland</b> <b>Community Funding &amp; Donations Application</b>	
<i>Please submit completed form to <a href="mailto:council@porthedland.wa.gov.au">council@porthedland.wa.gov.au</a></i>		
<b>Section 1a: Applicant Details</b>		
<i>Identify who is applying for this funding:</i>		
Individual Person <input type="checkbox"/>	Community Organisation <input checked="" type="checkbox"/>	Not For Profit <input type="checkbox"/>
Organisation/ Individual Name: <u>Hedland Camera Club</u>		
Contact Person: <u>[REDACTED]</u>		
Position within Organisation: <u>President</u>		
Postal Address: <u>[REDACTED]</u>		Postcode: <u>6722</u>
Telephone: <u>[REDACTED]</u>	Email: <u><a href="mailto:hedlandcameraclub@gmail.com">hedlandcameraclub@gmail.com</a></u>	
<i>Applicants are requested to complete ALL sections of the application form.</i>		
<b>Section 1b: Organisation Details</b>		
Incorporated: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Year of Incorporation: <u>2014</u>	
<i>If Yes, please attach a copy of your Certificate of Incorporation</i>		
ABN: _____		
Registered for GST: _____ No		
<b>Section 1c: Public Liability Insurance</b>		
Does your organisation have Public Liability Insurance:		No
If No, are you/your organisation covered under another association (e.g. State Sporting Association)?		
Yes	If yes, by who?	<u>Western Australia Photography Federation</u>
If No, will you/your organisation be obtaining cover for this event?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	If yes, by who? _____
<b>Section 1d: Authorisation</b>		
<i>I certify that the information provided on this application is correct to the best of my knowledge.</i>		
<i>I am authorised to apply for funding on behalf of this community organisation/ individual.</i>		
<i>I understand that, if successful, funds can only be transferred to a bank account held in the name of the organisation/individual as detailed on this form and in Council resolution.</i>		
<i>If successful, I will acquit the funds before the end of the same financial year in which they were received.</i>		
Full name: <u>[REDACTED]</u>		
Signed: _____		Date: <u>26/08/14</u>
<b>Section 2a: Application Details</b>		
What is the name of your Project / Event:		
<u>Hedland Camera Club Workshops</u>		
Provide a brief outline of your project / event and what you would like to achieve.		
<u>HCC is a new and up coming group which offers the community an opportunity to become a member</u>		
<u>of a local club that encourages positive interaction. It's a place where everyone can share their</u>		
<u>knowledge, develop and learn from each other in a friendly fun atmosphere.</u>		

Outline how ToPH funding will specifically be used.

The funding will greatly help to support our newly formed club operate. Firstly ongoing room hire cost.

Secondly We would like to deliver community workshops by professional photographers which is a significant cost due to our location. We want to see our club put Hedland on the map and rival other clubs with ou

Has this project or event previously been supported by the Town's Funding & Donations Policy?

Yes  No

If Yes, in which year? \_\_\_\_\_

Please provide details: \_\_\_\_\_

### Section 2b: Type of Community Support

Which type(s) of community support are you seeking (refer to policy 6/003):

Establishment Funding (max \$2,000 cash)	\$2000
Periodical Funding* (max \$1,000 cash)	
In-kind Contributions (e.g. bins, vehicle usage, mowing, etc)	
Waiver of Fees (e.g. venue hire, entry fees, etc)	
Development of Talented Local People (max \$500)	

\* when applying for periodical funding, provide evidence of 50% cash contribution from applicant organisation.

Details of funds from applicant (those you are providing): \_\_\_\_\_

We have current 54 members with membership costing \$50 yearly and renewal \$35. At current we have \$1200 to support the ongoing cost of running the club.

*If waiver of fees are requested, please attach quote from venue detailing exact costs and showing availability for the required date and time. Without this quote/cost estimate, the application cannot be considered.*

### Section 2c: Funding Details

Detail the amount of each type of funding requested from contributing parties:

	Requested from ToPH	Contributed by Applicant	Contributed by Other Funding Sources
Cash (max \$2,000 from ToPH)	\$2000.00	\$1200.00	\$
Venue fees funded	\$	\$	\$
In-kind contributions*	\$	\$	\$
Total (max \$5,000 by ToPH)	\$	\$	\$

\* refer to Policy 6/003 for eligible criteria and provide details of in-kind requested (i.e. bins, vehicle usage, mowing, etc)

### Section 3: Recognition

Detail how the funding / support from the Town of Port Hedland will be recognised :

We will promote Town Of Port Hedland funding/support via our Webpage, Facebook page, Member packs promotional material and recognise at the workshops made possible with the funding.



**Section 4: Application Criteria / Checklist**

Please ensure the application meets all criteria below:

- a. *Applicant has read, understood and acknowledged the conditions and eligibility requirements contained in Policy 6/003 'Community Funding & Donations'*
  - b. *Information provided meets the requirements of this Policy*
  - c. *The event /project will make a positive contribution to the Hedland community*
  - d. *The applicant certifies that they are authorised to apply for Town of Port Hedland support and represent the applicant organisation*
  - e. *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*
  - f. *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*
  - g. *The applicant has assessed their level of resource contribution, relative to their capacity, and has assessed the accessibility of funds allocation from other parties/ sources.*
-

ATTACHMENT 11 TO ITEM 11.3.1



Town of Port Hedland
Community Funding & Donations Application



Please submit completed form to council@porthedland.wa.gov.au

Section 1a: Applicant Details

Identify who is applying for this funding:

Individual Person [ ] Community Organisation [ ] Not For Profit [x]

Organisation/ Individual Name: Treloar Child Care Centre Inc

Contact Person: [Redacted]

Position within Organisation: Centre Director

Postal Address: [Redacted] Postcode: 6722

Telephone: [Redacted] Email: treloardirector@westnet.com.au

Applicants are requested to complete ALL sections of the application form.

Section 1b: Organisation Details

Incorporated: Yes [x] No [ ] Year of Incorporation: 1986 1994

If Yes, please attach a copy of your Certificate of Incorporation

ABN: 21313057807

Registered for GST: Yes [x] No [ ]

Section 1c: Public Liability Insurance

Does your organisation have Public Liability Insurance: Yes [x] No [ ]

If No, are you/your organisation covered under another association (e.g. State Sporting Association)?

Yes [ ] No [ ] If yes, by who? [ ]

If No, will you/your organisation be obtaining cover for this event?

Yes [ ] No [ ] If yes, by who? [ ]



## Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 1d: Authorisation

*I certify that the information provided on this application is correct to the best of my knowledge.*

*I am authorised to apply for funding on behalf on this community organisation/ individual.*

*I understand that, if successful, funds can only be transferred to a bank account held in the name of the organisation/individual as detailed on this form and in Council resolution.*

*If successful, I will acquit the funds before the end of the same financial year in which they were receive.*

Full name:

[REDACTED]

Signed:

[REDACTED]

Date: 25-8-14

### Section 2a: Application Details

What is the name of your Project / Event:

2014 Childrens Christmas Party

Provide a brief outline of your project / event and what you would like to achieve.

Due to the huge success of last years Children's Christmas Party, we would again like to use the JO Hardie Centre as a venue for our Annual event.

The event usually attracts over eighty local families using the service.

Outline how ToPH funding will specifically be used.

To cover costs of hiring the JO Hardie Centre on Sunday 23<sup>rd</sup> November 2014.

Has this project or event previously been supported by the Town's Funding & Donations Policy?

Yes

No

If Yes, in which year?

Please provide details:

2013 Children's Christmas Party.  
Re: cost of hiring venue.



## Town of Port Hedland

### Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

#### Section 2b: Type of Community Support

Which type(s) of community support are you seeking (refer to policy 6/003):

Establishment Funding (max \$2,000 cash)	
Periodical Funding* (max \$1,000 cash)	
In-kind Contributions (e.g. bins, vehicle usage, mowing, etc)	
Waiver of Fees (e.g. venue hire, entry fees, etc)	✓
Development of Talented Local People (max \$500)	

\* when applying for periodical funding, provide evidence of 50% cash contribution from applicant organisation.

Details of funds from applicant (those you are providing): \_\_\_\_\_

If waiver of fees are requested, please **attach quote** from venue detailing exact costs and showing availability for the required date and time. **Without this quote/cost estimate, the application cannot be considered.**

#### Section 2c: Funding Details

Detail the amount of each type of funding requested from contributing parties:

	Requested from ToPH	Contributed by Applicant	Contributed by Other Funding Sources
Cash (max \$2,000 from ToPH)	\$	\$	\$
Venue fees funded	\$ 709.10	\$	\$
In-kind contributions*	\$	\$	\$
<b>Total (max \$5,000 by ToPH)</b>	\$	\$	\$

\* refer to Policy 6/003 for eligible criteria and provide details of in-kind requested (i.e. bins, vehicle usage, mowing, etc)

#### Section 3: Recognition

Detail how the funding / support from the Town of Port Hedland will be recognised :

- included on Invitations to families
- article in local newspaper.
- centre newsletter

ASSOCIATIONS INCORPORATION ACT 1987  
SECTION 9(1)

Registered No. 1604344

Certificate of Incorporation

This is to certify that

KREIGAR CHILD CARE CENTRE INCORPORATED

has this day been incorporated under the  
Associations Incorporation Act 1987

Dated this 12th day of December 1984



FOR THE COMMISSIONER FOR CORPORATE AFFAIRS



## Town of Port Hedland

### Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

#### Section 4: Application Criteria / Checklist

Please ensure the application meets all criteria below:

- a. *Applicant has read, understood and acknowledged the conditions and eligibility requirements contained in Policy 6/003 'Community Funding & Donations'*
- b. *Information provided meets the requirements of this Policy*
- c. *The event /project will make a positive contribution to the Hedland community*
- d. *The applicant certifies that they are authorised to apply for Town of Port Hedland support and represent the applicant organisation*
- e. *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*
- f. *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*
- g. *The applicant has assessed their level of resource contribution, relative to their capacity, and has assessed the accessibility of funds allocation from other parties/ sources.*

**Treloar Director**

---

**From:** [REDACTED]  
**Sent:** Monday, 25 August 2014 10:14 AM  
**To:** [treloardirector@westnet.com.au](mailto:treloardirector@westnet.com.au)  
**Subject:** JD Hardie Booking Quotation  
**Attachments:** Treloar quotation.pdf; JD Hardie Booking Form.pdf

Hi Kelly,

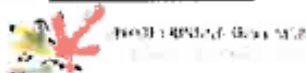
Please find attached quotation for Treloar booking at the JD Hardie Centre.

I have attached a booking form so if you are happy with the quotation if you could kindly complete the booking form and we will get this booked into the calendar

Thankyou for your patience and have a wonderful day ☺



[REDACTED]  
Program Development and Operations Officer  
JD Hardie Youth Zone  
Lot 5991 Cottier Drive, South Hedland W.A  
Ph: (08) 9158 9387 Fax: (08) 9140 1488  
Email: [jdhycc5@porthedland.wa.gov.au](mailto:jdhycc5@porthedland.wa.gov.au)  
Web: [www.idhardie.com](http://www.idhardie.com)



Visit our new and improved [website](#) and follow the link to download our app!!

#### Privacy and Confidentiality Notice

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This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

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### Town of Port Hedland Quotation



**From:** [Redacted]

**Debtor No.:** \_\_\_\_\_

**Name:** Treloar Day Care

<b>Address:</b>	_____	
<b>Tel:</b>	_____	<b>Contact:</b> <u>[Redacted]</u>
<b>Fax:</b>	_____	<b>Email:</b> <a href="mailto:treloar@porthedland.wa.gov.au">treloar@porthedland.wa.gov.au</a>
<b>Mobile:</b>	_____	

**Amount:** \$709.10 GST inc ✓

**Account No.:** 1104352 (Casual Hire) **Charge Type:** \_\_\_\_\_  
*Office use only*

**Details:**

**Facility Hired:** Stadium Hall, Staff Hire (Duty Manager & L1) & Equipment Setup (Kidz Club)

**Cost per/hr:** (Stadium Hall) \$46.60 (Staff Hire) \$134.60 & (Equipment Setup) \$150.00

**Date:** Sunday 22nd November

**Times:** 10-12:30am

**No. of hrs.:** 2.5hrs- Stadium Hall (\$116.50) 3.5hrs- Staff L3 (\$271.60) 3.5hrs- Staff L1 (\$171.00)

**Total:** \$709.10

**Authorising Officer:** \_\_\_\_\_

**Date:** \_\_\_\_\_



# Venue Hire Booking Form



JD Hardie Youth Zone PHONE: (08) 9158 9380  
 Cottler Drive, Lot 5991 FAX: (08) 9140 1488  
 South Hedland Email: jdhyzs@porthedland.wa.gov.au

**Applicant Details**

Name [Redacted]  
 Organisation Treloar Child Care  
 Address 4 Treloar Close  
 Phone [Redacted]  
 Fax [Redacted]  
 Email treloardirector@westnet.com.au

**Description**

(e.g. workshop, sporting club, concert etc.)  
Childrens Christmas Party.

**Organisation Category**

Community   
 Commercial   
 Concession

**Purpose**

(e.g. fundraiser, training)

**Facility required (please tick)**

Performing Arts  Youth Lounge  Music Rehearsal Room   
 Stadium  Art & Design Room  Music Recording Room (Technician & Equipment Included)   
 Conference Room  Exclusive Use (12hrs)  Kitchen   
 Outdoor Courts

**Equipment required**

No. of chairs 30 Projector & Screen  Kids club equipment   
 No. of tables 4 Whiteboard  Tea and Coffee   
 Number of people \_\_\_\_\_ Portable PA system

Please draw specific table and chair arrangement here if required

**Date/s (If ongoing booking**

start & finish date are required)

Start 22-11-14  
 End 23-11-14

**Times\* (including setup and set-down)**

Start 9:00 (10-12-30)  
 Finish 1:30

\* If you require a time-slot past 8pm, bookings need to be made 3 weeks prior to booking date.

Have you provided Public Liability Insurance? Yes/ No

*Public liability insurance is mandatory for all events organised by sporting clubs, associations, incorporated bodies and any events designed to make a profit. The insurance cover must be to the value of \$10 million and must note the ToPH as an interested party. Hirers must provide the ToPH with copies of their current insurance policy at the time of submitting this application. If the event is a private function booked under a personal name, public liability insurance is not required.*

**Declaration**

As the hirer or on behalf of the hirer, I confirm the above details and have read and agree to comply with the terms and conditions overleaf.

Signature [Redacted]

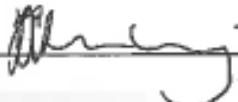
Date 25-8-14

OFFICE USE ONLY			
<input type="checkbox"/> Date of availability checked	HOURS	RATE	FEE
<input type="checkbox"/> Booking confirmed with client		/hr.	\$
<input type="checkbox"/> Booking uploaded to JDYz calendar		/hr.	\$
<input type="checkbox"/> Request for Invoice	Bond		\$
	Total fee		\$
For internal ToPH Bookings please state:		Processing Officer _____	
GL Code _____	Bond Refund Amount \$		Received sign/ date:
Name of GL account _____	Paid in full on:		Invoice Request created (y/n) :
From _____			

## Terms and Conditions

<p>1. All hire fees and bond deposits are to be paid in accordance with Council's standard fees and charges (as amended each year) prior to the function and after approval being granted.</p>	<p>2. All required keys are to be picked up at an arranged time with the JD Hardie Staff and are to be returned on the next working day after the hire date, unless approved otherwise.</p>	<p>3. If the keys are not returned within 7 days of the completion of the event date, locks will be replaced and the cost deducted from the applicant's bond. If charges are higher than the bond, the applicant will be invoiced.</p>
<p>4. Toilet facilities remain available to all patrons of the centre during open hours.</p> <p>7. It is up to the hirer to immediately notify Council of any pre-existing damages, rubbish or unclean areas prior to the event, otherwise it will be to the hirers account.</p>	<p>5. Abusive or unruly behaviour towards other users of the facility or members of staff will result in immediate expulsion from the Centre, with no return of hire fees.</p> <p>8. Any damages are to be promptly reported to the JD Hardie Centre staff. Damages by function organisers, participants or spectators will be deducted from any bonds paid, if charges are higher the applicant will be invoiced.</p>	<p>6. JD Hardie Centre staff will only refund bonds and deposits in full or part after inspections of the venue.</p> <p>9. It is the responsibility of the venue hirer to control all activities and participants and to have sufficient committee members, Police or security persons on hand to adequately control the function and to take action if required.</p>
<p>10. The venue must be left in a clean and tidy state including toilets, kitchen and all rooms utilised. Decorations and any associated rubbish must be removed.</p>	<p>11. JD Hardie Centre will arrange for the delivery and collection of further bins for rubbish created by the event or function if advised. Charges apply for extra bins. The security of the bins is the organisers' responsibility and any damaged or stolen bins are to be paid for by the organisers.</p>	<p>12. The smaller bins are not to be allowed to overflow by the organisers and are to be emptied into the bins as necessary, and at the completion of each day of the event or function. Any cost incurred by the JD Hardie Centre for non-compliance with this condition will be recouped from the bond.</p>
<p>13. Alcohol is strictly prohibited. If any persons are found in possession of alcohol, they will be asked to dispose of it or leave. It is the hirers duty to enforce this rule on persons under their responsibility.</p>	<p>14. Smoking is prohibited within the centre, this will result in immediate expulsion and cleaning fees from the bond.</p>	<p>15. It is up to the hirer to comply with all noise regulations and to limit their effect on neighbouring properties.</p>
<p>16. JD Hardie Centre staff reserve the right to access all areas of the centre at any time, however will endeavour to keep disruptions to a minimum.</p>	<p>17. All equipment brought into the centre (vehicles, trailers, banners, stages etc.) must be removed from the area as soon as possible after the event.</p>	<p>18. Cancellations must be made within 24 hours of booking date. Anything less may result in a fee.</p>

If you have read and accepted all venue hire conditions please sign below

Sign: 

Date: 25-8-14

After Hours Contacts

Mark Davis, Coordinator JDYz 0408 933 077

Town of Port Hedland After hours (08) 9427 5405

During work hours 0429 201 064

ATTACHMENT 12 TO ITEM 11.3.1



# Town of Port Hedland

## Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

**Section 1a: Applicant Details**

Identify who is applying for this funding:

Individual Person       Community Organisation       Not For Profit

Organisation/ Individual Name: CS CHURCH PORT HEDLAND

Contact Person: [Redacted]

Position within Organisation: Event Coordinator

Postal Address: [Redacted]      Postcode: 6722

Telephone: [Redacted]      Email: cschurch@westnet.com.au

*Applicants are requested to complete ALL sections of the application form.*

**Section 1b: Organisation Details**

Incorporated:      Yes       No       Year of Incorporation: Dec 2011

*If Yes, please attach a copy of your Certificate of Incorporation*

ABN: 77374 652 943

Registered for GST:      Yes       No

**Section 1c: Public Liability Insurance**

Does your organisation have Public Liability Insurance:      Yes       No

**If No, are you/your organisation covered under another association (e.g. State Sporting Association)?**

Yes       No       If yes, by who? Jardine Lloyd Thompson

**If No, will you/your organisation be obtaining cover for this event?**

Yes       No       If yes, by who? \_\_\_\_\_



## Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 2b: Type of Community Support

Which type(s) of community support are you seeking (refer to policy 6/003):

Establishment Funding (max \$2,000 cash)	✓
Periodical Funding* (max \$1,000 cash)	
In-kind Contributions (e.g. bins, vehicle usage, mowing, etc)	✓
Waiver of Fees (e.g. venue hire, entry fees, etc)	✓
Development of Talented Local People (max \$500)	

\* when applying for periodical funding, provide evidence of 50% cash contribution from applicant organisation.

Details of funds from applicant (those you are providing): staging / marquee hire  
sound equipment, musicians, staffing, security administration costs  
pre-show entertainment costs

If waiver of fees are requested, please **attach quote** from venue detailing exact costs and showing availability for the required date and time. **Without this quote/cost estimate, the application cannot be considered.**

### Section 2c: Funding Details

Detail the amount of each type of funding requested from contributing parties:

	Requested from ToPH	Contributed by Applicant	Contributed by Other Funding Sources
Cash (max \$2,000 from ToPH)	\$ 2000	\$ 35,000	\$ BHF \$31,000
Venue fees funded	\$ <u>rule course fee?</u>	\$ -	\$ local business \$55,000
In-kind contributions*	\$ bins, stage	\$ <del>40,698.15</del> 40,698.15	\$
<b>Total (max \$5,000 by ToPH)</b>	\$ 5000	\$ <u>75,698.15</u>	\$ 86,000

\* refer to Policy 6/003 for eligible criteria and provide details of in-kind requested (i.e. bins, vehicle usage, mowing, etc)

\* Please note any money left over or raised at the event will go to YouthCare to support the high school chapter.

### Section 3: Recognition

Detail how the funding / support from the Town of Port Hedland will be recognised :

- through digital media the ToPH will be asked to say a few words and thank acknowledgements to the town and the sponsor video will be shown on the night as well as your logo and name in the event credits at the end of the performance.  
 - ToPH are more than welcome to hold a stall at the event to promote what you do.



# Town of Port Hedland

## Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

**Section 1d: Authorisation**

*I certify that the information provided on this application is correct to the best of my knowledge. I am authorised to apply for funding on behalf of this community organisation/ individual. I understand that, if successful, funds can only be transferred to a bank account held in the name of the organisation/individual as detailed on this form and in Council resolution. If successful, I will acquit the funds before the end of the same financial year in which they were received.*

Full name:

\_\_\_\_\_

Signed:

\_\_\_\_\_

Date:

15/8/14

**Section 2a: Application Details**

What is the name of your Project / Event:

Hedland Community Carols

Provide a brief outline of your project / event and what you would like to achieve.

The Hedland Community carols is an event for all friends and families to come together and share in the community spirit of picnicking together, as they sing along to Christmas carols and hear the Christmas Story. We hope to achieve the following:  
 - provide a family friendly event - share and celebration of Christmas - build community spirit  
 - Give local musicians, artists + community members a chance to showcase their skills + talents <sup>at an event</sup>

Outline how ToPH funding will specifically be used.

Venue Hire (Race course) - Pre-entertainment (performers, face painting)  
20 x wheely bins (costumes, glow wands, glow sticks)  
Stage musicians (soloist)

Has this project or event previously been supported by the Town's Funding & Donations Policy?

Yes       No

If Yes, in which year?

2012

Please provide details:

Venue use, staging, bins, toilets + cash donation - similar to what we would like this year.



## Town of Port Hedland Community Funding & Donations Application



Please submit completed form to [council@porthedland.wa.gov.au](mailto:council@porthedland.wa.gov.au)

### Section 4: Application Criteria / Checklist

Please ensure the application meets all criteria below:

- a. *Applicant has read, understood and acknowledged the conditions and eligibility requirements contained in Policy 6/003 'Community Funding & Donations'*
- b. *Information provided meets the requirements of this Policy*
- c. *The event /project will make a positive contribution to the Hedland community*
- d. *The applicant certifies that they are authorised to apply for Town of Port Hedland support and represent the applicant organisation*
- e. *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*
- f. *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*
- g. *The applicant has assessed their level of resource contribution, relative to their capacity, and has assessed the accessibility of funds allocation from other parties/ sources.*

Chief Executive Officer advised that a request for a reduced number of offices to five to make an absolute majority decision for this item has been approved by the Department of Local Government and Communities.



Government of Western Australia  
Department of Local Government and Communities

Our Ref: PH1-7#05 E1431761

Mr Mal Osborne  
Chief Executive Officer  
Town of Port Hedland  
PO Box 41  
PORT HEDLAND WA 6721

Dear Mr Osborne

**REQUEST FOR REDUCTION OF OFFICES TO MAKE AN ABSOLUTE MAJORITY DECISION**

I wish to advise that, in accordance with authority delegated by the Minister for Local Government, the Director General has approved the Town of Port Hedland's application to reduce the number of offices of member to five (5) to make an absolute majority decision for four (4) items at its Ordinary Meeting of Council on 24 September 2014, subject to the following condition:

The approval is valid to allow Council to deliberate on the following items only:

- 11.3.2 – Policy 6/003 Funding and Donations Policy Review;
- 11.3.3 – Amendments 2014/15 Fees and Charges Schedule – Town of Port Hedland Leisure Facilities;
- 11.4.2 – Elected Member Resignation; and
- 11.4.4 – 2014/15 Budget – Budget Review – Carry-forward Works and Variances.

Should you require further information, please contact me on 6552 1535 or via email at [david.morris@dlgc.wa.gov.au](mailto:david.morris@dlgc.wa.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Morris'.

David Morris  
PRINCIPAL INVESTIGATIONS OFFICER

24 . September 2014

Gordon Stephenson House  
140 William Street Perth WA 6000  
GPO Box R1250 Perth WA 6844  
Tel: (08) 6551 8700 Fax: (08) 6552 1555 Freecall: 1800 620 511 (Country only)  
Email: [info@dlgc.wa.gov.au](mailto:info@dlgc.wa.gov.au) Website: [www.dlgc.wa.gov.au](http://www.dlgc.wa.gov.au)

6:18pm Councillor Gillingham declared an impartiality interest in item 11.3.2 'Policy 6/003 Funding and Donations Policy Review' as she has an association with the Pilbara Music Festival.

Councillor Gillingham did not leave the room.

### **11.3.2 Policy 6/003 Funding and Donations Policy Review**

Eddie Piper, Acting Director Community Development  
File No. 02/05/0001

#### **DISCLOSURE OF INTEREST BY OFFICER**

Nil

#### **201415/050 RECOMMENDATION/ COUNCIL DECISION**

**MOVED: CR HOOPER**

**SECONDED: CR HUNT**

**The Council:**

- 1. Note the decision of the Audit and Finance Committee of 17 September 2014;**
- 2. Adopt the Funding and Donations Policy (as amended) to reflect the changes as included in the attached 6/003 Funding and Donations Policy;**
- 3. Delegate the authority to approve funding and donations requests/applications that fall within the scope and parameters of the Policy 6/003 – Funding and Donations Policy to the Chief Executive Officer and amend the Delegation Register to read:**

**“1.27 Funding and Donations**

**LEGISLATIVE POWER Local Government Act 1995 Section 6.12(1)(b) and (c)**

**Local Government (Financial Management) Regulations 1996 Section 12(1)(a)**

**DELEGATE Chief Executive Officer**

#### **FUNCTION TO BE PERFORMED**

**That the Chief Executive Officer is delegated to approve funding and donations requests/ applications in accordance with the scope and parameters of policy 6/003 “Funding and Donations” with the endorsement of the Mayor including the waiver of fees, in-kind support and cash donations.”**

- 4. Amend the Audit & Finance Committee terms of reference by removing part three under the aim/purpose.**



***CARRIED BY ABSOLUTE MAJORITY 5/0 (MINISTERIAL  
APPROVAL FOR REDUCTION OF AN ABSOLUTE MAJORITY)***

---

### EXECUTIVE SUMMARY

To amend the Policy 6/003 – Funding and Donations Policy to enable a more efficient turn-around of donations approvals. This can be achieved by delegating authorisation/approval to the CEO after he/she has discussions with the Mayor. Such delegation is limited to the scope and parameters of the Policy. The current terms of reference of the committee are also to be amended to reflect this change.

This item is being presented at the Audit & Finance Committee meeting being held on Wednesday 17 September 2014 at 12pm. Should the committee change the recommendation an amended recommendation will be provided to the Council.

### DETAILED REPORT

The current Funding and Donations Policy requires presentation to the Audit and Finance Committee, which meets quarterly, to gain approval for a donation request. These requests are generally submitted to Council following advice by the Town that organisations seeking assistance should submit their requests. This is done quarterly.

There are also ad-hoc requests that can be received at any time and because of the current approval process can take 2-3 months for a decision.

It is proposed under this amendment that requests could be received at any time and processed within a fortnight.

Included in the Policy is a weighted quarterly allocation of the current Budget for distribution by the CEO. This weighted allocation takes into account the 'high' season of Port Hedland. The weighted allocation is as follows:

- 1 July – 30 September 15%
- 1 October – 31 December 25%
- 1 January – 31 March 40%
- 1 April – 30 June 20%

### FINANCIAL IMPLICATIONS

A specific budget allocation is included in the 2014/15 budget of \$50,000 for these adhoc requests.

### STATUTORY AND POLICY IMPLICATIONS

Section 5.42 'delegation of some powers and duties to the CEO' of the Local Government Act 1995 applies as a delegation from the local government to the CEO requires an absolute majority vote.

Section 6.12 'Power to defer, grant discounts, waive or write off debts' (1)(b) and (c) of the *Local Government Act 1995* are being delegated to the CEO.

Update of Policy 6/003 – Funding and Donations Policy.

#### **ATTACHMENTS**

1. Proposed policy 6/003 Funding and Donations Policy (Under Separate Cover)

1 September 2014

Chief Executive Officer advised that a request for a reduced number of offices to five to make an absolute majority decision for this item has been approved by the Department of Local Government and Communities.



Government of **Western Australia**  
Department of **Local Government and Communities**

Our Ref: PH1-7#05 E1431761

Mr Mal Osborne  
Chief Executive Officer  
Town of Port Hedland  
PO Box 41  
PORT HEDLAND WA 6721

Dear Mr Osborne

**REQUEST FOR REDUCTION OF OFFICES TO MAKE AN ABSOLUTE MAJORITY DECISION**

I wish to advise that, in accordance with authority delegated by the Minister for Local Government, the Director General has approved the Town of Port Hedland's application to reduce the number of offices of member to five (5) to make an absolute majority decision for four (4) items at its Ordinary Meeting of Council on 24 September 2014, subject to the following condition:

The approval is valid to allow Council to deliberate on the following items only:

- 11.3.2 – Policy 6/003 Funding and Donations Policy Review;
- 11.3.3 – Amendments 2014/15 Fees and Charges Schedule – Town of Port Hedland Leisure Facilities;
- 11.4.2 – Elected Member Resignation; and
- 11.4.4 – 2014/15 Budget – Budget Review – Carry-forward Works and Variances.

Should you require further information, please contact me on 6552 1535 or via email at [david.morris@dlgc.wa.gov.au](mailto:david.morris@dlgc.wa.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Morris'.

David Morris  
PRINCIPAL INVESTIGATIONS OFFICER

24 . September 2014

### 11.3.3 Amendments 2014/2015 Fees and Charges Schedule- Town of Port Hedland Leisure Facilities

Graeme Hall, Manager Recreation Facilities and Services  
File No. 26/18/0001

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### 201415/051 RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR HUNT**

**SECONDED: CR HOOPER**

**That Council:**

1. Note the decision of the Audit and Finance Committee of 17 September 2014;
2. Adopt the following fees and charges for the Town of Port Hedland leisure facilities as requested by the YMCA and outlined in Attachment 1:

<b>Fees and Charges</b>	<b>YMCA Proposal</b>
<b>Personal Training (30 Minute) Member</b>	<b>\$43.50</b>
<b>Personal Training (30 Minute) Non Member</b>	<b>\$54.00</b>
<b>Squash Court Hire–Discount Squash Club Members (30%)</b>	<b>\$18.97</b>
<b>Aquatic Education Lessons (per class)</b>	<b>\$13.00</b>
<b>Membership Administration Fee</b>	<b>\$99.00</b>
<b>Aqua Aerobic Class Fee (Casual)</b>	<b>\$20.00</b>
<b>Aqua Aerobic Class Fee Concession (Casual)</b>	<b>\$16.00</b>
<b>WaveRider</b>	<b>\$12.00 flat fee per person (Including swim) \$299.00 (One hour booking) \$120.00 (each 30 minutes after the first hour)</b>

3. Endorse the advertising of the revised fees and charges as per the requirements of the Local Government Act 1995, with the date of commencement for the new fees and charges being 17 October 2014.

***CARRIED BY ABSOLUTE MAJORITY 5/0 (MINISTERIAL  
APPROVAL FOR REDUCTION OF AN ABSOLUTE MAJORITY)***

#### EXECUTIVE SUMMARY

Correspondence dated 22 July 2014, was received from the YMCA (Attachment 1) regarding discrepancies identified in the fees and charges of the Town's budget.

The letter from the YMCA seeks to have selected fees and charges amended in order to maximise YMCA's opportunity to meet budget parameters outlined as part of their contract.

It is recommended that Council adopt the recommended changes to the fees and charges schedule.

This item is being presented at the Audit & Finance Committee meeting being held on Wednesday 17 September 2014 at 12pm. Should the committee change the recommendation an amended recommendation will be provided to the Council.

### DETAILED REPORT

The amendments outlined in this report respond to a request made by the YMCA in correspondence dated 22 July 2014 (Attachment 1). The YMCA was invited to participate in the setting of fees and charges for the 2014/2015 financial year. Recommendations were received regarding the structure of the fees and charges to be considered by Council.

The amendments are understood to be critical to the YMCA's budgetary aspirations. All of the changes requested relate to the operation of the Town of Port Hedland Leisure Facilities.

The requested changes to the fees and charges schedule for the leisure facilities are outlined in Table 1:

Table 1 - Proposed Fees and Charges (prices include GST)

Fee and Charge	Adopted Fee and Charge 2014/15	YMCA Proposal
Personal Training (30 minute) Member	\$49.00	\$43.50
Personal Training (30 minute) Non Member	\$59.00	\$54.00
Squash Court Hire – Discount Squash Club members	30% of \$27.10	\$18.97
Aquatic Education Lesson (per class)	\$10.80	\$13.00
Membership Administration Fee	\$107.40	\$99.00
Aqua Aerobic Class Fee (Casual)	\$17.40	\$20.00
Aqua Aerobic Class Fee Concession (Casual)	\$13.90	\$16.00
WaveRider	\$19.60 Adult \$16.30 Child (all other fees listed to be removed)	\$12.00 flat fee per person (Including swim) \$299.00 (One hour booking) \$120.00 every 30 minutes after the first hour

With regard to the WaveRider, it is important to note that this is a new fee structure proposed by the YMCA. All existing fees and charges need to be deleted. The new simplified fee structure as proposed is all that should be retained. The fees and charges proposed are intended to attract greater usage of the facility.

The new fees and charges requested by the YMCA were either not identified during the budget process, or are new program initiatives that have been identified for implementation since the budget process was undertaken.

Some of the fees and charges have been proposed to assist the YMCA reach their objective of financial sustainability. Other costs have been initiated in order to create a simpler fee structure that attracts greater usage of the facilities. In the case of the discounted squash court hire fee, there is a clear intent to ensure the development of a squash club in Port Hedland.

#### **FINANCIAL IMPLICATIONS**

The Fees and Charges as proposed by the YMCA are integral to the overall budgetary performance of the Town of Port Hedland Leisure Facilities. The YMCA has advised that if the requested fees and charges are adopted, it will assist them to achieve the Council prescribed budget parameters.

#### **STATUTORY AND POLICY IMPLICATIONS**

Section 6.16, 6.19 and 1.7 of the Local Government Act 1995 apply as section 6.16 states that imposing fees or charges requires an absolute majority vote. Section 6.19 and 1.7 of the Local Government Act 1995 outline the advertising requirements of imposing fees and charges.

#### **ATTACHMENTS**

1. Letter from the YMCA (22 July 2014)-Fees and Charges 2014-15 (discrepancies).

5 September 2014

## ATTACHMENT 1 TO ITEM 11.3.3



We build strong **PEOPLE**  
strong **FAMILIES** strong **COMMUNITIES**

Graeme Hall  
Town Of Port Hedland  
Po Box 41  
Port Hedland, WA 6721

22/07/2014

Dear Graeme,

*RE: Fees & charges 2014-15 (discrepancies)*

The YMCA would like to bring to your attention some discrepancies in the Town of Port Hedland's 2014/15 fees and charges versus what the YMCA had submitted. Initially the YMCA thought the charges were not approved. However based on discussions and follow up with Council officers the discrepancies are simply an oversight in what is a detailed process. It is important that these fees and charges are corrected as they have a significant impact on the community and the facilities financial targets.

The following table outlines the fees and charges where the discrepancies exist:

<b>Fees &amp; Charges</b>	<b>Official ToPH Fees &amp; Charges</b>	<b>YMCA (GST Incl.)</b>
Replacement membership card	\$10.40	\$10.50
Personal Training - Member	\$49.00	\$43.50
Personal Training - Non members	\$59.00	\$54.00
Squash Court Hire – Discount Squash Club Members	30% of \$27.10	\$18.97
Aquatic Education – Per lesson	\$10.80	\$13.00
Membership Administration fee	\$107.40	\$99.00
Aqua Aerobics	\$17.40	\$20.00
Aqua Aerobics (conc.)	\$13.90	\$16.00
Wave Rider	\$19.60 Adult \$16.30 Child  (All other fees listed to be deleted)	\$12.00 flat fee per person (includes swim)  \$299.00 (1 hour booking) \$120.00 (every 30 minutes after the hour)

Currently the YMCA is still using 2013/2014 Budget Fees and Charges until the above prices are approved by Council.

Any queries please don't hesitate to contact me on my direct line (08) 9140 0407.

Regards

A handwritten signature in cursive script that reads 'Daniel Murphy'.

**DANIEL MURPHY**  
Area Manager  
YMCA PORT HEDLAND

YMCA Perth  
PO Box 2155, Carlisle North WA 6101  
Telephone (08) 9473 8400 Facsimile (08) 9472 7522

**11.4 Corporate Services****11.4.1 Ordinary Council Meeting Dates for the Next Fourteen (14) Months**

Grace Waugh, Governance Officer  
File No. 13/06/0003

**DISCLOSURE OF INTEREST BY OFFICER**

Nil

**201415/052 RECOMMENDATION/ COUNCIL DECISION**

**MOVED: CR BUTSON**

**SECONDED: CR HUNT**

That Council adopt and advertise the following Ordinary Meeting of Council dates, times and venue for the year ahead:

<b>DATE</b>	<b>TIME</b>	<b>Venue</b>
<b>Wednesday, 26 November 2014</b>	<b>5:30pm</b>	<b>Council Chambers</b>
<b>Wednesday, 17 December 2014</b>	<b>5:30pm</b>	<b>Council Chambers</b>
<b>Wednesday, 25 February 2015</b>	<b>5:30pm</b>	<b>Council Chambers</b>
<b>Wednesday, 25 March 2015</b>	<b>5:30pm</b>	<b>Council Chambers</b>
<b>Wednesday, 22 April 2015</b>	<b>5:30pm</b>	<b>Council Chambers</b>
<b>Wednesday, 27 May 2015</b>	<b>5:30pm</b>	<b>Council Chambers</b>
<b>Wednesday, 24 June 2015</b>	<b>5:30pm</b>	<b>Council Chambers</b>
<b>Wednesday, 22 July 2015</b>	<b>5:30pm</b>	<b>Council Chambers</b>
<b>Wednesday, 26 August 2015</b>	<b>5:30pm</b>	<b>Council Chambers</b>
<b>Wednesday, 23 September 2015</b>	<b>5:30pm</b>	<b>Council Chambers</b>
<b>Wednesday, 28 October 2015</b>	<b>5:30pm</b>	<b>Council Chambers</b>
<b>Wednesday, 25 November 2015</b>	<b>5:30pm</b>	<b>Council Chambers</b>
<b>Wednesday, 16 December 2015</b>	<b>5:30pm</b>	<b>Council Chambers</b>

**CARRIED 5/0**

**EXECUTIVE SUMMARY**

The *Local Government (Administration) Regulations 1996* requires a local government to give local public notice of the dates, times and place at which the Ordinary Council meetings are to be held in the next 14 months.

This item seeks Council endorsement of the proposed dates, times and location for the Ordinary Council meetings.

**DETAILED REPORT**

Council has determined its meeting dates up to and including the 22 October 2014 Ordinary Meeting and will need to consider meeting dates for the next 14 months.



Council has previously determined that it will meet on the fourth Wednesday of each month at 5:30pm in Council Chambers.

It is recommended that Council continue holding ordinary meetings on the same day and at the same time and location, and to advertise this information to the public via way of public notice as per statutory regulations, and to upload it on the Town's website.

With regard to the December 2014 meeting, it is proposed to hold it on the third Wednesday of the month, being 17 December 2014, as opposed to the fourth Wednesday, being 24 December 2014 to ensure availability of elected members in the lead up to the Christmas holiday period.

Officers are proposing that there be no Ordinary Council meeting in January 2015 with the first meeting of 2015 being on 25 February 2015. If there are any urgent items between the December 2014 and February 2015 meetings then a Special Council meeting will be held.

The Easter holiday period for 2015 commences Friday 3 April. Therefore the OCMs for both March and April can remain on the standard fourth Wednesday of the month.

#### **FINANCIAL IMPLICATIONS**

Costs of the delivery and advertising of the Town of Port Hedland meeting dates is incorporated in the 2014/15 Budget.

#### **STATUTORY AND POLICY IMPLICATIONS**

Section 12 of the *Local Government (Administration) Regulations 1996* state that at least once each year a local government is to give local public notice of the dates, time and place for when Ordinary Council meetings are to be held for the next 14 months.

#### **ATTACHMENTS**

Nil

25 August 2014

Chief Executive Officer advised that a request for a reduced number of offices to five to make an absolute majority decision for this item has been approved by the Department of Local Government and Communities.



Government of Western Australia  
Department of Local Government and Communities

Our Ref: PH1-7#05 E1431761

Mr Mal Osborne  
Chief Executive Officer  
Town of Port Hedland  
PO Box 41  
PORT HEDLAND WA 6721

Dear Mr Osborne

**REQUEST FOR REDUCTION OF OFFICES TO MAKE AN ABSOLUTE MAJORITY DECISION**

I wish to advise that, in accordance with authority delegated by the Minister for Local Government, the Director General has approved the Town of Port Hedland's application to reduce the number of offices of member to five (5) to make an absolute majority decision for four (4) items at its Ordinary Meeting of Council on 24 September 2014, subject to the following condition:

The approval is valid to allow Council to deliberate on the following items only:

- 11.3.2 – Policy 6/003 Funding and Donations Policy Review;
- 11.3.3 – Amendments 2014/15 Fees and Charges Schedule – Town of Port Hedland Leisure Facilities;
- 11.4.2 – Elected Member Resignation; and
- 11.4.4 – 2014/15 Budget – Budget Review – Carry-forward Works and Variances.

Should you require further information, please contact me on 6552 1535 or via email at david.morris@dlgc.wa.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Morris'.

David Morris  
PRINCIPAL INVESTIGATIONS OFFICER

24 . September 2014

Gordon Stephenson House  
140 William Street Perth WA 6000  
GPO Box R1250 Perth WA 6844  
Tel: (08) 6551 8700 Fax: (08) 6552 1555 Freecall: 1800 620 511 (Country only)  
Email: info@dlgc.wa.gov.au Website: www.dlgc.wa.gov.au

**11.4.2 Elected Member Resignation**

Grace Waugh, Governance Officer  
File No. 13/07/0016

**DISCLOSURE OF INTEREST BY OFFICER**

Nil

**RECOMMENDATION**

**That Council:**

1. Acknowledge Cr Taylor's resignation as of 28 August 2014;
2. Thank Cr Taylor for her contribution as an Elected Member at the Town of Port Hedland since December 2012; and
3. In accordance with s4.17(3) of the Local Government Act 1995 request the Electoral Commissioner to approve the elected member vacancy created by Cr Taylor's resignation to remain unfilled until the October 2015 Ordinary Election.

**201415/065 ALTERNATIVE RECOMMENDATION/ MOTION COUNCIL DECISION**

**MOVED: CR HUNT**

**SECONDED: CR HOOPER**

**That Council:**

1. Acknowledge Cr Taylor's resignation as of 28 August 2014;
2. Thank Cr Taylor for her contribution as an Elected Member at the Town of Port Hedland since December 2012;
3. In accordance with s4.17(3) of the Local Government Act 1995 request the Electoral Commissioner to approve the elected member vacancy created by Cr Taylor's resignation to remain unfilled pending a decision by the Local Government Advisory Board; and
4. Request the Chief Executive Officer, or his delegate(s), to submit a proposal to the Local Government Advisory Board for the making of an order to change the number of offices of councillor from nine to eight and that this be treated as a minor matter in accordance with Schedule 2.2 (5)(b)(i) of the Local Government Act 1995. The changes to take effect the day after the date the order is published in the Government Gazette.

**CARRIED 3/2**

**MOTION LOST 3/2**

*After the Ordinary Council Meeting held on Wednesday 24 September 2014 the*

At the Ordinary Council Meeting held on Wednesday 22 October 2014 Council confirmed the minutes of 24 September 2014 Ordinary Council Meeting with changes (decision 201415/066). These changes related to item 11.4.2 'Elected Member Resignation' and have now been reflected in red.

*Town of Port Hedland sought legal advice in regards to the motion and was advised that points 1,2 and 3 required a simple majority vote and as such were carried 3/2. Point 4 required an absolute majority vote and as such was lost 3/2. This legal advice has been saved under file 13/06/0001.*

---

## EXECUTIVE SUMMARY

Councillor Penny Taylor officially tendered her resignation on 28 August 2014. Council is requested to allow this vacancy to remain unfilled until the scheduled October 2015 Local Government Ordinary Election and to follow the appropriate legislative procedures outlined under section 4.17(3) of the *Local Government Act 1995* (the Act) to formalise this process.

## DETAILED REPORT

In accordance with section 2.31 of the Act, Councillor Taylor officially tendered her resignation on 28 August 2014. Councillor Taylor also advised all fellow elected members of her decision at the 27 August 2014 Ordinary Council meeting. Cr Taylor explained how this decision was based on personal reasons and thanked all the Council and Town of Port Hedland staff for their support.

Councillor Taylor's resignation is required to be formally considered by Council. There are two options that Council can consider – one option is to call an Extraordinary Election to fill the vacancy, the other option is to request the Electoral Commissioner to approve the vacancy to remain unfilled until the October 2015 Ordinary Election.

The Town received confirmation from the Department of Local Government and Communities on 25 November 2013 of the approval to reduce the number of Elected Members from ten to nine from the October 2015 ordinary local government election. Council also resolved to carry a vacancy to the October 2015 election following David Van Vugt's resignation on 1 May 2014.

*"201415/011 RECOMMENDATION/ COUNCIL DECISION  
MOVED: CR DACCACHE SECONDED: CR HUNT*

*That Council:*

- 1. Acknowledge receipt of correspondence from the Acting Electoral Commissioner dated 12 June 2014 approving the vacancy created by Cr Van Vugt's resignation to remain unfilled until the October 2015 ordinary elections; and*
- 2. Allow the vacancy created by Councillor Van Vugt's resignation to remain unfilled until the October 2015 in accordance with section 4.17(3) of the Local Government Act 1995.*

*CARRIED BY ABSOLUTE MAJORITY 6/0"*

Councillor Taylor's resignation brings the number of Elected Members of the Town of Port Hedland from nine (with one vacancy) to eight. For this reduction to be compliant, it has to be formally endorsed by the Council.

There is a two-step process to be followed which would first see a request for a vacancy to remain unfilled put through to the Electoral Commissioner (this being the purpose of this item). This submission can only apply if the provisions under s4.17(4A) of the Act are met. These state that

*“the office is for a district that has no wards; and at least 80% of the number of offices of member of the council in the district are still filled.”*

The Town complies with both these points. Should the Electoral Commissioner grant the approval the second step would be for another item to be presented to the Council to formally allow the vacancy to remain unfilled until October 2015, by an Absolute Majority vote.

### FINANCIAL IMPLICATIONS

The vacancy will result in a 2014/15 budget saving, due to Councillor Taylor's fees being paid up until 28 August 2014 only. Should the Council resolve to allow this vacancy to be carried until the October 2015 election then the 2015/16 budget for Elected Members fees will reflect the change in numbers.

### STATUTORY AND POLICY IMPLICATIONS

Local Government Act 1995

- S2.31 Resignation
- S4.17 Cases in which vacant offices can remain unfilled.

The Local Leadership section of the Town's Strategic Community Plan also applies, as the purpose of this report is to ensure that the Council delivers high quality corporate governance, accountability and compliance to the district.

### ATTACHMENTS

1. Letter from Department of Local Government and Communities, 25 November 2013
2. Councillor Taylor's resignation letter

29 August 2014

## ATTACHMENT 1 TO ITEM 11.4.2



Government of **Western Australia**  
Department of **Local Government**

Your Ref: 13/07/0018  
Our Ref: PH1-8#02 F1329828

|||||  
Mr M.J. Osborne  
Chief Executive Officer  
Town of Port Hedland  
PO Box 47  
PORT HEDLAND WA 6721



— Dear Mr Osborne

The Minister of Local Government has approved the recommendation of the Local Government Advisory Board for the Town of Port Hedland, the number of offices of councillor be reduced from nine to eight, to be implemented at the October 2015 ordinary local government elections.

Administrative processes are now in place to obtain the Governor's approval and publish the changes in the *Government Gazette*. You will be notified when the gazettal has taken place.

Yours sincerely

Emma Dickinson  
SENIOR POLICY AND RESEARCH OFFICER  
REFORM IMPLEMENTATION

25 November 2013

**ATTACHMENT 2 TO ITEM 11.4.2**

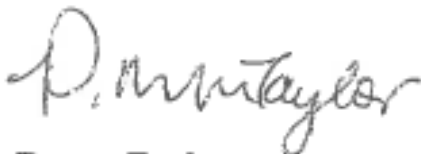
Mal Osborne  
Chief Executive Officer  
Town of Port Hedland  
PO Box 41  
Port Hedland 6721

Dear Mal,

In accordance with section 2.31 of the *Local Government Act 1995* I hereby resign from my position of Councillor on the Town of Port Hedland Council.

I thank everyone for their support during my time with the Town of Port Hedland and it was a pleasure working with you all.

Yours sincerely

A handwritten signature in cursive script that reads "Penny Taylor".

**Penny Taylor**

28 August 2014

### 11.4.3 Financial Report to Council for the Period Ended 31 July 2014

Peter Kocian, Manager Financial Services  
File No. 12/14/0003

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### 201415/053 RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR HUNT**

**SECONDED: CR MELVILLE**

**That Council:**

- 1. Note the Statement of Financial Activity for the period ended 31 July 2014, including all supplementary information; and**
- 2. Note the accounts paid during July 2014 under delegated authority.**

***CARRIED 5/0***

---

#### EXECUTIVE SUMMARY

The objective of this item is to present a summary of the financial activities of the Town of Port Hedland for the period ended 31 July 2014, in comparison to the adopted budget for 2014/15.

Supplementary information has been presented to the Council to provide further information regarding the Town's activities

#### DETAILED REPORT

The purpose of the Statement of Financial Activity is to provide the Council with an understanding of operating and non-operating revenue and expenditure. It links operating results with balance sheet items and reconciles end of month balances.

The Statement of Financial Activity is presented in a different format this month, and has been modified to bring it in line with the Rate Setting Statement in the 2014/15 Budget. This will ensure that the presentation of financial reports is consistent between Budget, monthly financial statements and annual financial statements.



As the Town is only one month into the financial year, the percentage variances in the Statement of Financial Activity are not particularly meaningful. As the Town does not prepare period budgets, the year to date budget is simply calculated as 1/12<sup>th</sup> of the Annual Budget. An example is General Purpose Income where the year to date budget is \$2,620,280 compared to actuals of \$24,185,862. The variance is explained by rates (including interims) totaling \$24.18m being levied in the month of July. Similarly, the Town incurs significant recurrent expenditures early in the financial year such as insurance premiums which distort the variance percentages.

The Town's total capital expenditure budget for 2014/15 is \$57m. Capital works have yet to substantially commence with less than 1% of Budget expended as at 31 July 2014.

Total Reserves as at 31 July 2014 amount to \$67.13m. No Reserve transfers have been completed in the first month of the financial year.

The 2014/15 Budget provides for \$6.4m in new loans, with \$5.5m allocated for the refurbishment of the Civic Centre. As at 31 July 2014, no loan funds have been drawn.

Depreciation and activity based costing journals remain outstanding for the month of July.

#### **FINANCIAL IMPLICATIONS**

The Statement of Financial Activity includes an approximate surplus carried forward as at 1 July 2014 of \$691k. The actual surplus will be confirmed once the Annual Financial Report for the year ended 30 June 2014 is finalised. The variance of \$745k between the approximate surplus of \$691k and the Budget deficit of (\$54k) is explained by a number of carry-over projects that were not completed in 2013/14. These projects are the subject of a separate report to Council.

Net current assets as at 31 July 2014 amounts to \$26.9m. This is mainly attributable to \$24.18m in rates being levied in July, which results in significant receivables on the Balance Sheet. Municipal cash as at 31 July 2014 amounts to \$10.5m, of which \$3.5m is restricted being unspent grants and loans as at 30 June 2014.

The 2014/15 Budget projects net current assets of \$1.8m as at 30 June 2015, which is mainly comprised of unrestricted cash of \$1.7m.

#### **STATUTORY AND POLICY IMPLICATIONS**

Officers are investigating report formatting options for the monthly payment warrant that provide the appropriate degree of disclosure, whilst balancing the privacy of individual's financial and personal information. Officers are reviewing the report format of other local governments in WA to find a suitable option.

Local Government Act 1995 – Section 6.4  
Financial Management Regulations 1996 – Regulation 34

The Statement of Financial Activity will be prepared each month, compiled on an accrual basis and set out in a similar format to the Rate Setting Statement. It includes a comparison of actual results with budget estimates and a summary of the net assets at the end of the month to which the statement relates. There is an explanation of the composition of the net current assets at the end of the month to which the statement relates less committed and restricted assets.

Material variances between the actual revenue and expenditure and the comparable year to date budget estimates are investigated.

At the Ordinary Meeting held on 25 June 2014 Council adopted the 2014/15 Budget which included adopting the following percentage or dollar value for determining and reporting material variances in 2014/15 as follows:

- 10% of the Function amended budget; or
- \$100,000 of the Function amended budget;

whichever is the lesser, for operating and non-operating revenue and expenditure.

The monthly Statement of Financial Activity is to be presented to the Council at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates.

#### 2012-2022 Town of Port Hedland Strategic Community Plan 6.4 Local Leadership

The monthly financial reports provided to the Council on a monthly basis are of high quality, meeting legislative and organisational requirements.

These reports display the Town's transparent management of financial resources and the optimisation of investment opportunities.

#### 2/003 Financial Statements – Copies for Councillors

This policy states that the following reports will be presented to the Council:

##### Monthly:

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

##### Quarterly:

- Quarterly Budget Review
- Report on all Budgeted Grants of \$50,000 or more
- Irregular financial reports will be presented to the Council as deemed necessary by the Director of Corporate Services, the Manager of Financial Services or requested by the Council by resolution.

The Rate Summary Trial Balance and the Report on all Budgeted Grants of \$50,000 or more is not currently provided to the Council. These documents will be incorporated into the monthly financial report in future months.

**ATTACHMENTS**

1. Monthly Statement of Financial Activity and Supplementary Information (Under Separate Cover)
2. Accounts paid under delegated authority detailing the total payment from the Municipal Fund for the month (Under Separate Cover)

02 September 2014

Chief Executive Officer advised that a request for a reduced number of offices to five to make an absolute majority decision for this item has been approved by the Department of Local Government and Communities.



Government of **Western Australia**  
Department of **Local Government and Communities**

Our Ref: PH1-7#05 E1431761

Mr Mal Osborne  
Chief Executive Officer  
Town of Port Hedland  
PO Box 41  
PORT HEDLAND WA 6721

Dear Mr Osborne

**REQUEST FOR REDUCTION OF OFFICES TO MAKE AN ABSOLUTE MAJORITY DECISION**

I wish to advise that, in accordance with authority delegated by the Minister for Local Government, the Director General has approved the Town of Port Hedland's application to reduce the number of offices of member to five (5) to make an absolute majority decision for four (4) items at its Ordinary Meeting of Council on 24 September 2014, subject to the following condition:

The approval is valid to allow Council to deliberate on the following items only:

- 11.3.2 – Policy 6/003 Funding and Donations Policy Review;
- 11.3.3 – Amendments 2014/15 Fees and Charges Schedule – Town of Port Hedland Leisure Facilities;
- 11.4.2 – Elected Member Resignation; and
- 11.4.4 – 2014/15 Budget – Budget Review – Carry-forward Works and Variances.

Should you require further information, please contact me on 6552 1535 or via email at [david.morris@dlgc.wa.gov.au](mailto:david.morris@dlgc.wa.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Morris'.

David Morris  
PRINCIPAL INVESTIGATIONS OFFICER

24 . September 2014

### 11.4.4 2014/15 Budget – Budget Review – Carry-forward Works and Variances

Peter Kocian, Manager Financial Services  
File No. 12/05/0009

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### 201415/054 RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR MELVILLE

That Council:

1. Note the decision of the Audit and Finance Committee of 17 September 2014;
2. Authorise that the 2014/15 Budget be amended to incorporate total carry- forward works of \$5,260,883 from the 2013/14 financial year, to be funded from:
  - a. Municipal surplus carried forward \$730,799
  - b. Airport Reserve \$1,790,950
  - c. Waste Management Reserve \$590,067
  - d. BHP Reserve \$57,866
  - e. Spoilbank Reserve \$297,232
  - f. Royalties for Regions Reserve \$48,127
  - g. Unspent Grants \$988,594
  - h. Unspent Loans \$554,971
  - i. Specific Source Revenue (New Grants) \$202,277
3. Authorise that the 2014/15 Budget be amended in accordance with the Schedule of Budget Variations presented below:

Account Description	14/15 Adopted Budget	14/15 Amended Budget	Comment
Public Relations	\$0	\$25,000	Transfer from Airport Reserve
Airport Accommodation and Travel	\$0	\$50,000	Transfer from Airport Reserve
Reimbursement Airport Electricity Charges	\$0	-\$40,000	Transfer to Airport Reserve
Pioneer Cemetery Upgrade	\$750,000	\$778,981	Transfer from BHP Reserve
Kingsford Smith Business Park -	\$0	\$500,000	Contribution from BHP

<b>Landscaping</b>			
<b>SES Operating Expenses</b>	<b>\$93,000</b>	<b>\$70,509</b>	<b>Reduction in Operating Grant</b>
<b>Flood Pumps Refurbishment</b>	<b>\$300,000</b>	<b>\$268,844</b>	<b>Part funded in 13/14</b>
<b>Youth Events and Programs</b>	<b>\$27,500</b>	<b>\$31,835</b>	<b>Transfer from Unspent Grants</b>
<b>JD Salaries</b>	<b>\$430,000</b>	<b>\$456,625</b>	<b>Transfer from Unspent Grants</b>
<b>JD Minor Events</b>	<b>\$0</b>	<b>\$5,410</b>	<b>Transfer from Unspent Grants</b>
<b>Kidsport</b>	<b>\$10,000</b>	<b>\$4,866</b>	<b>Favourable impact on unrestricted cash</b>

***CARRIED BY ABSOLUTE MAJORITY 5/0 (MINISTERIAL APPROVAL FOR REDUCTION OF AN ABSOLUTE MAJORITY)***

## EXECUTIVE SUMMARY

A variance analysis has been completed for the year ended 30 June 2014, which has identified a number of carry-forward works. This Schedule is being presented to Council for authorisation to amend the 2014/15 Budget.

This item is being presented at the Audit & Finance Committee meeting being held on Wednesday 17 September 2014 at 12pm. Should the committee change the recommendation an amended recommendation will be provided to the Council.

## DETAILED REPORT

Council adopted its Budget for 2014/15 at the Ordinary Meeting on 25 June 2014. Normally quarterly Budget Reviews are undertaken as at the end of September, December, and March to review the Town's projected position at year end, and amend the Budget as necessary. This may be as a result of changes in projected revenue streams; changes in timing of works projects; recognition of additional projects; identified savings; or additional expenditure beyond the Original Budget estimates. A schedule of carry-forward works was presented to Council in December 2013, which accompanied the September 2013 Quarterly Budget Review.

Carry-forward works are defined as projects and programs that are budgeted for in the previous financial year, but not completed at 30 June. In accordance with the *Local Government Act 1995*, Council adopts a budget that covers a period from 1 July through to 30 June, with budgets lapsing as at 30 June. A budget approval that has lapsed may be reinstated by resolution of Council. It is important to note that amounts carried over from one financial year to the next, particularly operational items, can significantly impact the operating results of each year. It is essential that Council properly budgets for and manages available resources in order to deliver on projects that are included in the Strategic Community Plan and Corporate Business Plan, and meet asset management responsibilities.

The timely finalisation of the end of year accounts for 30 June 2014, including a thorough variance analysis between Budgets and Actuals, has enabled all proposed carry-forward works to be identified much earlier than last year. It is recommended that Council authorise the amendment of the 2014/15 Budget to include carry-forward works of \$5,260,883 as detailed in Attachment 1. By establishing an amended Budget for these projects earlier in the financial year, staff are provided with certainty of Budget to proceed with the scope of works, and given the best possible opportunity to clear projects by the end of the financial year.

The carry-forward works are identified as either capital expenditure (CAPEX) or operating expenditure (OPEX). CAPEX accounts for \$4,855,113 of the carry-forward works, and represents 9% of the total 2013/14 CAPEX Budget. This indicates that the Town performed relatively strongly in the clearance of capital projects in the 2013/14 financial year.

The majority of carry-forward works are funded from sources other than unrestricted cash. This is reflective of the Town's annual CAPEX Budget, with unrestricted cash generally providing less than 10% of total funding. Funding of the \$5,260,883 in carry-forward works from the 2013/14 financial year comprises of the following:

• Municipal surplus carried forward	\$730,799
• Airport Reserve	\$1,790,950
• Waste Management Reserve	\$590,067
• BHP Reserve	\$57,866
• Spoilbank Reserve	\$297,232
• Royalties for Regions Reserve	\$48,127
• Unspent Grants	\$988,594
• Unspent Loans	\$554,971
• Specific Source Revenue (New Grants)	\$202,277

Council therefore has sufficient funds in Reserves, and Unspent Grants and Loans, to be allocated to the continuing projects funded from those sources. Projects funded from these sources are offset by corresponding Transfers from Reserves/Grants/Loans, such that the impact on unrestricted cash is nil.

A preliminary calculation of net assets as at 30 June 2014 indicates a small municipal surplus of \$691k. This compares to a brought forward deficit of \$2.4m from 30 June 2013, representing a \$3m improvement in net assets during the 2013/14 financial year. This is a very commendable result.

The 2014/15 Budget is framed on an estimated carried forward deficit of (\$54k) from 30 June 2014. When considering the approximate surplus of \$691k as at 30 June 2014 less the amount of \$731k required from the municipal surplus to fund carry-forward works, the budget estimate is extremely accurate.

It is therefore determined that the \$5,260,883 in recommended carry-forward works will have a nil impact on unrestricted cash/closing net assets as at 30 June 2015.

A number of minor budget variations have also been identified during the course of the review (included in Attachment 1), and it is recommended that these also be approved by Council. These budget variations 100% funded, and have a favourable impact of \$36k on the unrestricted cash/closing net assets as at 30 June 2015.

#### **FINANCIAL IMPLICATIONS**

Total carry-forward works of \$5,260,883 are recommended requiring \$731k in funding from the municipal surplus. The approximate carried forward surplus as at 30 June 2014 is \$691k compared to a 2014/15 Budget estimate of (\$54k), meaning that there is capacity for \$745k in funding from unrestricted cash.

#### **STATUTORY AND POLICY IMPLICATIONS**

All Budget Variations are to be approved by an Absolute Majority decision of Council pursuant to Section 6.8 of the *Local Government Act 1995*.

Relevant Strategic Planning implications includes the delivery of high quality corporate governance and fiscal accountability.

#### **ATTACHMENTS**

1. Detail of proposed carry-forward works

29 August 2014



Items proposed for Carryover from 2013/14														
Project	Fund	Account No.	13/14 Amended Budget	13/14 Actual	Variance	14/15 Adopted Budget	Carryover / Budget Amendment	14/15 Amended Budget	Total Funding	Unrestricted Cash	Reserves	Unspent Grants	Unspent Loans	Specific Source Revenue
<b>CAPITAL EXPENDITURE</b>														
Plant and Equipment (2 x Gen Sets)	Airport	1210440	435,000	121,945	- 313,055	165,000	270,000	435,000	270,000		270,000			
Resheet Runway (Sealing Ends)	Airport	1210463	500,000	236,099	- 263,901	-	200,000	200,000	200,000		200,000			
Stormwater Drainage	Airport	1210477	350,000	193,296	- 156,704	-	100,000	100,000	100,000		100,000			
Sewer Water Upgrades	Airport	1210472	200,000	-	200,000	-	200,000	200,000	200,000		200,000			
Hire Car Development	Airport	1210471	150,000	77,430	- 72,570	-	72,570	72,570	72,570		72,570			
Airport Bus Parking	Airport	1210453	350,000	40,204	- 309,796	-	309,796	309,796	309,796		309,796			
Airport Interim Works	Airport	1210410	910,473	271,889	- 638,584	1,000,000	638,584	1,638,584	638,584		638,584			
Rubbish Collection Truck	Waste	1002430	800,000	407,942	- 392,058	-	375,800	375,800	375,800		375,800			
Landfill Development	Waste	1004286	220,000	171,899	- 48,101	771,866	48,101	819,967	48,101		4,267			43,834
Waste Water Reuse System	Waste	1011410	417,569	17,577	- 399,992	420,000	210,000	630,000	210,000		210,000			
JD Hardie Facility Upgrade	BHP	1104415	41,067	34,932	- 6,135	-	6,135	6,135	6,135		6,135			
Wanangkura Stadium Signage	BHP	1122497	14,208	4,000	- 10,208	200,000	10,208	210,208	10,208		10,208			
Collin Matheson Oval Upgrade	BHP	1109450	187,660	177,774	- 9,886	-	9,886	9,886	9,886		9,886			
SHAC Stage 1 Shade/Lighting	BHP	1107430	544,433	541,377	- 3,056	-	3,056	3,056	3,056		3,056			
Koombana Park - RFR	RFR	1111438	938,639	878,664	- 59,975	-	48,127	48,127	48,127		48,127			
Multi-Purpose Recreation Centre - Civil Works	Muni	1108422	25,633	21,546	- 4,087	-	4,087	4,087	4,087		4,087		16,457	
Captains/Murdoch Intersection	Muni	1201406	25,000	314	- 24,686	170,000	24,686	194,686	24,686		8,229			
Multi-Purpose Recreation Centre	Muni	1108423	881,862	871,722	- 10,140	-	10,140	10,140	10,140		10,140			
Turtle Board Walk	Muni	1105426	20,556	-	20,556	-	20,556	20,556	20,556		20,556			
Drainage Minor Works	Muni	1201494	114,306	74,662	- 39,644	100,000	39,644	139,644	39,644		39,644			
South Hedland Aquatic Centre Upgrade - Muni	Muni	1107434	500,000	425,476	- 74,524	400,000	74,283	474,283	74,283		74,283			
Marquee Park Development	Muni	1111439	157,690	59,951	- 97,739	-	93,694	93,694	93,694		93,694			
Drainage Construction	Muni	1201473	190,000	5,055	- 184,945	300,000	184,945	484,945	184,945		94,410		90,535	
IT Network Upgrade	Muni	405424	237,159	119,649	- 117,510	-	117,510	117,510	117,510		117,510			
Heavy Vehicles and Plant	Muni	1208440	654,000	300,572	- 353,428	1,490,000	250,000	1,740,000	250,000		250,000			
SH Integrated Community Facilities	Muni	1117414	660,742	372,951	- 287,791	290,000	2,049	292,049	2,049		2,049		2,049	
Foreshore Rehabilitation	Muni	705280	17,273	14,250	- 3,023	70,000	3,022	73,022	3,022		3,022		3,022	
Walkway Lighting	Muni	1201481	25,000	15,535	- 9,465	75,000	9,465	84,465	9,465		9,465		9,465	
Pippingarra Road	Muni	1201445	21,876	11,190	- 10,686	278,310	10,686	288,996	10,686		10,686		10,686	
Redbank Road	Muni	1201404	130,000	93,327	- 36,673	-	36,673	36,673	36,673		36,673		36,673	
Yandeyarra Road	Muni	1201457	105,000	-	105,000	45,000	105,000	150,000	105,000		105,000		48,385	56,615
PH Light Industrial Area Drainage	Muni	1201495	150,000	-	150,000	250,000	50,000	300,000	50,000		50,000		50,000	
Kerbing Construction	Muni	1201480	200,000	-	200,000	-	200,000	200,000	200,000		200,000		200,000	
Hamilton Road	Muni	1201453	560,300	60,689	- 499,611	927,402	499,611	1,427,013	499,611		499,611		499,611	
Civic Centre Refurbishment	Muni	1102416	500,000	253,478	- 246,522	5,500,000	246,522	5,746,522	246,522		246,522		246,522	
Wallwork Road Bridge	Muni	1201402	21,074,293	20,770,924	- 303,369	20,000	303,369	323,369	303,369		303,369		303,369	
JD Hardie Roof	Muni	1104411	135,000	129,920	- 5,080	145,000	5,080	150,080	5,080		5,080		5,080	
Marie Marland Lighting - DSR/Compass	Muni	1110407	993,363	931,535	- 61,828	-	61,828	61,828	61,828		61,828			
<b>OPERATIONAL EXPENDITURE</b>														
Spoilbank Development	Spoilbank	1304256	1,449,048	1,151,816	- 297,232	600,000	297,232	897,232	297,232		297,232			
Energy Audit Initiative	BHP	1108242	45,000	18,530	- 26,470	-	26,470	26,470	26,470		26,470			
Active Open Space Master Plan	BHP	1108276	53,000	50,889	- 2,111	187,000	2,111	189,111	2,111		2,111			
Review of Local laws	Muni	408276	34,000	15,754	- 18,246	11,000	18,246	29,246	18,246		18,246		21,711	
In term Swimming Lessons	Muni	1108246	26,000	3,299	- 22,701	25,000	21,711	46,711	21,711		21,711			
NPP Housing Strategy	Muni	1006260	40,000	-	40,000	-	40,000	40,000	40,000		40,000			
<b>BUDGET VARIATIONS</b>														
Public Relations (Advertising)	Airport	1211282	-	25,000	25,000	-	25,000	25,000	25,000		25,000			
Airport Accommodation and Travel	Airport	1210214	-	50,000	50,000	-	50,000	50,000	50,000		50,000			
Reimbursement - Airport Electricity Charges	Airport	1210339	-	40,000	40,000	-	40,000	40,000	40,000		40,000			
<b>TOTALS</b>														
			<b>823,000</b>	<b>4,855,113</b>	<b>4,855,113</b>	<b>12,617,578</b>	<b>4,855,113</b>	<b>17,472,691</b>	<b>4,855,113</b>	<b>712,553</b>	<b>2,458,429</b>	<b>966,883</b>	<b>554,971</b>	<b>162,277</b>
			<b>13,440,578</b>	<b>5,260,883</b>	<b>5,260,883</b>	<b>13,440,578</b>	<b>5,260,883</b>	<b>18,701,461</b>	<b>5,260,883</b>	<b>730,799</b>	<b>2,784,242</b>	<b>988,594</b>	<b>554,971</b>	<b>202,277</b>
			<b>-6,137,088</b>											

Project	Fund	Account No.	13/14		14/15 Adopted Budget	Carryover / Budget Amendment	14/15 Amended Budget	Total Funding	Unrestricted Cash	Reserves	Unspent Grants	Unspent Loans	Specific Source Revenue
			Budget	Variance									
Pioneer Cemetery Upgrade	BHP	1009484	750,000		750,000	28,981	778,981	28,981					
Flood Pumps Refurbishment	Muni	1203440	300,000		300,000	31,156	268,844	31,156					
Kingsford Smith Business Park - Landscaping	Muni	New	-		500,000	500,000	500,000	500,000					500,000
SES Operating Expenses	Muni	505217	93,000		93,000	22,491	70,509	22,491					- 22,491
Kidsport	Muni	1108254	10,000		10,000	5,134	4,866	5,134					
Youth Events and Programs	Muni	811268	27,500		27,500	4,335	31,835	4,335			4,335		
JD Salaries	Muni	1104201	430,000		430,000	26,625	456,625	26,625			26,625		
JD Minor Events	Muni	1104273	-		-	5,410	5,410	5,410			5,410		

### 11.4.5 Unaudited Financial Report for the Year Ended 30 June 2014

Peter Kocian, Manager Financial Services  
File No. 12/14/0003

#### DISCLOSURE OF INTEREST BY OFFICER

Nil

#### 201415/055 RECOMMENDATION/ COUNCIL DECISION

**MOVED: CR HUNT**

**SECONDED: CR HOOPER**

**That Council:**

1. **Note the decision of the Audit and Finance Committee of 17 September 2014; and**
2. **Receive the Unaudited Financial Report for the Year Ended 30 June 2014.**

**CARRIED 5/0**

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#### EXECUTIVE SUMMARY

This report presents the Unaudited Financial Report for the Year Ended 30 June 2014 to the Audit and Finance Committee, for recommendation to Council.

Once the Audit Report has been received, the Annual Financial Report inclusive of the Audit report will be presented for endorsement, and a meeting scheduled with the Auditors to discuss the contents of the Audit and Management Report.

This item is being presented at the Audit & Finance Committee meeting being held on Wednesday 17 September 2014 at 12pm. Should the committee change the recommendation an amended recommendation will be provided to the Council.

#### DETAILED REPORT

The Town is required to prepare general purpose financial reports each year and refer them to audit as soon as practicable, and no later than 30 September following end of financial year (Section 6.4 of the *Local Government Act 1995*). The Audit Report is to be received by no later than the 31 December (Section 7.9 of the *Local Government Act 1995*).

The Town Auditors, Grant Thornton, conducted the end of year audit onsite over the week 8-12 September 2014, with the draft Annual Financial Report submitted to the Auditors on 12 September 2014. It is anticipated that the Audit Report will be received in early October (Audit Report is required to be forwarded within 30 days of completing the Audit), well in advance of last year's Audit Report which was received on 16 December (Key issues identified in the Management Report last year included the timeliness of financial statement preparation, ensuring the accounting treatment is in accordance with Australian Accounting Standards, and the preparedness for on-site Audit work).

The financial statements are prepared in accordance with Australian Accounting Standards; the *Local Government Act 1995*; and the *Local Government (Financial Regulations) 1996*. Management's responsibility is to prepare the financial statements in accordance with the Standards, Act, and Regulations and to ensure that the reports present fairly the financial performance and position of the Town, free from material misstatement, whether due to fraud or error.

The role of the Auditor is to provide an opinion based on their audit as to whether Management has fulfilled these obligations. The Auditors also prepare a separate, more detailed report for Management identifying any issues arising from the conduct of the audit, and recommending any corrective actions.

Council's Audit and Finance Committee has delegated authority to liaise with the Auditor, and receive and examine the Auditor's report and any Management Letters arising from the conduct of the audit.

#### Summary of Financial Report for the Year Ended 30 June 2014

- Carried Forward Surplus – the carried forward surplus as at 30 June 2014 is \$689k compared to projected deficit carried forward of (\$54k) in the 2014/15 Budget. The difference is primarily explained by under-expenditure on capital projects in 2013/14 and is the subject of a separate agenda item to Council regarding recommended carry-over projects.
- Operating Expenditure – total operating expenditure as at 30 June 2014 amounted to \$70.445m compared to an original Budget of \$68m. The variance is primarily explained by expenditure of \$3.5m on the South Hedland Bowling and Tennis Club redevelopment which was not capitalized, although a capital budget was assigned.
- Operating Income – total operating income as at 30 June 2014 amounted to \$81.358m compared to an original Budget of \$100.569m. The variance is primarily explained by the BHP Wallwork Road Bridge contribution of \$19.92m that was included in the original 13/14 Budget (and subsequently removed during a Budget review). Rate revenue totalled \$22.522m representing approximately 28% of total operating income.
- Capital Expenditure – total capital expenditure as at 30 June 2014 amounted to \$41.69m compared to an original Budget of \$71.95m. The Wallwork Road Bridge was the flagship project with total expenditure of \$20.77m, representing 50% of total capital expenditure for the 2013/14 financial year.

- Cash and Investments - total Cash and Investments as at 30 June 2014 amounted to \$75.4m compared to \$76.2m in the previous financial year. \$70.5m is restricted cash - \$67.132m in Reserves, \$2.639m in unspent grants and \$808k in unspent loans.
- Net Assets and Revaluation of Land and Buildings – total net assets as at 30 June amounted to \$401m compared to \$300.693m as at 30 June 2013. The increase in net assets is primarily explained by the revaluation of land and buildings with total asset revaluation of \$89.4m. The value of Property, Plant and Equipment increased from \$101.2m to \$188.8m whilst the value of Infrastructure assets increased from \$131.1m to \$162.4m. The current value of all assets exceeds \$350m which represents significant asset management responsibilities.

Note – Council's Significant Accounting Policies requires for budget comparative figures shown in the annual financial report to be the original budget estimate for the relevant item of disclosure as opposed to the amended budget. The commentary in this report reflects this requirement.

### FINANCIAL IMPLICATIONS

The Original Budget for 2013/14 provided for a carried forward surplus from 2012/13 of \$3.263m. This compares to an actual deficit carried forward of (\$2.438m). The actual surplus as at 30 June 2014 amounts to \$689k. This represents actual savings of \$6.39m on the adopted 2013/14 Budget - \$5.7m variance in the carried forward surplus plus the actual surplus as at 30 June 2014. Council and staff are to be commended for this significant improvement in financial position.

### STATUTORY AND POLICY IMPLICATIONS

Local Government Act 1995

Section 6.4 – Annual Financial Report – to be submitted to Auditor no later than 30 September

Section 5.54 – Acceptance of Annual Reports – No later than 31 December

Local Government (Audit) Regulations 1996

Regulation 10 – An auditor's report is to be forwarded within 30 days of completing the audit.

Regulation 16 – Outlines the functions of the Audit Committee

There are no Council Policies relative to this item.

Pursuant to the Community Strategic Plan, the Town is to provide high quality corporate governance, accountability and compliance. The Town will also deliver responsible management of infrastructure, assets, resources and technology.

**ATTACHMENTS**

1. Unaudited Financial Report for the Year Ended 30 June 2014 (Under Separate Cover)

08 September 2014

**11.5 Office of the CEO****11.5.1 Port Hedland International Airport Governance Review**

Brett Reiss, Program Director Airport Redevelopment  
File No. 08/02/0025

**DISCLOSURE OF INTEREST BY OFFICER**

Nil

**201415/056 RECOMMENDATION/ COUNCIL DECISION**

**MOVED: CR HUNT**

**SECONDED: CR HOOPER**

**That Council:**

- 1. Note the Port Hedland International Airport Governance Review report as per attachment 1;**
- 2. Endorse the additional investigation of the long-term lease model;**
- 3. Request the Chief Executive Officer, or his delegate(s), to issue a request for tender for a transaction advisor to undertake the scoping study;**
- 4. Note that the State Government has made a contribution of up to \$50,000 or 50% of the project costs through the Regional Airport Development Scheme to undertake the scoping study (State Government letter of approval attachment 2); and**
- 5. Request the scoping study and associated work program be presented to Council.**

***CARRIED 5/0***

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**EXECUTIVE SUMMARY**

The Port Hedland International Airport will soon transform into a modern and well-serviced welcoming gateway to Australia's North West. Redevelopments are planned which will include terminal renovations, new freight and logistics zone, revised ground transport arrangements, improved airside operations and new commercial opportunities.

As part of the airport redevelopment program, work has also commenced on a review of airport governance models to identify the most appropriate governance structure to support the future redevelopment program and the future commercial operations of the airport.

A council briefing on governance review models was completed on the 13 of November 2013, a workshop was undertaken with Elected Members and the Executive Group on the 12 of March and a Governance Review Recommendation Report was tabled at the Ordinary Council Meeting held on the 25 of June 2014. From the current review, recent workshop it was identified that there is a clear preference for consideration of commercialisation, a council controlled organization (CCO) model and a lease option, since these options retain airport ownership.

At the workshop it was identified that there was an appetite to progress with the governance review:

- To determine what the asset is worth;
- To investigate leasing options; and
- To investigate opportunities and restrictions around commercialisation and a CCO.

Following on from the workshop and the abovementioned reviews a North West Airport Forum was held to discuss whether airports can all work together and partner with the State Government to look at opportunities such as the governance review to deliver better economies of scale and improved infrastructure outcomes across the region. At this workshop the State Government also confirmed it would be prepared to consider an application for funding support for a scoping study.

#### DETAILED REPORT

There are a number of key considerations in structuring future ownership and/or governance arrangements from both the Town of Port Hedland's perspective and from the perspective of potential new owners/investors/operators. A summary of these key considerations are detailed within the Governance Review Report.

From the recent workshop discussion, the following principles were agreed for the ultimate governance model:

- Retain ownership of the asset to ensure the town has an ongoing influence of strategic outcomes;
- The overall financial return must be better than the status quo;
- Real figures of the cash flow and the asset value of the airport as a stand-alone entity must be used in any decision on the governance model;
- Essential services must be maintained;
- There must be an expanded benefit to the Town;
- Enhanced access to a wider pool of qualified Airport people; and
- The overall level of risk to the Town must be reduced.

The three preferred models were analysed and compared against the identified objectives and critical success factors, and the following table details the outcomes of this analysis.



In assessing the three governance structures against the objectives and critical success factors (refer to table 1) the CCO governance structure has been considered on the basis that changes to the Local Government Act have been achieved and also on the basis that these changes have not been achieved.

Table 1

	Commercialisation	Council Controlled Organisation	Lease
Objectives			
retain ownership	✓	✓	✓
increased financial return	x	x	✓
standalone reporting	✓	✓	✓
essential services maintained	✓	✓	✓
expanded community benefit	✓	✓	✓
better access to management expertise	x	x/✓	✓
reduced the Town risks	x	x/✓	✓
improved planning outcomes	x	x/✓	✓
Critical Success Factors			
improved ability to access to debt	x	x/✓	✓
quarantining debt risk to airport	x	x/✓	✓
autonomy of airport decision making	x	x/✓	✓
ongoing strategic oversight	✓	✓	✓
more effective commercial focus	x	x/✓	✓
greater financial sustainability	x	x/✓	✓
daily operation decision making rests with others	✓	✓	✓
the Town is released from future capex costs	x	x/✓	✓
better economies of scale	x	x	✓

It is apparent from the above that only the Leasehold option addresses all of the stated Town objectives and critical success factors.

#### *North Western Australia Airport Forum*

The Governance arrangements of Local Government owned and operated airports and whether there are better models to operate and fund was tabled and discussed at the North Western Australia Airport Forum. There was substantial debate regarding these governance models for regional airports and potential aggregation benefits with a focus on investment requirements, leasing and achieving appropriate rates of return on investments.

Route development was also a key topic on the agenda – it was noted that individually the regions have smaller populations than metro cities, however combined as a region it was noted that population catchment becomes a lot more attractive to airlines looking to expand their offerings.

It was agreed that the regions need to work together, to explore and develop opportunities for our region, and the key outcomes from the Forum were to continue to work with the State, the Pilbara Development Commission, and other airports to develop a coordinated approach to future governance models and airline route development.

### FINANCIAL IMPLICATIONS

The next stage in assessing the leasehold option is to undertake an initial scoping study and in terms of the entire process the following program of works to progress the leasehold option is proposed.

- Phase 1 – appoint a transaction adviser to produce a Scoping Study that assists in assessing the prospects for a long-term lease of the airport and ensuring The Town's objectives regarding future infrastructure can be met
- Phase 2 - should Council decide to proceed to Phase 2, the transaction advisor will advise and assist the Town to undertake an expressions of interest process to seek a suitable lessee and to help the Town establish, and execute an Airport Lease.
- Phase 3 – Should the Council proceed with an Airport Lease, it could consider the appointment of an adviser as a transition manager to assist the Town to manage and oversee the Airport Lease after the transaction phase has been completed to ensure the ongoing monitoring of compliance and addressing any additional areas that the Town may require assistance with to improve community outcomes on behalf of the Town.

The financial commitments expected to be made in Phase one have been estimated to be \$100,000, and it is noted that in anticipation of this commitment an application for funding support was made to the State Government through the Regional Airport Development Scheme. The State Government has subsequently confirmed funding support of 50% capped at \$50,000 – see attachment two.

### STATUTORY AND POLICY IMPLICATIONS

The Town's Strategic Community Plan, Section 6.2.2 outlines a vision to 'develop the Port Hedland International Airport as a leading regional airport in the area of passenger and freight movements and customer satisfaction'.

Port Hedland International Airport is classified as a security controlled airport under the federal Aviation Transport Security Act 2004. As owner and operator of the airport, the Town of Port Hedland is required to ensure the security integrity of the domestic and international aviation networks. The establishment of a new governance structure will be structured to ensure that the ongoing obligations as prescribed under the Aviation Transport Security Act 2004 will continue to be met.

**ATTACHMENTS**

1. Confidential - Port Hedland International Airport Governance Review - Recommendation Report of Airport Governance Review (Under Separate Cover)
2. Letter from the Department of Transport

9 September 2014

## ATTACHMENT 2 TO ITEM 11.5.1



Government of Western Australia  
Department of Transport



Mr Mal Osborne  
Chief Executive Officer  
Town of Port Hedland  
PO Box 41  
PORT HEDLAND WA 6721

Dear Mr Osborne

**2013-15 Regional Airports Development Scheme (RADS) out of session  
application Port Hedland International Airport**

Thank you for your application for an out of session 2013-15 RADS grant.

I am pleased to advise that I have approved the RADS grant for the lesser of \$50,000 (ex GST) or 50 per cent of the total eligible project cost to prepare a long-term lease review scoping study for Port Hedland International Airport.

A funding agreement outlining the terms and conditions of the grant will need to be signed by the Town of Port Hedland and the Department of Transport (DoT). Once the agreement has been signed by both parties, works as stipulated in the agreement can proceed. Payment will be made following acceptance by DoT that the completed works are consistent with the terms and conditions outlined in the funding agreement.

It is a condition of the grant that the Town of Port Hedland confirms to DoT by email, no later than 30 November 2014, that the project has commenced, or contracts have been signed, which allow completion of the project by 18 May 2015. In addition, the Town of Port Hedland is required to seek approval from DoT for all press releases and public announcements relating to the award and use of the grant.

The funding agreement will now be prepared and forwarded to you for signing.

Should you have any queries please contact Mr Mark Bartley, Research Officer, on (08) 6551 6961 or email [rads@transport.wa.gov.au](mailto:rads@transport.wa.gov.au)

Yours sincerely

**Sue Hellyer**  
A/Executive Director  
Transport Policy and Systems

28/8 / 2014

**ITEM 12 LATE ITEMS AS PERMITTED BY PRESIDING MEMBER/  
COUNCIL****12.1 State Administrative Tribunal Invitation to Reconsider  
Council Decision - Application for Retrospective Planning  
Approval for Caretaker's Dwelling on Lot 2055 (67 – 71)  
Hamilton Road, South Hedland**

Eber Butron, Director Planning and Development Services  
File No. 116400G

**DISCLOSURE OF INTEREST BY OFFICER**

Nil

**RECOMMENDATION**

That Council, with respect to the application for retrospective Planning Approval for a "Caretaker's Dwelling" at Lot 2055 (67-71) Hamilton Road, South Hedland approved on 28 August 2013:

1. Approve the Final Modified Proposal as a "Group Dwelling" (two dwellings), subject to the following conditions:
  - a) This approval relates only to the proposed "Group Dwellings", as indicated on the approved plans. It does not relate to any other development on this lot;
  - b) This approval shall be valid for a period of two (2) years only (calculated from the date of this approval), and may through Councils written consent be extended for an additional two (2) years;
  - c) On expiry of the date referred to in (b) above, the use of the temporary structures shall cease immediately;
  - d) The structures shall be removed off the site within 30 days of the date referred to in (b) above;
  - e) The applicant shall within 30 days of the date of this approval obtain an occupancy certificate for the structures currently used on site;
  - f) The applicant shall within 30 days of the date of this approval submit a "Stormwater Management Plan" to be approved by the Manager Development Services;
  - g) The applicant shall within 30 days of the date of this approval submit and have approved a detailed Landscaping and Reticulation Plan. The plan to include location, species and planting details with reference to Council's list of recommended low-maintenance tree and shrub species for general landscaping included in Council Policy 10/001;

- h) The applicant shall within 60 days of the approval of the Landscaping and Reticulation Plan establish the landscaping and reticulation with the use of mature trees and shrubs in accordance with the approved landscaping and reticulation plan and thereafter maintain the landscaping to the satisfaction of the Manager Development Services;
- i) No existing parking bays shall be obstructed in any way or used for any other purpose than parking;
- j) Roof mounted or freestanding plant or equipment such as air conditioning units, external clothes drying areas and hot water systems shall be located and / or screened to the satisfaction of the Manager Development Services; and
- k) The development shall be connected to a reticulated main sewer.

#### ADVICE NOTE

1. The applicant is advised that the Town will through the various building approval stages (building permit, occupancy) require appropriate certification to demonstrate how the buildings address acoustic/noise mitigation and the amelioration of fumes generated by the primary use (Filling Station) and will not impact upon the health and wellbeing of the occupants of the structures;
2. Delegate the Chief Executive Officer or his delegate to amend any of the conditions imposed through (2) above; and
3. Request the Chief Executive Officer or his delegate to prepare an amendment to Town Planning Scheme No 5, to prohibit "Group Dwellings" in the "Commercial Zone". Council also expresses its dissatisfaction that a development, as proposed, (or a grouped dwelling) is not consistent with the vision of the Town of Port Hedland as a growing, vibrant city, as it does not add any aesthetic value to the built environment and is basically a poor planning outcome that provides poor amenity.

#### 201415/057 ALTERNATIVE RECOMMENDATION/ COUNCIL DECISION

MOVED: CR HUNT

SECONDED: CR HOOPER

That Council, with respect to the application for retrospective Planning Approval for a "Caretaker's Dwelling" at Lot 2055 (67-71) Hamilton Road, South Hedland approved on 28 August 2013:

1. Approve the Final Modified Proposal as a "Group Dwelling" (two dwellings), subject to the following conditions:
  - a) This approval relates only to the proposed "Group Dwellings", as indicated on the approved plans. It does not relate to any other development on this lot;

- b) Subject to the following paragraphs (i) to (iv), this approval shall be valid for a total period of four (4) years expiring on 25 September 2018 consisting of two consecutive 2 year periods from the date of issue.
- (i) At least 2 months (but not more than 3 months) prior to the end of the first 2 year period of this approval (expiring on 25 September 2016), the applicant shall submit to the Town of Port Hedland a report (Compliance Report) outlining compliance with the conditions subject to this approval.
  - (ii) With the aid of the Compliance Report, the Manager Development Services shall within 1 month of receiving the Compliance Report, review the applicant's compliance with these conditions.
  - (iii) If the Manager Development Services forms the view (acting reasonably) that the Compliance Report is satisfactory, or if the Manager Development Services does not complete their review within 1 month of receiving the Compliance Report, the second 2-year period of this approval will commence from the expiry of the first 2-year period.
  - (iv) If the Manager Development Services forms the view under condition b(ii) that the Compliance Report is unsatisfactory or that the applicant's compliance with these conditions is unsatisfactory:
    - (1) The Manager for Development Services shall as soon possible inform the applicant in writing of the matters considered to be unsatisfactory;
    - (2) If those matters are addressed by the applicant to the satisfaction of the Manager for Development Services (acting reasonably) prior to the expiry of the first 2 year period, then the second 2 year period will commence in accordance with condition (b)(iii) above;
    - (3) Otherwise, the second 2 year period will not commence unless further planning approval is sought and obtained.
- c) On expiry of the date referred to in (b) above, the use of the temporary structures shall cease immediately;
- d) The structures shall be removed off the site within 30 days of the date referred to in (b) above;
- e) The applicant shall within 30 days of the date of this approval obtain an occupancy certificate for the structures currently used on site;

- f) The applicant shall within 30 days of the date of this approval submit a “Stormwater Management Plan” to be approved by the Manager Development Services;
- g) The applicant shall within 30 days of the date of this approval submit and have approved a detailed Landscaping and Reticulation Plan. The plan to include location, species and planting details with reference to Council’s list of recommended low-maintenance tree and shrub species for general landscaping included in Council Policy 10/001;
- h) The applicant shall within 60 days of the approval of the Landscaping and Reticulation Plan establish the landscaping and reticulation with the use of mature trees and shrubs in accordance with the approved landscaping and reticulation plan and thereafter maintain the landscaping to the satisfaction of the Manager Development Services;
- i) No existing parking bays shall be obstructed in any way or used for any other purpose than parking;
- j) Roof mounted or freestanding plant or equipment such as air conditioning units, external clothes drying areas and hot water systems shall be located and / or screened to the satisfaction of the Manager Development Services; and
- k) The development shall be connected to a reticulated main sewer.

#### ADVICE NOTE

1. The applicant is advised that the Town will through the various building approval stages (building permit, occupancy) require appropriate certification to demonstrate how the buildings address acoustic/noise mitigation and the amelioration of fumes generated by the primary use (Filling Station) and will not impact upon the health and wellbeing of the occupants of the structures;
2. Delegate the Chief Executive Officer or his delegate to amend any of the conditions imposed through (2) above; and
3. Request the Chief Executive Officer, or his delegate(s), to prepare an amendment to Town Planning Scheme No 5, to prohibit “Group Dwellings” in the “Commercial Zone”. Council also expresses its dissatisfaction that a development, as proposed, (or a grouped dwelling) is not consistent with the vision of the Town of Port Hedland as a growing, vibrant city, as it does not add any aesthetic value to the built environment and is basically a poor planning outcome that provides poor amenity.

*CARRIED 5/0*



## EXECUTIVE SUMMARY

On 11 August 2014 the State Administrative Tribunal made an order formally inviting the Council to reconsider its original decision of 12 September 2013 to approve a "Caretakers' Dwelling" on Lot 2055 (67-71) Hamilton Road, South Hedland, subject to conditions, inter alia Condition 1 which limited the floor area to 50m<sup>2</sup>.

The Tribunal has expressed a preliminary opinion that the development can be considered as a "Group Dwelling" development. Based on the preliminary view of the Tribunal, officer's recommend Council resolves to approve the Development as a "Group Dwelling – two (2) dwellings subject to conditions.

## DETAILED REPORT

### *Proper and Orderly Planning*

Whilst the recommendation is for approval subject to conditions, this recommendation is based on the Tribunals preliminary view that the Tribunal does not see any planning or legal reason why with some modification the Development cannot be approved as "Group Dwellings"

The Town's officers remain of the view that the Development is not conducive to proper and orderly planning for the following reasons:

### *Locality:*

The Development is located on the same lot as a 24hr fuel station. This results in the occupants being exposed to noise, fumes and potential light spill permanently.

### *Amenity:*

The layout of the Development with regard to the open space and the justification provided by the applicant relies on the adjacent recreation reserve to meets the "Deemed-to-comply" criteria.

### *Design:*

The Town's Officers are of the view that the design itself does not lend itself to that generally associated with a "Group Dwelling" and will assist in developing the Town into a City with a permanent population of 50,000.

At Council's Ordinary Council Meeting held on 28 August 2013, Council resolved to grant retrospective Planning Approval for a "Caretaker's Dwelling" (hereinafter referred to as 'the Development') at Lot 2055 (67-71) Hamilton Road, South Hedland subject to conditions, inter alia Condition 1 which reads as follows:

"The approval relates only to the proposed "Caretaker's Dwelling" (reduced to 50 m<sup>2</sup>), as indicated on the approved plans and marked in red. It does not relate to any other development on this Lot"

*Application for Review to State Administrative Tribunal*

The applicant applied to the State Administrative Tribunal ('the Tribunal') pursuant to section 252(1)(c)(ii) of the *Planning and Development Act 2005* seeking a review of Condition 1 on 10 October 2013.

*The Review Proceedings before the Tribunal*

The Town engaged Jackson McDonald Attorneys to represent the Town in this matter before the Tribunal.

The Review Proceedings have been part heard on two separate occasions. The original hearing on 17 April 2014 was adjourned to obtain a legally qualified member at the behest of the Senior Sessional Member assigned to the case due to the number of legal issues raised by the applicants.

The hearing was re-listed for a two day hearing commencing on 8 July 2014.

On 8 July 2014, legal counsel for both parties was directed to attend the Members' chambers for a pre-hearing conference. The Tribunal expressed its provisional views on the application as follows:

- "The Tribunal had the discretion to review the whole application (as opposed to being confined to the review of Condition 1) because the Tribunal considered the application was, in reality, not seeking the review of a condition but rather a review of the Town's refusal of one development (i.e. the Block B demountable building).
- The Development (comprising both the Block A and Block B developments) could not be categorised as a caretaker's dwelling, as the floor space limitation was not a development requirement that could be varied and there were doubts as to whether there was a need for multiple caretakers on the service station site.
- The Block A and Block B buildings could be approved as two separate grouped dwellings subject to some further modifications to the Block B building to make it habitable (such as the installation of a kitchenette). Relevantly, the Tribunal disagreed with the Town's legal counsel's contention that the appropriate use class for the Development (comprising both the Block A and Block B developments) was as a residential building.
- Any concerns that the granting of development approval for the Block A and the Block B Buildings as two grouped dwellings would set an undesirable precedent for further applications for what would be, in effect, worker's accommodation in the commercial zone, would be addressed by the Tribunal only granting a temporary approval (i.e. 2 - 3 years) for the Development."

The hearing was adjourned, with both parties reserving their respective positions, for an on-site mediation on 28 July 2014.

The mediation commenced with an on-site inspection of the Development. The member again reiterated the Tribunal's preliminary view that the Development could be considered as a "Group Dwelling" development. The Town's officers disputed this and argued the Town was striving to improve the quality of development within the town. Officer's argued this type of development was not in line with the objectives of the Pilbara's Port City Growth Plan in normalising the town, and further could result in a precedent which may negatively impact future development standards within the town and impact on the states key workers accommodation project (Osprey).

The member dismissed the Town's arguments and emphasised that subject to modifications the Development could meet the "Deemed-to-comply" requirements of the R-Codes.

The Town's officers expressed concern with the ability for the Development to comply with the "Design requirements" or "Deemed-to-comply" provisions of the R-Codes. Officer's reluctantly agreed subject to modifications and acceptable justification to assess the application as "Group Dwellings".

The applicants provided their modified proposal for two "self-contained grouped dwellings" to the Town on 5 August 2014 (hereafter referred to as "the Initial Modified Proposal").

At the Mediation on 11 August 2014, attended by the applicant and Town's officers and consultant TPG, the Senior Sessional Member reiterated the risk of a costs order being made against the Town in the event that Council refused to approve the Development in its modified form as two "Grouped Dwellings" and the Tribunal subsequently found the Development could be approved on this basis.

The outcome of the mediation was that the applicants agreed to submit a further modified proposal clarifying:

- that the applicants would seek approval for the Development as two "Grouped Dwellings"; and the temporary approval for the Development of four (4) years.

The Tribunal made the following orders:

1. *In view of the modified proposal to be submitted by the applicant on or before 29 August 2014, pursuant to s31(1) of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision at its meeting on or before 24 September 2014.*
2. *The proceeding is adjourned to a further directions hearing at 10 am on Wednesday 8 October 2014.*

#### *The Final Modified Proposal*

An assessment of the amended proposal appears to achieve the relevant requirements of TPS5. Where the Development is not able to meet the "Design Requirements" the applicant has provided justification as to how the Development will meet the "Deemed-to-comply" requirements of the R-Codes.

It must be acknowledged that compliance with “Deemed-to-comply” is subjective and open to interpretation. Taking into consideration the Tribunal’s preliminary view, the Town’s officer’s view is of the view that the variations sought are likely to be supported by the Tribunal. Regardless of this view the Town’s Officer’s remain concerned about the precedent the Development could create if approved as “Group Dwellings”.

#### *Temporary Approval*

The applicant advised that Caltex’s lease with the operator of the site expires on 4 October 2018 (in approximately 4 years’ time) and for that reason they consider it appropriate for the Council to vary the original approval by including a new condition requiring the development to cease and the buildings be removed by this date.

At a mediation session the Tribunal expressed the view that a temporary approval coinciding with the lease date may be considered. The Town’s officer’s argued the Tribunal should not be basing its view on the lease period (economics) and rather on planning principles. This argument was dismissed by the member.

Should Council resolve to approve the officer’s recommendation and to ensure that such a development is not repeated, the Town’s officers recommend the initiation of a scheme amendment to exclude “Group Dwellings” from the “Commercial” zone.

The exclusion of the use from a “Commercial” zone would effectively stop such a development from re-occurring and render this Development as a “Non-conforming” use.

#### *Risk Assessment*

The Town’s legal representatives also advise that, if the Town is unsuccessful in the Review Proceedings, there is a risk that it could be ordered to pay to the applicants some or all of the legal costs incurred by the applicants.

On the balance of the facts, officers strongly recommend Council resolves to grant a temporary four year approval for the Final Modified Proposal as two “Grouped Dwellings”.

The temporary period of the approval will, when combined with a scheme amendment and/or adoption of a policy along the lines suggested in the above advice, ensure that:

- approval of the Final Modified Proposal will not create an undesirable precedent for further applications for what would be, in effect, worker's accommodation in commercial areas; and
- the applicants would not be able to continue the use of the land for the accommodation of their workers after 4 October 2014.

Finally, pursuing a scheme amendment and/or adopting a planning policy would still fulfil the Town's objective of achieving a more normalised and stable residential population which is more family friendly while avoiding the costs, risks and uncertainty associated with proceeding to a final hearing in the State Administrative Tribunal.

### FINANCIAL IMPLICATIONS

The Town engaged Jackson McDonald to represent the Town at SAT and TPG Town Planning, Urban Design and Heritage (TPG) to assist the Town by providing technical planning and associated expert witness services.

To date, the Town has incurred legal and expert witness expenses of approximately \$70,000.

#### *Financial Risk*

Should Council resolve not to support the officer's recommendation, given the Tribunal's preliminary view there is a real risk that the Tribunal will find in favour of the applicant.

The Tribunal has further warned that should the Tribunal need to resolve this matter through formal processes, there is a very real possibility of costs being awarded against the Town, should the Tribunal find in favour of the applicant (the preliminary view of the Tribunal suggests this to be the case).

Should the Tribunal find in favour of the applicant (and potentially award costs to the applicant) the Town has the option of appealing this decision in the Supreme Court. However, the appeal of the decision will be costly and there is no guarantee that an appeal will be upheld.

Taking the above into consideration, should Council resolve to refuse the application and the matter is ultimately approved by the Tribunal with costs; the Town may be up for a cost of approximately \$60,000 - \$70,000.

The approval can be an appeal to the Supreme Court; the Town has been advised an appeal could cost approximately \$150,000 - \$200,000.

### STATUTORY AND POLICY IMPLICATIONS

In order to retain the Town's legal professional privilege, this advice should be considered as a confidential item – refer clause 5.23.(2)(d) of the *Local Government Act 1995*.

Applications for Planning Approval are made under Part IV – Use and Development of Land, subclause 4.1.1 of the *Town of Port Hedland Town Planning Scheme No.5*.

Pursuant to Clause 9.6 of the *Town of Port Hedland Town Planning Scheme No.5*, if an applicant and/or owner are aggrieved by a decision, as a result of a condition of approval or by a determination of refusal, an applicant and/or owner may have a right of review through the State Administrative Tribunal in accordance with section 252(1) of the Planning and Development Act 2005 (as amended).

#### Pilbara's Port City Growth Plan

The Pilbara's Port City Growth Plan vision is:

"A nationally significant, friendly, city, where people want to live and are proud to call home."

Should the Development be approved as a "Group Dwelling" it give the indication of the type of quality to Town is prepared to accept as permanent.

The Town's officer's do not considered the Development to be conducive to permanent living, and is more suited to a temporary situation.

#### COUNCIL OPTIONS

Notwithstanding the officer's recommendation Council has the following options when considering this matter.

1. Approve the application for "Group Dwellings"

To ensure similar sub-standard developments cannot be developed a scheme amendment can be initiated. However, there will still be a period of approximately six (6) – eight (8) months before the scheme can be considered a "seriously entertained document". Further, the scheme amendment will be subject to WAPC endorsement.

2. Refusal

This would necessitate the Tribunal to undertake formal proceedings to deal with the matter. Given the preliminary view of the Tribunal it is likely the matter will be approved in favour of the applicant.

3. Not accepting the proposal as a "similar" application

This option will also necessitate the Tribunal to undertake formal proceedings to deal with the matter. Given the preliminary view of the Tribunal it is likely the matter will be approved in favour of the applicant.

Further, should Council wish to appeal this decision an appeal will have to be lodged with the Supreme Court at a cost of between \$150,000 and \$200,000.

4. Approving the application regardless of the use type ("Use Not Listed" / "Group Dwellings") with a time limit of two (2) years rather than four (4) years.

**ATTACHMENTS**

1. Plans – Final Modified Proposal (Under Separate Cover)
2. Legal Advice (Confidential under separate cover)
3. TPG Advice (Confidential under Separate Cover)

16 September 2014

**ITEM 13 REPORTS OF COMMITTEES**

*Note: The Minutes of this Committee meeting are enclosed under separate cover.*

**13.1 Airport Committee Minutes – 13 August 2014****201415/058 RECOMMENDATION/ COUNCIL DECISION****MOVED: CR HUNT****SECONDED: CR HOOPER**

**That Council receive the Minutes of the Ordinary Meeting of the Airport Committee held on 13 August 2014 at 12:30pm inclusive of the following decisions:**

**10.5.1 Port Hedland International Airport – Projects Update August 2014*****CARRIED 5/0*****ITEM 14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**ITEM 15 CONFIDENTIAL ITEMS****201415/059 COUNCIL DECISION****MOVED: CR MELVILLE****SECONDED: CR HUNT**

**That Council close the meeting to members of the public as prescribed in section 5.23(2) of the Local Government Act 1995, to enable Council to consider the following item:**

**15.1 Port Hedland International Airport Terminal Works – Expanded International Operations*****CARRIED 5/0***

6:40pm Presiding Member advised that the meeting is closed to members of the public.



### **15.1 Port Hedland International Airport Terminal Works – Expanded International Operations**

#### **201415/060 COUNCIL DECISION**

**MOVED: CR HUNT**

**SECONDED: CR HOOPER**

**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 5/0***

6:44pm Presiding Member advised that sections 8.3 and 8.9 of the Standing Orders have been suspended.

#### **201415/061 COUNCIL DECISION**

**MOVED: CR MELVILLE**

**SECONDED: CR BUTSON**

**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 5/0***

6:58pm Presiding Member advised that sections 8.3 and 8.9 of the Standing Orders are resumed.

#### **201415/062 RECOMMENDATION/ COUNCIL DECISION**

**MOVED: CR HUNT**

**SECONDED: CR MELVILLE**

**That Council:**

- 1. Note the requirement to expand the Port Hedland International Airport (“PHIA”) international operations;**
- 2. Endorse the proposed concepts to expand the PHIA international operations and terminal facilities (as per Attachment 1);**
- 3. Endorse a Request for Tender being issued for the proposed renovation works to expand the PHIA international operations; and**
- 4. Note that the PHIA capital works programme will be modified through the September 2014 Quarter Budget Review process, acknowledging that the current capital budget allocations will not be exceeded.**

***CARRIED 5/0***

**201415/063 COUNCIL DECISION****MOVED: CR HUNT****SECONDED: CR HOOPER****That Council open the meeting to members of the public.*****CARRIED 5/0***

6:58pm Presiding Member advised that the meeting is open to the public. Presiding Member advised the public of Council's decision whilst behind closed doors.

**ITEM 16 APPLICATIONS FOR LEAVE OF ABSENCE****201415/064 COUNCIL DECISION****MOVED: CR MELVILLE****SECONDED: CR BUTSON****That Council approve the following applications for leave of absence:**

- **Councillor Hunt from 22 October to 25 November 2014.**

***CARRIED 5/0*****ITEM 17 CLOSURE****17.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 22 October 2014, commencing at 5:30pm, with the Public Agenda Briefing being held on Wednesday 15 October 2014, commencing at 3:30pm.

Presiding Member advised that it is Port Hedland's 118<sup>th</sup> birthday on Wednesday 22 October 2014.

**17.2 Closure**

There being no further business, the Mayor declared the meeting closed at 7:00pm.